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THE

SPEECHES

OF

JOHN WILKES,

One of the Knights of the Shire for the

COUNTY OF MIDDLESEX,

In the Parliament appointed to meet at

Westminster the 29.th day of November 1774, to the

Prorogation the 6.th day of June 1777.

With notes by the Editor.

VOL. 1.

LONDON.

1777.

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I Have collected the *Speeches* of *Mr. Wilkes* in the present House of Commons from newspapers and *oral tradition* for two reasons. The first is, they contain, in my opinion, many bold truths, especially respecting *America*, which are of importance, and in this convenient form they will be found more useful. The other reason is, if that gentleman should ever swerve from the great line of public duty, and declared attachment to the people, which he has often pledged himself to pursue through life, the most general infamy may overtake him, and punish his apostacy.

The *Protests* of the Lords on the same subject with some of the *Speeches* I thought would be acceptable to the political reader.

Some *Notes* are added, chiefly by way of illustration, for which I am answerable.

THE EDITOR.

London, July 9, 1777.

VOL. I.

B

VOTES

VOTES of January 26, 1775.

A motion was made, and the question being proposed, "That the Chaplain to this House do
" preach before this House, at St. Margaret's,
" Westminster, upon Monday next the thir-
" tieth day of this instant January, &c."

THE Lord Mayor, *Mr. Wilkes*, said, that he was for the observance of the day, not in the usual manner by fasting and prayer to deprecate the pretended wrath of heaven, but in a very different way from what some other gentlemen had proposed; that it should be celebrated as a festival, as a day of triumph, not kept as a fast; that the death of the first Charles, a determined enemy of the liberties of his country, who made war on his people, and murdered many thousands of his innocent subjects, an odious, hypocritical tyrant, who was,

in the great * *Milton's* words, *ipso Nerone neronior*, should be considered as a sacrifice to the public justice of the nation, as highly approved by heaven, and ought to be had in solemn remembrance as the most glorious deed ever done in this, or any country, without which we should at this hour have had no constitution, degenerated into the most abject slaves on the face of the earth, not governed by the known and equal laws of a *limited* monarchy, but subject to the imperious will of an arbitrary sovereign.

VOTES of Feb. 1, 1775.

A motion was made, and the question being put,
 " That leave be given to bring in a bill for
 " shortening the duration of parliaments,
 &c."

The Lord Mayor, *Mr. Wilkes*, said, that the question now before the house had been so
 fre-

* In another place *Milton* says, *Eam animi magnitudinem vobis, ô cives, injecit Deus, ut devictum armis vestris et dedititium regem judicio inelyto judicare, et condemnatum punire, primi mortalium non dubitaretis. Post hoc facinus tam illustre nihil humile aut angustum, nihil non magnum atque excelsum, et cogitare et facere debetis.... amore libertatis, justitiæ, honestatis, patriæ denique caritate accensos, tyrannum puniisse.*

Joannis Miltoni, Angli, pro populo
 Anglicano defensio.

frequently and so ably spoken to by the honourable gentleman*, who made the motion, and that it was in general so perfectly well understood, that he should trouble the house with few words on that occasion, and that he rose chiefly to return the worthy member thanks for this truly patriotic endeavour, and noble perseverance in a business of such importance. He added, Frequent Parliaments, Mr. Speaker, are the ancient constitution of England, and the right of the people to them arises from the nature of all delegated power, and the necessity of a controul. If a representative in the first session of a parliament, acts contrary to the duty of the trust reposed in him, is it fit that his constituents should be compelled to wait till the end of a tedious period of seven years before they can have an opportunity of depriving him of a power, which he so early abused? I think the case now mentioned actually exists in the very dawn of this new parliament. Several gentlemen have talked of the last parliament in the terms of reproach and indignation, which that profligate assembly most justly merited. I fear, sir, the present parliament are treading in

* Mr. Alderman Sawbridge, Member for London.

the same steps, which conducted their immediate predecessors to the utter hatred of the nation. They seem to advance with giant strides to a like detestation from this age, and from all posterity. The people without doors, especially in the *capital*, make no scruple to affirm that the majority of this house have even thus early, in one great instance, acted contrary to the plain duty, which they owe to their country, and to the sacred trust reposed in them. I allude, sir, to the contempt shewn of the *Petition*† of so respectable a body as the *Merchants* of the city of *London* trading to *North America*. This the majority have done in defiance of all decency, and of the great principles of the constitution. I am sorry to observe, that the alarm is already become general, that from this early

† The *second* petition of the *Merchants, Traders, and others* of the *City of London*, presented by Mr. *Alderman Hayley*, Member for *London*, to the House of Commons, Jan. 26, 1775, states, “ that by the resolution to which the house hath come, respecting the reference of their said petition, [the *first* Petition of Jan. 23, 1775,] they are absolutely precluded from the benefit of such a hearing, in support of their said petition, as can alone procure them that relief, which the importance and present deplorable state of their trade require.”

early abuse of their trust; the delegated powers, which the same men have so lately received for the security and preservation of the rights of their constituents, will be employed through a course of the next seven years for their destruction, and that of our fellow-subjects in *America*, unless the excellent motion of the honourable gentleman should arrest them in their career.

A new argument, sir, in favour of the motion in your hand seems at this time to arise from the nature of most of the *Petitions* complaining of undue elections, which have been presented to us in this first session of the parliament. The general complaint is that of bribery and corruption. Short parliaments, sir, if they did not totally eradicate this most pernicious practice, must necessarily diminish the evil in no small degree. By the frequent return of appeals to the people, the public money in the minister's hands would not be found always adequate to the crooked abuses of an insidious court, nor to a determined purpose of regularly counteracting the wishes of a nation. The floodgates of the treasury, however widely opened, would on such repeated occasions

scarcely afford torrents copious and impetuous enough to carry away all sense of duty to the constitution, all regard to the laws and liberties of the country. If this house were elected for a * *short term* only, a commerce of corruption between the minister and the representative could not grow up to acquire the strength and consistency, which is given by a period of seven years security and independency on the power, by which we were created.

I beg

* The House of Commons---was considered as a controul, issuing immediately from the people, and *speedily* to be resolved into the mass from whence it arose.

Thoughts on the cause of the present discontents.
8vo edition, page 66.

If the persons to whom the trust of government is committed hold their places for *short terms*; if they are chosen by the unbiassed voices of a majority of the state, and subject to their instructions; liberty will be enjoyed in its highest degree. But if they are chosen for *long terms* by a part only of the state; and if during that term they are subject to no controul from their constituents; the very idea of liberty will be lost, and the power of chusing representatives becomes nothing but a power, lodged in a *few*, to chuse at certain periods, a body of *masters* for themselves and for the rest of the community.

Dr. Price's observations on Civil Liberty,
fifth edition, p. 10.

I beg the indulgence of the house, fir, for *only* one more short observation. This motion strikes me as a kind of parliamentary test, which brings every thing home to our consciences. It cannot fail of meeting in this house the support of all the true friends of the ancient constitution of England, of all, who mean to act honestly, for they run no risque. They are sure of the applause, and free choice of their constituents, on every fresh appeal. The venal and interested; all, who think lightly of their ties and obligations to their masters, and do not hold themselves bound to hear and redress the injuries of the nation they represent, but are regardless of the feelings † of the

† The virtue, spirit and essence of a House of Commons consists in its being the express image of the feelings of the nation. [*not of 558 gentlemen met in St. Stephen's Chapel.*]

Thoughts on the cause of the present Discontents, p. 67.

Many in all ages, and sometimes the whole body of the Commons, have refused to give their opinion in some cases, till they had consulted with those that sent them: the houses have been often adjourned to give them time to do it; and if this were done more frequently, or that the towns, cities, and counties, had on some occasions given *instructions* to their deputies,

matters

the people, intent only on the public plunder; all these have their terrors, and certainly not ill-grounded, on the first suggestion of an appeal to their constituents. From such men only an opposition to this motion is to be expected. The representative, who is conscious of having merited well of his constituents, will always rejoice at the opportunity of applying for frequent proofs of their regard and trust, will desire, will earnestly solicit, this appeal, while the man, who has acted contrary to the clear dictates of his duty, and betrayed his trust, will naturally dread every such occasion, will tremble even at the distant view of the spirited indignation, with which he would be rejected. A guilty mind, sir, frequently braves the silent reproaches of a wounded conscience, but can seldom bear up against that public contempt and infamy, which I trust will always pursue parliamentary prostitution.

VOTES

matters would probably have gone better in parliament than they have often done.

Algernon Sydney, 4to ed. of 1763, p. 424.

VOTES of Feb. 6. 1775.

Resolved, That it is the opinion of this Committee, “ That an humble *Address* be
 “ presented to His Majesty, to return His
 “ Majesty our most humble thanks, for having
 “ been graciously pleased to communicate to
 “ this House, the several papers relating to the
 “ present state of the *British Colonies in America*,
 “ which, by His Majesty’s commands, have
 “ been laid before this House, and from which,
 “ after taking them into our most serious con-
 “ sideration, we find, that a part of His Ma-
 “ jesty’s subjects in the province of the *Massa-*
 “ *chuset’s Bay* have proceeded so far to resist
 “ the authority of the supreme legislature, that
 “ a *rebellion* at this time actually exists with-
 “ in the said province—that we beg leave,
 “ in the most solemn manner, to assure His
 “ Majesty, that it is our fixed resolution, at
 “ the hazard of our lives and properties, to
 “ stand by His Majesty, against all *rebellious*
 “ attempts, in the maintenance of the just
 “ rights of His Majesty and the Two Houses
 “ of Parliament.”

And

And a motion was made, and the question put, "That the said resolution be re-committed."

The Lord Mayor, *Mr. Wilkes*, said,

Mr. Speaker,

The business before the House, in its full extent respecting the *British Colonies in America*, is of as great importance as was ever debated in parliament. It comprehends almost every question relative to the common rights of mankind, almost every question of policy and legislation. I do not mean to enter into so vast, so well-trodden a field. I will confine myself to the immediate business of this day. The *Address* now reported from the committee of the whole House appears to me unfounded, rash, and sanguinary. It draws the sword unjustly against America; but before administration are suffered to plunge the nation into the horrors of a civil war, before they are permitted to force Englishmen to sheathe their swords in the bowels of their fellow-subjects, I hope this House will seriously weigh the original ground and cause of this unhappy dispute, and in time reflect whether

justice

justice * is on our side, and gives a sanction to the intended hostile proceedings. The assumed right of *taxation without the consent* of the subject is plainly the primary cause of the present quarrel. Have we then, sir, any right to tax the Americans? *That* is the great important question. The fundamental laws of human nature, and the principles of the English constitution, are equally repugnant to the claim. The very idea of *property* excludes the right of another's taking any thing from me without my consent, otherwise I cannot call it my own. No tenure can be so precarious as the will of another. What property have I in what another person can seize at his pleasure?

* The enquiry, whether the war with the Colonies is a *just* war, will be best determined by stating the power over them, which it is the end of the war to maintain: And this cannot be better done, than in the words of an Act of Parliament, made on purpose to define it. That Act, [*passed in 1766*] it is well known, declares, That "this kingdom has power, and of right ought to have power to make laws and statutes to bind the colonies, and people of America, *in all cases whatever.*" --- Dreadful power indeed! I defy any one to express slavery in stronger language. It is the same with declaring, "that we have a right to do with them what we please."

Dr. Price's Observations on Civil Liberty, p. 34.

sure? If any part of my property is subject to the discretionary power of others, the *whole* may be so likewise. If we can tax the Americans without their consent, they have no property, nothing they can call their own with certainty, for we might by violence take the whole as well as the part. The words *liberty* and *property*, so dear to an Englishman, so pleasing in our ears, would become a cruel mockery, an insult to an American. The laws of society are professedly calculated to secure the property of each individual, of every subject of the state. This point is no less clearly determined by the great principles of that happy constitution, under which we live. All subsidies to the crown have always been considered, and expressly declared, to be *grants* from the Commons of the realm, free gifts from the people. Their full consent is stated in the *grant*.* Much has been said of
the

* The preamble of the Act passed in the year 1775, ch. 42. intitled, "An Act for granting to His Majesty a certain sum of money out of the Sinking Fund, and for applying certain monies therein mentioned for the service of the year 1775; and for further appropriating the supplies granted in this session of
" par-

the Palatinate of Chester, and the Principality of Wales, and the period of their taxation; but, sir, there is a more remarkable case in point, which alone would determine this question. If gentlemen will search the Records in the Tower, and the Chapel of the Rolls, they will find that the town of Calais in France, when it belonged to the imperial crown of this realm, was not taxed till it sent a representative to parliament. A *Thomas Fowler* actually sat and voted in this House as a burgesse of the town of Calais. From that period, and not till then, was Calais taxed. The *Writ* out of Chancery, and the *Return* in the reign of Edward VI. are still extant. I faithfully gave them to the public from attested copies.*

It

“parliament,” is in the following words, “*We, your Majesty’s most dutiful and loyal subjects, the Commons of Great Britain, in Parliament assembled, towards raising the necessary supplies, which we have cheerfully GRANTED to your Majesty in this session of parliament, have resolved to give and GRANT to your Majesty the sum herein after mentioned, &c. &c.*”

* *Rotornamentum Parlamento de Anno Regni Regis Edwardi Sexti primo.*

Edwardus sextus dei gratia Angliæ Franciæ & Hi-
berniciæ Rex, sibi defensor & interez ecclesiæ Anglica-
næ

It will, I foresee, sir, be objected, Is America then to enjoy the protection of Great Britain, and to contribute nothing to the support of that parent state, which has so long afforded it safety and security, which has carefully and tenderly nursed it to this hour of its present strength and greatness? The Americans themselves have given the fullest answer to this objection

næ & Hiberniæ supremum caput, dilectis & fidelibus subjectis deputato & consilio villæ suæ Calisiæ salutem. Quia de avisamento & assensu consilii sui pro quibusdam arduis & urgentibus negotiis, nos statum & defensionem regni nostri Angliæ & ecclesiæ Anglicanæ concernimentibus quoddam parliamentum nostrum apud civitatem nostram Westmonasteriensem quarto die Nôvembriis procedentis teneri ordinavimus, & ibidem cum prelatiis Magnatibus & preliberis dicti regni nostri colloquium tenere & tractatum, vobis Mandamus firmiter iri jungentes quod immediate post receptionem hujus brevis nostri nominari & elegeri facietis unum honorabilem & discretum inhabitantem intra villam nostram predictam ad assendum Burgensem pro parlamento nostro predicto pro villa predicta & Marchiis ejusdem, pro negociis in eodem parlamento agendis juxta formam cujusdem actus in parlamento domini Henrici nuper regis Angliæ octavi, nuper patris nostri percarissimi, apud Londinum predicto die Novembriis anno regni sui vicesimo primo & exinde per diversas prorogationes usque Westmonasterium quarto die Februarii anno regni sui vicesimo septimo adjornato &

tunc

jection in a manner not to be controverted, by their conduct through a long series of years, and by the most explicit declarations. Equally in words and actions, of the most unequivocal nature, they have demonstrated their love, their ardour, their strong filial piety to-

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wards

tunc edito & postea vis, eumque ad dictos diem & locum venire facietis. Ita quod idem Burgenſis plenam & sufficientem potestatem pro se & communitate villæ & Marchiarum predictarum habeat ad faciendum & consentiendum iis quæ tunc ibidem de eo consilio dicti regni nostri favente Deo contigerint ordinari subter negociis antedictis. Ita quod per defectu potestatis hujusmodi scripturæ, improvidam electionem Burgenſis predicti dicta negocia infra non remaneant quovis modo, & cum electionem & nominationem illam sic faceritis, illas nobis in Cancellariam nostram distincte & apte sub sigillis vestris ad dictos diem & locum debite certificetis, indilate remittentes nobis hoc breve una cum retornamento nominis ejusdem Burgenſis dicto brevi consuto. Teste meipso apud Westmonasterium secundo die Augusti anno regni nostri primo.

This is a true copy of the original record remaining in the chapel of the Rolls, having been examined.

HEN. ROOKE, Clerk of the Rolls.

Excellentissimo & metuendissimo domino nostro Edwardo Sexto Dei gratia Angliæ Franciæ & Hiberniæ Regi fidei defensori & interea supremo capiti Anglicanæ & Hibernicæ ecclesiæ. Nos vestri humiles
Major

wards the mother country. They have always appeared ready, not only to contribute towards the expences of their own government, but likewise to the wants and necessities of this state,

Major Burgenses & liberi homines communitatis Villæ vestræ Calisæ benignissimo modo quo poterimus gratiæ vestræ certificamus, quod virtute honorabilis brevis vestri de summonico parlamenti nuper nobis directi & deliberati cui istud retornamentum nimirum est annexum, per assensum & consensum totius Comitatus villæ vestræ Calisæ predictæ & Marchiarum ejusdem unum hominem de melioribus & discretioribus villæ vestræ Calisæ predictæ elegi fecimus, videlicet Thomam Fowler dictæ villæ vestræ generosum ad assendum Burgensem ad parlamentum vestrum predictum ad diem & locum in predicto brevi vestro specificatum, qui quidem Burgensis plenam & sufficientem potestatem pro se & tota comitate villæ vestræ Calisæ predictæ & Marchiarum ejusdem habet ad faciendum & consentiendum iisque tunc & ibidem de Communi Consilio vestro Deo favente contigerint ordinari, prout breve villam predictam in se exigit & requirit. In quorum premissorum testimonium nos predicti viri humiles Major Burgenses & liberi homines communitatis villæ vestræ Calisæ predictæ & Marchiarum ejusdem Sigillum Majoratus Officii Villæ vestræ Calisæ predictæ presentibus fecimus apponi. Datum vicesimo die Octobris anno regni gratiæ vestræ primo.

This is a true Copy of the original record remaining in the Chapel of the Rolls, having been examined.

HEN. ROOKE, Clerk of the Rolls.

state, although perhaps they may not be over fond of all the proud, expensive trappings of royalty. In the two last wars with France they far exceeded the cold line of prudence. With the most liberal hearts they cheerfully gave you nearly their all, and they fought gallantly and victoriously by your side, with equal valour, against our and their enemy, the common enemy of the liberties of Europe and America, the ambitious, faithless French, whom now we fear and flatter. Our Journals, sir, will bear witness to the grateful sense we had of the important services of our brethren in America, by the great sums we shall find voted to be repaid them for what they expended in the spirited warlike expeditions, which they carried through with equal courage and conduct. The siege and capture of Louisburgh, the various successful operations against the general foe, without the least knowledge, much less participation, on our part, are the fullest proofs of the warm affection of their hearts to this country, and of their readiness to bear more than their share of the public expence and burthen. But, sir, the whole was the gift of freemen, our fellow-subjects, who feel that they are,

who know they have a right to be, as free as ourselves. What is their language even now, at a moment when you are planning their destruction, when you are branding them with the odious appellation of *rebels*? In the late *Petition* of the *Congress* to the King they declare, *they are ready and willing, as they ever have been, when constitutionally required, to demonstrate their loyalty to his Majesty, by exerting their most strenuous efforts in granting supplies and raising forces.* This is the unanimous resolution of a *Congress*, composed of Deputies from the several colonies of New Hampshire, Massachuset's Bay, Rhode Island and Providence Plantations, Connecticut, New-York, New Jersey, Pennsylvania, the counties of Newcastle, Kent, and Suffex on Delaware, Maryland, Virginia and the two Carolinas. I have heard, sir, of a plan of accommodation, which I believe would reconcile all differences. But alas! sir, it does not come from any servant of the crown. It comes from the *noble Lord,

to

* The Earl of Chatham. In the house of Lords on the 30th of May 1777 Earl Gower, Lord President of the Council, with that mild, winning air of modesty

to whom this country has the most essential obligations, to whom it is so highly indebted for its *late* splendor and glory. The plan is to assemble another *Congress* in the spring, the parliament of Great Britain, and the deputies of the several colonies to meet together, jointly empowered to regulate the various quotas to be paid by each province to the general

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neral

deity and meekness, which characterise the *Bedford* school, declared, that "he must affirm, no public notice whatever by any man, or body of men, by any Assembly, or Congress, by any printed American newspaper, or pamphlet, had been taken of Lord Chatham's plan of reconciliation between Great Britain and her Colonies, that it sunk immediately into absolute oblivion, for not even a hint was thrown out on the other side the water complaining that the proposition was rejected, or acknowledging, that if the Bill had passed into a law, it would have produced a reconciliation, or that it contained even the outlines of a fit accommodation, or any thing to proceed upon, and therefore he was plainly right in giving his vote against the noble Earl's proposition, and the Bill that accompanied it, two years ago." The words were taken with great exactness. The Duke of Grafton heard them, and answered many parts of Lord Gower's speech; but, whether from ignorance, or malice to Lord Chatham, I do not determine, his Grace was silent on the plan of reconciliation.

neral treasury of the whole empire. I would in addition to that plan propose, that a regulation, similar to what actually takes place with respect to Scotland, be adopted as to America. The proportion of each colony might be settled according the land-tax in England, at one, two, or more shillings in the pound. I am not deep politician enough to know what the

tion. To establish the veracity of Earl Gower, I shall produce an extract of only one public act, the Address of the General Assembly of Virginia, presented on the 14th of June 1775, to his Excellency the Right Hon. John Earl of Dunmore, Governor of Virginia; &c. &c. and printed in all the American Newspapers. It is reprinted in Almon's American Remembrancer, vol. 1. p. 113.

“ There was, indeed, a plan of accommodation offered in parliament; which, though not entirely equal to the terms we had a right to ask, yet *different but in few points* from what the General Congress had held out. Had parliament been disposed sincerely, as we are, to bring about a reconciliation, reasonable men had hoped, that by meeting us on this ground, something might have been done. *Lord Chatbam's Bill*, on the report, and the terms of the Congress on the other, would have formed a basis for negotiation; which a spirit of accommodation on both sides, might perhaps have reconciled. It came recommended, too, from one whose successful experience

the proportion should be of each Province, which will vary greatly in half a century, but I speak of each quota being at all times to be regulated according to the land-tax of this country. The very extensive and flourishing colonies of the Massachusetts Bay, Virginia, and South Carolina, for instance, should contribute more, the smaller and poorer

C 4

colonies

“ rience in the art of government should have ensured
 “ to it some attention from those to whom it was ren-
 “ dered. He had shewn to the world, that Great
 “ Britain, with her colonies, united firmly under a
 “ just and honest government, formed a power which
 “ might bid defiance to the most potent enemies. With
 “ a change of ministers, however, a total change of
 “ measures took place: the component parts of the
 “ empire have, from that moment, been falling asun-
 “ der; and a total annihilation of its weight, in the
 “ political scale of the world, seems justly to be ap-
 “ prehended.”

Oh! happy *Privy Council* of England, where *sin-
 cerity* and *truth* preside!

“ When Earl Gower was appointed *President of the
 “ Council*, the King, with his usual *sincerity*, assured
 “ him, that he had not had one happy moment, since
 “ the Duke of Bedford left him.”

Junius, vol. 1. p. 373.

“ Is there any one mode of thinking or acting with
 “ respect to *America*, which the *Duke of Grafton* has
 “ not successively adopted and abandoned? p. 89.”

“ In

colonies of New Hampshire and New Jersey
less; but, sir, I insist not a shilling can be
taken without their consent. After this day's
debate should the *Address* now moved for be
carried in this House, I greatly fear that not
only this wise plan of the noble Lord, but
every idea of a reconciliation between this
country and her colonies will be utterly im-
practicable.

The Americans, sir, have of late been
treated, both within doors and without, in a
manner, which marks no small degree of in-
justice, and even a wantonness of cruelty. We
have been repeatedly told to-day, that they
com-

“ In *America*, we trace you [the Duke of Grafton];
“ from the first opposition to the Stamp-Act, on prin-
“ ciples of convenience, to Mr. Pitt's surrender of the
“ right; then forward to Lord Rockingham's surrender
“ of the fact; then back again to Lord Rockingham's
“ declaration of the right; then forward to taxation
“ with Mr. Townshend; and, in the last instance,
“ from the gentle Conway's undetermined discretion,
“ to blood and compulsion with the Duke of Bed-
“ ford.” P. 83.

“ Was not *Lord Ghatbam* the first, who raised the
“ *Duke of Grafton* to the rank and post of a Minister,
“ and the first whom he abandoned? Did he not join
“ with Lord Rockingham, and betray him? P. 88.

complain of the *Navigation-Act*, and insist on the repeal of it. We have authentic evidence to the contrary. In the resolutions of the *Congress* they desire only to be put on the footing they were at the close of the late war, "as to the system of statutes and regulations;" nor among the various acts, of which they solicit the repeal, have they once mentioned either the *Navigation*, or *Declaratory Act*. It has likewise been asserted, that they are froward and angry enough to wish to throw off the supremacy of the *mother country. Many express resolutions, both of the General Congress, and the different Provincial Assemblies, are the fullest evidence of the sense, which the Americans entertain of their obedience and duty to Great Britain. They are too numerous to be quoted. Their full claim, as stated by themselves, is so explicit and clear, that I beg leave to read it to the House from their *Petition to the King*. It declares, *We ask but for peace, liberty and safety*. Surely, sir, no re-
quest

* I never saw a froward child mended by whipping, and I would not have the *mother* country become a *stepmother*. Our trade with America brings in, communibus annis, two millions a year.

Lord Chesterfield's Letter of Dec 25, 1765.

quest was ever more modest and reasonable, no claim better founded. It expressly mentions, *We wish not a diminution of the prerogative, nor do we solicit a grant of any new right in our favour. Your royal authority over us, and our connection with Great Britain, we shall always carefully and zealously endeavour to support and maintain.* What a contrast, sir, does this make with the proceedings of administration at home! They are sedulously endeavouring to tear asunder those powerful ties, which have long and happily knit and bound us together.

The *Address*, sir, mentions the particular province of the Massachusetts Bay as in a state of actual *rebellion*. The other provinces are held out to our indignation as *aiding and abetting*. Many arguments have been employed by some learned gentlemen among us to involve them in all the consequences of an open, declared rebellion, and to obtain the fullest orders for our officers and troops to act against them as against rebels. Whether their present state is that of *rebellion*,* or of a fit and just resist-

* The oath of allegiance binds no private man to more than the law directs, and has no influence upon the

resistance to unlawful acts of power, to our attempts to rob them of their property and liberties, as they imagine, I shall not declare. This I know, a successful resistance is a *revolution*, not a *rebellion*. *Rebellion* indeed appears on the back of a flying enemy, but *Revolution* flames on the breast-plate of the victorious warrior. Who can tell, sir, whether in consequence of this day's violent and mad *Address* to His Majesty, the scabbard may not be thrown away by them as well as by us, and should success attend them, whether in a few years the independent Americans may not celebrate the glorious era of the revolution of 1775, as we do that of 1688? The generous efforts of our forefathers for freedom heaven crowned with success, or their noble blood had dyed our scaffolds, like that of *Scottish* traitors and rebels, and the period of our history, which does us the most honour, would have been deemed

the whole body of every nation: many princes are known to their subjects only by the injuries, losses, and mischiefs brought upon them:---REBELLION---of itself is neither good nor evil, more than any other war, but is just, or unjust, according to the cause or manner of it.

deemed a rebellion against the lawful authority of the prince, not a resistance authorised by all the laws of God and man, not the expulsion of a tyrant.

The policy, sir, of this measure I can no more comprehend, than I can acknowledge, the justice of it. Is your force adequate to the attempt? I am satisfied it is not. What are your armies, and how are they to be kept up and recruited? Do you recollect that the single province of Massachusetts's Bay has at this moment 30,000 men well trained and disciplined? Do you not know that they can bring near 90,000 men into the field? They will do it, when every thing dear to them is at stake, when they have their liberties to defend against cruel oppressors and invaders. You will not be able to conquer and keep even that single province. The *noble Lord with the blue ribband proposes only 10,000 of our troops to be there, including the four regiments now going from Ireland, and he acknowledges with great truth, that the army cannot enforce the late act of parliament. Why then is it sent to Boston indeed you may lay in ashes, or it may
be

* Lord NORTH.

be made a strong garrison; but the province will be lost to you. Boston will be like Gibraltar. You will hold in the province of Massachusetts Bay, as you do in Spain, a single town, while the whole country remains in the power and possession of the enemy. Your fleets and armies may keep a few towns on the coast, for some time at least, Boston, New-York, St. Augustine, but the vast continent of America will be irrecoverably lost. A few fortresses on the coast, and some sea ports only, will remain in your possession. All the back settlements will be independent of you, and will thrive in the rapid progression of your violences and unjust exactions on the towns. A new, and amazing *landed interest* will be created. The ancient story of the *Carthaginian hide* will be verified. Where you tread, it will be kept down; but it will rise the more in all other parts. Where your fleets and armies are stationed, the possession will be secured, while they continue, but all the rest will be lost. In the great scale of empire, you will decline, I fear, from the decision of this day, and the Americans will rise to **independence,*

* The Declaration of *Independency* by the Representatives

pendence, to power, to all the greatness of the most renowned states, for they build on the solid basis of *general, public liberty*.

I tremble, sir, at the almost certain consequences of such an *Address*, founded in cruelty and injustice, equally contrary to the sound maxims of true policy, and to the unerring rule of natural right. The Americans will certainly defend their property and their liberties with the spirit of freemen, with the spirit our ancestors did, and I hope we should, exert on a like occasion. They will sooner declare themselves *independant*, and risque every consequence of such a contest, than submit to the galling yoke, which administration is preparing for them. An *Address* of this sanguinary nature cannot fail of driving them to despair. They will see that you are preparing not only to draw the sword, but to burn the scabbard. In the most harsh manner you are declaring them *rebels*. Every idea of a reconciliation will

representatives of the United States of America in Congress assembled was made on the 4th of July 1776, about a year and a half after this *Address* of the House of Commons.

• In Congress at Philadelphia, April 16, 1776, Resolved, That no *slaves* be imported into any of the *United Colonies*.

will vanish. They will pursue the most vigorous measures in their own defence. The whole continent of North America will be dismembered from Great Britain, and *the wide arch of the raised empire fall*. But I hope the just vengeance of the people will overtake the authors of these pernicious counsels, and the loss of the first province to the empire be speedily followed by the loss of the heads of those ministers, who advised these wicked and fatal measures.

VOTES of Feb. 22, 1775.

A motion was made, and the question put,
 “ That the Resolution of this House of the
 “ 17th day of February 1769, *that John*
 “ *Wilkes, Esquire, having been in this session*
 “ *of Parliament expelled this House, was, and*
 “ *is, incapable of being elected a Member to*
 “ *serve in this present Parliament, be ex-*
 “ *punged from the Journals of this House,*
 “ *as being subversive of the rights of the*
 “ *whole body of electors of this kingdom.*”

The Lord Mayor, *Mr. Wilkes*, said,
 Mr. Speaker,

The motion, which I shall have the honour
 of submitting to the House, affects, in my
 opinion,

opinion, the very vitals of this constitution, the great primary sources of the power of the people, whom we represent, and by whose authority only, delegated to us for a time, we are a part of the legislative body of this kingdom. The proceedings of the last parliament, in the business of the Middlesex elections, gave a just alarm to almost every elector in the nation. The fatal precedent then attempted to be established was considered as a direct attack on the inalienable rights of the people. Many of the most respectable bodies in this kingdom expressed their abhorrence of those arbitrary measures. They proceeded so far as to petition the crown for the dissolution of that Parliament, as having been guilty of a flagrant abuse of their trust. Above 60,000 of our fellow-subjects, freeholders of the realm, carried their complaints to the foot of the throne; a number surely deserving the highest regard, at least from a Minister, whose whole attention was not engrossed by the 6000 borough electors, who return a majority for him to this House. The people, sir, were in a ferment, which has not yet subsided. They made my cause their own, for they

they saw all the powers of government exerted against the constitution, which was wounded through my sides, and the envenomed shafts of a wicked administration pointed at our laws and liberties no less than at a hated individual. The plan was carried on for some years with a spirit of malevolence and rancour, which would have disgraced the very worst, but with a perseverance, which would have done honour to the best, cause. I do not mean, sir, to go through an irksome detail of the various persecutions and injuries, which that person suffered, I hope with a becoming fortitude. I have forgiven them. All the great powers of the state were at one time combined to pour their accumulated vengeance on me. The two Houses of Parliament chose me as the most acceptable victim, which could be sacrificed at the shrine of their court idolatry, and even *imperial Jove pointed his thunder-bolts, *red with*

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* In Junius's letter to the King of Dec. 19, 1769, it is said, "the destruction of one man [Mr. Wilkes] has been now, for many years, the sole object of your government," [*not the happiness of millions, whom God had committed to his care, but the destruction of one man, whom he ought to have protected as his subject.*]

Junius, vol. 2. p. 38.

uncommon wrath, at my devoted head. I was scorched, but not consumed. The broad shield of the law protected me. A generous public, and my noble friends, the freeholders of Middlesex, the ever steady friends of liberty and their country, poured balm into my wounds. They are healed so that scarcely a scar remains. But, sir, I feel, I deeply feel the wounds given to the constitution. They are still bleeding, and this House only can heal *them*, as well as restore the constitution to its former state of purity, health, and vigour. May I be permitted to point out the mode of cure, and the salutary methods, which I think you ought to apply? Before I proceed to the remedy, I shall beg the indulgence of the House to state the case with precision and accuracy. I hope they will forgive a dry, but candid and short, narrative of the principal facts, because I mean to argue from them. I will give them as briefly as possible, and with all the impartiality of a bye-stander.

Mr. Wilkes was first elected for the county of Middlesex, on the 28th of March 1768. He was * expelled the 3d of February 1769, and

* In that Resolution of the House of Commons,
the

and the second time chosen, without opposition, the 18th day of the same month. On

D 2

the

the first article in the *Aggregate Fund* of Mr. Wilkes's crimes, which were the pretended causes of his *expulsion and incapacity*, is the being author of the *Prefatory Remarks* on Lord Weymouth's execrable epistle, relative to the *still unexpiated* massacre in St. George's Fields on the 10th of May 1768, which the present Comptroller of His Majesty's Household, Sir William Meredith, thought a very good reason for Mr. Wilkes's *election*. In his pamphlet of "The Question stated," Sir William says, "Was I a freeholder of Middlesex, so far am I from thinking, that to make the severest animadversions on such a letter, is a ground of *incapacity*, the more a man arraigns (what I take to be) such unconstitutional positions, the fitter he is to be entrusted with the rights of the people." p. 29. No prosecution whatever on the charge of that *insolent, scandalous, and seditious libel*, as the *Prefatory Remarks* were voted to be by both Houses of Parliament, of which Mr. Wilkes avowed himself the author, has been carried on against him in any court of law. I shall only transcribe the famous libel, and some passages relative to it, without any observations.

The *Prefatory Remarks* were,

Dec. 10, 1768.

I send you the following authentic state paper, the date of which, prior by more than three weeks to the fatal 10th of May, shews how long the horrid massacre in St. George's Fields had been planned and determined upon, before it was carried into execution, and how long a hellish project can be brooded over by some infernal spirits without one moment's remorse.

Ex-

the day following the election was vacated, and he was declared by a majority of the
House

Extract from Mr. Wilkes's Address to the County of Middlesex, dated from the King's Bench Prison, Dec. 17, 1768.

I hold myself accountable to you for every action of my life, which respects the public. I desire to stand, or fall, by your free and unbiassed judgment. I wish to be directed by your counsel and instruction in all matters of importance.----I take the earliest opportunity, gentlemen, of stating to you the following particulars. I caused to be printed and published in the St. James's Chronicle of December the 10th, a letter of the Secretary of State, [Lord Weymouth] written from St. James's on the 17th of April to Mr. Justice Ponton, with some *Prefatory Remarks*. I avow the publication of both. I will go further, and declare, that I first, several months ago, transmitted to the press the letter of the Secretary at War [Lord Barrington] dated May the 11th, returning thanks *in the King's name* to the officers and soldiers of the third regiment of Guards, for the rank and foul murders committed in these fields on the 10th of that month. My hand trembled, while I copied what I blushed to read, and I gave it to the public in the only way my present situation could admit, with the hope of promoting a parliamentary enquiry into that bloody transaction, which I trust this second publication will now accomplish, and because I think this free nation has a right to be fully informed of the conduct of administration in so important a concern, as the loss of the lives of many subjects. Administration complains of
me

House incapable of being elected into that Parliament. Notwithstanding this resolution

D 3 of

me for having published the letter of the secretary of State. I complain to the nation that such a letter has been written. This is not a letter on any personal business or pleasure. I would have scorned to have published any such. This letter was from a Secretary of State to the Chairman of the Quarter Sessions at Lambeth, and is written in characters of blood. It affects deeply the constitution of this country, and every man in our island. I will at present leave it to the honest indignation of every Englishman. I shall now only add, that if I have not given to the public a most accurate and faithful copy, I ask pardon of the Secretary of State. If I have, then I will say, that for the innocent blood of our countrymen spilt in consequence of that letter, the writer of it ought to ask forgiveness of God and his country, and pass the remainder of his life in penitence and tears.

Extract from the Journals of Feb. 3, 1769, vol. 32, page 175.

Evidence was given to the House, by two of their members in their places, that the letter printed in the said newspaper is an *exact copy* of the original letter addressed to, and received by Daniel Ponton, Esquire, Chairman of the Quarter Sessions at Lambeth.

The Speech of Mr. Wilkes, when a prisoner, at the Bar of the House of Commons, Feb. 3, 1769.

Mr. Speaker,

I acknowledge that I transmitted to the Press the Letter of the Secretary of State, Lord Weymouth, and that

of the House, he was a third time, on the 16th of March, elected without opposition; for I
 sup-

that I wrote and published the *Prefatory Remarks* to it; and, sir, whenever a Secretary of State shall dare to write so bloody a scroll, I will through life dare to write such *Prefatory Remarks*, as well as to make my appeal to the nation on the occasion. I ask pardon, sir, that I made use of too mild and gentle expressions; when I mentioned so wicked, so inhuman, so cowardly a massacre, as that in St. George's Fields on the 10th of May. I pledge myself to the House, that whenever a day shall be appointed to go into this important inquiry, I will bring evidence here to prove the truth of every word I have asserted. I hope the House, sir, will send for Mr. Ponton, and examine him, whether he did or did not receive that letter from the Secretary of State. If he answers in the affirmative, I am sure, from the virtue of this House, that they will immediately order an impeachment against the Secretary to be carried up to the Bar of the House of Peers.

Extract from the Journals of Feb. 2, 1769, vol. 32, page 176.

Resolved, That the *Introduction* to the Copy of a Letter, addressed to Daniel Ponton, Esquire, Chairman of the Quarter Sessions at Lambeth, and dated St. James's, the 17th of April 1768, contained in a certain Newspaper, intitled, "The St. James's Chronicle, or the British Evening-Post, from Thursday December the 8th, to Saturday, December the 10th, 1768, printed by Henry Baldwin, at the Britannia Printing-Office, No. 108, Fleet-Street," of which *Introduction* John Wilkes, Esquire, a Member of this House,

suppose the ridiculous attempt of a † Mr. Dingley, who had not a single freeholder to propose, or vote for him, can hardly be called an opposition. *That* election however was de-

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House, has now at the Bar of this House confessed himself to be the author and publisher, is an insolent, scandalous, and seditious libel, tending to inflame and stir up the minds of His Majesty's subjects to sedition, and to a total subversion of all good order and legal government.

Extract from the Journals of Feb. 3, 1769, vol. 32, page 178.

A motion being made, and the question being put, That John Wilkes, Esquire, a Member of this House, who hath at the Bar of this House, confessed himself to be the author and publisher of what this House has resolved to be an insolent, scandalous, and seditious libel, &c. &c. &c. *be expelled this House.*

The House divided.

Tellers for the Yeas	Lord Frederick Campbell, Mr. Stevens.	} 219
Tellers for the Noes	Lord John Cavendish, Mr. Montagu.	} 137

So it was resolved in the Affirmative.

† This unfortunate person had been persuaded by the Duke of Grafton to set up for Middlesex, his Grace being determined to seat him in the House of Commons, if he had but a single vote. It happened unluckily that he could not prevail upon any one freeholder to put him in nomination.

Junius, vol. 1, p. 60.

clared void the next day. On the 13th of April Mr. Wilkes was a fourth time elected, by a majority of 1143 votes against Mr. Luttrell, who had only 296. The same day this House † voted, “ that Mr. Luttrell ought to “ have been returned.” On the 29th of April, a *Petition* was presented to the House from the freeholders of Middlesex by a worthy § Baronet, who is not only an honour to this House, but to human nature; notwithstanding which the House on the 8th of May resolved, “ that Henry Lawes Luttrell, Esquire, “ is duly elected a Knight of the Shire to serve “ in this present Parliament for the county of “ Middlesex.”

These, sir, are the great outlines, the leading facts. I will not trouble the Clerk to read all the resolutions, to which I have alluded. They are fresh, I am persuaded, in the memories of gentlemen. I only call for that

† Sir Fletcher Norton, when it was proposed to punish the Sheriffs, declared in the House of Commons, that they, in returning Mr. Wilkes, had done no more than their duty.

Junius, vol. 1. p. 70.

§ Sir George Savile, Baronet, Member for Yorkshire.

that of Feb. 17, 1769, respecting *incapacity* as the certain consequence of *expulsion*.

[The Clerk read the Resolution.]

Now, Sir, I think it fair to state to the House the whole of what I intend to move in consequence of the facts stated, and the Resolution just read. The first motion I intend is, “ that the Resolution of this House of the 17th of February, 1769, *that John Wilkes, Esquire, having been, in this Session of Parliament, expelled this House, was, and is, incapable of being elected a member to serve in this present Parliament, be expunged from the Journals of this House, as being subversive of the rights of the whole body of electors of this kingdom.*” This I hold of necessity to restore the constitution, which that Resolution tears up by the roots. I shall then, if I succeed, if justice and a reverence for the constitution prevail in this Parliament, proceed to the other Motion, “ that all the declarations, orders, and resolutions of this House, respecting the election of John Wilkes, Esquire, for the County of Middlesex, as a void election, the due and legal

“ gal election of Henry Lawes Luttrell, Es-
 “ quire, into the last Parliament, for the
 “ County of Middlesex, and the incapacity of
 “ John Wilkes, Esquire, to be elected a Mem-
 “ ber to serve in the said Parliament, be ex-
 “ punged from the Journals of this House, as
 “ being subversive of the rights of the whole
 “ body of electors of this kingdom.”

The words of the Resolution of the 17th of
 February 1769, which I mean more particu-
 larly to combat, are, “ was and is incapable,”
 and the explanation of them the same day in
 the order for a new writ, “ in the room of
 “ John Wilkes, Esquire, who is adjudged in-
 “ capable of being elected a Member to serve
 “ in this present Parliament.” In the first
 formation of this government, in the original
 settlement of our constitution, the people ex-
 pressly reserved to themselves a very consider-
 able part of the legislative power, which they
 consented to share jointly with a King and
 House of Lords. From the great population
 of our island this right could not be claimed
 and exercised personally, and therefore the
many were compelled to delegate that power to
a few, who thus were chosen their deputies and
 agents

agents only, their representatives. It follows from the very idea of a choice, that such choice must be free and uncontrouled, admitting of no restrictions, but the law of the land, to which the King and the Lords are equally subject, and what must arise from the nature of the trust. A Peer of Parliament, for instance, cannot be elected a Member of the House of Commons, because he already forms a part of another branch of the same legislative body. A lunatic has a natural incapacity. Other instances might be mentioned, but these two are sufficient. The freedom of election is then the common right of the people of England, their fair and just share of power; and I hold it to be the most glorious inheritance of every subject of this realm, the noblest, and, I trust, the most solid part of that beautiful fabric, the English constitution. Here I might lean, sir, on the most respectable authorities, which can be cited, the supreme judicature of this kingdom, and the venerable judges of former ages as well as of our own times. *I met them accidentally this morning in the course of my reading, as an old friend*

friend* of *Wilkes and Liberty*, now alas ! lost to every sense of duty to his country, frequently tells another great assembly, that he *accidentally meets* in this manner all his tiresome quotations. The House of Peers, sir, in the case of Ashby and White in 1704 determined, " a man has a right " to his freehold by the common law ; and the " law

* The Duke of Grafton. Junius in a letter to his Grace of May 30, 1769, says, " you complained--- " that your *friend*, Mr. Wilkes, who had suffered so " much for the party, had been abandoned to his fate " ---as for Mr. Wilkes, it is, perhaps, the greatest " misfortune of his life, that you should have so ma- " ny compensations to make in the closet for your " former *friendship* with him. Your gracious master " understands your character, and makes you a persecu- " tor, because you have been a *friend*." Vol. 1. p. 79.

Now, my Lord, let me ask you, Has it never occurred to your Grace, while you were withdrawing this desperate wretch [*Mac Quirk*] from that justice which the laws had awarded, and which the whole people of England demanded against him, that there is another man, who is *the favourite of his country*, whose pardon would have been accepted with gratitude, whose pardon would have healed all our divisions ? Have you quite forgotten that this man was once your Grace's *friend* ? or is it to murderers only that you will extend the mercy of the crown ? Vol. 1. p. 59.

! Was he [the Duke of Grafton] not the *basest friend* of Mr. Wilkes, whom he now pursues to destruction ? Vol. 1. p. 89.

“ law having annexed his right of voting to
 “ his freehold, it is of the nature of his free-
 “ hold, and must depend upon it.” On the
 same occasion likewise they declared, “ it is
 “ absurd to say, the electors right of chusing
 “ is founded upon the law and custom of par-
 “ liament. It is an *original right, part of the*
 “ *constitution of the kingdom, as much as a par-*
 “ *liament is*, and from whence the persons
 “ elected to serve in parliament do derive their
 “ authority, and can have no other but that
 “ which is given to them by those that have
 “ the original right to chuse them.” The
 greatest law authorities, both ancient and mo-
 dern, agree in the opinion, that every subject of
 the realm, not disqualified by law, is eligible
 of common right. Lord Coke, Lord Chief
 Justice Holt, and * Mr. Justice Blackstone,
 are

* Doctor Blackstone is Solicitor to the Queen. The
 Doctor recollected that he had a place to preserve,
 though he forgot that he had a reputation to lose. We
 have now the good fortune to understand the Doctor's
 principles as well as writings. For the defence of
 truth, of law, of reason, the Doctor's book may be
 safely consulted; but whoever wishes to cheat a neigh-
 bour of his estate, or to rob a country of its rights,
 need make no scruple of consulting the Doctor himself.

Junius, vol. 1. p. 93.
 Mr.

are the only authorities, which I shall cite. I regard not, sir, the slavish, *courtly* doctrines propagated by lawyers in either house of Parliament, as to the rights of the subject, no more than I do as to what they pronounce high treason and *rebellion*. Such doctrines are delivered here only to be *reported* elsewhere. These men *have their reward*. But the venal tongue of a prostitute advocate or judge, is best answered by the wise and sober pen of the same man, when in a former cool moment, unheated by party rage or faction, after the fullest deliberation, he gave to the nation, to the present age, and to posterity, a fair and impartial detail of their undoubted rights,

Mr. Grenville quoted a passage from the Doctor's excellent *Commentaries*, which directly contradicted the doctrine maintained by the Doctor in the House of Commons. Page 122.

In the *Commentaries*, after a long enumeration of disqualifications, it is added, "But subject to these restrictions and disqualifications, *every* subject of the realm is eligible of *common right*."

Commentaries on the Laws of England. By William Blackstone, Esq; Vinerian Professor of Law, and Solicitor-General to the Queen; 4to edition printed at Oxford in 1768. vol. 1. page 176.

rights, and when he laid down in clear and express terms the plain law of the land. Lord Coke says, "He which is eligible of common right, cannot be disabled by the said ordinance in Parliament, unless it had been by act of Parliament." Lord Chief Justice Holt declares, "the election of knights belong to the freeholders of counties, and it is an original right, vested in and inseparable from the freehold, and can no more be severed from their freehold, than their freehold itself can be taken away." Mr. Justice Blackstone in the first book of his *Commentaries on the Laws of England*, has the following words, "subject to these restrictions and disqualifications, every subject of the realm is eligible of common right." This common right of the subject, sir, was violated by the majority of the last House of Commons, and I affirm, that they, and in particular, if I am rightly informed, the † noble Lord

† This is a mistake. Lord Stanley, now Earl of Derby, declared at that time in the House of Commons, "That the worthy magistrate [the Lord Mayor, Mr. Wither] was mistaken in ascribing to the noble Lord with the blue sabband that declaration. It was " his

Lord with the blue ribband, committed by that act *high treason against Magna Charta*. This house only, without the interference of the other parts of the legislature, took upon them to make the law. They adjudged me *incapable* of being elected a member to serve in that Par-

“ his father, the late Lord Strange, who made use of that expression.”

General Fitzroy, Member for Thetford, and Vice-Chamberlain to the Queen, likewise asserted, “ That the magistrate was also mistaken in attributing his *expulsion* to the noble Lord with the blue ribband, for it was a just, and the *favourite*, measure of the noble Duke, his brother, who was then Minister.” The Lord Mayor, *Mr. Wilkes*, replied, that what one brother had, perhaps with more truth than discretion, confessed of the other, ought to be the subject of an impeachment from all the Commons of England against the Duke of Grafton, on the very evidence of the Member, who spoke last, and he expatiated on the insolence, as he termed it, of a Peer’s interfering in the elections and privileges of the Commons, and of declaring *who should sit in that House*. Such barefaced usurpations on the rights of the people were, he said, the old *genuine Stuart* maxims, which he hoped had taken their flight at the accession of the Brunswick line. He concluded, that the House ought to be alarmed at the open avowal, that the expulsion of one of their Members was a *favourite* measure of an arbitrary Minister, the Member of another House, and predetermined in another place, that he could not suppress his indignation, that any man
could

Parliament, although I was qualified by the law of the land, and the noble Lord declared in this house, "if any other candidate had only six votes, he would seat him for Middlesex." I repeat it, sir, this violence was a direct infringement of Magna Charta, *high treason* against the sacred charter of our liberties. The words, to which I allude, ought always to be written in letters of gold. "No freeman shall be disseized of his freehold, or liberties, or free customs, unless by the lawful judgment of his peers, or by the law of the land." By the conduct of that majority, and of the noble Lord, they assumed to themselves the power of making the law, and at the same moment invaded the rights of the people, the King, and the Lords. The two last tamely acquiesced in the exercise of a power, which had been in a great instance fatal to their predecessors, had put an end to

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could entertain the idea of deriving a kind of imputed *family* merit from a violation of the laws of his country perpetrated by a brother, and that the approbation and voluntary confession of a crime committed by another, but almost incapable of proof, argued a degree of folly most justly the object of pity, but a total want of principle, which excited horror.

their very existence; but the people, sir, and in particular the spirited freeholders of this county, whose ruling passion is the love of liberty, have not yet forgiven the attack on *their* rights. So dangerous a *precedent* of usurped power, which may in future times be cited and adopted in practice by a despotic minister of the crown, ought to be expunged from the Journals of this House.

I have heard and read much of *precedents* to justify the proceedings of the last House of Commons. I own, sir, I value very little the doctrine of † *precedents*. There is scarcely any new villainy under the sun. A precedent can never justify any action in itself wicked, a robbery for instance on the heaths of Hounslow or Bagshot, of which there are innumerable precedents. The basest actions may be justified by precedents drawn from bad times and bad men. The sole question is, Whether this power is not a direct usurpation on the rights of the people? If *that* is proved, I care not how long the usurpation has continued,

how

† One *precedent* creates another.---They soon accumulate and constitute Law. What yesterday was fact, to-day is doctrine.

Junius. Dedication to the English nation, p. 3.

how often practised. It is high time to put an end to it. It was the case of *General Warrants*. One precedent however, the most insisted upon, I must take notice of, because it is said fully to come up to the point, but, in my opinion, in almost every part it proves the contrary of what it has been brought to support. I mean the remarkable case of Mr. Walpole in 1711, a period, in which the rankest *Tory* principles were countenanced more than in any other of our history prior to 1760. The case, sir, has been so partially quoted, even by a § person, whose sole merit

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here

§ *Jeremiah Dyson*, Esq; formerly Clerk of the House of Commons, Member in the present Parliament for *Horsham* in *Suffex*.

It is well worth remarking that the compiler of a certain quarto, called *The case of the last election for the county of Middlesex considered*, has the impudence to recite this very vote, in the following terms, vide page 11, "Resolved, that Robert Walpole, Esq; having been that session of parliament expelled the House, was and is incapable of being elected a member to serve in the present parliament." There cannot be a stronger positive proof of the *treachery* of the compiler, nor a stronger presumptive proof that he was convinced that the vote, if truly recited, would overturn his whole argument.

Junius, vol. 1. p. 145.

After

here was an assumed accuracy, which he never possessed, that I shall desire it may be read to the House from the Journals.

[The Clerk read,]

“ Resolved, that Robert Walpole, Esquire,
 “ having been, this session of Parliament, com-
 “ mitted a prisoner to the Tower of London,
 “ and expelled this House, *for an high breach*
 “ *of trust in the execution of his office, and noto-*
 “ *rious corruption, when Secretary at War, was*
 “ and is incapable of being elected a Member
 “ to serve in the present Parliament.”

Now, sir, I must observe, that even *that* House of Commons, at an æra so hostile to the liberties not only of England but of Europe, did not venture to adjudge Mr. Walpole incapable of being elected a member to serve in that Parliament *only* because he was expelled, but in the body of the Resolution itself they added another reason, which would be trifling, if the former was sufficient and adequate to the point, *the high breach of trust in the execution of his office, and notorious corruption, when Secretary*

After convicting Mr. *Dyson* of giving a false quotation from the Journals, and having explained the purpose, which that *contemptible fraud* was intended to answer, &c. P. 146.

cretary at War. As trustees for the nation, they assigned a public cause, which must interest every member of the community. In the case of Mr. Wilkes, the last House of Commons declared, “ that John Wilkes, Esquire, having been, in this Session of Parliament, expelled this House, *was and is incapable of being elected a Member to serve in this present Parliament.*” The *having been expelled*, whether justly or unjustly, is the *only* reason, which they gave to the world. I shall not yet, sir, dismiss the case of Mr. Walpole. It will prove another proposition maintained by me, it will shew the injustice of the late House of Commons in seating Mr. Luttrell, as Representative for the County of Middlesex. The fact was, that the House in Queen Anne’s time having expelled Mr. Walpole, ordered immediately the issuing of a new writ. At the subsequent election Mr. Walpole was again returned. A Mr. Taylor, who had a minority of votes, petitioned, but the election was vacated. Had the doctrine propagated by the late majority, and by the noble Lord with the blue ribband, been just and founded, Mr. Taylor ought to have been

the fitting member, the House should have resolved that he *ought* to have been returned, and that the grossest injustice had actually been committed against him. But even *that* Parliament, whose memory the nation execrates, stopped short in their career of iniquity, and did not proceed to such enormous wickedness. It was reserved for the present æra, when shame has lost its blush. Mr. Luttrell was for some years permitted to sit here as representing the County of Middlesex, although a great majority of the freeholders abhorred and reprobated the idea of *his* representing them, on every public occasion declared it, and in their *Petition* to this House gave the record of it under their hands to all posterity.

Sir, when the strong, unanswerable reasons, on which any doctrine is founded, bear me out, I care little about precedents. I recollect however another instance in more auspicious times, when a glorious monarch defended the constitution, which he had restored. It directly meets the objection so much relied upon, “that *expulsion* necessarily implies *incapacity*.” It is the last, which I shall desire the Clerk to read. I wish
him

him to turn to the Journals of Feb. 20, 1698.

[The Clerk read,]

“ Resolved, that Richard Woollaston, Es-
 “ quire, being a Member of the House of
 “ Commons, and having since been concern-
 “ ed, and acted, as a receiver of the duties
 “ upon houses, as also upon births, marriages,
 “ and burials, contrary to the Act, made in the
 “ fifth and sixth years of his Majesty’s reign,
 “ for granting several duties upon salt, beer,
 “ ale, and other liquors, *be expelled this*
 “ *House.*”

Now, sir, I defy all the subtlety of the most expert court lawyer among us, all the sophistry of the bar, to reconcile Mr. Woollaston’s case with the favourite court tenet, “ that *expulsion* necessarily implies *incapacity.*” The fact is ascertained, and indeed admitted, that a new writ did issue for the borough of Whitchurch in Hampshire, and that Mr. Woollaston was re-elected, and sat in the same Parliament. *Incapacity* therefore in the same Parliament does not necessarily follow *expulsion.*

I am ready to admit, that where a clear *legal* incapacity exists, all votes given to a

person incapacitated are thrown away, if they
 are knowingly given to him. But, sir, I beg
 leave to assert, that this was not the case in
 the Middlesex business. Mr. Wilkes was
 qualified by the law of the land; and the free-
 holders, who perfectly understood the clear
 point of law, as well as their own rights, ex-
 pressly declared in the Petition presented on the
 29th of April 1769 to the House, "Your
 " Petitioners beg leave to represent to this
 " honourable House, that the said Henry
 " Lawes Luttrell had not the majority of le-
 " gal votes at the said election, nor did the
 " majority of the freeholders, when they voted
 " for John Wilkes, Esquire, mean thereby to
 " throw away their votes, or to wave their
 " right of representation; nor would they,
 " by any means, have chosen to be repre-
 " sented by the said Henry Lawes Luttrell,
 " Esquire. Your Petitioners therefore appre-
 " hend he cannot sit as the representative of
 " the said County in Parliament, without a
 " manifest infringement of the rights and pri-
 " vileges of the freeholders thereof."

This House, sir, is created by the people,
 as the other is by the King. What right can
 the

the majority have to say to any county, city, or borough, you shall not have a particular person to be your representative, only because he is obnoxious to us, when he is qualified by law? Every county, city, or borough has an equal right with all other counties, cities, and boroughs, to its own choice, to its own distinct deputy in the great council of the nation. Each is free and independent, invested with precisely the same powers.

I do not mean, sir, now to enter into the argument, whether it may not be fit to give this House the power of expulsion in the first instance, for very flagrant and infamous crimes, either committed, or of which the member may be convicted, subsequent to his election. The sending the member back to his constituents on such ground might be considered as an appeal to the people. If however his constituents should differ in opinion from the majority of this House, if they should think him fit to be re-elected, he ought to be admitted, because he claims his seat under the same authority, by which every member holds the privilege of sitting and voting here, a delegation from the people, their free choice. The first appeal to the constituents

stituents might in many cases appear just and reasonable. The appeal certainly lies to them, for they are the fountain of this power. We exercise their right. By their representation only we are a House of Parliament. They have the right of chusing for themselves, not a Majority here for them.

Sir, I will venture to assert, that the law of the land, by which all courts of judicature are equally bound, is overturned by the power lately exercised by a Majority of a House of Commons. The right of election by law is vested in the freehold. It is not placed in you, but in other hands, in those of the freeholders, or the constituents. Your predecessors not only robbed a particular county of its noblest privileges, but they changed the constitution of a House of Commons. The freeholders of this county and the nation abhorred the proceeding, and poured their execrations on the treacherous authors. From us not only they, but the law and constitution now expect a full reparation of the injury, by rescinding the Resolution.

This usurpation, if acquiesced under, would be attended with the most alarming consequences. If you can reject those disagreeable to a majority,
and

and expel whom you please, the House of Commons will be *self-created* and *self-existing*. You may expel till you approve, and thus in effect you nominate. The original idea of this House being the representative of the commons of the realm will be lost. The consequences of such a principle are dangerous in the extreme. A more forcible engine of despotism cannot be put into the hands of a Minister. I wish gentlemen would attend to the plain consequences of such proceedings, and consider how they may be brought home to themselves. A member hated, or dreaded, by the minister, is accused of a crime, for instance of being the author of what he thinks a libel. I select this case, as being the crime the least likely to be committed by any one gentleman of the present majority of this House. No proof whatever is given on oath before you, because you cannot administer an oath, except in the cases provided for by act of Parliament. You determine the *fact* however, and thus the Minister begins with invading the rights of *Juries*. Before any trial, he gets the paper voted a libel, and the member he wishes expelled is voted to be the author, which is a *fact* this House is not

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competent to try and determine. *Expulsion* means always, as it is pretended, *incapacity*. The member is accordingly adjudged *incapable*. He cannot in consequence be re-elected, and thus is totally excluded from Parliament. By such manœuvres a minister may garble a House of Commons till not a single enemy of his own, or friend of his country, is left here, and the representation of the people in a great degree annihilated. Corruption had not lent despotism wings to fly so high in the reign of Charles I, or the minister of that day would have been contented with expelling *Hampden*, and the four other heroes, because they had immediately been adjudged *incapable*, and thereby incapacitated from thwarting in parliament the arbitrary measures of a wicked court. My expulsion was an easy victory over liberty and the constitution. It went with wonderful expedition through all the forms of this House, for it was known to be a measure previously adopted in the cabinet, whose members have through the *present reign
fre-

* One of the first acts of the present reign was to dismiss Mr. Legge, because he had some years before refused to yield his interest in Hampshire to a Scotchman

frequently dared to deliberate on the invasion of the dearest rights of their country.

Upon all these considerations, sir, in order to quiet the minds of the people, to restore our violated constitution to its original purity, to vindicate the injured rights of this county in particular, and of all the electors of this kingdom, and that not the least trace of the violence and injustice of the last parliament in this important cause may disgrace our records, I humbly move, “ that the Resolution of this “ House of the 17th of February 1769, *that*
 “ *John*

man [*Sir Simeon Stuart*] recommended by Lord Bute. This was the reason publicly assigned by his Lordship.

Junius, vol. 2. p. 35.

The transaction, to which Junius alludes, is related at large in a 4to pamphlet compiled from original papers, intituled, *Some Account of the Character of the late Right Honourable Henry Bilson Legge.*

Mr. Legge received a verbal message from Lord Bute by Mr. Martin [*Samuel Martin, Esq;*] Dec. 12, 1759, the purport of which was, as it stands upon Mr. Legge's paper, “ that he should bid adieu to the “ County of Southampton at the general election, and “ assist as far as lay in his power, the *Prince of Wales's* “ [now *George the Third's*] *nomination of two mem- “ bers*” Page 16.

Before the talons were grown, such things were remarked, that every man of reflection dreaded the moment of maturity.

“ *John Wilkes, Esquire, having been, in this*
 “ *session of Parliament, expelled this House, WAS,*
 “ *and is, incapable of sitting in the present Par-*
 “ *liament, be expunged from the Journals of*
 “ *this House, as being subversive of the rights*
 “ *of the whole body of electors of this king-*
 “ *dom.*”

VOTES of March 29, 1775.

Ordered, That the order of the day for the second reading of the Bill to incapacitate William Abraham, James Anderson junior, &c. &c. from voting at elections for Members to serve in Parliament; and for the preventing Bribery and Corruption in the election of Members to serve in Parliament, for the Borough of *Hindon*, in the county of Wilts, be now read.

Sir Cecil Wray, Member for East Retford, gave notice in a very spirited manner, that he would move the Committee to insert likewise in the Bill the names of the Bribers, the Candidates themselves. The Lord Mayor, *Mr. Wilkes*, observed, that the punishment ought to extend farther as to all the parties, and mentioned a

great

great defect in the Statute Law against Bribery and Corruption ; that at present a person convicted of bribery and corruption was indeed incapacitated from voting for a Member of Parliament, but not from becoming himself a part of the legislative body, and actually sitting in that House. He added, that there was at that time a †gentleman in a high and lucrative office under the Crown, bestowed upon him since he was personally convicted of bribery and corruption, who was admitted and acknowledged to be a Member of the House of Commons in this very Parliament. He appealed to the Minister himself, who was present, for the truth of the assertion ; but no answer was given. He further remarked, that the mode proposed by some gentlemen, of prosecuting the electors of *Hindon* in a court of law, instead of punishing them by the present Bill, would let half the guilty escape, even supposing a lawyer could be found public-spirited enough to undertake so many and expensive

† The person alluded to is supposed to be Bamber Gascoyne, Esq; Member for Truro in Cornwall, now a Lord of Trade, who was prosecuted to conviction for bribery at a former election for Malden in Essex.

penive causes, under the known circumstance of the poverty of the parties, and their inability to pay the penalties; for, as the law now stands, any person guilty of bribery and corruption, who informs against another equally guilty, saves himself, and acquires a personal indemnity; that this would certainly be the case of the venal wretches at Hindon, and consequently 94 of them might escape the punishment, which all the 188 so highly merited, whereas the mode of a Bill in Parliament dealt out equal and exemplary punishment to all the guilty.

VOTES of October 26, 1775.

Resolved, That an humble *Address* be presented to His Majesty, to return His Majesty the thanks of this House, for His most gracious Speech from the Throne.

To assure His Majesty, that we have long lamented the condition of our unhappy fellow-subjects in *America*, seduced from their allegiance by the grossest misrepresentations, and the most wicked and insidious pretences, &c. to declare, that His Majesty's faithful Commons took a sincere part in His Majesty's paternal

ternal desire, rather to reclaim, than to subdue, the most refractory of His Colonies, &c. the rebellious war now levied is become more general, &c. that we thankfully acknowledge the gracious considerations, which induced His Majesty to send a part of His *Electoral troops* to the garrisons of Gibraltar and Port Mahon, &c. and that we are bound in duty to return His Majesty our particular thanks, for pointing out to us, from the Throne, the constitutional resource of our well-modelled and well-regulated national *Militia*, &c. and to assure His Majesty, that we hear with the highest satisfaction the affectionate declaration of the *Father of his People*, &c, &c, &c.

The Lord Mayor, *Mr. Wilkes*, said,

Mr. Speaker,

I entirely agree with the *honourable gentleman, who seconded the Motion for an Address to His Majesty, that *every man ought now to speak out*, and in a moment so important as the present to the whole empire, I think it

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* Governor Lyttelton, Member for Bewdley, now Lord Westcote, a Lord of the Treasury.

ill becomes the dignity and duty of Parliament to lose itself in such a fulsome, adulatory Address to the throne as that now proposed. We ought rather, sir, to approach our Sovereign with sound and wholesome advice, and even with remonstrances against the conduct of his ministers, who have precipitated the nation into an *unjust, ruinous, felonious and murderous* war. I call the war with our brethren in America an *unjust, felonious* war, because the primary cause and confessed origin of it is, to attempt to take their navy from them without their consent, contrary to the common rights of all mankind, and those great fundamental principles of the English constitution, for which *Hampden* bled. I assert, sir, that it is in consequence a *murderous* war, because it is an effort to deprive men of their lives for standing up in the just cause of the defence of their property, and their clear rights. It becomes no less a *murderous* war with respect to many of our fellow subjects of this island; for every man, either of the navy or army, who has been sent by government to America, and fallen a victim in this unnatural and unjust contest, has, in my opinion, been *murdered*

dered by administration, and his blood lies at their door. Such a war, I fear, sir, will draw down the vengeance of heaven upon this devoted kingdom.

I think this war, sir, fatal and ruinous to our country. It absolutely annihilates the *only* great source of our wealth, which we enjoyed *unrivalled by other nations*, and deprives us of the fruits of the laborious industry of near

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three

The Speech of the LORD MAYOR, *Mr. Wilkes*, from the Hustings at Guildhall, to the COMMON HALL, April 5, 1775.

Gentlemen of the Livery;

It would ill become me on this important day to take up much of your time. I very readily complied with the request of several respectable Citizens to call this Common Hall, from every feeling of justice and humanity to our persecuted brethren in *America*, and the fatal consequences I foresee of the violent proceedings now carrying on, which must so deeply affect the prosperity, not only of this, the first commercial city in the world, but likewise the whole kingdom. I will only, gentlemen, beg leave to read to you from your own records on this subject, the words of a petition from this Metropolis to both Houses of Parliament, long before the present unhappy contest between the Mother Country and her *American Colonies* began, so long ago as the year 1739.

“ The Citizens of London are too deeply interested in whatever affects the trade of this nation not to ex-
 “ press

three millions of subjects, which centred here. *That* commerce has already taken its flight, and our American merchants are now deploring the consequences of a wretched policy, which has been pursued to their destruction. It is, sir, no less *ruinous* with regard to the enormous expence of the fleets and armies necessary for this nefarious undertaking, and of consequence the † enormous supplies to be raised,

so

“press the utmost anxiety for the welfare of that only
 “source of our riches. The petitioners apprehend, that
 “the trade from these His Majesty’s kingdoms to His
 “*American Colonies*, is of the *utmost importance*, and
 “*almost the only profitable trade this nation now enjoys*
 “*unrivalled by others.*”

If, Gentlemen, the trade to our *American Colonies* near forty years ago was, according to the declared opinion of this Metropolis, of such importance, the amazing entries for several late years made in the books of the Custom-house, which are a most daily before *your eyes*, will best demonstrate to what an immense magnitude it is since grown, and that such an object calls for our most earnest, unwearied attention and regard. Whatever your determinations may be, you may be assured of the hearty concurrence of your Chief Magistrate.

† In the Speech from the Throne on the same day His Majesty declared, “among the many unavoidable ill consequences of this *Rebellion*, none affects me more sensibly than the extraordinary burthen which it must create to my faithful subjects.” This passage is a clear demonstration,

so that we are wasting our present wealth, while we are destroying the sources of all we might have in future. An humane mind must contemplate with agony the dreadful calamities and convulsions, which are the consequence of every civil war, and especially a civil war of this magnitude and extent.

I speak, sir, as a firm friend to England and America, but still more to universal liberty, and the rights of all mankind. I trust no part of the subjects of this vast empire will ever submit to be slaves. I am sure the Americans are too high spirited to brook the idea. Your whole power, and that of your allies, if you had any, even of all the German troops, of all

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the

stration, that the Speech from the Throne must be considered as the Speech of the Minister, not of the Sovereign. The Minister, who contralls the finances of a state, would naturally dwell on the great expence of a rebellious war, but a good and humane King, who loved his people, would be *more sensibly affected* by the idea of the cruel effusion of the blood, and the loss of the lives, of many thousands of his subjects.

En 1744, Meun est attaqué par les François. On dit à Louis XV, qu'en brusquant une attaque qui coûtera quelques hommes, on sera quatre jours plutôt dans la ville. "Eh bien," dit le Roi, "prenons-la quatre jours plus tard; j'aime mieux perdre quatre jours devant une place, qu'un seul de mes sujets."

Journal de Louis V

the russians from the north, whom you can hire, cannot effect so wicked a purpose. The conduct of the present administration has already wrested the sceptre of America out of the hands of our Sovereign, and he has now scarcely even a postmaster left in that whole northern continent. More than half the empire is already lost, and almost all the rest in confusion and anarchy. The ministry have brought our Sovereign into a more disgraceful situation than any crowned head now living. He alone has already lost, by their fatal counsels, more territory than the three great united powers of Russia, Austria, and Prussia have together by a wicked confederacy robbed Poland of, and by equal acts of violence and injustice from administration.

England was never engaged in a contest of such importance to our most valuable concerns and possessions. We are fighting for the subjection, the *unconditional submission*, of a country infinitely more extended than our own, of which every day increases the wealth, the natural strength, the population. Should we not succeed, it will be a loss never enough to be deplored, a bosom friendship soured to hate and resentment. We shall be
con-

considered as their most implacable enemies, an eternal separation will follow, and the grandeur of the British empire pass away. Success, *final success*, seems to me not equivocal, not uncertain, but impossible. However we may differ among ourselves, they are perfectly united. On this side the *Atlantic* party-rage unhappily divides us, but one soul animates the vast northern continent of America, the general *congress* and each provincial assembly. An appeal has been made to the sword, and at the close of the last campaign, what have we conquered? *Bunker's Hill* only, and with the loss of 1200 men. Are we to pay as dearly for the rest of America? The idea of the conquest of that immense continent is as romantic as unjust.

The honourable gentleman, who moved the Address, says, "the Americans have been treated with lenity." Will facts justify the assertion? Was your *Boston port* Bill a measure of lenity? Was your *fishery* Bill a measure of lenity? Was your Bill for taking away the charter of the *Massachusetts Bay* a measure of lenity, or even justice? I

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omit

* John Dyke Acland, Esq; Member for Callington in Cornwall.

omit your many other gross provocations and insults, by which the brave Americans have been driven into their present state. He asserts that they *avow* a disposition to be *independent*. On the contrary, sir, all the declarations both of the late and the present *congress*, uniformly tend to this one object, of being *put on the same footing the Americans were in the year 1763*. This has been their only demand, from which they have never varied. Their daily *prayers and petitions* are for *liberty, peace, and safety*. I use the words of the *Congress* the last year. They justly expect to be put on an equal footing with the other subjects of the empire, and are willing to come into any fair agreement with you in commercial concerns. If you confine all our trade to yourselves, say they; if you make a monopoly of our commerce; if you shut all the other ports of the world against us, do not tax us likewise. If you tax us, then give us a free trade, such as you enjoy yourselves. Let us have equal advantages of commerce, all other ports open to us, then we can, and will, cheerfully, voluntarily pay taxes. You will have a *free will offering* given with pleasure, not grudgingly.

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It must give, sir, every man who loves this country, the deepest concern at the naming in the Address *foreign* troops, Hanoverians and Hessians, who are now called to interfere in our domestic quarrels, not to dwell this day on the illegality of the measure, the danger and disgrace attending *foreign* mercenaries. The *militia*, indeed, are we are told to be now employed, and that noble institution is at present complimented by ministers, but we know they hate the very name of a *militia*, and that measure is adopted only because the embodying of those forces enables administration to *butcher* more of our fellow-subjects in America.

Sir, I disapprove not only the evil spirit of the whole *Address*, but likewise the wretched adulation of almost every part of it. My wish and hope therefore is, that it will be rejected by the House, and that another dutiful, yet decent, and manly, Address will be presented to the King, praying his Majesty to sheathe the sword, prevent the farther effusion of the blood of our fellow-subjects, adopt some mode of negociation with the general congress in compliance with their repeated *petitions*,
and

and thereby restore peace and harmony to this distracted empire.

VOTES of November 27, 1775.

A Motion was, and the Question being proposed, “ That an humble *Address* be
 “ presented to his Majesty, humbly request-
 “ ing, that his Majesty would be graciously
 “ pleased to impart to this House, who
 “ were the original authors and advisers to
 “ his Majesty of the following measures,
 “ before they were proposed in Parliament—
 “ for taxing America, without the consent
 “ of its Assemblies, for the purpose of a
 “ Revenue, &c. &c.”

Mr. *Wilkes* said,

Mr. Speaker,

The *Address* to his Majesty, which * the honourable gentleman has moved this day, is so essentially different from all other late addresses to the throne, that I own it meets with my hearty concurrence. I think it, sir, of the utmost consequence to know the original authors and advisers of this unjust, pernicious, and cal-

* Mr. Alderman Oliver, Member for London.

calamitous war, which has already deluged with blood a part of America, and spread horror and devastation through that whole northern continent. When so many provinces of the empire are already lost, and the rest actually engaged in a cruel, civil war, we ought not to sit down in a criminal supineness. It becomes our duty, as the grand inquest of the nation, to find out and punish the delinquents, by whose fatal counsels such evils have been brought upon this convulsed, and almost ruined state. We owe it to the people at large, and several of us have it in express charge from our constituents.

We are, I fear, sir, on the eve of an eternal, political separation from the western world, unless a very speedy reconciliation should take place. If the present motion happily meets with success, I am sure it will do more towards a sincere, lasting, and hearty union with America, than all the captious and fallacious proposals of administration. The Americans will then believe we indeed desire a reconciliation with them, and they will at length begin to have confidence in our counsels, when they see the vengeance of Parliament fall on the authors of our common calamities.

lamities. The principles of violence and injustice, which have hitherto prevailed, they will see, if the House is really in earnest to treat, yield to equity and moderation; a negotiation on fair, equal, and just terms, may ensue, and a general tranquility be re-established in an empire, which is now shaken to its very foundations.

I really think, sir, this is almost the only method now left of extricating ourselves with honour and dignity from our present alarming difficulties. You have voted fleets and armies, and your forces figure greatly in the papers of the Secretary at War, and in the expensive estimates on your table. But the minister knows very well they are not equal to the mad project of subjugating the vast continent of America, nor do I believe the whole strength of this kingdom adequate to such an attempt. After a very bloody campaign you have conquered only one *hill* of less than a mile's circumference, for you were suffered to land as friends in the only sea-port town of any consequence which you possess. Would the noble

* Lord George Sackville Germain, one of His Majesty's Principal Secretaries of State. [*for America*]

From

ble lord, whom his Majesty has lately raised to one of the highest *civil* offices, if he were sent on a *military* service, would he venture, even at the head of *the whole British cavalry*, to advance ten miles into the country? He would not, I am persuaded, be so rash, nor do I think his spirit quite daring enough to make the attempt. And is any minister weak enough to flatter himself with the conquest of all
North

From the London Gazette of April 26, 1760.

This Court, [a *General Court-Martial*] upon the consideration of the whole matter before them, is of opinion, That *Lord George Sackville* is guilty of having *disobeyed the orders* of Prince Ferdinand of Brunswick, whom he was by his Commission and Instructions directed to obey, as Commander in Chief, according to the rules of war; and it is the further opinion of this Court, that the said *Lord George Sackville* is, and he is hereby adjudged, *unfit to serve His Majesty in any MILITARY capacity whatever.*

From the London Gazette, of Nov. 11, 1775.

His Majesty having pleased to appoint the Right Honourable *Lord George Sackville* Germain to be one of His Majesty's Principal Secretaries of State, his Lordship was this day, by His Majesty's command, sworn one of His Majesty's Principal Secretaries of State accordingly.

North America? The Americans will dispute every inch of territory with you; every narrow pass, every strong defile, every *Thermopylae*, every *Bunker's Hill*. A train of most unfortunate events will probably ensue, and the power of recruiting, perhaps subsisting, your weakened forces, at such a distance, be lost. After an unavailing struggle of a very few years, when the ruined merchant and manufacturer besiege your doors, you will perhaps think of naming ambassadors to the general congress, instead of the wild and expensive job and farce now in contemplation, of thirty commissioners, with a salary of four thousand pounds each, to cry *Peace*, when there is no *Peace*.

Yet, sir, I think *Peace* absolutely necessary between Great Britain and America, and therefore I approve the present motion, as holding out the olive branch. The Americans are rapidly increasing in population, and in the knowledge of all the useful arts of life. Alas! sir, they are not ignorant even in the fashionable art of murdering our own species. The late worthy governor of Pennsylvania* declared

at

* Richard Penn, Esq; was examined before the House of Lords, Nov. 10, 1775.

at the bar of the other House, that ~~that~~ provinces now grew more corn than was sufficient for the supply of its inhabitants; that they exported considerably every year; that they perfectly understood the art of making gunpowder, and had effected it; that they had established several works to procure saltpetre; that they had the materials and means in great plenty of casting iron cannon; that the art of casting both brass and iron cannon, as well as of fabricating small arms, had been carried to great perfection; and that they were expert in ship-building beyond the Europeans. He declared likewise, that single province had actually enrolled 20,000 men, in arms, embodied, but not in pay, and had 4000 minute men ready on the first notice of any danger. The authentic accounts of the preparations for the forming, training, and disciplining troops in the Massachusetts Bay and in Virginia are equally formidable, nor are they inconsiderable in the other united provinces. Every idea of force therefore on our side, must appear insatiable.

All wise legislators, fit, have calculated the strength of a nation from the number of its inhabitants, the laborious, strong, and active.

The

The population in most parts of America is doubled in the course of nineteen or twenty years, while that of this island is known rather to have decreased since the year 1692. The emigrations of late from the three kingdoms have been amazing and alarming. Our own people have fled in multitudes from a government, under which they starved. It appears from the nicest calculations, that many more of our fellow-subjects have voluntarily left this kingdom for America—never to return—than I believe administration has hitherto sent in their pay both of fleets and armies—never to return—in any considerable proportion I mean of the force sent. The Americans, sir, are a pious and religious people. With much ardour and success they follow the first great command of Heaven, *Be fruitful, and multiply*. While they are fervent in these devout exercises, while the men continue enterprising and healthy, the women kind and prolific, all your attempts to subdue them by force will be ridiculous and unavailing, will be regarded by them with scorn and abhorrence. They are daily strengthening, and if you lose the present moment of reconciliation, to which this
 motion

motion tends, you lose all. America may now be reclaimed or regained, but cannot be subdued.

Gentlemen, sir, do not seem to have considered the astonishing disadvantages, under which we engage in this contest against the combined powers of America, not only from the distance and natural strength of the country, but the peculiar and fortunate circumstances of a young, rising empire. The *congress*, sir, have not the monstrous load of a debt of above one hundred and forty millions, like our Parliament, to struggle with, the very interest of which would swallow up all their taxes; nor a numerous and hungry band of useless placemen and pensioners to provide for; nor has luxury yet enervated their minds or bodies. Every shilling which they raise, will go to the man who fights the battles of his country. They set out like a young heir with a noble landed estate, unincumbered with enormous family debts, while we appear the poor, old, feeble, exhausted, and ruined parent; but exhausted and ruined by our own wickedness, prodigality, and profligacy.

Sir, I daily hear the Americans, who glow with a divine zeal for liberty in all its branches, misrepresented in this House, and the ostensible minister is diligent in propagating the most unjust calumnies against them. The noble lord with the blue ribband told us, the *liberty of the press* was lost throughout America. The noble lord deceives us in this, as in many other things. From experience we know that his intelligence can never be relied upon. The liberty of the press, the bulwark of all our liberties, is lost only in Boston, for his lordship's ministerial troops govern there only. The press is free at Water-Town, but seven miles distant from Boston, at Philadelphia, Newport, Williamsburgh, and in the rest of North America. I will give the House the demonstration. General Gage's foolish and contemptible proclamation against *Samuel Adams* and *John Hancock*, two worthy gentlemen, and, I dare to add, true patriots, even that proclamation, declaring them rebels and traitors, while the generals Washington, Putnam and Lee, with all the naval commanders in arms, were unnoticed by him, appears reprinted in all the American papers. His letters

ters likewise to Governor Turnbull and others, in which he most heroically apologized for his inert conduct, as *necessary for the protection of the army—the protection of an army!*—and of an army, which we were taught to believe would look all opposition into subjection, awe the factious, and give security to the well affected; these letters too were all faithfully copied. I believe all the curious, futile orders he has issued, all his unmeaning declarations and proclamations, will be found as exact in the Pennsylvania, Water-Town, and other American news-papers, as in the Gazette, published by his authority at Boston, which in other respects is as partial and false as that of the American Secretary published *by authority* in this capital.

The *honourable gentleman, sir, who spoke last, says, the “present address is trifling, for
 “ we already know the author and adviser of all
 “ the late measures against America; that the
 “ noble lord with the blue ribband will avow
 “ them, and has done it.” I wish to hear such a declaration. Will the noble lord avow him-

* Anthony Storer, Esq; Member for Carlisle.

self the adviser of only one of the late flagi-
 tious measures, that of establishing Popery and
 despotic power in Canada? The father of that
 monstrous birth I thought had prudently hi-
 therto chosen to remain concealed. He like-
 wise tells us, "the motion now before us is
 " coupled with nothing, and leads to nothing."
 I will tell him what it ought to *lead to*, what it
 ought to be *coupled with*. I mean an *impeachment*,
 sir, which I trust will follow, as the next mo-
 tion of the honourable gentleman, who spoke
 first in this debate. Whoever did advise the
 measures lately pursued, which have lost half
 our empire, I consider as a criminal of so
 deep a dye, that his head would be a just sa-
 crifice to the honour of England and the peace
 of America. The word *impeachment*, I hope,
 will always strike terror to the ear and heart of
 a wicked and arbitrary minister, and that the
 noblest and most important prerogative of this
 free people, secured to us by our great deliverer,
 king William III, in the "Act for the further
 " limitation of the crown, and better secur-
 " ing the rights and liberties of the subject,"
 will shortly have its full effect, "that no par-
 " don under the great seal of England be
 " plead-

“pleadable to an *impeachment* by the Com-
mons in Parliament.”

VOTES of March 21, 1776.

A Motion was made, and the Question was put, “That leave be given to bring in a
“Bill, for a just and equal Representation
“of the People of England in Parliament.”

Mr. *Wilkes* said,

Mr. Speaker,

All wise governments, and well-regulated states, have been particularly careful to mark and correct the various abuses, which a considerable length of time almost necessarily creates. Among these, one of the most striking and important in our country is, the present unfair and inadequate state of the representation of the people of England in Parliament. It is now become so partial and unequal from the lapse of time, that I believe almost every gentleman in the House will agree with me in the necessity of its being taken into our most serious consideration, and of our endeavouring to find a remedy for this great and growing evil.

I wish, fir, my slender abilities were equal to a thorough investigation of this momentous business. Very diligent and well-meant endeavours have not been wanting to trace it from the first origin. ✓ The most natural and perfect idea of a free government is, in my mind, that of the people themselves assembling to determine by what laws they chuse to be governed, and to establish the regulations they think necessary for the protection of their property and liberty against all violence and fraud. Every member of such a community would submit with alacrity to the observance of what had been enacted by himself, and assist with spirit in giving efficacy and vigour to laws and ordinances, which derived all their authority from his own approbation and concurrence. In small inconsiderable states, this mode of legislation has been happily followed, both in ancient and modern times. The extent and populousness of a great empire seems scarcely to admit it without confusion or tumult; and therefore our ancestors, more wise in this than the ancient Romans, adopted the representation of the *many* by a *few*, as answering more fully the true ends of government. Rome

was

was enslaved from inattention to this very circumstance, and by one other fatal act, which ought to be a strong warning to the people, even against their own representatives, the leaving power too long in the hands of the same persons, by which the armies of the republic became the armies of Sylla, Pompey, and Cæsar. When all the burghers of Italy obtained the freedom of Rome, and voted in public assemblies, their multitudes rendered the distinction of the citizen of Rome and the alien impossible. Their assemblies and deliberations became disorderly and tumultuous. Unprincipled and ambitious men found out the secret of turning them to the ruin of the Roman liberty and common-wealth. Among us this evil is avoided by *representation*, and yet the justice of the principle is preserved. Every Englishman is supposed to be present in Parliament, either in person, or by a deputy chosen by himself, and therefore the resolution of Parliament is taken to be the resolution of every individual, and to give to the public the consent and approbation of every free agent of the community.

According to the first formation of this excellent constitution, so long and so justly our greatest boast and best inheritance, we find that the people thus took care no laws should be enacted, no taxes levied, but by *their consent*, expressed by their representatives in the great council of the nation. The mode of representation in antient times being tolerably adequate and proportionate, the sense of the people was known by that of Parliament, their share of power in the legislature being preserved, and founded in equal justice. At present it is become insufficient, partial, and unjust.

From so pleasing a view as that of the equal power, which our ancestors had, with great wisdom and care, modelled for the commons of this realm, the present scene gives us not very venerable ruins of that majestic and beautiful fabric, the English constitution. As the whole seems in disorder and confusion, all the former union and harmony of the parts are lost or destroyed. It appears, sir, from the writs remaining in the King's remembrancer's office in the exchequer, that no less than 22 towns sent members to the Parliament in the 23^d, 25th, and 26th, of Edward I. which have long

long ceased to be represented. The names of some of them are scarcely known to us, such as those of Canebrig and Bamburg in Northumberland, Pershore and Brem in Worcestershire, Jarvall and Tykhull in Yorkshire. What a happy fate, sir, has attended the boroughs of Gatton and Old Sarum, of which, although *ipsæ periére ruinæ*, the names are familiar to us, the clerk regularly calls them over, and four respectable gentlemen represent their departed greatness, as the knights at a coronation represent Aquitaine and Normandy? The little town of Banbury, *petite ville, grand renom*, as Rabelais says of Chinon, has, I believe, only 17 electors, yet gives us, in its representative,* what is of the utmost importance to the majority here, a first Lord of the treasury, and a Chancellor of the exchequer. Its influence and weight on a division, I have often seen overpower the united force of the members for London, Bristol, and several of the most populous counties. East-Grinstead too, I think, has only about 30 electors, yet gives a seat among us to that †*brave, heroic lord* at the head of a great civil de-

* Lord North is Member for Banbury.

† Lord George Germain is Member for East Grinstead.

department, now very *military*, who has fully determined † to *conquer America—but not in Germany*. It is not, sir, my purpose to weary the patience of the House by the researches of an antiquarian into the ancient state of our representation, and its variations at different periods. I shall only remark shortly on what passed in the reign of Henry VI. and some of his successors. In that reign, Sir John Fortescue, his chancellor, observed that the House of Commons consisted of more than 300 *chosen men*; various alterations were made by succeeding Kings till James II. No change has happened since that period. Great abuses, it must be owned, contrary to the primary ideas of the English constitution, were committed by our former princes, in giving the right of representation to several paltry boroughs, because the places were poor, and dependent on them, or on a favourite *overgrown peer*. The land-marks of the constitution have often been removed. The marked partiality for Cornwall, which single county still

† This seems to allude to the celebrated Expression of Mr. Pitt in the House of Commons, *that he had conquered America in Germany*.

still sends, within one, as many members as the whole kingdom of Scotland, is striking. It arose from yielding to the crown in tin and lands a larger hereditary revenue than any other English county, as well as from the duchy being in the crown, and giving an amazing command and influence. By such abuses of our princes the constitution was wounded in its most vital part. Henry VIII. restored two members, Edward VI. twenty, Queen Mary four, Queen Elizabeth twelve, James I. sixteen, Charles I. eighteen, in all seventy-two. The alterations by creation in the same period were more considerable, for Henry VIII. created thirty-three, Edward VI. twenty-eight, Queen Mary seventeen, Queen Elizabeth forty-eight, James I. eleven; in all 137. Charles I. made no new creation of this kind. Charles II. added two for the county, and two for the city of Durham, and two for Newark on Trent. This House is at this hour composed of the same representation it was at his demise, notwithstanding the many and important changes, which have since happened. It becomes us therefore to enquire, whether the sense of Parliament can be now,

on

on solid grounds, from the present representation said to be the sense of the nation, as in the time of our forefathers. I am satisfied, sir, the sentiments of the people cannot be justly known at this time from the resolutions of a Parliament, composed as the present is, even though no undue influence was practised after the return of the members to the House, even supposing for a moment the influence of all the baneful arts of corruption to be suspended, which, for a moment, I believe, they have not been, under the present profligate administration. Let us examine, sir, with exactness and candour, if the † representation is fair and perfect, let us consider of what the efficient parts of this House are composed, and what proportion

† The representation must be complete. No state, a part of which only is represented in the legislature that governs it, is *self* governed. Had *Scotland* no representatives in the Parliament of *Britain*, it would not be free; nor would it be proper to call *Britain* free, though *England*, its other part, were adequately represented. The like is true, in general, of every country subject to a legislature in which *some* of its parts, or some classes of men in it, are represented, and others not.

Dr. Price's Additional Observations on Civil Liberty, page 6.

proportion they bear on the large scale, to the body of the people of England, who are supposed to be represented.

The southern part of this island, to which I now confine my ideas, consists of about five millions of people, according to the most received calculation. I will state by what numbers the majority of this House is elected, and I suppose the largest number present of any recorded in our journals, which was in the famous year 1741. In that year the three largest divisions appear on our journals. The first is that of the 21st of January, when the numbers were 253 to 250; the second on the 28th of the same month, 236 to 235; the third on the 9th of March, 244 to 242. In these divisions the members for Scotland are included; but I will state my calculations only for England, because it gives the argument more force. The division therefore, I adopt, is that of January 21. The number of members present on that day, were 503. Let me however suppose the number of 254 to be the majority of members, who will ever be able to attend in their places. I state it high, from the accidents of sickness, service in foreign parts,

parts, travelling and necessary avocations. From the majority of electors only in the boroughs, which return members to this House, it has been demonstrated that this number of 254 members is elected by no more than 5723 persons, generally the inhabitants of Cornish, and other very insignificant boroughs, perhaps by not the most respectable part of the community. Is our Sovereign then to learn the sense of his whole people from these few persons? Are these the men to give laws to this vast empire, and to tax this wealthy nation? I do not mention all the tedious calculations, because gentlemen may find them at length in the works of the incomparable Dr. Price, in Postlethwaite, and in Burgh's Political disquisitions. Figures afford the clearest demonstration, incapable of cavil or sophistry. Since Burgh's calculations only one alteration has happened. I allude to the borough of Shoreham in Suffex. By the act of 1771, all the freeholders of forty shillings per annum in the neighbouring rape or hundred of Bramber are admitted to vote for that borough; but many of the old electors were disfranchised. It appears likewise, that 56 of our members are elected by only 364 persons.

persons. Lord chancellor Talbot supposed that the majority of this House was elected by 50,000 persons, and he exclaimed against the injustice of that idea. More accurate calculations than his Lordship's, and the unerring rules of political arithmetic, have shewn the injustice to be vastly beyond what his Lordship even suspected.

When we consider, fir, that the most important powers of this house, the levying taxes on, and enacting laws for, five millions of persons, is thus usurped and unconstitutionally exercised by the small number I have mentioned, it becomes our duty to restore to the people their clear rights, their original share in the legislature. The ancient representation of this kingdom we find was founded by our ancestors in justice, wisdom, and equality. The present state of it would be continued by us in folly, obstinacy, and injustice.

This evil has been complained of by some of the wisest patriots our country has produced. I shall beg leave to give that close reasoner, Mr. Locke's ideas in his own words. He says, in the treatise on civil government, " Things not always changing
" equally,

equally, and private interest often keeping up
 customs and privileges, when the reasons of
 them are ceased, it often comes to pass, that
 in governments, where part of the legislative
 consists of representatives chosen by the peo-
 ple, that in tract of time this representation
 becomes very unequal and disproportionate to
 the reasons it was at first established upon.
 To what gross absurdities, the following of
 a custom, when reason has left it, may lead,
 we may be satisfied, when we see the bare
 name of a town, of which there remains not
 so much as the ruins, where scarce so much
 housing as a sheep-cote, or more inhabitants
 than a shepherd is to be found, sends as many
 representatives to the grand assembly of law-
 makers, as a whole county, numerous in peo-
 ple, and powerful in riches. This strangers
 stand amazed at, and every one must confess
 needs a remedy." After so great an autho-
 rity as that of Mr. Locke, I shall not be
 treated on this occasion as a mere visionary,
 and the propriety of the motion I shall have
 the honour of submitting to the house, will
 scarcely be disputed. Even the members for
 such places as Old Sarum, and Gatton, who
 I may

I may venture to say at present *stant nominis umbræ*, will, I am persuaded, have too much candour to complain of the right of their few constituents, if indeed they have constituents, if they are not self-created, self-elected, self-existent, of this pretended right being transferred to the county, while the rich and populous manufacturing towns of Birmingham, Manchester, Leeds, Sheffield, and others, may have at least an equitable share in the formation of those laws by which they are governed. My idea, sir, in this case, as to the wretched and depopulated towns and boroughs in general, I freely own, is amputation. I say with Horace, *Inutiles ramos amputans, feliciores inserit.*

This is not, sir, the first attempt of the kind to correct, although in an inconsiderable degree, this growing evil. Proceedings of a similar nature were had among us above a century past. The clerk will read from our journals what passed on the 26th of March, 1668, on a bill to enable the county palatine of Durham to send two knights for the county, and two citizens for the city of Durham. [*The clerk reads.*] In a book of authority, Anchtell

Grey's debates, we have a more particular account of what passed in the house on that occasion. He says, that " Sir Thomas Meres
 " moved, that the shires may have an increase
 " of knights, and that some of the small bo-
 " roughs, where there are but few electors, may
 " be taken away, and a bill for that purpose."
 We find afterwards, " on a division, the bill was
 " rejected, 65 to 50." This division, however, al-
 ludes only to the bill then before the house, re-
 specting the county and city of Durham. I desire
 to add the few remarkable words of Sir Thomas
 Strickland in this debate, because I have not
 seen them quoted on the late important *Ame-*
rican questions. " *The county palatine of Dur-*
ham was never taxed in Parliament by ancient
privilege before King James's time, and so needed
no representatives, but now being taxed, it is but
reasonable they should have." Such sentiments,
 sir, were promulgated in this house even so
 long ago as the reign of Charles II.

I am aware, sir, that the power, *de jure*, of
 the legislature to disfranchise a number of bo-
 roughs,

* Junius in a letter to Mr. Wilkes dated Sept. 7,
 1771, and printed at the end of his second volume says,
 " As

roughs, upon the general grounds of improving the constitution, has been doubted; and gentlemen will ask, whether a power is lodged in the representative to destroy his immediate

“ As to cutting away the rotten boroughs, I am as
 “ much offended as any man at seeing so many of
 “ them under the direct influence of the crown, or at
 “ the disposal of private persons. Yet, I own; I
 “ have both doubts and apprehensions, in regard to
 “ the remedy you propose. I shall be charged perhaps
 “ with an unusual want of political intrepidity, when
 “ I honestly confess to you, that I am startled at the idea
 “ of so extensive an amputation.---In the first place,
 “ I question the power, *de jure*, of the legislature to
 “ disfranchise a number of boroughs, upon the gene-
 “ ral ground of improving the constitution. There
 “ cannot be a doctrine more fatal to the liberty and
 “ property we are contending for, than that, which
 “ confounds the idea of a *supreme* and *arbitrary* le-
 “ gislature. I need not point out to you the fatal
 “ purposes, to which it has been, and may be applied.
 “ If we are sincere in the political creed we profess,
 “ there are many things, which we ought to affirm,
 “ cannot be done by King, Lords and Commons.
 “ Among these I reckon the disfranchising of bo-
 “ roughs with a general view of improvement. I con-
 “ sider it as equivalent to robbing the parties concern-
 “ ed of their freehold, of their birth-right. I say
 “ that, although this birth-right may be forfeited, or
 “ the exercise of it suspended in particular cases, it
 “ cannot be taken away, by a general law, for any
 “ real or pretended purpose of improving the constitu-
 “ tion.

constituent? Such a question is best answered by another. How originated the right, and upon what ground was it at first granted? Old Sarum and Gatton, for instance, were populous towns, and

“ tion. Supposing the attempt made, I am persuaded
 “ you cannot mean that either King, or Lords should
 “ take an active part in it. A bill, which only
 “ touches the representation of the people, must ori-
 “ ginate in the house of commons. In the formation
 “ and mode of passing it, the exclusive right of the
 “ commons must be asserted as scrupulously, as in the
 “ case of a money-bill. Now, sir, I should be glad
 “ to know by what kind of reasoning it can be proved,
 “ that there is a power vested in the representative to
 “ destroy his immediate constituent. From whence
 “ could he possibly derive it? A courtier, I know
 “ will be ready to maintain the affirmative. The doc-
 “ trine suits him exactly, because it gives an unlimit-
 “ ed operation to the influence of the crown. But we,
 “ Mr. Wilkes, ought to hold a different language. It
 “ is no answer to me to say, that the bill, when it
 “ passes the house of commons, is the act of the ma-
 “ jority, and not the representatives of the particular
 “ boroughs concerned. If the majority can disfranchise
 “ ten boroughs, why not twenty, why not the whole
 “ kingdom? Why should not they make their own
 “ seats in parliament for life?---When the septennial
 “ act passed, the legislature did what, apparently and
 “ palpably, they had no right to do; but they did
 “ more than people in general were aware of: they,
 “ in effect, disfranchised the whole kingdom for four
 “ years.

“ For

and therefore the right of representation was first given them. They are now desolate, and of consequence ought not to retain a privilege, which they acquired only by their extent and populousness. We ought in every thing, as far as we can, to make the theory and practice of the constitution coincide. The supreme legislative body of a state must surely have this power inherent in itself. It was *de facto* lately exercised to its full extent by parlia-

“ For argument’s sake, I will now suppose, that the
 “ expediency of the measure, and the power of par-
 “ liament are unquestionable. Still you will find an
 “ insurmountable difficulty in the execution. When
 “ all your instruments of amputation are prepared,
 “ when the unhappy patient lies bound at your feet,
 “ without the possibility of resistance, by what infal-
 “ lible rule will you direct the operation? --- When
 “ you propose to cut away the *rotten* parts, can you
 “ tell us what parts are perfectly *sound*? --- Are there
 “ any certain limits in fact, or theory, to inform you
 “ at what point you must stop, at what point the mor-
 “ tification ends. To a man so capable of observa-
 “ tion and reflection as you are, it is unnecessary to
 “ say all that might be said on the subject. Besides
 “ that I approve highly of Lord Chatham’s idea of *in-*
 “ *fusing a portion of new health into the constitution to*
 “ *enable it to bear its infirmities*, (a brilliant expres-
 “ sion, and full of intrinsic wisdom) other reasons
 “ concur in persuading me to adopt it. I have no
 “ objection, &c.”

ment in the case of Shoreham with universal approbation, for near a hundred corrupt voters were disfranchised, and about twice that number of freeholders admitted from the county of Sussex.

It will be objected, I foresee, that a time of perfect calm and peace throughout this vast empire, is the most proper to propose internal regulations of this importance; and that while intestine discord rages in the whole northern continent of America, our attention ought to be fixed upon that most alarming object, and all our efforts employed to extinguish the devouring flame of a civil war. In my
opinion,

The man, who fairly and compleatly answers this argument, shall have my thanks and my applause. My heart is already with him. - I am ready to be converted. --- I admire his morality, and would gladly subscribe to the articles of his faith. --- Grateful, as I am, to the GOOD BEING, whose bounty has imparted to me this reasoning intellect, whatever it is, I hold myself proportionably indebted to him, from whose enlightened understanding another ray of knowledge communicates to mine. But neither should I think the most exalted faculties of the human mind, a gift worthy of the divinity; nor any assistance in the improvement of them, a subject of gratitude to my fellow creature, if I were not satisfied, that really to inform the understanding corrects and enlarges the heart.

JUNIUS.

opinion, Sir, the American war is in this truly critical era one of the strongest arguments for the regulation of our representation, which I now submit to the house. During the rest of our lives, likewise, I may venture to prophecy, America will be the leading feature of this age. In our late disputes with the Americans, we have always taken it for granted, that the people of England justified all the iniquitous, cruel, arbitrary, and mad proceedings of administration, because they had the approbation of the majority of this house. The absurdity of such an argument is apparent, for the majority of this house we know speak only the sense of 5723 persons, even supposing, according to the laudable, constitutional custom of our ancestors, that the constituent had been consulted on this great national point, as he ought to have been. We have seen in what manner the acquiescence of a majority here is obtained. The people in the southern part of this island amount to upwards of five millions. The sense, therefore, of five millions cannot be ascertained by the opinion of not 6000, even supposing it had been collected. The Americans with

great reason insist, that the present war is carried on, contrary to the sense of the nation, by a ministerial junto, and an arbitrary faction, equally hostile to the rights of Englishmen, and the claims of Americans. The various addresses to the throne from most numerous bodies, praying that the sword may be returned to the scabbard, and all hostilities cease, confirm this assertion. The capital of our country has repeatedly declared, by various public acts, its abhorrence of the present unnatural civil war, begun on principles subversive of our constitution. Our history furnishes frequent instances of the sense of Parliament turning directly counter to the sense of the nation. It was notoriously of late the case in the business of the Middlesex election. I believe the fact to be equally certain in the grand American dispute, at least as to the actual hostilities now carrying on against our brethren and fellow-subjects. The proposition before us will bring the case to an issue, and from a fair and equal representation of the people, America may at length distinguish the real sentiments of freemen and Englishmen.

I do

I do not mean, sir, at this time, to go into a tedious detail of all the various proposals, which have been made for redressing this irregularity in the representation of the people. I will not intrude on the indulgence of the House, which I have always found favourable and encouraging. When the bill is brought in, and sent to a committee, it will be the proper time to examine all the minutæ of this great plan, and to determine on the propriety of what ought now to be done, and to consider what formerly was actually accomplished. The journals of Cromwell's Parliaments prove that a more equal representation was settled, and carried by him into execution. That wonderful, comprehensive mind embraced the whole of this powerful empire. Ireland was put on a par with Scotland. Each kingdom sent thirty members to a Parliament, which consisted likewise of four hundred from England and Wales. It was to be triennial. Our colonies were then a speck on the face of the globe; now they cover half the new world. I will at this time, sir, only throw out general ideas, that every free agent in this kingdom should, in my wish, be represented in
 Par-

Parliament; that the metropolis, which contains in itself a ninth part of the people, and the counties of Middlesex, York, and others, which so greatly abound with inhabitants, should receive an increase in their representation; that the mean, and insignificant boroughs, so emphatically stiled *the rotten part of our constitution*, should be lopped off, and the electors in them thrown into the counties; and the rich, populous, trading towns, Birmingham, Manchester, Sheffield, Leeds, and others, be permitted to send deputies to the great council of the nation.

The disfranchising of the mean, venal, and dependent boroughs would be laying the axe to the root of corruption and treasury influence, as well as *aristocratical tyranny*. We ought equally to guard against *those, who sell themselves, or whose Lords sell them*. Burge tenures, and private property in a share of the legislature, are monstrous absurdities in a free state, as well as an insult on common sense. I wish, sir, an English Parliament to speak the free, unbiassed sense of the body of the English people, and of every man among us, of each individual, who may justly be supposed

posed to be comprehended in a fair majority. The meanest mechanic, the poorest peasant and day-labourer, has important rights respecting his personal liberty, that of his wife and children, his property, however inconsiderable, his wages, his earnings, the very price and value of each day's hard labour, which are in many trades and manufactures regulated by the power of Parliament. Every law relative to marriage, to the protection of a wife, sister, or daughter, against violence and brutal lust, to every contract or agreement with a rapacious or unjust master, is of importance to the manufacturer, the cottager, the servant, as well as to the rich subjects of the state. Some share therefore in the power of making those laws, which deeply interest them, and to which they are expected to pay obedience, should be reserved even to this inferior, but most useful, set of men in the community. We ought always to remember this important truth, acknowledged by every free state, that all government is instituted for the good of the mass of the people to be governed; that they are the original fountain of power, and even of revenue, and in all events the last resource.

The

The various instances of partial injustice throughout this kingdom will likewise become the proper subjects of enquiry in the course of the bill before the committee. Of this nature are the many freeholds in the city of London, which are not represented in this House. These freeholds being within the particular jurisdiction of the city, are excluded from giving a vote in the county of Middlesex, and by act of Parliament only liverymen can vote for the Representatives of the City of London. These, and other particulars, I leave. I mention them now to shew the necessity of a new regulation of the representation of this kingdom.

My enquiries, sir, are confined to the southern part of the island. *Scotland* I leave to the care of its own careful and prudent sons. I hope they will spare a few moments from the management of the arduous affairs of England and America, which are now solely entrusted to their wisdom, and at present so much engross their time, to attend to the state of representation among their own people, if they have not all * emigrated to this warmer and
more

* Without any abstract reasoning upon causes and effects, we shall soon be convinced by *experience*, that the *Scots*, transplanted from their own country, are always

more fruitful climate. I am almost afraid the forty-five Scottish gentlemen among us represent themselves. Perhaps in my plan for the improvement of the representation of the inhabitants of England, almost all the natives of Scotland may at this time be included. I shall only remark, that the proportion of representation between the two countries cannot be changed. In the twenty-second article of the treaty of Union forty-five is to be the proportion of the representative body in the Parliament of Great-Britain for the northern part of this Island. To increase the members for England and Wales beyond the number, of which the English Parliament consisted at the period of that treaty in 1706, would be a breach of public faith, and a violation of a solemn treaty between two independent states. My proposition has for its

basis

always a distinct and separate body from the people who receive them. In other settlements, they only love themselves;--in *England*, they cordially love themselves, and as cordially hate their neighbours.

Junius. Preface, p. 26.

The *weasel Scots* are hungry, and want feeding.

Epistle to Dr. Shebbeare.

The *eagle England* being in prey,

To her unguarded nest the *weasel Scot*

Comes sneaking, and so sucks her princely eggs.

Shakspere.

basis the preservation of that compact, the proportional share of each kingdom in the legislative body remaining exactly according to its present establishment.

The monstrous injustice and glaring partiality of the present representation of the commons of England has been fully stated, and is, I believe, almost universally acknowledged, as well as the necessity of our recurring to the great leading principle of our free constitution, which declares this House of Parliament to be only a delegated power from the people at large. Policy, no less than justice, calls our attention to this momentous point. Reason, not custom, ought to be our guide in a business of this consequence, where the rights of a free people are materially interested. Without a true representation of the Commons our constitution is essentially defective, and our Parliament a delusive name, a mere phantom. All other remedies to recover the pristine purity of the form of government established by our ancestors would be ineffectual, even the shortening the period of Parliaments, even a place and pension bill, both which I highly approve, and think absolutely necessary

necessary. I therefore flatter myself, sir, that I shall have the concurrence of the House with the motion, which I have now the honour of making, "That leave be given to bring in a
" bill for a just and equal representation of the
" people of England in Parliament."

VOTES of April 30, 1776.

A Motion was made, and the Question being put, "That the Resolution of this House
" of the 17th of February 1769, that *John*
" *Wilkes, Esquire, having been in this Session*
" *of Parliament expelled this House, was, and*
" *is, incapable of being elected a Member to*
" *serve in this present Parliament, be ex-*
" *punged from the Journals of this House,*
" *as being subversive of the rights of the*
" *whole body of electors of this kingdom."*

Mr. *Wilkes* said,

Mr. Speaker,

The veneration, with which I am deeply impressed for the constitution of my country, the love and affection of a native to the noble privileges, the laws and liberties of England,

as well as duty and gratitude to the much injured freeholders of Middlesex, are the powerful motives of my again troubling the House with a question so frequently agitated within these walls, so fully discussed even the last session, although not hitherto followed with the success, which I hope on the present occasion.

The profligacy, venality, and open attempts against liberty by the last House of Commons, have made their memory odious to the people. The annals of our country are disgraced with their various violations of the rights of the subject. I shall now confine myself to a single case, but it was of the blackest nature, of the deepest dye, and branched out into many enormities, which still demand ample atonement. I allude to the iniquitous and *daring*† resolutions

† The Speech of the Speaker, Sir Fletcher Norton, when he reprimanded the Returning Officer of *Shoreham*, *Hugh Roberts*, on his knees.

In vain have our ancestors been anxiously careful to secure the freedom of elections, by all the means human wisdom and foresight could suggest; in vain have they particularly guarded against the partiality of the Returning Officer, and obliged him, by every tie, to a faithful discharge of that trust, which the Constitution hath reposed in his hands, *if men are to be found DARING enough to send members to this House, WHO WERE NEVER CHOSEN BY THE LEGAL ELECTORS.*

Journals. Feb. 14, 1771, vol. 33, p. 162.

tions respecting the elections for the county of Middlesex, and the seating Mr. Luttrell in the House, although he had confessedly only a minority of the suffrages of the freeholders, in whom the constitution has placed the right of election. While these resolutions, sir, remain among our records, I consider a precedent established under the sanction of this House to rob not only a whole county, but the entire collective body of electors of this kingdom, of their birthright, and most valuable inheritance. It is a precedent, which may be brought home to every borough, city, and county, to every freeholder, every elector in the island.

The facts were fully stated to the House in the debate on this subject the last year, and I am persuaded they live in the memory of every gentleman. I shall desire the Clerk to read only one resolution. It is that of February 17, 1769, "That John Wilkes, Esq; having
 " been, in this session of Parliament, expelled
 " this House, *was, and is,* incapable of being
 " elected a member to serve in this present Par-
 " liament." This declaration, in my opinion, transfers from the people to this House the

right of election, and by an unbounded, uncontrouled exercise of the *negative* power, the House in effect assume the *positive* right of making whom they please the representatives of the people in Parliament. I am very ready to admit that there are various natural and legal incapacities, and when the party is subject to any one of them, he is not eligible. Aliens, minors, bishops, are incapable of being elected into a House of Commons. Besides these, there are other incapacities arising from the peculiar circumstances of the case, and some created by particular statutes. Where however there is no natural or legal disability, the capacity of being elected is the inherent right of every freeman of the realm. He cannot be divested of it without an equal injury to the party, and to the constituent, in whom the power is constitutionally lodged of determining whom he thinks the most fit and proper person to act for him in the great council of the nation. The declaration of the House therefore, that any man, duly qualified by law, shall not be allowed to sit in Parliament as a representative of the Commons of the realm, was assuming to themselves the making

making a new law, to which only the three estates are adequate. It was disfranchising a whole county, and consequently in effect the united kingdom.

The public attention has been so long fixed on this important business, that it would be the weakest and vainest presumption in me to attempt any new arguments in support of a right acknowledged by every man, who is not in a detestable league for the subversion of all our rights, liberties, and franchises. I shall not enter on a dull repetition of the debates, which for the last seven years have come on every session, nor repeat a multitude of cases and precedents; but while I have a seat in this House, I pledge myself to my country, that I will be firm and unwearied in my endeavours, till every syllable on our Journals, which marks the injustice done to the freeholders of Middlesex, and to every elector in the island, be fully erased or obliterated.

Since the debate, however, on this question in the last session, almost within a fortnight-after, a case respecting the election at Abingdon was determined here in a manner diametrically opposite to one part of this pretend-

ed law of Parliament, which has been solemnly laid down by all the advocates of the ministry in the affair of Mr. Luttrell. They argued, that all the votes given to Mr. Wilkes were thrown away, because they were given, as they asserted, to a person labouring under a legal incapacity, and consequently Mr. Luttrell, with only 296 freeholders, was entitled to his seat in preference to the other candidate with 1143. The majority of the electors of Middlesex, sir, fully answered this argument in that remarkable *petition* presented to the House by the worthy *baronet near me, on the 29th of April, 1769, in which they asserted, “ that
 “ Mr. Luttrell had not the majority of legal
 “ votes; nor did they, when they voted for
 “ Mr. Wilkes, mean thereby to throw away
 “ their votes, or to wave their right of repre-
 “ sentation, nor would they, by any means,
 “ have chosen to be represented by Mr. Lut-
 “ trell.” Notwithstanding this petition, the House, on the 8th of May following, declared
 Mr.

* Sir George Savile,

Than whom a better senator ne'er held
 The helm of Rome, when gowns not arms repell'd
 The fierce Epirot, and the African bold.

Mr. Luttrell duly elected. Now let us examine the still more recent case of the Abingdon election, the determination of the select committee, with all the proceedings of the present Parliament in that business. I will state them briefly, and shall afterwards desire the clerk to read from the Journals the more important passages. Mr. Bayley's petition was presented to this House on the 6th of December, 1774. It was confined to one single objection, the legal disability of the other candidate, no accusation of bribery or corruption, riots, unfair practices, or illegal votes, being exhibited. It stated, "that at the place of election, and
 " before the taking of the poll, the mayor of
 " the said borough and the other electors were
 " publicly told, that as the other candidate,
 " Mr. John Mayor, was then high sheriff of
 " that county, he was incapable of being
 " chosen a member to represent the said bo-
 " rough in this present Parliament, and that all
 " votes given for the said high sheriff would be
 " thrown away; notwithstanding which, the
 " mayor of the said borough did himself vote,
 " and also received the votes of divers other
 " persons for the said high sheriff; and that the

"said high sheriff hath returned himself as
 "duly elected for the said borough, in mani-
 "fest prejudice of the petitioner, who, being
 "the only candidate capable of being elected,
 "ought to have been returned." The facts,
 as stated in the petition, were admitted, as
 well as the numbers at the close of the poll,
 for Mr. Mayor 146, for Mr. Bayley only 116.
 The great question was, whether, if Mr.
 Mayor was not eligible, the votes for him were
 thrown away, and Mr. Bayley, who had not
 the majority of electors, should be declared
 duly elected? The select committee, on the
 6th of March, 1775, reported, that neither
 Mr. Mayor, nor Mr. Bayley, was duly elect-
 ed, and that the election was void. The
 House immediately directed a new writ to issue
 for Abingdon. The ministerial advocates,
 who insist on Mr. Wilkes's legal incapacity,
 can scarcely find a case more exactly parallel.
 It is equalled only by the well known preced-
 ent of Mr. Walpole, and Mr. Taylor, in
 1711. Yet the burgesses of Lynn were not
 insulted, by having a gentleman declared their
 representative, whom they never elected. The
 Abingdon case was of the most public noto-
 riety.

tiety. The returning officer, and all the electors of Abingdon, were publicly informed of Mr. Mayor's legal incapacity. Mr. Bayley polled near half the voters of that borough. His opposition however being not to a friend of liberty and the people, but having made the attack on a *subaltern in the ministerial forces*, he had little chance of being an adopted child of the House, or of a committee selected from the present majority.

The arbitrary resolution on our Journals, and the appointment of Mr. Luttrell, I consider as an absolute surrender of the constitution to the minister. The laws of the land are of no avail, when this House alone can make a new law, adapted to the caprice, violence, or injustice of every emergency, and when representation in Parliament no longer depends upon the choice of the electors. The people of England may in vain assemble with the fond hope of effectually exercising their noblest franchise, if the object of their choice is really what he ought to be, an independent friend of liberty, superior to menace or corruption. The minister has found out a way to baffle them in all their proceedings. He may,

on any pretence, however frivolous, procure an *expulsion*, and *expulsion*, we know, means *incapacitation*; so that during a long period of seven years, the favourite object of a country's choice may be kept out, and the nominee of a minister be declared to represent a populous county. Can there be a more solemn mockery of the rights of a free people?

While such arbitrary resolutions as those respecting the Middlesex elections remain on our Journals, I think the minister holds high the rod of vengeance over the head of every member of this House. He stands here with an uplifted arm, *sublimi flagello*, to punish the refractory, and almost every action of the majority seems to betray their being either swayed by the dastardly passion of fear, or corrupted by the mean principle of reward. We are governed by Solon's plan, *præmio et pœna*, as Cicero has summed it up in three words. Is a member obnoxious or unruly? Accuse him of a libel, or any other crime; then vote away your own privileges to get at him; and before the cause can come to a trial by a jury of his countrymen *on oath*, examine two or three partial and well-instructed witnesses *under no*
such

such sanction, and you may proceed immediately to expulsion. You then vote him incapable of being re-elected. The creature of the minister is received in his place, and declared a representative of the people. A House of Commons may in this manner be so garbled, as not to contain a single fair and honest representative, elected according to the law of the land.

The motion of expunging from our records the resolutions of which I complain, is I know considered by some gentlemen as a violent measure. The case, I think, requires the most spirited mode of redress. I wish as full atonement to the people as possible. The last Parliament gave us an instance of expunging from our Journals what never ought to have been moved in this House, the thanks to a stupid † tory parson, of the rank Oxford breed

† Journals of Feb. 25, 1772, Vol. 33, p. 509.

The House was moved, That the Entry in the Votes of the House, of the 31st day of January last, “that the thanks of this House be given to the Reverend Doctor *Nowell*, for the Sermon preached by him yesterday before this House, at St. Margaret’s Westminster, and that he be desired to print the same, &c, &c,” might be read.

Re-

breed, for a libel on the Revolution, and the present establishment, in a sermon preached on the anniversary of the merited death of the tyrant, Charles I. If so trifling a business as a foolish

Resolved, That the said Entry be *expunged* from the Votes of this House.

The *tory* fame of the wretched *Doctor Nowell* has lately suffered a total eclipse by a pedantic schoolmaster of Westminster, promoted to the Archbishoprick of York in Dec. 1776, a *Doctor William Markham*. He preached a sermon, all-powerful to *soothe the soul in slumbers*, at Bow Church in the City, Feb. 21, 1777, before the Incorporated Society for the Propagation of the Gospel in foreign parts. In what a *meek* spirit of *christianity*, of gentleness, patience, and forbearance, does this Minister of the gospel of peace state the nature, and bewail the wickedness, of the deluded *parties* among us? By what tender bonds of love and charity does this *High Priest* endeavour to bring over the noblemen and gentlemen in the *opposition* to the court paths of honour, peace, and perhaps preferment? His Grace observes, "nothing is too mean for the uses of *parties*, as they are now constituted. *Parties* once had a principle belonging to them, absurd perhaps, and indefensible, but still carrying a notion of duty, by which honest minds might easily be caught. But they are now combinations of individuals, who instead of being the sons and servants of the community, make a league for advancing their private interests. It is their business to hold high the notion of political honour. I believe and trust it is not *injurious* to say, that such a bend is no better than that, by which the lowest

foolish sermon, neither heard nor read by a score persons, called for so spirited a measure, can it be deemed improper or violent, when the rights of all the electors of the kingdom have been openly invaded, and the usurpation justified

*“ and wickedest combinations are held together ; and that
“ it denotes the last stage of political depravity.”*

And is really the union in a great national cause of such men as have composed the present *opposition*, and set their names to the spirited *Protests* of the very last session, the Portlands, Richmonds, Devonshires, Manchesters, Rockinghams, Abingdons, Chathams, Shelburnes, Effinghams, Fitzwilliams, Torringtons, &c., &c., and of the Saviles, Cavendishes, Townshends, Johnstones, Glynnys, Wrays, Burkes, Barrés, &c., &c., is such a combination of individuals in the two Houses of Parliament to be considered as a bond no better than that, by which the lowest and wickedest combinations are held together? Are they really no better than the lowest and wickedest combinations of pirates and banditti? Are they really no better than gangs of robbers and highwaymen?

Ne sævi, magna sacerdos.

Virgil. *Æn.* 6. l. 544.

Surely instead of this coarse compliment we might expect a little favour from his Grace, when he assures us, “ the apostles themselves, with all their advantages, were not easily freed from the entanglement of popular error.” If the inspired Apostles did indeed err, we uninspired private christians might expect some indulgence, not inquisitorial severity on account of our popular errors, not to be considered as in a desperate case, in the last stage of political depravity. I believe and trust it is injurious to say this.

justified by gentlemen in the highest offices under the crown? The circumstance is truly alarming, and demands the utmost exertions of an honest zeal and generous ardour for the public weal.

I own that I am not so nice and scrupulous about preserving every line of the immensity of the learned lumber in our Journals. They are become

This political sermon tells us, "*what is assumed upon the present occasion is the glorious nature of LIBERTY. It realises and secures all the rest; and by those, who are in the enjoyment of it, ought to be maintained till all hazards.*" Have not the Americans on this just ground taken up arms? "*But it remains to be settled.*" Was it not settled by the Revolution? "*Wherein does it consist?*" St Paul, in the Epistle to the Romans, has answered this question of the Archbishop of York. He makes *liberty, glorious liberty*, consist in being delivered from the *bondage of corruption*, a prayer, which is often made by the people of England for the *High Court of Parliament*. The Apostle says, "because the creature itself also shall be delivered from the *bondage of corruption* into the *glorious liberty* of the children of God." chap. 8, ver. 21. The Archbishop goes on, "*I have sometimes thought it a misfortune, that a thing so valuable and important, should have no word in our language to express it, except one which goes to every thing that is wild and lawless.*" Does the signification of the word *liberty* really go to every thing that is wild and lawless? Has this learned Prelate, who is so deep in Latin, Greek,

Ille-

become the mere registers of *royal edicts*, of turnpike roads, enclosures, and matters of private business. There are many whole pages disgraceful to the nation among our *trivial, fond records*. My heart bleeds, when I read all the unjust and inhuman resolutions

Hebrew, the Coptic, Persian, Chaldaic, Arabic, Syriac, Phœnician, Pa'myrene, Chinese, Gentoo, &c, &c, who is himself a perfect *Polyglott*, has he never heard of the English words *licentiousness* and *licence* to express *every thing that is wild and lawless*, as distinguished from *liberty*. Pensioner Johnson's Dictionary would have told him that *licentiousness* is "boundless liberty, a contempt of just restraint." He might there have found the authority of *Swift*, who says, "this custom has been always looked upon, by the wisest men, as an effect of *licentiousness*, and not of *liberty*." He would in the same dictionary have found that "*licence*" "is exorbitant liberty, contempt of legal and necessary restraint." Milton understood the difference between *liberty* and *licence*, as well as *Swift* did between *liberty* and *licentiousness*, although the Archbishop of York seems to understand neither. The English Homer says, "*Licence* they mean, when they cry *liberty*." The English language is not reproached with poverty, but by those, who are ignorant of it.

What a melancholy consideration is it for the rising generation, that an illiberal Priest, one of

The low-born, cell-bred, selfish, servile band, although now promoted to be a general officer in the *sable army* of the ministerial mercenaries of the *Church Militant* in the House of Lords, that such a

map

Tutions against our fellow subjects in America, the fleets and armies voted for the vain attempt of subduing the *unconquerable spirit of liberty* among the descendants of Englishmen. When I reflect on the subsequent proceedings, the barbarous and savage manner in which you have carried on the war, by attempting to starve thousands of industrious fishermen, and labouring poor, with their families, as well as the burning open and defenceless towns and villages, I wish, for the national humanity and honour, which formerly

man should have been Preceptor to the children of England, to the Prince of Wales, and Bishop of Osnaburgh? Was a mere *bookworm*, who does not yet know the meaning of the most important word in the language of this free country, who is equally ignorant of the *thing*, and is found stumbling at the very threshold of *liberty*, was such a person fit for such a charge? *The child that is unborn may rue* the fatal mistake. Is the next age likewise to deplore the mischievous errors of the bad education of their prince?

I was really forced to remind his Grace of the Apostle Paul. May I softly whisper in his ear a few words of St Peter, because they are a good receipt to cure *magisteria* pride and petulance? *As free, and not using your LIBERTY for a cloke of MALICIOUSNESS---honour all men, love the brotherhood.*

The First Epistle General of Peter,
 ch. ii. v. 16, 17.

ly stood so high, that these black pages of our Journals, and every trace of the cruelties and horrors which followed, were obliterated from the records of this House, of this kingdom, of the human race.

In justice to the usurped and violated rights of this county, in a full sense of duty to all my brother electors at large, and to prevent the most fatal and pernicious precedent being ever used by a wicked and ill designing minister to the destruction of the sacred right of election, of national freedom, and independency, I move,
 “ that the resolution of the House of the 17th
 “ of February, 1769, *that John Wilkes, Esq;*
 “ *having been in this session of Parliament ex-*
 “ *pelled this House, was and is, incapable of sit-*
 “ *ting in the present Parliament,* be expunged
 “ from the journals of this House, as being
 “ subversive of the rights of the whole body
 “ of the electors of this kingdom.”

VOTES of October 31, 1776.

Resolved, “ That an humble address be pre-
 “ sented to His Majesty, to return His Ma-
 “ jesty the thanks of this House, for His most
 “ gracious Speech from the Throne ;

T.

To assure His Majesty, “ that while we
 “ lament the continuance of the troubles
 “ which have so long distracted His *Colonies* in
 “ *North America*, and of the calamities and
 “ oppressions which our unhappy Fellow Sub-
 “ jects are still suffering under the arbitrary
 “ tyranny of their leaders, we cannot forbear
 “ to express our detestation and abhorrence of
 “ the audacious and desperate spirit of ambi-
 “ tion, which has at last carried those Leaders
 “ so far, as openly to renounce all allegiance
 “ to the Crown, and all political connection
 “ with this country; and in direct terms to
 “ presume to set up their *rebellious confederacies*
 “ *for Independent States*,” &c. &c.

Mr. Wilkes said,

Mr. Speaker,

The † honourable gentleman, who spoke
 last, endeavours to mislead the House. It is
 certain that no pressing has at this time been
 carried on in the city of London, or its liber-
 ties. No press-gangs have dared to make their
 appearance in that jurisdiction. Those lawless
 bands

† George Wombwell, Esq; Member for Hunting-
 ington.

bands of cruel banditti very prudently chose other scenes of horror and bloodshed, of less danger to themselves. The city has hitherto remained in perfect safety and tranquility, in a most happy state of security, by the vigilance, intrepidity, and noble love of liberty, which are conspicuous in its present worthy † chief magistrate.

The conduct of Administration, Sir, in the late issuing of press-warrants, before they had tried the operation of the high bounty, is totally unjustifiable. The Speech now in your hand, Sir, is so very pacific, that the large bounty of five pounds for every able, and fifty shillings for every ordinary, seaman, promised in last Saturday's Gazette, might safely, for a short time at least, have been trusted to, the emergency not being thought by administration very critical. From the minister's own state of public affairs in the Speech there was no danger in the experiment. Much cruelty and bloodshed had been avoided, many valuable lives preserved.

The affair of Long Island has been misrepresented, and greatly magnified. The su-

VOL. I.

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periority

† Mr. Sawbridge, Member for London, then Lord Mayor.

periority of numbers was very considerable. General Howe landed 22,000 men. The provincials had only 6,000 effective men on that island. They were ordered to retreat, and 4,000 did accordingly, without being attacked, embark for the island of New-York. There was a *real mistake of orders* as to the other 2,000, but they acted as brave men always will act under a *mistake of orders*; they *fought*. They saw the enemy, left their entrenchments, and attacked with spirit. From the superiority of numbers, and their flanks being neglected and unguarded, they were totally defeated. They did not however remain *inactive, like cowards*, on an important day of battle. No such imputation can be fixed on *them*. Nothing decisive can follow from the late successful affair against the Americans on Long Island, no more than from the defeat of the British troops at Sullivan's island. New York will probably fall into your hands, but your situation will in that case be scarcely mended since the last year, for you then possessed the capital of North America, Boston. Is that great and important town advantageously exchanged for New York? I forgot that

that we still likewise possess the fishing hamlet of Halifax.—But, Sir, we ought to take a much larger and more comprehensive view of this interesting scene, which is now fully disclosed.

The important dispute of Great Britain with her colonies has for a considerable time fixed the attention, not only of this nation, but of almost all Europe. The most essential interests of this country, and indeed of the greater part of the powers on the continent, are deeply interested in the event. The sacrifice of so much blood and treasure is to every state an object of high importance, but to us, whose empire seems mouldering away, of the nearest concern. I much fear we are now brought by inextricable difficulties to the very verge of destruction.

Since our last meeting, Sir, the scene, with respect to America, has totally changed. Instead of negotiations with various provincial assemblies, instead of deliberating on the most effectual mode of enforcing the parchment declaration of our † *constitutional superiority over*

K 2

our

† The late administration came into employment under the mediation of the Duke of Cumberland,
July

our Colonies, 'of our right to bind them in all cases whatsoever, we must consider if we have power to bind them in any case, for we have now a war to carry on against the *Free and Independent States*

July 10, 1765, and was removed, upon a plan settled by the Earl of Chatham, on July 30, 1766, having lasted one year and 25 days.

In that space of time

The distractions of the British Empire were composed by

“The Repeal of the American Stamp-Act,”

But the *constitutional superiority* of Great Britain

was preserved by

“The Act for securing the dependance of the Colonies,”

&c, &c.

A short Account of a late Administration.

[published in August 1766.]

The Act, commonly called the *Declaratory Act*, is so much the subject of political dispute, that I shall give it entire from the Statutes at large.

Anno Sexto Georgii III. A. D. 1766.

An Act for the better securing the Dependency of His Majesty's Dominions in America upon the Crown and Parliament of Great Britain.

Whereas several of the Houses of Representatives in His Majesty's Colonies and Plantations in America, have of late, against Law, claimed to themselves, or to the General Assemblies of the same, the sole and exclusive right of imposing Duties and Taxes upon His Majesty's subjects in the said Colonies and Plantations; and have, in pursuance of such claim, passed certain votes, resolutions, and orders, derogatory to the

States of America; a wicked war, which has been occasioned solely by a spirit of violence, injustice, and obstinacy in our ministers, unparalleled in history. In the beginning of

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Sep.

the legislative authority of Parliament, and inconsistent with the dependency of the said Colonies and Plantations upon the Crown of Great Britain: May it therefore please your most excellent Majesty, that it may be declared; and be it declared by the King's most excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, that the said Colonies and Plantations in America have been, are, and of right ought to be, subordinate unto, and dependent upon, the imperial Crown and Parliament of Great Britain; and that the King's Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons of Great Britain, in Parliament assembled, *had, hath, and of right ought to have, full power and authority to make Laws and Statutes of sufficient force and validity to bind the Colonies and People of America, subjects of the Crown of Great Britain, in all cases whatsoever.*

II. And be it further declared and enacted by the authority aforesaid, That all Resolutions, Votes, Orders, and Proceedings, in any of the said Colonies or Plantations, whereby the power and authority of the Parliament of Great Britain, to make Laws and Statutes as aforesaid is denied or drawn into question, are, and are hereby declared to be, utterly null and void to all intents and purposes whatsoever.

The

September, in the last year, † a very humble and dutiful *Petition* was sent from the congress to his Majesty, in which his Majesty was supplicated “to direct some mode, by which the
 “united applications of his faithful colonists
 “to the throne, in pursuance of their com-
 “mon councils, may be improved into a hap-
 “py and permanent reconciliation.” There was not a word in the *petition* which did not breathe submission and loyalty, and yet the official answer of Lord Dartmouth, secretary at that time for the American department, after a long deliberation, was to the last degree irritating. It was, *that no answer would be given.*

The *Declaratory Act*, and the *Repeat of the American Stamp-Act*,* received the Royal Assent on the same day, March 18, 1766, in the Administration of the Marquis of Rockingham.

† The strong desire of peace and reconciliation in the inhabitants of Massachusetts Bay, which has been always considered as the most violent as well as powerful of all the American colonies, even immediately after the *murders* by the King's troops at Lexington and Concord, on the 19th of April, 1775, is conspicuous in their “Address to the inhabitants of Great Britain.”

In Provincial Congress. Watertown,
 April 26, 1775.

Friends, and Fellow Subjects,

Hostilities are at length commenced in this colony by the troops under command of General Gage, &c. &c.
 These,

given, that is, we will not treat, we scorn to negotiate with you, we exact *unconditional submission*. This answer, Sir, in my opinion, might justly be called *indignity and insult*, and in a much higher degree than what the *Speech* says the Americans have offered to England, after all the provocations on our part. It drove the Americans to despair, and with the violation of the perfidious promises in Lord

K 4

Hillsborough's

These, brethren, are marks of *ministerial* vengeance against this colony, for refusing, with her sister colonies, a submission to slavery; but they *have not yet detached us from our royal sovereign; we profess to be his loyal and dutiful subjects; and so hardly dealt with as we have been, are still ready with our lives and fortunes to defend his person, family, crown, and dignity; nevertheless to the persecution and tyranny of his cruel ministry, we will not tamely submit; appealing to Heaven for the justice of our cause, we determine to die or be free.*

We cannot think that the honour, wisdom and valour of Britons will suffer them to be longer inactive spectators of measures in which they themselves are so deeply interested; *measures* pursued in opposition to the solemn *Protests* of many noble Lords, and expressed sense of conspicuous *Commons*, whose knowledge and virtue have long characterized them as some of the greatest men in the nation; *measures* executing contrary to the interest, petitions and resolves of many large respectable counties, cities, and boroughs in Great Britain; *measures* highly incompatible with justice

Hillsborough's famous official † circular letter, laid the real foundation of their *Declaration of Independency*.

Much has been said, Sir, of the *prophecy* of the ministers, that the Americans would in the end declare themselves *independent*. I give the ministers no credit for such a prophecy. They went on the surest grounds. They might very safely promulgate such a prediction, when they knew that the unjust and sanguinary measures, which they intended to pursue, must bring about the

event.

justice, but still pursued with a specious pretence of easing the nation of its burthens; *measures* which, if successful, must end in the ruin and slavery of Britain, as well as the persecuted American colonies.

We sincerely hope that the great Sovereign of the Universe, who hath so often appeared for the English nation, will support you in every rational and manly exertion with these colonies for saving it from ruin, and that *in a constitutional connection with our mother country, we shall soon be altogether a free and happy people.*

Signed by Order,

JOS. WARREN, President.

† The Circular Letter of the Earl of Hillsborough, Secretary of State for the Colonies, to all the Governors on the Continent and Islands.

Whitehall, May 13, 1769.

Inclosed I send you the gracious Speech made by the King to his Parliament at the close of the Session on Tuesday last. What

event. They drove the Americans into their present state of *independency*. The Jesuits in France risqued nothing when they prophesied in 1610 the death of the best prince that ever reigned in Europe, within that year. Their's was the *sure word of prophecy*. They employ'd Ravailac to assassinate their sovereign.

AN

What His Majesty is pleas'd to say in relation to the measures which have been pursu'd in North America will not escape your notice, as the satisfaction His Majesty expresses in the approbation his Parliament has given to them, and the assurances of their firm support in the prosecution of them, together with his royal opinion of the great advantages that will probably accrue from the concurrence of every branch of the legislature in the resolution of maintaining a due execution of the laws, cannot fail to produce the most salutary effects.

From hence it will be understood, that the whole legislature concur in the opinion adopted by His Majesty's servants, that no measure ought to be taken which can any way derogate from the legislative authority of Great Britain over the Colonies; but I take upon me to assure you, notwithstanding insinuations to the contrary from men with factious and seditious views, that His Majesty's present administration have at no time entertain'd a design to propose to Parliament to lay any further taxes upon America *for the purpose of raising a revenue*. and that it is at present their intention to propose in the next Session of Parliament to take off the duties upon glass, paper, and colours

An honourable † gentleman near me, fir, attacks the American *Declaration of Independency* in a very peculiar manner. He pronounces it a wretched composition, very ill written, drawn up only with the view to *captivate the people*. That, fir, is the very reason why I approve it most as a composition, as well as a wise, political measure, for *the people* are to decide this great controversy. If they are *captivated* by it, the end is attained. The polished periods, the harmonious, happy expressions, the grace, ease, and elegance of a beautiful diction, which we chiefly admire, very little *captivate* the people of America. Manly, nervous sense they relish, even in the most awkward and un-

couth

lours upon consideration of such duties having been laid contrary to the true principles of commerce.

These have always been, and still are, the sentiments of His Majesty's present servants, and the principles by which their conduct with respect to America has been governed, and His Majesty relies upon your prudence and fidelity for such an explanation of His measures, as may tend to remove the prejudices which have been excited by the misrepresentations of those who are enemies to the peace and prosperity of Great Britain and her Colonies, and to re-establish that mutual confidence and affection upon which the glory and safety of the British empire depend.

† Governor Johnstone, Member for Appleby.

cooth dress of language. Whatever composition produces the effect which is intended in the most forcible manner, is, in my opinion, the best, and the most to be approved. *That* mode should always be pursued. It has the most merit, as well as success, on the great theatre of the world no less than on the stage, whether you mean to inspire *pity, terror,* or any other passion.

The honourable † gentleman, Sir, who seconded the address, says, the American *Declaration of Independency* was no surprize to him—nor I believe, Sir, to any man of common reflection, after our hostilities and cruelties, after the frantic and extravagant career, which administration pursued, with a full chorus of approbation from the majority of this House.

The speech in your hand, Sir, which an † honourable gentleman near me has well called *a speech of hypocrisy,* mentions the “assurances of amity, which his Majesty continues to receive from the several courts of Europe.” At the beginning of the last session, the minister gave us in the King’s speech more explicit

† George Finch Hatton, Esq; Member for Rochester.

‡ Governor Johnstone.

plicit assurances. It was said, " I am happy
 " to add, as well from the assurances I have
 " received, as from the general appearance of
 " affairs in Europe, I see no probability that
 " the measures, which you may adopt, will be
 " interrupted by disputes with any foreign
 " power." We have no such assurances held
 out to us this year, that our measures will not
 be interrupted by disputes with any foreign
 power; but we have still assurances of amity,
 which are daily contradicted by the immense
 preparations of the neighbouring foreign pow-
 ers of France and Spain, and indeed of the
 whole house of Bourbon. The accounts from
 Naples contain little but the vast preparations
 making by the king of the two Sicilies. Are
 we indeed simple and credulous enough to
 trust to general vague expressions of politeness,
 against the clear evidence of facts? Our mi-
 nistry know very well that an American pri-
 vateer being lately stopped at Bilboa in Biscay,
 an express was immediately dispatched to Ma-
 drid, which returned with the fullest directions
 for the release of the privateer, and permission
 to furnish him with provisions, stores, ammu-
 nition, in short, with whatever he wanted. This
 fact

fact will not be denied. Is Spain then one of the foreign powers, which again soothes us with these honied assurances of amity? Has fate ordained, that we are neither to possess capacity enough to profit by the example of others, nor even by our own experience? In the very first year of the present reign, in September 1761, the Gazette told us, that "the Catholic king had, at no time, been more intent upon cultivating a good correspondence with England, than in the present conjuncture." This declaration was received seriously here, held out as part of the court creed among us, and laughed at by all the rest of Europe. In the beginning of the following January, without any one new fact having occurred of any moment, war was declared by England against Spain. Will the plausible, smooth-tongued French likewise be able to lull us into a fatal security against the evidence of all history? Can we expect to be treated by them in any other manner than the Spaniards were at the time of the famous revolt of Portugal? The French sent whole regiments, completely officered, into the service of the house of Braganza. They paid them under-

hand

hand the same as their national troops, yet all the while declared their abhorrence of rebellions and of rebels, issuing proclamation after proclamation, and recalling their deserters under the most severe penalties. Sir, there is not a power in Europe, unsubsidized by Great-Britain, which does not wish success to the Americans. We are considered almost every where on the continent, in the odious light of † tyrants and oppressors.

The

† A French gentleman, whose universal genius is no less admired at Petersburg than at Paris, after mentioning some *speeches* in the English House of Commons on American Affairs, writes to his friend at London.

J'en ai aussi fait un, et le voici. “ Messieurs, je
 “ ne vous parlerai point de la justice ou de l'injustice
 “ de votre conduite. Je sens bien que ce mot n'est
 “ que du bruit, quand il s'agit de l'interêt général.
 “ Je pourrais vous parler de vos moyens de réussir ; et
 “ vous demander si vous êtes assez forts pour jouer le
 “ rôle d'oppressors. Cela toucheroit un peu de plus
 “ près à la question ; cependant je n'en ferai rien.
 “ Mais je m'entendrai à vous supplier de jeter les
 “ yeux sur les nations qui vous haïssent. Interrogez
 “ les ; voyez ce qu'elles pensent de vous, et dites moi
 “ jusques à quand vous avez résolu de faire rire vos
 “ ennemis.”

Il paroît ici un papier qu'on dit être d'un homme important de votre nation. Il paroît par ce papier que
 le

The speech, Sir, states, that "if treason
 " be suffered to *take root*, much mischief must
 " grow from it to the safety of my *loyal colo-*
 " nies." Alas! Sir, what we call treason and
rebellion, and they just resistance and a glo-
 rious *revolution*, has *taken root*, a very deep
root indeed, and has spread over almost all the
 American colonies. In this very speech, we
 are told of *their numbers, their wealth, their*
strength by sea and land. The *loyal* colonies are
 three, the *free* provinces thirteen. In laying
 on the embargo, the exception to the rule is
 ridiculous enough. It is as thirteen to three,
 The Gazette says, "any of my colonies in
 " North America, *except* the colonies of New-
 " Hampshire, Massachuset's-Bay, Rhode-Is-
 " land, Connecticut, New-York, New-Jersey,
 " Pennsylvania, the three lower countries on
 " De-

le projet secret de la mere patrie, est de faire égorger
 la moitié des colons, et de reduire le reste à la condi-
 tion des negres.

Nothing surely could be more lamentable to those
 who remember the flourishing days of this kingdom,
 than to see the insane joy of several unhappy people,
 amidst the sad spectacle which our affairs and conduct
 exhibit to the *scorn of Europe*.

Lurke's Letter to the Sheriffs of Bristol.

“ Delaware, Maryland, Virginia, North-Carolina, South-Carolina, and Georgia.” Of what other colonies was his Majesty in possession *at his accession to the throne*? I think the permission extends only to the *three* provinces, which we have not yet lost, to the Roman Catholic provinces of Canada and Florida, and to Nova Scotia.

We have now been carrying on for two years a savage and piratical, as well as an unjust, war. Every demand of government has been complied with, and yet the great force employed both by sea and land has not hitherto recovered a single province of all the confederated colonies. On the contrary, the evil grows more desperate. † The last year only
twelve

† The *wise* Archbishop of York tell us, “ that we must rely on the *wisdom* of our governors, in confidence that NECESSITY will at last provide those remedies, which *foresight* did not. [*This seems quite a new application of the doctrine of NECESSITY.*”

Sermon preached in the City before the Society for the Propagation of the Gospel in foreign parts.

America is not subdued. Not one unattacked village, which was originally adverse throughout that vast continent, has yet submitted from love or terror.

You

twelve colonies humbly petitioned the throne. This year, by the accession of Georgia, we have seen a fœderal union of thirteen free and powerful provinces asserting their *independency* as *high and mighty states*, and setting our power at defiance. This was done with circumstances of spirit and courage in these *revolted* colonies, to which posterity will do justice, for it was directly after the safe landing of your whole force. In return you have plundered their coasts, and set fire to their open towns and defenceless villages with a barbarity, which disgraces the English name. In the midst of all the cruelties, terrors, and *devastations*, which follow your arms, *for before them is as the garden of Eden, and behind them as the desolate wilderness*, the spirit of the Americans is still unsubdued. I hope, and firmly believe, you never will conquer the free spirit of the descendants of Englishmen, thus exerted in an honest cause. They honour and value the blessings

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L

sings

You have the ground you encamp on; and you have no more. The cantonments of your troops and your dominions are exactly of the same extent. You spread *devastation*, but you do not enlarge the sphere of authority.

...Letter from Edmund Burke, Esq; to the Sheriffs of Bristol, dated April 3, 1777. Bristol ed. p. 25.

sings of liberty, and are determined to *live and die freemen*,* notwithstanding the vain efforts of every arbitrary power in Europe. It is a foolish attempt to think of conquering and holding the immense territory of North America, when the whole country is united against us. The Minister argues in a trifling manner in the *Speech* on the *decisive good consequences* from events only in the province of New York. They do not prove that we shall subdue Virginia, or either of the Carolinas. Success in two or three battles or sieges cannot conclude for the final success of a war, so extensive already, so greatly complicated.

As to the *unanimity at home* prophesied of in the *Speech*, the very idea is absurd, because im-

* If there be one fact in the world perfectly clear, it is this, "That the disposition of the people of America is wholly averse to [from] any other than a free government." Page 55.

† They are continually boasting of *unanimity*, or calling for it. But before this *unanimity* can be matter either of wish or *congratulation*, we ought to be pretty sure, that we are engaged in a rational pursuit. Phrenzy does not become a lighter distemper on account of the number of those who may be infected with it. Delusion and weakness produce not one mischief the less because they are *universal*.

Letter from Edmund Burke, Esq; to the Sheriffs of Bristol. P. 38.

impossible, while the present system of injustice and oppression is pursued. The American war has been declared by several gentlemen in this House to be unjust, and unconstitutional in its first principle, and, if persisted in, necessarily to bring on our ruin. We have neither force to conquer, nor strength to maintain such extensive conquests, if we could at present succeed, if we could continue, by every base compliance and sacrifice of national honour, to persuade our ancient *enemy*, and present false *† friend*, France, to wear the political mask of amity, and preserve a precarious peace. France secretly exults, when she sees our brave countrymen turning their victorious swords into their own bowels.

Our situation, sir, is become truly critical. The constitution of this country is at home sapped by bribery and corruption. On the

L 2

other

† The great Duke of Marlborough, in a letter to Queen Anne, says, “ It is not my opinion only, but the opinion of all mankind, that the *friendship* of France must needs be destructive to your Majesty: there being *in that court a root of enmity irreconcilable to your Majesty's government, and the religion of these kingdoms.*”

An Account of the Conduct of the Dowager Duchess of Marlborough, Page 168.

other side the Atlantic it is assailed by violence and force of arms. The too fatal success in this devoted nation is very evident, but in the new world, I trust; as a friend to mankind, that all the despotic measures of a tyrannical administration will prove ineffectual. It cannot be too often held out to ministerial folly and obstinacy, that it is impossible for this island to conquer and hold America. They are determined and united. Your fleets may indeed every year carry horror through all their coasts. Your armies may possess some sea-port towns, but the numerous, and greatly increasing, people of the provinces will retire into the interior parts, of which you have already had some experience. Peaceful towns and villages will cover their fruitful plains, and liberty fix her blest abode among them, the unmolested, happy inhabitants rejoicing that they are *procul à Jove, procul à fulmine.*

I heartily agree, sir, with the noble Lord in the amendment proposed; but I go farther, and my opinion is, that if we expect to save the empire, to preserve even for a short period, Canada or the West-Indian islands, or to recover

§ Lord John Cavendish; Member for York.

ver any part of the immense territory we have lately lost, we must recall our fleets and armies, immediately repeal all the acts injurious to the Americans passed since 1763, and restore their charters. We may then, *if they will forgive, and can trust us*, treat with them on just, fair, and equal terms, without the idea of compulsion. In this way only can a foundation be laid for the restoration of peace, internal tranquillity, and unity to this *convulsed*† and dismembered empire.

L 3

VOTES

† Sir William Draper says, "that this country is *convulsed* in every part by *anonymous*, wicked, and "incendiary writers." Locke is of opinion, that "*oppression* is the great cause of *civil commotion*," and surely rank, foul acts of *oppression* have been frequent for many years throughout this empire. The Knight of the Bath being himself a fine, a very fine writer, attributes, in my opinion, too much to the influence of fine writing, perhaps even of his own very fine writing, for the body of *the people* are more usefully employed than in the perusal of polite, elegant authors. *The people* do not read very much, nor reason closely on every occasion, but they always *feel* justly. Sir William, having sheathed the bloody sword, and bid Farewel the neighing steed, and the shrill trumpet, The spirit-stirring drum, the ear-piercing fife, The royal banner, and all quality, Pride, pomp, and circumstance of glorious war, Shakespeare.

brandishes the *peaceful* pen, spills oceans of ink, and
analyses

VOTES of February 17, 1777.

The Bill to empower His Majesty to seize and detain Persons charged with, or suspected of, the Crime of High Treason; committed in *North America*, or on the High Seas, or the Crime of Piracy, was read the third time; and

amuses himself in tuning to a delicate ear smooth and melodious periods. He never was the *miles gloriosus*, but a *false modesty* does not make him now conceal the obligation he confers on mankind by his writings, nor content himself with *anonymous* literary applause. Locke, *nobly pensive*, regardless of classical praise, intent only on serving mankind, passed his life in deep researches concerning the "Human Understanding," and "Civil Government." He does not quite agree with Sir William. He tells us, "people are not so easily got out of their old forms; as some are apt to suggest. They are hardly to be prevailed with, to amend the acknowledged faults, in the frame they have been accustomed to. Great mistakes in the ruling parts, many wrong and inconvenient laws, and all the slips of human frailty, will be borne by the people without mutiny or murmur. But, if a long train of abuses, prevarications, and artifices, all tending the same way, make the design visible to the people, and they cannot but feel, what they lie under, and see whither they are going; it is not to be wondered that they should then rouse themselves, and endeavour to put the rule into such hands, which may secure to them the ends, for which government was at first erected."

Locke of Civil Government, book II. ch. 19.

and an ingrossed Clause was added, by the House; to the Bill, by way of *Ryder*:

Mr. *Willes* said;

Mr. Speaker,

I cannot continue silent while the fate of so important a Bill as the present is depending before this House. Administration at first brought in this Bill in a form, which gave a very general and just alarm to the city, to the nation. If it had passed in that form, in my opinion the whole kingdom would have been put under an *interdict of law*. The personal liberty of every man in this island had been precarious and insecure, depending solely on the will of the minister. The spirit of the Bill in its original state was oppression and tyranny *through every part of the empire*. In this state the Bill has continued *till this day*. By the patriotic zeal of an † honourable gentleman of the law, a clause has just been offered; and adopted by way of *Ryder*; as it is called in this stage of the Bill, which gives peace of mind, and security in some degree, to every subject resident in this kingdom, for persons under this description are at length de-

† John Dunning, Esq; Member for Calne.

clared not to be the objects of this Bill. † I speak of the clause, Sir, even as pretended to be

† In Mr. Burke's Letter to the Sheriffs of Bristol it is said, "the main operative regulation of the act is to suspend the common law, and the statute, *Habeas Corpus*, (the sole securities either for liberty or justice) with regard to all those who have been out of the realm, or on the high seas, within a given time. The rest of the people, as I understand, are to continue as they stood before.

"I confess, gentlemen, that this appears to me, as bad in the principle, and far worse in its consequence, than an universal suspension of the *Habeas Corpus* act; and the limiting qualification, instead of taking out the sting, does in my humble opinion sharpen and envenom it to a greater degree. Liberty, if I understand it at all, is a general principle, and the clear right of all the subjects within the realm, or of none. Partial freedom seems to me a most invidious mode of slavery." p. 15.

When Mr Dunning moved the clause of limitation, he said that he meant to take the sting out of the Bill as to all the people of Great Britain, whom he justly represented as exceedingly alarmed at the suspension of the Common Law and the *Habeas Corpus*, at the temporary loss of those bulwarks of the constitution, which Mr. Burke admits to be the sole securities either for liberty or justice. The city of London had petitioned the House of Commons on the 14th of February, and declared, that if the Bill should pass into a law, it would create the greatest uneasiness in the minds of many of His Majesty's good subjects, and tend to excite the most alarming disturbances, &c, &c, therefore earnestly beseeching the House, that the said Bill may not pass into a Law: or at

be amended by an † honourable gentleman on the treasury bench. His words however, Sir, *out of the realm*, are too loose and ambiguous, by no means descriptive enough of the persons,

at least to take such care as in their wisdom may seem meet, to prevent it from being extended, in its operation or construction, to any of His Majesty's subjects resident in these kingdoms. The great wish and effort of those gentlemen in opposition, who attended their duty in Parliament, was to have thrown out the Bill, and thereby freed every subject of the empire from the terrors of the arbitrary power proposed to be vested in the present administration. When *that* was found impracticable after repeated trials in every stage of the Bill, they exerted themselves, and happily succeeded in delivering most of the inhabitants of Great Britain, *His Majesty's subjects resident in these kingdoms*, from the fangs of a cruel ministry. To them the nation is indebted for the present peace and security of its capital, of this great seat of empire, of this whole island. Are they now, instead of being thanked, to be harshly told by those, who did not attend their duty in Parliament, that they have done mischief, that, so far from *taking out the sting*, they have *sharpened and envenomed it to a greater degree*, that they ought to have suffered so wicked an Act to have been *universal*, and to have extended to Great Britain as well as America? Are they now to be reproached by those, who would not join in the ministerial attack, that the Act is *far worse in its consequence*, when by their generous struggles, and glorious victory, it can have no *consequence whatever* to the most important part of the empire?

† Charles Wolfran Cornwall, Esq; Member for Winchelsea, a Lord of the Treasury.

Sons, who are declared by administration not designed to be the objects of the Bill. The Bill

empire? Were they to have sacrificed the *sole* *secular* *is* either for liberty or justice for themselves, for the whole island, to a speculation, that *partial* *freedom* *was* *a* *most* *invidious* *mode* *of* *slavery*? Mr Burke judges better for his friends, the two Sheriffs of Bristol. He tells them in this letter, "I never ventured to put your *solid* *interests* upon *speculative* *grounds*." p. 48. I have not heard of any answer to this letter from either of the Sheriffs of Bristol, "that *honest*, *well-ordered*, *virtuous* *city*, a "people who preserve more of the original English "simplicity, and *purity* *of* *manners* than perhaps any "other." p. 69. As to the Bristol Sheriffs ideas of their *solid* *interests*, I take it for granted that they exactly coincide with those of the Sheriffs of London, the Aldermen Plumbé and Thomas. They well know their own *solid* *interests*, and certainly proceed upon *speculative* *grounds* essentially different, both in nature and extent, from those of Mr. Burke. Their *speculations* do not extend beyond Exchange-Alley. Mr. Burke's angel genius takes in

The hemisphere of earth in clearest ken.

MILTON.

I will answer for most City Sheriffs, whether of London or Bristol, at least for the present London Sheriffs; that they attend to their own *solid* *interests*; and "have "never troubled their understandings with *speculations* concerning the unity of empire, and the identity "or distinction of legislative powers." p. 54. Their *speculations* however are neither partial, nor narrow. They *speculate* on every thing; on the *Omnia* with wonderful intelligence and sagacity. If they do not beautifully moralize on this frail and feverish being, they

Bill is professed to relate only to treasons committed in North America by persons actually re-

they calculate with amazing exactness the great uncertainty of *human life*, and the most minute degrees of the probability of its continuance in every object of their *speculations*. Nor are their *speculations* confined to any faction, or influenced by the blind zeal of party. Whigs and Tories, courtiers and patriots, are indifferent to them, as to *life annuities*, and *reversionary payments*. They even wish to unite them--in a *joint security*.

But to return to the argument of the *partial suspension of the Habeas Corpus*. Is a man voluntarily to submit to the conflagration of his own dwelling-house, because some distant buildings of his are in danger of being burnt? Is a physician to give up every idea of preserving the head or the heart, from a belief that such extremities as the hands or the feet are in an alarming state? Is he to endeavour no cure, because he cannot save all his patients? If we cannot bestow the godlike gift of *universal*, we ought surely to give *partial*, *freedom*. When the minority found it impossible to *redeem from slavery* the whole empire, they saved the most valuable part. They nobly struggled, and succeeded for us on this side the Atlantic. I will trust the sons of America to their own virtue and powers, by which I have no doubt of their being *finally saved*.

What *mode of slavery*, however, *partial freedom* can seem to any man, I freely own I do not guess. How *partial freedom* to some can be the most *invidious mode of slavery* to others, is beyond my comprehension. Yet I can conceive *partial freedom* in some may make the loss of liberty more regretted, more sharply felt, by others. Among all the different species of *slavery*, under which the

resident in that quarter of the globe. Gentlemen, however, on a tour of business to Ireland, or of pleasure to France or Flanders, or even on a fishing party on our own coasts beyond low-water mark, are acknowledged to be *out of the realm*, and may be brought within the act, even as it now stands. An opening is still left for public, or private, revenge and oppression to operate. The expression therefore

insulted race of man has suffered, *partial freedom* has not hitherto been classed, nor did they ever before accord in such friendly, harmonious union as they are now found by the Sheriffs of Bristol.

Mr. Burke says, "I have not debated against this Bill in its progress through the House; because it would have been vain to oppose, and *impossible to correct* it." Page 18. The Bill, and the Minister, were both well *corrected* by Mr. Dunning. "I cannot conscientiously support what is against my opinion, nor prudently *contend* with what I know is *irresistible*. Preserving my principles unshaken, I reserve *my activity for rational endeavours*." Page 19. Was the Court faction more determined to carry the *American High Treason*, than the *Civil List, Bill*? Was the first *known* by Mr. Burke to be more *irresistible* than the *last*? Yet his efforts against the last Bill were great and laudable, although not successful. He did, according to the words of the *Preacher, Ecclesiastes*, ch. 6. v. 10. nobly *contend with him that was mightier than he* --- the Lord North. It was a *rational endeavour*. Why was not the same *rational endeavour* exerted against the

American

fore ought rather to have been *out of Europe,* than *out of the realm,* if the former words, moved by my honourable friend, *in some or one of His Majesty's colonies before-mentioned, or on the High Seas,* were rejected. But why, Sir, are words so clear and explicit to be changed, unless for some dark purpose, which dares not be avowed?

This new clause, Sir, has happily narrowed the object of the Bill, but in no degree narrowed the proofs, or the nature of the evidence necessary. I shall therefore give the Bill my hearty negative, for I will never consent to encrease the enormous power of the crown at the expence of the freedom of the
sub-

American High Treason Bill? Mr. Dunning's *rational endeavour* succeeded, and he need not blush for his *political company*. p. 70. The preservation of property in the *Civil List Bill* was surely not a consideration of equal importance with the preservation of personal liberty in the *American High Treason Bill*. There can be but one rule of conduct on these occasions. Watch every opportunity of being useful, at no moment desert the public cause, and of those evils, which you cannot prevent, strive to lessen the magnitude, and correct the malignity; "not that I think it fit for any one to rely too much on his own understanding, or to be filled with a presumption, not becoming a *christian man*, in his own personal stability and rectitude." Page 69.

Subject. I will not arm ministers with an un-
 constitutional power, dangerous to the people.
 In the Preamble to the Bill it is said, " Many
 " persons have been seized and taken, who
 " are expressly charged, or *strongly* suspected
 " of such Treasons and Felonies, and many
 " more such persons may be hereafter *so* seized
 " and taken." In the first enacting clause of
 the Bill, and throughout, the word *strongly* is
 omitted, and the slightest suspicion may war-
 rant the commitment. The words are, " All
 " and every person or persons, who have been,
 " or shall hereafter be seized or taken in the
 " act of High Treason, committed in any of
 " His Majesty's colonies or plantations in
 " America, or on the high seas, or in the act
 " of Piracy, or who are, or shall be charged
 " with, or *suspected of*, the crime of High
 " Treason, committed in any of the said co-
 " lonies, or on the high seas." It is there-
 fore apparent that *a mere pretended suspicion*, or
 foolish credulity, or determined villainy, in a
 wretched, ignorant, mercenary tool of a mini-
 sterial magistrate, may still render the objects of
 this Bill, who are the inhabitants of above half
 the empire, liable to imprisonment. This im-
 prisonment

imprisonment likewise is to be without bail or main-
 prize, for that cruelty was still determined to be
 exercised by the committee, notwithstanding the
 humane motion of my worthy † colleague to
 leave out those obnoxious words. There is not
 a syllable in the Bill of the degree of probability
 attending the *suspicion*. The Bill, greatly
 amended as it has been, does not even now re-
 quire *an oath*, nor that the parties should be
 heard in their own justification, nor confront-
 ed with the witnesses, nor does it mention that
two witnesses should be deemed necessary for
 the colourable ground of a commitment for so
 high a crime as Treason in America, as the
 law is in other cases within the kingdom. Is it
 possible, Sir, to give more despotic powers to
 a pashaw of the Turkish empire? What securi-
 ty is left for the devoted objects of this Bill
 against the malice of a prejudiced individual,
 a wicked magistrate, who, if he is prosecuted af-
 terwards for so flagrant an abuse of power, will
 certainly be indemnified, probably rewarded by
 a most arbitrary administration? Actions may
 indeed be brought against the offender, but we
 know

† Mr. Serjeant Glynn, Member for Middlesex.

know all damages recovered, however great, are paid by *the people*, not by the party. Even in the case of *Petit Treason*, by an express act of Edward the Sixth, no person can be convicted, but on the oath of *two sufficient and lawful witnesses*, or confession, *willingly, without violence*; so careful, Sir, were our wise ancestors of protecting the liberty of the meanest subject.

This case, sir, demands our strictest attention and vigilance from what we daily experience of the conduct of those underling officers of every minister, who traffick and deal out justice, under the colour of legal magistracy. There is now, sir, actually in Newgate an American merchant, named *Ebenezer Smith Plat*, who stands committed so lately as the 23d of last January, *charged with High Treason at Savannah in the colony of Georgia in North America*. He is committed by the well known Justice Addington, and, as I am informed, was not allowed to see any of the witnesses against him, nor even to hear their affidavits read. He had before been tried on the same charge at Kingston in Jamaica, and acquitted. I never saw him, but I have read an attested

copy

copy † of the warrant of his commitment. He is charged generally with *High Treason*, which I take to be an illegal commitment. I do not pretend, Sir, to a deep knowledge of the law. I have only the attentive reading of a private gentleman. I build my legal faith on some known and approved authorities, a *Blackstone*, a *Burne*, and a very few others. Those authors agree, that every warrant of commitment ought to set forth the cause *specially*, that is to say, not for treason or felony in general, but for treason in compassing the death

VOL. I.

M

of

† To the Keeper of His Majesty's Gaol of Newgate, or his Deputy.

Middlesex.
to wit.

} These are in His Majesty's name to authorize and require you to receive into your custody the body of *Ebenezer Smith Plat* herewith sent you, charged before me upon the oaths of Richard Scriven and Samuel Burnet with *High Treason at Savannah in the Colony of Georgia in North America*, and you are to keep him safe untill he shall be delivered by due course of law, and for so doing this shall be your Warrant.

Given under my hand and seal this 23d day of January 1777.

W. ADDINGTON.

L. S.

of the king, or levying war against His Majesty in the realm, or counterfeiting the king's coin, or felony for stealing the goods of such a one to such a value, and the like. A court may then judge, whether the offence is such, for which a prisoner ought to be admitted to bail. If then a justice living in the capital, under the immediate eye and direction of ministers, is guilty of such an illegal commitment, what is not to be dreaded from the base engines, and slavish tools, of power in the more remote counties? Is it possible, sir, for too great caution to be used by enforcing in the body of a Bill, which is to suspend the *Habeas Corpus* act, the necessity of † *an oath, of two witnesses* to the charge,

† The abuse of power in the illegal treatment, which Mr. Wilkes experienced in his own person in April 1763, gave additional energy to his reasoning, and pointed every argument. There was no accusation *on oath* against him, either before the first warrant of apprehension, or the commitment to the Tower. *He was not admitted to see any one of his accusers, or witnesses.* His Speech in the House of Commons on the first day of the subsequent Session, Nov. 15, 1763, states the enormity of the proceedings against him so fully, that I shall give it *ent.re.*

Mr. Speaker,

I think it my duty to lay before the House a few facts, which have occurred since our last meeting, because,

charge, and of their being *confronted with the prisoner?*

M 2

The

cause, in my humble opinion, which I shall always submit to this House, the rights of all the Commons of England, and the privileges of Parliament, have in my person been highly violated. I shall at present content myself with barely stating the *facts*, and leave the mode of proceeding to the wisdom of the House.

On the 30th of April in the morning I was made a prisoner in my own house by some of the King's messengers. I demanded by what authority they forced their way into my room, and was shewn a warrant issued, *without oath*, by Lord Halifax, Secretary of State, in which no person was named in particular, but generally the "authors, printers, and publishers, of a seditious and treasonable paper, entitled "the *North Briton*, No. 45." The messengers insisted on my going before Lord Halifax, which I absolutely refused, because I knew the warrant was illegal. I applied by my friends to the Court of Common Pleas for a *Habeas Corpus*, which was granted, but as the proper office was not then open, it could not immediately issue. I was afterwards carried by violence before the Earls of Egremont and Halifax, whom I informed of the orders given by the Court of Common Pleas for a *Habeas Corpus*, and when I was ordered into another apartment, I enlarged on this subject a considerable time to Mr. Webb, the Solicitor of the Treasury. I was *confronted with no witness, nor did I see any accuser*. I was carried to the Tower by virtue of another warrant, issued likewise *without oath*, which declared me "the author, and publisher "of a most infamous and seditious libel, entitled the
" *North*

The case of *P'at*, Sir, gives us an instance of another violation of the law, an evasion of the *Habeas Corpus* act, that *holy* statute, which ministers hold in abhorrence, and are now allowed

“ *North Briton, No. 45.*” The word *treasonable* was dropped. I was however with great strictness detained a *close* prisoner, and no person suffered to come near me for almost three days, although my counsel and several friends demanded admittance, in order to concert the means of recovering my liberty. My house was plundered, my bureaux broke open, by order of two of your members, Mr. Wood and Mr. Webb, and all my papers carried away. After six days imprisonment, I was discharged by the unanimous judgment of the Court of Common Pleas, *that the privilege of this House extended to my case.* Notwithstanding this solemn decision of one of the King's superior courts of justice, a few days after I was served with a *Subpœna* upon an Information exhibited against me in the King's Bench. I lost no time in consulting the best books as well as the greatest living authorities, and from the truest judgment I could form, I thought the serving me with a *Subpœna* was another violation of the privilege of Parliament, which I will neither desert nor betray, and therefore I have not yet entered an appearance.

I now stand in the judgment of the House, submitting with the utmost deference the whole case to their justice and wisdom, and beg leave to add, that if, after this important business has in its full extent been maturely weighed, you shall be of opinion that I am entitled to privilege, I shall then be not only ready, but eagerly desirous to waive that privilege, and to put myself upon a *Jury* of my countrymen.

lowed in England to evade with impunity, in America, I fear, to suspend for very near a twelvemonth. The history of it is this. *Plat* was first confined to the *Antelope* for three months, then removed to the *Boreas* for four weeks, then carried on board the *Pallas*, and in her brought in irons to England. On her arrival at Portsmouth he was removed on board the *Centaur* for three weeks, then to the *Barfleur*. On the 4th of January last, an *Habeas Corpus* was obtained, directed to the captain of the *Barfleur*; but before it could be served, an express was sent from the treasury by their solicitor, and *Plat* was removed again to the *Centaur* before the *Habeas Corpus* could arrive at Portsmouth. The return to that *Habeas Corpus* was thus eluded; but on his friends declaring that they were determined to sue out another, *Plat* was at last sent to the capital, and in the illegal mode, which I have stated, committed to Newgate. † I speak, Sir, in the hearing of many

M 3

gen-

† Mr. *Plat* was returned to the Judges at the Old Bailey, July 2, 1777, as one of the "Middlesex Prisoners upon orders," in the custody of the Keeper of Newgate. "No. 22. *Ebenezer Smith Plat*, " committed Jan. 23, 1777, by W. Addington, Esq; " charged

gentlemen, who ought to contradict me; if I have advanced a single circumstance not founded in truth. Can ministers, Sir, who are capable of thus trampling on our most sacred laws, be too narrowly watched, too deeply suspected, too strongly guarded against? Do we not owe it to the people to demand every security from the sanction of an oath, the number of witnesses, the confronting of them with the prisoner, the hearing him in his own justification, and other circumstances, of which not the least trace is to be found in this criminal, arbitrary Bill? Is the personal liberty of the subject to rest on the mere pretended suspicion of a man, who acts probably under the orders of a professed ministerial agent, ever ready to make his court to power by the sacrifice of public virtue and innocence, whose incapacity perhaps can only be equalled by his meanness and sordid lust of gain?

I re-

“ charged, on oath of Richard Scriven and Samuel
 “ Burnet, with High Treason at Savannah in the Co-
 “ lony of Georgia in North America; ordered to re-
 “ main on his commitment. Was on the 12th day
 “ of May taken by *Habeas Corpus* into His Majesty’s
 “ Court of King’s Bench, and remanded.”

I regret, sir, the indecent rage, the extravagant madness, with which every measure, and in particular the Bill in question, has been carried on against the Americans. It precludes every possibility of a reconciliation, so ardently to be wished. All the measures respecting America, and this Bill in particular, as it was at first brought in, bear the strongest marks of a regular system of despotism among our rulers. They originate from the latent, dark, all-controlling power of the † man, *who*

M 4

wants

† Mr. Pitt made use of this expression in the House of Commons, speaking of the Earl of Bute. Junius says, “ Lord Bute was not of a temper to relinquish power, though he retired from employment. Suplications were certainly made between your Grace [the Duke of Bedford] and him, and certainly violated. After two years submission, you thought you had collected a strength sufficient to controul his influence, and that it was your turn to be a tyrant, because you had been a slave. When you found yourself mistaken in your opinion of your gracious master’s firmness, disappointment got the better of all your humble discretion, and carried you to an excess of outrage to his person, as distant from true spirit, as from all decency and respect.”

In a note Junius adds, “ the Ministry having endeavoured to exclude the *Dawager* out of the Regency Bill, the EARL OF BUTE DETERMINED TO

DISMISS

wants wisdom, and holds principles incompatible with freedom. Let us advert, sir, for a moment to the difference of two cases in point, the *suspicion* only of high treason in America, and the actual charge of it here. A man only *suspected* of high treason in America, for instance, the giving aid or assistance to the Congress, or to any of the King's enemies, may on coming over to England be committed to prison, and by this Bill continue there *without bail or mainprize*, or being able to bring on his trial for near a year, till January 1, 1778, to which time this bill is to continue in force. In this kingdom a man *suspected*, or even actually charged with High Treason in conspiring the death of the King, or levying war in the realm, may have an *Habeas*

“DISMISS THEM. Upon this the Duke of Bedford demanded an audience of the -----, reproached him in plain terms, with his duplicity, baseness, falshood, treachery, and hypocrisy, ---repeatedly gave him the lie, and left him in convulsions.”

Junius, vol. I. p. 171.

When the King came out of the closet, His Majesty appeared in very great agitation, and said to one of his servants, “THE FELLOW *has done every thing but strike me.*”

beas Corpus, and be bailed by the Court of King's Bench. The *suspicion* therefore of American treason seems a deeper crime in the judgment of our present ministers, than an overt act of English, or more probably *Scottish*, treason, or rebellion against his Majesty's person, title, crown, or dignity. It must be thought, sir, a deeper crime, because it is more grievously punished. Do we imagine the Americans will not retaliate, or do we vainly hope to intimidate them? Their cause is good, and after all the idle tales of our late visionary successes, the justice of it must in the end prevail. They are now nobly struggling under the sharpest sufferings, but I trust they have steady zeal and unwearied perseverance. In all events, the first moment of a foreign war necessarily obliges us to withdraw our fleets and armies. Every part of North America must then be free and independent. This Bill can only irritate, and will not intimidate. It will probably be answered by a spirited resolution of the Congress—Would to God, sir, the British Parliament equalled that Congress of Heroes, that more than Roman senate, in wisdom, in fortitude,

fortitude, in love of their country, in uncorruptedness, in public virtue!

The second enacting clause of the Bill, fir, impowers “ his Majesty, by warrant under “ his sign manual, to appoint one or more “ places of confinement, *within the realm*, for “ the custody of such prisoners, and all and “ every magistrate or magistrates, having competent authority in that behalf, are hereby “ authorised to commit such persons as aforesaid to such place or places of confinement, “ so to be appointed, instead of the common “ gaol.” This clause may operate in a manner more to be dreaded than any banishment, or confinement *out of the realm*. A power, which may be thus grossly abused, ought not to be trusted without restriction to any man. A person *only suspected*, or pretended to be so, may be doomed to a damp and noxious dungeon, in the midst of putrid marshes, or on the most swampy coast. He may be stifled in a vault, *to whose soul mouth no healthsome air breathes in*. I, fir, perhaps may *at last be suspected*, and possibly it will not be a *slight suspicion*. I have formerly experienced an illegal,
close,

**close*, and rigorous imprisonment in the Tower; but by this Bill I may be sent to the gloomy wastes and deserts of the *North*, to the barbarous Highlands of *Scotland*, or among the savages in the dreary *Isle of Bute*, from whose *hairs* I am sure I should never return, even as a traveller, much less as a prisoner. Is this clause ingeniously meant, sir, as a new mode of re-peopling that ancient, *abandoned* kingdom?

Much has been said, sir, both in the Committee and in the House about a *Dictator*, and his extensive powers. Many periods of the *Roman History* have been retailed out to us minutely enough, and they have furnished many parallels. Comparisons between that virtuous republic, and this corrupt monarchy, are generally, in my opinion, more brilliant than solid, more beautiful than just. A Right †Honorable Gentleman under the gallery has just observed that our glorious Deliverer, William III, was

* The law of England appoints imprisonment *in custodiam* not *in pœnam*, acknowledges no *close* imprisonment, whereas I was kept with the most extreme rigour.

Algernon Sydney's apology in the day of his death. Page 173.

† Right Hon. Henry Seymour Conway, Member for Midhurst.

was a *Dictator* here after the *suspension* of the *Habeas Corpus Act* in his reign. Should the present Bill for the *suspension* of that act pass into a law, I shall regard the noble Lord with the blue ribband as the modern *Dictator* of this great empire, as possessed of the most ample and despotic powers. The first important act of public business in the Roman *Dictator* was to name his coadjutor in office, the *Magister Equitum*, or *General of Horse*. If public gratitude has any weight with the *Dictator here*, I am sure for such an office he will immediately fix his eyes on the § noble Lord at his right hand, who, to his immortal honour, with great and invincible courage, advanced and charged the enemies of our country at the head of the *British horse*. In one particular respecting the *Dictator* of ancient times, I desire to set right a very † high Law-Officer among us. All the Roman magistrates were not, as he says, superseded by that creation. The *Tribunes of the People*, but they alone, preserved their authority, even under a *Dictator*.

It

§ Lord George Germaine, in 1759 Lord George Sackville.

† Attorney-General, Edward Thurlow, Esq; Member for Tamworth.

It has been said, sir, by another gentleman, who is likewise in a || great Law-Office, that in this House a discontented party have ridiculously given into a *tone of Prophecy*, which has never been accomplished, and that particularly about a year ago it was the case of the Right Honorable Gentleman, who spoke lately under the gallery. It is not I believe very parliamentary to quote words spoken in a former debate. But if that member's memory goes to a *prophecy* of one year, which *has not been* fulfilled, he will permit mine a fair excursion to another *Prophecy* of his own, six years ago, which *has been* exactly verified. His *Prophecy* in this House was, that if the violent measures against the Americans were persisted in, the colonies, which formed so great a strength to this kingdom in the reign of George II, would be *dissevered* from the British empire in the reign of George III. No *Prophecy*, sir, ever received a more perfect accomplishment. This gentleman won-

won-

|| Solicitor-General, Alexander Wedderburne, Esq; Member for Okehampton.

As for Mr. Wedderburne, there is something about him, which even treachery cannot trust.

Junius, vol. 2. p. 185,

derfully possesses the *second sight* of his native country. How deeply criminal he and others have been in the bringing his *Prophecy* to pass, I hope this House will one day enquire.

A very extraordinary observation of the same gentleman in the present debate, amidst a variety of heterogeneous matter, it is impossible for me not to mention. He has laughed at *universal benevolence*, and endeavoured to demonstrate the impossibility of its existence. But, sir, he has only given us the narrow, contracted, *selfish* ideas of his own heart, and his own *country. His sentiments and his feelings are confined to a very small insignificant circle indeed. They are merely *Clannish* and *Scottish*. His remarks I saw excited a general indignation in this House. An Englishman has ideas infinitely more liberal and enlarged. His heart expands itself, and takes in the general good and prosperity of mankind. It
feels

* We must be conversant with the *Scots* in private life, and observe their principles of acting to us, and to each other;--- the characteristic prudence, the *selfish nationality*, the indefatigable smile, the persevering assiduity, the everlasting profession of a discreet and moderate resentment.

Junius. Preface, p. 25.

feels not the rancour, and disdains the injustice, of such a cruel, persecuting Bill, as the object of this day's debate. It forms the warmest wishes for the liberty and happiness of every individual of this late flourishing empire. *Universal benevolence*, and a generous spirit of humanity, have been no less the characteristics of the inhabitants of the *Southern* parts of this island, than that *good-nature*, for which foreigners have not even a name. I will only add, sir, that I think the most beautiful sentence of all antiquity is that, which was received with such applause by the generous and free Roman people, and an English senate will surely adopt against every measure of oppression and cruelty, *homo sum, humani nihil à me alienum puto.*

THE

THE PROTEST OF
THE EARL OF ABINGDON,

Entered February 24, 1777.

On the JOURNALS of the House of Lords.

Dissentient,

FIRST, Because I look upon this Bill, not only as a part of that system of Colony-Government, so inimical to Civil Liberty, so repugnant to the first and fundamental principles of the Constitution, so ruinous in its measures, so shocking to humanity, and so averse from that now exploded virtue of *universal benevolence*, but because I see herein that system coming home to OURSELVES, and with
hasty

hasty steps pointing its dangers, - even towards the heart of the kingdom.

Secondly, Because the Bill itself is attended with powers subversive of and unknown to the laws of the land, by apprehending persons, it may be, on groundless SUSPICION, by imprisoning perhaps the innocent, without the usual and necessary form of a single oath; and not too in the common gaol of the county, but in whatever part of the realm, be it ever so distant, that persecution shall think fit to adopt.

Thirdly, Because, although the Ryder, which has been added by the other House, does in some degree abate the rigour of this harsh and alarming Bill, yet it does not sufficiently provide for the security of his Majesty's loyal subjects, the inhabitants of the West-India Islands under its baneful operation; nay, even any individual of this country, who shall venture on the High Seas, if only to make the tour of the Hebrides, may become the object of suspicion, and the victim of vengeance.

Lastly, Because the hour is come, if from motives of policy only, that coercion to lenity should give way.

(Signed)

ABINGDON. *

* This noble Earl has been one of the most steady and intrepid assertors of liberty in this age. England has essential obligations to the family of the *Earl of Abingdon*. When the Prince of Orange was at Exeter in great difficulties soon after his landing, when, "both the clergy and magistrates of Exeter were very fearful, and very backward, when the Bishop and the Dean ran away, and the Clergy stood off," as Bishop Burnet says, *Lord Abingdon* came in and joined our glorious Deliverer. The same ardour for freedom glows in the breast of his noble descendant, with an almost unexampled spirit and activity. The citizens of Geneva, as well as the people of England, dwell with pleasure on the praise of a peer, who has made the most generous efforts for them in the cause of public liberty, and often sacrificed the pleasures and enjoyments of social life to their interests. No gentleman was ever more formed to please and captivate in private life than the present *Lord Abingdon*, or has been more deservedly, more generally esteemed and beloved. He possesses true honour in the highest degree, has generous sentiments of friendship, and to superior manly sense joins the most easy wit, with a gaiety of temper, which diffuses universal cheerfulness. It is impossible not to be charmed with the happy *prodigality of nature* in his favour, but every consideration yields with him to a warm attachment to the laws and constitution of England.

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END OF THE FIRST VOLUME.

THE
SPEECHES
OF
JOHN WILKES,
One of the Knights of the Shire for the
COUNTY OF MIDDLESEX,
In the Parliament appointed to meet at
Westminster the 29.th day of November 1774, to the
Prorogation the 6.th day of June 1777.
With notes by the Editor.

VOL. II.

L O N D O N.

1777.

VOTES of April 16, 1777.

The House was moved, "That the Order
" made upon Wednesday last, for referring
" the several Accounts [*respecting the Civil*
" *List*] which were then presented to the
" House, by the Lord North, by His Ma-
" jesty's Command, to the Committee of
" the whole House, to whom it was refer-
" red to consider further of the Supply
" granted to His Majesty," might be read.

And the said Order being read accordingly ;

A motion was made and the Question being
put, "That the said Order be *discharged*;"

It passed in the Negative.

Mr. Wilkes said,

Mr. Speaker,

THERE is not a Gentleman in this
House, or in the kingdom, more anxious than
I am that the splendor and dignity of the crown
of England should be maintained in its truest

lustre, although for above a course of fifteen years I have received from the Crown only a succession of injuries, and never in any moment of my life the slightest favour. I had the honour, sir, of a seat in this House, when the affair of the Civil List was first agitated in Parliament in the beginning of his present Majesty's reign, when every good subject hoped to have *more than the idea of a Patriot King*. I then acquiesced in the proposed grant. The acceptance of an annuity of 800,000*l.* and the giving up to the public the ancient, hereditary revenues of the crown, originated from the Throne. It was proposed to this House in the usual mode by Mr. Legge, then chancellor of the Exchequer. Parliament adopted the proposition, and it was accepted with gratitude by the King. The ministers of that time declared to this House the King's *entire satisfaction*, and that his Majesty should be happy to be delivered from the disagreeable necessity of ever applying to Parliament, like his predecessors, to make good the deficiencies of the Civil List. It was admitted that the allowance was *competent, ample, most fully adequate* to the wants, and even to the splendour

our of the crown. Parliament granted all
 the Sovereign asked, and made the grant in
 the very mode proposed by the minister. The
 Civil List Act expressly declares in the pre-
 amble, that 800,000*l. per annum*; " was a
 " certain and *competent* revenue for defraying
 " the expences of his Majesty's Civil Govern-
 " ment, and supporting the dignity of the
 " crown of Great Britain." The nation
 thought themselves assured of not paying more
 than 800,000*l. per annum* to the Civil List,
 and gave that sum cheerfully for the *trappings*
of royalty. In the Speech at the close of that
 session our gracious young Monarch told us
 from the Throne, that *he could not † sufficiently*

B 2

thank

† The same dull, threadbare, vulgar expression,
 " I cannot *sufficiently thank my faithful Commons*," is
 repeated in the King's Speech at the end of the last
 session, June 6, 1777. " I cannot *sufficiently thank*
 " *my faithful Commons* for the zeal and public spirit
 " with which you have granted the *large and extraor-*
 " *dinary supplies, &c. &c.*" Will there *never be a*
sufficiency of money from his *faithful Commons* to the
 King, or of *thanks* from the King to his *faithful*
Commons, or are they both to proceed *pari passu* till
 the poor people of this country find their *unfaithful*
 representatives have given away the very power of
 giving? The *sufficiency* of 1760 did not *suffice* to 1769.

thank us, and that he thought himself much obliged to us for what more immediately concerned himself. By this bargain, sir, with the public it was generally understood, and indeed admitted at that time, that his Majesty would be a gainer of near 7,000*l.* *per annum.* The noble Lord with the blue ribband has unfairly drawn his calculations from only the *last eight* years of the late King's reign. He ought to have taken the whole of that reign together. In some years the Civil List was very deficient; in others it greatly exceeded the sum of 800,000*l.* As this is peculiarly a day of dry calculation, I will observe that from the accounts delivered in to Parliament, it appeared, that in the 33 years of George the Second's reign, from Midsummer 1727. to Midsummer 1760, the Civil List produced only 26,182,981*l.* whereas 800,000*l.* for 33 years amounts to 26,400,000*l.* so that, there is a deficiency of 217,019*l.* The gain therefore on a net revenue

The *sufficiency* of 1769 did not suffice to 1777. How long will the *sufficiency* of 1777 suffice? When will be the next demand, and of consequence the next grant of money from his *faithful* Commons, and of consequence the next "I cannot *sufficiently* thank my *faithful* Commons?"

venue of 800,000l. is on an average above 6,576l. a year. The sum of 800,000l. was at that time thought abundantly sufficient to support the splendor of the crown, and the Majesty of this great people. His Majesty has received besides 172,605l. the arrears of the late King's Civil List, 100,000l. on account of Somerset-house, and an additional grant of 513,511l. in the year 1769, to discharge all incumbrances. The death of the Princess Dowager of Wales was a saving of 60,000l. a year, and the Duke of York 12,000l. a year. Yet, sir, we are now told of another debt of 618,340l. and called upon to pay that likewise, notwithstanding the *former bargain with the public*. The very proposal implies *another violation of public faith*. Sir, I will venture to say, if we are indeed just trustees for the people, if we conscientiously reflect that their wealth is intrusted to our care, that we are the guardians of the public purse, we ought to stop this *growing evil*, and reprobate the idea of suffering their money to be thus squandered, as well as the country drained by a variety of taxes. I must add, sir, taxes imposed to supply a pro-

sion, which arises from a violation of a solemn compact with the nation, and renders the limitation of the expences of the crown by Parliament the most vague and absurd of all propositions. The power of controul of the expences of the crown is the being and life of Parliament. What traces do we now find of the existence of this power? Are the accounts on our table proofs of our boasted *economy*? and is meanness thus nearly allied to prodigality?

There is at present, sir, a peculiar cruelty in thus endeavouring to fleece the people, when we are involved in a most expensive, as well as unnatural and ruinous, Civil War, and burthened with an enormous load of national debt, the interest of which even we are scarcely able to stand under. Is there no feeling for the sufferings of this impoverished country? *Are the people really nothing in the scale of government?* The principal of the national debt is stated to us at Midsummer 1775 to amount to the astonishing sum of 135,943,051*l.* and the interest to 4,440,821*l.*

“ Is this the time, sir, that a minister can with an unembarrassed countenance come to Parli-
ment

ment to lay additional loads on an exhausted nation, and to ask more of the people's money? When the greatest sources of our commerce and wealth are destroyed by the folly and wickedness of administration, when we have already spent in this unjust war above nineteen millions, when above half our empire is lost, and those American friends, who have assisted us so frequently and so powerfully, are forced by our injustice to become determined enemies, and for their own safety to endeavour our humiliation, are we at such a moment as this to talk of the greatness of the crown, *a crown shorn of half its beams*. Are we to hear of the happy state of the nation, when we have lost more than we have retained of this divided empire, when new taxes and additional burdens on the people, are the most important objects of government? "Is the *Civil List* to increase in proportion to the loss of all those resources of trade and riches, by which it is fed and nourished? Is the nature of the *Civil List* in the body politic analogous to what Lord Bacon says of the *Spleen*, that it increases in proportion to

the waste, decay, and rapid consumption of the other parts of the human body?

Sir, we ought to look back to what former Princes and Parliaments have done. I will take the consideration only from the glorious æra of the Revolution, and it shall be stated fairly and fully. The Civil List was not granted to King William for life till the year 1698, when 700,000*l.* a year was settled on him. The distractions of his government, and of all Europe at that period, are well known. His most generous views for the public were thwarted at home during the greatest part of his reign by the **Tories*, as the friends of liberty are now harrassed by them.

* His Excellency General Washington strictly forbids all the officers and soldiers of the Continental Army, of the Militia, and all recruiting parties, plundering any person whatsoever, whether *Tories* or others. *The effects of such persons will be applied to public uses in a regular manner; and it is expected that humanity and tenderness to women and children will distinguish brave Americans, contending for liberty, from infamous mercenary ravagers, whether British or Hessians.*

G. WASHINGTON.

Trenton, Jan. 1, 1777.

Did

them in America, according to the late orders of General Washington to the Continental army, and his spirited letters to the Congress. Queen Anne had the same revenue settled upon her. She did not ask the additional sum of 100,000*l.* to her Civil List, but she gave unasked out of it yearly 100,000*l.* towards carrying on the war, *a war against France*, besides 200,000*l.* at least towards the building of Blenheim-house, and above 100,000*l.* for the support of the poor Palatines. We have a resolution of this House, fir, on a report from a Committee, which states this very fully. It is on the Journals of May 13, 1715, and in the following

Did any *Monarch* in Europe begin this year with such a glorious act of humanity, and regard to the public, as *Dictator* Washington in America?

Greenwich, March 16, 1777.

“ The bearer hereof, Nehemiah Liscoe, being an
 “ infamous *Tory*, and *profest enemy to the United States*
 “ of *America*, and consequently having no right to a
 “ residence or dwelling on this Continent, is hereby
 “ ordered to remove himself immediately to Long
 “ Island, &c; &c, &c.

By order of Major Gen. *Wooster*,

Jno. Coffin Ogden, Aid-de-Camp

following words, " Resolved, that the sum of
 " 700,000*l. per annum* was settled upon his
 " late Majesty King William during his life,
 " for the support of his Majesty's household,
 " and other his necessary occasions; and, at
 " the time of his Majesty's demise, after the
 " deduction of 3,700*l.* a week, that was ap-
 " plied to the public uses, was the produce of
 " the Civil List revenues, that were continued
 " and settled upon her late Majesty Queen
 " Anne, during her life." The deduction
 for public services of 3,700*l.* a week, or
 192,400*l.* a year, from that part of the Civil
 List revenue called the "Hereditary and Tem-
 porary Excise" was first made in the last year
 of King William. Notwithstanding this de-
 duction the Civil List Funds produced in that
 very year 709,420*l.* In the first of Queen
 Anne the same Funds with the same deduc-
 tions were settled on her for life, and declared
 to be for raising 700,000*l.* for the support of
 her household, and the dignity of her govern-
 ment. In the 9th of her reign the old Post-
 office act was repealed, and a new General
 Post-office with higher rates was established,
 in consideration of which another deduction
 was

was made from the Civil List revenue of 700l. a week, or 36,400l. a year. Both these deductions have ever since been continued.

George I. had the same revenue settled upon him as Queen Anne, but if 300,000l. paid him by the Royal Exchange and London Assurance Companies, and a million granted in 1726, towards paying his debts, are included, his income will appear to have been nearly 800,000l. *per annum*. In the first speech to his Parliament he took notice, “ That it was his happiness to see a Prince of Wales, who may, in due time, succeed to the throne, and to see him blessed with many children.” Yet the establishment of the Civil List at the beginning of that reign was only settled at 700,000l. a year. It was not till after the great expences consequent on the rebellion of the Earl of Mar, and the other *perjured Scots*, who, although they had taken the oaths to his government, traiterously waged open and impious war against a mild and just Sovereign, that the Parliament paid the King’s debts. In the reign of George I. the

the Prince of Wales had an establishment of 100,000*l.* *per annum.*

George II. had a very numerous family, and 800,000*l.* was at first settled upon him, with whatever surplus might arise from the duties and allowances composing the Civil List revenues. In 1736, that part of the hereditary and temporary excise, which consisted of duties on Spirituous Liquors, was taken from the Civil List, in consideration of which 70,000*l.* was transferred to it from the aggregate fund. The income of George II. including 115,000*l.* granted in 1729, and 456,733*l.* in 1747, towards making good the deficiencies, which had arisen in the Civil List duties, was 810,749*l.* *per annum,* for 33 years. His late Majesty likewise had in his reign a *Scottish* rebellion, carried on by many of the same traitors, who had been pardoned by his father. The expence of that rebellion to the King and kingdom was enormous, for it was not confined to the extremities of the island, but raged in the heart of the kingdom, and the rebels advanced to within a hundred miles of the capital. Such an event, sir, *not unforeseen, because foretold,* was a just ground
for

For the Parliament's discharging a debt contracted by securing to us every thing dear to men and Englishmen.

The establishment of the present King, at the yearly rent charge to the nation of 800,000*l.* was a measure at the time equally pleasing both to the Prince and people. The minister boasted that there was not a possibility of any future dispute about the hereditary revenues, or concerning accounts suspected to be false, wilfully erroneous, or deceitful, kept back, or anticipated, to serve a particular purpose. I am aware, sir, that the Civil List revenues have been increasing for many years.

The mean annual produce for the last five years of George II. was 829,150*l.* and for the first six years of his present Majesty, it would have been, had the establishment in the late reign continued, 894,000*l.* In 1775, it would have been 1,019,450*l.* Near 90,000*l.* *per annum* of this great increase has been produced by an increase in the Post-office revenue, occasioned chiefly by the late alteration in the manner of franking, and by the falling in of the cross posts to the public by the death of Mr. Allen; but these profits would probably,

bly, at least certainly ought to, have been re-
 served to the public, had the establishment in
 the late reign been continued. At the foot
 of one of the accounts on our table it is
 stated, "The amount of 800,000*l.* granted
 " to his Majesty from the 25th of Oct. 1760,
 " to the 5th of January 1777, is 12,965,517*l.*
 " 4*s.* 9*d.* $\frac{1}{2}$. The produce as above exceeds
 " the annuity by 2,381,241*l.* 9*s.* 1*d.* $\frac{1}{2}$. But
 " Parliament granted to pay off the Civil List
 " debt, on the 5th of Jan. 1769, out of the
 " supplies for the year 1769, 513,511*l.* which
 " being deducted shews the gain to the public
 " to be, 1,867,730*l.* 9*s.* 1*d.* $\frac{1}{2}$." The bar-
 gain concluded for the public was of an an-
 nuity to the King of a clear 800,000*l.* subject
 to no deductions, or contingencies for his life,
 on a solemn promise of that being made to
 bear all the expences of the Civil List, and
 the Royal household. It was a fair compact
 of finance between the King and the subject,
 ratified by both parties. The most explicit
 assurances were given by the Chancellor of
 the Exchequer, in the King's name, that no
 more should be asked, and that now his Ma-
 jesty could never be under the disagreeable ne-
 cessity

celity of importuning this House with messages of *personal concern*.

I have, fir, carefully examined the accounts laid before this House, by his Majesty's command, the eight folio books, as well as the other papers. I will venture to say they are as loose, unsatisfactory, perplexed, and unintelligible as those delivered in by the noble Lord with the blue ribband in 1770, a year after the former demand to pay the debts on the Civil List. I am sure, fir, more loose, unsatisfactory, perplexed, and unintelligible no accounts can be. Their defectiveness and fallacy is highly culpable. The coming to Parliament at that time with such a demand, but without any account whatever, was an insult to this House, and the now laying before us such accounts as those on the table is a solemn mockery. Many gentlemen in the House declared the last week their opinion, that, after the strictest examination, they could make nothing of those former accounts. It was not intended they should. One particular only fixed my attention as an individual. Under the head of *secret and special services*, I find that between Oct. 1762, and Oct. 1763, a most

memorable

memorable year, there was issued to *Samuel Martin, Esq;* 41,000*l.* We have indeed, sir, had a week allowed to go through these accounts, but I will venture to affirm that a year would not be sufficient to clear them from their studied perplexity, to give order and light to such a chaos. The most able accomptants do not pretend to understand them. They would puzzle a *De Moivre*. Ægyptian darkness hangs over the whole. There is not one friendly ray of light to lead us through this labyrinth.

No account, sir, whatever is given Parliament of the other considerable revenues of the crown, besides the annuity of 800,000*l.* I do not mean the income of the Electorate of Hanover, or Bishoprick of Osnabrug, but what his Majesty enjoys as King of England. That is a fair consideration with us, when the House are providing for the support of the lustre of the crown, at present, I fear, a little tarnished. The extraordinary revenues of the Crown are, the revenue of Ireland, the Duchy of Cornwall, the land revenue within the principality of Wales, the revenue of Gibraltar, American quit-rents,

now

now generally *lost, irredeemably lost*, the Plantation duties of 4l. $\frac{1}{2}$ *per cent.* from the Leeward islands, fines, forfeitures, and many other particulars, which certainly carry the Royal income to much above one million a year. We may form some guesses from the grants we find made. From the revenue of the Duchy of Cornwall it appears that 17,000l. issued to Mr. *Bradshaw* in one year, and 11,000l. in another. From the 4l. $\frac{1}{2}$ *per cent.* in 1769, for his Majesty's *special service*, 14,742l. to Sir Grey Cooper. In 1771, John Robinson, Esq; received 10,000l. of the Virginian quit-rents, the *last* payment I believe of that nature. Sir Grey Cooper in 1769 received 2,144l. from the revenue of Gibraltar, and in 1765 the sum of 13,804l. was issued thence for *special service*. Such copious streams must flow from rich and abundant fountains. The Plantation duties of 4l. $\frac{1}{2}$ *per cent.* produced in 1753, the sum of 27,377l. Fines and forfeitures are a very considerable addition to the Royal revenue. I was plundered in one year of 1000l. by two fines, one of 500l. for a pretended libel, and another of the same sum, because I had a

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† *laughable* poem locked up in my bureau,
which

† The late Speaker of the House of Commons, Sir John Cust, the weakest as well as the most abject of all ministerial tools even in that House, who by betraying the rights of the *Commons* expected to become a *Lord*, contrived in conjunction with a Mr. Filmer, Clerk of the *King's Bench* Treasury, to hold out a *laughable* poem to the nation as "*blasphemy*." When Mr. Wilkes was a prisoner at the bar of the House on the 31st of January 1769, he complained of this injustice.

Mr. Speaker,

I am sorry to be obliged by the regard I have to truth, and the vindication of my honour, to take notice in this public manner of an injury repeatedly done me by you, sir, in the *Votes* of this House, published to the nation by your authority, and in your name. I find it is asserted *three* times, in the *Votes* of last November, that there is a record of "*blasphemy*" against me. I am sure that no such record ever existed. The assertion is entirely void of truth. I am therefore necessitated to make my appeal to the House against you, sir, for having charged me with being convicted of a crime, of which I am innocent, and spread an unjust accusation throughout the kingdom, under the sanction of the *Speaker's* authority. In the good old *Speaker's* [*Onslow's*] time, when any mistake *accidentally*, and none ever but by accident THEN appeared in the *Votes*, the error was not only always acknowledged with candour, but speedily rectified. The false charge against me in so unjustifiable a manner still remains on your *Votes* in full force. I feel it, sir; as I ought; but I sub-

which administration hired a rascal of a servant to steal, and then *they* contrived to have published.

C 2

The

submit to the wisdom and justice of this House the mode of reparation of my injured honour.

Journals. Jan. 31, 1769, vol. 32. page 169.

Ordered, That the Entries in the *Votes* of the Titles of the Copies of the Records presented to this House upon the 23^d day of November last, be so altered, as particularly to express, that the words "for a libel" and for "*blasphemy*," contained in the said Entries, were part of the titles inserted by the *Officer*, [Mr. *Filmer*] who presented the said Copies, and no part of the said records; nor intended to convey any opinion of the House concerning them.

In the first debate on the Middlesex elections in the present Parliament, Feb. 22, 1775, Charles Van, Esq; Member for Brecon, mentioned this record as for "*blasphemy*." Mr. Wilkes immediately called him to order, and desired the above extract from the Journals might be read. Mr. Van very ingenuously confessed his mistake.

† *Michael Curry*. Not a printer, nor a printer's devil, would afterwards associate with this fiend. He ran away from the capital first to Norwich, and afterwards to Bristol, where he delivered the world from one of the most wretched, as well as wicked, of the human race. On the 3^d of August 1768, he made an affidavit at the Mansion House before the Lord Mayor Harley, which has been printed in all the papers. He was frequently with the peer, who is commonly called *Jemmy Twit-*

cher.

The business of this day, sir, is naturally branched out into two parts, both which certainly claim our strict attention. His Majesty's message points them out to us. The first is the outstanding debts, the second the increase of the establishment of the Civil List.

Before

cher. In the affidavit he swears, "that when he told his Lordship of the robbery he had committed on his Master, Lord Sandwich answered, *You have saved the nation, and you may depend on any thing that is in my power,* that the inducement to him to commit the robbery was the money offered him, and the large promises from *those in power*" His Lordship was then Secretary of State. The affidavit likewise states, "that Faden, and Hassall, two known ministerial agents, desired him to name any sum, and that he might depend on being supported from any injury he might apprehend, and firmly rely on being protected by *those in power.*" Curry was afterwards examined at the bar of the House of Commons on the 31st of January 1769. He then declared, that he "lived for some time at the house of Philip Carret Webb, Esq; Secretary to the Treasury, that he was *confined* there, that Webb sent him to Carrington, one of the King's messengers, who regularly every week supplied him with money, that Webb said he might depend upon being taken care of, that *government would take care of him for sur-rendering the copy, and giving the evidence* against Wilkes, that Carrington declared he was *accountable to government* for the money he paid him, that Lord

"Sava-

Before we proceed, sir, to take into consideration the payment of the King's debts, we ought to enquire in what manner they have been contracted. The King has enjoyed ever since his accession the greatest unappropriated revenue of any prince in Europe, and the ex-

C 3

pences

“ *Sandwich* told him, *he might depend on any thing in his power*, that he had lost his character, that no one would afterwards employ him, &c, &c.”

There was not a man of honour in Europe acquainted with this black transaction, who did not blush for the conduct of the court of England on this occasion. Every liberal idea was sacrificed to a personal pique of the Prince. The infamy of corrupting a servant to rob his master, the baseness of confining a gentleman for a year in prison, and the meanness of picking his pocket of 500*l.* because he had a loose poem locked up in a private closet, had not been known in the most despotic countries, and betrayed a spirit of injustice, revenge, and cruelty. The fittest agent was employed for such a business, *Jemmy Twitcher*, then Secretary of State, *homo post homines natos turpissimus, sceleratissimus, contaminatissimus*. Even Lord Le Despencer, one of the first and most eager court vassals, who vowed *unconditional submission* to the *Thane*, and swore fealty at the shrine of *Bute*, even he condemned the breach of honour and convivial friendship, without the pretext of any injury, or even previous quarrel, in his brother peer towards Mr. Wilkes. At the conclusion of the Secretary's speech in the House of Lords, Lord Le Despencer exclaimed

aloud,

pences of the whole Royal Family have never exceeded 160,000*l.* a year. A Committee should be appointed for both the purposes mentioned, and papers very different from those before us ought to be submitted to Parliament. It is impossible for us now to form the slightest conjecture from these accounts in what way so enormous

aloud, " that he never before heard the devil preach
" a sermon against sin."

A great writer observes, that *every man has a right to have poisons in his closet. The crime is in the vend-
ing.*

The conduct of Henry IV. of France on the publication in 1605 of the famous libel called *L'Isle des Hermaphrodites*, was worthy of that great King.

Ce petit libelle (qui étoit assez bien fait) sous le nom de cette Isle imaginaire, découvroit les mesurs et façons de faire impies et vicieuses de la Cour, faisant voir clairement que la France est maintenant le repaire et l'asyle de tout vice, volupté, et impudence, au lieu que jadis elle étoit une academie honorable et seminaire de vertu. Le Roi la voulut voir et se le fit lire; et encore qu'il le trouvât un peu libre et trop hardi, il se contenta néanmoins d'en apprendre le nom de l'auteur, qui étoit Arthus Thomas, lequel il ne voulut qu'on recherchât, *faisant conscience, disoit-il, de sâcher un homme pour avoir dit la vérité.*

Journal du regne de Henri IV. Par M. Pierre de l'Etoile, Grand Audiencier en la Chancellerie de Paris. vol. III. p. 278, 279. Ed. La Haye 1741.

enormous a debt as 618,340*l.* has been contracted. It is astonishing that there should remain in cash in the Exchequer on the 5th of Jan. last only 35,640*l.* The Queen has indeed 50,000*l.* a year very regularly paid; but the expence of the prince of Wales and the Bishop of Osnabrug is charged from 1769 to 1777 only 42,242*l.* Prince William Henry and Prince Edward, for the same period 5,017*l.* The King's message, sir, leads us to consider the state of the whole Royal Family: His Majesty has two brothers, universally beloved by the nation. I find no trace of any debts contracted by the crown on their account; no princely grants to either of the King's *own* brothers. As an Englishman I regret the scantiness of their incomes. The Duke of Gloucester seems doomed to pass his life abroad; and it is certainly neither from choice, nor from the ill state of his health. The Duke of Cumberland is happier, and lives in England. He possesses all the virtues, and supports with dignity the rank, of a private, benevolent, amiable Nobleman. His income is by no means adequate to the splendor of a Prince of the Blood, of a Prince of the

blood so near to the King as his Majesty's own Brother. How then, sir, has this enormous debt been contracted? No outward magnificence has dazzled our eyes; no internal, domestic profusion has been imputed to the † Lord Steward of the household, who almost alone has continued in office this whole reign. We have scarcely the appearance of a Court, even in the capital. Former Kings of England with very inferior revenues were generous and splendid, their courts pompous and brilliant.

† With the greatest unappropriated revenue of any Prince in Europe, have we not seen you reduced to such vile and sordid distresses, as would have conducted any other man to a prison? Is it not notorious that the vast revenues, extorted from the labour and industry of your subjects, and given you to do honour to yourself and to the nation, are dissipated in corrupting their representatives?

Junius. Preface, p. 29.

In the debate in the House of Lords on the debts of the Civil List, April 16, 1777, Earl Talbot, Lord Steward of His Majesty's Household, the tear starting from his eye, told many a piteous tale of the distresses of the royal household, kitchen, and stables, of half-starved nurses, skulldions, and grooms. His Lordship said, "he would finish those scenes of *unutterable woe* with a fact, which had happened very lately. The King's coal-merchant declared, that he was so distressed for money, *he was ready to turn his Majesty off.*"

brilliant. All princely and royal visitors were lodged in their palaces, and splendidly entertained. § His Majesty's residence at Windsor the last summer did not quite revive all the ideas of the magnificence, and even hospitality, of the Plantagenets, nor efface all the glories of our Henries and Edwards. No stately buildings, or proud palaces, no *imperial works, and worthy Kings*, have excited the public wonder, or called foreigners from the continent to our island to admire the royal taste and magnificence. An †honourable gentleman, sir, tells us of the King's *houses*. The former Kings of England, sir, lived in *palaces*, not in *houses*. His Majesty has *not yet* had a *Scottish* rebellion to quell. The Royal revenues have not been expended *against the Scots*, but surrendered *to them*, an idea little suspected by the people of England, when they gave at first with such a liberal, and even prodigal hand. How then, sir, has this debt been contracted? There
are

§ When the King's Sister, the Princess of Brunswick, paid the last visit to the court of England, Her Royal Highness was in *ready furnished lodgings* in Pall-Mall.

† Sir Grey Cooper, Bart. Member for Saltash, Joint Secretary to the Treasury.

are no *outward and visible* signs of grandeur and expence. I will tell the House what is said without doors, what the nation generally suspects, and therefore it becomes our duty to investigate. The nation, sir, suspects, that the regular, ministerial majorities in Parliament are bought by these very grants; that in one instance we attend to the evangelical precept, *give, and it shall be given unto you*, and that the Crown has made a purchase of this House with the money of the people. Hence the ready, tame, and servile compliance to every Royal edict issued by the Minister. Inward *corruption* is the canker, which gnaws the
vitals

† Other princes, besides his Majesty, have had the means of *corruption* within their reach, but they have used it with moderation. In former times *corruption* was considered as a foreign auxiliary to government, and only called in upon extraordinary emergencies. The unfeigned piety, the sanctified religion of *George the Third* have taught him to new model the civil forces of the state. The natural resources of the crown are no longer confided in. *Corruption* glitters in the van; --- collects and maintains a standing army of mercenaries, and, at the same moment, impoverishes and inflaves the country.--- His Majesty's predecessors (except that worthy family, from which you, my Lord, [the Duke of Grafton] are unquestionably descended)
had

vitals of Parliament. It is almost universally believed, sir, that the debt has been contracted in corrupting the Representatives of the people, and that this public plunder has been divided among the majority of this House, which is allowed to be the most corrupt assembly in Europe, while the honest and fair creditors of the crown have been reduced to the greatest distress. Compassion to them is only made the pretext of the present message. This, sir, is a fit object of parliamentary enquiry.

The alarm has spread through the country. The charge is taken up by almost every independent man in the kingdom. It is asked, Did the

had some generous qualities in their composition, with vices, I confess, or frailties in abundance. They were Kings, or gentlemen, not hypocrites or priests. They were at the head of the church, but did not know the value of their office. They said their prayers without ceremony, and had too little priestcraft in their understanding, to reconcile the sanctimonious forms of religion with the utter destruction of the morality of their people.---My Lord, this is fact, not declamation.---With all your partiality to the house of *Stuart*, you must confess, that even *Charles the Second* would have blushed at those eager, meretricious caresses, with which every species of private vice and public prostitution is received at *St. James's*.

Junius, vol. 2, pages 249, 250.

the last parliamentary grant of 513,511l. so lately as 1769, to pay the King's debts, give satisfaction to the honest tradesmen and inferior dependents of the crown, or was it diverted another way? The majority of this House, sir, ought not to lie under this suspicion, nor will they, if they are innocent. They ought likewise to vindicate the honour of our Sovereign from the foul suspicions, which are gone abroad on this subject. A heavier accusation can scarcely be brought. Mr. Locke, sir, in his chapter on the *Dissolution of Government*, says, "He (the supreme Executor) acts
 "contrary to his trust, when he either employs the
 "force, treasure, and offices of the society, to
 "corrupt the representatives, and gain them to
 "his purposes, or openly pre-engages the electors,
 "and prescribes to their choice, such, whom he
 "has by solicitations, threats, promises, or other-
 "wise won to his designs; and employs them to
 "bring in such, who have promised before-hand
 "what to vote, and what to enact." What, sir, was the case of *Hine's Patent Place* in the collection of the customs at Exeter, publicly sold, and the money given, not to a needy public, but to *General Burgoyne*, to reimburse
 him

him the expences of the *Preston* election, and the subsequent prosecution and fine of 1000*l.* by a court of law, for the outrages committed in Lancashire against the sacred rights of election? *That* instance alone merited an impeachment from parliament against the † profligate minister of that day.

If

† *The Duke of Grafton.*

Junius addresses his Grace in terms almost of inspiration. "Your cheek turns pale; for a guilty conscience tells you, you are undone.---Come forward, thou virtuous minister, and tell the world by what interest *Mr. Hine* has been recommended to so extraordinary a mark of his Majesty's favour; what was the price of the patent he has bought, and to what honourable purpose the purchase money has been applied. Nothing less than many thousands could pay Colonel Burgoyne's expences at *Preston*."

Junius, vol. 2. p. 21.

No sale by the candle was ever conducted with greater formality.---I affirm that the price, at which the place was knocked down (and which, I have good reason to think, was not less than 3,500*l.*) was, *with your connivance and consent*, paid to Colonel Burgoyne, to reward him, I presume, for the decency of his deportment at *Preston*. Page 23.

Mr. Taylor and George Ross (the Scotch agent and worthy confidante of Lord Mansfield) managed the business. Page 24.

The chaste *Duke of Grafton* had commenced a prosecution against *Mr. Samuel Vaughan*, for endeavouring to corrupt his integrity by an offer of 5000*l.* for a patent

If there is, sir, a spark of virtue left among us, we cannot sit down contented with such loose general accounts, that *secret and special service, the Privy Purse, the Treasurer of the chamber*

patent place in Jamaica. A rule to shew cause, why an information should not be exhibited against Vaughan for certain misdemeanours, being granted by the Court of King's Bench, the matter was solemnly argued on the 27th of November, 1769, and, by the unanimous opinion of the four judges, the rule was made absolute. The pleadings and speeches were accurately taken in short-hand, and published. The whole of Lord Mansfield's Speech, and particularly the following extracts from it, deserve the reader's attention.

“ A practice of the kind complained of here is certainly dishonourable and scandalous.---If a man, standing under the relation of an officer under the King, or of a person in whom the King puts confidence, or of a minister, takes money for the use of that confidence the King puts in him, he basely betrays the King,---he betrays his trust.---If the King sold the office, it would be acting contrary to the trust the constitution hath reposed in him. The constitution does not intend the crown should sell those offices, to raise a revenue out of them.---Is it possible to hesitate, whether this would not be criminal in the Duke of Grafton;---contrary to his duty as a privy-counsellor;---contrary to his duty as a minister;---contrary to his duty as a subject.---His advice should be free according to his judgment;---it is the duty of his office;---he has sworn to it.”

Notwithstanding all this the chaste Duke of Grafton certainly

chamber, the Cofferer of the Household, Royal bounties, pensions and annuities, swallow up almost the whole Civil List. There is a general charge of pensions to the amount of 438,000l. The †*Pension List* is the great grievance.

certainly sold a patent place to Mr. Hine, for 3,500l. and, for so doing, is now Lord Privy Seal to the chaste George, with whose piety we are perpetually defeated. If the House of Commons had done their duty, and impeached the black Duke for this most infamous breach of trust, how woefully must *poor, honest Mansfield* have been puzzled! His embarrassment would have afforded the most ridiculous scene, that ever was exhibited. To save the worthy judge from this perplexity, and the no less worthy Duke from impeachment, the prosecution against *Vaughan* was immediately dropped upon my discovery and publication of the Duke's treachery. The suffering this charge to pass, without any enquiry, fixes *Shamelet's* prostitution upon the face of the House of Commons more strongly than even the *Middlesex* election.

Junius, vol. II. p. 27.

† The Duke of Grafton during his administration carried the *Pension List* to the extreme of infamy. Junius asks, "Has not Sir John Moore a pension of 500l. a year? --- This may probably be an acquittal of favours upon the turf; but is it possible to offer a grosser outrage to a nation, which has so very lately cleared away the beggary of the Civil List, at the expence of more than half a million?"

Junius, vol. I. p. 89.

If

grievance. From 1769 to 1777, there is a single line of 171,000*l.* *secret and special service*, issued to Sir Grey Cooper. In the same period, under the same article, 114,000*l.* to

John

“ If a late pension to a broken gambler [*Sir John Moore*] be an act worthy of commendation, the *Duke of Grafton's* connections will furnish him with many opportunities of doing praise-worthy actions.” P. 95.

The pension of 1,200*l.* a year to *Paoli* can be accounted for only two ways, either by the courtly principle now established among us, of giving applause and assistance to all those, who have betrayed the public liberty, from the King of Sweden to the late General of the Corsicans, or as hush-money to conceal the share of our court in the sacrifice of Corsica to France. When Baron Van Swieten, the late Minister from the Empress Queen to the King of Prussia, was in London, he saw and conversed with *Paoli*. The Corsican lamented, that in the late war against France *he could not be present every where in his island in every action*. The Baron replied, *that is no reason for your doing nothing where you were*. “ Le Comte de Grand-
 “ maison prit le village d’Olmetta, d’où le Général
 “ *Paoli s’étoit enfuit* dès le premier ébranlement des
 “ troupes.” Histoire des Révolutions de Corse. Par
 M. l’Abbé de Germanes. Paris, vol. 3. p. 65. “ Il
 “ manquoit totalement de cette bravoure, le soutien
 “ des états naissans, et si nécessaire vis-à-vis d’une na-
 “ tion belliqueuse, qu’elle ne peut être suppléée par au-
 “ cune autre qualité. On ne l’a vu dans aucune action
 “ à la tête de ses compatriotes. Il se tenoit toujours en
 “ arrière, et ne manquoit pas d’être le premier à faire
 “ retraite

§ John Robinson, Esq; exclusive of enormous sums on the same heads to the Secretaries of State, and the Secretary of the Post-office, generally in one short, single line. When.

VOL. II.

D

we

“ retraite dès qu’il voyoit le succès douteux. vol 2. p.
 “ 188. *Paoli* ignorant sa victoire *fuyoit* d’une coté,
 “ tandis que *nous nous retirions* de l’autre. vol. 3. p.
 “ 95. There is a remarkable appearance of candour
 and impartiality in this history. The Abbé received
 the solemn thanks of the states of Corsica for the two
 first volumes. “ Il fut arrêté, que l’on ecriroit, au
 “ nom des États à M. l’Abbé Germanes une lettre de
 “ remerciement sur les peines et soins qu’il avoit pris,”
 &c, &c. “ *Paoli* tout éperdu, laissa, pour se sauver à
 “ travers les rochers, son cheval et son port-feuille à
 “ Murato. p. 132. Le Général *Paoli*---se hâta de
 “ quitter sa patrie---laissant Abattuèci, à la tête des
 “ Nationaux qui tenoient encore les armes; il se sauva
 “ de Bastilica sur *Quinza*, et delà se rendit à Porto-
 “ Vecchio avec Clément son frere, quelques autres chefs,
 “ et une centaine de Corsés attachés à sa personne, ou
 “ à ses *ri.besses*. vol. 3. p. 148. l’envie de perpétuer
 “ son gouvernement fut sa premiere raison d’état, et il
 “ préféra toujours *sa grandeur personnelle à la liberté*
 “ *de sa nation*---il étoit beaucoup moins capitaine que
 “ politique. *Au défaut de bravoure*, il substituoit
 “ l’art d’en montrer. *Feignant* de chercher le peril au
 “ commencement d’une action, il trouvoit toujours des
 “ amis discrets, qui arrêtoient son ardeur- - quoique
 “ *timide dans le combat, il étoit hardi dans le conseil, et*
 “ *ferme*

§ Member for Harwich, Joint Secretary to the Treasury with Sir Grey Cooper.

we know, sir, what prosecutions have been carried on, a loose article of 60,000*l.* in one year, as *law charges*, ought to alarm us no less for the liberty of the Press, than for the private property of individuals against unfounded:

“ ferme dans ses projets---si ne pouvant plus maintenir son pays dans la liberté dont il pretendoit être le restaurateur, il fût mort les armes à la main à la tête de ses compatriotes, il passeroit pour un héros.” p. 148. Such is the judgment passed by a French Abbé on a republican General! What was the glorious answer of the young Nassau, afterwards our great *Deliverer*, to some courtiers of Charles II, who in the desperate situation of Holland from the conquests of Louis XIV. advised him to accept the splendid offer of being Sovereign of the Provinces under the protection of England and France? *I will not survive the liberties of my country. I will die in the last dyke.* Paoli ought to have died, *sword in hand*, on the last free mountain of Corsica. But he lives, attends regularly, bows low, and smiles eternally, at the levee of a King, by whom he is again smiled upon, caressed and *pensioned*. With the spoils of his enslaved country, and an English *pension*, this *brave, firm, fierce, independent republican* crouches at a *court*, and consoles himself, far from *those vile guns*, in a drawing room, in a sweet intercourse of bows and smiles with the ribbanded and titled slaves of power, under the contempt of all Europe. The *pension* was given him, at the intercession of Lord George Germaine, in the administration of the Duke of Grafton. His treachery recommended him to the Duke: a similitude of character and conduct naturally captivated the heart of *Germanicus*.

founded claims of the crown. We have seen the cruel invasion of both in this reign. Under the head of *Contingencies of divers natures*, we are lost and bewildered by a rambling account, in which it is impossible to guess the least particular. We find *Messrs. Amyand and Siebel* receive 38,692*l.* to pay bills of Exchange; and in another line, *Thomas Pratt, Esq;* 8,139*l.* to pay another bill of Exchange. For what national purpose, or public service? Such accounts, sir, are only calculated for such a servile Parliament. *Pensions, annuities, and royal bounties*, shall with much caution be touched by me, even in this House. One word only I shall mention of *literary patronage*, because it seems to be a favourite subject. We are, sir, hourly told, that genius and learning are now fostered by the propitious beams of royal favour, and all the polite arts encouraged and patronized. The two famous Doctors † *Shebbeare* and

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Johnson,

† Dr. Shebbeare was tried in 1758 for printing and publishing "A sixth Letter to the People of England." The Information was exhibited by Lord Camden, when Attorney General. It stated, that the libel "tended
 " to traduce the *Revolution*, and to represent it as the
 " foundation of all those imaginary evils and calamities, which he, the said Defendant, would falsely
 " in-

† *Jel. nson*, are in this reign the *state hirelings* called pensioners. The piety of our Sovereign to the memory of his *grandfather*, as well as gratitude to our glorious *Deliverer*, should surely, sir,

“ insinuate the subjects of this kingdom did labour
 “ under; and also to asperse the memory of King
 “ William III, and of George I, &c. and also to as-
 “ perse, scandalize, and vilify King George II, &c.
 “ and to insinuate that King George II. had no con-
 “ cern for the people of England, nor any regard for
 “ the interest, honour, or welfare of this kingdom.”
 Another charge was omitted by the Attorney-Ge-
 neral, Mr. Pratt, from a motive of delicacy, for
 Dr. Shebbeare had *bastardized* the whole royal fa-
 mily in the “ Sixth Letter to the People of Eng-
 “ land.” It was published in the time of the late
 war with France. A jury found the Doctor guilty.
 He was fined, pilloried, and imprisoned. Lord Mans-
 field, who tried the cause; declared, that the “ Sixth
 “ Letter to the People of England” approached the near-
 est to High Treason, without actually committing it, of
 any paper he ever read. His Lordship’s nice, exquisite
 judg-

† *Pension*. n. s. [*pension*, Fr.] An allowance made to any one without an equivalent. In England it is generally understood to mean pay given to a *state hireling for treason to his country*.

Pensioner. n. s. [from *pension*] 1. One who is supported by an allowance paid at the will of another; a dependant.

2. A slave of state hired by a stipend to obey his master.

A Dictionary of the English Language, in
 2 vols. fol. by Dr. Samuel Johnson.

Vide Dr. Johnson’s *False Alarm*, and all his political tracts.

fir, have prevented the names of these two Doctors from disgracing a Civil List, which both of them had repeatedly and publicly declared the King's family had no right to, but ought to be considered as a flagrant usurpation. These two Doctors have in their writings treated the late King, and King William, with the ut-

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most

judgment in such a matter cannot be controverted. The family connection with his own brother, Lord Dunbar, the late *Pretender's confidential secretary*, his early studies at Oxford, the whole cast and colour of his life, make his opinion of value, his testimony unquestionable. In a letter addressed to his Lordship, *Junius says*, "In your earlier days you were but little infected with the *prudence* of your country; you had some original attachments, which you took every proper opportunity to acknowledge. The liberal spirit of youth prevailed over your native discretion. Your zeal in the cause of an unhappy prince was expressed with the sincerity of wine, and some of the solemnities of religion." In a note to this passage *Junius* adds about Lord Manfield, "This man was always a rank Jacobite. Lord Ravensworth produced the most satisfactory evidence of his having frequently drunk the Pretender's health upon his knees.

Dr. Shebbeare's character is admirably drawn by the author of the "Heroic Epistle to Sir William Chambers."

Wretch! that from slander's filth art ever gleaning,
 Spite without spirit, malice without meaning:
 The same abusive, base, abandon'd thing,
 When pilloried, or *pensioned* by a king.

most virulence and scurrility, and they are the known *pensioned* advocates of despotism. The two other instances are ridiculous enough. David Hume was pensioned in this *pious* reign for attacking the Christian religion, and Dr. Beattie for answering him. In this manner is the public treasure lavished; but these, I own, are mean objects, and of trifling concern. The great mass of the debt remains unaccounted for, and is suspected to be contracted for the most criminal purposes. It is necessary to satisfy the people that the enquiry should be made, and therefore I hope the House will instruct the committee to that purpose.

Let me now, sir, suppose, that parliament acquiesces with the present claim, what cheerful ray of future hope have we to comfort us that future demands will not succeed? Will this be the last court job, even of the present minister? No assurances whatever are given, not a hint of *æconomy*, or frugal management, or the least care of the public treasure in future. Surely such a mode of proceeding is highly unbecoming, indecent, and contemptuous.

May I, sir, pass the invidious freights of Calais, and consider the state of the neighbouring

bouring monarchy with respect to the King's household and debts? By two new edicts for the regulation of the French King's household expences, pensions, and royal bounties, all arrears are to be discharged within six years, and a fixed resolution is declared *pour concilier avec une sage économie les dépenses que l'éclat de sa couronne peut exiger*. From the first of last January all future expences whatever respecting the household are to be paid in the course of the current year. The very first article is, "l'année révolue de toutes les dépenses de la maison du Roi, tant par entreprises que par fournitures, sera à l'avenir payée comptant au Trésor Roial, dans le courant de l'année suivante, à raison d'un douzième par mois." Would to God, sir, such a spirit of justice and reformation crossed the channel to this capital! We, alas! have not a gleam of hope of any reformation. The French King, sir, has likewise two brothers, Monsieur, and the Comte d'Artois. They have found in their sovereign an affectionate and generous brother, not a gloomy tyrant, like——*Louis the XIth.

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They

† Mezeray, historiographer of France, says, "Comines nous le [Louis XI.] peint *furieusement*"
"somp-

They are an united and happy family. What the King has given them in important grants, and *en apanage*, as it is called, enables them to support with eclat their high rank. The new regulations of the French King's household expences and debts are founded in justice, and are no extraordinary burden on the people. The *first* Prince of the Hanover line observed the same conduct, for the message of George I. to this House, of July 11, 1721, is “ that being resolved to cause a *retrenchment* to be made of his Civil List expences
 “ for the future, and finding that such a *retrenchment* cannot well be effected, without
 “ discharging the present arrears, his Majesty
 “ has ordered the accounts thereof to be laid
 “ before the House, and hopes he may be empowered to raise ready money for that purpose, on the Civil List revenues; which, to
 “ avoid

“ *soupeux et jaloux de sa puissance, très-absolu dans ses volontés, qui ne pardonnoit point, qui a terriblement foulé ses sujets, et avec cela le meilleur des Princes [the best of Kings] de son tems. QUELS POUVOIENT ETRE LES AUTRES ?*”

Abregé Chronologique de l'Histoire de France, par le Sieur de Mezeray, historiographe de France. vol. vii. p. 212. Ed. Amsterdam. 1755.

“ avoid the laying any new burden on his people,
 “ his Majesty proposes shall be replaced to
 “ the Civil List, and re-imbursed by a de-
 “ duction to be made out of the salaries and
 “ wages of all offices, and the pensions, and
 “ other payments, from the crown.” The
 venal parliament of 1769 gave the money out
 of the current expences of the year, without
 a single line of any account.

When we are repeatedly told, sir, of the
 present splendour of the British diadem, of
 the extent of our empire, and the *greatness* of
 our sovereign, I own that the *diminished rays*
 of the crown occur to my painful imagination.
 I am not dazzled, but mortified. It brings to
 my recollection what was said of Philip the
 IVth of Spain, when Louis XIV. was taking
 all the towns, one after another, in the Ne-
 therlands, “ *Sa grandeur ressemble à celle des*
 “ *fossés, qui deviennent grands à proportion des*
 “ *terres, qu’en leur ôte.*”

The * noble lord near me has said, that he
 wished a strict review of the whole establish-
 ment of the crown, as to the Civil List. I
 per-

* Lord John Cavendish, Member for York.

perfectly approve the idea. Almost the whole requires a new regulation. I think the judges in particular ought not to be paid out of the civil list, but by the public. They cannot be now displaced, but they may be starved by the crown. The spirit of their independence ought to extend as well to their salaries, as to their commissions. I observe, sir, in the Civil List accounts on the table, an article, "Lord Howe and Sir William Howe Commissioners, for restoring peace in America 100l. per week each, arrears 1,742l." The noble Lord with the blue ribband has just called them *Ambassadors*. Have we then already acknowledged the *United Colonies* of America as a sovereign state, like the *United Provinces* of Holland? If we have not, that event must happen. The *peaceful* mode adopted by the brothers, according to my calculation, will not soon *restore peace in America*. It may possibly be the period of the Trojan war, ten years at least, so that the nation may compliment the *Howe* family with above one hundred thousand pounds free gift, at the rate of 100l. per week each brother, besides the settled pay and perquisites, as officers. But, sir, what connection has

such

such an article as this with the Civil List, with his Majesty's household?

Let us not now, sir, rashly proceed in the iniquitous method of deciding on these two important questions, the expenditure, and the increase of the Civil List, without hearing the evidence, or hearing it only in part. We have not sufficient *Data* to proceed. By such injustice we lost America. We proscribed the inhabitants of Boston without hearing them, and in the same manner adopted coercive and sanguinary measures against the other colonies. Let us not now advance a single step but with caution, with fear and trembling. We are asked to furnish the ministers with weapons, which may be employed to our destruction, against the liberties of our own country. An increased undue influence must necessarily be created, and the overgrown power of the Crown enlarged. Ministers only want what are called *the sinews of war*. The doctrine is now avowed of the legality of introducing foreign troops into the British dominions. The minister has the power of the sword, when we give him that of the purse. How many nations have totally lost their liberties by

internal corruption, and by mercenary armies? There is an affected *false alarm* about faction and civil discord, disturbances and † insurrections, but it is well known, that civil dissensions have often among us been even favourable to freedom. Montesquieu observes of England, “ *On voit la liberté sortir sans cesse des feux de la discorde et de la sédition, le Prince toujours chancelant sur un trône inébranlable.*”

I desire, sir, to submit to the noble Lord near me, whether, in point of form and precedent, instead of *discharging* the order for referring the King's message to the committee of supply, which his Lordship has moved, it would not be more proper to instruct the committee on the two important points of the message, the paying his Majesty's debts, and the addition to the standing revenue of the Crown. If his Lordship and the House adopt that mode, I shall then move, “ That it be an
“ instruction

† *Wise and good Kings*, being taught by reason and experience, that nations delight in the peace and justice of a good government, will never fear a *general insurrection*, whilst they take care it be rightly administered, and *find themselves by this means to be safe.*

“ instruction to the said committee, that, before
“ they proceed to consider of his Majesty’s
“ most gracious message, they do consider of
“ the causes of the debts due on account of the
“ Civil List, and likewise what further pro-
“ vision may be necessary to support the splen-
“ dor and dignity of the Crown of Great-
“ Britain.”

The PROTEST of the LORDS,

On the 16th of April 1777.

Dissentient,

FOR the reasons contained in the amendment proposed and rejected, viz. in lieu of the Address, to substitute the following :

To assure his Majesty of the inviolable affection and loyalty of this House; and that it is with the sincerest affliction we find our duty to his Majesty, and our country, entirely incompatible with our compliance with the request made to us in his Majesty's name.

That at a time when the increase of Public Debt, attended with a decrease of the British empire, manifestly required the utmost oeconomy in the management of the Revenues of the Crown, we cannot behold, without astonishment and indignation, a profusion in your Majesty's ministers, which the greatest prosperity of our affairs could scarcely excuse.

That

That this House, with the most zealous devotion to your Majesty's true interests, beg leave to represent to your Majesty, that we humbly apprehend the clear revenue of 800,000*l.* a year, which supported the government and court of your Majesty's grandfather of happy memory in great authority and magnificence, is fully sufficient (if managed by your Majesty's servants with the same integrity and oeconomy) to maintain also the honour and dignity of your Majesty's Crown, in that reverence in which we wish, as much at least as those who have squandered away your revenues, to see it always supported.

Parliament has already in consideration (we suppose) of some expences at the beginning of your Majesty's reign, discharged the debts and incumbrances on the Civil List to a very great amount. Again to exceed the revenue granted by Parliament, without its authority, and to abuse its indulgence in paying one debt, by contracting, in so short a time, another, and a greater, is, on the first view, a criminal act. Your Majesty's ministers ought to have laid some matter before this House, tending

tending to shew that your Majesty's government could not be reputably supported on the provision made by Parliament ; whereas they have only laid before us the heads on which they have exceeded, without any thing which can tend either to justify or excuse the excess ; and the only reason given to us for paying that debt is, that your Majesty's ministers have incurred it.

With regard to the further increase of your Majesty's Civil List revenues, we must decline any concurrence therein, not solely from motives of oeconomy (though at no time more strictly required) but from a dread also of the effect of such an augmentation on the honour and integrity of Parliament, by vesting such large sums without account in the hands of ministers. When an opinion is known to prevail, and which we have no means of contradicting, that your Majesty's Civil List revenues are employed in creating an undue influence in Parliament, it would be extremely unbecoming of us to vote, without manifest reason, great sums out of the property of your Majesty subjects, which are supposed to be applied to our private emolument. It is
our

our duty to attend to the reputation of Parliament ; and we beg leave to represent to your Majesty, that a further increase of the present overgrown influence of the Crown, would be a treacherous gift from Parliament even to the Crown itself, as it will enable the ministers to carry on those delusive systems which have been fatally adopted, and which, if pursued, must lead to the ruin, as they have already produced the distraction of this once great empire.

ABINGDON,
 ABERGAVENNY,
 ARCHER,
 KING,
 THANET,
 TORRINGTON,
 STAMFORD,
 EFFINGHAM,
 PORTLAND,
 RICHMOND,
 ROCKINGHAM,
 FITZWILLIAM,
 DEVONSHIRE,
 MANCHESTER.

The PROTEST of the Earl of RADNOR.

On the first of May 1777.

Dissentient.

BECAUSE, though I admit, and zealously contend, that the splendor and dignity of the Crown of Great Britain, and the credit of the royal household, ought for his Majesty's personal satisfaction, no less than for the honour of the nation, to be maintained by liberal grants of Parliament, (liberal beyond the charge of parsimony, or a minute calculation of the demands on government) yet, when no consideration is had, and no account whatever given in of various productive funds, of which his Majesty's servants are in the receipt, and which are never accounted for in Parliament, I must insist that all calculations of a deficiency in the assumed sum of 800,000*l.* only, are fallacious and absurd.

Because these funds produce either the exact sum of 78,000*l.* or more, or less. If they pro-

produce that sum, the produce more than liquidates the present stated debt. If they produce less, but yet produce something, the accounts upon the table cannot be true; for such produce would then either have been accounted for in diminution of this debt, or such produce is still in hand, and the means of discharging such debt remain; or there has been some secret expenditure to which it has been applied, and which administration have not thought fit to mention. If they produce, as I cannot but think they do produce, considerably more, it surely rests upon ministers to shew the application, rather than becomes the credulity of Parliament to accept these accounts as complete, or its generosity to supply with such readiness, and consequently encourage the wantonness of their profusion, as to the amount, and perhaps their criminality in the destination of the sums.

And because when (exclusive of the enormous sums stated to be lodged with certain persons who are members of the House of Commons, for secret and special services, words calculated to perplex and not inform) the extravagant amount of salaries and ac-

knowned pensions (to which parliamentary jealousy claims a right of making a large addition on account of the general belief, amounting with many persons to an internal conviction of considerable disbursements for secret and unacknowledged purposes) is considered; I hold it my duty, as a member of the legislature, to withhold the additional means, afforded by this bill, of corrupting the integrity of Parliament.

R A D N O R.

VOTES

VOTES of M y 7, 1777.

Ordered, *Nemine contradicente*,

That Mr. *Speaker* be desired to print the Speech made by him to His Majesty, in the House of Peers, this day, upon his presenting to His Majesty the Bill for the better support of His Majesty's household, and of the honour and dignity of the crown of Great Britain, which then received the Royal Assent.

The S P E E C H of the Speaker of the House of Commons, Sir *Fletcher Norton*.

Most Gracious Sovereign,

“ The Bill which it is now my duty to
 “ present to your Majesty, is intituled, *An*
 “ *Act for the better support of his Majesty's house-*
 “ *hold, and of the honour and dignity of the*
 “ *crown of Great Britain:* to which your
 “ Commons humbly beg your Royal Assent.

“ By this Bill, sir, and the respectful cir-
 “ cumstances which preceded and accompanied
 “ it, your Commons have given the fullest
 “ and clearest proof of their zeal and affection

“ for your Majesty. For in a time of public
 “ distress, full of difficulty and danger, *their*
 “ *constituents labouring under burthens almost too*
 “ *heavy to be borne*, your faithful Commons
 “ postponed all other business; and, with as
 “ much dispatch as the nature of their pro-
 “ ceedings would admit, have not only grant-
 “ ed to your Majesty a large present supply,
 “ but also very great additional revenue;—
 “ *great beyond example; great, beyond your*
 “ *Majesty's highest expence.*

“ But all this, sir, they have done, in a
 “ well-grounded confidence, that you will
 “ apply *wisely* what they have granted *liberally*;
 “ and feeling what every good subject must
 “ feel with the greatest satisfaction, that, un-
 “ der the direction of your Majesty's wisdom,
 “ the affluence and grandeur of the Sovereign
 “ will reflect dignity and honour upon his
 “ people.”

VOTES of May 9, 1777.

Resolved, That the *Speaker* of this House,
 in his Speech to his Majesty, at the bar of the
 House of Peers on Wednesday last, and which
 was

was desired, *Nemine contradicente*, by this House, to be printed, did express, with just and proper energy, the zeal of this House, for the support of the Honour and Dignity of the Crown, in circumstances of great public charge.

Ordered, That the thanks of this House be returned to Mr. *Speaker* for his said Speech to His Majesty.

VOTES of Feb. 21, 1777.

A Petition of the *Trustees of the British Museum* was brought up and read.

Ordered, That the said Petition be referred to the consideration of a Committee of the whole House.

VOTES of April 28, 1777.

Ordered, “ That the Account of Annual
 “ Expence and Income of *The British Museum*,
 “ from the first of January 1768, to the 31st
 “ of December 1776, be referred to the said
 “ Committee [*to consider further of the Supply*
 “ *granted to His Majesty*].”

Mr. Wilkes said,

Mr. Speaker,

Before the *Petition* of the *Trustees of the British Museum* is referred to the consideration of the Committee of Supply, I beg the indulgence of the House to submit a few general ideas on that subject, entirely independent of party and politics. The encouragement of all useful knowledge, and the protection of the arts and sciences, with a particular attention to our own manufactures, appear to me, sir, just objects of public regard, and highly deserving parliamentary consideration, especially in this great commercial country. Among the many proofs of the improvement of our national taste, and love of polite literature, the establishment of the *British Museum* claims the pre-eminence. It rose under the favourable auspices of this House, has been carefully watched over by us, and I hope will still continue to receive our friendly protection and support. Various branches of learning have already derived singular advantages from that rich repository, and I think it may be made yet more extensively useful to
this

this kingdom. This, sir, can only be done by this House, by parliamentary assistance. I shall at present confine myself to general ideas, and only throw out some hints for a future day's consideration.

It seems to me, sir, highly expedient that the Trustees of the *British Museum* should not only be enabled adequately to fulfil the objects of their public trust, by making what is already collected as useful as possible to the nation, but still farther to extend the laudable purposes of their institution. Their present funds we find by their Petition are incompetent even to the contracted plan now pursued. It is a general complaint that the *British Museum* is not sufficiently accessible to the public. This must necessarily happen from the deficiency of their revenues. The trustees cannot pay a proper number of officers and attendants. This will to-day be in part the consideration of the committee, into which the House will soon resolve itself. But, sir, I wish their plan much enlarged, especially on two important objects, *Books* and *Paintings*. This capital after so many ages remains without any considerable public library. Rome has the im-

mense

mense collection of the *Vatican*, and Paris scarcely yields to the mistress of the world by the greatness of the *King's Library*. They are both open at stated times, with every proper accommodation, to all strangers. London has no large public Library. The best here is the *Royal Society's*, but even that is inconsiderable, neither is it open to the public, nor are the necessary conveniences afforded strangers for reading or transcribing. The *British Museum*, sir, is rich in Manuscripts, the *Harleian collection*, the *Cottonian Library*, the collection of *Charles I.* and many others, especially on our own history, but it is wretchedly poor in printed books. I wish, sir, a sum was allowed by parliament for the purchase of the most valuable editions of the best authors, and an Act passed to oblige every printer, under a certain penalty, to send a copy bound of every publication he made to the *British Museum*. Our posterity by this, and other acquisitions, might perhaps possess a more valuable treasure than even the celebrated *Alexandrian collection*, for notwithstanding that selfishness, which marks the present age, we have not quite lost sight of every beneficial prospect for futurity. Considerable

siderable donations might likewise, after such a sanction of parliamentary approbation, be expected from private persons, who in England, more than in any country of the world, have enlarged views for the general good and glory of the state.

The *British Museum*, sir, possesses few valuable *paintings*, yet we are anxious to have an *English school* of painters. If we expect to rival the Italian, the Flemish, or even the French, school, our artists must have before their eyes the finished works of the greatest masters. Such an opportunity, if I am rightly informed, will soon present itself. I understand that an application is intended to parliament, that one of the first collections in Europe, that at *Houghton*, made by Sir Robert Walpole, of acknowledged superiority to most in Italy, and scarcely inferior even to the Duke of Orleans's in the Palais Royal at Paris, may be sold by the family. I hope it will not be dispersed, but purchased by parliament, and added to the *British Museum*. I wish, sir, the eye of painting as fully gratified, as the ear of music is in this island, which at last bids fair to become a favourite abode of
the

the polite arts. A noble gallery ought to be built in the spacious garden of the *British Museum* for the reception of that invaluable treasure. Such an important acquisition as the *Houghton collection*, would in some degree alleviate the concern, which every man of taste now feels at being deprived of viewing those prodigies of art, the *Cartons* of the divine Raphael. King William, although a Dutchman, really loved and understood the polite arts. He had the fine feelings of a man of taste, as well as the sentiments of a hero. He built the princely suite of apartments at Hampton-Court, on purpose for the reception of those heavenly guests. The English nation were then admitted to the rapturous enjoyment of their beauties. They have remained there till this reign. At present they are perishing in a late * *Baronet's snoky house at the end of a great smoky town.* † They are entirely secreted from the public

* Sir Charles Sheffield's *house* in St. James's Park, now called the *Queen's Palace*.

† The royal *Procrustes*, who has founded an Academy of Painting, after an exact admeasurement, observing very sagaciously, that "the *Cartons* were too long, and ought to be cut shorter," a sacrilegious

public eye; yet, fir, they were purchased with public money, before the accession of the Brunswick Line, not brought from *Herrenhausen*. Can there be, fir, a greater mortification to any English gentleman of taste, than to be thus deprived of feasting his delighted view with what he most desired, and had always considered as the pride of our island, as an invaluable national treasure, as a common blessing, not as private property? The kings of France and Spain permit their subjects the view of all the pictures in their collections, and sure, fir, an equal compliment is due to a generous and free nation, who give their prince an income of above a million a year, even under the greatest public burthens.

A remarkable opportunity, fir, of improving the national taste in *painting*, which was lately lost, I hope may now be recovered. The incomparable † Sir Joshua Reynolds, and some other great painters, who do honour to

our

hand was found, which---*horref. o rejerens*!---mangled the divine works of the most divine artist, that they might exactly fit their present improper, ignoble situation.

† Sir *Joshua Reynolds* has given this island a fair claim to the following beautiful lines of Mr. Tickell,

See

our country, generously offered the late * bishop of London to adorn the cathedral of St. Paul's, that glorious monument of the magnificence of our ancestors, with some of their most valuable works; but the proposition had to encounter the absurd, *gothic* prejudices of a tasteless and ignorant prelate, which were found to be insuperable. We have the satisfaction at present of having in the † see of London a gentleman

See on her *Titian's* and her *Guido's* urns
 Her falling arts forlorn *Hesperia* mourns;
 While Britain wins each garland from her brow,
 Her wit and freedom first, her painting now.

* Dr. Richard Terrick.

† If I may be indulged a conjecture, it should be that not the *solid piety*, nor the *sound learning*, nor the *classical taste*, nor the merited correction, which, in the cause of polite literature, the present Bishop of London gave *the mistred cynick of Gloucester*, captivated *Mr. Wikes* so much as that love of liberty, and detestation of tyrants, which are conspicuous in the writings of our excellent Diocesan. In his lectures "De sacra Poesi Hebræorum," a wonderful work from the *Clarendon Press at Oxford*, with the *imprimatur* of the Vice-Chancellor Browne in 1753, this worthy Prelate quotes with distinguished praise the *inspired verses* sung at all the public festivals of the Athenians in honour of the Greek heroes, Harmodius and Aristogiton, who slew the tyrant Hipparchus. The good Bishop declares the verses to be "ingeniosi certe poetæ; et valde boni civis."

Num

† gentleman, not only of solid piety; but of the soundest learning, and of exquisite, classical taste. I hope at such a favourable moment the proposition will be renewed and accepted.

As

Nūm verēndum erat, ne quis tyrannidem Pisistratarum Athenis instaurare auderet, ubi in omnibus conviviiis, et æque ab infima plebe in compitis, quotidie cantitaretur Σχολιον illud Callistrati nescio cujus, sed ingeniosi certe poetæ, et *valde boni civis*?

Εν μυρτα κλαδι το ξιφος φορησω,
 Ωσπερ Αρμοδιος κ' Αρισουγειτων,
 Οτε τον τυραννον κταιετλω,
 Ισοτομας τ' Αθινας εποισατλω.
 Φιλταθ' Αρμοδι, ετι πα τεθνηκας,
 Νησοις δ' εν μακρων σε φασιν ειναι,
 Ινα περ ποδωκης Αχιλλας,
 Τυδειδην τε φασιν λιομιδεα.

Εν μυρτα κλαδι το ξιφος φορησω,
 Ωσπερ Αρμοδιος κ' Αρισουγειτων,
 Οτ' Αθηναίης εν θυσιας
 Ανδρα τυραννον Ιππαρχον εκαιετλω.

Αεισφων κλεος εοσεται κατ' αιαν,
 Φιλταθ' Αμοδιε κ' Αρισουγειτον,
 Οτι τον τυραννον κταιετον,
 Ισοτομας τ' Αθινας εποισατον.

Quod si post *Idus illas Martias* e Tyrannoctonis quispiam tale alequod carmen plebi tradidisset, inque Suburram, et fori circulos, et in ora vulgi intulisset; actum profecto fuisset de partibus deque dominatione Cæsarum: plus mehercule valuisset unum Αρμοδιου μελος quam Ciceronis Philippicæ omnes.

Another

† Dr. Robert Lowth.

As almost all arts and sciences, as well as some of the most useful manufactures, have a connection with each other, they will likewise give each other a mutual assistance. The beautiful

Another important circumstance on this great occasion was neglected by the Roman heroes, Brutus and Cassius. The dead body of the usurper ought immediately to have been thrown into the Tiber. Mark Antony's eloquent, but seditious and pestilent, funeral oration had not in that case been pronounced, nor the multitude driven to madness by his insidious artifices, and the affecting spectacle of the corpse of Cæsar, mangled with many wounds. The republic perhaps had survived, at least during the life of Brutus. The name, and family of the tyrant, might after the *ides of March* have been rendered odious by popular songs, and the Bishop blames the Romans for not copying from the Greeks in this respect. Liberty might have triumphed, and so general a horror of tyranny been diffused through the republic, that *Suetonius* could never have shocked all posterity by a detail, ridiculously minute and disgusting, of the monstrous crimes of the usurper's successors, when no longer controlled by fear or any legal restraints. *That* writer however argues in my opinion against despotic power better than Sydney, Locke, or Price.

The idea in the Greek verses, which the Bishop so justly admires, of the two heroes *bearing their daggers in branches of myrtle* was taken from what happened at the feast of Panathenæa. The Athenians carried large *myrtle branches* in all their great solemnities and sacrifices. Among these were the

beautiful art of *engraving*, which is now carried among us to an astonishing degree of perfection, will come to the aid of her sister *painting*.

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the patriotic *daggers* of Harmodius and Aristogiton concealed. Undoubtedly they thought with all antiquity, that those, who trample on the equal rights of mankind, and rise superior to the laws of their country, so that they cannot be brought to a formal trial, nor made to expiate their crimes by the *sword of justice*, may be righteously punished by the *dagger of patriotism*. The Greeks and Romans not only *spoke daggers*, but *used them* in the cause of liberty, for they believed that the most acceptable sacrifice to the Gods was an usurper, or human tyrant.

*Victima haud ulla amplior
Potest, magisque opima mactari Jovi
Quam rex iniq̄us.*

SENECA.

When the City of London in 1772 voted a *silver cup* to Mr. *Wilkes* for his defence of freedom in the case of the printers, and left the design and ornaments to his direction, the *Death of Cæsar* in the Roman senate was the subject of his choice. It is certainly one of the greatest sacrifices to public liberty recorded in history. The *dagger* in the first quarter of the City Arms, which of course were to be embossed on the *vase*, does not seem to have suggested to him either the idea of the *dagger*, with which Sir William Walworth, a Lord Mayor of London in the reign of Richard II, killed Wat Tyler, or of the "curtana," the "short sword" of St. Paul, according to the idle disputes of

ing. We have shewn our attention to that art this very session. I hope hereafter, even in this cold, raw climate, to be warmed with the glowing colours of our own *gobelins* tapestry, and I wish encouragement was given by parliament

of dull antiquarians, but probably it furnished the hint of

The *dagger* went to pierce the tyrant's breast.

POPE.

Julius Cæsar is represented in the bass-relief on the *vase*, as he is described by all historians in that important moment, gracefully covering himself with the toga, and falling at the base of a pedestal, which supports the statue of Pompey the Great. Brutus, Cassius, and the other noble Romans, who conspired to restore freedom to their country, form a circle around the body of Cæsar. Their *daggers*, after the *godlike stroke*, seem reeking with the tyrant's blood, and are raised to heaven. Every eye is fixed on Brutus, who is in the attitude of congratulating Cicero on the recovery of the public liberty, and pointing to the prostrate and expiring usurper. The figure of Brutus stands out in very bold and high *relievo*, is particularly striking, and the capital of the whole groupe. At the bottom of the vase is the following inscription, encircled with *myrtle* and *oak* leaves.

May every tyrant feel
The keen, deep searchings of a patriot steel!

CHURCHILL.

liament to that noble manufacture, which in France almost rivals the powers of *painting*. The important advantages of such a commerce too we may learn from our neighbours.

I am not alarmed, Sir, at the great expence, which some gentlemen seem to dread as the inevitable consequence of what I have mentioned. The treasures of a state are well employed in works of national magnificence. The power and wealth of ancient Greece were most seen and admired in the splendour of the temples, and other sublime structures, of *Pericles*. He boasted, that every art would be exerted, every hand employed, every citizen in the pay of the state, and the city, not only beautified, but maintained by itself. The sums he expended on the public buildings of *lettered Athens, in the most high and palmy state of Greece, after the brilliant victories over the Persians, diffused riches and plenty among the people at that time, and will be an eternal monument of the glory of that powerful republic. The Parthenon only, or Temple of Minerva, acknowledged to be the most beautiful piece of antiquity now remaining in the world,*

which is of the purest white marble, cost, with its statues and sculptures, above a thousand talents, near 200,000l. †

One observation here, sir, naturally occurs, which justice to the *Trustees of the British Museum* demands. No public money has ever been more faithfully, more frugally applied to the purposes, for which it has been given, than what they have received. Perhaps the *Trustees of the British Museum* are the only body of men, who have never been suspected of want either of fidelity or œconomy. I think therefore we may safely trust them farther, not penuriously, but largely, on a great, national concern, especially when their accounts are so frequently submitted to the examination of parliament.

Learning, sir, and the polite arts, have scarcely more than three enemies, ignorance and stupidity always, superstition often. The noble ‡ Lord with the blue ribband, who is at the

† In the Tables of the learned Dr. Arbuthnot the *Attick Talent* is valued at 193l. 15s.

‡ Lord North, First Lord of the Treasury, and Chancellor of the Exchequer.

the head of the finances of this country, possesses wit, genius, a great deal of true taste, and a very cultivated understanding. The most important establishment of this kingdom in taste and literature now supplicates the assistance and protection of this *House*. The fine arts have in his Lordship a judicious admirer, and of consequence a generous benefactor, a powerful protector.

VOICES of April 29, 1777.

A Motion was made, and the Question being put, “ That the Resolution of this House, “ of the 17th of February 1769, *that John “ Wilkes, Esquire, having been in this Session “ of Parliament, expelled this House, was, and “ is, incapable of being elected a Member to “ serve in this present Parliament, be expunged from the Journals of this House, “ as being subversive of the Rights of the “ whole Body of Electors of this kingdom.*”

Mr. Wilkes said,

Mr. Speaker,

The important Rights of Election in the people are so deeply interested in the Question, which I think it my duty to move again to this House, that no apology can be necessary for my embracing this, and every, opportunity, which the forms of parliament permit, of bringing this business again to our consideration.

Every Elector in the Kingdom, Sir, was injured by the resolution of the last parliament in the case of the *Middlesex Elections*. A fatal precedent is thereby created of making an *Incapacity* by a *Vote* of this House, where the law of the land, and common right, rendered the party eligible. The words of the Resolution of the 17th of February, 1769, are, " That John Wilkes, Esquire, having
 " been, in this Session of Parliament, expelled
 " led

" led this House, was, and is, incapable of
 " being elected a Member to serve in this
 " present Parliament." By this arbitrary and
 capricious *Note* the House established an *In-*
capacity unknown to the laws of the land.
 It is a direct assuming of the whole legislative
 power, for it gives to the Resolution of one
 House the virtue of an act of the entire legis-
 lature to bind the whole. The King, the
 Lords, the Commons of the realm, suffer
 alike from this usurpation. It effectually
 destroys both the form and essence of this free
 constitution. The right of representation is
 taken away by this vote. It is difficult, sir, to
 decide, whether the despotic body of men, which
 composed the last rotten parliament, intended
 by the whole of their conduct in the Middle-
 sex Elections to cut up by the roots our most
 invaluable Franchises and Privileges, or only
 to sacrifice to the rage of an incensed court
 one obnoxious individual. In either case the
 rights of the nation were betrayed by *that*
 Parliament, and basely surrendered into the
 hands of the minister, that is of the crown.

We are, sir, the guardians of the laws. It
 is our duty to oppose all usurped power in

the King or the Lords.* We are criminal,
when

* The following extract from the speech of Mr. Wilkes to the Livery of London, when he quitted the office of Lord Mayor, Nov. 8, 1775, gives a remarkable instance of an attack on the liberty of the subject by the *House of Lords* in the preceding February.

“ The last year, gentlemen, has passed without any attack on our rights and privileges from the House of Commons. *That* arbitrary and unprincipled body has been almost wholly employed, with the industry and spirit of fiends, in the vain and wicked attempt of perfecting their plans to establish *despotism in New England, and Popery in Canada*. They have stained the British laurels with the *guiltless* blood of our fellow-subjects in America. But the *House of Lords* early in the present year made a direct attack on the rights of every Commoner in England, and the essential privileges of this city. They ordered a citizen, Mr. Randall, *unheard*, into custody, without any appeal to a *Jury*, only for disrespectful words against a Member of their House [Lord Lyttelton.] Although parties, they endeavoured to establish themselves judges in their own cause, in equal violation of the dictates of common sense and justice, and in the first instance, not by an appeal from an inferior court to them, as the supreme judicature of the kingdom. *The Gentleman Usher of the Black Rod* [Sir Francis Molyneux] came repeatedly with his assistants here to seize a citizen, but notwithstanding the express assertion in the order of the peers, that he should find it a *sufficient warrant* for the attachment of the body of a freeman, Mr. Randall remained safe in his own house under the protection of the laws, and your Chief Magistrate. The officer of
the

when we consent to the exercise of any illegal

the *House of Lords* preferred an ignominious retreat to Westminster to the certainty of his own commitment in the city by a really sufficient warrant, which he would have issued, if he had persevered. He made a report of what *he had not done*, and that disgraceful entry in the *Journals* of the House of Lords gives us another demonstration, that in this free country all usurped authority must in the end yield to law and the constitution, for Mr. Randal has ever since remained among us in perfect security, as unmolested from the illegal attacks of the *Lords*, as Mr. Miller has been from the late similar outrages of the *Commons*, &c.

From the pre-eminence, gentlemen, to which your favour raised me, I now return with pleasure to my former state of one of your magistrates, and to mingle with the mass of my fellow-citizens, &c, &c, &c."

Junius in the letter of May 28, 1770, says, "The arbitrary power they [*the Lords*] have assumed of imposing fines and committing during pleasure, will now be exercised in its full extent;" and in a note he adds, "The man who resists and overcomes this iniquitous power, assumed by the LORDS, must be supported by the whole people. We have the laws of our side, and want nothing but an intrepid leader. When such a man stands forth, let the nation look to it. It is not HIS cause, but OUR OWN."

Junius, vol. 2. p. 98.

In an Address to the Livery of London from the Sheriffs Wilkes and Bull, dated April 6, 1772, it is said, "we may congratulate our countrymen that the number of these unfortunate persons has not been attempted to be increased this session by any illegal

Royal

gal power, much more, when we either exercise,

Royal Proclamations, or commitments *during pleasure*, made by *either of the two Houses of Parliament*. Their late usurpations on the personal rights and privileges of the people seem to be given up and surrendered. The *Lords* have not dared so unconstitutional an order of imprisonment, nor to impose any fines at their arbitrary will for offences cognizable by *Juries*. No man has been committed at their bar for what their *Votes*; not the laws, declare seditious, nor for what they so readily find a libel on a brother Peer, nor have they ventured to *condemn any person on the first original hearing of a cause, which ought to come before them only by appeal from the inferior Courts after the verdict of a Jury*. The House of Commons have tacitly acquiesced in the claim made by many of our worthy fellow-citizens for *the people at large*, that the constituents have a right to be fully informed of the proceedings of their servants in Parliament. Their *Votes* indeed assert, “that it is an indignity to, and a
“breach of, the privilege of this House for any per-
“son to presume to give, in written or printed news-
“papers, any account, or minutes of the Debates, or
“other proceedings, of the House, or of any Com-
“mittee thereof,” but the usurpation was apparent, as well as the *indignity* to their masters, and the *breach* of the *privileges* of their constituents. Their other *Resolution* in consequence fell into contempt, “that
“upon discovery of the authors, printers, or pub-
“lishers of any such written or printed newspaper,
“the House will proceed against the offenders with
“the utmost severity.” Several honest printers in defiance of their illegal orders gave the public all
the

aise, or solicit it ourselves. This the †late
House

the particulars of their proceedings during the last Session, proceedings which the House prudently endeavoured to hide in a darkness suited to their deeds. The most natural effect followed, a general abhorrence of them through the nation. The same persons, who asserted our right the last winter, have through the present session continued the exercise of it in its fullest extent. Notwithstanding the Report of the "Committee to examine into the several facts and circumstances relative to the late obstructions to the execution of the orders of the House, and to consider what further proceedings may be requisite to enforce a due obedience thereto," was, in express terms, that *the House should order, that the said J. MILLER be taken into custody of the Serjeant at Arms attending the House, the said MILLER is still at large, still conti-*
dues

† That their practice might be every way conformable to their principles, the House proceeded to advise the Crown to publish a *Proclamation* universally acknowledged to be illegal. MR. Moreton [Chief Justice of Chester, and Attorney-General to the Queen] publicly protested against it before it was issued; and Lord Mansfield, though not scrupulous to an extreme, speaks of it with horror. It is remarkable enough that the very men, who advised the *Proclamation*, and who hear it atraigned every day both within doors and without, are not daring enough to utter one word in its defence, nor have they ventured to take the least notice of *Mr. Wilkes* for discharging the persons apprehended under it.

Letters of Junius, vol. 2. p. 166.

House of Commons did in the Address to his Majesty

nues the severest attack upon them by faithfully publishing their proceedings, still braves their indignation, and ---sleeps secure in the city. Among the number of daily offenders of this kind, the corrupt majority in the House of Commons have not presumed to commit a single printer, although by the late *Royal Marriage Bill* they have invaded the primary inherent rights of human nature, and the divine institutions, in the persons of the descendants of the late most excellent King, and, regardless of the cries of the starving poor, employed themselves this whole Session only to enslave the family of a Prince, whose memory becomes every day more dear and sacred to all true Englishmen. The people are now made the judges of the conduct of their representatives, and the full exertion of the *liberty of the press*, that great bulwark of all our liberties, in support of the constitution, with the other acquisitions for the public, will render this æra ever memorable in our annals. These triumphs over the ministerial faction we hold more important at this period, because they have been gained, when the Chief Magistrate of the capital [*William Nash, Esq;*] had betrayed the rights he was chosen to defend, and trampled upon the known privileges of all the electors of this great city, which his upright predecessor [*Brass Crosby, Esq;*] vindicated with true spirit and courage, &c. &c."

Mr. Wilkes in the first Parliament of this reign had the honour of being ordered to be taken into custody by the *Gentleman Usher of the Black Rod* attending the *House of Lords*---when their *Lords* knew he was at Paris. In his letter, dated Oct. 22, 1764, from Paris, to the

Electors

Majesty to dispense with the laws by issuing a Pro-

Electors of Aylesbury, whom he formerly represented, the ground of the complaint against him to the *Lords* is stated. The complaint originated from Lord Sandwich. By an unnatural *Alliance between Church and State*, between that lay Lord, and the Right Reverend Father in God, Dr. William Warburton, Bishop of Gloucester, a complaint of privilege had been made to the *House of Lords*, that the name of Warburton had been put to some notes on the *Essay on Woman*, which the Bishop disclaimed, I believe with truth, certainly with great warmth. The pious Earl and meek Bishop helped each other to put on their *spiritual armour*, and joined their forces in this *holy war*, which they carried on with *religious rage* and *priestly cruelty*. In the letter from Paris it is said, "After the affair of the North Briton, the government bribed one of my servants to steal a part of the *Essay on Woman*, and the other pieces, out of my house. Not quite a fourth part of the volume had been printed at my own private press. The work had been discontinued for many months, before I had the least knowledge of the theft. Of that fourth part only twelve copies were worked off, and I never gave one of those copies to any friend. In this infamous manner did government get possession of this new subject of accusation, and, except in the case of *Algernon Sydney*, of this new species of crime; for a *Stuart* only could make the refinement in tyranny of ransacking and robbing the recesses of closets and studies, in order to convert *private amusements* into *state crimes*. After the servant had been bribed to commit the theft in his master's house, the most abandoned man of the age,

a Proclamation for the apprehending of two
persons,

“ age, [*the Earl of Sandwich*] who in this virtuous reign had risen to be Secretary of State, was bribed to make a complaint to the *House of Lords*, that I had published an infamous poem, which no man there had ever seen. It was read before that great assembly of grave *Lords* and pious *prelates*, excellent *judges of wit and poetry*, and ordered to lie on the table, for the clerks of the House to copy, and to publish through the nation. The whole of this proceeding was, I own, a public insult on order and decency; but it was committed by the *House of Lords*, not by the accused Member of the *House of Commons*.”

Journals of the House of Lords, Nov. 15, 1763.
vol. 30, p. 415.

Complaint was made to the House of a printed Paper, intituled *An Essay on Woman*, with notes, to which the name of the Right Reverend Dr. Warburton, Lord Bishop of Gloucester, a Member of this House, is affixed, in breach of the Privilege of this House, &c.

And some passages in the said printed papers being read.

It was resolved, by the Lords Spiritual and Temporal in Parliament assembled, that a printed paper, intituled. “*An Essay on Woman*,” with the notes, &c, highly reflecting upon a Member of this House, is a manifest breach of the privilege thereof, &c, &c.

Journals of the House of Lords, Jan. 23, 1764.
vol 30 p. 456.

The Lord Mansfield, Lord Chief Justice of the King's Bench, sat Speaker.

Ordered,

persons, not felons, but honest laborious
Printers,

Ordered, That *John Wilkes*, Esquire, of Great George Street, Westminster [*known to be then in Paris*] do attend this House to-morrow, [*in Westminster*].

Journals of the House of Lords, Jan. 24, 1764.
 vol. 30, p. 458.

“The Lord *Mansfield* sat Speaker.

The Yeoman Usher, being called upon to give an account of the service of the Order of this House for the attendance of *Mr. Wilkes*, acquainted the House, “that he went, with their Lordships said order, yesterday evening to *Mr. Wilkes’s* house in Great George Street, Westminster; and that *Mr. Wilkes’s* servant told him, he believed his Master was *in France*, for that he saw a letter from him on Tuesday last from *Paris*, that he could not tell the date of it; but as he was told it was six days in coming, he supposed it was dated about the 11th of this month.”

Resolved, by the Lords Spiritual and Temporal in Parliament assembled, That it appearing to this House, that *John Wilkes*, Esquire, of Great George Street Westminster, is the Author and PUBLISHER of the “*Essay on Woman*,” with notes, &c, he be, for the said offence, taken into the custody of the Gentleman Usher of the Black Rod.

Accordingly, Ordered, by the Lords Spiritual and Temporal in Parliament assembled, that the Gentleman Usher of the Black Rod attending this House do FORTHWITH [*at Paris*] attach the body of the said *John Wilkes*, and bring him in safe custody to the Bar of this House, to answer for his said offence: And *this shall be a sufficient warrant* in that behalf.

T.

Printers, Wheble and Thompson, in 1771. Yet I have heard this day, and frequently of late, that very House of Commons, notwithstanding this and

To Sir Septimus Robinson, Knight, *Gentleman Usher of the Black Rod* attending this House, his Deputy or Deputies, and every of them.

Dominus *Mansfield*, Capitalis Justiciarius Banci Regii, declaravit præfens Parliamentum continuandum esse usque ad et in diem Mercurii, vicimum quintum diem instantis Januarii, hora undecima Auroræ, Dominis sic decernentibus."

This unconstitutional power of the *Gentleman Usher of the Black Rod*, an iron rod, by which the Lords have frequently and sorely chastised the nation, was destroyed by *Mr. Wilkes* in 1773. Although it may continue a rod of anger, it will be no longer a rod of strength or oppression, a sceptre to rule the people. It is broken, and like unto a reed.

The Lords, Spiritual and Temporal, resolving, on the motion of Lord Sandwich, that *Mr. Wilkes* had published a poem, which he concealed from every friend, and they gave to the world, demonstrated a tolerable share both of folly and falsehood in their Lordships. It was properly indeed moved by the father of all fraud and treachery, but mankind deemed it in their Lordships a retaliation without the least colour of justice, very unbecoming the Supreme Court of Judicature in the kingdom, very becoming the Old Bailey. I shall conclude this disgraceful business with the words of *Mr. Wilkes* at the Bar of the Court of King's Bench April 20, 1768.

"As to the other charge against me for the publication of a poem, which has given just offence, I will assert

and many other violations of freedom, spoken of here with great applause. Gentlemen, sir, look much displeas'd. There is not, however, sir, I am satisfied, one Gentleman of the law, who will now get up in his place, and justify that illegal *Proclamation*, which

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G

was

sert that such an idea never entered my mind. I blush again at the recollection that it has been at any time, and in any way, brought to the public eye, and drawn from the obscurity in which it remained under my roof. Twelve copies of a small part of it had been printed in my house at my own private press. I had carefully locked them up, and I never gave one to the most intimate friend. Government, after the affair of the *North Briton*, bribed one of my servants to rob me of the copy, which was produced in the *House of Peers*, and afterwards before this honourable Court. The nation was justly offended, but not with me, for it was evident that I had not been guilty of the least offence to the public. *I pray God to forgive, as I do, the Jury, who have found me GUILTY OF PUBLISHING a Poem I concealed with care, and which is not even yet PUBLISHED, if precise meaning can be affixed to any word in our language.*"

The deepest guilt was Lord Mansfield's, for the Jury were partly insnared by the subtleties and pretended legal distinctions, partly cajoled by the nods, winks, and smiles, of that *arch* enemy of freedom, the artful Scottish Chief Justice, who hurried on, and tried this cause, while *Mr. Wilkes* was dangerously ill in his bed at Paris from the consequences of an affair of honour.

was protested against in this House by some of the ablest Lawyers among us before it issued, and has since been universally condemned. It was by me set aside judicially, and a man apprehended under that *Royal Proclamation* discharged.‡

I observe

‡ The attack of the late *House of Commons* on the poor *Printers*, who were protected by *Mr. Wilkes* and two other magistrates, is of so remarkable a nature, and has been attended with such happy consequences to the public, that it ought to be given at large. Since the beginning of that contest to the present time, *the people* have regularly been informed of the proceedings of *their servants* in the *House of Commons*, in the making of laws to bind them. Almost every newspaper has during the Session of Parliament given us in a formal manner the *Minutes* and *Debates* of both Houses, under their respective heads, *House of Lords*, and *House of Commons*. This is an acquisition of no small importance to the public in a state, where the people have so considerable a share in the government. It was a victory obtained in the cause of liberty, not indeed so glorious as that of *Minden*, nor so important as that of *Culloden*, but meriting *civic crowns* to three magistrates. The following Resolution of the *House of Commons* however still continues on their Journals.

Journals of April 13, 1738, vol. 23, p. 148.

Resolved, "That it is an high indignity to, and a
 "notorious breach of the privilege of, this House, for
 "any News writer, in letters, or other papers, (as
 "Minutes or under any other denomination) or for
 "any

I observe, sir, on all occasions a † Tender-
ness for the proceedings of that Parliament,
G 2 which

“ any printer or publisher of any printed Newspaper,
“ of any denomination, to presume to insert in the
“ the said letters or papers, or to give therein, any
“ account of the *debates*, or other proceedings of
“ this House, or any Committee thereof, as well dur-
“ ing the recess, as the sitting of Parliament; and that
“ this House will proceed with the utmost severity
“ against such offenders.”

Did the court of Inquisition even at *Goa* ever endeavour
to throw a more *Stygian* gloom over their horrid proceed-
ings than the representatives of a free people did by the
foregoing resolution? The glorious triumph of the
friends of the people over the *last* corrupt House of
Com-

† This is happily accounted for in those incompara-
ble lines of the “Epistle to Dr. Shebbeare” published
the last month, where the poet apostrophizes the pre-
sent House of Commons.

Thrice has the sun commenc'd his annual ride,
Since full of years and praise, thy *mother* died.
'Twas then I saw thee, with exulting eyes,
A second phoenix, from her ashes rise;
Mark'd all the graces of thy loyal crest,
Sweet with the perfume of its *parent* nest.
Rare chick! how worthy of all *court* *caresses*,
How soft, how echo-like, it chirp'd *addresses*.
Proceed, I cry'd, thy full-fledg'd plumes unfold,
Each true-blue feather shall be tipt with gold.
Ordain'd thy race of future fame to run,
To do, whate'er thy *mother* left undone.
In all *her* smooth, obsequious paths proceed,
For, know, poor *opposition* wants a head.

which is in no respect merited. If however they had been guilty of no other outrage
against

Commons shall be given from their own Journals. The chase of a brace of Printers, by the *bounds* of Lord North, and the *grey-bounds* of the King, as his Majesty's messengers are called, with all the doublings and turnings, will perhaps be amusing. Lord North's *pack of bounds* are acknowledged to be the most staunch, and the best-fed in Europe, as well as to have the most expert *whipper-in*.

Journal of Feb. 8, 1771, vol. 33, p. 139.

Complaint being made to the House, of the printed Newspaper, intituled, "*The Gazetteer and New Daily Advertiser, Friday February 8, 1771, printed for R. Thompson;*" and also of the printed Newspaper, intituled, "*The Middlesex Journal, or Chronicle of Liberty, from Tuesday, February 5, to Thursday, Feb. 7, 1771,*" printed for *J. Wheble*; as misrepresenting the speeches, and reflecting on several of the members of this House, in contempt of the order, and in breach of the privilege, of this House.

Ordered, That the said *R. Thompson* do attend this House upon Monday morning next.

Ordered, That the said *J. Wheble* do attend this House upon Monday morning next.

Journals, Feb. 11, 1771, vol. 33, p. 154.

Ordered, that the said *R. Thompson* and *J. Wheble* do attend this House upon Monday morning next.

Journals, Feb. 14, 1771, vol. 33, p. 162.

Ordered, That the said *R. Thompson* and *J. Wheble* do attend this House upon Tuesday morning next.

Journals, Feb. 19, 1771, vol. 33, p. 183 & 184.

The Order of the day being read, for the attendance of *R. Thompson* and *J. Wheble*; and the said *R.*

Thompson

against the freedom of the subject, this alone respecting the Middlesex Elections, by which

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the

Thompson and *J. Wheble* not attending; the messenger to whom the orders of the 8th day of this instant February were delivered, being called upon to give an account of the service thereof, acquainted the House, That he had served the orders of the said 8th day of February, for the attendance of the said *R. Thompson* and *J. Wheble*, upon Monday the 11th day of this instant February; but that he has not served them with any further order for their attendance, on this day, &c, &c.

Ordered, That *R. Thompson* do attend this House upon Thursday morning next.

Ordered, That *J. Wheble* do attend this House upon Thursday morning next.

Journals, Feb. 21. 1771, vol. 33. p. 194.

The several orders of the day being read, for the attendance of *R. Thompson* and *J. Wheble*;

And the said *R. Thompson* and *J. Wheble* not attending, according to order; the messenger, to whom the said orders were delivered, being called upon to give an account of the service thereof, acquainted the House, That he went to the House of the said *R. Thompson* on Tuesday Evening last; and being informed by his servant, that he was not at home, he left a copy of the order for the attendance of the said *R. Thompson*, with the said servant; and desired him to give the same to his master when he came home; that he, the said messenger, went again on Wednesday morning to the house of the said *R. Thompson*, and was again informed, that he was not at home.

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the constitution is overturned, was sufficient for their full disgrace in the annals of our country.

The messenger also acquainted the House, That he went on Tuesday evening last to the house of the said *J. Wbeble*; that he was told he was not at home, but was expected every minute; that he waited at the house of the said *J. Wbeble* some time, but he not returning, he, the messenger, left a copy of the order for the attendance of the said *J. Wbeble* at his House, and desired it might be given him on his return; and that on calling again on Wednesday morning at the house of the said *J. Wbeble*, he was again informed that he was not at home.

Ordered, That *R. Thompson* do attend this House upon Tuesday morning next.

Ordered, That the service of the said Order, by leaving a copy of the same at the usual place of abode of the said *R. Thompson*, be deemed equal to personal service, and be good service.

Ordered, That the service of the said Order, by leaving a copy of the same at the usual place of abode of the said *J. Wbeble*, be deemed equal to personal service, and be good service.

Journals, Feb. 26, 1771, vol. 33. p. 208.

The several orders of the day, for the attendance of *R. Thompson* and *J. Wbeble*, being read;

And the said *R. Thompson* and *J. Wbeble* not attending, according to order, the messenger, to whom the said orders were delivered, being called upon, to give an account of the service thereof, acquainted the House, that he went to the house of the said *J. Wbeble*, in Pater-noster Row, on Thursday evening last; and being

country. The present question has been fully debated twice in this Parliament, many times

ing informed by his servant that he was not home, he shewed the said servant the original order for the attendance of the said *J. Wheble*, and left a copy thereof with the said servant, and desired him to give the same to his master when he came home; which the said servant promised to do.

The said messenger also acquainted the House, that he went to the house of the said *R. Thompson* in Newgate Street, on Thursday evening last; that he was told he was not at home; and that then he shewed the original order for the attendance of the said *R. Thompson* to, and left a copy thereof with his servant, and desired him to give the same to his Master, which he likewise promised to do.

Ordered, That the said *John Wheble* be, for his contempt, in not obeying the order of this House, for his attendance on the House this day, taken into custody of the Serjeant at Arms, or his Deputy, attending this House.

Ordered, That the said *R. Thompson* be, for his contempt, in not obeying the order of this House, for his attendance on the House this day, taken into the custody of the Serjeant at Arms, or his Deputy, attending this House.

Journals, March 4, 1771, vol. 33, p. 224.

The Deputy Serjeant at Arms attending this House, being called upon to give an account of the service of the orders of the House of Tuesday last, for taking into custody *J. Wheble* and *R. Thompson* acquainted the House, that, though he had been several times at the

in the last House of Commons, and I believe every precedent quoted, which could be produced

respective houses of the said *J. Wheble* and *R. Thompson*, and had made diligent search after them, in order to take them into custody, he had not yet been able to meet with either of them.

Resolved, That an humble Address be presented to His Majesty, That he will be graciously pleased to issue His Royal *Proclamation*, for apprehending the said *J. Wheble* and *R. Thompson*, with a promise of a reward for the same.

Journals, March 7, 1771, vol. 33, p. 234.

Mr. *Onslow* reported to the House, That their Address of Monday last (that His Majesty would be graciously pleased to issue His Royal *Proclamation*, for apprehending *J. Wheble* and *R. Thompson*, with a promise of reward for the same) had been presented to His Majesty; and that His Majesty had commanded him to acquaint this House, that he will give directions accordingly.

His Majesty's *Proclamation*, issued in pursuance of the said Address, is as followeth:

By the KING.

A P R O C L A M A T I O N,

For apprehending John Wheble and R. Thompson.

G E O R G E R.

Whereas on the eighth day of February last, complaint being made to the House of Commons of the printed news-paper, entitled, The Gazetteer and New Daily

-duced, from times the most favourable, as well as the most hostile, to liberty, from the

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Daily Advertiser, Friday, February 8, 1771, printed for R. Thompson; and also of the printed news-paper, entitled, The Middlesex Journal, or Chronicle of Liberty, from Tuesday, February 5, to Thursday, February 7, 1771, printed for J. Wheble, as misrepresenting the Speeches, and reflecting on several of the members of the said House, in contempt of the order, and in breach of the privilege, of the said House; it was ordered, that the said J. Wheble and R. Thompson should attend the said House of Commons; and they not having obeyed the said order, it was thereupon ordered, by the said House of Commons, that the said J. Wheble and R. Thompson should be taken into the custody of the Serjeant at Arms attending the said House, or his Deputy. And whereas the said Deputy Serjeant having informed the House, that he had not been able to meet with the said J. Wheble and R. Thompson, or either of them, though he had been several times at their respective houses, and had made diligent search after them, to take them into custody, *an humble address hath been presented to us by the Knights, Citizens, and Burgeses, and the Commissioners for Shires and Burghs, in Parliament assembled, that we would be graciously pleased to issue our Royal Proclamation, for apprehending the said John Wheble and R. Thompson, with a promise of a reward for the same: we have thought fit, by and with the advice of our Privy Council, to issue this our Royal Proclamation, hereby requiring and commanding all our loving subjects whatsoever to discover and apprehend, or cause the said*

John

remarkable case of Wollaston in the reign of King William, to that no less celebrated of Walpole,

John Wbeble and *R. Thompson*, or either of them, to be discovered and apprehended, and to carry him or them before some of our Justices of the Peace, or Chief Magistrate, of the county, town, or place, where he or they shall be apprehended, who are respectively required to secure the said *John Wbeble* and *R. Thompson*, and thereof give speedy notice to one of our principal Secretaries of State, to the end he or they may be forthcoming, to be dealt withal and proceeded against according to law. And for the prevention of an escape of the said *John Wbeble* and *R. Thompson*, or either of them, into parts beyond the seas, we do require and command all our officers of the customs, and other our officers and subjects of and in our respective ports and maritime towns and places within our kingdom of Great Britain, that they, and every of them, in their respective places and stations, be careful and diligent in the examination of all persons that shall pass or endeavour to pass beyond the seas; and if they shall discover the said *John Wbeble* and *R. Thompson*, or either of them, then to cause him or them to be apprehended and secured, and give notice thereof as aforesaid. And we do hereby strictly charge and command all our loving subjects, as they will answer the contrary at their perils, that they do not any ways conceal, but do discover him or them, the said *John Wbeble* and *R. Thompson*, to the end he or they may be secured. And for the encouragement of all persons to be diligent and careful in endeavouring to discover and apprehend the said *John Wbeble* and *R. Thompson*, we do hereby further declare, that whosoever shall discover and apprehend

and

Walpole, in the latter end of Queen Anne;
 An Archangel descending among us would
 scarcely

pend the said *John Wheble* and *R. Thompson*, or either of them, within three weeks from the date hereof, and shall bring him or them, the said *John Wheble* and *R. Thompson*, before some justice of the peace or chief magistrate as aforesaid, shall have and receive, as a reward for the discovery, apprehending, and bringing the said *John Wheble* and *R. Thompson*, or either of them, before such justice of the peace or chief magistrate as aforesaid, the sum of Fifty Pounds for each; which our Commissioners of our Treasury are hereby required and directed to pay accordingly.

Given at our Court at St. James's, the eighth day of March, 1771, in the eleventh year of our reign.

G O D save the K I N G.

John Wheble was apprehended, and discharged by Mr. Wilkes, March 15, 1771. If administration had wished to have tried the legality of the King's Proclamation, they had the fullest evidence against Mr. Wilkes under his hand, for he wrote the same day an account of his conduct on that occasion to Lord Halifax, one of His Majesty's principal Secretaries of State. This was certainly the speedy notice required to be given to a Secretary of State by the Proclamation. Mr. Wilkes took this opportunity of renewing his correspondence with the Earl of Halifax.

Guildhall of London, March 15, 1771.

My Lord,

I had the honour of officiating this day as the Sitting Justice at Guildhall. *John Wheble*, the Publisher of the Middlesex Journal, a freeman of London,

scarcely give a new, original idea on this subject. I shall therefore reserve myself, sir, for
the

don, was apprehended and brought before me by Edward Twine Carpenter, who appears to be neither a Constable, nor Peace-Officer of this City. I demanded of what crime Wheble was accused, and if oath had been made of his having committed any felony or breach of the peace, or if he lay under a suspicion strong enough to justify his apprehension or detention. Carpenter answered, that he did not accuse Wheble of any crime, but had apprehended him merely in consequence of *His Majesty's Proclamation*, for which he claimed the reward of 50l. As I found there was no legal cause of complaint against *Wheble*, I thought it clearly my duty to adjudge, that he had been apprehended in the City *illegally*, in direct violation of the rights of an Englishman, and of the chartered privileges of a citizen of this metropolis, and to *discharge* him. He then made a formal complaint of the assault upon him by Carpenter. I therefore bound him over to prosecute in a recognizance of 40l. and Carpenter to appear and answer the complaint at the next Quarter Sessions of the Peace for this City in a recognizance of 40l. himself, with two sureties in recognizances of 20l. each. I am, My Lord,

Your Lordship's most obedient,
Right Honourable the humble Servant,
Earl of Halifax. JOHN WILKES.

Extract from the Guildhall Rota Book.

Guildhall, March 15, 1771.

John Wheble, the Publisher of the *Middlesex Journal*, was this day brought before Mr. Alderman *Wilkes*

the reply, if I hear any material objections to the motion, which I shall have the honour of

at Guildhall, by Edward Twine Carpenter, a Printer, being apprehended by him in consequence of a *Proclamation* in the London Gazette of Saturday the 9th of March instant; but the said Edward Twine Carpenter not having any other reason for apprehending the said Mr. *Wheble* than what appeared in that *Proclamation*, the said Mr. *Wheble* was discharged; and then the said Mr. *Wheble* charged Carpenter for assaulting and unlawfully imprisoning him, and on his making oath of the offence, and entering into a recognizance to prosecute Carpenter at the next Sessions in London, Carpenter was ordered to find sureties to answer for this offence, which he did, himself being bound in 40*l.* and his two sureties in 20*l.* each, and was thereupon discharged.---Carpenter requested a Certificate of his having apprehended *Wheble*, which was given him,

Guildhall, March 15, 1771.

This is to certify, that *John Wheble*, the Publisher of the Middlesex Journal, was this day apprehended and brought before me, one of His Majesty's Justices of the Peace for the City of London, by Edward Twine Carpenter, of Hosier-Lane, London, Printer.

JOHN WILKES, Alderman.

On the application of *Carpenter* to the Treasury for the reward of 50*l.* promised in the King's *Proclamation*, and producing the above certificate, he was dismissed with insolence, and *that*, with many other royal debts, is still unpaid. *R. Thompson*, the other person, described in His Majesty's *Proclamation*, was afterwards

of submitting to the House. I can foresee only one objection, which I shall endeavour to obviate

wards apprehended, and carried before Mr. Alderman Oliver, who discharged him.

The circumstances of the whole business of *Miller*; and the *commitment* of Mr. William Whitham, one of the messengers attending the House of Commons, are given in the "Report from the Committee appointed to examine into the several facts and circumstances relative to the late obstructions to the execution of the Orders of this House," published by order of the House of Commons. I shall however add some other particulars not given at large in the Journals.

Copy of the Warrant for apprehending J. Miller, the Printer of the London Evening Post.

WHEREAS the House of Commons did, on Thursday the 14th of this instant March, adjudge and order, that J. Miller (for whom the news-paper intituled the London Evening Post, from Thursday March 7, to Saturday March 9, 1771, purports to be printed, and of which paper a complaint was made in the House of Commons on the said fourteenth day of March) be, for his contempt in not obeying the order of the said House upon Thursday the fourteenth day of this instant March, taken into the custody of the Serjeant at Arms, or his Deputy, attending the said House.

These are therefore to require you forthwith to take into your custody the body of the said J. Miller, and him s. fely keep, *during the pleasure of the said House*, and all Mayors, Bailiffs, Sheriffs,
Under

obviate, and I hope the House will think that delicacy ought to yield to justice.

Gen-

Under Sheriffs, Constables, and Headboroughs, and every other person are hereby required to be aiding or assisting to you or your Deputy in the execution thereof. For which this shall be your sufficient warrant. Given under my hand, the fifteenth day of March one thousand seven hundred and seventy-one.

FLr. NORTON, *Speaker*.

To Nicholas Bonfoy, Esq; Serjeant at Arms, attending the House of Commons, or John Clementson, Esq; his Deputy, or to William Whitham, one of the messengers attending the House of Commons.

To all and every the Constables and other Officers of the Peace for the City of London, and the Liberties thereof, whom these may concern, and to the Keeper of Wood-Street Compter.

London to wit,

These are in his Majesty's name, to command you, and every of you, forthwith safely to convey and deliver into the custody of the said Keeper, the body of William Whitham, being charged before us, three of his Majesty's Justices of the Peace in and for the said City and Liberties, by the oath of John Miller, Hen-

ry

Gentlemen I observe have scruples of rescinding former Resolutions, not knowing they

ry Page, John Topping, and Robert Page, for assaulting and unlawfully imprisoning him the said John Miller, in breach of his said Majesty's peace; whom you, the said Keeper, are hereby required to receive, and him in your custody safely keep, for want of sureties, until he shall be discharged by due course of law; and for your so doing this shall be to you, and to each of you, a sufficient warrant. Given under our hands and seals this 15th day of March, 1771.

BRASS CROSBY, Mayor, L. S.

JOHN WILKES, L. S.

RICHARD OLIVER, L. S.

Journals, March 20, 1771, vol. 33. p. 275.

The Order of the day being read, for the attendance of Morgan, Clerk to the Lord Mayor of the City of London, with the Minutes, taken before the Lord Mayor, relative to the messenger of this House giving security for his appearance at the next General Quarter Sessions of the Peace for the City of London to answer to such indictments as may be preferred against him, for the supposed assault and false imprisonment of J. Miller.

And James Morgan, Clerk to the Lord Mayor, attending accordingly, he was called in; and the Book, containing the said Minutes, being produced by the said James Morgan, was brought up to the Table; and the Entry of the said Minutes, therein contained, was read;

Ordered, That James Morgan, Clerk to the Lord Mayor, do at the Table *expunge* the said Entry.

And

they say where such a practice may stop. It is a scruple in my opinion very ill founded.

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And the said James Morgan *expunged* the said Entry at the Table accordingly.

Junius observes, *By mere violence, and without the shadow of right, they have EXPUNGED the record of a judicial proceeding. Nothing remained but to attribute to their own Vote a power of stopping the whole distribution of criminal and civil justice. Lord Chatham very properly called this the ACT OF A MOB, not of a Senate.*

Junius, vol. 2. p. 160.

Journals, March 20, 1771, vol. 33, p. 276.

Ordered, "That no other prosecution, suit, or proceeding, be commenced, or carried on, for or on account of the said pretended assault, or false imprisonment."

Notwithstanding this Order, *Mr. Wilkes* on the 8th of April 1771 delivered in to the Court of Quarter Sessions of the Peace at Guildhall the two following *Recognizances*, together with those of *John Wheble* and *Edward Twine Carpenter*, and another for a felony committed by Sarah Ferrand.

London to wit,

John Miller, of Pater-noster Row, London, Printer, 201.

Upon condition, that if the above bounden *John Miller* shall personally appear at the next Sessions of the Peace to be holden for the City of London, and then and there prosecute the law with effect, and give evidence on his Majesty's behalf, upon a bill of indictment to be exhibited to the Grand Jury against *William Whit-*
ham,

The first great object is truth, and we ought to follow where that leads. It is a duty, fir,
which

ham, for assaulting and falsely imprisoning him the said *John Miller*, in breach of his said Majesty's peace : And in case the same shall be found and returned by the said Jury to be a true Bill, then if the said *John Miller* shall personally appear before the Jurors that shall pass on the trial of the said *William Whitham*, to be holden for the said city at the Guildhall of the same city, then and there to prosecute and give evidence upon the said indictment, and not depart the Court without leave. Then this Recognizance to be void, or else to remain in full force.

Acknowledged at the Mansion House, London, the
15th day of March 1771, before us
BRASS CROSBY, Mayor,
JOHN WILKES,
RICHARD OLIVER.

London to wit,

William Whitham, of College-Street in the city of Westminster, Gentleman, 40l.

William Hurford, of the City of London, Coal Merchant, 20l.

Robert Withy, of Islington in the County of Middlesex, Gentleman, 20l.

Upon condition, that if the above bounden *William Whitham* do personally appear at the next Sessions of the Peace to be holden for the City of London, then and there to answer such matters and things as shall be objected against him on his Majesty's behalf, and in particular for assaulting and falsely imprisoning *John Miller*, and in the mean time to keep the peace of our So-

which we owe in this case more particularly to *the people*, but alas ! their happiness, their

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security,

Sovereign Lord the King and to *be of good behaviour*, and not depart the Court without licence ; that then this Recognizance to be void and of none effect, or otherwise to be and remain in full force and virtue.

Taken and acknowledged at the Mansion House, London, this 15th Day of March, 1771, before us
BRASS CROSBY, Mayor,
JOHN WILKES,
RICHARD OLIVER.

The Grand Jury at Guildhall found the Bills of Indictment against *William Whitbam*, and *Edward Twine Carpenter*.

All the proceedings were afterwards moved by *Certiorari* into the King's Bench. The scene of the House of Commons and the Printers was finally closed by the Attorney-General's, *Tburlow's*, grant of the *Noli Prosequi*.

Mr. Wilkes received the following Order to attend the House of Commons on the 20th of March 1771.

House of Commons, Martis 19^o die Martii, 1771.

(C O P Y)

The House of Commons having yesterday received information that one of the Messengers of this House, after he had arrested J. Miller, by virtue of the warrant of the Speaker of the House of

of

security, their very lives are no longer the objects of consideration with our inhuman rulers,
 nor,

of Commons, to answer for a contempt of the said House, was carried by a constable upon a charge made against the said Messenger by the said J. Miller, for an assault and false imprisonment made upon the said J. Miller in the said arrest, before Brads Croshy, Esq; Lord Mayor of the City of London, where *John Wilkes, Esq;* Alderman, and Richard Oliver, Esq; were present; when the Deputy Serjeant at Arms, attending this House, acquainted the said Magistrates that the said arrest of the said J. Miller was made by the said Messenger under a warrant signed by the Speaker of the House of Commons; which warrant was then produced and shewn to the said Magistrates, and demanded of them that the said messenger should be discharged, and the said J. Miller delivered up to the custody of the said messenger; and that the said Lord Mayor, *John Wilkes, Esq;* and Richard Oliver, Esq; after such information and demand as aforesaid, signed a warrant for the commitment of the said messenger to the Compter for the said supposed assault and false imprisonment of the said J. Miller, and obliged the said messenger to enter into a Recognizance for his appearance at the next quarter sessions of the peace to be held for the city of London, to answer to such indictments as should then be found against him for the said supposed assault and false imprisonment.

Ordered

nor, as we have experienced, even of attention with the *majority* in this House. § If

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the

Ordered that *John Wilkes, Esq;* do attend this House to-morrow morning.

J. HATSELL, Cl. Dom. Com.

London, March 20, 1771.

S I R,

“ I this morning received an order commanding my attendance this day in the House of Commons. I observe that no notice is taken of me in your order as a Member of the House, and that I am not required to attend in my place. Both these circumstances, according to the settled form, ought to have been mentioned in my case, and I hold them absolutely indispensable. *In the name of the Freeholders of Middlesex, I again demand my seat in Parliament*, having the honour of being freely chosen, by a very great majority, one of the representatives for the said county. I am ready to take the oaths prescribed by law, and to give in my qualification as Knight of the Shire.

When,

§ The last Session gave a most indecent proof of the truth of this observation, as to the conduct of the present *Majority*. The honourable Temple Luttrell, Member for Milbourne Port, stated in a most masterly manner to the House the illegality of the *Press Warrants* then in force against the subject, and painted in all the colours

of

the last parliament have acted wrong, let us reform their errors. If they have established a wicked

When I have been admitted to my seat, I will immediately give the House the most exact detail, which will necessarily comprehend a full justification, of my conduct relative to the late illegal proclamation, equally injurious to the honour of the Crown, and the rights of the subject, and likewise the whole business of the printers. I have acted entirely from a sense of duty to this great City, whose franchises I am sworn to maintain; and to my country, whose noble constitution I reverence, and whose liberties at the price of my blood, to the last moment of my life, I will defend and support.

I am, Sir,

Your humble servant,

JOHN WILKES."

*Rt. Hon. Sir Fletcher Norton,
Speaker of the House of Commons.*

Journals,
of horror and despair, the cruelties of the *Press-Gangs* let loose upon the people. He spoke with a perfect knowledge of the subject, with warmth and energy, but he spoke to an audience grown callous to all feelings for the public, to a set of men dead to every sentiment of humanity and love of their country, alert only to seize its plunder. He convinced the judgment by the clearest proofs before he made an appeal to the passions. Among

— wicked precedent, we ought to reverse it.
 If we have ourselves committed injustice, let us

H 4

afford

Journals, March 20, 1771, vol. 33. p. 275.

Ordered, That *John Wilkes*, Esquire, do attend this House upon Monday morning next.

Journals, March 25, 1771, vol. 33. p. 286.

Ordered, That *John Wilkes*, Esquire, do attend this House upon this day fortnight, *the 8th day of April next*.

Journals, March 30, 1771, vol. 33. p. 297.

And then the House *adjourned till Tuesday sevensight, the 9th day of April next*.

Junius

Among the variety of facts, by which he supported his motion, one only was sufficient to unite all the sharers of the national spoil against the humane Bill, which he proposed on principles strictly just and constitutional. The single article of perquisites, extorted from the public, to the Board of Admiralty, and their *disinterested* first Lord, for *protections* during an *impress*, was stated to amount to above 14,000l. a year. The Bill would have been highly beneficial to the sailor, by *augmenting his wages, limiting his time of service, and providing for him under the infirmities of age*, but the Board of Admiralty and Lord Sandwich would have lost annually 14,000l. Mr. Luttrell was ably supported by Governor Johnstone, an
 officer

afford all the reparation in our power. We have given the world a remarkable instance of
our

Junius says, "upon their own principles, they should have committed *Mr. Wilkes*, who had been guilty of a greater offence than even the Lord Mayor or Alderman Oliver. But after repeatedly ordering him to attend, they at last adjourned beyond the day appointed for his attendance, and by this mean, pitiful evasion, gave up the point. Such is the force of conscious guilt."

Junius, vol. 2. p. 163.

officer of distinguished merit in the Royal Navy, a wise and spirited Senator, and a friend to the liberty of the subject. Sir George Savile, Sir Edward Astley, the right honourable Thomas Townshend, Sir George Yonge, and several other gentlemen, spoke in favour of the motion, but the majority refused even to receive the Bill, and to give it a first reading. The generous hopes of Mr. Luttrell to serve the cause of the constitution and the Royal Navy were at that time blasted by the pestilential breath of corruption. The public however look up to his firm virtue, and the Navy hope protection, from his future efforts at a favourable moment, when the people may have it in their power to vindicate all their rights.

Votes

our repentance this very session in the case of Mr. Rumbold and Mr. Sykes. On the 22d of November

Votes of March 11, 1777.

A Motion was made, and the Question being put, "That leave be given to bring in a Bill, for the more easy and effectual Manning of the Royal Navy, in times of war, and for giving encouragement to seamen and sea-faring persons to enter voluntarily into His Majesty's service."

It passed in the negative.

The late *Pensioner David Hume* observes, " 'Tis a maxim in politics, which we readily admit as undisputed and universal, *That a power, however great, when granted by law to an eminent magistrate, is not so dangerous to liberty, as an authority, however inconsiderable, which he acquires from violence and usurpation.* — The exercise of an *illegal power* is in the *pressing of seamen* tacitly permitted in the crown; and though it has frequently been under deliberation, how that power might be rendered legal, and granted under proper restrictions to the sovereign, no safe expedient could ever be proposed for that purpose, and the danger to liberty always appeared greater from law than from usurpation — [Mr. Hume did not live to see Mr. Luttrell's plan] A continued and open *usurpation* of the crown is permitted, amid the greatest jealousy and watchfulness in the people; nay proceeding from those very principles: Liberty, in a country of the highest liberty, is left

member last the Order to the Attorney-General to prosecute Thomas Rumbold, Esq; and Francis Sykes, Esq; as *principal promoters and suborners of corrupt and wilful perjury* at the Election for Shaftesbury, was discharged, on the motion of as respectable a ¶ Gentleman as ever sat in parliament. The Order however was made by ourselves in the very last session, on the 14th of February preceding the reversal.

I have not yet, sir, an inclination to quit the company of Messieurs Sykes and Rumbold. Their case will serve me farther in my reasonings. It is a strong argument against *Expulsion* necessarily including *Incapacitation*. I will suppose, sir, that instead of the House having de-

left entirely to its own defence, without any countenance or protection: The wild state of nature is renewed in one of the most civilized societies of mankind: And great violences and disorders among *the people, the most humane and the best natured*, are committed with impunity; while the one party pleads obedience to the supreme magistrate, the other the *sanction of fundamental laws*.

Essays and Treatises on several Subjects.

By David Hume, Esq; vol. 1. p. 408.

¶ Sir George Savile, Baronet.

determined, in April 1775, in the first session of the present parliament, that neither of those two gentlemen, on account of their notorious bribery and corruption at Shaftesbury, were duly elected, it had then been voted that they were *guilty of being the principal promoters and suborners of wilful and corrupt Perjury*, a Resolution the House did actually come to in Feb. 1776, and in consequence of so black a crime they had been *expelled*. *Subornation of wilful and corrupt Perjury* is surely a more atrocious sin, and more merits *expulsion*, than the writing a Libel. Afterwards let me likewise suppose the House change their opinion, and find that they proceeded without sufficient evidence, a Resolution the House did actually come to in November 1776. By the courtly, but unparliamentary, doctrine now pretended to be established, that *Expulsion* means *Incapacitation*, you would not have it in your power to restore them to their seats, although you were perfectly convinced of their innocence. Justice would call aloud upon you to do it, because it appeared that no *legal proof*, no *sufficient evidence*, was given, on which you had founded so rash, so unjustifiable a
 judg-

judgment. The cries of justice however would little avail with a venal senate against ministerial despotism, or a *royal edict* in the form of a *parliamentary resolution*. My first expulsion, sir, in January 1764, was for being the *Author* of the *North Briton*, No. 45. Where is to this hour the *legal proof*, by the oaths of twelve of my countrymen, to be found of that charge? I have never even been tried upon that accusation. A court of law determined on a different charge, that of the *republishation*, a charge, which might have been brought against five hundred other persons.

As little delicacy, sir, has been shewn by us to the *acts* of former parliaments, as to our own *resolutions*. Have we manifested any tenderness to the memory of the first parliament, which was called in his present Majesty's reign? That parliament declared, and declared truly, in the Civil List Act, that 800,000*l.* was " a *competent* revenue for defraying the expences of his Majesty's Civil government, and supporting the dignity of the crown of Great Britain." Within these few days we declared that 800,000*l.* was not a *competent* sum, and " that for the better
" support

“ support of his Majesty’s household, and of
 “ the honour and dignity of the crown, there
 “ be granted to his Majesty, during his life,
 “ out of the Aggregate Fund, the clear year-
 “ ly sum of 100,000l. to commence from the
 “ 5th of January 1777, over and above the
 “ yearly sum of 800,000l. granted by an act
 “ made in the first year of his Majesty’s reign.”

If the sum of 800,000l. was competent to these
 great purposes, we had no right to vote more
 of the people’s money. We were *improvident*,
 and *prodigal* Trustees for the nation, not to
 use a more harsh expression. Let us hear no
 more of the amazing depth in finance of any
 modern †*Sully*, or of a pretended *oeconomy* in
 the management of the public, or the royal,

re-

† Henry IV. and *Sully*, his great Minister of
 finance, were sacrificed by all the mercenary writers of
 the court in 1763 to George III. and the Earl of *Bute*,
 his first Lord of the Treasury, with his incomparable
croupier, *Sancho*, the Chancellor of the Exchequer,
 then *Sir Francis Dashwood*, now *Lord Le Despencer*.
 The moonshine beams of the two last satellites only
 soured our *excised* Cyder and Perry, and then they
 sunk to all appearance beneath our horizon at the
 same moment, on the lamented 16th of April 1763.
 But the glorious luminary round which they moved,
 continues to warm us on this side the Atlantic with his
 refulgent rays, although perhaps he scorches our Ame-
 rican brethren with his fierce beams.

revenues. We likewise voted the last week above 600,000l. as the last parliament had above 500,000l. much above a million in all, on the same pretext of paying the *debts* of the King, when his Majesty had enjoyed a *competent* revenue of 800,000l. clear of all deductions and contingencies, and those *debts* were of the most suspicious nature, even as to the independency of this House. Let us not therefore, sir, affect more tenderness for the last parliament in so flagrant an instance of injustice, as the case of the Middlesex Elections, than we have shewn to them, and to ourselves too, in other respects. - We ought, if we are men of honour and principle, to do justice to all the Electors of this kingdom, and by a formal repeal to make satisfaction to those zealous defenders of liberty, the spirited freeholders of this injured and insulted county.

I desire, sir, to recall to the memory of many gentlemen, what passed in this House in the last parliament on one of the great debates respecting the Middlesex Elections. A noble Lord, the darling of his country, as well as the favourite of our army, whose memory is dear to every Englishman, for he joined to the

bravery

bravery of Cæsar all the mild and gentle qualities of our English hero, Edward the Black Prince, that noble Lord, sir, stood up in his place here, and solemnly asked pardon of his country for having, as he said, wounded the constitution, and violated the rights and privileges of this kingdom by voting as he had done in this House in the business of the Middlesex Elections. He did not stop there. He was anxious to make public †preparation for a mistaken opinion—but of such moment—and he afterwards joined the *Opposition* in an important question respecting the discontents of the people on this very subject. We may all, sir, imitate the love of justice and candour, if we cannot reach the high *courage* of that illustrious, immortal character, the late *Marquis of Granby*.

While the Resolution, which I have mentioned, is suffered to continue on our Journals, I shall believe, sir, that the elective
rights

† *Lord Granby* himself thought proper to condemn; retract, and disavow, by a most solemn declaration in the House of Commons, that very system of political conduct, which *Junius* had held forth, to the disapprobation of the public.

rights of the nation lie at the mercy of the Minister, that is in fact of the Crown, and that the dignity and independency of parliament are in danger of being entirely destroyed. It is evident, that no gentleman now holds his seat by the choice of his constituents, but only by the good-will, and at the pleasure, of the Minister, or by the Royal permission. The tenure is equally precarious, and unjust, for the constitution has clearly lodged in the people the right of being represented in this House, by the man, who is the object of *their* choice. A committee can never have but that single question to determine, provided the party is by law eligible, and has pursued only those methods, which are warranted by law. I will seize every opportunity of importuning, of conjuring the House, if they have any reverence for the laws, utterly to rescind this unconstitutional and iniquitous resolution. We owe it to the present, and to every future, age, and therefore I move, “ that the Resolution of the House of the 17th of February 1769, that *John Wilkes, Esquire,* having been, in this Session of Parliament, expelled this House, was, and is, incapable of
 “ being

“ *being elected a Member to serve in this present*
“ *Parliament, be expunged from the Journals*
“ *of this House, as being subversive of the*
“ *rights of the whole body of Electors of*
“ *this kingdom.*”

Extract from “ A Report from the Committee appointed (upon the 27th day of March 1771) to examine into the several facts and circumstances relative to the late obstructions to the execution of the Orders of this House; and to consider what further proceedings may be requisite to enforce a due obedience thereto; and to report their proceedings, together with their opinion, from time to time, to the House.”

The Committee appointed to examine into the several facts and circumstances relative to the late obstructions to the execution of the orders of this House, and to consider what further proceedings may be requisite to enforce a due obedience thereto, and to report their proceedings, together with their opinion, from time to time, to the House, have, in obedience to the Order of the House, begun by examining into the facts and circumstances relating to the late obstructions to the Orders of the House; and, in order thereto, called before them,

William

William Whitham, one of the messengers attending this House; who said, " That he had had no other warrant but that for taking *J. Miller* into custody, on the 15th of *March*, 1771: It was directed to *Mr. Banfoy*, *Mr. Clementson*, and himself, with orders to go and take *Miller* into custody; and he proceeded, and came to *Miller's* house about 2 o'clock; and he asked if *Miller* was at home, and was informed he was above stairs, and would be down in a little time; that he waited about a quarter of an hour, when *Miller* came down, and went into his counting-house; that he (*Whitham*) followed him, and told him, he hoped he would not be surprized, that he had the Speaker's Warrant for taking him into custody, and offered to shew the warrant to him; and that he (*Miller*) just cast his eye upon it, and said, that the Messenger had no authority to take him, and he should take no notice of it; whereupon he (the Messenger) laid his hand upon *Miller's* arm, and told him he was his Prisoner, and that he must go with him. *Miller* said, that he had assaulted him in his own house; and there-

“ upon told one of the persons present to go
 “ and fetch such a one, but does not remem-
 “ ber the name of the constable, who came
 “ in a few minutes, and *Miller* charged the
 “ constable with him for the assault, and re-
 “ quired the constable to carry him before
 “ the sitting alderman; that as he (*Whit-*
 “ *ham*) was going into the court where
 “ *Miller* lives, he saw a man, whom he takes
 “ to be the constable, come out of *Miller's*
 “ house, and go into a house near the open-
 “ ing into the court; and, by the shortness of
 “ the time, which was about three or four
 “ minutes, he judged the constable might
 “ come from that house; that the constable
 “ came into the compting-house, and *Miller*
 “ charged him to take the Messenger (*Whit-*
 “ *ham*) into custody; the constable charged
 “ all present to assist him, and the Messenger
 “ gave the like charge to all present on his
 “ behalf; that he is not sure the constable
 “ laid his hands on him; but, finding they
 “ were determined to arrest him, he made no
 “ resistance; that he apprehends a coach was
 “ ready by order, as there was not time to
 “ call one from the stand: the constable, and
 “ one

“ one *Clarke*, and *Miller*, and he (the Mes-
 “ senger), went into the coach, which was
 “ ordered to drive to *Guildhall*, and did so.

“ That, when they arrived at *Guildhall*,
 “ they went up stairs, and were informed that
 “ the Sitting Alderman was gone; that as
 “ soon as they arrived at *Guildhall*, *Clarke*
 “ went for Mr. *Clementson*; that he did not
 “ hear any one in particular directed to go to
 “ the *Mansion House*; but that several persons
 “ followed *Miller* to *Guildhall*; and in about
 “ a quarter of an hour, word was brought that
 “ the Sitting Alderman was at the *Mansion*
 “ *House*; whereupon they went thither, and
 “ were taken into the room where business is
 “ usually done: They staid there about a
 “ quarter of an hour, when word was brought
 “ that he (*Miller*) could not be examined till
 “ six o'clock:—That he (*Whitham*) desired
 “ he might not be examined before Mr. *Cle-*
 “ *mentson* came; that they staid a short time,
 “ when a gentleman came and desired *Miller*
 “ and him to follow him, who shewed them
 “ into a room where people were dining;
 “ they dined, and then went into another
 “ room, where he and *Miller* staid till they

“ were called to the Lord Mayor, who was
 “ in his bed-chamber with Aldermen *Oliver*
 “ and *Wilkes*, and several other persons; that
 “ he met Mr. *Clementson* as he was going in-
 “ to the room to the Lord Mayor. The
 “ Lord Mayor began by asking *Miller* con-
 “ cerning his being taken into custody by the
 “ messenger, and *Miller* gave an account of
 “ it; then the Lord Mayor asked him (the
 “ messenger) By what authority he took
 “ *Miller*? He answered by the authority of
 “ the Speaker’s warrant, which the Lord
 “ Mayor ordered him to produce; he did so,
 “ and was ordered by Mr. *Clementson* to read
 “ it, but not to deliver it out of his hands;
 “ that as he was going to read it, the Lord
 “ Mayor said, he must have the inspection of
 “ it, or no notice could be taken of it;
 “ that he then delivered it to the Lord
 “ Mayor upon his promise it should be re-
 “ stored to him; that the Lord Mayor
 “ took and read it; and he or Mr. *Morris*,
 “ but rather thinks the latter, ordered a copy
 “ to be taken of it, and a copy was taken
 “ accordingly:—That the Lord Mayor asked
 “ him, if he had applied to any Civil Magis-

"trate to back the warrant, or whether he
 "was a Peace-Officer? To both which he
 "answered in the negative:—The Lord
 "Mayor then asked, By what authority he
 "could take a Citizen into custody? That he
 "(the messenger) answered, By the Speaker's
 "warrant, which he thought sufficient; and
 "the Lord Mayor then said, He had no autho-
 "rity to take up any one in the City, without
 "his or the authority of some city magistrate.

"Then three witnesses were sworn to the facts
 "which passed at *Miller's*; and that thereupon
 "Mr. *Clementson* informed the Lord Mayor,
 "that he was come by the Speaker's order to
 "demand the messenger and his prisoner:
 "he does not recollect the answer which was
 "given to this demand; but some arguments
 "passed, and Mr. *Morris* spoke a good deal:
 "Then the Lord Mayor said, that he (the
 "messenger) must be committed to the *Comp-*
 "ter, and *Miller* must be discharged; and
 "ordered a *Mittimus* to be drawn, and that
 "he saw the Lord Mayor sign it: That Mr.
 "*Morris* then said, it would be proper that
 "the other two Aldermen should sign it, who
 "did so, in the presence of him the messenger.

“ The Lord Mayor then said, he did not de-
 “ fire them to be concerned, but would take
 “ it upon himself: That, before the warrant
 “ was quite completed, the Lord Mayor or
 “ Mr. *Morris* said, there was bail in the room,
 “ if it was liked of; and one Mr. *Hurford*,
 “ Mr. *Withy*, and Mr. *Reynolds* an Attorney,
 “ offered to be bail, before the Lord Mayor
 “ said, I must give bail; that he thanked
 “ them, but did not know whether he should
 “ have occasion for it; and said that he never
 “ had applied to them for it.

“ That he declined giving bail, Mr. *Cle-*
 “ *mentson* saying it was not proper; and the
 “ warrant was signed and sealed: Mr. *Clement-*
 “ *son* then said, that he was ready to give
 “ bail; whereupon the Lord Mayor grew
 “ warm, and said he was trifled with; and
 “ that he then said, that he, or we, would not
 “ then take bail, or words to that purpose; up-
 “ on which, there was some noise and clapping
 “ of hands in the room; and there followed some
 “ discourse between the Lord Mayor, Mr.
 “ *Clementson*, and Mr. *Morris*; and he thinks,
 “ in consequence, it was agreed to take bail;
 “ and

“ and *Hurford* and *Withy* gave bail, and Mr. *Clementson* agreed to it.

“ That Mr. *Clementson* and he (the messenger) were afterwards sent back from the Speaker’s to the *Marston House*, for a copy of the warrant of commitment; and were refused it, being told, it was not to be found, but, if it should, they might have it in the morning.—That he (the messenger) went a second and third time; and was told the last time, he might have a copy of the Recognizance a little before the Quarter Session, if he desired it; but that the copy of the warrant was of no use after bail was given.”

The Committee then proceeded to examine Mr. *Clementson* the Deputy Serjeant at Arms, —who said, “ That he went to the Speaker’s house on *Friday* the 15th of *March* to see if the warrant was signed for taking *Miller* into custody; that the Speaker’s secretary had prepared it, and the Speaker signed it, and delivered it to him (*Clementson*) who gave it to the messenger, and told him, that if he found any difficulty, to send for him, who should be at home.—That he heard

“ nothing

“ nothing more, till half an hour past three
 “ o'clock ; then a person came to him, and
 “ told him, he must come, for that the mes-
 “ senger was taken up by a Constable, and
 “ charged with an assault.—That he went
 “ to the Speaker's, and told him of it, who
 “ gave him directions to go and demand the
 “ messenger, and his prisoner ; and that if
 “ bail was necessary, he must give it ; but
 “ that he must see him committed first.—That
 “ he went first to *Guildhall*, about five o'clock,
 “ but found nobody there, and was told, he
 “ should hear of them at the *Mansion House*.
 “ —That he went there, and was introduced
 “ to the Lord Mayor, in his bed-chamber.
 “ —That he told the Lord Mayor, he
 “ understood, that the messenger, to whom
 “ the warrant was directed for apprehending
 “ *Miller*, was taken up by a Constable, and
 “ charged with an assault ; that he therefore
 “ desired to know, if the messenger had been
 “ brought before him.—That the Lord Mayor
 “ said, he had been told, that a person, who
 “ was called a messenger of the House of
 “ Commons, had been brought there, and
 “ charged with an assault.—That he (*Clement-*

“ *son*) waited in an anti-room till six o'clock.—
 “ That the messenger then came, and *Miller*
 “ and a Constable (*John Downe*) and a large
 “ concourse of people.—Then they went in,
 “ to the Lord Mayor; Alderman *Wilkes* and
 “ Alderman *Oliver* were there with him.—
 “ The Lord Mayor asked, what was the pur-
 “ pose of their coming thither? *Miller* said,
 “ he charged *Whitham*, the messenger, with
 “ an assault. On this Mr. *Robert Morris* ap-
 “ peared, and said he was counsel for *Miller*
 “ the prosecutor.—He said, that *Miller* had
 “ been violently assaulted, and falsely impri-
 “ soned, by an illegal warrant.—*Downe*, the
 “ Constable (who was asked for by the Lord
 “ Mayor) said, *Miller* had applied to him,
 “ about one or two o'clock, and had com-
 “ plained of an assault on him, in his own
 “ house, by the messenger, and charged him
 “ to take the messenger into custody; he
 “ therefore took him into custody, in order to
 “ carry him before a proper magistrate.

“ *Miller* was then called upon; who said,
 “ That a person who called himself a mes-
 “ senger of the House of Commons came to
 “ him, and took him into custody, by virtue

“ of a pretended warrant.—That *Miller* was
 “ then sworn by the Lord Mayor, and said
 “ upon his oath, that what he had before said
 “ was true. He went on, and said, he had
 “ refused to go with the person.—That the
 “ person had used violence, and had seized
 “ hold of him, and was pulling him along.—
 “ That the Lord Mayor asked the messenger,
 “ what offence *Miller* had committed, or what
 “ authority he had for assaulting *Miller* in
 “ this manner? The messenger said, he had
 “ the Speaker’s warrant, directed to him, to
 “ take *Miller* into custody. The Lord Mayor
 “ asked where the warrant was? That he
 “ (*Clementson*) told *Whitham* to open it, and
 “ read it himself.—That the Lord Mayor or
 “ Mr. *Morris* (he can’t say which) said it
 “ must be produced.—That he (*Clementson*)
 “ objected to it for some time; but the Lord
 “ Mayor saying it could not be taken notice
 “ of, if not produced, he delivered it to the
 “ Lord Mayor, on his promising to deliver it
 “ back to him; that he waited till this time,
 “ to see the nature of the assault charged on
 “ *Whitham*; and finding that it was for exe-
 “ cuting the warrant for taking *Miller* into
 custody,

“ custody, he then told the Lord Mayor,
 “ that he appeared before him as Deputy
 “ Serjeant at Arms of the House of Com-
 “ mons ; that he came there by the Speaker’s
 “ directions, and had his commands to de-
 “ mand not only *Whitham* the messenger, but
 “ likewise *Miller* his Prisoner ; and he made
 “ that demand in the most solemn manner he
 “ was able.—That Mr. *Morris*, on this, de-
 “ fired he (*Clementson*) might be sworn as an
 “ evidence :—But he (*Clementson*) declared he
 “ would not be sworn, and said, he did not
 “ come as an evidence, but as an officer of the
 “ House of Commons, to execute the com-
 “ mands given him by the Speaker.—The Lord
 “ Mayor said, he could not take notice of
 “ any thing in his magisterial capacity, that
 “ was not given upon oath.—That he was
 “ then asked by *Morris*, if he refused to be
 “ examined to any of the facts or circum-
 “ stances within his knowledge.—That he
 “ doubted at first what answer to give to that ;
 “ but, on recollection, he said, if there was
 “ the least doubt either of the warrant being
 “ signed by the Speaker, or of his (*Clement-
 “ son’s*) having the Speaker’s commands to
 “ de-

“ demand *Whitham* the messenger and *Miller*
 “ his prisoner, he was ready to be sworn to
 “ the truth of those matters; but would not
 “ be sworn generally.—Finding that to be his
 “ resolution, Mr. *Morris* declined swearing
 “ him as to those matters; but he (*Clement-*
 “ *son*) again repeated, that if there was any
 “ doubt as to those matters, he was ready to
 “ swear to them.

“ That the Lord Mayor asked *Whitham* if he
 “ was a Peace-Officer or a Constable? he said
 “ he was not;—if he had applied to any City
 “ Magistrate to back his warrant? he said, he
 “ had not:—Upon this, the Lord Mayor de-
 “ clared, That it was very extraordinary for
 “ any Citizen to be taken up in the City of
 “ London, without the knowledge or autho-
 “ rity of the Lord Mayor, or some other ma-
 “ gistrate of the City; and if this was per-
 “ mitted to be the case, it would be trampling
 “ on the laws, and there would be an end of
 “ the constitution of this country.

“ Then *Miller* was examined, as to his be-
 “ ing a Liveryman of the City of *London*.—
 “ The Lord Mayor said, it was his opinion,
 “ that no warrant, but from him or some
 “ other

“ other magistrate of the city, was good and
 “ valid to take up any citizen ; that he thought
 “ himself bound, so long as he held the great
 “ Office of Chief Magistrate of the City of
 “ *London*, to take notice of a proceeding of
 “ this sort ; and that it was his duty to de-
 “ fend the Citizens, and their Rights and
 “ Liberties, to the last extremity.—He said,
 “ he was of opinion, the messenger had no
 “ right to take up *Miller*, who was a Citi-
 “ zen, not being charged with any Felony,
 “ Trespass, or Breach of the Peace.

“ That *Mr. Morris* then took four objec-
 “ tions to the warrant :

“ First, that the words [“House of Com-
 “ mons”] was not a sufficient description of
 “ the power which had passed the Vote.—
 “ That it should have been, [“The House
 “ of Commons in Parliament assembled.”]

“ Secondly, That [“*J. Miller*”] was no
 “ sufficient description of the Person.

“ Thirdly, That the Offence was not in-
 “ serted ; and therefore that it was illegal,
 “ and without colour of law.

“ Fourthly, That it did not appear, that
 [“*Fletcher Norton*, Speaker,”] who signed the
 warrant,

“ warrant, was the Sir *Fletcher Norton*, who
 “ is Speaker of the House of Commons.

“ That the Lord Mayor asked *Whitham*,
 “ whether he intended to carry *Miller* away as
 “ his prisoner? *Whitham* said, he did.—The
 “ Lord Mayor then said, he thought the war-
 “ rant was illegal ; and therefore he discharged
 “ *Miller* out of the custody of the messenger ;
 “ and said at the same time, This Citizen
 “ comes here to claim a citizen’s protec-
 “ tion of me, and I think he is entitled to it.

“ That then the Lord Mayor proceeded on
 “ the assault.—*Miller* proved that *Whitham* had
 “ laid hold of his arm and pulled him ; and
 “ that about five minutes afterwards, the con-
 “ stable came. After this, Three persons
 “ were produced to prove the assault :

“ *Henry Page*, of *Newgate-Street*, Printer.

“ *John Topping*, of the *Old-Baily*, Printer.

“ *Robert Page*, of *Newgate-Street*, Printer.

“ They proved, That *Whitham* laid hold of
 “ *Miller*’s arm, and said, he was his prisoner ;
 “ and that *Miller* said, he should not go, or did
 “ not chuse to go. That *Whitham* said, You must
 “ go ; and *Miller* said, he should not ; and then
 “ *Whitham* charged every body present to assist
 “ him.

“ him. After this, the Constable was brought ;
 “ and the Constable charged all present to assist
 “ him.

“ That the Lord Mayor, on this, gave it
 “ as his opinion, that the assault was fully
 “ proved ; and that *Whitham* must give securi-
 “ ty to appear at the next Session for the City
 “ of *London*, to answer such indictments as
 “ should be then found against him for the
 “ assault and false imprisonment, himself in
 “ Forty Pounds, and Two Securities in
 “ Twenty Pounds each ; and that *Miller* was
 “ to be bound to appear and make out the
 “ charge.—Mr. *Morris* and many others pre-
 “ sent were ready to be bail for *Whitham* :
 “ That *Whitham* was very much frightened,
 “ and was ready to offer Bail ; but he (*Cle-*
 “ *mentson*) insisted he should not give Bail.—
 “ The Lord Mayor desired it might be noticed
 “ that bail was offered ; but not accepted by
 “ *Whitham*.

“ Then the Lord Mayor directed a warrant
 “ to be made out ; and the person who had
 “ these directions he saw fill up what he sup-
 “ posed was the warrant ; and the Lord Mayor
 “ declared, it was a warrant for commit-
 VOL. II. K ting

“ ting *Whitham* to the *Compter*.—That he saw
 “ the Lord Mayor sign that paper.—On this,
 “ Mr. *Morris* desired the other two Aldermen
 “ might sign the warrant, as well as his Lord-
 “ ship; else it might be supposed, that they
 “ did not concur in opinion with his Lord-
 “ ship.—The Lord Mayor said, he did not
 “ desire any body else to sign it, though the
 “ two Aldermen declared themselves ready to
 “ do it; and he particularly said to Alderman
 “ *Wilkes*, *I think you have enough upon your*
 “ *bands already*.—The warrant however was
 “ directed to be altered by the Clerk into the
 “ plural number; and he saw that paper signed by
 “ the other two Aldermen, *Wilkes* and *Oliver*.
 “ —That he asked the Lord Mayor, if it was
 “ signed by them all; and he said, it was; and
 “ directions were given by the Lord Mayor,
 “ and Mr. *Wilkes*, to the Constable, that *he*
 “ (*Whitham*) *might be used kindly in prison*.
 “ —That just before they were going to take
 “ him away, he thought that, this being a
 “ Commitment, he had gone far enough;
 “ and then he offered Bail.—That the Lord
 “ Mayor grew warm at this, and said, that
 “ he found that this proceeding meant to ex-
 “ aggerate

“ aggerate the Offence or Business, or the
 “ Proceeding ; he could not recollect exactly
 “ the word he made use of.

“ That, after this was done, he came back
 “ immediately to the Speaker ; and upon his
 “ relating what had happened, he desired him
 “ to go back and try to get a copy of the
 “ warrant of Commitment.—The Lord Mayor
 “ said, he could not tell where to find it then,
 “ every body being gone away ; but that if
 “ it was not destroyed, being now of no use,
 “ he should have a copy ; but that I knew he
 “ had signed it alone first, and that afterwards
 “ Alderman *Wilkes* and Alderman *Oliver* de-
 “ sired to sign it too ; and that he and Alder-
 “ man *Oliver* should, in their places in the
 “ House of Commons, admit their having
 “ signed such a warrant ; but that he should
 “ have a copy of it in the morning if it
 “ could be found.—That he applied again on
 “ *Saturday* morning to the Lord Mayor for
 “ a copy of the warrant ; he said he could
 “ not yet find it ; that some of them had
 “ taken it away, and he knew not where it
 “ was, but that if it could be found, *Whit-*
 “ *ham* should have a copy of it ; that it did

“ not signify, for that he did not mean to deny.
 “ what had been done, or make use of any
 “ subterfuge; and that this was all that he
 “ (*Cicmentson*) had done.—That he did not
 “ go to execute the warrant himself; and that
 “ it was not sealed.

“ And he further added this circumstance,
 “ that he recollects, when the Lord Mayor
 “ had signed the *Mittimus*, and he the Depu-
 “ ty Serjeant had offered Bail, the Lord Mayor
 “ grew warm, and made use of some expres-
 “ sion, that he should not take Bail then, or
 “ words to that purpose; saying that this pro-
 “ ceeding meant to exaggerate the offence, or
 “ words to that effect; but he soon afterwards
 “ said, he must take bail.

“ That he endeavoured to serve the order
 “ of the House on *J. Wheble*; and went on
 “ *Thursday* the 28th of *February*, to his
 “ (*Wheble's*) shop, and enquired for him, and
 “ the servant said, he was not at home, but
 “ would be in an hour's time; that he call-
 “ ed again, and received the same answer;—
 “ that he called again, and was answered by
 “ a lad in the shop, who said he was an ap-
 “ prentice, that he was not at home, being
 “ gone

" gone to the other end of the town; and
 " that his master had waited all the day
 " before, expecting him.---That he (*Clement-*
 " *son*) then said; that he would call again in
 " an hour, and bid him tell his master.—
 " That he did so; and was told, he (*Wheble*)
 " had been in, and was gone out again; but
 " if he would let him know where he (*Cle-*
 " *mentson*) might be found, he would wait on
 " him.—That he went to a Coffee-house,
 " and waited; then called again, and was
 " told, *Wheble* was expected to dinner at
 " three o'clock.—That he called at half
 " an hour past three, and was told that *Wheble*
 " was not at home, but would be soon.—
 " That he called again at four and five o'clock,
 " and received the same answers.—That he
 " left word he was the Deputy Serjeant at Arms,
 " and would be there again at half an hour
 " past nine in the morning; which he ac-
 " cordingly was, and was told by the same
 " person, that *Wheble* was not at home, but
 " said, he had delivered the message he had
 " left with him, and that his master said, he
 " was very sorry he was obliged to go out,
 " and

“ and he left no word when he would be
 “ at home.—That he called again at eleven
 “ o’clock, and he was not at home ; but was
 “ answered, he might be in, in half an hour.
 “ —That he went again on *Saturday* at Ten
 “ o’clock, and the apprentice said, he was not
 “ at home, but would be in the afternoon ;
 “ and said it with a smile, as if laughing at my
 “ frequent calling ; and said, if he would
 “ leave word where he might be found, we
 “ will send you word when he is at leisure.—
 “ That he (*Cementson*) said, he would be
 “ there at seven o’clock, which he accord-
 “ ingly was, but was told, he (*Wheble*) was
 “ not at home, and had sent for his linen,
 “ and therefore was not expected till *Monday*.
 “ That he did not go to *Thompson* till *Fri-*
 “ *day* the First of *March*, because there were
 “ two *R. Thompsons*, one *Richard*, the other
 “ *Robert*.—That he found, at the Stamp-
 “ Office, that *Thompson* had been summoned
 “ before the Commissioners to give security
 “ and said his name was *Robert* :—That he
 “ sent a messenger to enquire in the neigh-
 “ bourhood, and found there was but one :—
 “ That he went to *Thompson’s* house, and was
 “ told

“ told by a man he was not at home, nor could
 “ tell when he would be, or whether he was in
 “ town; that he had seen him two or three
 “ days before; that nobody knew more about
 “ *Thompson* than himself, and if he (*Clement-*
 “ *son*) would leave a message, he would deliver
 “ it:—That *Williams* the messenger then said,
 “ You know our business; to which he made
 “ no answer:—That he went again at eleven
 “ o’clock; and the servant said, *Thompson* was
 “ not at home; for he had not seen him, and
 “ nobody knew better than he; and said, that
 “ if he (*Clementson*) had business with *Thomp-*
 “ *son*, it was usually left with him first and
 “ that no time was more likely to meet with
 “ him than that day or to-morrow.

“ That he (*Clementson*) went again on *Sa-*
 “ *turday*; and the same person told him *Thomp-*
 “ *son* was not at home, but would be in half
 “ an hour, but had no reason for thinking so:
 “ —That he went twice afterwards, and he
 “ was not at home, nor had been, and that
 “ he did not know when he would be:—
 “ That he (*Clementson*) said, Then he will
 “ not see me; and received for answer, he
 “ could not tell.”

And he farther said, “ That there had been
“ one more attempt since, to execute the
“ warrants on *Wheble* and *Thompson*; that Mr.
“ *Speaker* had made an alteration in the direc-
“ tion of the warrants, by inserting the name
“ of *Wood* the messenger; that *Wood* took
“ the warrant, and he (*Clementson*) followed
“ after, to endeavour to find *Wheble* and *Thomp-*
“ *son*; that he (*Clementson*) waited at a Cof-
“ fee-house in *Wheble*’s neighbourhood; that
“ *Wood* went and endeavoured to find them,
“ but without effect.”

Your Committee then proceeded to examine
Charles Williams the messenger; who said,
“ he attended the Serjeant, in endeavouring
“ to serve the warrants on *Wheble* and *Thomp-*
“ *son*, on *Thursday* the Twenty-eighth day of
“ *February*: — That he went six or seven
“ times to *Wheble*’s house; that he did not
“ find him at home, but was told he would
“ be at home soon.

“ That he went to *Thompson*’s several times,
“ and received the same sort of answers; that
“ the business they came upon was known at
“ both

“ both places ; and that he had read Mr. *Clementson's* minutes at the time, which he
 “ found, were right.”

The Committee then proceeded to examine *Guy Wood* the messenger ; who said, “ He had
 “ the Speaker's warrant, about the Tenth of
 “ Eleventh of *March*, to arrest *Thompson* and
 “ *Wheble* ; that he received it from the De-
 “ puty Serjeant ; that his (*Wood's*) name was
 “ inserted in the warrant ; that he went with
 “ one Mr. *Lee* to *Thompson's* house ; that *Lee*
 “ went in and enquired for *Thompson* ; that
 “ they had agreed, that, if *Lee* staid above a
 “ minute, he (*Wood*) was to come in after
 “ him ; but *Lee* not finding him at home,
 “ came out immediately.

“ That they went from thence to *Wheble's*,
 “ and proceeded in the same manner. *Lee*
 “ went in, and was told *Wheble* was gone into
 “ the country : They then went to the *Green*
 “ *Dragon* in *Fleet-Street*, where *Wheble's* Even-
 “ ing Papers are delivered, and staid some
 “ time, to try if they could see him come af-
 “ ter his Papers, or about his business, but
 “ could

“ could see nothing of him : That they have
“ made several enquiries since, and can hear
“ nothing of him.”

Your Committee having thus stated the evidence of the Facts and Circumstances relative to the late Obstructions to the Execution of the Orders of this House, as it appeared before them, &c.

VOTES

VOTES of May 9, 1777.

A Motion was made, and the Question being proposed, “ That an humble Address be
 “ presented to His Majesty, to express the
 “ just sense this House entertains of His
 “ Majesty’s regard for the lasting welfare
 “ and happiness of His People; and, as
 “ this House cannot omit any opportunity
 “ of shewing their zeal and regard for *His*
 “ *Majesty’s honour*, and the prosperity of His
 “ Family, humbly to beseech His Majesty,
 “ that, in consideration of the High rank
 “ and dignity of their Royal Highnesses the
 “ *Dukes of Gloucester and Cumberland*, He
 “ would be graciously pleased to make some
 “ addition to their annual income, out of
 “ the Revenues cheerfully granted His Ma-
 “ jesty, for the expences of the Civil Go-
 “ vernment, and better supporting the Ho-
 “ nour and Dignity of the Crown; and to
 “ assure His Majesty that this House will
 “ enable his Majesty effectually to perform
 “ the same, as nothing will more conduce
 “ to the strengthening of His Majesty’s go-
 “ vernment,

“ vernalment, than honourably supporting the
 “ Dignity of the different branches of the
 “ Royal Family.”

And the previous Question being put,
 “ That that Question be now put ;”

It passed in the negative.

Mr. Wilkes observed, that the † *two* honourable gentlemen with the *blushing ribbands*, who opposed the Motion, declared that they did it chiefly from what they thought *a want of delicacy to the Crown*, but that in his opinion the real honour and *delicacy of the Crown* were essentially and deeply wounded by the present unhappy situation of our Sovereign's *own brothers*, which was of the most universal notoriety, and highly to be lamented; that the *elder* had been driven into a kind of honourable

† Sir John Griffin Griffin, Member for Andover, and Sir George Howard, Member for Stamford, have *both* regiments in his Majesty's service, *both* of cavalry, are *both* Lieutenants-General, and *both* Knights of the Bath.

Fortunati *ambo*—

*Ambo animis, ambo insignes præstantibus armis.
 Hic pietate prior.*

able exile at *Rome*, and the *younger* was not enabled to support the dignity of his high birth and rank among us; that as to the case of the late Duke of Cumberland, which had been mentioned, although he enjoyed an income of above 40,000*l.* a year, he lived with his royal Father, that great patron of *liberty*, by whom all the

† So excellent a King, that was to this-----

SHAKESPEARE.

Long his loss shall England weep,

Ne'er again his likeness see;

Long her strains in sorrow steep,

Strains of immortality.

GRAY.

This humane Prince on many occasions ventured his life in the cause of *liberty*. His distinguished bravery at the battles of Oudenarde and Dettingen was the frequent subject of the unsuspected praise of our inveterate enemies, the French. He was always a steady friend to the liberties of mankind, and like the former princes of his house, and of the *Nassau* line, kept a watchful eye over the House of Bourbon, well knowing their determined enmity to this free government, and their long meditated schemes for grasping at *universal monarchy*. He often checked the restless ambition of France in its mad career, by the most firm, wise, and successful measures. At his death he left England in possession of the capitals of the French in Asia and America, and of many other important conquests there, as well as in Europe and Africa. The most valuable of these conquests were lost soon after by a stroke of his *grandson's* pen, which proved
more

the expences of his household were defrayed, and that he died unmarried, whereas the present King's Brothers were both married, and had, with very *incompetent* revenues, separate families and establishments, which constituted no part of his Majesty's household arrangements or expences. He added, that we ought not to be prodigal to the Sovereign, and penurious to his Brothers; that the whole illustrious House of Brunswick claimed our regard and gratitude; that the wisdom of Parliament

more fatal to England than all the swords of all our enemies.

It is justice to the memory of the late King to declare, that he no less endeavoured to make his people free and happy at home, than to carry the glory of the British arms to the highest pitch every where abroad. During his reign the *laws* were respected and obeyed. *Liberty* and *justice* sat with him on the throne. The execution of *Earl Ferrers* impressed all foreign nations with the greatest idea of the sacredness of our laws, and the protection they afford the meanest subject, under a firm and mild sovereign. It was likewise believed, that if the *Court-Martial* on Lord George Sackville had pronounced the sentence, which was expected by all Europe, the *justice* of his late Majesty would have ordered it to have been carried into execution.

The *persuaded* Doctors, Shebbeare and Johnson, and all the other ministerial writers of the court, have been indefatigable for many years in vilifying the memory of our late Sovereign, and tearing the laurels from his

ment should carry the House into a view of futurity, and of possible contingencies, to provide in all events for the public safety, good order, and tranquillity; that what the honourable † gentleman, who made the motion, had mentioned with due horror, of our *being obliged to fetch from Rome a Sovereign born and educated there*, was not so wild and absurd an idea as it had been represented by other gentlemen; that purple fevers, and various epidemical diseases, had sometimes in a very short period swept away whole families;

his tomb. The *first* address of the *House of Lords* to the present King, on Nov. 18, 1760, is the best confutation of all the volumes of a *legion* of these hirelings.

“ The long experience which we had of his royal virtues, the *benignity* of his government, and his *uniform care of our laws and liberties, not interrupted in any one instance*, during the course of so many years, demand from us the most grateful acknowledgements; and will make his memory as dear to us as the height and splendor to which *he* had raised the greatness of these kingdoms will render it glorious to all posterity.”

After the demise of the crown, will there be found any *Lord* prostitute enough, will there be a *Sandwich*, to move such a paragraph in the *first* Address of the *House of Lords* to his present Majesty's *Successor*?

† Sir James Lowther, Baronet, Member for Cumberland.

milies; that towards the beginning of this century several Dauphins of France had died within a few months of each other, and the Bourbon line was believed to be in some danger of being extinct; that the † numerous, immediate posterity of George II. had been reduced to a very small number; that all families might suffer these most cruel losses, but in cases of this great national concern, we could not be too provident, too vigilant for the general safety. *Mr. Wilkes* farther remarked, that it was impossible to misunderstand this business; that it was, “Will you drive the “King’s own Brothers into exile?” or “degrade them to the rank of private noblemen?” or “will you shew your duty to the “King, whose heart glows with all the tendernesses of true fraternal affection, and testify your regard to the honour of the nation, by making a princely and competent
“provision

† Every true friend of the House of Brunswick sees with affliction, how rapidly some of the principal branches of the family have dropped off.

Junius, vol. 2. page 89.

“ provision for your Sovereign’s *own Brothers*,
“ the two Royal Dukes, the children of Eng-
“ land?” He concluded with expressing a
pleasing hope, that the vote of every gentle-
man in the House would be governed by that
liberality of sentiment, which ought to carac-
terize the representatives of a great, power-
ful, and free people.

S P E E C H E S.

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END OF THE SECOND VOLUME.

ERRATA IN THE FIRST VOLUME.

Page 125. in the note, line 1. after "Persian," add "Armenian." Line 2. after "Gentoo, &c, &c," add, "and above all in the *Erse*." Line 17. after "neither," add, "His Grace's idea of *liberty* comprehends every thing that is *wild and lawless*. The monster is of his own creation, and then he comes in a rage, like the *Saturn* of the heathen mythology, to destroy his own offspring."

Page 132. line 11. of the note, for "A short Account of a late Administration," read "A short Account of a late *short* Administration."

Page 179. line 12. for "148," read "150."

ERRATA IN THE SECOND VOLUME.

Page 7. line 14. for "its beams," read, "its beams?"

Page 34. note, line 13. for "I will die *in* the last Dyke," read, "I will die *on* the last Dyke."

Page 63. line 2. for "exquisite," read, "exquisite."

Page 81. note, line 17. for "if precise meaning," read, "if *any* precise meaning."

