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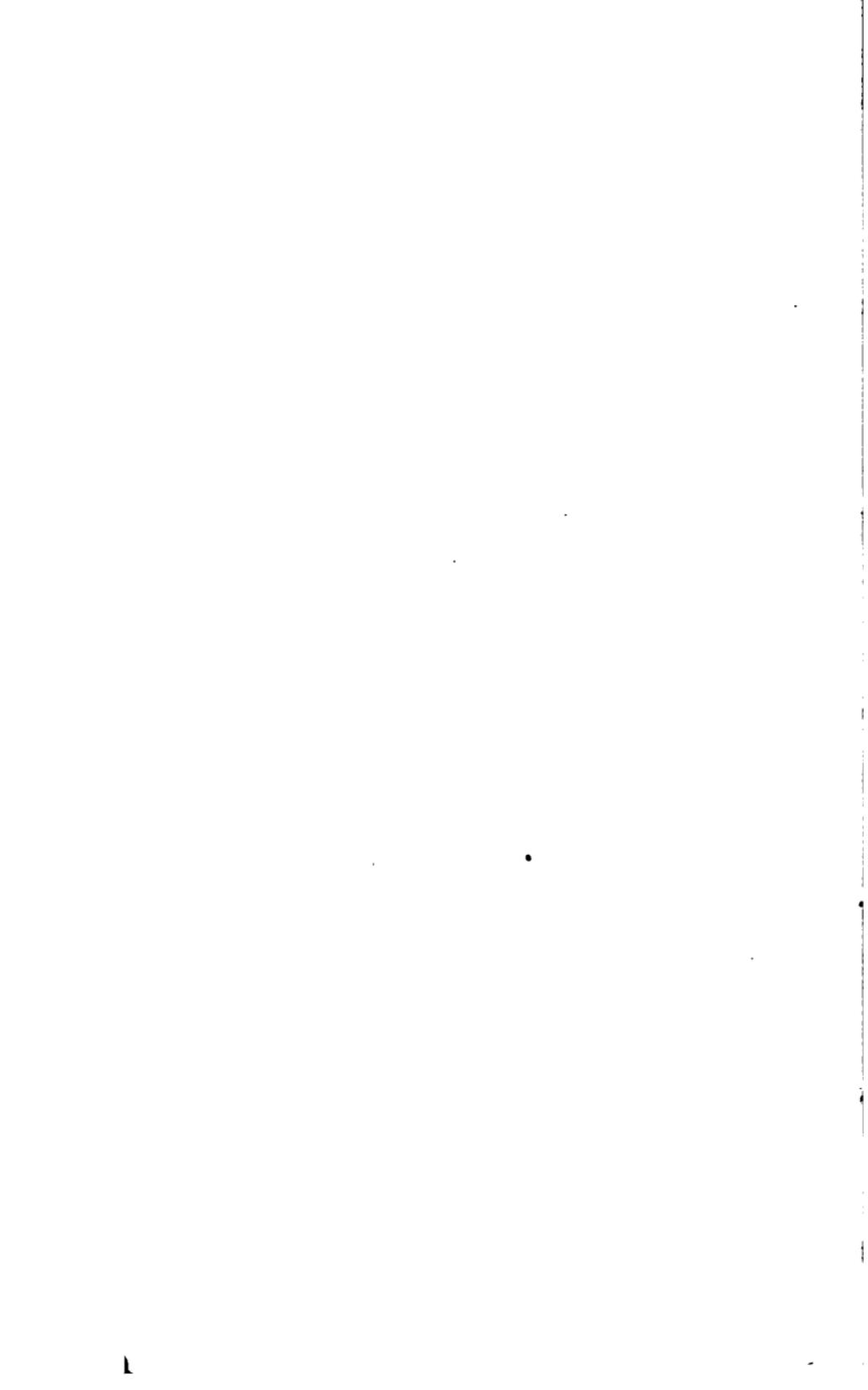
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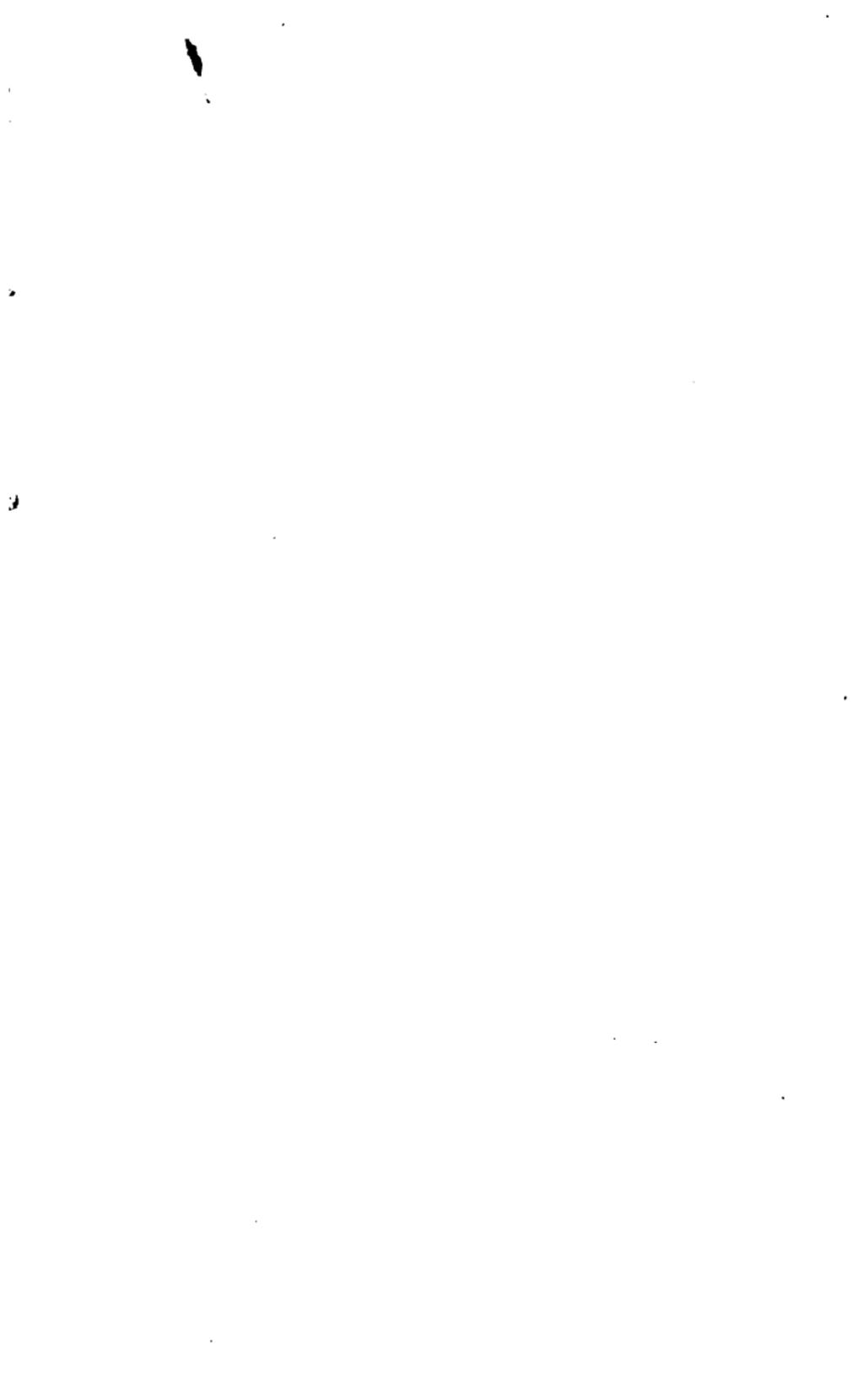
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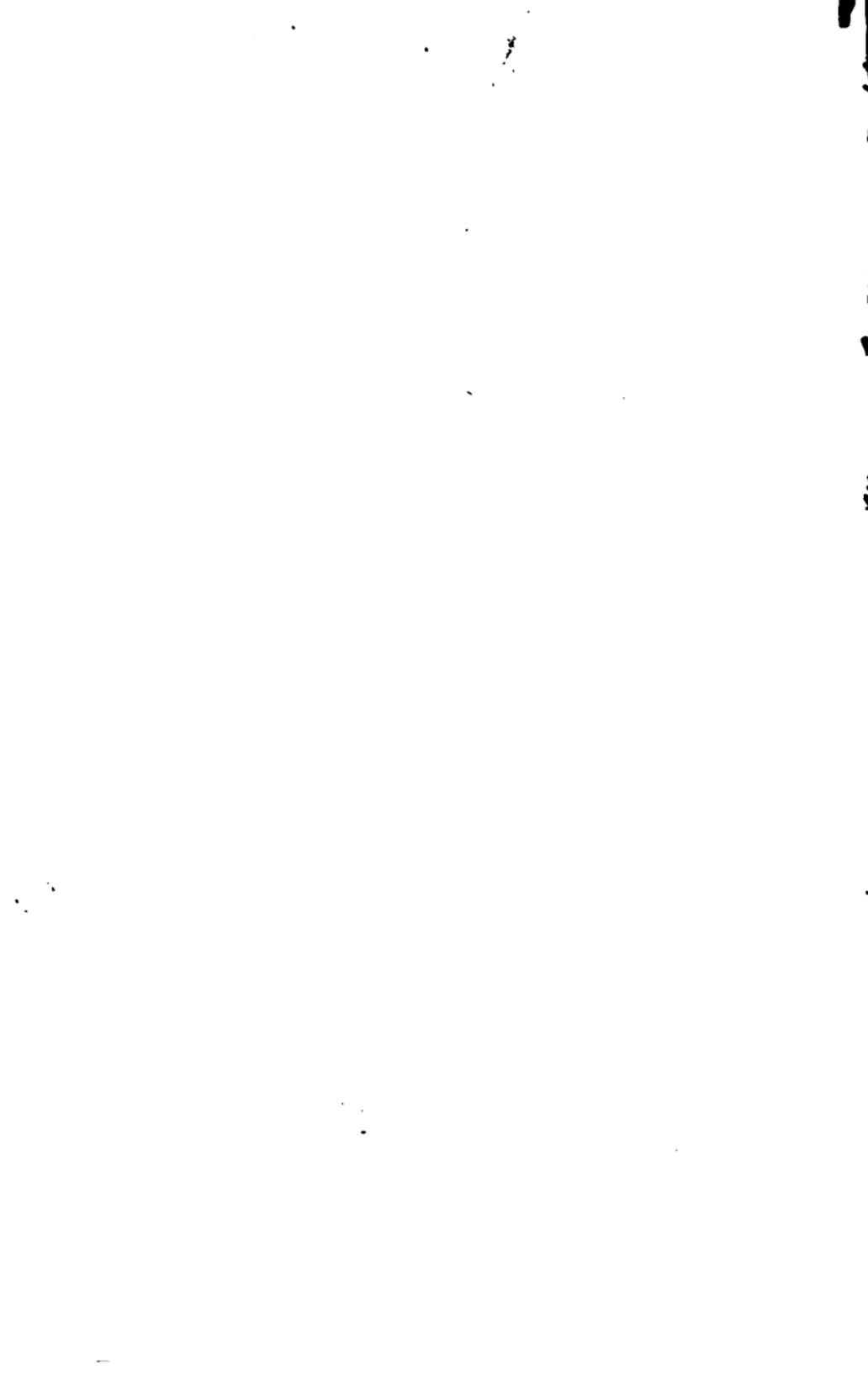
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T H E
W H I S P E R E R,

C O N T A I N I N G

Several Spirited Essays on
C I V I L L I B E R T Y,

Begun the 17th of *February*, 1770.

And published in Numbers regularly every Week;
with a Design to preserve, the just Rights of the People,
from all Encroachments either of *Power or Prerogative*;
to point out to them, and put them upon their Guard,
against every Invasion of their Liberties open or secret,
and to prevent their falling a Sacrifice to the *is* ——— *us*
and *corrupt* Court of *GEORGE* the *THIRD*.

V O L . I.

This Volume contains the first 27 Numbers of these celebrated
Papers including the two Numbers *Extraordinary*, together with
eight Letters which passed between the Duke of Grafton, Lord
North and Mr. Moore.

Printed and Published by the AUTHOR, W. Moore,
No. 32, CHANCERY-LANE, 1770.
Price 5s. 3d. stitched in blue Paper, or 6s. bound.

3400.



TO THE
RIGHT HONOURABLE
LORD MANSFIELD,
CHIEF JUSTICE of
ENGLAND.

MY LORD,

I KNOW not to whom I
could dedicate the following
papers, with so much propriety
as to your Lordship; who have
upon every occasion, when the
constitution has been attacked by

iv DEDICATION.

designing ministers, boldly stood forth in its defence, and supported with undaunted *resolution*, and unequalled *integrity* the laws of *England*; who have nobly opposed every *arbitrary* and *unconstitutional* measure of government, during the course of this reign; and preserved the *just rights* of the people. You who have in your great mercy always *punished* the *guilty*, wherever you found them; and *protected* the *innocent* from *lawless violence*, and a *military force*. You who was greatly *instrumental*, in *easing* the *pangs* of an *almost* distracted *father*, by bringing to Justice the murderers of his *Son*. You who never would suffer the least *delay* in the execution of the law since
your

DEDICATION. v

your advancement to the King's-Bench. You, before whom, the *perjurer*, and the *informer* never dared to appear for fear of meeting from your Lordship's known *regard* for *truth* and *justice*, the punishment they deserve. You who have settled *grand juries* upon their antient foundation, and restored them to their original use and purity, so long, and so much wanting, your Lordship being *convinced* this is the principal guard of every man's life, liberty, and estate; for by the known laws, no subject of this realm can be brought to the bar of justice, without the cause being first enquired into by a *grand jury*. You who have in your great *goodness* and love for
justice,

justice, explained the *power* and *right* of *petty juries* to judge of *law*; as well as *fact*. You who have abolished, that infamous method of filing informations in the *King's Bench*, and obliging many of the best subjects of this kingdom to answer at that awful tribunal; for no other crimes, but bravely daring to support the *rights* and *privileges* of *Englishmen*; for this noble stand against *Star-chamber tyranny*; your Lordship deserves the united thanks of the whole nation. You who have such a degree of resolution, as never can be brought to *swerve* in the least from what you think to be *law* and *justice*. You who have upon every great occasion, shewed an intrepid *zeal* in asserting the
 autho-

DEDICATION. vii

authority of the law. You who nobly ventured to incur the *indignation* of both houses of parliament, upon a matter of the last importance to the people of England, in favour of whom you gave a *free, unbiassed, and constitutional* opinion, concerning the Middlesex election. You whose *integrity* will not suffer You to deviate from *judgment* and *truth*, even in compliance with the desires of your Prince. In a word my Lord, it requires the pen of a *M'Pharson*, a *Home*, or a *Douglass*, to do justice to your Lordship's *merit* and *virtues*, as a *judge*, a *senator*, and a most powerful *advocate* for *public liberty*. I must therefore subscribe myself, an equal *admirer*, and *defender* of
the

viii *D E D I C A T I O N.*

the *laws* and *constitution* of Eng-
land with your Lordship,

and the Publick's

much obliged, and

most obedient servant,

WILLIAM MOORE:

December 18,
1770.

A

P R E F A C E,

By Mr. M O O R E,

To the eight Letters which passed
between the Duke of Grafton,
Lord North, and Himself.

BEING ever desirous of rendering to
my country all the services in my
power; I had in *December* last after some
trouble and expence, formed a scheme for
bringing into the government near 400,000l.
annually by a tax, which I was and am per-
suaded is much wanted in order to preserve
the lives, and properties of many thousand

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a

persons

persons in this kingdom. I therefore drew up the plan of it, and immediately wrote the letter which follows this introduction, to his Grace of Grafton, then first Lord of the *Treasury*, and in consequence of his answer I sent him the scheme. In about eight days after I received a very *polite*, but *evasive* kind of answer, with a reference to *Lord North*, before whom this matter (his Grace said) would come *officially* as Chancellor of the Exchequer. I wrote directly to his Lordship, but received no answer, I wrote a second letter and found myself no better off, I waited upon *Lord North*, he was *busy*; I therefore immediately dropped the further prosecution of this business, not chusing to be the lacquey of that *despicable slave*, who is no more than the *wretched tool* of the *infamous Junto* at *Carlton House*, with the King's mother at the head. Whatever distance, either chance, birth, or riches may have placed
between

between me and *Lord North*; there is still more between him and his country; no subject can be so superior to me in rank, as this nation is above him in dignity; *zeal* then for the interest of *England*, and the preservation of mankind, as well as common politeness should have obliged, *Lord North*, to have returned me some answer; but what is to be said for a man, lost to all sense of *honour* and *honesty*, overwhelmed in *corruption*; supporting his place in the administration upon the ruins of *Public Liberty*, and sacrificing the *honour* and *interest* of *Great Britain*, to the designs of its most perfidious enemies; in a word, a man whose character cannot receive additional *infamy* or *disgrace*; whose name will be read with horror and detestation in the annals of *England*, and stigmatized to the latest times.

To the Duke of GRAFTON.

My LORD DUKE,

PERMIT me at a time when the distresses of the kingdom make it absolutely necessary for every individual to exert himself, for the relief of his fellow subjects; to lay before your Grace, a plan for bringing into the treasury, the Sum of 300,000*l.* annually, * by a tax entirely new and easy, a tax that can never bear the imputation of oppressive or burthensome, a tax that will be paid chearfully without a murmer, a tax if adopted and carried into execution by administration will be a means of removing the odium at this time cast on the present ministry. I am firmly persuaded your Grace hath the good of your country too much at heart, to reject a proposal of this kind, though offered by a private individual.

Resting

* When this letter was wrote the calculation was not finished, but when completed it proved to be 390220*l.*

Resting assured that your Grace will (at least) give me a hearing. I shall be impatient for the honour of waiting on you, when I shall fully explain what I have to offer, which will prove, not to be a chimera, or the invention of a fruitful imagination, but to be founded on good policy. I have the honour to be, my Lord Duke

Your Grace's most obedient,
and most humble servant,

29th December,
1769.

WILLIAM MOORE.

The DUKE's Answer.

THE Duke of Grafton presents his compliments to Mr. Moore, and will be glad to receive his plan whenever he chooses to send it. When the Duke is more at leisure, and has time to see Mr. Moore himself, he will be desirous of that favour.

Arlington-Street,
January 7.

To

To the Duke of GRAFTON,
My LORD DUKE,

ON Monday the 8th instant I had the honour of a card from your Grace, and agreeable to your request, I now inclose the plan, (rather crude and indigested.) If any objections should be formed in the mind of your Grace concerning it, I shall be ready to remove them (if I am able) and whenever you may be desirous of seeing me I shall attend your Grace with pleasure, I have the honour to be, my Lord Duke with much respect and esteem,

Your Grace's most devoted,
obedient and very humble servant,

16th *January*,
1770.

WILLIAM MOORE.

The DUKE's Answer.

THE Duke of Grafton presents his compliments to Mr. Moore, and as matters
of

of the nature of what is contained in the paper he has received from him come officially under the consideration of the Chancellor of the Exchequer, he may be assured he will find a proper attention from Lord North to it, if he will apply to his Lordship upon it.

Arlington-Street,
January 20th, 1770.

To the Right Honourable Lord
 N O R T H.

MY LORD,

A FEW days since I laid before his Grace of Grafton, a plan for bringing into the government the sum of 390,220 l. annually. His Grace returned me a very polite card, with assurances, that I should find a proper attention to it from your Lordship if I would apply to you upon it, by which I am led to infer, that his Grace hath shewn to you the paper I sent him, I should be glad to be informed,

formed, when I may have the honour of waiting on your Lordship, and whether it will be necessary for me to bring a copy of the paper I sent to his Grace. I have the honour to be my Lord with much respect,

Your Lordship's most obedient,

and most humble servant,

23 *January,*
1770.

WILLIAM MOORE.

To Lord NORTH,

MY LORD,

I have waited with much impatience in expectation of an answer from your Lordship to my letter of the 23d instant, concerning a plan of a tax (entirely new) which will bring into the government the sum of 390,220l. annually. I am directed in my application to your Lordship by his Grace of Grafton, to whom I first communicated this matter. I only mention this now, because

cause I am doubtful whether the letter I sent to your Lordship on the 23d instant came to your hands. I am my Lord,

Your Lordship's most obedient
and very humble servant,

29th *January*,
1770.

WILLIAM MOORE,

To the Duke of GRAFTON.

My LORD DUKE,

AGREEABLE to the directions in the card with which your Grace honoured me, on the 20th of *January*, I wrote immediately to Lord North, acquainting his Lordship, that I had a plan to lay before him for bringing into the government 390,220 pounds annually, at the same time desiring to know when I might have the honour of waiting on his Lordship. My not having received any answer from Lord North, is the cause of my troubling your

Grace once more upon this matter, being fully persuaded from the polite manner in which your Grace hath been pleased to take notice of the paper I sent you, I shall receive some further instructions relative to this affair, which may be a means of bringing it to a final issue. Was I not firmly persuaded of the utility and justness of these taxes, and that they would give general satisfaction, I should not have presumed again, to write to your Grace. I beg leave to add that I have now a scheme of another tax, which will amount to near three times the sum mentioned above, and shall with pleasure communicate it to your Grace, or any of the ministry, provided I could be certain that *some* notice would be taken of it.

I am My Lord Duke with respect,

10th Feb.

1770.

Your Graces most devoted
and obedient Servant,

WILLIAM MOORE.

The

The DUKE's Answer.

THE Duke of Grafton presents his compliments to Mr. Moore, and is very much obliged to him for the favour of his letters; but as he is no longer at the head of the treasury, he must beg leave to refer him to Lord North.

Arlington-Street,
12th Feb. 1770.

These letters, and the little notice that was taken of the subject of them by the ministry, will sufficiently convince the world, that their design is to *oppress* and *enslave* the people, not to *protect* and *relieve* them.





THE
W H I S P E R E R,
N U M B E R I.

SATURDAY, FEBRUARY 17, 1770:

*All the genuine Particulars relative to the
Death of the late LORD CHANCELLOR.*

V
VARIOUS have been the reports
relative to the death of the late
Chancellor. Some will have it
that he poisoned himself, others
that he shot himself, others again
that he broke his heart and died
with vexation: but the following is the truth
of the case, which the public may rely on.

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The premier had for some time been importuning him to except the seals, which he, fired with the principles of his noble family, had, with a spirit becoming a truly great man, often disdainfully refused. But as no one was thought more adequate to the purposes of ministerial intrigues. No step was left unturned to bring him over. What could not be brought to bear with *him*, was effected through his *wife*; the Premier applied to her, the true sister of *arbitrary measures*, swelled with the thought of being the lady of almost the first subject in the kingdom, and anxious to have a peerage for her own son, as well as her son-in-law, for that was to be the price of his accepting them, took him in his soft hours of dalliance, the *mollia tempora fandi*, and turned him to her purpose. She went immediately to the Duke of Grafton, made him acquainted with it, and told him she was convinced if his Majesty would send for him, and ask it as a favour, he would no longer withstand. The thing was done, and he was sent for and closetted; the favour was asked, and the seals accepted. On his return home, he called on his friend the Marquis of Rockingham with whom he found Mr. Burke, and one or two of his old associates, who seemed pleased with the unexpected visit, but when he said "I have accepted the seals," it struck them all of a heap. They could not believe what they heard, but
when

when they found it was too true; his friend, the Marquis, could hold no longer; and instantly addressed him thus; "Mr. York, for I still hope to call you so, I once looked upon you as " an *honest* man inflexible of any mean thing, " and as one who had no ambition but that of " being instrumental to the good of society. " Now I despise you. As Mr. York, I was " always happy to see you; as Chancellor never " put your feet within my doors again." This spirited address was echoed by the whole company, and the Chancellor retired in disgrace. The Marquis immediately flew to Lord Hardwick, the Chancellor's brother, told him the story, and urged to go and insist on his immediate resignation, (for Mr. York had great expectations from his brother;) Lord Hardwicke lost no time, but went to his house, and began with, "brother what's this I hear? they tell " me you have accepted the seals? I *have*. " Have? and are you not ashamed to own it? " you have turned your back on those friends " that have been the making of our family. " What could induce you! honour? a *place* " *refused* is more honourable than one *accepted*. " Peerage? you wanted none; *mine* will fall in " *your* family. And as to money you have " enough; if not, you should have shared with " *me*". Mr. Yorke in his defence urged his Majesty's great importunity, but Lord Hard-

wicke interrupted with "I'll have no replies——"
"I come not to argue with the Chancellor but
"lay my injunctions on my brother. If you
"have any future expectations from either me or
"mine, go instantly resign." Mr. York would
fain have been excused, alledging he knew not
what plea to make. If you have no plea of your
own, continued he, "go tell the King your
friends will not let you keep them." In short
he hurried him away, saying he would wait
his return. The Chancellor went, talked the
matter over with his Majesty, but could not
bring himself to give them. On his entering
his house again, Lord Hardwicke eagerly called
out: "tell me, may I now embrace you as my
"brother? I hope so, replied Mr. Yorke, but
"the King would not accept my resignation."
Then said Lord Hardwicke leaving him,
"adieu for ever thou meanest of men. I was
"once your sincerest *friend*, for the future con-
"sider me as your greatest *enemy*." Loaded
with reproach and shame, the upbraiding of his
friends, and the aggravation of his wife, with
whom he was heard on Friday evening in loud
altercation, he could support himself no longer,
but flung out of the room were they were toge-
gether with a cast of wildness in his eye, and
ran immediately up stairs; his lady suspecting
something that might not be right, instantly
followed him, and was in his chamber almost as
soon

soon as he, but not time enough to prevent his cutting his Throat with a knife he took out of his pocket as he was going up; he made an attempt also at cutting his wrists, but was not able to effect it thro' her interposition. As soon as she saw him bleeding she rung the bell and ordered her servant to fetch the first surgeon he could find; Mr. Langley of Gloucester Street was brought, and he sewed up the wound, which at that time did not appear mortal. But so determined was he on his own death, that some time after, he threw back his head and burst the stitches, which were again repaired. It was not long before several of the faculty were called in; he then seemed to have some little remorse for what he had done, and asked whether they thought he was quite out of danger; they replied he was. provided he kept himself quiet and did not cough; however he could not avoid coughing, hurt himself some how or other, inwardly, and on Saturday evening *died* in the greatest agonies immaginable.

To his GRACE the DUKE of
GRAFTON.

MY LORD,

IF I were personally your enemy, I might pity and forgive you. You have every claim to
com-

compassion, that can arise from misery and distress. The condition you are reduced to, would disarm a private enemy of his resentment, and leave no consolation to the most vindictive spirit, but that such an object as you are, would disgrace the dignity of revenge. But in the relation you have borne to this country, you have no title to indulgence; and, if I had followed the dictates of my own opinion, I never should have allowed you the respite of a moment. In your public character, you have injured every subject of the empire; and though an individual is not authorized to forgive the injuries done to society, he is called upon to assert his separate share in the public resentment. I submit however to the judgment of men, more moderate, perhaps more candid than myself. For my own part, I do not pretend to understand those prudent forms of decorum, those gentle rules of discretion, which some men endeavour to unite with the conduct of the greatest and most hazardous affairs. Engaged in the defence of an honourable cause, I would take a decisive part. I should scorn to provide for a future retreat, or to keep terms with a man, who preserves no measures with the public. Neither the abject submission of deserting his post in the hour of danger, nor even the sacred shield of cowardice should protect him, I would pursue him through life, and try the last exertion of my abilities to preserve

serve the perishable infamy of his name, and make it immortal.

What then, my lord, is the event of all the sacrifices you have made to lord Bute's patronage, and to your own unfortunate ambition? Was it for this you abandoned your earliest friendship,—the warmest connections of your youth, and all those honourable engagements, by which you once solicited, and might have acquired the esteem of your country? have you secured no recompence for such a waste of honour? Unhappy man! what party will receive the common deserter of all parties? without a client to flatter, without a friend to console you, and with only one companion from the honest house of Bloomsbury, you must now retire into a dreadful solitude, which you have created for yourself. At the most active period of life, you must quit the busy scene, and conceal yourself from the world, if you would hope to save the wretched remains of a ruined reputation. The vices never fail of their effect. They operate like age—bring on dishonour before it's time, and in the prime of youth leave the character broken and exhausted.

Yet your conduct has been mysterious, as well as contemptible. Where is now that firmness, or obstinacy, so long boasted of by your friends

friends, and acknowledged by your enemies? We were taught to expect that you would not leave the ruin of this country to be completed by other hands, but we were determined either to gain a decisive victory over the constitution, or to perish, bravely at least, in the last dyke of the prerogative. You knew the danger, and might have been provided for it. You took sufficient time to prepare for a meeting with your parliament, to confirm the mercenary fidelity of your dependants, and to suggest to your sovereign a language suited to his dignity at least, if not to his benevolence and wisdom. Yet, while the whole kingdom was agitated with anxious expectations upon one great point, you meanly evaded the question, and, instead of the explicit firmness and decision of a k—, gave us nothing but the misery of a ruined grazier, and the whining piety of a methodist. We had reason to expect, that notice would have been taken of the petitions, which the king has received from the English nation; and altho' I can conceive some personal motives for not yielding to them, I can find none, in common prudence or decency, for treating them with contempt. Be assured, my lord, the English people will not tamely submit to this unworthy treatment;— they had a right to be heard, and their petitions, if not granted, deserved to be considered. Whatever be the real views and doctrine of a
court

court, the sovereign should be taught to preserve some forms of attention to his subjects, and if he will not redress their grievances, not to make them a topic of jest and mockery among lords and ladies of the bed-chamber, Injuries may be atoned for and forgiven; but insults admit of no compensation. They degrade the mind in it's level by revenge. This neglect of the petitions was however a part of your original plan of government, nor will any consequences it has produced account for your deserting your sovereign, in the midst of that distress, in which you and your new friends had involved him. One would think, my Lord, you might have taken this spirited resolution before you had dissolved the last of those early connexions, which once, even in your own opinion, did honour to your youth; —before you had obliged Lord Granby to quit a service he was attached to; —before you had discarded one Chancellor and killed another. To what an abject condition have you laboured to reduce the best of Princes, when the unhappy man, who yields at last to such personal instance and sollicitation, as never can be fairly employed against a subject, feels himself degraded by his compliance, and is unable to survive the disgraceful honours, which his gracious Sovereign had compelled him to accept. He was a man of spirit, for he had a quick sense of shame, and death has redeemed his character. I know your

Grace too well to appeal to your feelings upon this event; but there is another heart, not yet, I hope quite callous to the touch of humanity, to which it ought to be a dreadful lesson for ever.

Now, my Lord, let us consider the situation to which you have conducted, and in which you have thought it adviseable to abandon your Royal Master. Whenever the people complained, and nothing better could be said in defence of the measures of government, it has been the fashion to answer us, though not very fairly, with an appeal to the private virtues of our sovereign. *Has he not, to relieve the people, surrendered a considerable part of his revenue? Has he not made the judges independent by fixing them in their places for life?*—My Lord, we acknowledge the gracious principle, which gave birth to these concessions, and have nothing to regret, but that it has never been adhered to. At the end of seven years, we are loaded with a debt of above five hundred thousand pounds upon the civil list, and we now see the Chancellor of Great-Britain tyrannically forced out of his office, not for want of abilities, not for want of integrity, or of attention to his duty, but for delivering his honest opinion in Parliament, upon the greatest constitutional question, that has arisen since the revolution.—We care not to whose private virtues you appeal; the theory of such a government is falsehood and mockery; —the

—the practice is oppression. You have laboured then (though I confess to no purpose) to rob your master of the only plausible answer that ever was given in defence of his government,—of the opinion, which the people had conceived of his personal honour and integrity. The Duke of Bedford was more moderate than your Grace. He only forced his master to violate a solemn promise made to an individual. But you, my Lord, have successfully extended your advice to every political, every moral engagement, that could bind either the magistrate or the man. The condition of a King is often miserable, but it required your Grace's abilities to make it contemptible——You will say perhaps that the faithful servants, in whose hands you have left him, are able to retrieve his honour and to support his government. You have publicly declared, even since your resignation, that you approved of their measures, and admired their characters, *particularly that of the Earl of Sandwich*. What a pity it is, that with all this approbation, you should think it necessary to separate yourself from such amiable companions! You forget, my Lord, that while you are lavish in the praise of men whom you desert, you are publicly opposing your conduct to your opinions, and depriving yourself of the only plausible pretence you had for leaving your sovereign overwhelmed with distress: I call it *plausible*, for, in truth, there is no reason what-

soever, less than the frowns of your master, that could justify a man of spirit for abandoning his post at a moment so critical and important, it is in vain to evade the question. If you will not speak out, the public have a right to judge from appearances. We are authorized to conclude, that you either differed from your colleagues, whose measures you still affect to defend, or that you thought the administration of the king's affairs no longer tenable. You are at liberty to choose between the hypocrite and the coward. Your best friends are in doubt which way they shall incline. Your country unites the characters, and gives you credit for them both. For my own part, I see nothing inconsistent in your conduct. You began with betraying the people,—you conclude with betraying the king.

In your treatment of particular persons, you have preserved the uniformity of your character. Even Mr. Bradshaw declares, that no man was so ill-used as himself. As to the provision you have made for his family, he was intitled to it by the house he lives in. The successor of one Chancellor might well pretend to be the rival of another. It is the breach of private friendship which touches Mr. Bradshaw; and to say the truth, when a man of his rank and abilities had taken so active a part in your affairs, he ought not to have been let down at last with a miserable pension of fifteen hundred pounds a year. Colonel Luttrell, Mr.
Onslow,

Onslow, and Mr. Burgoyne, were equally engaged with you, and have rather more reason to complain than Mr. Bradshaw. These are men, my Lord, whose friendship you should have adhered to on the same principle, on which you deserted Lord Rockingham, Lord Chatham; Lord Camden, and the Duke of Portland. We can easily account for your violating your engagement with men of honour, but why should you betray your *natural* connections? why separate yourself from Lord Sandwich, Lord Gower, and Mr. Rigby, or leave the three worthy gentlemen abovementioned to shift for themselves? with all the fashionable indulgence of the times, this country does not abound in characters like theirs; and you may find it a difficult matter to recruit the black Catalogue of your Friends.

The recollection of the Royal Patent you sold to Mr. Hine, obliges me to say a word in defence of a man whom you have taken the most dishonourable means to injure. I do not refer to the sham prosecution which you affected to carry on against him. On that ground, I doubt not, he is prepared to meet you with tenfold recrimination, and to set you at defiance. The injury you have done him affects his moral character. You knew that the offer to purchase the reversion of a place, which has heretofore been sold under a decree of the Court of Chancery, however imprudent in his
situa-

situation, would no way tend to cover him with that sort of guilt which you have wished to fix upon him in the eyes of the world. You laboured, then, by every species of false suggestion, and even by publishing counterfeit letters, to have it understood, that he had proposed terms of accommodation to you, and had offered to abandon his principles, his party and his friends. You consulted your own breast for a character of consummate treachery, and gave it to the public for Mr. Vaughan. I think myself obliged to do this justice to an injured man, because I was deceived by the appearances thrown out by your grace, and have frequently spoken of his conduct with indignation. If he really be, what I think him, honest, tho' mistaken, he will be happy in recovering his reputation, tho' at the expence of his understanding. Here, I see, the matter is likely to rest. Your Grace is afraid to carry on the prosecution. Mr. Hine keeps quiet possession of his purchase; and Governor Burgoyne, relieved from the apprehension of refunding the money, sits down for the remainder of his life, INFAMOUS and CONTENTED.

I believe, my Lord, I may now take my leave of you for ever. You are no longer that resolute minister, who had spirit enough to support the most violent measures; who compensated for the want of great and good qualities, by a brave determi-

termination (which some people admired and relied on) to maintain himself without them. The reputation of obstinacy and perseverance might have supplied the place of all absent virtues. You have now added the last negative to your character and meanly confessed that you are destitute of the common spirit of a man. Retire then, my Lord, and hide your blushes from the world, for with such a load of shame, even BLACK may change its colour. A mind such as your's in the solitary hours of domestic enjoyment, may still find topics of consolation. You may find it in the memory of violated friendship, in the afflictions of an accomplished prince, whom you have disgraced and deserted, and in the agitations of a great country, driven, by *your* councils, to the brink of destruction.

The palm of ministerial firmness is now transferred to Lord North. He tells us so himself, with the plenitude of the *cre rotundo*; and I am ready enough to believe, that while he can keep his place, he will not easily be persuaded to resign it. Your Grace was the firm minister of yesterday. Lord North is the firm minister of to day. To-morrow, perhaps, his Majesty, in his wisdom, may give us a rival for you both. You are too well acquainted with the temper of your late allies, to think it possible that Lord North should be permitted to govern this country.

try. If we may believe common fame, they have shewn him their superiority already. His Majesty is indeed too gracious to insult his subjects, by choosing his first minister from among the footmen of the Duke of Bedford. That would have been too gross an outrage to the three kingdoms. Their purpose however is equally answered by pushing forward this unhappy figure, and forcing it to bear the odium of measures, which they in reality direct. Without immediately appearing to govern, they possess the power, and distribute the emoluments of government as they think proper. They still adhere to the spirit of that calculation, which made Mr. Luttrell representative of Middlesex. Far from regretting your retreat, they assure us very gravely that it increases the real strength of the ministry. According to this way of reasoning, they will probably grow stronger, and more flourishing every hour they exist; for I think there is hardly a day passes in which some one or other of his Majesty's servants does not leave them to improve by the loss of his assistance. But, alas; their countenance speak a different language. When the members drop off, the main body cannot be insensible of its approaching dissolution. Even the violence of their proceedings is a signal of despair. Like broken tenants, who have had warning to quit the premises, they curse their landlord, destroy

stroy the fixtures, throw every thing into confusion, and care not what mischief they do to the estate.

JUNIUS.

NUMBER II.

SATURDAY, FEBRUARY, 24, 1770.

————— *A noble Freedom.*

Dwells with the brave, unknown to fawning sycophants,

And claims a privilege of being believ'd.

WHEN the M——s of G——y resigned his employments, the K—— said to him, “G——y, do you think the army would fight for me, the Marquis nobly replied, I believe Sir, some of your officers would, but I will not answer for the men,” From this, as well as from what Lord M——t declared in the House of Lords, viz. that if the people went one step further, it would then be necessary to call in a foreign assistance, we may easily judge of the disposition of the K——, and the advice given to him by his prostituted

tuted ministers. From this and many other circumstances we may conclude that his M——y rather than make any concessions to the people, would willingly s——e the lives of his subjects. But let him remember little dependance is to be put on a few mercenary troops, let him remember, it was an obstinate and perverse disposition in *Charles the first*, and a determined resolution to carry every thing by force, that brought him to the block; and the like proceedings in G——e the T——d may be attended with the like fatal consequence to him and his family.

The people of this kingdom, in degeneracy are capable of great things, in ruin formidable, and will not fail to exert themselves, should they be impoverished, betrayed, and abandoned. It is a grand mistake in the K—— who is raised to power on the shoulders of the people, to bid them defiance and treat them with contempt; as if the same power that paved the way to his advancement is not able to pull him down. Let him remember that government is not given to him for venal ends, nor power delegated to him for his own convenience or pleasures. Tho' his wages are noble, and his seat honourable among men, let him not forget that he is an accountable servant of the public's; and that a learned and inquisitive people are to be the judges of his actions. Are not at this time the gentle, and the generous, the
impartial,

impartial, and the humane, with concern obliged to condemn the inanimate disposition of their P——e. Did the omissions of his predecessors ever bring a stain upon this land equal to what has happened in this pusillanimous R——n. Is not the K—— of G——t B———n at this time laughed at and derided by every Prince in Europe, are not his C——ls held in contempt at every foreign Court. Is he not become the jest and scorn of those very states, whom our arms have more than once saved from certain ruin. Owing entirely to the weak and wicked policy of his minions, and his own ob———te will. Has he not been sufficiently apprized of these things by the *most* faithful of his subjects. Has he not been advised to dismiss from his council for ever, those men who have brought this disgrace upon him, has he taken any notice of this advice, no! on the contrary he has treated with the greatest contempt the dutiful and humble petitions of more than one hundred thousand freeholders of this kingdom, who are the principal support of his C——n and dignity. Has not the most shameful and infamous means been made use of to pack a Parliament, who are ready to fall in with the will and pleasure of the K——, and the most despotic and dreadful measures of his ministers (men whom he protects) and have not these men already given sufficient proof of their ductile and pliant disposition by destroying the very essence of English government and dissolving the

constitution, has not his M——— been acquainted with this, has he not been desired to dissolve this prostituted H——e of C———ns, and has he shewn the least willingness to comply with the request of his people; no, is it not therefore but too evident that all this has been done by or with his ad——e and co——nt. Has not a paymaster been suffered to leave the kingdom after imbezeling millions of the public money, and after he had been charged with robbing the nation. Have not the proceedings in the Exchequer against this pay master Henry Fox, Lord Holland, been stayed by the K——'s authority. Is not this proft———g his d——y as a S———n, to the vile purposes of protecting and screening his favourites from that punishment they too justly deserve from a much injured and incensed people. Was 800,000 l. spent at the last general election (in order to procure a majority, in the House of Commons,) as a proof of his œconomy which he has so vainly and f———y boasted of in every sp——h from the T———e, is this supporting the honour and dignity of his crown, a theme he so *fondly* dwells on, even in the midst of a long harangue upon the diseases of the horned cattle; do the people generously and willingly allow him near one million of money annually for these purposes.

In the reign of *Charles* the first, the people were not afraid to declare their sentiments upon public
me a -

measures, they were not afraid to declare their disapprobation of the King's arbitrary proceedings; some of the best essays and most spirited papers upon civil liberty, that ever appeared in this kingdom, were published in his reign. And shall it be recorded of this enlightened age, that Englishmen were so degenerate and regardless of their freedom; as to prefer ease and pleasure, to a bold and glorious defence of their liberty and property, against the designs of a self-willed P—e, and a corrupt H—e of C——ns, which at this time threatens the absolute destruction of the whole British Empire. If it was just to oppose the despotic proceedings of *Charles the First*, it must be equally just to oppose the like proceedings in G—— the T—.

The *Whisperer* is therefore determined, unawed by fear or persecution to lay before the public some of the arbitrary measures of this R—n, that fall little short of those which brought *Charles* to the block.

The K— in his younger days was under the absolute direction of J—n S—— t E—l of B—te, from whom he imbibed the most despotic principles, and it is easy to judge what sort of instruction he received, from his proceedings since he came to the T——e of these Kingdoms, for he had not been long seated in this new dignity; before he dismissed the most faithful servants of his

his great predecessor, who had been the means of raising his family, his partiality to *Scotchmen*, was presently discovered, he filled the first office under him with his *tutor*, and this minion soon obtained such an ascendancy over him that every place of profit or trust, in a short time was filled with his relations, creatures, or dependents such proceedings in the K— soon became very alarming, and this unjust and partial distribution of places, was presently the only topic of public conversation; the eyes of the public were soon opened by a weekly publication, exposing every measure of the minion; at length he became so enraged that he drew up a S—h which is called the K—g's S—h filled with the most apparent fal—ds, this S—h a few days after was taken notice of and dissected by the writer before mentioned; not as the S—h of the King, but as the Sp—h of his *favourite* L—d B—e. The K— however was weak enough to take it upon himself. The author (at least the supposed author) was apprehended by an illegal warrant, and confined close prisoner in the Tower; however he had recourse to the laws of his country, and was discharged a few days after by an *honest* man, who was then one of the Judges of England. The K— highly displeas'd at his enlargement, order'd his *Attorney-General*, a prostituted lawyer (Sir Bull-face double fee) to indict him as a libeller, the most unjust means were made use of to convict him,

him, a jury was packed for that purpose, and an arbitrary *Scot* sat in judgement against him, he was found guilty, and has since suffered a cruel imprisonment, and been four times unjustly expelled the H—e of C——ns.

The people dissatisfied and enraged at these despotic proceedings; and being desirous of seeing an injured man, assembled at the place where he was confined. The K— and his *minion* provoked to think he should be so much the object of public adoration, ordered, a party of the *Scotch* Regiment of Guards, to march to the prison and fire upon the people there assembled in a peaceable manner, which they did by order of a prostituted Justice of the Peace, without the least remorse and killed seven or eight persons. These *Scotchmen* were soon after thanked by the K— for the foul and premeditated murders they committed. One of these murderers it is true was taken and tried, but the K— employed his prostituted lawyers in this infamous business as in the former, and he was acquitted. Two others principally concerned in these murders, were suffered to escape (as justice *Killam* declared) and to desert the regiment they belonged to without being once advertised as murderers or deserters, and are now breathing the foul northern air with a pension of fifty pounds a year.

Some

Some months after this massacre, a vacancy happened for Middlesex, and the K— was determined to have one of his minions creatures brought into the H—e of C—ns and being very doubtful of success, the design of hiring a number of ruffians in order to intimidate the honest freeholders from voting for another candidate was communicated to the K— and he passed his R— word, more than three weeks before the election came on to the D—e of N— d and Sir B— P— that no person should suffer who acted according to the directions given by them or their agents. It can therefore no longer remain a mystery how Balf and M'Quirk obtained their pardon, nor can the public be any longer surprized at the determination of the infamous Company of S—s, who were called together for the purpose of enquiring into the cause of Mr. C—s death.

With respect to the Middlesex Election in April last, the Authors of the Whisperer declare to the public, that the K— was consulted upon that matter several days before the Election, and it was then determined by him and his m—rs that Lu—ll should be brought into the H—e of C—ns if he had only three votes. These are some of the equitable and just measures of government in this R—n. Such have been the halcyon of G—e the T—d.

T H E

T H E
L O R D S F I R S T P R O T E S T,

On Friday, the 2d of February, the following Question was moved.

*“ That the House of Commons in the exercise of its
“ judicature on matters of election, is bound to
“ judge according to the law of the land, and
“ the known and established law and custom of
“ Parliament, which is part thereof.”*

Upon a Resolution that the above Question should not be put, here appeared the following Protest against that Resolution,

D I S S E N T I E N T,

1° **B**ECAUSE the Resolution proposed was in our judgment highly necessary to lay the foundation of a proceeding which might tend to quiet the minds of the people, by doing justice at a time, when the decision of the other House which appears to us inconsistent with the principles of the constitution, and irreconcilable to the law of the land, has spread so universal an alarm, and produced a general discontent throughout the kingdom.

2° Because although we do not deny that the determination on the right to a seat in the House of Commons is competent to the jurisdiction of that House alone, yet, when to this it is added that whatever they in the exercise of that jurisdiction think fit to declare to be law, is therefore to be considered as law, because there lies no appeal; we conceive ourselves called upon to give that proposition the strongest negative; for if admitted, the law of the land (by which courts of judicature, without exception, are equally bound to proceed) is at once overturned, and resolved into the will and pleasure of a majority of one House of Parliament, who, in assuming it, assume a power to overrule at pleasure the fundamental right of election, which the constitution has placed in other hands, those of their constituents: and if ever this pretended power should come to be exercised to the full extent of the principle, that House will be no longer a representative of the people, but a separate body altogether independent of them, *self-existing* and *self-elected*.

3° Because when we are told that expulsion implies incapacity and the proof insisted upon is, that the people have acquiesced in the principle by not re-electing persons who have been expelled, we equally deny the position as false, and reject the proof offered as in no way supporting the position.

position to which it is applied. We are sure the doctrine is not to be found in any statute or law book, nor in the Journals of the House of Commons neither is it consonant with any just or known analogy of law, as not re-electing would at most but infer a supposition of the electors approbation of the grounds of the expulsion, and by no means their acquiescence in the conclusion of an implied incapacity. So were there is not one instance of a re-election after expulsion but Mr. Woolaston's, that alone demonstrates that neither did the constituents admit, nor the House of Commons maintain incapacity to be the consequence of expulsion: even the case of Mr. Walpole shews, by the first re-election, the sense of the people, that expulsion did not infer incapacity, produced as it was under the influence of party violence, in the latter days of Queen Anne. And in so far as it relates to the introduction of a candidate having a minority of votes, it decides expressly against the proceeding of the House of Commons in the late Middlesex Election.

4^o Because as the constitution hath been once already destroyed by the assumption and exercise of the very power which is now claimed, the day may come again when freedom of speech may be criminal in that House, and every member who shall have virtue enough to withstand the usurpation of the time, and assert the rights of the people,

ple, will for that offence be expelled by a factious and corrupt majority; and by that expulsion be rendered incapable of serving the public: in which case the electors will find themselves reduced to the miserable alternative of giving up altogether their right of election, or of choosing only such as are enemies of their country, and will be passive at least, if not active in subverting the constitution.

5° Because although it has been objected in the debate that it is unusual and irregular to either House of Parliament to examine into the judicial proceedings of the other, whose decisions as they cannot be drawn into question by appeal, are, it is said, to be submitted to without examination of the principles of them elsewhere, we conceive the argument goes directly to establish the exploded doctrine of passive obedience and non-resistance, which as applied to the acts of any branch of the supreme power, we hold to be equally dangerous; and though it is generally true that neither House ought lightly and wantonly to interpose even an opinion upon matters which the constitution hath intrusted to the jurisdiction of the other, we conceive it to be no less true that where under colour of a judicial proceeding, either House arrogates to itself the powers of the whole legislature, and makes the law which it professes to declare; the other not only may, but ought to assert its own right.

right and those of the people: that this House has done so in former instances, particularly in the famous case of Ashby and White, in which the first resolution of the Lords declares, "that neither House of Parliament hath any power by any votes or declaration, to create themselves any new privilege, that it is not warranted by the known laws and custom of Parliament." We ought to interfere at this time, as our silence upon so important and alarming an occasion might be interpreted into an approbation of the measure, and be a means of losing that confidence with the people which is so essential to the public welfare, that this House, the hereditary guardians of their rights, should at all times endeavour to maintain.

6° Because, upon the whole, we deem the power, which the House of Commons have assumed to themselves, of creating an incapacity unknown to law, and thereby depriving, in effect, all the Electors of Great Britain of their invaluable right of election, confirmed to them by so many solemn statutes, a flagrant usurpation, as highly repugnant to every essential principle of the constitution, as the claim of the Ship-money, by King Charles I. or that of the suspending and dispensing power by King James II. This being indeed in our opinion a suspending and dispensing power assumed and exercised by the House
of

of Commons, against the antient and fundamental liberties of the kingdom.

AUDLEY	TANKERVILLE
CAMDEN	FORTESCUE
RADNOR	KING
SUFFOLK	PONSONBY
ROCKINGHAM	MONSON
STAMFORD	HUNTINGDON
TORRINGTON	BUCKINGHAMSHIRE
ARCHER	TEMPLE
WYCOMBE	RICHMOND
CHEDWORTH	LYTTLETON
HYDE	FITZWILLIAM
SCARBOROUGH	COVENTRY
BOYLE	FRED. EXON
NORTHUMBERLAND	EFFINGHAM
TREVOR	BOLTON.
CRAVEN	MANCHESTER
PORTLAND	CHATHAM
THANET	ALBEMARLE
AYLESFORD	ABERGRAVENNY
BERKLEY	MILTON.
JOHN BANGOR	

THE

N U M B E R II.

SATURDAY, MARCH 3, 1770.

Potior visa est periculosa libertas quieto servitio,

SALUST. FRAM;

Liberty with danger is preferable to servitude with security.

THE P——s D——r of W——s not satisfied with keeping her son in leading strings, and directing every measure of government jointly with L—d B—e and the D—e of B——d, she was so lost to all sense of honour and shame, and so abandoned in principle as to sacrifice the peace, prosperity, and security of the English Nation in *one thousand seven hundred and sixty-two*; for the sum of *five hundred thousand pounds*, which she received from the Court of France; can the people of this country be safe under such baneful influence are Englishmen to remain quiet after being thus betrayed and sold by the K—'s m——r, are we to be deceived, abandoned and enslaved, by a German w—— and a prostituted Earl of the House of Stuart.

Let

Let it never be told in the streets of London. Did our forefathers scornfully disdain, and nobly refuse to wear the chains forged for them by *Charles*, the first, and *James* the second. And are we so degenerate, so dastardly as tamely to submit, to the yoke of slavery under a P——e of the House of B——k. Britons, rouse! rouse! from that state of lethargy you have too long been in, boldly assert your rights as freemen, and nobly defend your property. Is the name of *George* more terrible than *Charles* or *James*, are your liberties less valuable now, than in the days of those tyrants, is the tyranny of G——e the T——d easier to be borne, than that designed for our predecessors, by those princes. Is not arbitrary and despotic sway, the same now, as it was in 1649, or 1688. Be assured, the day is not far distant when, you will be involved in all the horrors of a civil war, unless timely prevented by a noble opposition to the dreadful measures now forming at Carlton h——e and St. J——es's, through the obs——cy and perv——s of the K—— and the treachery of his M—— and L——d B——te.

May every Highlander, such a Dow——r find
——That *E——l* to the *itch* be ever joined.

The K—— ought to remember, that his family came to the Crown of these Kingdoms by one
Revolu-

Revolution, and that it is possible they may loose it by another. For such measures as have been pursued by him and his ministers, and such a prostitution of public honours and employments in a prince seldom go unrevenge'd or unpunished. In order to make nobility compleatly infamous, we are now told that Sir F———r N———n, is to be Lord Chancellor, to have a peerage, and three thousand pounds a year pension in case he should be obliged to resign. Is he to be thus rewarded for prostituting his abilities as a lawyer and senator, Is he to be thus rewarded for betraying the liberties of the people, destroying the rights of Englishmen, and joining with that majority in the present, venal, abandoned and prostituted H———e of C———ns, who have dissolv'd the constitution.

Is the fountain of honour to be thus polluted by making *the* noble, thou venal wretch.

When in the tomb, thy pamper'd flesh shall rot,

And e'en by friends thy memory be forgot.

Still shalt thou live, recorded for thy crimes,

Live in her page, and sink to after times.

CHURCHILL.

The people of this country have now a blessed prospect before them; N———n is to be Lord
 Vol. I. F Chancellor,

Chancellor, Man——d is Chief Justice, one judge is, already turned out, to make way for another, rather more ductile and pliant. We have much reason to suspect; that his M—— intends to copy after *James* the second; who can tell but we may soon have a high commission court formed again in England, and a new Court of Star Chamber established; Bla——e must do as he is ordered, Ya——es, must follow the directions given by pale M——d, Man——d is ever ready to join in the dirty business of a court; the K—— is determined his will shall pass for law—and his M—— will be glad to get five hundred thousand pounds, by fines and imprisonment, it makes little or no difference to *her* how it is got, so as *she* gets it.

Lord North at the head of the Treasury, and Chancellor of the Exchequer; bloody Wey——th Secretary of State; the Duke of G——n behind the curtain, the K—— chief puppet. A corrupt majority in the House of Commons, devoted to the will and pleasure of the K—— and his ministers—a majority of Scotch P——rs and venal L——s in the other H——e, the R——l assent ready to be given to!—O blessed times! happy England.

The people of *England* have delegated all the executive power in the King, the legislative, in the King
Lords

Lords, and Commons, the sovereign judicature in the Lords, the remainder, is reserved in themselves, and not committed even to their Representatives: all powers delegated are to one great end and purpose, that is the public good. Now as all the three branches to whom this power is delegated, have inverted the design and end of their institution, the right they have to it ceases, and they are become tyrants and usurpers. The House of Commons have destroyed the rights of the Freeholders of England, the House of Lords have concurred with them in this invasion, and the King by a tacit approving this proceeding, which he ought to oppose. The original right of the people being overthrown, and the power of the representative which is subsequent and subordinate dies of itself, the constitution is dissolved of course.

And power retreats to its original.

It would be nonsense to suppose that which has all the greater powers, should not have the less.

Can the people's good be the chief end and aim of government, and the people's power be the last resort when government is overwhelmed by the treachery and errors of governors? and have the people no right, not so much as to be sensible

of the ruin of their liberties and property, till it is absolutely compleated:—it would be ridiculous.

The first invasion made upon our rights, either by the tacit or actual assent of the three estates, is an actual dissolution of the constitution, and the people have a right to dispossess the incumbent.

It is not the design of the Whisperer to lessen the authority of Parliament, but all power must centre somewhere, if it be in the three branches of the constitution 'tis there inherently and originally, or it is thereby deputation, if it is there by deputation, there must be a power deputing and that must be *prior*, and consequently superior to the deputed.

Therefore reason and justice allows; that when delegated powers fail or expire, when governors destroy the people they should protect, and when Parliaments become so corrupted as to betray the people they represent, the people themselves who are the *original* of all delegated power have an undoubted right to defend their lives, liberties and properties, against all manner of invasion or treachery either foreign or domestic.

The

The House of Commons are the abridgment, they are the Freeholders of England in miniature; to them all needful powers and privileges are committed, to make them capable of acting, for the people they represent; and extremities excepted; *they* are our last resort: but if they employ those privileges and powers against the people, the end is inverted and the power ceases of course.

The members of the present House of Commons having betrayed the trust reposed in them and violated the most sacred rights of the people. It now remains with the Freeholders of this kingdom (as they have petitioned the King in vain) to send up remonstrances to the throne, and if this peaceable method should fail; the people of this country have an undoubted right to associate for their mutual defence against these invasions of their liberties.

The people of England have a just right as well as a just power to oppose their Prince, or any Favourite of his, who endeavours to oppress and enslave them; and such an opposition never can be construed into a spirit of rebellion or anti-monarchical principals. It would be very difficult to find an instance where the people of England ever took up arms against their Prince but when forced to it through a necessary care of their liberties and the constitution.

It

It is to all intents and purposes, as much treason and rebellion against the known laws and constitution of this kingdom in a Prince, to pervert and abuse them or to break through them, as it can be in the people to rise up against him whilst he does his duty and keeps within their bounds. The constitution of this country, is a government of laws not of persons, *allegiance*, and *protection* are therefore inseparable; and if the one fails the other must fall of course. A Prince then who regards not the injuries and complaints of his people, nor gives himself any concern about the male practices of his ministers, is no less a tyrant, than one who rules by his own will.

We seem to be at the eve of some great event; whether it be such, as through a total corruption of manners and political principles, shall bury the crown and liberties of England in entire ruin, or, by exertions of public spirit, long smothered, vindicate both, and settle them upon more firm and lasting foundations, is the important doubt and alternative, which of these it will be, cannot with certainty, be determined; but while it continues a doubt; it becomes every honest man, who wishes well to the community, to awaken, call out, encourage, and dispose what virtue is left in the nation, if there should be sufficient found to save it; at least sufficient found to dignify our fall, and preserve

preserve the memory of England from sinking in future ages in the annals that shall be delivered of us.

T H E

LORDS' SECOND PROTEST.

At midnight the following motion was made,

*“ That any Resolution of this House, directly or
 “ indirectly impeaching the judgment of the House
 “ of Commons in a matter where their jurisdic-
 “ tion is competent, final, and conclusive,
 “ would be a violation of the constitutional right
 “ of the Commons, tends to make a breach be-
 “ tween the two Houses of Parliament, and
 “ leads to a general confusion.”*

After a very warm debate this Question was carried in the affirmative: whereupon the forty-one Lords named in our last, also signed the following protest.

DISSIDENTENT.

1^o **B**ECAUSE we apprehend that the rights and powers of Peerage are not given for our own particular advantage, but merely as
 con-

constitutional trust, to be held and exercised for the benefit of the people, and for the preservation of their laws and liberties and we should hold ourselves betrayers of that trust, unworthy of our high rank in the kingdom, and of our seats in this House, if we considered any one legal right of the subject, much less the first and most important of all their rights, as a matter indifferent and foreign to the Peers of this Kingdom.

2° Because by this resolution it is declared to the world, that if the House of Commons should change the whole law of election, should transfer the rights of the freeholders to copyholders and leaseholders for years, or totally extinguish those rights by an arbitrary declaration; should alter the constitution of Cities and Boroughs with regard to their election; should reverse not only all the franchises of suffrage which the people hold under the common law, but also trample upon the common law, but also trample upon the sanction of so many acts of parliament made for declaring and securing the rights of election; that even in such a critical emergency of the constitution, the people are to despair of any relief whatsoever from any mode, or direct or indirect interference of this House.

3° Because by this Resolution the House not only refuses to stand by the people, in case they should

should suffer the most grievous injuries from their representatives; but it abdicates its ancient and unquestioned province and duty of the hereditary council to the crown, rendering itself unable to give its advice in a point, in which, of all others, the King may stand in the greatest need of the wisdom and authority of the peers; a point such as the present, in which numbers of the constituents have, in a manner agreeable to law, carried up their complaints to the throne against their representatives.

4° Because by the said Resolution we do a most material injury to the House of Commons itself; the resolution, by the studied latitude of the words *directly or indirectly to censure*; puts it out of the power of the Lords to offer, either in the present or in any future unfortunate difference between them and their constituents, even in the way of friendly conference our amicable and healing mediation; the want of which may be a means of letting such difference run to extremities, fatal to the House of Commons itself, to the constitution, and to the nation.

5° Because we consider ourselves also, as an House of Parliament, to be most materially interested that the people should be legally and constitutionally represented; for as the House of Commons makes an essential part of parliament itself

that House should come to be chosen in a manner not agreeable to the laws and constitution of the kingdom, the authority of parliament itself must suffer extremely, if not totally perish; the peers can no more in their legislative capacity do any valid act, without a *legal House of Commons*, than without a *legal Prince upon the throne*.

6° Because by this resolution the constitutional controul has been given up, which this House, as appears by ancient and recent precedents, have constantly claimed and exercised; and for the purpose of which, the legislature has been divided into separate branches; we are far from denying such a reciprocity of controul in the other House, even in matters within our separate and final jurisdiction, neither arrogating to ourselves, nor acknowledging in others any power distinct from or above the laws of the land: but we cannot behold without the utmost *shame and indignation*, this House making a voluntary surrender of its most undoubted, legal, necessary, and sacred rights, not only omitting, but refusing to examine precedents; not previously desiring a conference with the other House to discover whether they were inclined to admit in this House a correspondent immunity from interposition on their part, in matters within the particular jurisdiction of the Peers. These proceedings, are as derogatory from the dignity of the House, as they are contrary

trary to its duty and its interest: they cannot fail of lowering this House in the opinion of mankind, who will not believe that the Peers can have any attention to the welfare of the people when they have shewn so little regard to their own honour. This resolution must tend to forward that *plan*, which with great uneasiness we have seen *for a long time systematically carried on* for lowering all the constitutional powers of the kingdom, rendering the House of Commons *odious*, and the House of Peers *contemptible*.

7^o Because the impropriety of this Resolution was infinitely aggravated, by the sudden and surreptitious method by which it was brought into, and carried through this House. That a resolution, new in matter, wide in extent, weighty in importance, involved in law and parliamentary precedents, should be moved at midnight, after the House was spent with the fatigue of a former debate: than an adjournment of only two days, to enable the Lords to consult the Journals on this important point, should be refused, and that an immediate division should be pressed, are circumstances which strongly mark the opinion of the movers upon the merits of their own proposition: such a proceeding appears to us altogether unparliamentary and unjust; as it must, in every instance where it is practised, preclude all possibility of debate, and when by this means all ar-

gument and fair discussion is suppressed, the deliberations of the House will degenerate into silent votes.

We think ourselves, therefore, as Peers, and as Englishmen and freemen, (names as dear to us any titles whatsoever) obliged to protest against a resolution utterly subversive of the authority and dignity of this House, equally injurious to the collective body of the people, to their representatives, and to the crown, to which we owe our advice upon every public emergency:—a resolution, in law unconstitutional, in precedent not only unauthorized but contradicted, in tendency ruinous; in the time and manner of obtaining it unfair and surreptitious: and we here *solemnly declare and pledge ourselves* to the public, that we will *persevere* in availing ourselves, as far as in us lies, of every right and every power, with which the constitution hath armed us, for the good of the whole, in order to obtain *full relief* for the injured electors of Great-Britain, and *full security for the future* against this most dangerous usurpation upon the rights of the people, which, by sapping the fundamental principles of this government, threatens its total dissolution.

The Publisher of the WHISPERER, is vastly obliged to the anonymous writer, of the letter sent on Thursday, but as he is no ways ambitious of being

being hanged; the author must excuse his not inserting it. If Mr. WILKES is in the danger he mentions; Mr. MOORE would advise the author to acquaint him of it in person. However if Mr. MOORE could believe there was the least truth in what he asserts; he would be the first to let Mr. WILKES know it.

N U M B E R I V.

SATURDAY, MARCH 10, 1770.

BRITONS, *awake! arise! at the voice of Liberty, of Truth and Nature: this voice is sounding through ENGLAND, and must be heard. Break the chains, which bind and disgrace you: CHAINS, that have been forged by tyranny upon the anvil of imposture.*

AFTER the K— had closeted, and prevailed on Mr. Y——e to accept the seals, he sent immediately for the D—e of G——n; and upon his entering the room, ran eagerly to him, and said with an exulting kind of joy, “G——n, I have done what all of you could not do. I have sent for Y——e, he has been here
here

here; and carried away the seals with him." Then, Sir, we are safe, replied the prostituted D—e; and shall be able to carry every thing agreeable to your *will*; there will be nothing wanting *now*, but a resolution in your M—— to support at all events the present ministry. They both gloried in the *venal* acquisition; and the K— told him he *would*, in spite of all opposition: even at the risque of his C——n and L—e.

The P——s D——r of W——s was immediately made acquainted with the *great* power, *firmness*, and resolution of her son, and almost fainted with excess of joy. The k— saw her two or three hours after, when she expressed her approbation of what he had done, in these significant words, — G——e you are *now* worthy of being called *my* son. In this manner, the K—, his M——r, and their minions, glory in their i——y; and seem determined to support, at the risque of their own security, and the peace of the English nation, the arbitrary and despotic measures they have adopted. Lord C——n was too honest for their purpose, he was violently forced out of his office; and the K— corrupted the integrity of Mr. Y—e before he could be prevailed upon to succeed him. The complaints and grievances of the People are not thought worthy the K—'s notice, he acts by
the

the advice of his M——r, and she insists upon it that he shall treat them with the contempt they *deserve*. Nay, she has even used threats; and explained to him the consequence of complying with the requests of the people, after he had been previously consulted upon the Mid—x E——n, and passed his word, that he would support the Min—try in it. She told him, if he gave way to these *clamours* he would certainly be deserted by those who meant to stand by him and by that means make himself appear infamous in the eyes of the world; and as for *her*, she should ever after hold him in the greatest contempt.

The flattering tongue of this infernal *Hecate* has artfully insinuated itself into the favour of her son, (through his w—k—s) and by false lights drawn him into measures, and connexions, derogatory to the honour of his C——n, and ruinous both to his family and to his subjects: but he must be very deficient in capacity, either as a ruler, or a rational creature, should he continue deaf to the Remonstrances of a people who are the origin of his power, the source of his riches, and the natural defence of his person, C——n and dignity: and become *like* Richard the *Second*, who risked the affections of his subjects, and brought his dominions into contempt, by supporting, or conniving at the proceedings of Lord Chancellor *Poole*, Chief Justice *Tressilian*, and the Duke of Ireland:
a wretched

a wretched Ministry! men raised from mean estates by special favour, and advanced to the degree of Privy Counsellors. Men of venal and corrupt principals, and infected with the insatiable itch of avarice, they despised the sovereign under whose authority they acted; neglecting the interest of the nation; exhausted the public treasure, and almost totally enslaved the people.

When these things were openly discovered, it was not the deep intrenchment of the Privy Council, nor those batteries, masked by the authority of the captivated King, that could defend them against the *righteous lips* of a perishing nation. Are the same proceedings in G——e the T——d and his Ministers to pass unnoticed, and the nation to be enslaved, at this day. Forbid it Heaven? The complaints of the people *must* be heard, their grievances *must* be redressed; if not, the C——n of England *must* expire under the miseries of anarchy; or the Liberties of the People perish in the horrible gulph of arbitrary power.

If the K—— would but peruse, and seriously consider the reigns of his predecessors, and the reigns of all former princes, he would clearly discern, that those, who placed their confidence in the affections of their people, and governed according to the established Laws of the land, were ever the most prosperous and happy; and that

that those, who through their own mistaken notions of government, or through the seducement of wicked ministers, (or wicked mothers) in order to escape the punishment due to their crimes, contended for an arbitrary power, and put their trust in mercenary troops, were always unhappy, inglorious, and infamous.

Let the K— look back to the times of Edward the *Tbird*, he will there see the miseries which attended that brave Prince in the first part of his Reign (when he was very young) through the treachery of his Mother, and the criminal connexion between her and *Roger Mortimer*, Earl of March; he will there find a striking picture of h—f, with this difference, *Edward* was wise and valiant, *he* is w—k and pu—. He will there see his M—r and L—d B— properly delineated. He will there see the unhappy condition of a Prince under the government of his *mother*. Let him exert the spirit of *Edward*, confine his M—r to a monastery, (where she may do Penance) and hang L—d B—e at Tyburn; then he will fulfill that *part* of his coronation oath, where he promises to *cause law and justice to be executed in mercy and truth, in all judgments when required.*

The WHISPERER would advise his M—y not to put any sort of dependance in the address
 VOL. I. H privately

privately handed about by Sir L———
D———s, from S———d, where they assure
him, 30,000 S———h are ready to assist him,
and join the 3d R———t of G———s, when-
ever requested. Will not history afford his
M——— numberless instances of mercenary
armies setting aside the legal succession of Princes
in a reigning family? Nay, of placing the
Crown on the head of one of a different house.
Besides, he must entertain a mean, and despica-
ble opinion of the spirit, courage, and bravery
of the English nation, to believe that 30,000
rebellious S———ts will ever be able to enslave this
country. O, unhappy P———e, to be thus
deluded, and deceived by the treachery of
Scotchmen, and the artifices of your M———r.
Be assured, Sir, if you seek any power to destroy
the liberties and constitution of this country, it
will prove fatal to yourself, and to your family.
The people of England will not much longer
remain passive under the present measures of
government. How debased? how contemp-
tible! must we be, should insensibility appear in
the midst of universal desolation.

The

The ADDRESS and REMONSTRANCE
of the Lord Mayor, Aldermen, Common
Council, and Livery of the City of London,
in Common Hall assembled.

To the King's most Excellent Majesty,

May it please your Majesty.

WE have already in our petition dutifully represented to your Majesty the chief injuries we have sustained. We are unwilling to believe that your Majesty can slight the desires of your people, or be regardless of their affection, and deaf to their complaints; yet their complaints remain unanswered: their injuries are confirmed; and the only judge whom the revolution has left removable at the pleasure of the crown, has been dismissed from his high office for defending in parliament the law and the constitution. We therefore venture once more to address ourselves to your Majesty, as to the father of your people, as to him who must be both able and willing to redress our grievances: and we repeat our application with the greater propriety, because we see the instruments of our wrongs, who have carried into execution the measures of which we complain, more particularly distinguished

guished by your Majesty's royal bounty and favour.

Under the same secret malignant influence, which, through each successive administration, has defeated every good, and suggested every bad intention, the majority of the House of Commons have deprived your people of their dearest rights.

They have done a deed, more ruinous in its consequences than levying of ship-money by Charles the First, or the dispensing power assumed by James the Second. A deed which must vitiate all the future proceedings of this parliament; for the acts of the legislature itself can no more be valid without a legal House of Commons, than without a legal prince upon the Throne.

Representatives of the people are essential to the making of laws; and there is a time when it is morally demonstrable that men cease to be representatives. That time is now arrived. The present House of Commons do not represent the people. We owe to your Majesty an obedience, under the restrictions of the laws, for the calling and duration of Parliaments: and your Majesty owes to us, that our representation, free from the
force

force of arms or corruption, should be preserved to us in them.

It was for this we successfully struggled under James the Second ; for this we seated and have faithfully supported your Majesty's family on the throne.

The people have been invariably uniform in their object : though the different mode of attack has called for a different defence.

Under James the Second they complained, that the sitting of Parliament was interrupted, because it was not corruptly subservient enough to his designs. We complain now, that the sitting of this Parliament is not interrupted, because it is corruptly to subservient to the designs of your Majesty's ministers. Had the Parliament under James the Second been as submissive to his commands, as it is at this day to the dictates of a minister, instead of clamours for its meeting the nation would have rung, as now, with outcries for its dissolution. The forms of the constitution, like those of Religion, were not established for the forms sake ; but for the substance. And we call God and men to witness, that as we do not owe our liberty to those nice and subtle distinctions, which places and pensions, and lucrative employments have invented, so
neither

neither will we be cheated of it by them : but as it was gained by the stern virtue of our ancestors, by the virtue of their descendants it shall be preserved.

Since therefore the misdeeds of your Majesty's ministers in violating the freedom of Election, and depraving the noble constitution of Parliament, are notorious, as well as subversive of the fundamental laws and liberties of this realm ; and since your Majesty, both in honour and justice, is obliged inviolably to preserve them according to the oath made to God, and your subjects at your coronation, We, your remonstrants assure ourselves that your Majesty will restore the constitutional government and quiet of your people, by dissolving this parliament, and removing those evil ministers for ever from your councils.

On Wednesday, at half an hour after eleven, the Sheriffs attended at St. James's, to know his Majesty's pleasure when he would be waited on with the City Address, Remonstrance, and Petition ; they waited till twenty minutes after two, when, the Levee being over, they, with the Remembrancer, were admitted into the Closet, when Mr. Sheriff Townsend addressed himself to his Majesty in the following words :

May

May it please your Majesty.

“By Order of the Lord Mayor, Aldermen, and Livery of the City of London, in Common Hall assembled, we took the earliest opportunity, as was our duty, to wait upon your Majesty; and, being prevented by one of your Majesty’s Household, who informed us, that it was your Majesty’s pleasure to receive us this day, wait on your Majesty, humbly to know when your Majesty will please to be attended with an humble Address, Remonstrance, and Petition.

To which his Majesty was pleased to return this ig——le answer.

“As the Case is intirely new, I will take time to consider of it, and transmit you an answer by one of my principal Secretaries of State.”

Is this the virtuous, the religious K—, who was to bring back the Golden Age, and to banish vice and impiety from the realm. How long is England to be the sport of Libertines and Tyrants.

—— ’Tis time we should decree
What course to take. Our foe advances on us,
And envies us, even Lybia’s sultry desarts.
Fathers

Fathers, pronounce your thoughts, are they still
fix'd

To hold it out, and fight it to the last?

Or are our hearts subdu'd at length, and wrought,

By time and ill success, to a submission.

N U M B E R V.

SATURDAY, MARCH 17, 1770.

T H E

C R I E S O F L I B E R T Y.

F O R A

R E D R E S S O F G R I E V A N C E S

VOX POPULI, VOX DEI.

THE K—— a tool of state,
The government arbitrary,
The c—— insolvent—— Elective.

Weak and distracted councils,
Profligate abandon'd ministers,
Curs'd minions of favouritism.

Taxes

Taxes and excise insupportable,
Placemen and pensioners innumerable,
Ministerial murders, *royal* accessaries:

A corrupt court, corrupt parliament,
Corrupt ministers, corrupt magistrates,
Corrupt judges, and corrupted laws,

Rich and oppressive monopolies,
Oppress'd and starving manufactories,
Colonies enslav'd, freedom expiring.

German wars, German subsidies,
German whores, Germaniz'd councils,
Germanic usurpations, EVILS accurs'd,

A plunder'd exhausted treasury,
State robbers unimpeach'd,
Pension'd and enobled.

Magna Charta, Habeas corpus,
Trials by jury, freedom of election,
Bill of Rights,—ALL violated.

Act of Settlement prostituted,
C———n oath broken,
Original compact dissolv'd.

Britons, patriots, friends of freedom,
 Sons of liberty, foes of tyranny,
 Hampdens, Sidneys, Cromwells, Britons,
 rouse.

Public grievances redress'd,
 The Bill of Rights confirm'd,
 Or another glorious r——n.

LEGION.

The constitution of England has ever been in danger, and often suffered in the reigns of those kings, who were inclined to arbitrary government; but the danger has been still greater, and the consequences more fatal, in the reign of a weak and pusillanimous prince, whose abilities were not sufficient to discern between right and wrong, between the vilest lies of fawning favourites, and the most sacred truths and remonstrances of honest and disinterested men.

The *vox populi* will be a long time before it can reach the ear of such a prince, and when it does, either through weakness or obstinacy, he will not be easily prevailed upon to remove from his council

cil a group of aspiring wicked ministers, who never fail to consult the passions and bent of his inclinations, rather than his interest, which must eternally be the same with that of his people, and whoever presumes to separate them, or to establish a measure seemingly beneficial to one, and at the same time clashes with the interests of the other, must be an enemy to both. We have had many instances of ministers worming themselves into their master's favour, and flattering him into an opinion that he had interests in every respect different from those of his subjects. Such were the ministers so far back as King Vortigern, who made that pusillanimous prince believe it would not be safe for him to depend upon the affection and loyalty of his natural born British subjects, to support and defend his crown and dignity, but to rely on the assistance of foreign mercenaries. The political maxim of such ministers is, that objects plain and simple are not fit for princes to behold: they will not suffer them to see things as they really are, but to view them through a ministerial medium, nicely adapted to the fine spun schemes of state jugglers, by which an administration the most wicked, venal and corrupt, may be supported; they will not let him see, they are for pursuing arbitrary and unconstitutional measures, illegal and oppressive taxations, invading the sacred rights and liberties of the people; misapplying the public treasure, by bribing venal time-serving

serving wretches to support their wicked schemes. They take care their prince shall not see or understand that all these measures are arbitrary strides and stretches of prerogative royal, beyond the bounds of law, reason, and common justice, and that they are necessary to support them in their tyrannical system of government; on the contrary, they represent his subjects as ungovernable and seditious, given to change, and pretending to have a right to privileges, no way consistent with monarchical government.

These fallacious and wicked arguments they insinuate into the mind of a weak prince, the consequence is, they seldom fail to bring on a catastrophe fatal to their prince and to themselves, which was the case of king Vortigern and his ministers.

The ministers of King John were of the same stamp; they advised that prince to send for aid from Flanders and Bretagne, and to allot Norfolk and Suffolk for the support and maintenance of his pretended foreign friends; but the arm of Providence was fortunately extended in defence of this nation: not less than sixty thousand of those foreigners were overtaken by a tempest and perished in their intended passage, to the great deliverance of the English nation; and it was happy for the king, his successors, and we that inhabit

habit this island; for in all probability had they landed safe, John's posterity would not have succeeded to the English crown, nor the present illustrious family been upon the throne.

Charles the Second, a prince of greater abilities and penetration than either of the former, was likewise made to believe by flatterers, that he had an interest to support different from that of his people; and was really brought to think so; for after he had heard many heavy complaints against his favourite, the Duke of Lauderdale, in the privy council, and was asked what he now thought of his Grace, immediately answered, "They have alledged many damned things he has done against his country, but none against my service."—In that he was grossly mistaken, for every thing done against his country proved in the end to be done against him and his family, which laid the foundation of the many evils this kingdom has since suffered.

These instances one might reasonably imagine would have deterred any future ministers, even for their *own* safety from steering a course so extremely dangerous to the king and kingdom, but so far from that, we have for some years seen administrations, formed one after another, under the influence of a Scottish favourite, or the vile dregs of his power, treading the same steps, and pursuing the same destructive measures.

Riches,

Riches, trade, and commerce, are nowhere to be found but in the regions of freedom, where the properties and lives of the people are perfectly secure, under wise and wholesome laws, oppression and slavery being the greatest enemies to industry, art, and science. Who will manure and cultivate his land, without a moral certainty of reaping some advantage by it to himself and family? will the manufacturer keep his looms employed, when the profits are not sufficient to support himself and dependants, when the materials of which the manufactory is composed are burthened with heavy and ruinous taxes, raised with no other design than to support interests diametrically opposite to the well being of the people, to feed the avarice and supply the wants of a luxurious and corrupt administration? we have borne many heavy taxes, and seen many encroachments on our liberties in the course of a few years: I need only mention two or three, the game-act is a notorious violation of the people's property;—the cyder-act was the most oppressive to the gentlemen and farmers of the cyder counties that has passed for many years, but they made a noble opposition to the instruments of their oppression.

This country has long laboured under venal and corrupt administrations, almost beyond description—we all know it, we all feel it. Are
we

we not obliged to bribery and corruption for passing so many unconstitutional acts, the confirmation of so many unconstitutional measures, and stretching the royal prerogative beyond its due bounds? such ministers are traitors to their sovereign, and enemies to their country, and by the constitution of England, have been ever deemed as such, and often brought to that disgrace and punishment which their crimes deserved. It can be no excuse for them to say they have the sanction of parliament for their unjust measures, for that is only saying "it is impossible the majority of a house of commons can be corrupt, or under the undue influence of a mal-administration. We all know, without going far back, that former representatives have been returned to parliament by the most open and avowed bribery.—Therefore, if the foundation is rotten, what can we expect of the superstructure. The civil list was but a short time since upwards of six hundred thousand pounds in debt, which proves to a demonstration what is here asserted, and shews how the entire approbation of the last venal and slavish parliament was obtained, when the preliminary articles of the late infamous peace were laid before that house, which must draw the contempt of all mankind on the wretched negociators of them, and will be an everlasting memorial of a weak, corrupt, and wicked administration.

N U M B E R VI

S A T U R D A Y, M A R C H 17, 1770.

*—Kings when they descend to Tyranny,**Dissolve the Bond, and leave the Subject free.*

TH E plan of arbitrary power laid down by Lord Bute, and infused into the King and his ministry more than ten years since, is now fully compleated, and effectually carried into execution. It is evident by the conduct of his Majesty, that he intends to set himself above the laws; and his ministry has been assiduously labouring for some time to make her family absolute; nay, she has openly professed these intentions to her minions. Whether the people of England will submit to the chains now forging for them, or preserve themselves free, is at present the great doubt and alternative. It is to be hoped there is yet some virtue left in the nation, and that Englishmen, fired with the noble spirit of their ancestors, will make use of that defence, which the laws of God and nature authorize.

The

The City of London have presented a Remonstrance to the King; but his M——y entertaining such high notions of kingly power, thought it *beneath* him to give any answer to it, at least only an evasive one. How long the people will suffer themselves to be trifled with, *laughed* at, and insulted, by their chief m——e, is not easily to be determined; we will hope at least, that the reception which the City Remonstrance met with at St. James's, will not deter the freeholders of England from following the noble example of the livery of London. And if after all, the united complaints of the whole collective body of the people should fail; if their grievances should still remain unredressed, and the K—— remain deaf to their cries; they will *then* have one remedy left, and a very *effectual* one; such a remedy as *Charles*, under the like circumstances, could not withstand, and *James* was forced to give way to, and abdicate three crowns. A remedy, though desperate, yet it has been often found necessary, and never *failed* of its desired effect: a remedy, that must once more, if applied to the terrible disorders of the state, make the crown of England shake. Our forefathers gloriously and successfully struggled under the tyranny of *Charles* the first and *James* the second; they exerted the noble spirit of Englishmen, and threw off the yoke; and it must be from a bold exertion of the same principle at this

time, that we can expect to be freed from the worst of all tyranny, that established by law. The most despotic tyrants of the house of *Stuart* were reduced to reason, and brought within the bounds of law; and it is a duty we owe our country and posterity to keep his present M—— within the same limits. He came to the crown of these realms by the general, the universal voice of the people, to rule over them under certain laws and restrictions; these laws he solemnly swore to observe, and to *execute justice in mercy and truth*. He was called to defend us against all invasions of our liberties as a *free* people. But far from an——g the great end for which he was chosen, he has wa——ly and per——y pursued measures which tend to the absolute destruction of the whole BRITISH EMPIRE; and entirely forgot his c——n oath, or wilfully committed p—— of the deepest dye.

Camps for the army are now forming round the town, and we may soon expect, like the enslaved *Americans*, to be butchered at the will and pleasure of mercenary hirelings, by order of the —— . The reign of *Nero* was a reign of injustice, oppression, bloodshed and cruelty.

S I R,

S I R,

I Believe there is no man, however indifferent about the interests of this country, who will not readily confess that the situation, to which we are now reduced, whether it has arisen from the violence of faction, or from an arbitrary system of government, justifies the most melancholly apprehensions, and calls for the exertion of whatever wisdom or vigour is left among us. The K—'s answer to the remonstrance of the City of London, and the measures since adopted by the ministry, amount to a plain declaration, that the principle, on which Mr. Luttrell was seated in the house of Commons, is to be supported in all its consequences, and carried to its utmost extent. The same spirit, which violated the freedom of Election, now invades the declaration and bill of rights, and threatens to punish the subject for exercising a privilege, hitherto undisputed, of petitioning the crown. The grievances of the people are aggravated by insults; their complaints not merely disregarded, but checked by authority; and every one of those acts, against which they remonstrated, confirmed by the K—'s decisive approbation. At such a moment, no honest man will remain silent or inactive. However distinguished by rank or property, in the rights of freedom we are all equal. As we are Englishmen, the least considerable man among us has

an interest, equal to the proudest nobleman, in the laws and constitution of his country, and is equally called upon to make a generous contribution in support of them;—whether it be the heart to conceive, the understanding to direct, or the hand to execute. It is a common cause, in which we are all interested, in which we should all be engaged. The man who deserts it at this alarming crisis, is an enemy to his country, and, what I think of infinitely less value, a traitor to his S——n. The subject who is truly loyal to the chief magistrate, will neither advise nor submit to arbitrary measures. The City of London have given an example, which, I doubt not, will be followed by the whole kingdom. The noble spirit of the metropolis is the life-blood of the state, collected at the heart from that point it circulates, with health and vigour, through every artery of the constitution. The time is come, when the body of the English people must assert their own cause: conscious of their strength, and animated by a sense of their duty, they will not surrender their birthright to ministers, parliaments, or kings.

The City of London have expressed their sentiments with freedom and firmness; they have spoken truth boldly; and, in whatever light their Remonstrance may be represented by courtiers, I defy the most subtle lawyer in this country to
point

point out a single instance, in which they have exceeded the truth. Even that assertion, which we are told is most offensive to parliament, in the theory of the English constitution, is strictly true. If any part of the representative body be not chosen by the people, that part vitiates and corrupts the whole. If there be a defect in the representation of the people, that power, which alone is equal to the making of laws in this country, is not complete, and the acts of parliament under that circumstance, are not the acts of a pure and entire legislature. I speak of the theory of our constitution; and whatever difficulties or inconveniencies may attend the practice, I am ready to maintain that, as far as the fact deviates from the principle, so far the practice is vicious and corrupt. I have not heard a question raised upon any other part of the remonstrance. That the principle, on which the Middlesex election was determined is more pernicious in its effects than either the levying of ship-money by Charles the first, or the suspending power assumed by his son, will hardly be disputed by any man who understands or wishes well to the English constitution. It is not an act of open violence done by the King, or any direct and palpable breach of the laws attempted by his minister, that can ever endanger the liberties of this country. Against such a king or minister the people would immediately take the alarm, and all parties unite to oppose him.

The

The laws may be grossly violated in particular instances, without any direct attack upon the whole system. Facts of that kind stand alone; they are attributed to necessity, not defend upon principle. We can never be really in danger, until the forms of parliament are made use of to destroy the substance of our civil and political liberties;—until parliament itself betrays its trust, by contributing to establish new principles of government, and employing the very weapons, committed to it by the collective body, to stab the constitution,

As for the terms of the Remonstrance, I presume it will not be affirmed, by any person less polished than a gentleman usher, that this is a season for compliments. Our gracious king indeed is abundantly civil to himself. Instead of an answer to a petition, his **M**——y very gracefully pronounces his own panegyric; and I confess, that, as far as his personal behaviour or the royal purity of his intentions is concerned, the truth of those declarations, which the minister has drawn up for his master, cannot decently be disputed. In every other respect, I affirm that they are absolutely unsupported, either in argument or fact. I must add too, that supposing the speech were otherwise unexceptionable, it is not a direct answer to the petition of the City. His **M**——y is pleased to say, that he is always ready

dy to receive the requests of his subjects; yet the sheriffs were twice sent back with an excuse, and it was certainly debated in council whether or no the magistrates of the city of London should be admitted to an audience. Whether the remonstrance be or be not injurious to parliament, is the very question between the parliament and the people, and such a question as cannot be decided by the assertion of a third party however respectable. That the petitioning for a dissolution of parliament is irreconcilable with the principles of the constitution is a new doctrine. His M——y perhaps has not been informed that the house of commons themselves have, by a formal resolution, admitted it to be the right of the subject. His M——y proceeds to assure us, that he has made the laws the rule of his conduct. — Was it in ordering or permitting his ministers to apprehend Mr. Wilkes by a general warrant? — was it in suffering his ministers to revive the obsolete maxim of *nullo tempore* to rob the Duke of Portland of his property, and thereby give a decisive turn to a county election? — was it in erecting a chamber consultation of surgeons with authority to examine into and supercede the legal verdict of a jury? or did his M——y consult the laws of this country, when he permitted his secretary of state to declare that whenever the civil magistrate is trifled with, a military force must be sent for, *without the delay of a moment*, and effectually employed? or was

it in the barbarous exactness, with which this illegal, inhuman doctrine was carried into execution? — If his M——y had recollected these facts, I think he would never have said, at least with any reference to the measures of his government, that he had made the laws the rule of his conduct. To talk of preserving the affections or relying on the support of his subjects while he continues to act upon these principles, is indeed paying a compliment to their loyalty, which I hope they have too much spirit and understanding to deserve.

His Majesty we are told, is not only punctual in the performance of his own duty, but careful not to assume any of those powers which the constitution has placed in other hands. Admitting this last assertion to be strictly true, it is no way to the purpose. The City of London have not desired the K—— to assume a power placed in other hands. If they had, I should hope to see the person, who dared to present such a petition, immediately impeached. They solicit their S——n to exert that constitutional authority, which the laws have vested in him for the benefit of his subjects. They call upon him to make use of his lawful prerogative in a case, which our laws evidently supposed might happen, since they have provided for it by trusting the sovereign with a discretionary power to dissolve the parliament. This request will, I am confident, be supported

supported by remonstrances from all parts of the kingdom. His M——y will find at last that this is the sense of his people, and that it is not his interest to support either minister or parliament, at the hazard of a breach with the collective body of his subjects.—That he is the king of a free people is indeed his greatest glory. That he may long continue the king of a free people, is the second wish that animates my heart. The first is, THAT THE PEOPLE MAY BE FREE.

JUN I U S.

A

W H I S P E R E R,
 E X T R A O R D I N A R Y,
 W E D N E S D A Y, M A R C H 28, 1770.

S I R,

THE reception of the city remonstrance yesterday and the bustle and debates that follow'd made so strong an impression on my imagination that it produced the following dream. Methought I beheld an August personage disrobed of all roy-

VOL. I. L *alty,*

ally, seated in private and beside him stood one whose garb and aspect bespoke the soldier, and whose looks were expressive of the honest sentiments which broke out into the following words, and for which (if they merit insertion) I request a place in your useful paper.

I am Sir your humble servant;

M A N L I U S.

Thursday, March 15, 1770.

S I R E,

“**W**HILE others of your subjects signify to you their wants or communicate their sentiments by means of a petition or through the channel of a minister, I am aware this mode of personal introduction is unusual, I hope, however, it will not be deemed unreasonable in one whose early days were devoted to the support of your royal ancestors, and the service of his country, who fought for them in the field and was honoured with some share of their confidence in the cabinet; let me add,—one—who as warmly loves your royal person, as he detests your ill advisers, and the means and measures adopted for the present conduct and support

support of government. I have been too intimately acquainted with the wisdom and the virtues of your illustrious predecessors to think *you* their descendant and representative, capable of inclining to the voice of flattery, to them it was ever odious and it's a language so entirely foreign to my heart that I must beseech your Majesty's acceptance for once of my honest sentiments divested of courtly embellishments and clad only in the rough spun dialect of the camp; but before I enter minutely on a discussion of the motives which influence my disapprobation, I must beg leave to take a retrospect of the commencement of your reign, and by a comparative view thereof with it's progress and present situation, evince to your Majesty the necessity of adopting another system."

When the demise of your illustrious grandfather had plunged the heart of every subject into bitterness of woe, the sorrowing nation proposed to themselves some consolation for so great a loss from the dawning virtues that dignified your royal character, "*born and educated in this country*" the native ensured to himself tranquillity and repose from your domestick disposition; the hardy Veteran flattered himself with protection, and fancied to himself he beheld in you the heroic steadiness which distinguished your glorious forefathers, the growing youth

was fired with admiration of your virtues and animated by your bright example, in short every tongue was lavish in your praise, and (what seldom happens) your subjects were in this respect alone unanimous; none among them, however, were more earnest or more solicitous to hold forth these virtues in the most conspicuous point of view, and to make you the earliest tender of their affection and allegiance than the citizens of London; with what pleasure have I beheld them on your Majesty's accession to the crown (the first and earliest on the occasion) throng the crowded streets in proceeding to your palace with addresses expressive of their love and loyalty to you, as well as gratitude to Heaven for it's choice of one in whom they imagined these virtues would be restored, which they had lost in your predecessor!— the rest of your subjects through the remotest parts of your dominions caught the flame of their example, governed as they ever have been and will continue to be by the sentiments of those more immediately witnesses of the conduct, and consequently best judges of the merits or demerits of the prince——thus stood the account, the balance evidently in your Majesty's favour, and your subjects in danger of becoming bankrupts from an inability of making any reasonable composition with Heaven or you, for the promised blessings if matters continued
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in their then happy and promising situation, but alas! how fatal and how much to be deplored is the change, the unhappy change?— with what regret have I, some months since, seen this same body of men, the first and most brilliant jewels in your crown—*the first*, as I observed, that led the way in acknowledging the blessings which attended the glorious onset of your reign, crowding to your palace in the same abundance but from far different motives—an enumeration of grievances already suffered, and apprehensions of still greater ones impending; how have I, in silent, mourned at seeing the time pass on without producing any attention to their petitions or any alleviation of their injuries? but how must this concern be increased at the proceedings of this day, the most inglorious and by far the most to be lamented of your reign? a day on which it was the unanimous will of above seven thousand of your faithful subjects that their chief magistrate and proper officers should wait on you with a repetition of their complaints, and a renewal of their solicitations for redress: this, *my liege* was no matter of favour, it was matter of right, coeval with our constitution and so intimately connected therewith, that where one fails, the other must of course fall; whoever advances or attempts to inculcate a different creed, is the greatest enemy of his prince, and
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the most daring rebel to those laws whereby he is secured in liberty and life.

Such, however, seem to exist, and a doctrine of this kind must have been ushered into light, or how could a difficulty be devised by the most inventive brain for protracting an access to your Majesty, and still all arts were essayed to prevent it, evasions beneath even the dignity of a Newgate solicitor were resorted to, and the meanest chicanery was not left untried; the spirited conduct of the sheriffs however surmounting the low cunning of the court, and proving an overmatch for the insulting myrmidons that guarded the out posts to your person, it was determined to try what efficacy the brow beating of a King would have, and for this purpose a reluctant leave (almost strangled in it's birth) enabled the Lord Mayor and proper attendants to lay the result of the common-hall before your Majesty; *they did so*, and—— but *here* let me pause and leave, for an instant, your loyal breast to an indulgence of those reflections which a mind dispassionate and not totally abandoned to sensibility should entertain —*here* let me pray the recording historian to draw a dash, and not disgrace, with the proceedings of this day, the English annals, which are not polluted with a similar transaction;

Think

Think not my prince that in the honest freedom of my words are couched either disrespect or disrespect, as your subject I owe you obedience, as the old servant of your family I owe you gratitude and attachment, but as an Englishman I must be fired with indignant warmth at what my eyes beheld this day—the respectable magistrates of the first city—the members of the first corporation in the world, grossly insulted and reviled in their approaches to you—made the jests of ministerial tools and stumpy lords in waiting—whilst, to crown all, the insults received confirmation from an answer ill fitting the dignity of him that spoke it, the severest libel that could be offered to his understanding, and a disgrace even to its fabricator, whose character was already scarce capable of additional disgrace.

Let me draw your Majesty's attention for a moment to consider who these same reviled and insulted persons are, for they seem, unfortunately for them, to have escaped your recollection; they are then those who were the chief agents in bringing about the revolution, those who procured that act of settlement which is your only title to the throne, those who have ever made the fortunes of your royal house their own; rose when it rose, and thought themselves tottering with every storm which seem'd to shake it.—

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Those in fine, whose purses were ever open as their hands and hearts were ready to oppose all enemies of the Brunswick line; such are the people, whom it was yours, or rather your ministers pleasure to dismiss unheeded and undressed,—Methinks too you seem elated with your success and derive a triumph from the mighty achievement of telling the most considerable, as well as respectable of your subjects, that they may breath their injuries to the zephyrs, or bellow them to the winds.—Your royal grandfather never seem'd more elated with the conquest of an enemy, than you seem with the hardy deeds of frowning on a complaining subject, or refusing a helping hand to him in the day of his distress;—but let me cheque the swelling exultation of your breast, and in all humility pluck the unbecoming laurel from your brow, it is not conquest, let it not be dignified with that appellation, and I can never offer so great a violence to my thoughts as to term it other than oppression.

If your Majesty or your ministers, did not think the citizens of London entitled to a redress of grievances, or a share of your royal attention, the common politeness of a court, as well as the rank of their magistrates, entitled them to be treated at least, with good manners, and tho' (from your duty to your mother, for in that the world

world allows you a merit even to a fault.) I can conceive some reasons why the most obscure ethniffaries of the most paltry borough in Scotland should be more graciously treated; still I can see none for their being more politely received; surely the city they represent is on a level with the borough of Flint, and the chief magistrate at least an object of as much esteem as the memorable Sir Richard Perrot: its true the offices he fills both in the city and the senate, render him incapable of amusing the young Princes at a game of taw, with so much dexterity as the worthy Baronet, but the errand he came on entitled him for the time to be treated with equal politeness.

I know my *liege* your ill-selected and designing band of state advisers, will attempt to suggest other sentiments and instill into your royal breast far different doctrines, by making you believe that the remonstrance was the result of an irregular and tumultuous *rabble*; that the principal head of their complaint obtained the sanction of your parliament, they may even go so far (for to them nothing seems impossible) as to make you think you are at the head of an army, that will second the designs of your favourites, and support you in this present mode of proceeding. These are the chief objections which have been started, I have mentioned

them as they occurred, and shall beg your Majesty's indulgence for the very few remarks which I apprehend necessary to prove their fallacy.

It is true, I have not the evidence of my own eyes to refute the objection to the regularity of the proceedings in the common-hall, for not being a liveryman, admission was denied me; but I go on much stronger grounds, the concurrent and most solemn assurances of above thirty very wealthy and respectable merchants of London, who to a man join in declaring, that of all the meetings in their time, this last was by far the most orderly and regular; a proper regard to peace and decorum was manifested, and strongly recommended by the Lord Mayor, in a speech well calculated for the purposes of tranquillity and good order, and becoming the dignity of a chief magistrate. The unanimity displayed in voting the remonstrance, shew'd the general sense of the injuries and grievances under which they labour, and cannot sure be strained into marks of disloyalty or disobedience to your royal person; partiality itself would hesitate in annexing such an idea to it; but if this objection required additional refutation, I think the general harmony and peace that universally reigned, are the strongest proofs that none but liverymen composed the hall, for it's a fact too well known,
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and by many too fatally experienced, that wherever ministerial bullies could of late insinuate themselves into public meetings, it became the fix'd system of state policy, to create tumults and riots, with a view of stigmatizing the regularity of the proceedings;—this, *Sir*, is not barely matter of assertion,—it is matter of record.

I am now come to the second head of objection, for the support of which a specious pretext cannot be form'd: the majority of your parliament, my *liege*, is not to be gather'd from the venal representatives of paltry boroughs in Cornwall, who like Swiss mercenaries will join the standard whence most emolument is likely to accrue;—it is not to be collected from influenced placemen or pensioners, but should be looked for among the unplaced, the unpensioned, the uninfluenced and independent, all of whom are unanimous in their disapprobation of the violated right of election, and in their complaints of the accumulated grievances which exist. There is not an individual possessed of a single sentiment, but sees why the constituent power was transferred from its proper channel, to the brawny arm of a *Balf*, a *Broughton*, or a *Mc. Quirk*; and but guesses why *Mr. Bailey's* petition and others of a similar nature were protracted, and *Mr. Moreton* and such other ministerial pack-horses, obtruded on the injured constituent, till the corrupt ends

of designing ministers were answered.—I say there does not exist an individual who can call one idea his own, but well knows on which side the fair majority lies—those who cannot are acquisitions of equal importance to one side as the other.

These are the only answers I shall make to these objections, which in my eyes are so far from having weight, that I think they are at first glimpse pregnant with their own overthrow, and evidently *felo de se*:—But lest it may be suggested to your Majesty, that you are at the head of an army sufficient to support your ministers in their oppression of the subject, and your Majesty in your countenance of such measures, I shall beg your gracious attention for a few remarks on that head:—and now granting the proposition, for an instant, its full force, does it not follow that such a step would be subversive of every principle of our constitution and government? would it not be resigning the title of the mild, benevolent and just sovereign of a free, for that of an oppressive tyrant of an injured people? is the assassins dagger or the cup of poison, the sure rewards of tyranny, to be placed in the scale against that affection and regard which your majesty has hitherto experienced from your subjects; the answers to these questions would be sufficient to impeach the eligibility of such a measure, but I shall anticipate the

the conclusions by declaring the proposition false : the case is far otherwise, and were your Majesty to try the experiment, you will find yourself in the same dilemma that *James* the second was plunged into on a similar attempt.—It's true the *third* regiment of guards may furnish some exceptions, but believe me by far the greatest part of your army would lay down their arms ; the hardy veteran too well knows the ends of his service are the protection, not destruction of his country ;—the raw recruit has too recently left home to be prevailed on to turn his arms against a people, partly composed of his family and friends. In short each generous breast would revolt at the idea, and your Majesty too late would learn not from speculation alone, but fatal experience, that allegiance and duty cease on the subjects part, when the prince withdraws his countenance and protection,

N U M B E R VII.

S A T U R D A Y, M A R C H 31, 1770.

THE celebrated *Monf. de Montesquieu*, in his *L'Esprit des loix*, speaking of the LIBERTY of the English nation, says, it will be lost when

when the *legislative* shall become more corrupt than the *executive power*. That the day is now arrived I believe no dispassionate man will deny. The H—e of C——s have given the most striking proof of their m——s, su——ty and c——on of any P——t that ever existed in this kingdom. The joint ad—s presented to the K—— on friday the 23d. Instant by the L—s and C——s filled with the most fulsome ad——n, fal——d and hy——y will remain upon record, an everlasting memorial of their v——ty; and must brand with infamy to the latest times, the names of those men who, could be mean enough, to sacrifice the liberties of England and the birthright of Englishmen, at the shrine of despotism, in compliance with the desires of a P——.

The K—— very modestly referred the remonstrance presented to him from the city of London, to both h——s of p——t. The remonstrants complain of a violation of the right of election, of an undue influence and corruption in the house of commons, and that the delegates of the people had betrayed their trust, and praying a dissolution of the present parliament. Was not this artifice of the —— and his m——s, the grossest insult ever offered by a P—— to the understanding of the English nation.

Will the same house of commons who voted the expulsion of a member elected and no way disqualified, who seated as a member of their house, a person not only *never elected*, but particularly obnoxious to those, he is pretended to represent, who found one lawyer to give his opinion there, in direct opposition to his own positive, written, printed opinion elsewhere, who found another lawyer base enough for a bribe, which enabled him to wind up his public course of iniquity, and to retire on the plunder of his country, to affirm the others judgment; contrary to his own knowledge and immediate conviction. Will this house of commons I say tread back its own steps, rescind its own resolutions, declare itself v—l, c—pt, unjust, and through repentance find its way to virtue? it is impossible, as soon shall lord Holland become poor and generous, the d—e of B——d honest and humble; and the d—e of G——n grateful and able; as soon shall lord Bute give up *his* country, lord S——h his whore, or mungo his impudence. As soon shall his—— make the laws of England the rule of his conduct, the p——s d——r of W—— become chaste and virtuous, or the d—e of C——d forget to be base and mean.

Had the parliament under *James* the second, been as ready to comply with the designs of that prince, as this p——t is to fall in with the
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views of his present ——— and his mi——rs; the people of this country would have been in a state of slavery almost a century ago; had our forefathers been as passive at that time, as we their descendants are at this, we should have sufficient reason to curse the day of our birth, and it is really to be feared, unless a proper spirit is exerted upon the present occasion, against the ar——y and ty——l measures of government adopted by the —— and his mi——s, that our posterity will have but too much reason to lament that they were born, and to load us with the most severe reproach: and we shall be branded in the annals of this country by the faithful historian, as degenerate, dastardly and base, unworthy the name of Britons, and little deserving the character we at *present* bear throughout the world of being a brave and free people.

Let me exhort you my fellow countrymen to defend your rights against the united efforts of k—g, lords, and c——ns, fix a resolution, determine to be free, or die gloriously, with the liberties of your country, let not the power of a misguided and perverse —— the pro——n of hereditary pee—e, nor the corruption of the h—— of c——s terrify you. Remember the first is no more than the ch—— m—— of England, he was placed upon the t—— by your favour, *you* support him; you have intrusted him
with

with every thing you hold dear and valuable, with your lives, liberties, and properties. He has a—— that t——t. The innocent blood of our fellow subjects has been cruelly and wantonly spilt. Our liberties destroyed, and the property of an individual has been taken from him. The second are made noble by the favour of princes in proportion to the in——s they have done their country, and the greatest part of them a burthen to the nation. The third are no more than your agents, your attornies; you have for your own conveniency intrusted them to act for you, if they betray that trust, they are enemies, they are traitors to their country. Remember you are engaged in the cause of liberty, the birthright of every man; in a cause that will do immortal honour to your memories; remember the day is arrived, there is no time to be lost, you must r——e, you must exert yourselves.

When peace and plenty smile upon a land, and things glide on like a gentle stream, with a smooth and unbroken course; a man who obeys the laws of his country, is justly reputed a good citizen. But is this a competent test, when the scene is reversed; when a nation is distressed, its liberties subverted, and a dangerous and despotic power assumed, which threatens a destruction of the whole constitution? no, such a crisis calls for a resolute and self-denying conduct: such times

demand a sacrifice of every private interest to the public good; and the man who has not virtue enough to make such a sacrifice; whatever he may think himself, is no better at the bottom than a disguised traitor. To survive then that integrity with which the liberty of my country must be supported, would consign me to universal contempt. The preservation of property, was the chief end of men's uniting themselves into commonwealths, under some particular form of government, and for the enjoyment of that property in peace and safety, it became necessary to establish a legislative power; and upon such a foundation, that whilst the constitution or form of government continued the same, the legislative should continue unaltered. And whether they by that original compact placed the legislative power in the hands of ten, thirty, or five hundred, it makes no difference. A constitution of some sort will be formed; a legislative power will be established; they will go hand in hand, stand or fall together; and an alteration in the one, must be attended with the sure and certain destruction of the other.

The frame of our government is made up of King, Lords, and Commons, which put together make but one entire government, though with respect to each other, they are separate parts of the constitution. And the preservation of this form

form of government in England, is owing to the care and virtue of our predecessors, who kept these three constituent parts of the political body, close to the rules of their institution, by restraining each to their proper bounds. And however these three parts may in other respects be considered, yet in regard to the legislative, they must act in conjunction. The assent of each to the making of laws is absolutely necessary; but the manner of giving their assent is very different in the people, from what it is in the King and the Lords. The people by reason of their numbers, cannot be personally present at the making of laws, their assent can no otherwise be given than by their representatives. The disadvantage the commons are under, in this respect, is in some measure made up to them by the care taken in forming our government; *that they should be truly and fairly represented.* But this great bulwark of the peoples liberties, the only guard they have against oppression and arbitrary power, has been destroyed by the corruption of ministers, who place the success of their administration, and security of their persons, not in promoting the public welfare, but in securing a *majority* in the house of Commons, to approve their measures, to supply them with public money, and to screen them from national resentment. Who would believe till — that there could ever be found a nation whose senators, intrusted with the legislative

power, were so divested of all honesty and shame, as to sell their country for any private emolument, and to hold a place, or a pension, or take a bribe, either to establish tyranny under the form of law, or to destroy that right on which depends the very being of the constitution,

I presume by this time I am stigmatized with some odious name, and represented by the present ministerial faction to be a disaffected person, and ready to join with the enemies of my country, This is generally their last resort, when they can no longer cover their attempts upon our liberties. Call me jacobite and I will despise thee, call me rebel and I will answer thee. Remember rebellion is an opposition not to persons, but to the authority in being; and let me add, that the only way to destroy dissatisfaction, and to prevent rebellions and *revolutions*, the constant concomitants in England of evil counsels, and absolute wicked measures, is by a wise administration and just proceedings in the senate, to convince the people, that they shall find their account in obeying and maintaining the present establishment. For it may be experimentally asserted, that a people harassed by the instruments of tyranny, always suspect them; and will be desirous to get rid of them; who obstruct their ease and content, and, as it was in king James the second's days they in like circumstances will be ready to make
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an interest with a new government, by betraying the old: and yet they shall no more deserve to be branded with the epithets, rebellious or disaffected, than they who fought for the liberties of England in 1641, or placed King William on the throne in 1688.

Let the people of this country join heartily in preserving the constitution of the state, upon its true and solid basis. Let them unite in the support of the just rights of the crown, and at the same time defend their liberties; oppose all usurpations, and endeavour in the most legal manner, to detect and punish all who dare to interpose between the King and the subject, so as to interrupt the harmony, on which alone the happiness of both depend. And this should be done while there is an ardent desire, and diffusive love of liberty among the people,

The people of this country, have frequently been reduced to bemoan the approaches of arbitrary power; and to complain of a usurpation upon their rights and privileges by corrupt ministers. Can any people remain silent when their representatives prostitute the power, committed to them by their constituents, for the public safety, to the vile purposes of enriching themselves, by sacrificing their trust to the will of a weak and wicked minion; such an unnatural traffic with
their

their liberties, leaves only the name of freedom; while by slow degrees, it brings on a lasting slavery. Or can a free constitution be out of danger, where one part of it attempts to destroy the energy of the other? or when the legislative power is corrupted by the executive. It was the want of integrity in the members of parliament, who sacrificed the liberties of England to the will of Richard the second, and laid the foundation for those depopulating and cruel wars, with which this land was made a field of blood for almost two centuries. A free people, may for a while, be reduced to the necessity of submitting, when their freedom has been so artfully invaded, as not to be prevented; or so forcibly, as not to be immediately resisted; but history will inform us, that such invasions seldom go unrevenged. There is no people that ever bound themselves over to another, without reserving a natural right to resist violent aggressors; and to use every legal method to maintain and recover that liberty, and to punish those who oppress them, according to the nature of their offence. This nation will furnish too many examples, in which there have been ministers of state, who without any regard to the true interest of the king and subject, and the honour of the nation abroad; and indeed without consulting the fatal consequences thereof, have ventured to try the dangerous experiment: dangerous to themselves; fatal to the throne, when a majority could
not

not be secured; and always ruinous to their country: the reigns of *Charles* the first, and *James* the second will afford sufficient proof.

The following Toasts are drank at *Carlton-House*, PALL-MALL.

Princess Dowager of }
Wales } The famous peace-
Duke of Bedford } makers in 1762, when
Lord Bute } it is said we were be-
trayed and sold to the
French.

Duke of Grafton prime }
minister } When we were depriv-
ed of our rights, at
the election of a mem-
ber for the county of
Middlesex.

Lord Weymouth secre- }
tary of state. } These two lords were
Lord Barrington, secre- } much interested in the
tary at War. } military operations in St.
George's - Fields on the
10th of May, 1768,
when young *Allen* and
several others were mur-
dered.

Lord

Charles Jenkinson, commissioner of the treasury and auditor to the prince of Wales.

Mr. Rigby, the present pay-master of the forces.

Colonel Luttrell, nominal member of Middlesex, tho' John Wilkes, Esq; is legally elected.

Mr. Justice Aston.

Mr. Justice Blackstone, and the

Bishop of Gloucester.

These are the junto that support and assist the councils at Carlton-house; consisting of old Tories, Jacobites, necessitous Scotchmen, and prostituted placemen and pensioners: from whom, if not soon remov'd, the people of England have every mischief to expect that possibly can befall them.

N U M B E R V I I I .

S A T U R D A Y , A P R I L 7 , 1 7 7 0 .

I N these times a man would be justified, was he to make use of the foulest language. His Majesty's ministers almost every day, give some new proof of their despotism, and of a fixed resolution to destroy the liberties of this country. Their influence in the House of Commons has already proved of the most fatal consequence to the English nation; the liberty of the press (the terror of traitors and oppressors) received from the House of Commons on Monday the 26th of March, a shock of the most alarming nature, but this is exactly of a piece with every other proceeding of the present parliament. No man would be surprized, if they was to address the King to issue a proclamation, forbidding all persons under pain of death to publish any political writings. The authors of the WHISPERER are not or will be intimidated from pursuing the plan they set out upon; they are conscious of having spoke the genuine sense of the majority of the people, (though perhaps to roughly for the *delicate* ears of courtiers.) Charles the second paid so little regard to the interests of the

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nation in his public conduct, and deviated so much from the rules of decency and decorum in his private department; he had dissipated his revenue with such scandalous profusion, that his government was grown into contempt and abhorrence. It was lampooned and libelled in public, and ridiculed in almost every society in the kingdom. He fell particularly under the lash of the politicians; and was so exasperated with the liberties taken with his person and administration, that he endeavoured to suppress all Coffee-houses, which were the places where those mal-contents used to assemble; and issued a proclamation, promising a reward to those who should discover the authors of libels and pamphlets written against the government. This step of Charles so far from having its desired effect, that it exasperated the writers of those times so much, that they wrote with still greater virulence. The present House of Commons, have improved the hint, and addressed the King to give directions to his *Attorney-general* to prosecute not only the *Author* or *Authors*, but the *Printer* or *Printers*, and *Publisher* or *Publishers*, of a printed paper intitled the WHISPERER, N^o. 5 and 6. The liberty of the press will never be suffered by the people of England to be trifled away by a House of Commons, the corruption of ministers, nor by the artifice and chicanery of Mansfield, Norton, or De Gray.

The

The liberty of the press is of such worth, that we can never know its value unless we should be unfortunate enough to lose it, then we shall discover ten thousand benefits flowing from it, which now we slightly pass over. When our pens are restrained, our tongues will soon undergo the same fate; no more free conferences or generous consultations for the public good! farewell the liberty of the press farewell liberty itself, the blessed lot granted by heaven to undeserving mortals; racks and tortures for the body, the constant attendants of superstition and bigotry will succeed, tortures for the mind, with stupidity and ignorance, want and poverty, and all the black train of slavery, and the dreadful symptoms of lost liberty.

When we feel the weight of oppression, to set forth our grievances, and publish them to the world, is an advantage which those who are free only enjoy; when public affairs are badly administered, justice perverted, wrong measures pursued, and destructive schemes projecting, to open the eyes of the public, warn the nation, and propose remedies, are the peculiar privileges of Englishmen. Where liberty reigns, there innovations in the state are scrutinized and considered, it is the greatest blessing of a people; had it not been for this, several schemes would have been authorized and passed into laws, which
 by

by this time would have enslaved England, had not men of spirit, men of intrepidity, lovers of their country, acquainted (by means of the press) their fellow subjects, and roused them to an opposition. It is a check upon ministers and judges when they know their actions, are liable to public inquiry.

This subject will be further discussed in a future paper, but as we have hitherto given to our readers the letters of the celebrated *Junius*. We are now indispensibly obliged to pursue the plan, by inserting his last in this number.

IN my last letter I offered you my opinion of the truth and propriety of his Majesty's answer to the city of London, considering it merely as the speech of a Minister, drawn up in his own defence, and delivered, as usual, by the chief Magistrate. I would separate, as much as possible, the King's personal character and behaviour from the acts of the present government. I wish it to be understood that his Majesty had in effect no more concern in the substance of what he said, than Sir James Hodges had in the Remonstrance, and that as Sir James, in virtue of his office, was obliged to speak the sentiments of the people, his Majesty might think himself bound, by the same official obligation,
to

to give a graceful utterance to the sentiments of his Minister. The cold formality of a well-repeated lesson is widely distant from the animated expression of the heart.

This distinction however is only true with respect to the measure itself. The consequences of it reach beyond the minister, and materially affect his Majesty's honour. In their own nature they are formidable enough to alarm a man of prudence, and disgraceful enough to afflict a man of spirit. A subject, whose sincere attachment to his Majesty's person and family is founded upon rational principles, will not, in the present conjuncture, be scrupulous of alarming or even of afflicting his sovereign. I know there is another sort of loyalty, of which his Majesty has had plentiful experience. When the loyalty of Tories, Jacobites, and Scotchmen, has once taken possession of an unhappy prince, it seldom leaves him without accomplishing his destruction. When the poison of their doctrines has tainted the natural benevolence of his disposition, when their insidious councils have corrupted the *Stamina* of his government, what antidote can restore him to his political health and honour, but the firm sincerity of his English subjects?

It has not been usual in this country, at least since the days of Charles the first, to see the sovereign personally at variance, or engaged in a direct altercation with his subjects. Acts of grace and indulgence are wisely appropriated to him, and should constantly be performed by himself. He never should appear, but in an amiable light to his subjects. Even in France, as long as any ideas of a limited monarchy were thought worth preserving, it was a maxim, that no man should leave the royal presence discontented. They have lost or renounced the moderate principles of their government, and now, when their parliaments venture to remonstrate, the tyrant comes forward, and answers absolutely for himself. The spirit of their present constitution requires that the King should be feared, and the principle, I believe, is tolerably supported by the fact. But, in *our* political system, the theory is at variance with the practice, for the King should be beloved, measures of greater severity may, indeed, in some circumstances, be necessary; but the minister, who advises, should take the execution and odium of them entirely upon himself. He not only betrays his master, but violates the spirit of the English constitution, when he exposes the chief Magistrate to the personal hatred or contempt of his subjects. When we speak of the firmness of government, we mean an uniform system of measures, deliberately

rately adopted, and resolutely maintained by the servants of the crown, not a peevish asperity in the language or behaviour of the sovereign. The government of a weak, irresolute monarch may be wise, moderate, and firm;—that of an obstinate, capricious Prince, on the contrary, may be feeble, undetermined, and relaxed. The reputation of public measures depends upon the Minister, who is responsible, not upon the King, whose private opinions are not supposed to have any weight against the advice of his council, whose personal authority should therefore never be interposed in public affairs.— This, I believe, is true, constitutional doctrine. But for a moment, let us suppose it false. Let it be taken for granted that an occasion may arise, in which a King of England shall be compelled to take upon himself the ungrateful office of rejecting the petitions, and censuring the conduct of his subjects; and let the City Remonstrance be supposed to have created so extraordinary an occasion. On this principal, which I presume no friend of administration will dispute, let the wisdom and spirit of the ministry be examined. They advise the King to hazard his dignity, by a positive declaration of his own sentiments;—they suggest to him a language full of severity and reproach. What follows? when his Majesty had taken so decisive a part in support of his ministry and parliament, he

had a right to expect from *them* a reciprocal demonstration of firmness in their own cause, and of zeal for *his* honour. He had reason to expect (and such, I doubt not, were the blustering promises of Lord North) that the persons, whom he had been advised to charge with having failed in their respect to him, with having injured Parliament, and violated the principles of the constitution, should not have been permitted to escape without some severe marks of the displeasure, and vengeance of parliament. As the matter stands, the minister, after placing his Sovereign in the most unfavourable light to his subjects, and after attempting to fix the ridicule and odium of his own precipitate measures upon the royal character, leaves him a solitary figure upon the scene, to recal if he can or to compensate, by future compliances, for one unhappy demonstration of ill-supported firmness, and ineffectual resentment. As a man of spirit, his Majesty cannot but be sensible, that the lofty terms, in which he was persuaded to reprimand the city, when united with the silly conclusion of the business, resemble the pomp of a mock-tragedy, where the most pathetic sentiments, and even the sufferings of the hero are calculated for derision.

Such has been the boasted firmness and consistency of a Minister, whose appearance in the
House

House of Commons was thought essential to the King's service;—whose presence was to influence every division;—who had a voice to persuade, an eye to penetrate, a gesture to command. The reputation of these great qualities has been fatal to his friends. The little dignity of Mr. Ellis, has been committed. The mine was sunk;—Combustibles provided, and Welbore Ellis, the Guy Faux of the fable, waited only for the signal of command. All of a sudden, the country gentlemen discover how grossly they have been deceived;—the minister's heart fails him, the grand plot is defeated in a moment, and poor Mr. Ellis and his motion taken in custody. From the event of Friday last one would imagine that some fatality hung over this gentleman. Whether he makes or suppresses a motion, he is equally sure of his disgrace. But the complexion of the times will suffer no man to be vice-treasurer of Ireland with impunity.

I do not mean to express the smallest anxiety for the minister's reputation. He acts separately for himself, and the most shameful inconsistency may perhaps be no disgrace to him. But when the Sovereign, who represents the Majesty of the state, appears in person, his dignity should be supported. The occasion should be important;—the plan well considered;—the execution steady and consistent. My zeal for his Majesty's

real honour compels me to assert, that it has been too much the system of the present reign, to introduce him personally, either to act for or to defend his servants.

They persuade him to do what is properly *their* business, and desert him in the midst of it. Yet this is an inconvenience, to which he must for ever be exposed, while he adheres to a ministry divided amongst themselves, or unequal, in credit and ability, to the great task they have undertaken. Instead of reserving the interposition of the royal personage, as the last resource of government, their weakness obliges them to apply it to every ordinary occasion, and to render it cheap and common in the opinion of the people. Instead of supporting their master, they look to *him* for support, and for the emolument of remaining one day more in office, care not how much his sacred character is prostituted and dishonoured.

If I thought it possible for this paper to reach the closet, I would venture to appeal at once to his Majesty's judgment. I would ask him, but in the most respectful terms, "As you are a young man, sir, who ought to have a life of happiness in prospect;—as you are a husband; as you are a father (your filial duties I own have been religiously performed) is it bona fide for
your

interest or your honour, to sacrifice your domestick tranquility, and to live in a perpetual disagreement with your people, merely to preserve such a chain of beings, as North, Barrington, Weymouth, Gower, Ellis, Onslow, Rigby, Jerry Dylon, and Sandwich? their very names are a satire upon all government, and I defy the gravest of your chaplains to read the catalogue without laughing."

For my own part, Sir, I have always considered addresses from parliaments as a fashionable, unmeaning formality. Usurpers, ideots, and tyrants have been successively complimented, with almost the same professions of duty and affection. But let us suppose them to mean exactly what they profess. The consequences deserve to be considered. Either the sovereign is a man of high spirit and dangerous ambition, ready to take advantage of the treachery of his parliament, ready to accept of the surrender they make him of the public liberty;—or he is a mild, undefigning prince, who, provided they indulged him with a little state and pageantry, would of himself intend no mischief. On the first supposition, it must soon be decided by the sword, whether the constitution should be lost or preserved. On the second, a prince no way qualified for the execution of a great and hazardous enterprize, and without any determined object in view, may never-

nevertheless be driven into such desperate measures, as may lead directly to his ruin, or disgrace himself by a shameful fluctuation between the extremes of violence at one moment, and timidity at another. The minister perhaps may have reason to be satisfied with the success of the present hour, and with the profits of his employment. He is the tenant of the day, and has no interest in the inheritance. The sovereign himself is bound by other obligations, and ought to look forward to a superior, a permanent interest. His paternal tenderness should remind him how many hostages he has given to society. The ties of nature come powerfully in aid of oaths and protestations. The father who considers his own precarious state of health, and the possible hazard of a long minority, will wish to see the family estate free and unencumbered. What is the dignity of the crown, though it were really maintained;—what is the honour of parliament, supposing it could exist without any foundation of integrity and justice;—or what is the vain reputation of firmness, even if the scheme of government were uniform and consistent, compared with the heart-felt affections of the people, with the happiness and security of the royal family, or even with the grateful acclamations of the populace. Whatever stile of contempt may be adopted by ministers or parliaments, no man sincerely despises the voice of the English nation. The house of commons are only interpreters, whose
duty

duty it is to convey the sense of the people faithfully to the crown. If the interpretation be false or imperfect, the constituent powers are called upon to deliver their own sentiments. Their speech is rude, but intelligible;—their gestures fierce, but full of explanation. Perplexéd by sophistries, their honest eloquence rises into action. The first appeal was to the integrity of their representatives;—the second to the King's justice;—the last argument of the people, whenever they have recourse to it, will carry more perhaps than persuasion to parliament. or supplication to the throne.

JUNIUS.

A

W H I S P E R E R,
E X T R A O R D I N A R Y;

W E D N E S D A Y, A P R I L 11, 1770.

A Correspondent having favoured us with the following letter, without either preface or comment, it is thus immediately presented to our readers.

S I R,

YOUR *Whisperer* extraordinary gave me so much satisfaction, that notwithstanding I am the least accustomed to deal in *dreams* of any creature in existence, on taking a nap the other afternoon in my elbow chair, my imagination was amused in the following manner.

I methought that by some means or other, perfectly consistent however with *visicnary* principles, I found myself conveyed into the bed-chamber
of

of royalty. The glimmering of a wax-taper enabling me to contemplate the *sleeping f——n*, I began involuntarily to exclaim—since monarchs are unexempted from the fatigues and the necessities of nature. It can never surely be possible for the utmost soothing of flattery, or the accommodations of magnificence to betray them, though but for a moment, into a doubt of their being *men*,—when my moral reflections were suddenly interrupted,—a supernatural brightness overspread the apartment, and a female of exquisite beauty entered—who approaching the bed, gently touched his Majesty's forehead with a white wand, and on perceiving he was awake thus addressed him.

Manifold as you may conceive the petitions already presented to you by your distressed people, I Sir, now appear before you with an additional one, and which though *last* allow me to assure you is in no degree the *least* important, —know then, that I am the *guardian genii* of POSTERITY; — nay never let the glow of health forsake your cheek,—I come not as an accuser, for thank heaven, *bad* as things may be, they are not yet *irretrievable*—my commission is therefore the commission of humble solicitation, and the *duty* of my appointment *respectful* though *spirited* remonstrance. I do not mean upon this occasion to consider the dignity of your exterior, but the

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benevolence of your interior character—for it is to little purpose that you possess the *power* of a Sovereign, if the *feelings* of a father cease to live in your heart, — Sovereigns have beheld unmoved the growing dangers to which their subjects have stood exposed;—but never did father yet refuse to rescue his children from the disgraceful fetters of slavery.

That I may not puzzle the cause I hold so dear, I must intreat your gracious permission to go back a little into the *origin* of public grievances; and however unpleasing, the continued changes that are rung upon one and the same subject, may prove to a mind unaccustomed to expostulating, only condescend to remember, that if it is owing to a continuation of the same m——l, the same insupportable measures, and you will not be disinclined to tolerate them.

It is a common, but believe me, an imputation most injurious to mankind, that their natural disposition is apt to incline them to a distrust and dislike of those who govern them—for so opposite is the fact, that it is evermore easy to discern in the people a kind of *bigotry* (if I may use the expression) in favour of such as have been placed in power over them, and which is incapable of being subdued but by more than ordinary ill usage—let me with all due submission ask if this bigotry could ever
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have been more strong or more obvious than within these last ten years in Britain, did ever Prince ascend the throne under happier auspices than your Majesty, nay notwithstanding by the influence of that great enemy of yourself and country the earl of Bute, even the year of your accession teemed with unprecedented evils—was not the people undivested of that spontaneous attachment that glowed in their hearts, and whilst they exclaimed against the minister the King held sacred. In vain did multiplied attacks upon their property, their interest, their convenience, and their liberties, endeavour to rouse them from their seeming lethargy—they beheld progressive violations of their rights, rather with smiles of contempt, than apprehension, hoping to find when the measure of his lordships iniquity should be compleat, that the hand on which they rested all their confidence, would indignantly cast of the m——r it had cherished, to the hazarding the safety of the g——nt and the alienations of the peoples affections. But unfortunately while complimenting their sovereign, they were weaving the web of their own destruction, whilst they deliberated, this thing of a lord, as insolent in office, as servile in his method of worming himself into it—had the address to bring himself in competition with the whole kingdom.—None but his creatures had access to the ear of royalty, no wonder therefore that it was so grossly abused—

and that the voice of a few despicable hirelings should be *mistaken* for the voice of the judicious, the well-affected and the majority of the public.

On this wretched axis it is most apparent every calamity incurred by your country has turned—nor is there an impending one, that is not destined to undergo the same revolution. But fire, let me exhort you to reflect before it is too late, how disproportionate the *league* in which you are engaged with. A man, for whatever puppets may be occasionally played off upon the public credulity lord Bute is still the fatal premier, I repeat a man whose actions has rendered him obnoxious to one kingdom, and whose treasure can purchase him the protection of another, how ever desperate he may appear, has his sure refuge in store for himself and family,—when no longer able to continue in England, the bosom of France will *gratefully* receive him—and it is no unfair conclusion, that the mind, capable of being so active in destroying, should be capable of exulting in all the consequential horrors of destruction.

When *Charles* the first commenced hostilities, where it would have been no less his best security, than it was his duty to act a very different part, both the sovereign and the subject were far from foreseeing the dire event—the opposition was originally an honest one—the rights of the constitution invaded, the constituents were justly alarmed

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to be passive on some occasions is to be vicious, but the wiser few were dropped into their graves, before the *wicked* dared to shew their heads—a race of fanatics with a sensible villain for their leader, struck a stroke, that the injured, the loyal, though complaining part of the community would have shuddered at the bare idea of.

Charles had his parental virtues,—had I but been permitted to have appeared to him in due season, tenderness for his own *posterity* would have incited him to have listened to the general claim and consequently not only saved him from error but saved him from the block. Where is the man that can answer for the consequences of desperation, should this kingdom ever be enslaved—to what asylum, let me ask you, could the darling objects of your paternal attention fly,—when the galling chain encircled every other neck, and the dark page of history bore testimony to the hand that had fitted it, can you flatter yourself that resentment could be stifled or expect the beloved offspring of your body to be exempt from the general wreck—I see you tremble, I perceive the conflict between imaginary and real duty—but beware of delays,—let the now rising sun behold you embarking in the glorious work of redemption; nor suffer one tardy instant to counter-act your labours—admitting that the present generation have been wrong, the present generation have

have been greatly provoked—or if that is not a sufficient plea, *they* have had their punishment also——let it not then reach the innocent——arise and view your children——and in their danger read the danger of millions——prove yourself at once a natural and a royal parent——cause the succeeding part of your reign to be as salutary, as your ministers have rendered the preceding oppressive; and receive in return the inexpressible delight of knowing that the lips of infancy are employed in blessing the saviour of his *own* and their country.

Yet that you may not deceive others, do not deceive yourself—it is not the partial concessions, or partial reformations, that can avail, the present conjuncture the only certain mode of correcting dangerous errors is to *eradicate* them. Be it therefore your earliest care to heal the wounds the constitution has sustained in its very vitals, its elective branch——drive far from your presence all such as have either directly or indirectly precipitated you, to the precipice on which you now stand——extinguish every spark of despotism, your enemies and the enemies of the community have laboured to kindle in your naturally benignant soul; and adopt it for an infallible maxim, that whips, rods, and defiance, however necessary in a land of slavery, only exasperate and render intractable the sons of freedom. When you have proceeded

proceeded thus far, your toil will insensibly cease, the *guardian* must be the *friend* of his people—though so repeatedly repulsed, your subjects with all gratitude, as hitherto with all submission and loyalty will press to the throne and those smiles of condescension and benevolence, which they have not *lost* the remembrance of, though for such a length of time so unhappily excluded from, will reward all their past sufferings. As I have already observed, when speaking from the same feelings, it is not possible to avoid speaking *almost* the same language. Yet that all the addresses, petitions, and remonstrances have been confined to the living calamity is most undeniable, though be assured great Sir, that the living calamity is trifling, to those generating for miserable futurity—and shall the most merciful of King's be the most cruel, shall he who is ever ready to spare the forfeited life, be deaf to the prayers of helpless innocence, or insensible to the impending miseries of the yet unborn—shall that name that was once so dear to every heart, the British King, be handed down to posterity, only as a name of terror, and shall the royal and plebian descendants of this unfortunate period equally experience the wretchedness of national contentions, be equally confounded in the day of foreign invasion, conquer and triumph over a misjudging a divided and an unguarded people.

At

At this instant a favourite squirrel of my wife's having broke its chain leaped upon my shoulder; I own I was sorry to lose the scene so abruptly, but calling for pen and Ink, I resolv'd to give you all I could retain uncontaminated by self opinion and unwarn'd by prejudice—And should you think my letter worth a place in your Paper you may perhaps hear again from

S I R,

Your humble Servant,

A B R I T O N.

N U M B E R IX.

S A T U R D A Y, APRIL 14, 1770.

E L E G Y,

To the Memory of the late King.

PEACE to thy royal shade, illustrious King!
 Sleep sweetly on, beneath thy blazon'd tomb:
 Nor yet be startl'd, tho' a tale I sing,
 Might call up spirits from the Stygian gloom.

How

How blest were once, the subjects of thy sway!
 And blessings still they hop'd from such a root:
 But lo! the flattering prospect, fades away;
 Keen, northern blasts, have spoil'd the promis'd fruit

The darling idol of the British state,
 A native Prince, on whom we counted high,
 No sooner mounted on thy vacant seat,
 Than joy began to smile in every eye.

But ah! how dark, are fates mysterious ways!—
 In error's mazes, how are mortals led!—
 Blasted the wreaths, and wither'd all the bays,
 We fondly wove to crown his regal head.

The partial minion fraught with subtle wiles,
 Soon gain'd his confidence, by hellish art:
 Nor, can the nation's censures, nor her smiles,
 Convince his judgment, or reform his heart.

Alas, how blind to fortune, and to fame,
 Must be the PRINCE, who hugs within his breast,
 A foe, that always cavil'd at his claim,
 And strove, the sceptre from his hand to wrest!

Yet, such there is (ye Heav'n's forgive the sight;)
 Nor can a Junius, wake him from his dream;
 In vain the people pray,—the patriots write,
 He nods supine, o'er Tweeda's tainted stream.

Ill-fated hour, when on thy tender youth,
 The northern star, its baneful influence shed;
 Turn'd all thy footsteps, from the ways of truth,
 And mark'd to vengeance thy devoted head.

Can nothing rouse thee? *nothing* 'wake thy soul?
 O! may some vision of the midnight hour?
 Some dying *Charles* before thy fancy roll!
 And teach thee goodngs, equal to thy power!

Remember Sire, (or, if thou hast not read,
 Turn o'er the sad, but wise historic page)
 There was a people, sold their princes head;—
 And there are villains born in every age.

O then awake; the voice of truth attend!
 And, tho' the novel-sound may grate thine ear,
 Resolve, at last to be thy country's friend;
 For all thy peace and safety, centres *there*!

'Tis Heav'n that speaks: and, tho' thou art a King,
 In spite of fraud, in fawning flattery's spight,
 Thou soon or late, shall own the truths I sing;
 For, *all* thy conduct, must be brought to light.

And what a weight, thy lab'ring soul will press!
 How wilt thou stand, amid the dark despair;
 When millions tell thee, all their deep distress,
 Could never pierce thine adamantinè ear.

In time, be wise; drive *traitors* from thy breast;
 And let the *just*, the *bonest*, round thee move;
 So, shall the *sinking state* once more be *blest*,
 And *thou* be happy, in thy *peoples love*.

C. L. I. O.

To the Author of the WHISPERER,

S I R,

BEING one of those unsettled mortals that travel up and down the world under a pretence of improvement, but who, in reality go for no other reason, than because they cannot fix in any particular spot, curiosity led me among other places to Naples. Thence I ascended the summit of Vesuvius and after explored the depths of Herculaneum, every part of which last place, I was particular in examining; when to my no small surprize, I met with a thin plate of metal so incrufted by time, that I could not tell of what kind it was, but being desirous of bringing something away with me, as a proof to my friends, that I went not so far to no manner of purpose, I took it to Naples, and on my return home brought it to England. Since I have been here, which is now about two months, I have chiefly employed myself in taking of the rust, which I have at last

done, and am not ill rewarded for my trouble, It proves to be a piece of brass, on which the following lines in latin are engraved, but which I have translated and sent to you for the entertainment of the curious: if you think them deserving a place in your paper, they are much at your service.

I am Sir, your humble Servant,

C A T O.

P. S. I intend to date the plate June 4th. 1770. and send it to the Museum as an addition to the collection there deposited.

A Speech of BRUTUS to the
Roman Senate.

— *Veluti in Speculum.*

A F R A G M E N T.

AT this alarming season, when men in power are, through views of interest and ambition, sapping the constitution, and undermining the foundation of the *empire*, it is incumbent on, nay, 'tis the *duty* of every man boldly to stand forth in it's defence.

defence. I know it will be said, indeed it *has been* said that senators in opposition are no other than incendiaries; who set fire to a house in order to plunder it during the general distress, and riot in the confusion; but when we consider that such persons have by a timely and spirited conduct, often roused the people from a state of insensibility in which they supinely lay for ages before, and led them on to *liberty*, that glorious prerogative of *Romans*; when we consider that it is to *them* we owe some of the greatest blessings we enjoy; the idea of *incendiary* immediately brightens into that of *protector*, and where we dreaded an *enemy*, we find a *friend*. If he does set fire to a house, 'tis but to stop a spreading contagion, that would otherwise destroy the whole city.

Under this notion of things, shall I be afraid to say, that unless some bold, some resolute, nay some *desperate* step is taken, and that immediately, the constitution of this country, that constitution which received it's birth from the virtuous struggles of our ancestors, will inevitably expire?—shall I be afraid to say, that unless we all to a man, instantly put forth an arm to support the falling fabrick, it will be presently too late, its towering top will be levelled with the ground, and all that is dear and valuable to us be buried in its ruins?—no, my friends, let us look upon ourselves as men, equally interested in the public cause with those who have
the

the direction, let us not fear to approach the throne and pour out our complaints before it; let us not fear to tell the *Emperor*, that he is deceived nay *duped* by his servants, that tho' smiling in his face, they are secretly putting the knife to his throat; let us not fear to *remonstrate* and *make* him know, that 'tis the duty of an *Emperor* to see with his *own eyes* and hear with his *own ears*, that the end of sovereign power is, that *all* may be happy under the vigilance of *one*, and not that *one* should prey upon *all*, that *abuse of power* betrays a *baseness of soul*, and that 'tis an act of *cruelty* to oppress the wretched, who have nothing but their cries or their tears to defend them; that nothing is so *noble* as greatness and goodness united, and nothing so *ignoble* as that savageness of disposition which often prevents greatness from respecting human nature, when not disguised by some worldly pomp. In short, let us not dread to tell him, that if the nobles of the realm owe *their* greatness to him, he owes *his* greatness to a master, in whose presence Kings are even less than nothing, and to whom he is responsible for all the evil, that any by his means, shall commit.—Excellent was that advice of Tully to his friend. “If you should ever come to be in authority, says he, employ no wicked person in any of your affairs; for whatever faults he commits, the blame will be sure to fall upon you.”

If all this will not do, we have no alternative left, 'tis incumbent on us to take the field; shew ourselves *brave*, where bravery is required, and *dare* to be resolute in cases of necessity. Our *predecessors* led the way, *we* have nothing to do, but to *follow*.—Where would have been *liberty* and *property*, if it had not been for the *resolution* of our ancestors? they stood forth in the glorious cause, and many of them secured it to posterity by their *blood*.—shall *we* then *tamely* submit to have those privileges for which *they fought* and *fell*, ravished from us by a set of banditti, a lawless tribe of men, who call themselves *senators* or *ministers*, and who taking advantage of their prince, are ravaging and laying waste their country?—shall it be said in after times, that the year * * * * was less glorious than former times, and that as the age grew more and more *enlightened*, it became more and more *pusillanimous*?—shall we put it in the power of a *child* to say, when *our* heads are low in the grave, “such and such privileges my great-grandfather purchased with his life and bequeathed to his son, that son preserved them pure and left them to my father, but he, (confusion to his memory) sat quietly by his fire-side, while the raver plundered him and entailed beggary and slavery upon his offspring?”—no, my fellow-citizens, it must not, shall not be; we have as much *virtue*, and I hope, as much *resolution* as our forefathers; as great if not greater privileges to contend

tend for, and as great necessity for doing it: arm then yourselves and come forth;—Cæsar shall no longer tyrannize, but feel to his cost, that he reigns over a free, a gallant people; a people who pride themselves in their *loyalty*, while their prince is gracious, but who will glory in *rebellion*, when rebellion is necessary to tumble down a tyrant. Follow me, Brutus will lead you on.—

Cæsar defunct.

N U M B E R X.

SATURDAY, APRIL 21st, 1770.

To the Author of the WHISPERER.

S I R,

I am well informed that his Majesty reads your papers regularly every week. You will therefore oblige me, (and I hope all that part of my fellow subjects, who really wish well to their king and country;) by inserting the following remonstrance. I am Sir, your constant reader,

April 17, 1770.

L. W.

S I R E,

WITH a heart truly sensible of the many blessings which the people of this kingdom have enjoyed ever since the happy accession

tion of your illustrious family to the imperial throne of these realms; blessings which were bequeathed to the present generation pure and untainted, by your royal predecessor. Permit one of the most faithful and most loyal of your subjects, born in the great capital of your kingdom, and who had the pleasure to join in the loud acclamations of a grateful people, when your Majesty ascended the throne of your royal grandfather, with all due submission to approach your sacred person, and to expostulate with your Majesty on the various causes which have contributed to damp, that universal spirit of joy and exultation, which diffused itself throughout your extensive dominions at that happy period; and to account for the many disagreeable events which have since arisen to disturb your royal breast; and to interrupt that repose and tranquility, you might expect to enjoy; after having terminated (but suffer me to say ingloriously) the most successful war, that was ever carried on by this or any other kingdom, a war that must have humbled in the dust (had it continued but one year longer) the old inveterate enemies of this your native kingdom.

No expression shall be found in this remonstrance to wound the ear of Majesty, nor shall one unfavourable sentiment tending to infringe on the just prerogatives of the crown, or to lessen

the dignity of government, escape me,—but at the same time I will be bold enough to assert and maintain such truths, as a *good* king will ever listen to with attention, and with no other emotion, than such as may proceed from a firm, spirited resolution to remove from his councils, and from the administration of government every set of men, without *exception*, however dignified, distinguished or *allied*, through whose inability, venality and servility, the fame and honour of Great Britain has been sullied on the continent, by whom the revenues of this kingdom have been exhausted and brought into such a deplorable situation, as to endanger that very delicate foundation PUBLIC CREDIT, on which is built the power, commercial strength, riches and happiness of your dominions. By whose dastardly and imbecile conduct, faction and its constant attendant corruption, has risen to such a height, that you sir, have been under the necessity of lessening yourself in the eyes of your whole people, by submitting to disgraceful mercenary proposals from different parties, who have boldly seized the reins of government for a short time, with the sole view of extorting from your Majesty, such grants of pensions and reversions in case of removal as argued at once a conscious inability to continue long in office, and a premeditated resolution to have as large a share as possible, in the plunder of an almost ruined country—

country—by whom every rapacious dependant on your contending courtiers, has been amply provided for, at the public expence—who have dared on every occasion to make use of the royal name as a sanction for every illegal and unconstitutional measure, and have presumed to express an approbation, you could never give of a most unwarrantable, and cruel exertion of the *military power*, against your innocent subjects; such an exertion as would have entitled the offenders to condign punishment, in many states which are stiled absolute, despotic monarchies, as I shall soon convince you in the sequel of this remonstrance; from recent instances,—who have spread consternation, terror and dismay, through the land, violating the most sacred rights of the people, interrupting the freedom of elections, rendering the attendance of the Freeholders dangerous to their persons, ransacking the coffers of public trading companies, to supply the deficiencies from a mismanagement of the public revenues, in a word,—who have withheld from you sir the true state of the nation, and have construed every complaint, every modest representation of the subjects both at home and in the colonies, against the arbitrary, and oppressive measures of an unstable, wicked administration into sedition; and every defence of their rights and properties against the exertion of lawless power (sanctified the name of Majesty,

jeſty) into overt acts of rebellion until they have at length roused the public ſpirit of the people throughout your whole dominions, and though, perhaps, blind fury, and a particular attachment to the cauſe of one man (whom your Maſteſty has perſecuted with unrelenting cruelty) has for a time confined their views to one ſingle object, yet I will tell you ſir, that now the proceedings againſt this very ſingular, and in many reſpects heroic character, have been carried to ſuch a length, as to convince the nation in general, of the impoſſibility, in our preſent ſituation, of calling your miniſters to account, becauſe they ſecure to themſelves a majority of proſtituted venal ſenators; by the lavish diſtribution of the public money; the alarm is become general; the conſtitution of the kingdom is now deemed at a criſis, and if your royal name is ſtill made uſe of to ſtamp an authority on public meaſures, diametrically oppoſite to the welfare of the nation, the conſequences muſt prove fatal to both.

Sir, wonder not, that I have preferred the ſtile of remonſtrance to that of petition; having no private favour to aſk, I have preſumed to conſider your Maſteſty as a man, endued with a rational ſoul, capable of diſtinguiſhing, between ſound reaſoning and artful ſophiſtry; ſuch a mode of expoſtulation therefore, as might be purſued in converſation by a modeſt dependant, or an affable,
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generous patron, seemed to me the most eligible for conveying my sentiments with manly firmness, and to enable to steer clear of that abject submission, and disgustful adulation, which debases almost every address that is offered to sovereigns.

I shall therefore Sir, take the liberty to represent to you, that under the several administrations which have governed this kingdom from your accession to the present hour, some one or more of the enumerated evils already delineated, have taken place and that they seem to be all gathering to a head under the present ministry; and as it cannot be consistent either with your honour or your interest, to suffer universal discontent and popular animosity to be kept alive in your dominions, let me advise you to effect that, by their removal, which all the military force of this kingdom, with the superadded rigour of penal laws, will never accomplish, I mean the restoration of harmony, unanimity, and zealous attachment to your royal person and government. Be assured Sir, whenever a prince blessed with native goodness of heart, and a benign disposition, like your Majesty, the people feel the weight of an undue exertion of the royal prerogative, they will naturally ascribe to ministerial influence, and in spite of every exertion of the civil and military power, they will loudly and incessantly exclaim against such influence, nor will they desist, till their complaints are listened to,

to, and their grievances redressed by a total change of men and measures.

Forbid it heaven that you Sir, who are the father of your people, born and educated amongst us, should be any longer accused in our streets, or insulted at our public spectacles, for a supposed tolleration of, or connivance at the arbitrary principles and destructive practices of your ministers; or that your subjects should tremble with the apprehension that large strides are making towards a state of *slavery*, or a servile dependance on ministers and their tools; under their native prince, which was never experienced in the reigns of those kings who were born and educated in a foreign land, and who openly avowed the most despotic principles. Let it never be believed sir, that you will of your royal motion, give orders to punish with fines, imprisonment, and inquisitorial persecution, every innocent subject, who shall dare to assert his native freedom and independance, in opposition to weak, or wicked ministers.

Your people Sir, are not disposed to judge from appearance, your most amiable private character, and the frequent instances you have given of your *great clemency*, are the strongest proofs to them, that you will, soon make a full display of those political virtues which constitute the character of a great king; in expectation of this happy event,
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the patiently wait, and *passively* submit, resting assured you *will* be inspired with a speedy and just abhorrence of those men, who first spread murmur and discontent through the land; and if the present ministry, whose weakness, cowardice, and cruelty, whether they are considered separately in their respective departments, or collectively in a body as an administration, is not to be paralleled in the records of the history of England.

Let us now great Sir, turn our eyes from this disgraceful picture of the times, the odium of which your ministry in vain endeavour to fix on the people, since their lives and conversation alone stamp a character in the manners of the nation, and examine with attention, the characteristics of a sound permanent administration, as they are described to us by the best political writers, and take some one or other, or all of your present ministry by the hand, while we make this fair scrutiny.

“ The administration of public affairs in a limited monarchy, such as England, ought to be committed to several men, illustrious by birth and education, possessed of ample fortunes as collateral security for their integrity and incorruptibility, of virtuous, unfulled characters, and arrived to such a period of life, that experience may have matured early acquired political knowledge: such may be found in every state, and must be chosen
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independant of all regard to family connections, or party leagues.—Such a select band of great and able men jointly engaged in one administration, without any preponderating weight thrown into the scale of the chief of any department; and acting independent of one another in their different stations, though with mutual confidence at the council board is the only model of government suited to the legislature, and to the very genius of the English nation.

Ministers on such a plan are a mutual check on each other, each of them has his distinct set of adherents, but his principal support must be, the character he bears in his country.—Such a ministry must act upon popular principles, for it is built upon the only basis likely to secure the peoples affection, and to render it permanent: the just fame such a ministry must acquire, will set them above every temptation of pageant honours, of power, or wealth, if to be purchased only by making a sacrifice of their character. In short, as example is more efficacious, and has more authority than the rigorous exertion of penal laws, or even military execution, the people being animated by the pious character of their sovereign, exhibited, not only in his own private life, but in his public capacity, by the prudent choice of his ministers; all ranks of men would come into the fashion of leading virtuous live, the scale would pre-

preponderate in favour of morality, there would be little or no temptation to bribery and corruption, men being chosen to high offices for their virtues and abilities, would be necessitated to support themselves in them by such *low* means; the law would have less occasion for officers, executioners, gibbets, proscriptions, and outlawries to enforce its decrees, and the empire of love and reason would be universal throughout the British dominions. I shall here leave your Majesty for the present. I find the sensible pleasure which this representation has given you; it ill becomes me to interrupt your important meditations on this pleasing scene, and the less so, as I must demonstrate to your Majesty, that birth and education *misapplied* alone excepted, your present ministry cannot find one single qualification to which they can put in a just claim.—I therefore quit the subject till a more favourable opportunity offers of resuming it.

We are much obliged to the author of the above remonstrance, and at his particular request it is made the chief subject of this paper we shall conclude it with the following letter received on thursday.

The case of *Thrasea Pætus*, from TACITUS.*With an eye to a secession.*

Whenever I meet with a fine passage in history, concerning those who have struggled successfully, or suffered bravely for liberty, I take pleasure in recommending their example to my countrymen.—Let them see how patriots have behaved in the best and in the worst of times, when Rome was disinterested and free, and when she was venal and enslaved. *Tacitus* and *Livy*, will teach us how to act under *Tigellinus*, if so corrupt and shameless a minister should ever lord it over the senate of *England*.

“ After murdering so many illustrious men (says my author) *Nero* desired to cut off virtue itself by putting to death, *Thrasea Pætus*—the chief crime alledged against him was, “ that he who had ever been so assiduous, and unwearied in his attendance; he who ever in the ordinary business of the senate, had always distinguished himself on one side or the other, now, for three years, had not come into the house. The conclusion was that he and his followers pretended zeal for liberty, that they might overturn the government and when they had gained that point, their next attack would be upon liberty itself. One of the *bired* orators for the court declaimed with
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great vehemence, “ that the whole safety of the senate was concerned.—By the contumacy of subjects the lenity of the government was abused and wearied out.—The senate had been too mild in suffering the revolt of *Thrasea* from his obedience, and *Curtius Montanus*, the detestable author of libellous poems, to escape with impunity.—To him our decrees are null, our offices void, *we are not senators, we are not magistrates*; this city is no longer *Rome*.—Let him therefore cut himself off entirely from the commonwealth, which he has long since ceased to love, and now cannot bear even to see”.

Thus was this great and good man censured because he would not fit in a senate, *where such as they had a certain majority*, because he disdained to mingle with the slaves of *Tigellinus*, who, in the name of *Nero* governed there with absolute sway. And for this offence they condemned him to death, being ready to execute any villiany their *master* commanded.

Thus all the iniquities, all the tyranny of those times had the authority of the senate, and the sanction of law. Thus, as bad as *Nero* was, the *Roman* people suffered still more by the forms of their republick being kept up when the spirit was lost, than they would have done had the government been purely monarchical. For *Tigellinus* and

and the Emperor durst not have acted so tyrannically alone, as they ventured to do with the concurrence, and under the name of the senate.—Thrasea scrupled to give that concurrence, and to lend that name to impose on his country.—He therefore retired, and in his retreat from the senate, was much more than those continued there, a true Roman senator,

What indeed could he go there for, except to offer himself to sale.—But such traffick was beneath his spirit and character,

N U M B E R XI,

SATURDAY, APRIL 28, 1770.

What consequences must ensue!

To think on them is shocking to the soul.

THE present junto at Carlton-house, consists of the most contemptible, and base set of wretches, that ever governed this or any other kingdom. Every measure of government is *pre-viosly* concerted there: the King is afterwards sent for, or made acquainted with it at St. James's, and he having given himself up so *entirely* to the will

will of his mother whose *head* is equal to the *goodness* of her *heart*) that he is obliged to fall in with (through fear) and give countenance to every hellish; every destructive scheme hatched in that infernal place. The princess dowager of Wales has formed such connections, and entered into such a league with those diabolical villains, who are the fatal dregs of lord Bute's power, that it is impossible for her to retreat, without exposing herself to that contempt and abhorrence she so justly merits, and perhaps to a punishment she as justly deserves; the connection is therefore continued, and the league supported at an enormous expence. We can assure our readers there are frequent *private* meetings between this very *worthy* Dowager, and some one or more of her *cabal*, who bring with them a *virtuous* member or two from *St. Stephen's Chapel*. after an important point has been carried there, and she with her *own hands* pays them the wages of INIQUITY. In this manner we are at present governed, and by this junto we can expect nothing but to be enslaved. The King is made the dupe of their artifice, and through his own weakness and pusillanimity unable to extricate himself; and being wholly unacquainted with civil polity and the principles of the English constitution; he only bears the name of Majesty. The people of this country have already severely felt the fatal effects of those dreadful councils; and *quietly* submitted to every imposition,

to every oppression. The deluded King seems to glory in the distresses, in the miseries of his people; justice cannot be obtained from the hands of M——y even against murderers; Balf, M'Quirk, and the unhuman soldiers in St. George's-Fields, will remain an everlasting proof of this assertion: but we have a still more recent instance in the two Kennedy's, who were justly condemned by the laws of this country for a most shocking wilful murder. The case of these two unfortunate young men was represented to the King with many favourable but false circumstances, in order to obtain the royal mercy, which has been but too frequently extended without justice. In this case however it will be easily accounted for, when we acquaint our readers that Lord Charles Spencer, brother to his grace the Duke of Marlborough, keeps one of their sisters, and the Earl of Carlisle the other, these two very *virtuous* noblemen, procured near forty others of their own *stamp*, to sign a petition to the King in their behalf. In the reign of the late King no such prostitution of mercy and justice was ever known, that *brave* and *wise* prince, knew too well the duty of a sovereign, and strictly adhered to it throughout his whole reign; it was not the exalted criminal that could escape the punishment due to his crimes, nor the false representations of prostituted nobles that could deceive him, or screen an inferior culprit from
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the justice of his country. How different has been every proceeding of his reign, from the time of his accession to the present hour, we have seen nothing but one continued series of oppression, injustice, blood-shed and cruelty. He *suspends* and *dispences* with the execution of the laws upon every occasion, when interest is made by some dignified *traitor*, or court parasite. In short by the advice of his mother and his abandoned ministers, he has cloathed himself with an arbitrary and despotic power; the lives, liberties, and estates of the subjects, seem to depend *wholly* on his *good will* and pleasure. What else can we call it when the laws cease to protect us against murder, rapine, and violence; when the guilty are suffered to escape with impunity, and the innocent punished with unrelenting malice, without remorse, without compunction.

The military power too, is called upon every *trifling*, every *frivolous* occasion, under a *pretence* of supporting the civil atuhority, but in reality with a *design* to massacre the people, only because they express their abhorrence of tyranny and arbitrary power. The effects of military execution has been severely felt in this country, and in many other parts of the British dominions; particularly at Boston in New England, no longer ago than last month, when the inhuman soldiery butchered several of the inhabitants in the most cruel

cruel manner. The Americans however like true born Englishmen; nobly and boldly defended themselves; and are determined not to wear those chains of slavery, which Sir Francis Barnard had for some time been forging for them; and by whose request and advice those blood-thirsty wretches were sent over. Let us here leave for a moment, Sir Francis, author of the massacre in Boston; and Lord Weymouth, author of the massacre in *St. George's-Fields*, to the stings of a wounded conscience and self-condemning tortures. We may have perhaps upon the scaffold, from both these great, these remorseless criminals at the last, a voluntary confession of all their black and horrid crimes, crimes that have stained the land with blood; crimes that will be read in after ages, with horror and detestation; and names that will stink in the annals of English history till time shall be no more.

Had we, *degenerate* sons! of *virtuous* fathers; had we, taken up arms (to which we have a lawful right in order to defend our lives upon the first appearance of the third regiment) of guards, and like the brave *Americans* drove them back to their barracks or their sneaking holes, the lives of our fellow-countrymen had been saved on the fatal tenth of May 1768, and the *ghost* of young ALLEN would not now haunt the mind of *Weymouth*, and hourly disturb his guilty soul; nor
would

would the terrors of the dreadful day of judgment be so continually before his eyes, when he must answer for the innocent blood of his *slaughtered* countrymen, which cries aloud for vengeance. O! *Weymouth*, ! O *Barnard*, the lord have mercy upon your souls, methinks I see you tremble, at the awful, at the irrevocable sentence, "depart from me ye *curst* into everlasting fire, prepared for the Devil and his angels. No jury to *bribe*, no *Mansfield* to construe *crimes*, into *misfortunes* and *misfortunes* into *crimes*. No *Norton* to prove *black white* and *white black*. No *bribery*, no *corruption* will avail there, was the floodgates of the *treasury* set open, it would have no effect. No *buying* off your sentence, no low *subterfuge* no *artifice*, no *chicanery* will be admitted, justice will then take place. No *respite*, no *king* to *pardon*, the *execution* of the laws of God cannot be *suspended* nor *dispensed* with. I can trace you no farther, however I will give you some consolation before I leave you. Chief justice *Jefferies*, the *inhuman* *Jefferies* now inhabits those mansions to which you have an *equal* claim, the prostituted *Noy*, once *Attorney-general*, and chief justice *Scroggs*, (who was impeached for issuing a *general warrant*,) *Gaveston*, the two *Spencers*, *Roger Mortimer* Earl of *March*, (who was too intimate with the *mother* of *Edward* the third,) and proud *Buckingham*, with many other *worthy* men, are ALL there; and I here pledge my word that there will

soon be another *chief justice* among you, with an addition of two or three *Attorney generals*, &c. Having informed you of part of the illustrious company you will meet with, I hope you will pardon me, if I leave you for the present, because I have a story to tell which has just struck me concerning an election, 1750.

In the great contested election for the city and liberty of Westminster, between *Peg Trentham*, (now lord Gower, president of the council, and one of the Bloomsbury gang) and Sir *George Vandeput*. *Tom Doby's* Upholsterer since deceased, was employed as an agent by his late royal Highness Frederick Prince of Wales for Sir. George, and supported him with all his interest which cost him upwards of 500, pounds besides, his trouble and loss of time. The courtiers however were determined, to have *Peg* returned, the floodgates of the *treasury* were set open in order to effect it; the high bailiff of Westminster, who is the returning officer, received a very *handsome* sum, to make a false return; *Doby's* soon got into the secret; and received a promise of having Sir George returned upon the payment of 5000 pounds, on the day the return was to be made after the scrutiny; he immediately waited upon the Prince, and made him acquainted with the proposal, but his royal Highness could not raise the money in time, and *Peg Trentham* was returned

turned. The Prince of Wales died soon after, before he had made *Dobyn's* any satisfaction, or reimbursed him the money he expended. The Princess Dowager, however knew all the particulars of that affair, and about *two years* after the decease of her royal consort, she *generously* sent *Dobyn's* a fifty pound Bank note; which he with a spirit becoming a man, scornfully refused to accept, returned it to her royal Highness again, and never after to the hour of his death received a single shilling for his faithful services, This is one of those noble acts of *gratitude* which so peculiarly distinguish the Princess Dowager of Wales, and one of the most striking *proofs* of her *great* veneration for the memory of her deceased husband. Let us now examine the glories of her reign.

At a time when we were deeply involved in a just and successful war, when the firm resolution of the minister formed a coalition with the will of the King, and heaven manifested its zeal in our cause, sudden death seized on the man; in whom all the virtues united to compose a character which ages will revere, but late if ever parallel. A Prince born in this country had long been the object of Englishmens wishes; and the joy on the accession of her son for a short time dried up the tears of grief, for the loss of his brave and virtuous grandfather. And nothing but her art

alone could make them flow afresh, and enable her all their joy; and to shew her power at the expence of his subjects love and loyalty, was the first instance she gave of her hatred to both. To him by law and inheritance the crown devolved, These were obstacles too great for her to surmount, but her fertile brain furnished her with cunning sufficient to leave him nothing but the name, and give lord Bute all the appendages to sovereignty. An heir was wanting to the crown. On this occasion she did not succeed, her cunning in some measure failed her; she unluckily pitched on a princess adorned with every virtue, that is desirable in woman; she hurried on the nuptials with all the eagerness of malice, and contrary to her design gave her son a jewel which he never knew the value of. If the tender affection of a wife, and the incessant cares of a mother, could have any effect on his soul, he would long since have shook of her chains, and been now happy in the affections of his people. Her former liberality to the *Thane*, had exhausted her coffers, and not withstanding she had the same allowance continued to her *unincumbered*; that before sufficed for herself and children; notwithstanding all the public money being in his power, yet he found it difficult to satisfy the rapaciousness of those *Scotchmen* who were poured upon him in myriads from the bleak mountains of the *North*, New ways and means were to be discovered, the war

war with France, made her rather uneasy, and it was a happy thought to make that nation pay her for easing her mind of a heavy burthen. All the blood and treasure in that long and glorious war, were not objects worthy of being brought in competition with her and her favourites interests. The honour, peace, and acquisitions of England were sacrificed to a *Stuart's* resentment and her avarice. It appears very evident, that this good, this virtuous woman, had not read the history of the reign of Edward the third, if she had, she would there find that a Dowager in combination with her paramour, sold a peace to the Scots, that affection only saved her head from gracing a block, but the person of her minion decorated a gibbet.

With a becoming contempt of her favourites abilities to govern, and courage to repel an injury, Spain, well known for laziness and cowardice, dared to insult us, lord Bute's treachery saved our insolent enemies flotas, and left us nothing, worthy our notice to take, but a single galleon peacefully returning home, ignorant of the rupture.

Fortunately for this country, Mr. Wilkes had courage and resolution enough, to oppose the aspiring power of her haughty minion, and saved from eternal ruin the liberties of England; her connections however with the *Thane*, were
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of so *delicate* a nature, as to make his cause her own, and as such she defended it; not only defended it, but she had cunning enough to involve her son in the quarrel. Unhappily for him, his *quickness* and *apprehension*, never suggested to him his want of power; and an act unworthy a gentleman, much more a K—, was the consequence; a slavish obedience to female resentment. Assassins; false witnesses, the chicanery of the law, the partiality of Mansfield, the villany of ministers, the infamy of representatives, nor the obstinacy of the K— have been able to lessen him in the esteem of the public; he rises superior to every oppression, he has nobly and boldly pursued the tools of her power, from the closet to the grave, humbled the haughty aspirers to tyranny, and seated affliction on her brows for the loss of her criminal *minion* the run away. He has roused from a state of lethargy and supineness the glorious spirit of liberty; and given new life and vigour to his drooping countrymen.

We have seen nothing from the moment of this illustrious D——rs appearance, but tyranny and oppression, the employment of royalty, the business of administrations; has been, to deny right to the people, to countenance every arbitrary act, to sap the constitution, to feed her avarice, gratify her ambition, and satiate her revenge against an individual these are the achievements of every
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set of men, who have had the momentary *enjoyment* of her favour.

OFFICERS, SOLDIERS, and SEAMEN
*of every rank and station in the
 army and navy,*

YOU cannot be ignorant of the arbitrary strides that a venal, and corrupt ministry are pursuing to mortally stab the very vitals of our once happy constitution, you should not be surprized if their audacity should openly declare those rebels, that dare presume to support magna charta and the right of free election, you'll consider gentlemen that the liberty of the King's good subjects, cannot be totally crushed without your aid and assistance, and the moment you enslave your countrymen you'll yourselves be justly miserable and abject, I have great reason to think pains have been artfully taken to persuade the military to execute a diabolical plan, of a most notorious, defensing, and wicked ministry, but I flatter myself from my knowledge of the army, ministerial influence will prove abortive with all true Englishmen.—Men of neither fortunes, connections, or principles of honour, may handle their arms in any desperate cause, men of fortunes and family to attempt
 such

such an ungenerous action, it must proceed from a base mixture of folly and ingratitude of the most vicious kind. When your country calls you, then stand forth my brother officers, soldiers and seamen, and defend the cause of liberty, despise the venality of the times and hand freedom down to posterity, that your children may smilingly bless, not curse their fathers warlike resolution. You well know the Scotch are ready to present and fire in obedience to a ministerial nod, and seem pleased with a prospect of ruling this kingdom with a rod of iron, and it was beyond a doubt Lord Bute and his party's intention, by sweeping the inhabitants from the rugged hills of the North (almost to depopulation) and throwing such swarms of them as officers into the army and navy, consider how the English and Irish are already neglected, you must be sensible that the Scotch have by far the preference of honours and promotions, even rebels and their firm attached connections those that have served in the French army, and those that have been under sentence of death, * not excepted, and these are the men who have the impudence to declare themselves his Majesty's best subjects, none but knaves and fools can believe in such surprizing change of principles, however if you cast your eye to America, the East, and

*One Mac Donald several years in Edinburgh Castle, but has now a Company.

West-

West-Indies you'll see almost every place of profit or trust possessed by these people.

I am informed gentlemen that there is some prospect of augmenting your pay, and I heartly wish it may be the case, but you may be assured that if an arbitrary government was to take place (which God forbid) that your subsistence would be reduced to the miserable pittance of foreign troops, and the subjects of this Kingdom be ruled by a Scotch army of Janizaries. I know the Scotch to be a jesuitical fawning people that would kiss your arse to get a command which no sooner got, but all inferiors find themselves in a disagreeable situation except their own *countrymen*.

April 24th, 1770.

An old English officer.

As the above letter seems to be written with an honest intention, we have complied with the request of the author, and laid it before our readers just as it was received.

N U M B E R XII.

SATURDAY, MAY 5, 1770.

To the right honourable William Lord Mansfield, chief Justice of the court of King's Bench, and one of his Majesty's most honourable privy council.

MY LORD,

TO address your lordship as the defender or supporter of public liberty, would consign me to universal contempt; and do an injury to my country that nothing but my blood could atone for. I shall therefore throw of all kind of disguise, represent you in your true colours, and speak nothing but truths, truths that can be justified by the whole *English* nation. The world allows you to be a great lawyer; but a most partial and arbitrary judge. Upon many occasions you have discovered your prejudice, your animosity, and your hatred against the people of England. You have abused the laws, perverted justice, and rendered yourself justly obnoxious throughout the whole British empire.

When

When your opinion is asked upon any matter between the King and the subject, you are sure to give it in favour of the court without scruple, however unjust, cruel, and oppressive; the life of an *Englishman* is of as little consequence to you, as the virtue of *Lucretia* was to *Tarquin*. Your malice never shone more conspicuously than in a very recent instance, concerning two numbers of the *WHISPERER*; your opinion was asked and you gave one consistent with yourself; that they were treasonable throughout. *William De Gray, Esq;* Attorney-general, *Mr. Wallace* and several other council (in compliment to you) concurred with you in opinion; but to the honour, the immortal honour of *John Dunning, Esq;* who differed in opinion from you, your execrable design to take away the life of an *Englishman* was not carried into execution; and the grand jury found a bill of indictment for a misdemeanour only. Your lordship held several consultations with the Attorney-general and others, upon the publication of *Junius's* letter to the King and the *WHISPERERS*; every record was searched both ancient and modern in London and *Middlesex* to find a precedent, upon which you might convict the authors and publishers of treason, and by that means satiate the revenge of a *Scotchman*, which nothing could ever yet satisfy but the blood of *Englishmen*. Unhappy *MOORE*, to have in-

curred the displeasure of the *gentle, the just, the pale Mansfield.*) The case of poor Matthews was at last hit upon, and urged with great force, but Mr. Dunning explained the unjustness and cruelty in executing him, and said that it was always looked upon as a disgrace to humanity, and to this kingdom as a free country. Unhappy *Mansfield* to be thus disappointed in thy *natural itch* for English blood, and thy mirmordons to be disappointed too in their searches after *me*. Be assured my Lord they search in vain, I am now in a subterraneous cavern of the earth, and never make my appearance but once a week, disguised in a *Scotch plod and bonnet*, the only security for an Englishman's liberty or life. I know your power my lord, and I know your abuse of it, but that shall not deter me from speaking truth; you may exert your utmost endeavours to prevent the discovery of those acts you would wish to keep secret, and in the most arbitrary manner, suppress (if possible) every publication wherein your conduct is called in question; but while there is a hand able to write and a press open in the kingdom, *Englishmen* will write. Public liberty can never be supported without freedom of speech, it is the right of every man; this sacred privilege is so essential to a free government, that the security of property and freedom of speech, will stand or fall together.

Who?

Whoever would destroy the liberties of this country, must begin by subduing freedom of speech, a thing terrible to public traitors; this my lord you have attempted to do, but hitherto with little success.

In the reign of *Charles* the first to assert the undoubted rights of the people of England, and defend the King's legal prerogative, was called disaffection, and punished as sedition, and you my lord have made it equally dangerous at this time to tread in the steps of those virtuous men.

By your partial adherence to the measures of a most despotic and corrupt administration, you have justly incurred the hatred of every honest man, who wishes to see the laws remain in their full force, and the constitution of England unshaken.

Magistrates ought to be well spoken of while they *deserve* it, but to do public mischief without hearing of it, is only the prerogative of a tyrant; every honest man would be desirous of having his actions openly examined and publicly scrutinized; it is only those who are wicked and unjust that dread what is said of them. In old *Rome* the people examined the public proceedings with such discretion, and censured those who administered them, with such equity and mild-

mildness, that during the space of three hundred years, not five public ministers suffered unjustly; but when the people proceeded to violence, those in power had been the aggressors, it is guilt only my lord that dreads liberty of speech, which drags it out of its lurking holes, and exposes its deformity and horror to day-light.

Old Spencer and his son, who were the vile, the infamous ministers and betrayers of *Edward the second*, would have been glad to have stopped the mouths, or shed the blood of every honest man in England. They my lord like — dreaded to be called traitors, because they were so. Sir Francis Walsingham that served *Queen Elizabeth* faithfully who deserved no reproaches, feared none. A misrepresentation of public measures is easily detected, by representing public measures truly; and when they are honest, they ought to be publicly known, that they may be openly commended, but if their are knavish or pernicious, they ought to be publicly exposed, that they and the authors of them may be publicly detested.

If the earl of Strafford had not deserved to be impeached he need not have feared a bill of attainder.

Now

Now my lord, if you and the rest of our *present* directors, are not such knaves as the world thinks you; prove to the whole world, that they think wrong, and that neither you, or they are guilty of those villanies which are laid to your charge.

I can only laugh my lord at the stupidity of those judges and ministers, who think to extinguish by the terror of their power the memory of their actions. I will own exalted wickedness, is the safest. I could name an *English* reign, in which for above nine years there scarce passed a week, that the prince did not venture his crown, and his ministers forfeit their heads; and yet none of these forfeitures were exacted; so corrupt and wicked was the government, and so tame, and acquiescing were the people; but these things are obvious, yet how little are they considered: it is safer for a great man to rob a country than for a poor one to steal a loaf; the wages of villainy protect villains, and justice is only blind were the object is naked. This is one of those reigns, that stain the annals of *English* history. I should be glad to ask your lordship, if those judges and counsellors who adjudged a dispensing and lawless power to kings, had not the guilt, of a thousand private murderers upon their heads, they in manner signed a dead warrant for their country, and so
does

does he who abuses justice, and endeavours to subvert the laws and constitution. This is unquestionably certain, that the least public guilt, is greater than the greatest private guilt; and every man in a public capacity should consider this, that every step which he takes, every speech he makes, every vote which he gives, may effect millions. A good magistrate is the brightest character upon earth, but a bad one is a greater monster than ever hell engendered, he is an enemy to his own species; where there is the greatest trust the betraying it is the greatest treason; every intention manifested by act, to destroy the constitution, or to subvert the rights and liberties of the people, being so by the common law of England, as well as an attempt to destroy the person of the king or to dethrone him.

The council of ten in Venice, have absolute power over the liberty and life of every man in the state; but if they should make use of that power, to slaughter, abolish, or enslave the senate, and like the *Decemviri* of Rome, to set up themselves, would it not be lawful for those who gave them that authority for other ends, to put those ten unlimited traitors to death, any way that they could. The Crown of England has been generally entrusted with the sole disposal of the money given for the civil list, and often with the appli-

application of great sums raised for other public uses; yet if the lord treasurer had applied this money to the dishonour of the king, and ruin of the people, (though by the private direction of the court itself) will any man say, that he ought to have compensated for his crime, by the loss of his head and his estate: and the right of the magistrate arises only from the right of private men, to defend themselves, to repel injuries, and to punish those who commit them? that right being conveyed by the society to their public representative, he can execute it no further than the benefit and security of that society requires he should; when he exceeds his commission, his acts are as extrajudicial as are those of any private officer, usurping an unlawful authority, that is, they are void, for this reason, a power to do good can never become a warrant for doing evil.

Yet my lord you are sensible, through the villainy of our representatives and the corruption of judges, the people have suffered many heavy oppressions, and by the knavish designs of statesmen, this nation has lost several glorious opportunities of rescuing the constitution, and settling it upon a firm and lasting foundation. Let me therefore warn my countrymen not by the like inattention, and supineness, lose the present favourable offer.—*Machiavel* tells us, that no government can long subsist, but by recurring often to

its first principles; and this can never be done while men live at ease and in luxury, for then they cannot be persuaded to see distant dangers of which they feel no part. The conjunctures proper for such reformation are, when men are awakened by misfortunes, and the approach and near view of present evils, then they will wish for remedies, and their minds are prepared to receive them, to hear reasons, and fall into measures proportioned for their security. The great authority just quoted informs us what expedients are necessary to save a state under such circumstances; he tells us, that as tyranny cannot be established but by destroying *Brutus*, so a free government is not to be preserved, but by destroying *Brutus's* sons; let us therefore put on a resolution equal to the mighty occasion; let us exert a spirit worthy of *Britons*, worthy of *freemen*, who deserve liberty.—Let us shew to the world that we are not to be enslaved by your *lordship*, or any *set of men*. Let us take advantage of the present opportunity, while mens resentments boil high, against those who are the authors of the many arbitrary and destructive measures that have been projected and carried into execution. Let neither private acquaintance nor personal alliance, stand between us and our duty to our country.

Let all those who have a common interest in the public safety,——join in common measures to defend

defend the public safety.—Let us pursue to disgrace and destruction, those who have brought this ruin upon us let them be ever so great or ever so many.—Let us stamp and deep engrave in characters legible to all *Europe* at present, and to all posterity hereafter, what vengeance is due to crimes, which have no less objects in view, than the ruin of nations, and the destruction of millions. Many bold, desperate and wicked attempts have been made to destroy us. Let us strike one honest and bold stroke to destroy them.—Tho' the designs of the conspirators, should be laid deep as the center, tho' they should raise Hell itself, and should fetch legions of votaries from thence to avow their proceedings, yet let us not leave the pursuit, till we have their heads and estates.—Let us convince the world that Englishmen are no dastards, but that in cases of exigence, when they are pushed home, they can withstand every opposition, and dare to be couragious, when their enemies advance; many have been the instances, this country has given, when the people have risen superior to every oppression, and shewn themselves in the day of persecution. They have ever nobly withstood the *Scotch*, when they attacked this country in bodies, and have always routed them. Can it then be doubted, that they will ever give way to the opposition of an individual, one who has nothing to support him, but an obstinate head, and a bad heart. Know my lord,

'Tis virtue to gain ground here, 'tis the highest pitch of honour to dispute the sovereignty.—I am but an obscure man, a man of no great influence, but yet have spirit enough to struggle with contending oppression, and should think it the greatest honour of my life, could I free this country, either by argument or reproach, from the arbitrary proceedings of a *Scotch* chief justice; the minion of despotic measures.—You have long been my lord, the bane of this nation, so have your family. rebels in loyalty, rebels in justice, tyrants in contention, tyrants in administration.—Long will this nation rue your being at the head of the King's Bench.—Long will they have reason to lament a discretionary power being put into your hands.—This unhappy country, has unfortunately seen a *Jefferies*, so has it a *Mansfield*.—Children yet unborn will be bound to curse your memory and the annals of England, where your name is mentioned will be a disgrace to all Europe, and be stigmatized to the end of time.

Friends,

NUMBER XIII.

SATURDAY, MAY 12, 1770.

Friends, Freemen, and Fellow-
Countrymen,

ONE of the greatest blessings this nation enjoys, superior to any other, is undoubtedly the liberty of the press, that noble freedom of venting our complaints and speaking our mind in print. In most other countries, no man dare to open his mouth in religion or politicks but in conformity to government, nor dare he publish his sentiments but at the hazard of his safety.—What is this but perfect slavery?—There was a time when it was so with us, when nothing could appear without an *imprimatur*, and by the large strides now taken towards it, it is not improbable, but it may be so again, though God forbid it ever should. When once this happens, adieu to freedom; adieu to liberty; and was it not for this glorious privilege, no man would have been secure in the property he now enjoys; he could not have commanded either the peace or safety of his family: the tyrant of former times
would

would in wantonness have ravaged his house and plundered him of his honour; but some men of more resolution than others, dared to open their mouths against arbitrary proceedings and tyrannical encroachments, and thus led the way for others to do the same: they shewed their countrymen, the great advantage of public spirit, convinced them of their former vassalage and urged them to stand forth in defence of themselves. They did so; and by a noble resistance, a resistance properly timed, secured freedom to their posterity, and immortal honour to themselves.—This freedom we have long been in possession of; —it is now become the birth-right of Englishmen and we are the envy of all our neighbours. Have we not then great reason to be alarmed, when we see the steps that are daily taken to deprive us of this privilege? —was not *Shebbeare* pilloried, to go no further than a few years back, I say was not *Shebbeare* pilloried for an appeal to the people; that *Shebbeare*, whom the administration have since thought proper to pension?—an evident proof, that they found no other fault in the man, than that of daring to employ the faculties which nature had assigned him, in common with his fellow-creatures. They condemned him not for speaking, but for speaking in opposition to them. He writes indeed *now*, but 'tis on the other side. Thus they commit the same crimes, they punish in others; for this man is hired, with several
more,

more, such as *Kelly*, the stay-maker, *Scott*, alias old Sly Boots the parson, &c. to vilify and traduce the characters of virtuous, honest men, who shall presume to think differently from them. Was not *Amiet* also pilloried, and merely for differing with respect to some doctrinal tenets;—the iniquity of which will sufficiently appear, when we consider we are indebted to public discussions of religion, for the happiness of a reformation.—What did *he* do more than *Harry the eighth*?—But *Harry the eighth* was a monarch and *Amiet* but a trifling subject, what was applauded in the one, was condemned in the other.—Nay, because, by the frequent use of the pillory, on improper occasions, it is rather become a post of honour than of infamy, and it was feared he would not suffer enough by being thus exposed; the administration of that time, subverted the intention of the law, and with a barbarous view of having him stoned to death, put him in with a notorious sodomite (against which character the public are always justly enraged) in hopes that he might not escape; but the discerning populace instantly saw through the design and defeated the cruel intents of his persecutors: for they both stood their hour, unmolested. It would be needless to expatiate on many sufferings of *Mr. Wilkes*, who in his country's cause has undergone a long and cruel confinement, which never could have been effected, if the laws had not been unnaturally strained, in
order

order to deem the putting a treatise privately into the hands of a friend, an open publication. This is no other than a sophistical argument to prove *white* to be *black*; for what is a publication, but the making a thing generally, nay *universally* known; and how the handing a matter *privately* about, can, under this sense, be considered a publication, I must confess I am at a loss to know, and am persuaded, no *justice*, unless it be our present Chief Justice, could ever put such an interpretation upon it, or wrap the laws to so foreign a distinction.—I hear appeal to every man of *common* understanding, whether he thinks there can be safety under such arbitrary measures—measures, that must leave a lasting stain on the administration of this kingdom?—But not content with this, and finding the imprisonment of *Williams* and *Bingley* not to answer their purpose; they are now studying further persecution. The Attorney General by order of government, attended the grand jury at *Hick's-Hall*, the last sessions, and by his fallacious rhetoric, before an unlearned, though perhaps a well-meaning set of men, explained away the just signification of words and led them blindly on to find out true bills of indictment for high crimes and misdemeanours against the authors, publishers and venders of this paper. One among the great number of venders happened to be Mr. *Morley*, a Bookseller in *St. Clement's* church-yard in the *Strand*;
against

against whom they were determined first to direct their artillery, as being an obnoxious person in order to seek a pitiful revenge on a man whose only offence, was, in common with his trade, the sale of a few anti-ministerial prints, for which his life had been threatened by some Scotch incendiary (probably a hireling of the *Thane's*, as after circumstances corroborate) and who, after meeting with no redress, on an application to the secretary of State's office; was so *impudent* as to tell the world of it; I say in order to gratify their resentment on this man, they found out that he, among others, had sold the *Whisperer* in his shop. — accordingly a particular indictment was laid against him, a bill found, F——g, that scourge of society, applied to, and his blood-hounds sent out after him: they laid hold of him at night, in hopes of hurrying him away to prison, but fortunately he had two friends at hand, who accompanied him to *Bow street*; and gave bail for his appearance, in a bond of four hundred pounds. Many frivolous objections were made to his bail, to throw him into difficulties, with a view of instantly committing him. They were expected to *justify*, but as that could not be supported, the profession of one of them, who is an attorney, was excepted against; and on Mr. *Morley's* saying, 'was he to give no bail, he would certainly appear, the magistrate on the bench, with an affected consequence, replied, "I am shocked to

"hear you utter those words. As indifferently
 "as you may think of this matter, I would not
 "have such a thing hang over *my* head for five
 "thousand pound." On Mr. Morley's asking why
 they did not look after the *author* rather than the
feller, he was told the government was determined
 to make a severe example of some of the *fellers*:
 for if there were no *fellers* there would be no *au-*
thors. Mr. Morley therefore, without the pro-
 tection of his country, expects nothing but, with
 his helpless family, to fall a sacrifice to ministerial
 oppression.—With respect to Mr. Moore, in
 case he should be apprehended, as they seem de-
 termined to punish *him* in a peculiar manner,
 what would be the consequence of this nation, if
 he should through the iniquity of suborned wit-
 nesses or a packed jury (for they are capable of
 any thing) be brought in guilty?—I shudder to
 think of it.—And yet those who could persuade
one jury to find a *bill*, may, in all probability,
 bring over the *other* to find a *verdict*. If this
 should be the case, what would be the conse-
 quence!—no less than this, that we should im-
 mediately be left without a public friend to es-
 pouse our cause, to draw us from that abyss of
 ruin, which political writers have frequently done,
 and should fall back into that deplorable state of
 our ancestors, whose *all* depended upon the will
 of the prince: but it is to be hoped, that those
 who have taken the part of one, will support the
 rest

self suffering in similar cases, and that all, to a man will stand firm against every attempt and convince the world, that when an Englishman once takes a good cause in hand, no influence of any kind will ever shake him from his purpose, that of persevering to the end.

I cannot help taking notice here, and that with a secret pleasure, of the truly spirited conduct of the electors of *Westminster*, who have carried their point with flying colours.—The City of *Westminster* has been considered by administration, among the list of ministerial boroughs, from the great number of influenced voters; but they have now convinced the nation that they have learned the true value of independance, have caught the fire of the people of *Middlesex*, and are hereafter determined to be *free*. Would every County and Borough follow their example, the face of things would immediately change, and *England* would be the happiest spot in the world: the golden age would soon revisit us and we should know no more of oppression, than by name. But on the contrary, and sorry am I to say it, venality is become so general, and there is so little virtue among the people, that they are led to give their voices more through interest than other motives. It is a remark we have occasion often to make, *that they sell themselves and then wonder at being sold*. The laws respecting parliaments have been wisely framed;

our predecessors foresaw the disadvantage that would naturally arise from the growing power of the court, and the great happiness that would accrue to this country from a state of independance. To preserve this independance, they enacted that every representative of a County or Borough, should be a man of sufficient fortune to render him disinterested, and further provided, that as soon as any one became a servant of the court, and on that account, might be suspected of acting under their influence, his seat should be immediately vacated to give the people an opportunity of a fresh election.—The first provision, that of the qualification of members, is now of little effect. Luxury is so much encreased, and the value of money is so much reduced, that we have no great security in the *fortunes* of our representatives. But thanks be to the *second* provision; we are under no obligation to continue that person in our service, who once subjects himself to the measures of government, and disables himself from attending to the instructions of his constituents.—Were we then universally to resolve not to elect any man who holds a place or any one under the influence of one that does, we should immediately have a disinterested, independant parliament, an independant parliament would secure us virtuous ministers, and we should then be *free*.—It may here indeed be said; was this determination to become general, we should not find a sufficient number of men
of

of property to send to parliament, for 'tis views of interest and ambition that lead the generality of them to offer themselves as candidates and urge them to spend such fortunes in the canvass. But, this is no other than a frank confession that money is the bait, they throw out to allure us, and we are the *gudgeons* that swallow the hook.—For this we ought to blush—Is this acting like rational creatures, like men of understanding? For shame, my fellow-countrymen, let us hold up our heads and do justice to ourselves. Let us imitate the electors of *Westminster*; let us support the men of our own choice at our own expence; let us send them free into parliament, and let us give them to understand by our own conduct, that we hold nothing in greater abhorrence than venality, that while they continue unprejudiced and independent, they may always expect the countenance and support of their constituents; when once they act otherwise, they must think of nothing but falling back into their original obscurity. This would be noble to the last degree, and be securing to ourselves plenty of men to form our senate, as it would throw a lustre upon the office, it at present wants.—But, as I said before, such is the inconsistency and degeneracy of mankind, that they give into the same errors they condemn in others. He that is loudest against influence; has been often found to be most influenced, and while he has been condemning venality in others, has been found

found paying adoration to the idol deity himself.
—*O tempora! O mores!*—A reproach I am concerned to think the people of this country deserve. So that it may be said, they have brought on all their troubles and difficulties upon themselves. The only way of removing this reproach and easing themselves of the burden they labour under, is instantly to determine otherwise and support the true character of Englishmen, that of not being biassed by any mercenary views, in a case where the freedom and safety of our country is at stake.
—Thus acting, we should certainly have a virtuous parliament, the general good would be their only object, dissensions and divisions would instantly vanish, harmony and unanimity would become universal, and we should be a happy people. Though we have five or six years to wait for this, yet five or six years will soon expire, and if it should not please his Majesty to listen to the importuning of his people; if we cannot remove our grievances at present, we must wait the time with patience comforting ourselves with this reflection, that *'tis better late than never.*

C A T O.

N U M B E R XIV.

SATURDAY, MAY 19, 1770.

The following account of the disposition of English Kings, is sincerely recommended by a faithful subject; to the perusal and serious consideration of his present Majesty *George the Third*.

TH E R E can be no *allegiance* due from the people of England to their prince, when he ceases to protect them, when the laws of this country are *not made the rule of his conduct*, when he attempts to establish an arbitrary and despotic power; when he countenances the destruction of the people's liberties. When instead of delivering up to the justice of an injured nation, a set of men for their mal-practices in administration, he screens them behind the throne. In a word it is agreeable to the ancient laws of this realm, and to the practices of our forefathers, to depose kings by *the great council of the nation* for *mal-administration, oppressions, for not keeping their coronation oaths, for insufficiency to govern, &c.*

For

For the practice of former times, I shall begin with a very antient president as it stands upon record, viz.)

Cudred King of *West-Saxony* being dead, *Sigebert* his kinsman succeeded him in that kingdom, and held it but a small time; for being puffed up with pride by the successes of King *Cudred* his predecessor, he grew insolent, and became intolerable to his people. And when he evil entreated them all manner of ways, and either wrested the laws for his own ends or eluded them for his own advantage; *Cumbria* one of his chief officers, at the request of the whole people, intimated their complaints to the savage King. And because he perswaded the King to govern his people more mildly, and that laying aside his barbarity he would endeavour to appear acceptable to God and man; the King immediately commanded him to be put to death, and encreasing his tyranny, became more cruel and intolerable than before: whereupon in the beginning of the second year of his reign, because he was arrived, to an incorrigible pitch of pride and wickedness, the nobles and the people of the whole kingdom assembled together, and upon mature deliberation, did by unanimous consent of them all, drive him out of the kingdom. In whose stead they chose *Kenwolph* an excellent youth, and of the royal blood, to be

be King over the people and kingdom of the *West-Saxons*. *Collect.* p. 769, 770. *ibid* p. 795, 796.

This *deposition* of King *Sigebert* appears to have been done in a formal and orderly manner; *viz.* in a convention of the lords and commons; and consequently was not an act of *heat, rebellion, or tumultuary insurrection* of the people; but was what the whole nation apprehended to be *legal, just, and according to the constitution of their government, and no breach of their oaths of allegiance.*

Nor have we any reason to wonder that the *English* nation should free themselves in such a manner from oppression, if we consider that by an ancient positive law enacted in *King Edward the Confessor's* time, and confirmed by *William the conqueror*, the kings of *England* are liable to be deposed if they turn tyrants.

Another instance of the *deposition* of a *King of England*, subsequent to this law, we find in *King John's* time, whose *oppressions and tyrannical government*, our histories are full of. Of which take this following account out of a very ancient historian.

Whereas the said *John* had sworn solemnly at his coronation; as the manner is, that he would

preserve the rights and usages of the church and realm of *England*, yet *contrary to his oath*, he subjected, as far as in him lay, the kingdom of *England*, which has always been free, and made it tributary to the *Pope*, without the advice and consent of his Barons; subverting good customs, and introducing evil ones, endeavouring by many oppressions, and many ways to enslave both the church and the realm, which oppressions you know better than I, as having felt them by manifold experience. For which causes, when after many applications made, war was waged against him by his barons, at last, amongst other things it was agreed, with his express consent, that in case the said *John* should return to his former villainies, the Barons should be at liberty to recede from their allegiance to him, never to return to him more. But he, after a few days, made his latter end worse than his beginning, endeavouring not only to oppress his barons, but wholly to exterminate them; who therefore in a general assembly, and with the approbation of all the realm, adjudging him unworthy to be King, choose us for their Lord and King. *Collect. p. 1868, 1869. Chron. W. Thorn.*

The next instance shall be that of King *Edward* the second. the record of whose deposition, if it were extant, would probably disclose all the legal formalities that were then accounted proper for
the

the deposing an unjust, oppressive King : but they were cancelled and imbezzled (as is highly probable from *Rastal's stat. pag. 170, 171.* compared with the articles exhibited in parliament against *King Richard* the second, of which hereafter) in *King Richard* the second's time, and by his order : yet the articles themselves are preserved in the *collect* : and are as followeth, viz.

It is accorded that prince *Edward*, the King's eldest son, shall have the government of the kingdom, and be crowned King for the causes following.

1. For that the person of the King is insufficient to govern : for that during his whole reign, he has been led and governed by others, who have given him evil council, to his dishonour and the destruction of the holy church, and of all his people ; he being unwilling to consider or know what was good or evil, or to provide remedy even when it was required of him by the great and wise men of this realm, or suffer any to be made.

2. Also during all his time, he would neither hearken to, nor believe good council, nor apply himself to the good government of his realm, but hath always given himself over to things and occupations altogether inconvenient, omitting in the

mean time the necessary affairs and business of the kingdom.

3. Also, for want of good government, he hath lost the kingdom of *Scotland*, and other lands and territories in *Gascoyn* and *Ireland*, which his father left him in peace and friendship with the *French King*, and with many other grandees.

4. Also, by his pride, arrogance, and evil council, he hath destroyed holy church; imprisoning some persons thereof, and put others in distress. And also he hath put to a shameful death, imprisoned and disinherited many of the great men and nobles of the land.

5. Also, whereas he is bound by his oath to administer justice to all, he would not do it through his own covetousness, and that of evil counsellors, that were about him; neither hath he kept the other points of the oath which he took at his coronation, as he was bound.

6. Also, he hath wasted his kingdom, and did what in him lay, that his realm and people should be destroyed; and which is worse, by his cruelty and personal failings or defects he is found to be incorrigible, and past all all hopes of amendment. All which things are so notorious, that they cannot be denied.

For

For these causes, by advice and assent of all the Prelates, Earls, and Barons, and of the whole commonalty of the kingdom, he was deposed from the government. (*Apology of Adam de Orleton, collect. p. 2765, 2766.*)

These proceedings against *King Edward* the second are no where extant but in that author; which is the less to be wondered at, if we consider, that in *King Richard* the second's time the king's parasitical court-favourites so influenced the judges, that to the question, how he was to be punished, that moved in the parliament, that the statute should be sent for, whereby *Edward* the son of *King Edward*. was another time indicted in the parliament; they answered, that as well he that moved, as the other who by force of the same motion brought the said statute into the parliament house, be as criminous and traitors worthy to be punished, *V. Rastall's statutes, 170, 171.* (Tho' for that and other extravagant. pernicious, and treasonable opinions delivered, those judges were severely punished, as is notoriously known) And also, that it was afterwards one article of impeachment against *King Richard* the second, that he had cancelled and razed sundry records.

In *King Richard* the second's time many animosities arose from time to time betwixt him and his parliaments; insomuch, that in the eleventh
year

year of his reign, the parliament then sitting at *London*, the King absented himself from them, and stayed at *Eltham*, refusing to come to them, and join with them in the public affairs: upon which occasion the lords and commons sent messengers to him with an address; which the historian *H. Knighton* sets forth at large, and which I will here give the reader a transcript of, because it will afford many useful inferences and observations.

Wherefore taking wholesome advice, they sent by common assent of the whole parliament, the lord *Thomas de Woodstock*, Duke of *Gloucester*, and *Thomas de Arundell* Bishop of *Ely*, to the King, to *Eltham*, to salute him on behalf of the lords and commons of his parliament, who expressed their desires to the king to this effect.

Sir, the lords, and all the commons of your parliament, have themselves commended to your most excellent majesty, desiring the success of your invincible honour against the power of your enemies, and a most firm bond of peace and love in your heart towards your subjects, for your good God-wards, and the good of your soul, and to the unspeakable comfort of all your people whom you govern: on whose behalf we intimate these things to you; that it appears to us by an ancient statute, and by laudable and
approved

approved usage, which cannot be denied, that our king can call together the peers of the realm and the commons once a year to his parliament, as to the supreme court of the whole kingdom, in which all right and justice ought to shine forth without any doubt or stain, as the sun at noon-day, where poor and rich may find an infallible refuge, to enjoy the refreshments of tranquility and peace, and for repelling of injuries; where also errors in government are to be reformed, and the state and government of king and kingdom treated upon by sage advice, and the destroying and repelling of both intestine and foreign enemies to the king and kingdom, with most convenience and honour, may be debated upon, and provided for; as also in what manner the charges incumbent upon the king and kingdom may be borne with more ease to the commonalty. They conceive likewise, that since they bear the incumbent charges, it concerns them to inspect how and by whom their goods and chattels are expended. They say also, that it appears to them by an ancient statute, that if the king absent himself from his parliament voluntarily, not by reason of sickness, or for any other necessary cause, but through an inordinate will, shall wantonly absent himself by the space of forty days, as not regarding the vexation of his people, and their great expences, it shall then be lawful to all and singular of them to return

turn to their own homes without the king's leave: and you have now been longer absent, and have refused to come to them, for what cause they know not. *Then said the king,* I now plainly see that my people and the commons design to oppose me with force, and are about to make an insurrection against me; and if I be so interested, I think the best course I can take will be to my cousin the king of *France*, and ask his advice and pray in aid of him against those that way-lay me, and rather to submit myself to him, than be foiled by my subjects. To which they replied, that council is not for your good, but will inevitably tend to your ruin; for the king of *France* is your capital enemy, and the greatest adversary that your kingdom has; and if he should set his foot within your kingdom, he would rather endeavour to prey upon you, and invade your realm, and to depose you from your royal dignity, than afford you any assistance, if, which God forbid, you should stand in need of his help. Call to mind therefore, how your grandfather king *Edward III.* and your father prince *Edward* for him, fought indefatigably in sweat and sorrow all their days, and went through innumerable hardships of cold and heat, to acquire the kingdom of *France*, which by hereditary right appertained to them, and does now to you by succession after them. Remember likewise, how innumerable lords and commons of both realms,
and

and kings and gentlemen of other kingdoms and people innumerable, perished, or hazarded perishing, in that war; and that the commons of this realm poured out goods of inestimable value, and innumerable sums of money, for the carrying on of that same war; and, which is more to be lamented, they have now in your days undergone such heavy taxes towards the maintaining of your wars, that they are reduced to such incredible poverty, that they cannot so much as pay their rents for their farms, nor aid the king, nor afford themselves necessaries; and the king himself is impoverished, and the lords become uneasy, and all the people faint; for a king cannot become poor, that has a rich people; nor can he be rich, whose people are poor. And all these mischiefs redound not to the king only, but also to all and singular the peers of the realm in proportion: and all these mischiefs happen by means of the king's evil ministers, who have hitherto misgoverned both the king and kingdom; and if some course be not taken, the *kingdom of England* will be miserably diminished sooner than we are aware. But their remains yet another part of our message, which we have to impart to you on the behalf of your people. They find in an antient statute, and it has been done in fact not long ago, that if the king, through any evil council, or foolish contumacy, or out of scorn, or some singular petulant will of his own, or by

any other irregular means, shall alienate himself from his people, and shall refuse to be governed and guided by the laws of the realm, and the statutes and laudable ordinances therof, together with the wholesome advice of the lords and great men of his realm, but persisting head-strong in his own hare-brain'd councils, shall petulantly prosecute his own singular humour, that then it shall be lawful for them, with the common assent and consent of the people of the realm, to depose that same king from his regal throne, and to set up some other of the royal blood in his room.
H. Knighton, coll. 2681.

No man can imagine that the lords and commons in parliament would have sent the king such a message, and have quoted to him an old statute for deposing kings that would not govern according to law, if the people of *England* had then apprehended that an obedience without reserve was due to the King, or if there had not been such a statute in being. And though the record of that excellent law be lost, as the records of almost all our ancient laws are; yet is the testimony of so credible an historian, who lived when these things were transacted, sufficient to inform us, that such a law was then known and in being, and consequently that the terms of English allegiance, according to the constitution of our government,

vernment, are different from what some modern authors would persuade us they are.

This difference betwixt the said King and his parliament ended amicably betwixt them, in the punishment of many evil counsellors, by whom the King had been influenced to commit many irregularities in government.

But the discontents of the people grew higher by his after-management of affairs, and ended in the deposition of that King, and setting up of another, who was not the next heir in lineal succession,

 N U M B E R XV.

SATURDAY MAY 26th, 1770.

Delenda est Britannia.

The following are the junto who fabricated that celebrated speech made at Westminster on Saturday last before the *passive obedient* Bishops, the prostituted *court-serving* Lords, the *placed* Lords, and the *venal, profligate, and abandoned* Members of the House of Commons.

Princess Dowager of Wales	Lord Mansfield
Duke of Bedford	Lord Marchmont
Duke of Grafton	Lord Strange
Lord Weymouth	Lord Clare
Lord Barrington	Sir Fletcher Norton
Lord North	Mr. de Grey
Lord Gower	Sir Gilbert Elliot
Lord Talbot	Sir Alexander Gilmour
Mr. Onslow	Jeremiah Dyson <i>alias</i> Mungo
Charles Jenkinson	Mr. Rigby
Colonel Luttrell	S. Martin
Mr. Justice Aston	Mr. Justice Blackstone
Lord Hillsborough	

And the Bishop of Gloucester.

THESE

THESE old Tories, Jacobites, necessitous Scotchmen, prostituted placemen and pensioners, are the wretches who meet regularly at Carlton-House, plan and carry into execution every measure of government; and govern this kingdom with a rod of iron. The King is made the dupe, the tool of his mother and her creatures, and only bears the name of majesty, whilst she and her minions wear all the appendages to sovereignty. He, unhappy Prince! has neither courage nor resolution enough to extricate himself from this infernal league. Whatever he is told to say, he says. What he is bid to do, he does. Whatever he is desired to sign he signs without knowing what it is, only as he is informed by one of the junto; as a proof of these assertions, I need only mention, the last speech, the answer to the first remonstrance from the city of London; the warrants for the execution of petty thieves, and the pardons, and pensions granted to murderers. It is apparent to the whole kingdom, nay to the whole world, that he has not examined any matter of national importance, from the time he was seated on the throne of these realms to the present hour; the most artful and unfair representations of every business is made to him, and he weak prince! takes every thing for granted, which is told him by his mother, and his ministers; or how could he be led to adopt
a speech

a speech filled with the grossest, nay with the most notorious falsehoods. First his mother or his minister has obliged him to say, "the season of the year, and the dispatch you have given to the public business, make it proper for me to put an end to this session of parliament;" what can be a more gross insult on the common understanding of this nation, than to assert, that the parliament gave dispatch to the public business, it is well known, it is notoriously known that dispatch was not given to the public business; nor indeed any the least attention paid to a matter of the greatest, of the last importance to this kingdom, I mean the affairs of America. The next paragraph in this very absurd speech is as follows, "the temper with which you have conducted all your proceedings, has given me great satisfaction; and I promise myself the happiest effects from the firmness, as well as the moderation, which you have manifested in the very critical circumstance which have attended your late deliberations." I am persuaded every body believes his Majesty, the princess dowager of Wales, and the ministry received great satisfaction in all their proceedings, but the people of this country will be bound to curse the proceedings both of the lords and commons to the end of time. In the third place his Majesty says, "with respect to foreign affairs, I have nothing material to communicate to you. I will continue

tinue my endeavours to appease; if possible, the troubles which still prevail in some parts of Europe; or, at least, to prevent them from spreading farther. In all events, it shall be my first and constant care, to watch over the interests, and to preserve, undiminished the rights of my people," every Englishman must be fired with indignation against the author of this speech, who reads the last sentence in the above paragraph; can those wretched, those despicable ministers, who now govern this kingdom, believe that the people will be much longer trifled with and insulted; can they, infamous and wicked as they are, can they say, that the rights of the people have been preserved undiminished, no, the whole kingdom know it to be false, they know that the only essential right of the subject has been destroyed, by the venality and corruption of the present House of Commons, and that his majesty instead of using his endeavours to redress the injured electors of this kingdom, has supported the House of Commons in their violation of the right of election. Conclusion, of the junto's speech. "I must earnestly recommend to you to exert, in your respective counties, the same zeal and prudence that you have shewn in parliament, for promoting the peace and the welfare of the kingdom. Nothing can be so favourable to the wishes of those, who look with jealousy on the strength and prof-

prosperity of this country, as the prevalence of animosities and dissensions amongst ourselves. Let it therefore be your care, to discountenance every attempt to infuse groundless suspicions and discontents into the minds of your fellow subjects.—Make them sensible of *my* constant attention to promote their happiness; and convince them, that nothing can so effectually secure their liberties, as the maintenance of every part of our excellent constitution in its due force and authority.

How finely the princess dowager and her minions have made the king pronounce his own panegerick, “*make them sensible of my constant attention to promote their happiness; witness the massacre in St. George’s Fields; and the letter of thanks sent by lord Barrington to the commanding officer upon duty there. Witness the murderers at Brentford, these will sufficiently shew the king’s great desire to promote the happiness of his people; and convince them, that nothing can so effectually secure their liberties as the maintenance of every part of our excellent constitution in its due force and authority,*” that is they mean to maintain every part of the constitution by a military power, as they have done for some time past, which in effect is destroying instead of preserving the constitution.

We

We shall here give our readers the second remonstrance from the city of London.

To the KING's most Excellent Majesty.

The humble Address, Remonstrance, and Petition of the Lord-Mayor, Aldermen, and Commons of the city of London, in Common-Council assembled.

May it please your Majesty,

WHEN your majesty's most faithful subjects, the citizens of London, whose loyalty and affection has been so often and so effectually proved and experienced, by the illustrious house of Brunswick, are labouring under the weight of that displeasure which your majesty has been advised to lay upon them, in the answer given from the throne to their late humble application; we feel ourselves constrained with all humility to approach the royal father of his people.

Conscious, sire, of the purest sentiments of veneration which they entertain for your majesty's person, we are deeply concerned that what the law allows, and the constitution teaches,

ches, hath been misconstrued by ministers, instruments of that influence which shakes the realm, into disrespect to your majesty.

Perplexed and astonished as we are, by the awful sentence of censure lately passed upon this city in your majesty's answer from the throne; we cannot, without surrendering all that is dear to Englishmen, forbear, most humbly to supplicate,—that your majesty will deign to grant a more favourable interpretation to this dutiful, though persevering claim of our invaded birthrights; nothing doubting, that the benignity of your majesty's nature will, to our unspeakable comfort, at length break through all the secret and visible machinations to which the city of London owes its late severe repulse; and that your kingly justice, and fatherly tenderness, will disclaim the malignant and pernicious advice which suggested the answer we deplore; an advice of the most dangerous tendency; inasmuch as thereby the exercise of the clearest rights of the subject, namely, to petition the king for redress of grievances, to complain of the violation of the freedom of election, and to pray for a dissolution of parliament, to point out malepractices in administration, and to urge the removal of evil ministers, hath, under the generality of one compendious word, been indiscriminately checked with reprimand; and your
 majesty's

majesty's afflicted citizens of London have heard, from the throne itself that the contents of their humble address, remonstrance and petition, laying their complaints and injuries at the feet of their sovereign, as a father of his people, able and willing to redress their grievances, cannot but be considered by your majesty as disrespectful to yourself, injurious to your parliament, and irreconcilable to the principles of the constitution.

Your Majesty cannot disapprove, that we here assert the clearest principles of the constitution, against the insidious attempts of evil counsellors to perplex, confound, and shake them; we are determined to abide by those rights and liberties, which our fore-fathers bravely vindicated, at the ever memorable revolution, and which their sons will ever resolutely defend. We therefore now renew, at the foot of the throne, our claim to the indispensable right of the subject,——a full free and un mutilated parliament legally chosen in all its members;——a right which this house of commons have manifestly violated, depriving at their will and pleasure, the county of Middlesex of one of its legal representatives, and arbitrarily nominating, as a knight of the Shire, a person not elected by a majority of the freeholders. As the only constitutional means of reparation now left for the injured electors of Great Britain, we im-

plore, with most urgent supplications, the dissolution of this present parliament, the removal of evil ministers, and the total extinction of that fatal influence, which has caused such national discontent.

In the mean time, Sire, we offer our constant prayers to Heaven, that your Majesty may reign as kings can only reign, in and by the hearts of a loyal, dutiful and free people.

To which his Majesty seated on the throne, read the following answer,

I should have been wanting to the public as well as to myself, if I had not expressed my dissatisfaction at the late address.

My sentiments on that subject continue the same; and I should ill deserve to be considered as the father of my people, if I could suffer myself to be prevailed upon to make such an use of my prerogative, as I cannot but think inconsistent with the interest, and dangerous to the constitution of the kingdom.

To which the Lord Mayor replied,

Most gracious Sovereign,

WILL your Majesty be pleased so far to condescend as to permit the Mayor of your loyal City

City of London, to declare in your royal presence, on behalf of his fellow citizens how much the bare apprehension of your Majesty's displeasure would, at all times, affect their minds; the declaration of that displeasure has already filled them with inexpressible anxiety and with the deepest affliction. Permit me, Sire, to assure your Majesty, that your Majesty has not in all your dominions any subjects more faithful, more dutiful, or more affectionate to your Majesty's person and family, or more ready to sacrifice their lives and fortunes in the maintenance of the true honour and dignity of your crown.

We do therefore, with the greatest humility and submission most earnestly supplicate your Majesty that you will not dismiss us from your presence, without expressing a more favourable opinion of your faithful citizens, and without some comfort, without some prospect, at least of redress.

Permit me, Sire, farther to observe, that whoever has already dared, or shall hereafter endeavour by false insinuations and suggestions to alienate your Majesty's affections from your loyal subjects in general, and from the City of London in particular, and to withdraw your confidence in and regard for your people, is an enemy to your Majesty's person and family, a violater of the

the public peace, and a betrayer of our happy constitution as it was established at the glorious and necessary revolution." This reply was becoming a good subject, an honest man, and a faithful citizen.

From the King's answer to the remonstrance, it is evident the people of this country can never expect to receive any redress; his Majesty by the advice of his mother and his ministers, seems determined to set up his own will in place of the laws. Therefore they have only this alternative, either quietly to be made slaves, or to seek redress with their own hands.

Mr. Locke says that the government is dissolved when the legislative, or the prince, either of them, act contrary to their trust. First, the legislative acts against the trust reposed in them when they endeavour to invade the property of the subject, and to make themselves, or any part of the community, masters, or arbitrary disposers of the lives, liberties, or fortunes of the people. The reason why men enter into society, is the preservation of their property, and the end why they chuse and authorize a legislative, is that there may be laws made, and rules set, as guards and fences to the properties of all the members of the society, to limit the power, and moderate the dominion of every part and member of the society.

When-

Whenever the legislators endeavour to take away and destroy the property of the people, or to reduce them to slavery under arbitrary power, they put themselves into a state of war with the people, who are thereupon absolved from any farther obedience, and are left to the common refuge, which God hath provided for all men against force and violence. What is here said concerning the legislative, holds good also concerning the supreme executor, who having a double trust put in him both to have a part in the legislative, and the supreme execution of the law, acts against both, when he goes about to set up his own arbitrary will, as the law of the society. He acts, also 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 pre-engages the electors, and *prescribes* to their choice, such whom he has by solicitations, threats, promises or otherwise won to his designs, and employs them to bring in such who have promised beforehand, what to vote, and what to enact. Thus to regulate candidates and electors, and new model the way of election, what is it but to cut up government by the roots, and poison the very fountain of public security? For the people having reserved to themselves the choice of their representatives, as a fence of their properties, and could do it for no other end but that they might be always freely chosen, and so chosen,
freely

freely act and advise, as the necessity of the commonwealth and the public good should, upon examination, and mature debate be judged to require. This, those, who give their votes before they hear the debate, and have weighed the reasons on all sides, are not capable of doing. To prepare such an assembly as this and endeavour to set up the declared abettors of his own will, for the true representatives of the people, is certainly as great a breach of trust, and as perfect a declaration of a design to subvert the government, as is possibly to be met with. To which, if we should add rewards and punishments, visibly employed to the same end, and all the acts of perverted law made use of, to take off and destroy all, that stand in the way of such a design, and who will not comply and consent to betray the liberties of their country.

 N U M B E R XVI.

SATURDAY JUNE 2, 1770.

S I R,

The inclosed is at your service and you are at liberty to make what comments upon it you please. If you think proper to give it the public
this

this week, I will send you something still more extraordinary the next, which will give your readers a little idea of the importance of the petition mentioned in the inclosed. Though it was intended to procure justice to many, &c. all that I think necessary to say upon it at present relates to myself, viz. that, for having effectually served the public and relieved a great many individuals from unprecedented hardships and oppressions which had then been the death of one poor man, I am now an actual sufferer of above 2000 l. and by the usage I met with from the officers of the crown, my wife a most amiable and deserving woman, was reduced to a state of melancholy, drove to distraction, despair and death. Whilst public robbers and perjured villains whom I had detected, whose iniquity was made apparent and acknowledged even under the hands of his Majesty's commissioners, were not only unpunished but actually rewarded, and suffered to retain part of the plunder which they had by perjury obtained.

I am

Your and the publick's

humble servant,

WILLIAM STEWARDSON.

No. 3, Little College-Street,
Westminster, May 29, 1770.

The following is the copy of a letter to the Right Honourable Lord North, put into the General Post-Office, in Lombard-Street, May 23, 1770.

*Thus saith the Lord, keep judgment and do justice,
Isaiah 56. 1.*

MY LORD,

HAVING from the year 1763, regularly applied to every successive first Lord of the treasury for justice, I must not now omit your Lordship. It is not a *little* hard my Lord to suffer as I have done for having effectually served the public, and saved the fortunes, if not lives of some of his Majesty's subjects. Yet my Lord it is honourable not to say glorious for me. As all my sufferings have flowed from my humanity, and were entirely owing to the injustice of the great! But it is no small matter of consolation to think that, whilst I have been for years waiting for justice, and using not only ordinary, but most extraordinary means to obtain it. I have been miraculously supported, and under providence an instrument of doing good to many; besides which your Lordship on perusing the inclosed, will find I can say with truth, what few subjects but myself can boast of, viz. that I have endeavoured to
make

make all kinds of perjury punishable, and given very good reasons to the King and council for entirely setting aside oaths at the Custom-house. That I have attempted to do justice to several as well as myself, all injured by the officers of the crown. That I have actually saved the lives of two poor women, his Majesty's innocent subjects, friendless and strangers, when most infamously and most diabolically prosecuted by a great officer, a major general and member of parliament; after the public had been addressed and some of the greatest men in the kingdom applied to, and Majesty itself petitioned in vain! and what is still more extraordinary, that I have also done that justice to the sea officers widows, which the King and council had been years petitioned leave for, and twice most solemnly, tho' ineffectually cited to grant! I should be very sorry my Lord, to make use of any expressions which would give offence: but justice is dearer to me than life, and without justice, though extremely desirous, I cannot at present discharge my just obligations. Therefore if justice should be any longer denied me; from the following copy of a letter to lord Mansfield, the citation annexed and the inclosed printed petition with notes, I appeal to your Lordship if I shall not have a right to say, we have both a perjured King and a perjured council, and should that be the case, whether in that situation I am not to exercise that right, and do them justice by

publishing it to the world, fixing it in capital letters in all public places, in the streets and highways, and even in the King's-Bench and St. James's. I am

Your Lordship's

most obedient humble servant,

WILLIAM STEWARDSON.

No. 3, Little College-Street,

Westminster, May 23, 1770.

The following is the copy of a letter to the Right Honourable William Lord Mansfield, chief Justice of the court of King's Bench, mentioned in the above.

MY LORD,

YOUR Lordship in October 1767, having most obligingly answered a former letter of mine which contained one of the inclosed petitions without notes, I now send one with, for your Lordship's most serious consideration. And also a copy of the citation, requiring the King and council to do justice, which was stuck up on the door of St. Martin's Church, the 11th of November last.

Had the secretaries of state, to whom in November and December 1767, (on your Lordship's hinting

hinting by Mr. Thomas, it was their province to deliver petitions to the King,) I wrote each two letters of the same tenor and date, either of them presented the petition to his Majesty which was inclosed in my first letter, I believe I should long ago have met with justice, which would have prevented my giving your lordship this further trouble; which I flatter myself will be excused by your lordship, as being one of his Majesty's most honourable privy council, and one to whom the citation is addressed, which I imagine has not yet reached his Majesty nor your Lordship's hands.

As I told the late Archbishop of Canterbury, I now tell your Lordship. All that I desire is justice, such as is consistent with equity and will do honour to a GODLIKE King and council, which will be no disgrace to the greatest to procure, and which, should your Lordship upon this application be the happy instrument of obtaining for the poor, the widows, and the fatherless, will (at this time particularly) reflect the highest honour upon your Lordship, as it will be an act of the greatest justice, which will make glad the hearts of thousands, as well of

Your Lordship's most obliged
and obedient humble servant,

WILLIAM STEWARDSON.

No. 3, Little College-Street,
Westminster, March 24, 1769.

The

The following is a copy of the citation mentioned in the foregoing letters.

THAT heathen monarch Philip of Macedon, going upon an expedition was stopped by an old woman, who demanded of him to rehear a cause in which she had been injured, which that arbitrary prince immediately complied with and redressed her injuries. Above one thousand widows of the officers of the royal navy, many of them in most wretched deplorable circumstances, now petition for justice of a christian King and council. All that they request in this petition is, that the money which has been given and received for their use, may be paid and applied to their service, and if the accounts published by the Admiralty may be relied on, above 27,000 l. have been received on their account, more than have yet been accounted for to them: a sum more than sufficient to pay them one year's whole nominal pension; and this year they received considerably less than half that nominal sum; at the same time many of them were almost drove to despair, and perishing for the want of the necessaries of life.

*Quis talia fando,
Temperet ab ira.*

The cause of the widow and the fatherless, is the cause of GOD, who formeth and fashioneth the
the

the hearts of all men, and understandeth all their works.

Whom from his empire of the skies
The poor man's claim to patronize,
To this low world compassion draws
And judge the injured widows cause.
Psalms cxv. 5.

On whose account the following lines were affixed to the doors of St. Paul's and St. James's Churches, the 11th of October 1767. By permission of the ALMIGHTY by whom king's reign, who has particularly commanded the rulers and governors of the earth to do justice to the poor, to support the needy, and to deliver the oppressed out of the hands of the oppressor.

A C I T A T I O N.

To the King's most Excellent majesty and
Council,

W H E R E A S all private applications have been found ineffectual and several have been to procure redress. You are hereby publicly required speedily to give judgment in equity, in the cause of truth, of justice, and the poor a printed petition delivered at the council chamber the 12th day of June last, by the poor widows of the officers of the royal navy, as you will answer to the contrary at the
bar

bar of ETERNAL justice, before the tremendous tribunal of the king of Heaven and Earth, who has declared that he is no respecter of persons but will reward every man according to his works.

WILLIAM STEWARDSON.

No. 28, Plough-court, Fetter-lane,
the 11th of October, 1767.

For further particulars enquire of his grace the Archbishop of Canterbury.

N. B. Whoever takes this down, and does not carry it, or cause it to be carried directly to the king, is an enemy to justice, and as such will be punished by the hand of GOD.

The late Archbishop of Canterbury being conjured in the most solemn manner, to exert himself to procure justice to the petition, and refusing to do it occasioned this citation. And that which was put up at St. Paul's was carried to his lordship, who is since gone to appear to it. And it is remarkable (tho' his grace wanted nothing this world could bestow) that he was very uncommonly visited just before his exit, and it is certain his lordship's latter days were not quite so happy and comfortable as the Almighty has been generally pleased to allot to his best and most beloved servants.

As

As thirteen months are this day elapsed since the above citation was set forth, and no justice has yet been done, tho' several extraordinary private applications has since been made for that purpose. And as the king has publicly swore to do justice to all his subjects, and it is imagined by the people, his counsellors have swore to the same effect. Therefore his majesty and council are again, thus publicly and most solemnly required to do speedy justice to the above-mentioned petition; as you are not immortal, and would be justly deemed guilty of perjury in time, and be arraigned and tried as perjurers in ETERNITY.

WILLIAM STEWARDSON.

No. 3, Little College-Street, Westminster, the 11th of November, 1768.

Then it will be no excuse for those whose province it is to hear every petition, and to do justice to all without distinction, and do it, not to say we knew it not. If thou forebear to deliver them that are drawn unto death, and those that are ready to be slain: if thou sayest behold we knew it not. Doth not he that pondereth the heart consider it. And he that keepeth thy soul doth not he know it. And shall he not render unto every man according to his works. *Proverbs XXIV. 11, 12.*

The Lord for ever lives who has
 His righteous throne prepared,
 Impartial justice to dispence
 To punish or reward
 No single sinner shall escape
 By privacy obscured
 Nor nation from his just revenge
 By numbers be secured.

Psalm ix. 7, 8, and 19.

Tho' money is his darling grace
 In which he chiefly takes delight,
 Yet will he all the human race
 According to their works requite

*To those who may be summomed for Jurymen.
 Englishmen and Freemen,*

REMEMBER that the great right of trial in these kingdoms, is by jury, by which innocence cannot be depressed, nor guilt escape its due punishment, unless it is a *pack'd jury*. You have already seen arbitrary and unconstitutional proceedings; you have seen the right of election invaded; you have seen the K— himself absolutely refuse the redress of his people's grievances. The liberty of the press is hourly attacked; nor do they mean to relinquish such attacks till they conquer that right of speaking our sentiments, so dear to this country alone. If we are to be loaded with taxes, represented by prostitutes whom the court shall

shall select, imprisoned for publishing our thoughts, and murdered if we assemble in a croud to object to tyranny and oppression; if all these are to be, it will be a curse to be an Englishman, and he deserves slavery who will not die to revenge such encroachments on our liberties. There are such things as *packing of juries*; there is such a Scot jacobite lawyer as Mansfield. If you have a spark of honour yet unquenched, be not biassed to give your vote and sentiment contrary to your conscience, and the character of an Englishman. Remember the trial by jury is now invaded; and if ye loose that, adieu to your peace, and the blessings of this nation;

N U M B E R X V I I .

S A T U R D A Y J U N E 9 , 1 7 7 0 .

S I R,

IN order that your readers may have a pretty clear idea of the following, I think it necessary to acquaint you that the petition which occasioned your last *Whisperer*, and also what I now send you was called the cause of truth, of justice and

the poor, addressed to the king and council, and had for its motto *justice O king and ye right honourable counsellors of the land*, was delivered at the council chamber the 12th of June 1767, and being printed, copies of it were sent to the president and heads of the council, and to the princess dowager of Wales, who was requested to procure justice to it, but no regard being paid to it, I sent the following letter to the king's mother.

May it please your royal Highness,

To consider, that the Almighty has particularly commanded kings and princes, the rulers and governors of the earth to do justice to the poor, to support the needy, and to deliver the oppressed out of the hand of the oppressor.—It is now three weeks since I applied to your royal highness for that purpose. — The fate of general Stanwix's family * may instruct the great; that injustice in them will not be overlooked by the Almighty. I could say much, very much upon that subject, which would affect even majesty itself; but at present decline it and beg for nothing but justice, such as is consistent with equity and agreeable to the laws of God and man. To God I leave my cause, who has alone been my support, when

* The infamous prosecutors of those two poor women mentioned in my letter to lord North published in your last whisperer.

justice and equity were supplicated from the great in vain. In him I trust to do me right, for "he fashioneth the hearts of all men and understandeth all their works", *Psalms lxxxiii. 15.*

While God vouchsafes me his support
I'll in his strength go on,
All other righteousness disclaim
And mention his alone.

Psalms lxxi. 16,

I am your royal highnesses
most obedient humble servant,

WILLIAM STEWARDSON.

Cross Keys, Gracechurch-
street, August 1st, 1767.

When I wrote the above letter, I was firmly persuaded in my own mind, that it would not be long before her royal highness would meet with something that would give her no small uneasiness, which accordingly happened soon after by the death of the duke of York. And from a very remarkable circumstance related in the sequel, some of your readers may perhaps reflect that there is a God above, tho' they may justly think there are but few in power on earth who act as Gods below.

The following is the copy of a letter that one of his majesty's servants gave to the page of the Presence

“ colour'd clouds detached from the great one,
“ surrounded with the same kind of border, formed
“ the grandest and most beautiful sight that was
“ ever seen by waking mortal eyes. I stood still
“ I believe near a quarter of an hour if not more,
“ to survey this splendid appearance. In which
“ time I saw, as plain as I now see this paper I am
“ writing upon, on the top of the great blue cloud
“ the likeness of the hind part of a large white horse,
“ and the form of a man with a plume upon his
“ head riding upon it. Soon after the figure of lion
“ made its appearance on the north side, which
“ I attentively surveyed for some time, and said
“ to myself, a lion in the air, what can this
“ mean! and turning my eyes to the south, in a
“ white cloud at a distance from the blue one,
“ I beheld the figure of a man with all the marks
“ of death in his face, stretched out on his back,
“ his arms lying extended close by his side; and a
“ woman standing at his feet leaning towards him
“ with her arms stretched out as if inclined to
“ help him. This appearance remained I believe
“ five minutes in full proportion, and then
“ gradually sunk away, the shining border had
“ before seen disappeared and nothing but com-
“ mon clouds remained: the great author and
“ governor of the universe does nothing in vain
“ nor for no purpose, and in times like these, when
“ we see the nature of things inverted on earth, and
“ uncommon appearances in the air, ought they
not

“ not to awaken our attention and incline us to
 “ consider our ways and be wise.”

The same account I sent to your majesty in a letter the 1st of November, 1767, which I suppose never came to your royal hands, any more “ than two others I addressed to your majesty before.— The colour of the lion was red as blood, which I at that time thought unnatural, but it then struck me no otherwise than as a mark that the dying person was of the royal family, which happened to be the case, for according to the gazette it was the day after the severity of the duke of York’s illness begun, that this extraordinary sight appeared. And I could not help saying to the first person I spoke to afterwards, that one of the royal family was at that time either dead or dying. Though I have been laughed at for mentioning this strange sight, yet I have always thought it a very serious affair. And when it is considered that the following applications were occasioned by it, from the reception of which a most serious and most extraordinary conclusion may very justly be drawn,) I believe your majesty will be of my opinion, and it may be further remarked, that in this very uncommon appearance were three signs, the last of which was at that very time fulfilling and the second (if a red lion is no improper emblem of rulers dipped in blood) is already come to pass, and only the

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third remains to be accomplished; which has a very obvious and a very fatal meaning, which may be prudent and can do no harm by justice to prevent.

We are told that all scripture was given for our learning, and therein we find mentioned that no king can be saved by the multitude of an host, but that the throne is established by justice, so that it must necessarily follow that injustice destroys its very foundations, whereas the work of justice shall be peace, and the effect of justice quietness and assurance for ever. *Isaiah xii. 17.*

That your majesty's justice may soon be as conspicuous as the injustice of your servants is glaring and obvious, that all your subjects may with joy and admiration universally cry out, behold a king reigneth in justice and executeth judgment, he hath caused equity to descend, and is become an hiding place from injustice a covert from oppression, and a divine protector of a sinful land.

So wisheth, so prayeth,
Your majesty's
most faithful and obedient
humble servant,
WILLIAM STEWARDSON.

No: 3, Little College-Sreet,
Westminster, Jan 11, 1770.

I was

I was in great hopes the following would have been published in the news-papers the 11th of December, which would have prevented this, but was prevented.

To the Right Reverend, Right Honourable and Honourable Counsellors of the King.

Fiat justitia ruat Cælum.

MY LORDS and GENTLEMEN,

Having aforetime ineffectually applied to you for justice in the manner described in the sequel, I now address you as men who believe in God the father Almighty, in whose presence 'tis presumed you have sworn to render impartial justice to all men, and as christians who shall hereafter be called to an account before the judgment seat of Christ, and receive impartial justice every one according to his works. The following letter to lord Mansfield and the citation mentioned therein which concern you all equally with his lordship, authorize and justify my addressing you in this manner. And as it is very probable the citation may have been seen but by few, though it is thirteen months this day since it was put up, I take this method of communicating it to you all, humbly submitting both the letter and citation to your most serious and candid consideration, which that you may be the better enabled to do,

I shall just mention the purposes the petition alluded to in the citation was intended to serve which are briefly comprised in the six following articles, viz. To procure,

1. Justice for the poor sea officers widows, that the money which had been given and received for their use might be paid and applied to their service, I have inspected their accounts at the navy office and find them quite different from those stated by the admiralty, I sent two remonstrances before I could obtain permission.

2. Justice for a poor sailer's widow which had been refused out of oeconomy, though her claim was allowed to be right and just and what had been granted to others.

3. Justice for a poor sailer in particular deprived of his wages, and the sailers in general employed in the navy, I am very credibly informed that the clerk of the petitions at the navy office has near as many rejected petitions for wages as will fill a bushel—ought not the public to know in whose hands those poor fellows money is.

4. Justice for two lieutenants of the navy injured by court's martial.

5. Some

5. Some punishment or penalty to be annexed to perjury in general, and, in the customs in particular, or a total abolition of oaths in that department, on the breach of which there is neither punishment nor penalty. And which as they are now imposed are not only a most insolent affront to the Majesty of Heaven; but, as long as searchers, surveyors, inspectors, &c. are employed to carry with them the severest satire and the greatest reflection upon the religion, honour, honesty and integrity of the people, that the wit of man could possibly devise and invent. For the imposition of these oaths as at present, is a public declaration, that the good people of England are such abandoned, profligate wretches, that so far from being worthy to be trusted on their words, they are not to be believed on their oaths, and to punish them for their iniquity, they shall not only swear but pay for their oaths and also the inspectors, &c. appointed to examine whether they have sworn true or not!

6. Justice for myself for having effectually served and relieved a great many individuals from unprecedented hardships and oppressions, which then had been the death of one poor man, for which I am now an actual sufferer of above 2000 l. &c. as mentioned in the last Whisperer.

Now my lords and gentlemen these are the ends proposed to be answered by the aforementioned petition.

petition. And as justice is the foundation of all good government due to every man without exception, and we are told from the best authority, that to do justice and judgment is more acceptable to the lord than sacrifice, an impartial distribution of which is of eternal obligation; universally binding upon all in authority under the king of heaven and earth, I shall conclude this address with the following extract from the petition alluded to in the citation.

To execute judgment and justice is so amiable in the sight of that God with whom we have to do; that the prophet Isaiah begins his 56th chapter in these words, *thus saith the Lord, keep judgment and do justice*, and in the next verse he pronounces *blessed is the man that doth this and the son of man that layeth hold on it*. It was this that rendered the reign of Jehosaphat the most happy, the most prosperous, and the most glorious of all the kings of Judah. He ordered his judges to execute judgment in the fear of the Lord, with whom there is no respect of persons, nor receiving rewards, and not content with executing justice between man and man, he extended it to the noblest, the most glorious and most exalted purposes! Truly sensible of that justice and duty which his people owed to the Almighty, who had given and ordered them to keep his commandments; he sent his princes to teach and instruct them in the law of
their

their God, that they might thereby become a virtuous, religious, and a truly happy people whom the Lord would delight to bless. And he had the pleasure to experience the happy effects of his most noble endeavours, which procured him the protection of Heaven against his enemies, and rendered his people a terror to all the surrounding nations insomuch that even his enemies brought him gifts, and none of them fought against Jehosaphat nor his people! And your petitioner has not the least doubt but in all nations where governors are equally careful of the morals of the people, that that care will be attended with the same happy and blessed effects, viz. harmony, peace and plenty at home, fear, love and respect amongst foreign nations. At a time when all the vices that brought ruin, desolation and destruction even upon the Jewish state have deluged the land and pervaded all rank, and degrees in the nation, and the poor are given up a prey to rapine, avarice, and ambition. Whether an imitation of this great and good king would not be the most likely means to procure a blessing from the Almighty and restore harmony, peace and plenty in this divided and greatly distressed country is most humbly submitted to the consideration of your majesty and council, and now of right reverend, right honourable and honourable counsellors of the king by

Your and the public's humble servant,

WILLIAM STEWARDSON.

No. 3, Little College-Street, Westminster, the 11th of December, 1769.

N U M B E R XVIII.

SATURDAY JUNE 16, 1770.

THIS country seems to be upon the verge of destruction, and it is much to be feared that its ruin will soon be completed principally owing to this absurd maxim; *the king can do no wrong*. The meaning of these words are perverted to a sense very different from that which was at first intended by them. And I will be bold to say that the ridiculous doctrine of *passive obedience* and hereditary *divine right*, has been the cause of more bloodshed and desolation in this kingdom than all the resistance that was ever made to the tyrannical acts of the king's of England. The just and true meaning of the words, *the king can do no wrong* is only this, that the king's power cannot go so far as to support him in the doing of any injustice or wrong to *any*, according to that chapter in *magna charta*, by which all commissions granted against law, are declared to be null and void. But there is no necessity to carry this so far, as, that if king's will strain their authority visibly, to do the greatest

greatest wrongs possible, they are in no respect accountable for it.

Whatever has been done in parliament and has never been condemned by any subsequent one, is a part of the law of *England*. Since then two of our king's, *Edward* the second, and *Richard* the second have been judged in parliament for their mal-administration, and since these judgments have never been vacated by any subsequent parliaments, those proceedings are a part of our law; and as long as they remain upon record, it is plain that this great right of the English nation of preserving itself in cases of extreme necessity, against the violent invasions the crown may make upon it, is still entire and in force. It is therefore to be hoped that the people of *England*, will no longer be guilty of so unreasonable a piece of *tenderness*, as not to lay the blame of their misfortunes where they ought to be laid. The k— has gone so far in what he has averred lately, that we can no longer believe he has been imposed upon, but that *he* means not only to treat with contempt, the people of *England*, but to destroy; in conjunction with an abandoned m—, whom he is determined not to part with, and the pernicious advice of a still more abandoned w—, the liberties of this country. It would therefore be more suitable to the dignity, as well as to the wisdom and safety

of the English nation, to act frankly and openly with the sovereign. I can conceive no reason why the arbitrary and illegal acts of a prince of the house of Brunswick should be *varnished* over, or submitted to; our forefathers set us a very different *example* in the last century, and preserved themselves free; an example that I will prophecy we *must* soon follow, or quietly submit to a state of *slavery* and of the worst kind, that established by the three estates of the kingdom, king, lords, and commons. Our government is founded upon resistance, and we have an undoubted right to defend any invasion of our liberties or property by *force*; or with what shadow of truth can it be said, we are free. It was a complaint against James the second, at the time of the last REVOLUTION, that he would not call a free parliament, it was the principal cause of that revolution; and justified every proceeding against the infatuated king, and the people of England in calling for the assistance of the *Prince of Orange*, to redress their *grievances* and restore the constitution to its ancient freedom and security. It was a complaint, that *James* had assumed to himself a power of *suspending* and *dispensing* with the execution of the laws. It was a complaint that he displaced all honest and conscientious judges, who would not contrary to their consciences, declare that to be law which was illegal and arbitrary; and branding all men with

with the name of rebels, that offered to justify the laws in a legal course against the arbitrary proceedings of the king, or any of his corrupt ministers. By forbidding the subjects the right of petitioning and construing them libellers, in order to serve his own arbitrary ends and purposes. The complaints of the English nation at this time are nearly similar, the king has been petitioned by a majority of the freeholders of this kingdom to dissolve the present self-elected house of commons, and to send them to the choice of new representatives *uninfluenced* and *un-corrupted*; his majesty has absolutely refused to comply with the request of his people, and treated the petitioners with the greatest contempt; the answer given to the last remonstrance from the city of London, was such as the most despotic tyrant of the East would not have dared to utter, much less a king of England governing a brave and free people. If therefore his present majesty like James the *second* is determined not to call a *free* parliament, and redress the grievances of the people, but to set up his own will in opposition to that of his subjects and the laws of the land; they will be justified in seeking redress with their own hands. The King is apprehensive that a *free* and *lawful* parliament being once assembled, would bring to a strict and severe account, those wicked and abandoned ministers, who have been desperate enough to def-

stroy the first principles of our most excellent constitution; and in all probability enquire a little into *his* conduct, for encouraging and supporting them in these violations. This was what James the *second* dreaded, and what G—— the *t—d* seems to fear; the former rather than make any concessions to the people, or comply with their repeated importunities, to call a *free* parliament and redress the grievances of the nation, *chose* to desert the kingdom and abdicate three crowns; and the latter, seems very ambitious of treading in his steps, and even more desirous than *James* was of involving this nation in all the horrors of a civil war; and which from the face of things nothing can prevent, but an immediate and a bold opposition to the present measures of government, I shall speak plain, others may disguise their meaning in what manner they please. I mean the measures of the king and his ministers.

James assumed a power of *suspending* and *dispensing* with the execution of the laws, and our present most *gracious* —— has upon many occasions done the same, I need only mention a few instances. First the soldiers in St. George's-Fields being *suffered* to escape without being once advertised as deserters or murderers. Notwithstanding Mr. Allen the father of the unfortunate young *Allen*, who was unhumanely shot by them, petitioned the King, and humbly begged a proclamation

mation might be issued for apprehending the murderers of his son, but no such thing, this is not the reign for justice.

James displaced all honest judges who had any conscience, because they would not declare that to be law, which was illegal and arbitrary, and branded all men with the name of rebels, who offered to justify the laws against his despotic proceedings, Lord Camden was turned out of his office because, he gave his opinion in parliament, in support of the laws and constitution of his country. *James* forbid the right of petitioning, and declared those who did so to be libellers. The same sort of game is now playing over again, with many other notorious violations of the rights of the people.

In the British constitution it is acknowledged that there are three powers that govern the whole; and that either of these predominating over the other two, occasions instant disorder, and if not remedied in time, may totally ruin this excellent fabrick, the work of ages. Will any man then pretend; that we can be good subjects, honest citizens, humane parents, or even rational creatures, if we sit still with folded arms and observe the progress of any one of these powers towards supreme power over the others, much less when we see two of them closely combined and united in a
conso

consolidated system, a regular digested plan to destroy the third ? or shall we be deterred from the brave, the generous purpose, of restoring that equal poise to the three powers which forms and preserves the perfection of our government, because the two prevailing powers join in an outcry against us, and rank us among the sons of riot, tumult, and sedition. No, my countrymen till it can be fairly proved, that in the most important concerns of government since the year 1760, these three powers have been equally poised, and have each of them had their proper influence; do not desert your duty, but as *power* is, in some shape or other, perpetually endeavouring to usurp, let *liberty* be perpetually on its guard, prompt upon every occasion to re-assume whatever it has been dispossessed of; and diligent in fortifying wherever an attack is likely to be made.

As a prevailing power will, at all times, draw many friends, a man must expect to meet with opposition in this laudable undertaking; and should things come to a crisis in the convulsive motions of the disordered constitution, he may possibly sacrifice his family, his fortune, and his life, in the glorious attempt to restore the true equilibrium of the state. But let him remember, that the exalted, the highly finished master piece of human nature, *the genuine patriot*, lives not for himself, nor for the narrow circle of domestic
connec

connections, but for the good of that great society of men who have registered him as a brother volunteer in the service of his country; and therefore expect from him, that no relations, no private friendship, no favour received no benefit arising to himself, no personal danger to be avoided shall induce him to desert the common cause, or to neglect contributing, as much as in him lies, to its success. And when a *conspiracy* is formed against the *constitution*, it will be required of him to join a *confederacy* to defeat it.

In the present age I believe no man will suspect, except the tools of administration, that there is too great weight in the *democratical* scale of our constitution, nor yet in the *aristocratical* separately and distinctively considered; but when we view it as coming in aid of the *monarchical*, and adding fresh weight to that preponderating scale, we have reason to complain of it. And that the power and influence of the crown, or at least of the ministers of the crown, is become so heavy, that it has overset the balance of the state, and put the constitution out of order, is so evident, that no impartial independant Englishmen will presume to deny it; or that the liberties we still enjoy, seem to depend more on the wisdom and goodness of his Majesty, in not making an improper use of the power that has been thrown into his hands, than in the weight of the democratical scale,

scale, which has been lightened by means of posts, pensions, ecclesiastical, civil and military translations and promotions, and by private applications of the public treasure, all of which now depend upon the arbitrary will and pleasure of the King and his ministers for the time being.

If ever the crown, or the ministers of the crown, should be able by any of the means just recited, to influence elections of all kinds, and both houses of parliament, so as always to have a *majority* in each house, under the absolute direction of the *prime minister* for the time being, it will not be necessary for any minister to desire a farther sacrifice of our constitution; for by both houses being under such a direction, (and that they are now I believe no one will deny) our constitution would be as effectually destroyed, as if both houses had joined in an absolute surrender of all the liberties and privileges of the people. The art of government would in this case be reduced to one uniform, narrow, mean system of corruption, under which the antient form might be kept up; but every man must see that the life and spirit of the constitution would be lost, and that the state would from that moment become an absolute monarchy, and that one of the worst kind.

Under such a government as this it would be impossible for the people, in a legal and regular method,

method, to bring any minister to justice, let him be as rapacious and oppressive, as perfidious and revengeful as it is possible to conceive, so long as he continued to be the *favourite* of the crown.

This sort of government the king when rightly informed, can never (I should think) desire to countenance—it is inconsistent with his interest, it is personally dangerous to him.—For it is the interest of the chief governor in a free state, to have some legal method established and left open; by which the people may testify their discontent; by which they can call those to account who have given them just cause of offence; and, as by our constitution, the king is not directly responsible in his own person for any faults or oppressions committed by his servants, even though they have his order in writing: it can never be the interest of the King to draw on himself the popular resentment, which ought to fall upon his ministers, by protecting and screening them behind the throne; nor can it be consistent with his safety. And if he permits them, by dispensing with a lavish hand the favours of the crown, they may secure not only a ministerial majority in parliament, but a ministerial party in the nation, which may make it dangerous for him to dismiss them from his service; and he will become a *royal slave*. There-

fore, when such an undue influence prevails in this country, that all the laws against bribery and

corruption, are rendered ineffectual, and a majority is obtained in both houses, of men who will basely submit to be told in express terms, what way they are to vote; from the impossibility of bringing ministers to justice, by the ordinary legal method, it will be absolutely necessary to take some extraordinary steps suited to the crisis of affairs, to reduce our government as much as we can, to its first principles; by destroying that ministerial power of the crown, which shelters the ministers, and supports their tyranny over the people. This is our only road to salvation, every other method is but nibbling at the bait. If we have a mind to be absolutely safe, we must cut the line, on which are strung the gilded trophies of corruption.

At the hazard of our lives we must insist on restoring the balance of power, equally lodged in the three estates of the realm; and in order to effect this we must not only petition the King, but insist upon a dissolution of a parliament, consisting chiefly of representatives of the minister instead of representatives of the people.

And till this is complied with, in such desperate cases as I have described, be it remembered, that the civil compact between the prince and the people is dissolved by the venality of his ministers, and they may lawfully withhold all taxes, subsidies, and aids, which were granted in virtue
of

of the existence of the constitution, but are forfeited and annulled in the moment that the equilibrium is overturned; for then the constitution under which they were granted is dissolved.

N U M B E R XIX.

SATURDAY JUNE 23, 1770.

TO WILLIAM DE GRAY, Esq; his
Majesty's Attorney-General.

S I R,

AS you and lord Mansfield (the *Jefferies* of our time) have been very lately executing a plan of a most diabolical nature, (concerted many months ago) for destroying the liberty of the press, and rendering useless that great privilege and boast of Englishmen, trial by jury. It will neither be doing you (thou *NOY of the age*) nor his lordship any injustice to make you appear as *inf—s* as you deserve, that you may be held in contempt not only by the present generation,

H h 2

but

but to the end of time, as enemies to the laws and liberties of England and traitors to your sovereign, whose trust and confidence you have abused, whose *easy* temper and *understanding* you have imposed upon, and whose ruin with that of *this* country you are about to accomplish. You may indulge your rage against me, I will remain the same, whether under prosecution or free from the hands of tyrants and murderers. It is happy for *me*, I am my own PUBLISHER, or you and Mansfield (from the success you have met with in terrifying booksellers) would not now appear in your true and genuine colours, the authors and promoters of tyranny, bloodshed, and desolation. I am determined to persevere and to expose every measure adopted by you and lord Mansfield, pregnant with the ruin of this my native country. I lose all kind of patience when I reflect on the melancholy state of this kingdom, and the villanous principles of those men intrusted by the sovereign with the management of our affairs. I am fired with a just indignation against the authors of our misfortunes: and if I appear too warm, I hope it will be imputed to my zeal in the public cause, and not to any malice or resentment against individuals, for I here declare to have none; but would willingly sacrifice my life, could I rescue my country from the hands of paricides and traitors, and from that destruction which now threatens it.

It

It is notoriously known, notwithstanding what was asserted from the throne, that we do not now enjoy *undiminished* one single privilege, purchased by the blood of our ancestors, and confirmed to us by MAGNA CHARTA and the BILL of RIGHTS. Every man then who remains passive at this time, an enemy and a traitor to his country; when he sees one branch of the legislature violating the first principles of the constitution, and the other two confirming those violations, when he sees the chief justice of England supporting the king's attorney-general, in the most arbitrary and unconstitutional prosecutions against printers and publishers, with no other view but totally to destroy the *liberty of the press*; the great terror of *tyrants* and *oppressors*. When he hears the chief justice, by sophistical arguments, and the chicanery of law, explaining away the *right* and *power* of a *jury*, and telling them that they are not to determine the *legality* or *illegality* of a matter before them; (unhappy England! thy *liberties* now depend upon the will and pleasure of one man, an arbitrary *Scot*.) I say, when he sees these things, what honest man, but would risque his life to preserve the laws and constitution of his country. But to return, you Sir, in April last, (with your informers) at Hick's-Hall, threatened the GRAND JURY, (because some of them were for throwing out the bill of indictment against the author of the *Whisperer*) and told them

them if they did not find a true bill, that they should be had up to the bars of the houses of lords and commons. If you can so easily by *menaces* lead *one* jury to find a bill of indictment, and lord Mansfield by his sophistry, *another*, to find a verdict: the fate of this country is truly deplorable; you are forging chains for us thou prostituted venal wretch, and (the still more prostituted) *Mansfield* is rivetting them as fast as possible; I must therefore, warn my countrymen to remember they are descended from *freemen*, from *Britons*; and boldly stand in the gap, to remember, they are jurymen, and that the liberties of their countrymen are in their hands; and to give that verdict they can answer in a place where no party, no statesmen, no judge, no king can oppress for a strict adherence to truth and justice.

The prostituted *NOY* attorney-general to *Charles the first*, was the principal cause of that unhappy prince being brought to the block, he not only countenanced, but supported the project of *ship-money*, which was the ruin of that monarch.

James the second for exercising a dispensing power (which he had prevailed upon the judges to declare was a right belonging to the *crown*) was dethroned. And I hope every prince who attempts to govern this nation in an arbitrary and despotic manner, will be either exiled or brought
to

to the block. That prince who would deprive his subjects of any of their rights or liberties, is as manifest a traitor to his country, as they are guilty of treason who would usurp the just and legal prerogatives of the crown.

Happy is the sovereign, who rules over a *free* people, able and ready (while he does his duty) to support his crown and dignity; endued with wisdom and integrity to discern and detect evil counsellors, and not afraid to demonstrate their loyalty and public spirit in the pursuit of justice, against the authors of their *grievances*; and to give due praise with tokens of their gratitude and applause, to those, who entrusted with the honour and dignity of the crown, and the liberties and security of the nation, have distinguished their administration by disinterested and constitutional measures.

Englishmen need not spend their time by seeking for examples of these truths in ancient history. Their forefathers have left many precedents of their watchfulness over the measures of those counsellors that environed the throne, of their hanging such as merited a halter for misleading their prince, and attempting to ruin the kingdom; and of their idolizing others, whose actions were calculated to promote the interest and glory of their king and country.

How

How nearly bordering upon self preservation is it to cut off the cause of our danger and misfortunes, domestic errors contribute to national ruin and foreign invasion; therefore as a course of mismanagement, of ambition and avarice, of an evil and corrupt administration, has generally preceded all *revolutions*; it is highly incumbent on the people of England at this time to have a watchful eye on the constitution, more especially so when the king's attorney-general and the chief justice of England, are by unwarrantable decisions in the courts of justice, attempting to establish an arbitrary system of government.

Our safety depends upon impartiality, justice, zeal for the public good and a steady adherence to the interests and welfare of our country; where those are wanting, neither large territories, nor powerful fleets nor armies can prevent our destruction. A luxurious and wicked administration may as easily sport away a kingdom, as their own private fortunes. Abuse of power makes corruption necessary: corruption produces baseness, luxury, and the privation of all virtue; and these generate usurpation and tyranny: which we have severely felt for some years, and which we are not likely to be freed from soon, while the sovereign remains deaf to the cries of an injured people, and is determined to support through perverseness and obstinacy, those wretches who have destroyed the

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the liberties of this country and almost involvèd us in a civil war, however it is possible his majesty may be reduced to reason, nay it is absolutely necessary he should before the ruin of England is accomplished, it will then be too late.

Whoever seeks for power in order to destroy the constitution of a free people ; or maintains his standing at the helm of state by tyannical measures, will be remembered with ignomy. His wisdom will be darkened by usurpation : his courage will be lost in cruelty : and his justice will be destroyed by selfish views.

The actions of a Bute, a Halifax, a Grafton, and a North, will never be forgotten : it being much the same to advise the king to rule by a corrupt parliament, as to govern without one : to misapply the public money, as to raise it without law ; and to put it in the power of a committee of elections to annul the choice of the people, as to deprive the people of their right to chuse their own representatives.

Look into the revolutions of all times and nations, and it will be seen that they have been occasioned by the mal-administration of statesmen, and the *perverse*ness or *folly* of the prince. The iniquity of their actions should therefore remain a caution to posterity, how they are to be ob-

viated and corrected; and a memorial of the necessity to be ever watchful against their encroachments. The passiveness of subjects under attempts to enslave them, has always ended with the loss of their liberty. And all measures which are calculated to weaken, impoverish, or divide a nation, ought to be considered amongst the most certain means of its destruction.

Whenever it has happened that a prince had wisdom and resolution enough to discover, who deserves his confidence, and who do not, and to refuse his ear to every one who is unworthy of it, he has always found a sufficient supply of all he has wanted for the support of his crown and dignity, and for the peace, security, and interest of his subjects; but wherever it has been seen that a prince prefers those who think of nothing but accommodating themselves and their measures to his humour; tho' he may have in himself all the best dispositions for government, he by this one false step annihilates all his good qualities, and blunders on with his bad guides, till he loses the affections of his people and becomes the ridicule of foreign states.

The greater princes are and the more they have in their power to give; the more they are exposed to the covetousness and ambition of artful and designing men, and when once they begin
to

to befoothed, they grow reserved and suspicious, of those who retain their integrity and fidelity, and refuse to imitate their adulation. They interpret their uprightness and steady conduct, to be a secret dissatisfaction, a kind of malignity and envy, or a desire to diminish their glory. They speak to them with less affability, and consult them seldom or not at all.

Thus his majesty having given himself up to, *You*, Mansfield, North, Norton, Weymouth, Barrington, and some other sycophants who feed him with the basest flattery and deceitfulness, and driven from him all such, as excell in virtue and are inspired with a noble emulation for the public good; there is no wonder his court should be filled with persons who study nothing but to deceive him; and while he *vainly* thinks himself beloved and admired by every one, he is surrounded by secret enemies, who have conspired to hide the truth from him, who are busy in preparing poison for his ears and heart, and in gilding it over with an agreeable appearance: and who, under false pretences of the most profound respect to him, and the highest admiration of all he does, *secretly* make a jest of his *folly*, and despise him for his credulity. For, as *you* are base enough to deceive the king by misrepresentations, you are wicked enough to insult him, which you

have done by depriving him of the affection of his subjects.

As you have through treachery robbed his majesty and the kingdom, of that wisdom and equity, the discernment between truth and falsehood; and of that love for justice and the public good, which are the most essential qualities for promoting his own true happiness, and that of his people, no wonder that he from a disgust at truth proceeds to a hatred thereof. You, have now so effectually secured your prince that none dare come near him but those whose tongues are tipped with deceit; in a word the difficulties and dangers, which you have plunged him into, it is much to be feared will prove fatal to his family and this kingdom.

Had his majesty examined more deliberately into the characters of his *favourite ministers* and the sycophants about him, who advised him to break the contract made with his subjects, and to introduce an arbitrary government, it is scarce probable that he would have yielded to such pernicious councils.

Was not this the cause of all the discontent, and bloodshed which has ever been in this island between the sovereign and his people! of all the sorrow and distress of the royal family, and the
misery

mifery to which the nation has been fo often reduced by intestine broils and tryannical meafures. Had not *Charles* the *first* preferred the council of his flattering courtiers, to the plain dealing of his faithful fubjects, he might have fleep with his fathers in peace. His fon *James* was undone and his family excluded from the throne becaufe he delivered himfelf up to be guided by men of bafe and corrupt principles, and was advised by them to difregard the *remonstrances* of his ftedfaft friends.

N U M B E R XX.

SATURDAY JUNE 30, 1770.

IN confequence of an advertifement publifhed two or three days fince, and in hopes of bringing to light the concerters of a villanous attempt to entrap under the mask of friendship, an individual who has been long struggling in the public caufe; Mr. MOORE propofes without any other apology to lay before the town the following letters, (with his answers and the fteps taken by him in order to difcover the author.) The originals fent to him are left at his fhop for infpection.

First

First letter received the 3^d of *May*, 1770.

To Mr. WILLIAM MOORE,

S I R,

THE noble design you have been long engaged in, of laying open the true sources of all our present grievances, has been carried into execution in a manner that does you the highest honour; marks you in the strongest characters, a son of freedom, and should raise in the heart of every grateful Englishman, a lasting monument to your memory. The prosecution now commenced against you, instead of depressing, will raise you in the esteem of your fellow subjects, who, while they consider you as a glorious assertor of their endanger'd rights, will with increasing indignation view those men, who have prepared chains for you, and are forging them for all our countrymen.

The only way to shun the impending storm will be, to retire for a while, from a place where you are surrounded with danger. You may be somewhat embarrassed in your determination as to the place, I therefore take the freedom to offer you a retirement, where the tools of administration can never trace you: I have a seat about 60 miles from town, where you might reside for years without danger of detection. My fortune is such

as will enable me to give you all that assistance, a heart enthusiastically warm in the cause of liberty would wish to afford you: if a temporary retirement with a congenial soul will be agreeable, I intreat you will favour me with a line, which I will order a servant in a day or two to call for: I will meet you in a few days in the country, where we will plan schemes for raising on the ruins of slavery, an altar to liberty, which happier days may enable us to carry into execution.—Appoint your own place and where you will meet my carriage, which to take away all suspicion, had better be a few miles out of town.—The fidelity of my servants you may place the strongest reliance upon; they shall have orders to treat you with the same difference as myself.—I mention not my name lest the letter should miscarry, but believe me to be dear Sir,

Your sincere friend,

Direct for A. B.

B R U T U S.

Mr MOORE sent the following answer with a view of coming at the name of the author.

S I R,

THE letter signed Brutus came to my hands this morning, and as from the many stratagems made use of to entrap me, I am at a loss to distinguish my friends from my foes, I know not whether

whether to treat it seriously or not; but from a persuasion that there is some virtue to be met with; I am induced to look upon *you* as my friend, should it prove otherwise, the misfortune will be mine. However to guard against the worst, (and I am convinced no man who wishes me well will condemn me for the caution) permit me to ask your name and the place of your country residence, as also the place of your abode in town; for as happy as I may think myself in my present security, I should be still happier in the enjoyment of such friendly assistance as your letter seems to offer, I am,

Sir, your most obedient

humble servant,

4th of *May*, 1770.

WILLIAM MOORE,

P. S. Be assured no improper use shall be made of your openness.

Second letter received by Mr. MOORE,
May the 7th, 1770.

DEAR SIR,

SUSPICIONS so unjust, so undeserved, as those which you seem to entertain, cannot but give a man whose every wish centres in the cause of freedom, a degree of uneasiness almost inexpressible

preffible: Hard return! for an offer dictated by a heart replete with every humane sentiment, and made with that warmth of honest friendship, which souls, who have tasted its sweets, can alone form a conception of.—You then indeed did me justice, when you was willing to suppose me your friend. Read again my former letter; consider this, bring them both to the test of reason; and I am no way doubtful but that black cloud of suspicion which has been cast over me, will at once disappear, and I shall stand confessed your real friend; such my heart tells me I am, it pants for an opportunity of giving you proofs more convincing than these promises, how much it shares with you the bitterness of your situation; and with what readiness it would pour in the balm of consolation. As I wished to conduct this matter at first, with the utmost degree of privacy, I before omitted my name; the same reason joined with some others (which if I have ever the pleasure to see you, I will inform you of) still operate: they are of such a nature as nothing will enable me to surmount, not even the pain and mortification I shall endure should you still doubt of the sincerity of a heart, which unskill'd in the science of deceit; had not till the receipt of your letter, ever once conceived it possible, that such a construction should be put upon this part of my conduct. Should you think I mean to afford you the assistance I offer; should I gain that place in your confidence I wish to enjoy,

joy, and which I hope I shall ever maintain, in your subsequent letter, you will fix some time and place for meeting as before proposed; but should you think it safer, I will in my next give you an account of the town nearest my seat, where I will meet you myself, and conduct you to a retreat, where removed from the noise and hurry of the world, you may taste the sweets of rural innocence and of friendship.—Friday my servant shall call for an answer.

I am, dear Sir,

Your's very sincerely,

BRUTUS.

To this letter Mr. MOORE sent the under-written answer, and employed a boy to follow the servant who called for it. The man came about seven in the evening, received the letter, and went immediately to the Temple Stairs, where he took a boat and proceeded to Westminster-Bridge, the boy followed him; the man landed and ran as hard as he possibly could, and before the boy reached the top of the stairs the man was out of sight, and he lost him.

DEAR SIR,

I am infinitely obliged to you for your very friendly offer, and unjust as my suspicions may be, I cannot easily get the better of them. However in answer to your next, when you favour me
with

with the name of the town nearest your seat; I hope I shall be able to give you some account of my determination, with respect to the offer you have so generously made me, and likewise of the place where I should chuse to meet your carriage, In the mean time, I remain.

Dear Sir,

Your most obedient humble servant,

10th of *May*, 1770.

WILLIAM MOORE,

Third letter received May the 17, 1770.

DEAR SIR,

ON the morning of that day on which my servant called for your last letter, I was very unexpectedly obliged by the death of a valuable friend, to go into the country. I am left by him executor and guardian to his children, and as I find his affairs exceedingly intricate, I shall in all probability remain there ten days or a fortnight.—I now need that consolation, which I was in hopes, I should have had it in my power to administer to you; and which a sympathizing friend can alone afford.—My friend was a man of the most amiable character, his ears, were ever open to the cries of the unhappy, he largely shared with them in all their distresses; I had flattered myself that you would have experienced the overflowing

of his enlarged benevolent heart; a heart, which would have done honour to a superior being: vain wish! delusive hope? he was too exalted a character for our earth; Heaven had marked him as her own, and we are left to pour out our fruitless lamentations.—I entertain the pleasing hope that in you, I shall find some traces of my dear departed friend. I have given my faithful servant who delivers this, directions to receive your answer, (and if you approve of it) to attend you with a chaise when and where you shall appoint; and from thence to proceed to this place, where I hope to receive some assistance from you, for my loss has so affected me, that I am scarce able to go through with the business lying before me.—From hence we may go with less danger and less suspicion, as I shall carry my friends three children with me and (if you can submit to the imputation) you shall outwardly appear in the character of their tutor,

I am dear Sir,

your most affectionate friend

BRUTUS.

Sunday Afternoon,

To this letter Mr. MOORE wrote the underwritten answer the 17th and gave strict orders to his boy to follow the man who came for it, which he did; the man however did not take the same course as before, but went up Chancery-Lane,

Lane, and into Lincoln's-Inn New Square, where he walked for some time, from thence he proceeded to Portugal-Street, crossed Lincoln's-Inn-Fields, into Holborn, to Grays-Inn-Gardens, where he walked three or four times round, and then went into Grays-Inn-Lane to the ——— Inn where he took a horse and rode off full speed towards Pancrafs.

DEAR SIR,

In the midst of that affliction in which you seem at present to be plunged, and with which I have too feeling a heart not to sympathize, to turn your attention to my precarious situation I cannot but consider as the greatest test of friendship.—I have experienced as well as you the loss of a valuable friend, and it was along time before I could efface the object from my memory ; but time is the reconciler of all things, to that time and the happiness of a good flow of spirits, I rely on being extricated from the difficulties I am at present in.—I now treat your letters rather more serious than I was led to do at first ; and am concerned to think ; that, that love of safety and fear of danger natural to us all, still gets the better of my resolutions to give you the meeting, I am apprehensive that fear will yet continue predominant unless you will condescend to favour me with your name and place of residence. I fully expected

(at

(at least) that you would have mentioned in your last the name of the town nearest your seat, as you had promised, when you do that, you shall receive a full and decisive answer from.

Dear Sir,

Your most humble Servant,

WILLIAM MOORE,

17th of *May*, 1770.

Fourth letter received by Mr. MOORE the 23d of *May*, 1770.

DEAR SIR,

SUNK as I was in the gloom of affliction by the death of my much esteemed friend, yet the hopes that in you, I might find some degree of his amiable spirit and temper, cast a ray of light around me, in as high a degree pleasing, as any thing could be, in my distressed situation: your last letter considerably encreased it, I had before, only the hope; but now, I have full confidence that I shall again, have a friend into whose bosom, I can pour out my complaints, and whose sympathetic soul will share with me every degree of unhappiness.— The feeling manner in which you mention my great loss, I consider as the strongest pledge, that could have been given me that this confidence is well founded though in my last, I omitted mentioning the place nearest my seat, it was not intentional, it was an omission occasioned
by

by the heart-rending stroke I had just received : the nearest town of note is Colchester, and a situation of all perhaps the most desirable; for should the wretched tools of administration, by any means gain the least account of you, a few hours will convey you out of their power, to a place where you may sit and laugh at their impotent malice : I flatter myself, this will not be the case, yet, in my situation, no wonder that a desponding thought, should strike me. I hope our social moments will never be disturbed, by these harpies of power. If we for a while, can weather the storm, it will be blown over (I have not the least doubt) for ever.

I am not a little grieved to find your faith in me so small, as to deter you from meeting me where I now am, I shall leave this gloomy scene, on Sunday next, and proceed directly, for my seat in the country, which I hope to reach on Monday. I shall lay in town on Sunday night. —You will not accede to any proposal of mine, therefore, fix your own time and place, where, either myself or my servants, may meet you. This over cautious temper will hereafter afford us no small degree of diversion.—The latter end of the week, I have directed my servant to call for an answer. I am dear, Sir,

Your most affectionate friend,

Sunday Evening

BRUTUS,
M_E.

Mr. MOORE'S Answer.

DEAR SIR,

I AM honoured with yours of last Sunday, but being at this time a few miles in the country cannot possibly fix any time for meeting, if you will be so obliging as to let your servant call for an answer on Friday or Saturday next, be assured you shall receive a satisfactory one from dear Sir,

Your most obedient Servant,

25th of May, 1770.

WILLIAM MOORE

It is necessary here that I should inform the public; my reason for not fixing on any time for meeting the author of these letters, or finishing the correspondence between us, was because I had not fixed on a proper person to represent *me* upon the occasion; not thinking it either safe or prudent to appear myself, till I had found out who this *good friend* of mine was. A few days after I wrote the above letter, I prevailed upon an acquaintance, and he agreed to give the author a meeting and to go through the business for me. In consequence of that I wrote my *friend* BRUTUS as follows.

DEAR SIR,

HAVING almost got the better of my suspicions, with respect to the sincerity of your professions, I am at last come to a resolution of meeting

meeting you on Tuesday next (if convenient) about ten in the morning, at any place you may be pleased to appoint not more than two or three miles out of town. I am dear Sir,

Your most obedient

and most humble servant,

2d of June, 1770.

WILLIAM MOORE.

This letter was left at my shop for some days, but not called for; about ten days after my boy accidentally met the man, who used to bring the letters from *Brutus*, and receive the answers. Whenever he came to my shop he was dressed in a brown coat with a green collar and cuffs, and a livery lace, at this time he had on a light coloured coat, with a switch in his hand, and in company with an ill-looking fellow, well known to be one of *Fielding's* thief takers. The boy went up to this pretended servant and accosted him thus; "how do you do Sir, are you going to my master's shop for a letter;" the fellow coloured, and was much surpris'd and gave this lame answer, "I have not seen my master yet.

This *impotent* attempt to entrap, and oppress an individual, will remain an eternal proof of the meanness, and treachery of those wretches, in whom the k— puts the greatest confidence, and who are intrusted with the management of public affairs.

affairs. And shews that our diabolical, ministers and magistrates, will descend to the lowest artifices, in order to please a weak p——e and gratify a pitiful revenge.

N U M B E R XXI.

SATURDAY JULY 7, 1770.

THE prosecutions commenced by the King's attorney general, against Mr. Almond, Mr. Woodfall, Mr. Miller, and some others, are of the most dangerous tendency, and threaten at once a total extinction of freedom of speech, a right coeval with the very being of our constitution. This my countrymen, is a fatal proof of the prevailing *power* of tyranny; from this and some other instances, it is evident our constitution is impaired, the effect and energy of the *law* lessened, complaints and grievances increase, the public spirit of the community decays, corruption prevails, and the most dreadful symptoms appear that seem to foretel some great revolution, or the utter extinction of our freedom and government. Every attempt or restraint on our liber-

liberties and properties may be justly imputed to the spirit of tyranny; whether they are more secret and concealed under the covert of *law*, and the vile power of despotic courtiers, or more open and avowed in the manifest violations and abuses of law and authority, trust and power. Of this sort there are several instances scarcely taken notice of, or even considered as such, because the tyranny of *custom* has so far prevailed as to subject the ignorant and unthinking, nay even lawgivers themselves, to its barbarous and savage force. Therefore the maintainers of such *laws* and *customs*, whereby the blood of the innocent, and the lives of useful subjects, nay of pious and good men, of martyrs and confessors, have been and are to be sacrificed to the demon of cruelty, despotism, and state-craft, may justly be looked upon and treated as the worst kind of tyrants, whose characters and memories ought to be branded with an everlasting mark of ignominy and abhorrence.

If those who have the administration of justice, and men in power, should endeavour to deprive their fellow subjects of that liberty which they ought to enjoy (and which is their birth-right) either by making or keeping them slaves, they must also be considered as the basest of tyrants who abuse that authority which ought to be employed for the good of the whole community.

All encroachments on our property, by the abuse of power, privilege, or prerogative, and the influence of interest and wealth to maintain and defend illegal and wicked usurpations; taxation, without the due consent of the people, may be oppressive, and so may that made by the venal suffrages of evil representatives; such infringements ought carefully to be guarded against, and the very first attempts prevented by all proper and prudent method of procedure.

When a whole nation, kingdom, or empire endures an accumulation of the evils caused by *tyranny*, then it appears in the greatest degree, and becomes an object of terror to the wretched subjects of it; but there are many intermediate degrees descending from that of Asiatic despotism, to the least and lowest instances and effects of arbitrary power; and every one of these has some pernicious tendency to the prejudice of the public and the common interests of mankind, and ought to be prevented by means the most effectual for that purpose.

Those who are appointed the guardians of our *lives* and *liberties*, are under an indispensable obligation to study and provide for the common good of mankind; but if any should be so abandoned as to neglect this care and duty, and thereby suffer the natural rights of the subjects to be taken

taken from them, either by iniquitous *laws*, or the powerful influence of bad *ministers* and wicked *favourites*, they of all others are to be looked upon as the worst species of hellish tyrants, because the most grievous and lasting of all tyranny is that established by law.

The first and principal cause of this kind of cruelty and injustice was an impious pride and a lust of power, which infatuated men with an absurd desire of exercising authority, without a regard to the right use and enjoyment of it. It was that which actuated the heroes of antiquity and the founders of monarchies; being impelled by a blind ambition to make conquests, and subject their fellow countrymen to the yoke of bondage; they then found it necessary to make use of all the *arts of state-craft* and *priest-craft*, as well as arms to accomplish their infamous schemes and tyrannical designs, and to maintain that kind of legislation and taxation which was necessary for their purpose.

GREECE, once famous for the wit and learning of its inhabitants, the numerous heroes it produced, and the illustrious exploits they performed, is now subject to the savage Turk, who has destroyed its finest cities and introduced ignorance and barbarism into those admired seats of learning and elegance. ROME too, were the people
once

once enjoyed their native rights and liberties, is now under the most despotic tyranny and slavery, established by law and custom, and therefore the most likely to continue.

A true love of our country, and a due regard to its welfare, is the most effectual method to prevent the destruction of this *free* kingdom. This is the first foundation and real principle of all true policy, and must prevent the very possibility of tyranny and oppression, and will effectually ensure and secure to us and our posterity the enjoyment of our liberties: to this end it will be necessary to communicate every thing that may be useful to the public; yet to discuss openly the proceedings of those who are inclined to tyrannical and arbitrary government, will be regarded by them as dangerous to their designs, and destructive of their *ends* and *aims*: and such as oppose them will be looked upon, by that party, as rebels to the state and incendiaries: but these calumnies will never intimidate those who are fired with a true spirit of liberty. If honour and honesty was to prevail in the councils of princes and nations, we should see beneficial measures taken to remedy every evil. But instead of this, we see, in order to maintain those usurpations that have been made on our rights and liberties, an increase of taxes and impositions, to weaken and impoverish us, and to keep an enormous

mous body of hireling forces for the prevention and suppression of all efforts and attempts made for the recovery of lost liberty and laws. This being done, wherever arbitrary power prevails, neighbouring nations will think themselves obliged to provide for their own safety, by imitating the example, and thus in time all Europe, and the whole world, will be filled with mercenary soldiers; and become a field of battle.

We see at this time martial law and discipline introduced and maintained by an avowed practice of barbarous and tyrannical cruelties, agreeable to the spirit of war and murder, but contrary to all the laws of this and every *free* nation.

State agents will say this doctrine proceeds from a factious and seditious spirit, (but that will have no effect upon me) as the *Genoese* alledged against the brave *Corficans* for opposing their *tyranny* and *cruelties*.

The want of integrity and fortitude, as well as the baseness and corruption found in the principal officers of state and their subordinates; *venal placemen*, *pensioners*, and *lawyers*, together with their indolence and ignorance, their luxury and licentiousness, their party rage and poverty, all conspire and contribute to the success and establishment of arbitrary power in this kingdom. From these

these we can expect nothing but such extensions of prerogative, as at length must terminate in absolute monarchy, or the most fatal anarchy; preparatory to this dreadful train, a total disregard to the interests of this country now appears in those we ought to be most of all engaged and active in promoting it; from hence follows all manner of injustice, venality and vice; (and it is now criminal, nay capital, to exert that patriotic fortitude which is necessary to prevent oppression) the consequences of these are, our laws lose their force, and are made subservient to the ends and aims of villany, by the craft and subtlety of sophisters, and the prevailing power of interest and wealth, and at length the tendency of many laws will, be only to extend and aggrandise the powers, privileges, and prerogatives of a few; and to weaken, impoverish, and oppress the greatest part of the community, that will in the end excite them to the most desperate and destructive enterprizes, pernicious in the event to our governors, as well as the people, and fatal to the *state and constitution,*

NUMBER

N U M B E R XXII.

SATURDAY JULY 14, 1770.

IT may not be improper nor unseasonable to describe the duty of a king, that the people of England may be able to form a proper judgment of the conduct of his present majesty, and to see how far he has, and how far he has not acted consistent with the duty of either a *wise*, or a *good* king, and leave my readers to reflect whether he deserves most, the hatred or affections of the English nation; I shall consider this as the duty of a limited, though the same is applicable to the most absolute monarch. In the first place it is absolutely necessary, that a king should have a just sense of the great obligations incumbent upon him, to promote the interest of his people, and to protect them: a king should remember that he is appointed for the good of the people, and that he is their servant; as they have intrusted him with the executive power: as they have given him large revenues to support his dignity, and to pay him homage, respect, and reverence; in all this they

have certainly some view and expect some return. A king who has wrong notions of the end of his institution, is not likely to govern conformable to that end, and consequently must govern wrong; but, let them know this, the people appoint kings that they may enjoy ease and satisfaction, which they thought could not so easily be obtained without them; when monarchs act from such motives, they are in a fair way of being both great and good, and their names will be transmitted to posterity with honour and veneration: a prince thus influenced, will make himself acquainted with the constitution of the country he governs: if he gives himself up to, and credits the sly insinuations of ministers, the people will in time inevitably be miserable. Ministers generally find their interest in oppressing the people, misguiding their prince, and are obliged often to attempt the ruin of both to preserve themselves; some ministers have been men of honour, integrity, and honesty, under whose administration, the business of the nation has been wisely conducted; but we find when this has happened, princes themselves have been men of sense, and that they have often inspected and examined the conduct of their ministers, given them orders, and were often the chief instruments of the happiness derived from their government; but the halcyon days of those princes who were ignorant of the constitution of their country, have been few indeed, which is very
easily

easily accounted for, because they were not wise enough to distinguish, nor capable of chusing men of capacity and merit for their ministers; it would be surprizing indeed, if *wicked* and *ignorant* kings should not chuse *ignorant* and *wicked* ministers; this has been the case, and I am persuaded ever will.—It is a necessary part of a king's duty to be cautious in the choice of his ministers, they ought to be men of probity, men of abilities; of this he should be satisfied before they have the honour of being near his person, and has the management of affairs. When a king chuses men merely on account of their incapacity, or their being fit objects for promoting his pleasures, the nation must be in a miserable condition: Ministers should be men of known integrity, men of honour and honesty, men tenacious of their word and promises, men who have distinguished themselves by their love for their country, whose fortunes are not despicable, and whose relations and dependants are neither poor nor numerous; because, when they come to finger the nation's money, they will not be able to resist the temptation of applying some to their own private use, especially when they consider it is a genteel way of cheating, not like those mean methods which endanger a man's neck: besides, by this they obtain the character of penetrating men. Great regard should be shewn to the people's inclination in the choice of ministers; a good king will always use every method to please his people

and gain their affections, and there is no one thing he can do that will be so agreeable to them as to chuse men who have the esteem and love of the nation. When such men are chosen whom the people dislike, the king not only draws hatred on their administration, but makes his subjects disaffected to him, discontented with his government, and prepares them for rebellion. As a king should, in the choice of a ministry, consult the humour of the people, so when he finds that ministry become disagreeable to them, he ought not to continue them; nothing will make him more beloved by his people, nor they more ready to serve him with their lives and fortunes, than delivering up a ministry obnoxious to them; and when guilty, leave them to the resentment of an injured nation. Is it possible a prince can hesitate a moment, when it is put to him either to loose the affections of his people, or change his ministry; if no generous motives will influence him, he ought to consider the melancholy consequences which have attended several princes, who obstinately and foolishly protected their ministers. A wise king will not scruple to comply with the outcries and demands of his people, for bringing ignorant and guilty ministers to justice. The chief cause of the melancholy fate of Edward the Second, was an *obstinate* humour of defending his ministers; he came to the crown, though not with the unanimous, yet with the general applause of the people, and they hoped to see a continuance
of

of his father's virtues; he ascended the throne with advantages, which, if improved, might have made him a great and glorious monarch; but almost before the funeral obsequies of the deceased king were performed, he broke his oath, and contrary to the request of his dying father, he recalled his favourite Gaveston from banishment, and was so extravagantly fond of him, that he thought all the honours and riches in the kingdom too little to bestow on him; and when this all-grasping minion found himself master of Edward, he then launched out into pride, arrogance, and self-conceit; he governed the king as he pleased. (in the same manner as lord Bute hath done his present majesty) Edward at the time he went into France to celebrate his marriage, left this aspiring wretch guardian of the realm; and when he returned, continued to heap favours upon him; but at last, the parliament, being no longer able to brook the insults of the minister, petitioned for his banishment, which the king was obliged to consent to, though much against his inclination: however, he had hardly departed the nation, when recalled to repeat his intollerable insolence; such behaviour, licenced and encouraged by the king, could not but alienate the affections of his people, and cause a general discontent: the consequence was, that the royal authority was put into the hands of certain lords appointed by parliament, and presently after Gaveston was banished a second time. If he had remained

remained in banishment; (as it is to be hoped the
 minion of these times will do who voluntarily banish-
 ed himself, after having divided and ruined the na-
 tion by his wicked councils and influence) Edward
 by a prudent conduct, would have regained the
 people's affections; but he was so strangely infatu-
 ated that he recalled that arrogant wretch a second
 time, who repeated his villanies with more auda-
 ciousness than ever, by which he, in a manner
 wrested from the people all the little remaining love
 and veneration they had for the king; and there-
 fore they joined under the command of certain
 lords, who seized the cause of all their grievances,
 and were carrying him to the king, but he was cut
 short by the Earl of Warwick, who ordered him to
 be beheaded, which was accordingly done: how-
 ever, soon after things were brought to an accom-
 modation, a particular and general pardon was or-
 dained, and Edward had it once more in his power
 to regain the love of his people; but as he meditated
 their undoing, so he contrived to destroy them;
 to effect this, he took to his bosom the two Spencers,
 father and son, who presently gained as great a
 power over him as Gaveston had done before; and
 what was still more dangerous, they, with all that
 wicked favourite's ambition and pride, possessed
 far greater natural abilities: however, after a time,
 the king was obliged to consent to their banish-
 ment; but getting an advantage over the barons,
 he recalled his minions, and by their advice shed
 the

the blood of some of the best families in England, there was not one escaped their fury, which they suspected, and they suspected all who were eminent for justice, honour, and virtue. The people notwithstanding all their grievances, who would before have assisted the king, were too much incensed against him to render him any service, they hated him on account of the *obstinacy* with which he defended their oppressors, whose last fate was near approaching: however, at that juncture it was impossible to destroy them without subjecting the nation to the king's revenge; it was therefore thought expedient to call a parliament, who immediately agreed to *depose* Edward, and to make his son king. But his misery did not end here, for after he was confined, he was used in a most cruel manner by his keepers, who after many indignities put upon him, barbarously destroyed him, though it must be owned he brought that on himself, by protecting his ministers, whose chief aim was to destroy the spirit of liberty, which was spread through the kingdom; and which, when it prevails, must reduce to the lowest sink, any powerful pernicious favourite or *obstinate* prince.

This Gaveston found, this the Spencers experienced, and this may the present ministers meet with, is the sincere wish of him who writes this paper; and let his majesty learn from hence, how

how necessary it is to give up designing ministers to the voice of his people; and that it is much more glorious for him to be influenced by the good of the public, than any private passion proceeding from favour of any particular set of men.

They who take care of one part of the public and neglect the other, are the means of introducing a very pernicious practice in the state, tending to sedition and discord; so we see some make their court to popularity, some to power, but few desire the interest of the whole.

Another duty incumbent on a king, is, often to examine the conduct of his servants, and to oblige them to render a just and exact account of every sum taken from the treasury, check their unnecessary expences, and punish them for any fraud: if kings would but act so, what immense sums might be saved to the nation, how many heavy and burthensome taxes might be taken off; all degrees would find the benefit of such a king's conduct, under whom ministers would not have it in their power to plunder the people and raise immense fortunes on the ruins of others, which is a crime of the blackest dye; the consequence is an increase of burdens on the people, and immense riches to the minions of favour, a multiplicity of officers and ministerial

rial dependants, who rob the people and wallow in plenty, by reducing the community to want and beggary.

It is above all things highly incumbent on a prince to keep his word; a false king will find himself in a miserable condition indeed; his fair promises will not avail, mankind will not trust him, beyond what they can call him to an account for. John might have reigned gloriously and happy, if he had had honour enough to have kept his word; he frequently promised, and as often broke his promise, by which he spent his life in troubles, broils, and vexation, and at last lost it in defending his falshood. Charles the first would never have fallen as he did, had he as he promised, acted agreeable to the *principles* of the *constitution*. His present majesty came to the crown with *fair* promises in his mouth of preserving the laws and liberties of the kingdom, and the event has shewn how far he has been *graciously* pleased to fulfill his word.

N U M B E R XXIII.

SATURDAY JULY 21, 1770.

To the Author of the WHISPERER.

S I R,

THAT *Englishmen* might quietly enjoy their *birth-rights*, (that is their freedom) our ancestors from time to time took particular care, to remove every incroachment thereupon; though under the pretence of jurisdictions and courts of justice, and to destroy every species of arbitrary power for the future; so that all things might be left to the calm and equal proceedings of law; and that most excellent method of *tryal by juries*; the principal bulwark of the peoples liberties; as a proof of what I have asserted, please, for the information of your readers to publish the following.

An Act for regulating of the Privy-Council, and for taking away the Court, commonly called the Star-Chamber.

WHEREAS by the great charter many times confirmed in parliament, it is enacted

ed, that no freemen shall be taken or imprisoned, or disseized of his Freehold or Liberties, or free customs, or to be out-lawed or exiled, or otherwise destroyed; and that the King will not pass upon him, or condemn him, but by lawful judgment of his peers, or by the law of the land. (2) And by another statute made in the fifth year of the reign of King *Edward*, it is enacted, that no man shall be attached by any accusation, nor fore-judged of life or limb, nor his lands, tenements, goods nor chattles, seized into the king's hands, against the form of the great charter, and the law of the land. (3) And by another statute made in the five and twentieth year of the reign of the same King *Edward* the third, it is accorded, assented, and established, that none shall be taken by petition or suggestion, made to the king or to his council, unless it be by indictment or presentment of good and lawful people of the same neighbourhood where such deeds be done, in due manner, or by process made by writ original at the common-law; and that none be put out of his franchise or freehold, unless he be duly brought into answer, and fore-judged of the same, by the course of law: and if any thing be done against the same, it shall be redressed, and holden for none. (4) And by another statute made in the eight and twentieth year of the reign of the same King *Edward* the third, it is, amongst other things, enacted, that no man, of what estate and condition soever he be, shall be put out of his lands

or tenements, nor taken, nor imprisoned, nor disinherited, without being brought into answer by due process of law. (5) And by another statute made in the two and fortieth year of the reign of the said King *Edward* the third, it is enacted that no-man be put to answer without presentment before justices, or matter of record, or by due process and writ original, according to the old law of the land: and if any thing be done to the contrary, it shall be void in law, and holden for error. (6) And by another statute, in the six and thirtieth year of the reign of the same King *Edward* the third, it is among other things, enacted, that all pleas, which shall be pleaded in any courts, before any of the King's justices, or in his other places, or before any of his other ministers, or in the courts and places of any other lords within the realm, shall be entered and enrolled in latin. (7) And whereas by the statute made in the third year of King *Henry* the seventh, power is given to the chancellor, the lord treasurer of *England* for the time being, and the keeper of the King's privy seal, or two of them, calling unto them a bishop, and a temporal lord of the king's most honourable council, and the two chief justices of the *King's-Bench* and *Common-Pleas* for the time being, or other two justices in their absence, to proceed as in that act is expressed, for the punishment of some particular offences therein mentioned. (8) And by the statute

statute made in the one and twentieth year of King *Henry* the eighth, the president of the council is associated to join with the lord chancellor, and other judges in the said statute of the third of *Henry* the seventh mentioned. (9) But the said judges have not kept themselves to the points limited by the said statute, but have undertaken to punish where no law doth warrant, and to make decrees for things, having no such authority, and to inflict heavier punishments, than by any law is warranted.

2. And forasmuch as all matters examinable or determinable before the said judges, or in the court commonly called the *Star-Chamber*, many have their proper remedy and address, and their due punishment and correction by the common law of the land, and in the ordinary course of justice elsewhere. 2. And forasmuch as the reasons and motives, inducing the erection and continuance of that court, do now cease. 3. And the proceedings, censures and decrees of that court, have by experience been found to be an intollerable burthen to the subject, and the means to introduce an arbitrary power and government. 4. And forasmuch as the council hath of late times assumed unto itself a power to intermeddle in civil, and matters only of private interest between party and party, and have adventured to determine of the estates and liberties of the subjects,

jects contrary to the law of the land, and the rights and priviledges of the subject. by which great and manifold mischiefs and inconveniences have arisen and happened, and much uncertainty, by means of such proceedings, hath been conceived, concerning mens rights and estates; for settling whereof, and preventing the like in time to come.

3. Be it ordained and enacted by the authority of this present parliament, that the said court, commonly called the *Star-Chamber*, and all jurisdiction, power and authority, belonging unto, or exercised in the same court, or by any of the judges, officers or ministers thereof be from the first day of *August*, in the year of our Lord God, one thousand six hundred forty and one, clearly and absolutely dissolved, taken away and determined. 2. And that from the said first day of *August* neither the lord chancellor or keeper of the great seal of *England*, the lord treasurer of *England*, the keeper of the king's privy seal, or president of the council, nor any bishop, temporal lord, privy councillor, or judge, or justice whatsoever, shall have any power or authority to hear, examine or determine any matter or thing whatsoever, in the said court, commonly called the *Star-Chamber*, or to make, pronounce, or deliver, any judgment, sentence, order, or decree; or to do any judicial or ministerial act in the said court. 3. And that
all

all and every act and acts of parliament, and all and every article, clause and sentence in them, and every of them, by which any jurisdiction, power or authority is given, limited or appointed, unto the said court, commonly called the *Star-Chamber*, or unto all or any the judges, officers or ministers thereof, or for any proceedings to be had or made in the said court, or for any matter or thing to be drawn into question, examined or determined there, shall for so much as concerneth the said court of *Star-Chamber*, and the power and authority thereby given unto it, be from the said first day of *August* repealed, and absolutely revoked and made void.

4. And be it likewise enacted, that the like jurisdiction now used and exercised in the court, before the president and council in the marches of *Wales*. 2. And also in the court, before the president and council established in the northern part 3. And also in the court, commonly called the court of the dutchy of *Lancaster*, held before the chancellor and council of that court. 4. And also in the court, of exchequer of the county palatine of *Chester*, held before the chamberlain and council of that court. 5. The like jurisdiction being exercised there, shall from the said first day of *August*, one thousand six hundred and forty-one, be also repealed and absolutely revoked, and made void any law, proscription, custom

custom or usage, or the said statute made in the third year of *Henry* the seventh, or the statute made the one and twentieth of *Henry* the eight, or any act or acts of parliament heretofore had or made to the contrary thereof in any wise notwithstanding. 6. And that from henceforth no court, council, or place of judicature shall be erected, ordained, constituted or appointed, within this realm of *England*, or dominion of *Wales*, which shall have, use or exercise the same, or the like jurisdiction, as is, or hath been used, practised, or exercised in the said court of *Star Chamber*.

5. Be it likewise declared and enacted by authority of this present parliament, that neither his majesty, nor his privy-council, have, or ought to have, any jurisdiction, power or authority; by English bill, petition, articles, libel, or any other arbitrary way whatsoever, to examine or draw into question, determine or dispose of the lands, tenements, hereditaments, goods, or chattels, of any of the subjects of this kingdom; but that the same ought to be tryed and determined in the ordinary courts of justice, and by the ordinary course of the law.

6. And be it farther provided and enacted, that if any lord chancellor, or keeper of the great seal of *England*, lord treasurer, keeper of the
king's

king's privy-seal, president of the council bishop, temporal lord, privy-counsellor, judge or justice whatsoever, shall offend, or do any thing contrary to the purport, true intent and meaning of this law, then he or they shall, for such offence, forfeit the sum of five hundred pounds of lawful money of *England*, unto any party grieved, his executors or administrators, who shall really prosecute for the same, and first obtain judgment thereupon, to be recovered in any court of record at *Westminster*, by action of debt, bill, plaint, or information, wherein no essoign, protection, wager of law, aid-prayer, privilege, injunction, or order of restraint, shall be in any wise prayed, granted, or allowed; nor any more than one imparlance. 2. And if any person, against whom any such judgment or recovery shall be had as aforesaid, shall, after such judgment or recovery, offend again in the same, then he or they, for such offence, shall forfeit the sum of one thousand pounds of lawful money of *England*, unto any party grieved, his executors or administrators, who shall really prosecute for the same, and first obtain judgment thereupon, to be recovered in any court of record at *Westminster*, by action of debt, bill, plaint, or information, in which no essoign, protection, wager of law, aid-prayer, privilege, injunction or order of restraint, shall be in any wise prayed, granted or allowed; nor any more than one imparlance. 3. And if

any person, again whom any such second judgment or recovery shall be had as aforesaid, shall, after such judgment or recovery, offend again in the same kind, and shall be thereof duly convicted by indictment, information, or any other lawful way or means, that such person so convicted, shall be from thenceforth disabled, and become by virtue of this act, incapable, *ipso facto*, to bear his and their said office and offices respectively. 4. And shall be likewise disabled to make any gift, grant, conveyance or other disposition of any of his lands, tenements, hereditaments, goods or chattels; or to take any benefit of any gift, conveyance, or legacy to his own use.

7. And every person so offending, shall likewise forfeit and lose to the party grieved, by any thing done, contrary to the true intent and meaning of this law, his treble damages, which he shall sustain and be put unto, by means or occasion of any such act or thing done, the same to be recovered in any of his majesty's courts of record at *Westminster*, by action of debt, bill, plaint, or information, wherein no essoin, protection, wager of law, aid-prayer, privilege, injunction, or order of restraint, shall be in any wise prayed, granted or allowed, nor any more than one imparlance.

8. And

8. And be it also provided and enacted, that if any person shall hereafter be committed, restrained of his liberty, or suffer imprisonment, by the order or decree of any such court of *Star-Chamber*, or other court aforesaid, now, or at any time hereafter, having, or pretending to have, the same, or like jurisdiction, power or authority, to commit or imprison as aforesaid. 2. Or by the command or warrant of the king's majesty, his heirs and successors in their own person; or by the command, or warrant of the council-board; or any of the lords, or others of his majesty's privy-council. 3. That in every such case, every person so committed, restrained of his liberty, or suffering imprisonment, upon demand or motion made by his council, or other employed by him for that purpose, unto the judges of the court of King's-Bench, or Common-Pleas, in open court, shall without delay, upon any pretence whatsoever, for the ordinary fees usually paid for the same, have forthwith granted unto him a writ of *Habeas Corpus*, to be directed generally unto all and every sheriff, goaler, minister, officer, or other person, in whose custody the person committed or restrained shall be. 4. And the sheriffs, goaler, minister, officer, or other person, in whose custody the person so committed or restrained shall be, shall, at the return of the said writ, and according to the command thereof, upon due and convenient notice thereof given

unto him, at the charge of the party who requireth or procureth such writ, and upon security by his own bond given, to pay the charge of carrying back the prisoner, if he shall be remanded by the court to which he shall be brought; as in like cases hath been used, such charges of bringing up, and carrying back the prisoner, to be always ordered by the court, if any difference shall arise thereabout, bring, or cause to be brought, the body of the said party so committed or restrained unto, and before the judges or justice, of the said court, from whence the same writ shall issue in open court. 5. And shall then likewise certify the true cause of such his detainer or imprisonment, and thereupon the court, within three court-days after such return, made and delivered in open-court, shall proceed to examine and determine, whether the cause of such commitment appearing upon the said return, be just and legal, or not, and shall thereupon do what to justice shall appertain, either by delivering, bailing, or remanding the prisoner. 6. And if any thing shall be otherwise wilfully done, or omitted to be done by any judge, justice, officer, or other person aforementioned, contrary to the direction and true meaning hereof, then such person so offending, shall forfeit to the party grieved, his treble damages, to be recovered by such means; and in such manner, as is formerly in this act limited and appointed, for the like penalty to be sued for and recovered.

9. Provided

9. Provided always, and be it enacted, that this act, and the severall clauses therein contained, shall be taken and expounded to extend only to the court of *Star-Chamber*. 2. And to the said courts holden before the president and council in the marches of *Wales*. 3. And before the president and council in the northern parts. 4. And also to the court commonly called the court of the dutchy of *Lancaster*, holden before the chancellor and council of that court. 5. And also in the court of exchequer, of the county palatine of *Chester*, held before the chamberlain and council of that court. 6. And to all the courts of like jurisdiction to be hereafter erected, ordained, constituted or appointed as aforesaid; and to the warrants and directions of the council-board, and to the commitments, restraints, and imprisonments of any person or persons made, commanded, or awarded, by the king's majesty, his heirs or successors in their own person, or by the lords and others of the privy-council, and every one of them.

And lastly, provided and be it enacted, that no person or persons shall be sued, impleaded, molested or troubled, for any offence, against this present act, unless the party supposed to have so offended, shall be sued or impleaded for the same, within two years, at the most, after such time, wherein the said offence shall be committed,

To

 N U M B E R X X I V .

S A T U R D A Y J U L Y 28, 1770.

To the Right Honourable and virtuous Lord
 NORTH, Chancellor of the Exchequer,
 and first Lord of the Treasury.

My LORD,

THE appointment of your lordship to th
 Treasury, upon the resignation of his grace
 the duke of Grafton, was the clearest, as well as
 the most convincing proof of the miserable situa-
 tion, to which the *infamous junto of Carlton-house*
 were reduced; and reflected highly on the *good*
 sense of your royal master, our most excellent
 soverēign: as it is the general opinion of man-
 kind, that the first error a prince commits is in
 the choice of his ministers. It seems my lord,
 you are determined to remain in your present,
 employments as long as you can abuse the con-
 fidence of your prince, or till you have involved
 the nation in a foreign or a domestick war, and
 perhaps in *both*: then and not till then, you will
 be glad to retreat; but that will be too late: for
 infamous

infamous as the *junto* is, to which you belong, and as secure as you at present think yourself in a *corrupt* majority in the house of commons, be assured my lord, they will not be able to protect you from the indignation, and resentment of a greatly injured and incensed people. Nor will your sovereign infatuated as he is, and secure as *he* may think himself in an army of *sycophants* and an army of *soldiers*, be able to screen you behind the *throne* from the public justice you must, nay you will, *deservedly* fall a sacrifice with many others to your own wickedness and ambition. Consider my lord the deplorable situation, to which you and your associates have reduced this once *happy* and *free* country. But believe me, it is not in the power of men or devils to enslave the people of England. As all the attempts of Bute, Mansfield, Hallifax, Weymouth, Grafton, Hillsborough, Barnard, and your lordship, to reduce not only England, but America to a state of vassalage, have proved abortive; let me advise you to retire in time. Consider your *inability* to execute (supposing you was really *honest*) the trust reposed in you. Consider my lord, (though you may affect not to know it) that we are upon the eve of a war with our natural and inveterate enemies, and that all Europe will soon be little else than a field of blood. Consider my lord, nay be assured that the people will never consent to be taxed by *Luttrell*, *Moreton*, and the rest of the ministerial

ministerial pack-horses, who call themselves members of the British parliament, to support a war brought upon them through the neglect, supineness, inattention, corruption, and wickedness of a succession of profligate, weak, and abandoned ministers, Consider my lord your great friend *Jefferies*, notwithstanding the many consultations he held with you and the rest of the *junto*, has failed in his attempt to destroy the liberty of the press, and to render useless that firm barrier of our *liberties*, trials by *jury*. This I should think would be sufficient to convince your lordship, that the people are not quite so corrupt as you and *Jefferies* imagined; and that they are determined not to give up their *rights* as Englishmen, at the shrine of *despotism*; nor to be trifled out of them, through the *sophistry* of an arbitrary *Scot*: who would gladly sacrifice the liberties of England in compliance with the desires of your lordship, and the rest of those wretches who call themselves ministers. Amongst many other devices of this pretty state juggler *Jefferies*, to undermine the rights and power of juries, and to render them insignificant; he advanced, that they are only judges of *fact*, and are not at all to consider the law; so that if a person be indicted for a *fact*, which is really no crime in itself by law, but is worked up by words of form, as *treasonably seditiously*, &c. If the *fact* be but proved to be done, though there does not appear any *crime*,
that

that shall be supplied by the law, which the jury is not to take notice of but bring in the person guilty, and leave the consideration of the case in law to the judges. Thus did *Jefferies* argue (agreeable to the promise he had made your lordship) which was only an apparent trap, at once to perjure ignorant juries, and to render them so far from being of *good* use, to be only the *tools* of oppression to ruin their fellow countrymen with the greater formality. I will allow my lord, that matter of *fact* is the most common and proper object of a jury's determination, and matter of *law* that of the judges, yet as law arise out of, and is complicated with *fact*, it cannot but fall under the *juries* consideration. And in order to convince your lordship, as well as to confute *Jefferies*, and to make him appear the vilest traitor to this country upon record. I shall quote *Littleton*, sect. 368, who says, "that the jury may at their election, either take upon them the knowledge of the law, and determine both the *fact*, and *law* themselves, or else find the matter specially, and leave it to the judges. It is by applying matter of fact and law together and from their due consideration of, and right judgment upon both, that a jury brings in a verdict- We see also in most general issues, as upon not guilty pleaded in trespass, breach of the peace, or felony, though it be matter in law, whether the party be a trespasser, a breaker of the peace, or a

felon, yet the jury do not find the fact of the case by itself, leaving the law to the court, but find the party guilty, or not guilty generally; so that though they answer not to the question singly, what is law, yet they determine the law in all matters where issue is joined. It is almost every day's practice where persons are indicted for murder, the jury does not only find them guilty or not guilty, but many times upon hearing and weighing of circumstances, bring them in either guilty of the murder, or else only of the manslaughter, by misadventure, or *se defendendo*, as they see cause. Now my lord as it evidently appears, that juries have ever been vested with such power by law; so for, *Jefferies* and your lordship to attempt either openly to suppress, or craftily undermine, and thereby render this great right only a formality; do *ipso facto* attack the government, and introduce an arbitrary power, and are both enemies and traitors to your country. For then if a person should be indicted for doing any common innocent act, if it be but disguised in the indictment with the name of treason, or some other crime, and proved by witnesses to have been done by him, the jury though satisfied in conscience; that the fact is not any such offence, as it is called, yet according to this new doctrine they have no power to judge of law, and the fact charged is fully proved, they are bound by what *Jefferies* lately declared to find him guilty,
and

and being so found the *judge* is to pronounce sentence against him, as a convicted traitor, &c. by his peers. By this means my lord, juries are made to do the drudgery, and to bear the blame of the most infamous, as well as the most unreasonable prosecution, instituted at the suit of the crown, *ex officio* by the *attorney general*,

Further in every indictment, information, &c. there are certain words of course, called matter of form, as *maliciously, seditiously, such an intention, &c.* and these sometimes are raised by a just implication in law, but in crown prosecutions (particularly against printers, publishers, &c.) they are generally thrust in with no other view only as a pretence or colour of crime, where there is really none. Now my lord, that no juryman may be deceived by your friend *Jesseries*; I will inform my fellow subjects that they ought well to *consider* and *rightly* to understand this *nice* distinction, where the act or naked matter of fact, is in itself a crime against law; as killing of a man, levying of war against the king, &c. there the law does in pleading require, and will supply those words, and if the jury do find, and are satisfied, that the substance of the charge is such a crime, and the person guilty thereof, they are bound to find it, though no direct proof be made of the circumstances. But where the act or matter of fact, is in itself *innocent* or *indifferent*,

there the purport of these words (as that it was done *maliciously*, or with *such or such design*) is necessary to be proved, otherwise there is no *crime*, and consequently no fit matter for trial. In which case the grand jury is bound in conscience and law to return an *ignoramus*, and a petty jury *not guilty*.

As it has been usual for your friend *Jefferies* my lord, to brow beat, intimidate, or otherwise *craftily* lead a jury into a verdict, I am sure I shall do an act of public justice, as well as an essential service to such of my countrymen, as may be called upon a jury; to not only inform them, but convince them that they are not finable nor no way to be punished, under pretence of going contrary to evidence, or against the judge's directions.

I know it is often said by ignorant jurymen, "if we do not find according to evidence, though we have reason to suspect the truth of what they swear, or if we do not find as the *judge* directs, we may come into trouble, the judge may fine us &c." I answer this is a vain fear: no judge (not even *Jefferies*) dare offer any such thing; you are the proper judges of the matter before, you ought to act freely, and are not bound though the court demand it, to give the reasons why you bring it in thus or thus. It was a remarkable case
before

before the chief justice *Anderson*, in the reign of queen *Elizabeth*; a man was arraigned for murder, the evidence was so strong that eleven of the jury agreed to find him guilty, the other obstinately refused, and kept them so long, that they were ready to starve, and at last made them comply with him, and bring in the prisoner *not guilty*. The judge who had several times admonished this jurymen to join with his fellows, being much surprized at his resolution, soon after sent for him, and discoursed with him privately upon the matter; to whom, upon promise of indemnity, he at last owned, that he himself was the man that did the murder, and the prisoner was innocent, and that he was resolved, not to add perjury, and a second murder to the first. But to satisfy my countrymen and not your lordship, that a jury is no way punishable for going according to their conscience, though against seeming evidence, and the reasons why they are and ought not to be questioned for the same, I shall here recite an adjudged case, that of *Bushel*. in the twenty-second year of the reign of *Charles* the second. Reported by the learned Sir *John Vaughan*. The case begins folio 135, the whole well worth reading, but I shall only select certain passages. The case was this.

BUSHEL, and others of a jury, having at a sessions not found PEN and MEAD (two quakers) guilty of a trespass, contempt, unlawful assembly,
and

and tumult, whereof they had been indicted, were fined 40*l.* each and committed till they should pay it. BUSHEL brings his *habeas corpus*, and upon the return it appeared he was committed—for that contrary to law, and against full and clear evidence openly given in court, and against the directions of the court in *matter of law*, they had acquitted the said W. PEN and W. MEAD to the great obstruction of justice, &c. Which upon solemn argument was by the judges resolved, to be an insufficient cause of fining and committing them; and they were accordingly discharged, and afterwards brought actions for their damages. The reasons of which judgment are reported by judge *Vaughan*, and amongst them he useth these that follow, which I shall give in his own words.

Folio 140. One fault in the return is, that the jurors are not said to have acquitted the person indicted, against full and manifest evidence, *corruptly*, and *knowing* the said *evidence* to be *full and manifest* against the persons *indicted*; for how manifest soever the evidence was, if it were not manifest to them, and that they believed it such, it was not a *finable fault*, nor deserving *imprisonment*; upon which difference, the law of punishing jurors, for false verdicts principally depends.

Folio 142, I conclude therefore, that this return charging the prisoners to have acquitted P. and M. against full and manifest evidence first, and next without saying that they did *know and believe that evidence to be full and manifest* against the indicted person, is no cause of *fine and imprisonment*. And in the same folio he saith, the verdict of a jury, and evidence, of a witness, are very different things, in the truth and falshood of them: a witness swears, but to what he hath heard or seen generally, or more largely, to what hath fallen under his senses: but a juryman swears to what he can infer and conclude from the testimony of such witnesses, by the act and force of his understanding, to be the *fact* enquired after, which differs nothing in reason, though much in the punishment, from what a judge, out of various cases considered by him, infer to be the law in the question before him.

If the meaning of these words, finding against the *direction* of the *court*, in matter of law, be, that if the *judge*, having heard the evidence given in court (for he knows no other) shall tell the jury upon this evidence, the law is for the plaintiff, or for the defendant, and you are under the pain of fine and imprisonment to find accordingly, and the jury ought of duty so to do; then every man sees, that the jury is but a troublesome delay great charge and no use in determining *right and wrong*;

wrong; and therefore the trials by them may be better abolished than continued: which were a strange new found conclusion, after a trial so celebrated for many hundred years.

It is true if the jury were to have no other evidence for the fact, but what is deposed in court, the *judge* might know their evidence, and the fact from it, equally as they, and so direct what the law were in the case; though even then the judge and jury might honestly differ in the result from the evidence, as well as two judges may, which often happens: but the evidence which the jury have of the fact, is much better otherwise than that. For,

First being returned of the vicinage where the cause of action ariseth, the law supposeth thence to have sufficient knowledge to try the matter in issue (and so they must) though no evidence were given on either side in court; but to this evidence the judge is a stranger. 2dly, They may have evidence from their own personal knowledge, by which they may be assured, and sometimes are, that what is deposed in court is absolutely false; but to this the judge is a stranger, and he knows no more of the fact than he hath learned in court, and perhaps by false depositions and consequently knows nothing. 3dly, The jury may know the witnesses to be stigmatized and

and infamous, which may be unknown to the parties, and consequently to the court:

Folio 148. To what end is the jury to be returned out of the vicinage where the cause of action ariseth: To what end must hundreds be of the jury, whom the law supposeth to have nearer knowledge of the fact, than those of the vicinage in general. To what end must they undergo the punishment of the villianous judgment. If, after all this, they implicitly must give a verdict by the dictates and authority of another man, under pain of fines and imprisonment when sworn to do it according to the best of their own knowledge.

I have selected these few particulars of this famous case reported by judge *Vaughan*, eleven out of the twelve judges being of the same opinion, and chief baron *Turner* gave no opinion because not at the argument.

As I have pointed out to your lordship so clearly the right and power of an English jury, and as you have also lately experienced the inability of your friend *Jefferies* to serve you, notwithstanding all his *sophistry* and abuse of law. Let me advise you to prevail upon him to resign, that he may spend the remainder of his days in penitence and tears.

N U M B E R. XXV.

SATURDAY AUGUST 4, 1770.

To the WHISPERER,

S I R,

AS a proper sequel to the 23d number of the *Whisperer*, wherein you gave to the public that most excellent act of parliament for regulating the *privy-council*, and abolishing the infamous court of *star-chamber*; be pleased to give to your readers the following petition, with the circumstances relating thereto, as they are wholly left out in the printed book of *statutes*. Which will prove to the world in a most clear and striking manner, the *venality* and *corruption* of the members of this parliament; and the virtue of that house of commons, who nobly and boldly refused to grant any supplies; till the *grievances* of the people were redressed.

The petition exhibited to his majesty, by the lords spiritual and temporal, and commons, in this present parliament assembled, concerning diverse rights and liberties of the subjects.

To the King's most excellent Majesty,

HUMBLY shew unto our sovereign lord the king, the lords spiritual and temporal, and commons, in parliament assembled, that whereas it is declared and enacted, by a statute made in the time of the reign of king *Edward* the first, commonly called *statutum de tallagio non concedendo*, that no tallage or aid shall be laid or levied by the king, or his heirs, in this realm, without the good will and assent of the archbishops, bishops, earls, barons, knights, burgessees, and other the freemen of the commonalty of this realm. (2) And by authority of parliament, holden in the five and twentieth year of the reign of king *Edward* the third, it is declared and enacted, that from thenceforth, no person shall be compelled to make any loans to the king, against his will, because such loans were against reason, and the franchise of the land. (3) And by other laws of the realm it is provided, that none should be charged, by any

charges or imposition called a benevolence, nor by such like charge. (4) By which the statute before mentioned, and other the good laws and statutes of this realm, your subjects have inherited this freedom, that they should not be compelled to contribute to any tax, tallage, aid, or other like charge, not set by common consent in parliament.

2. Yet nevertheless of late, divers commissions directed to sundry commissioners in several counties, with instructions, have issued by means whereof your people have been in divers places assembled, and required to lend certain sums of money unto your majesty; and many of them, upon their refusal so to do, have had an oath administered unto them, not warrantable by the laws or statutes of this realm, and have been constrained to become bound to make appearance and attendance before your privy council, and in other places; and others of them have been therefore imprisoned, confined, and sundry other ways molested and disquieted. (2) And divers other charges have been laid and levied upon your people, in several counties, by lord lieutenants, and deputy lieutenants, commissioners for masters, justices of peace, and others, by command or direction, from your majesty to your privy council, against the law and free customs of this realm.

3. And

3. And whereas also by the statute called the great charter of the liberties of *England*, it is declared and enacted, that no freemen may be taken or imprisoned, or be disseised of his freehold or liberties, or of his free customs, or be out-lawed or exiled, nor in any manner destroyed, but by the lawful judgment of his peers, or by the law of the land.

4. And in the eight and twentieth year of the reign of king *Edward* the third, it was declared and enacted by authority of parliament, that no man, of what estate and condition that he be, should be put out of his lands or tenements, nor taken nor imprisoned, nor disinherited, nor put to death, without being brought to answer, by due process of law,

5. Nevertheless, against the tenor of the said statutes, and other the good laws and statutes of your realm, to that end provided, diverse of your subjects of late have been imprisoned without any cause shewed; (2) And when for their deliverance they were brought before justices by your majesty's writ of *Habeas Corpus*, there to undergo and receive as the court should order, and their keepers commanded to certify the causes of their detainer, no cause was certified, but that they were detained by your majesty's *special command*, signified by the lords of your privy-council,

council, and yet were returned back to several prisons without being charged with any thing, to which they might make answer according to law.

6. Whereas of late, great companies of soldiers and mariners have been dispersed into divers counties of the realm, and the inhabitants against their wills, have been compelled to receive them into their houses, and there to suffer them to sojourn against the laws and customs of this realm, and to the great grievance and vexation of the people.

7. And: whereas also by authority of parliament, and in the five and twentieth year of the reign of king *Edward* the third, it is declared and enacted, that no man shall be forejudged of life and limb against the form of the great charter and law of the land; (2) And by the said great charter, and other the laws and statutes of this your realm, no man ought to be judged to death, but by the laws established in this your realm, either by the customs of the realm, or by acts of parliament: (3) And whereas no offender of what kind soever, is exempted from the proceedings to be used, and punishments to be inflicted by the laws and statutes of this your realm; nevertheless of late divers commissions under your majesty's great seal have issued forth, by which certain persons have been assigned and appointed commissioners, with power and authority

thority to proceed within the land, according to the justice of martial law, against such soldiers and mariners, or other dissolute persons joining with them, as should commit any murder, robbery, felony, mutiny, or other outrage or misdemeanour whatsoever, and by such summary course and order as is agreeable to martial law, and as is used in armies in time of war, to proceed to the tryal and condemnation of such offenders, and them, cause to be executed and put death, according to the law martial.

8. By pretext whereof some of your majesty's subjects have been by some of the said commissioners put to death, when and where, if by the laws and statutes of the land, they had deserved death, by the same laws and statutes also they might, and by no other ought to have been judged and executed.

9. And also sundry grievous offenders, by colour thereof, claiming an exemption, have escaped the punishments due to them by the laws and statutes of this your realm, by reason that divers of your officers and ministers of justice have unjustly refused or forborne to proceed against such offenders, according to the same laws and statutes, upon pretence that the said offenders were punishable only by martial law, and by authority of such commission as aforesaid,

said; (2) Which commissions, and all other of like nature, are wholly and directly contrary to the said laws and statutes of this your realm.

10. They do therefore humbly pray your most excellent majesty, that no man hereafter be compelled to make or yield any gift, loan, benevolence, tax, or such like charge, without common consent by act of parliament; (2) And that none be called to make answer, or take such oath, or to give attendance, or be confined, or otherwise molested or disquieted concerning the same or for refusal thereof; (3) And that no freeman in any such manner as is before mentioned be imprisoned, or detained. (4) And that your majesty would be pleased to remove the said soldiers and mariners, and that your people may not be so burthened in time to come: (5) And that the foresaid commissions for proceeding by martial law, may be revoked and annulled; and that hereafter no commissions of like nature may issue forth to any person or persons whatsoever to be executed as aforesaid, lest by colour of them, any of your majesty's subjects be destroyed, or put to death contrary to the laws and franchise of the land.

11. All which they most humbly pray of your most excellent majesty, as their rights and liberties, according to the laws and statutes of this realm,

realm; and that your majesty would also vouchsafe to declare, that the awards, doings and proceedings to the prejudice of your people in any of the premises, shall not be drawn hereafter into consequence or example. (2) And that your majesty would be also graciously pleased for the further comfort and safety of your people, to declare your royal will and pleasure, that in the things aforesaid all your officers and ministers shall serve you according to the laws and statutes of this realm, as they tender the honour of your majesty, and the prosperity of this kingdom.

Which petition being read the 2d of *June*, 1682, the king's answer was thus delivered unto it.

The king willeth, that right be done, according to the laws and customs of the realm, and that the statutes be put in due execution, that his subjects may have no cause to complain of any wrong, or oppressions, contrary to their just rights and liberties; to the preservation whereof, he holds himself in conscience, as well as obliged, as of his prerogative.

But this answer not giving satisfaction, the king was again petitioned, that he would give a full and satisfactory answer to their petition in full parliament,—whereupon the king in person upon the 7th of *June*, made this second answer;

My Lords and Gentlemen,

THE answer I have already given you, was made with so good deliberation, and approved by the judgment of so many wise men, that I could not have imagined, but that it should have given you full satisfaction, but to avoid all ambiguous words, and to shew you, that there is no doubleness in my meaning, I am willing to please you in words, as well as in substance; read your petition, and you shall have an answer, that I am sure will please you,

And then causing the petition to be read by the clerk of the crown, the clerk of the parliament read the king's answer thereto in these words:

Soit droit fait, come est desire.

Which is, let right be done as is desired. This answer, and the manner of confirming this law, I have the rather recited, because the king's answer, and circumstances relating thereunto, were wholly left out in the printed book of statutes.

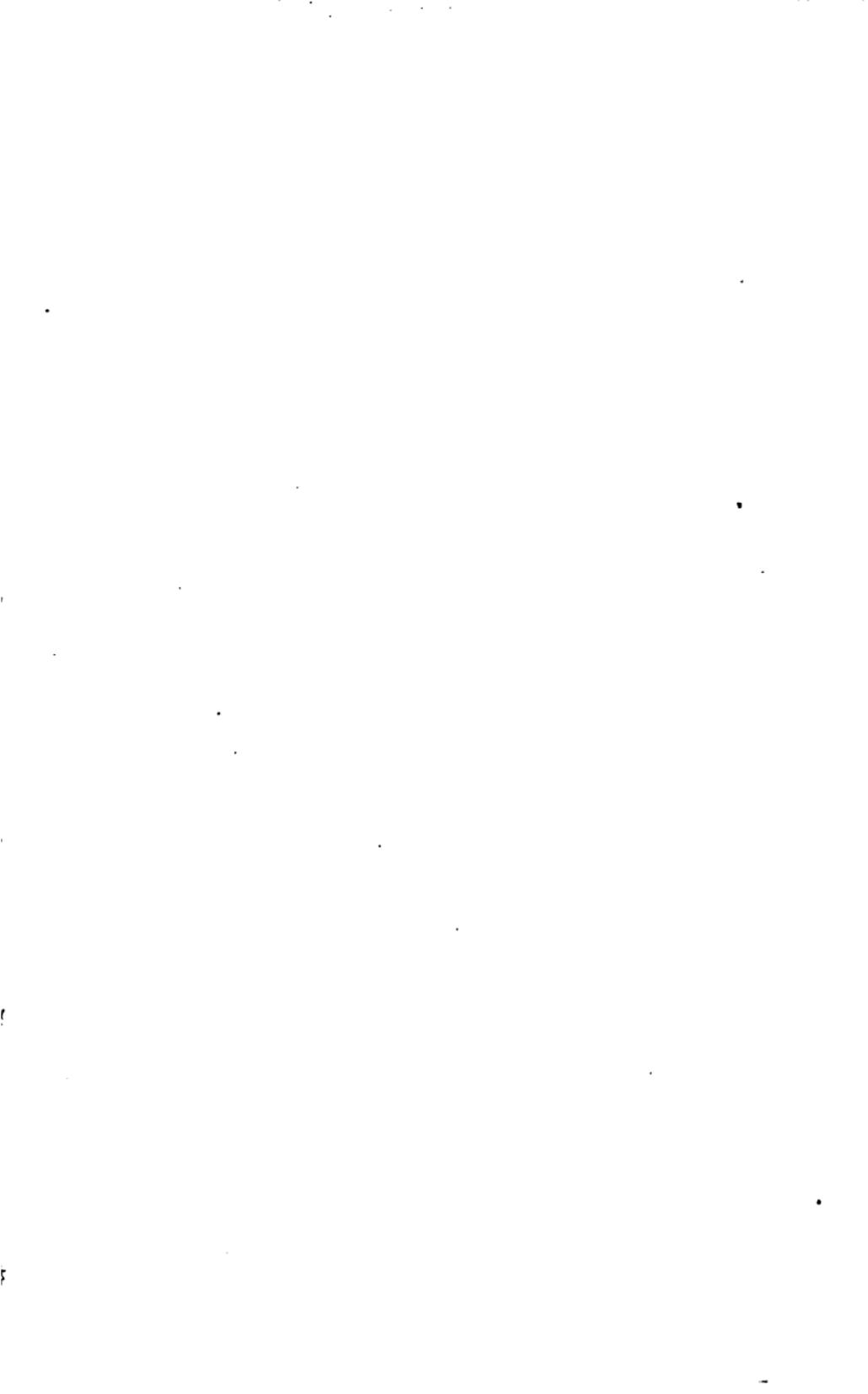
The petition itself is so plain, that there needs no comment, only the reader will observe, that the things therein mention'd, were the ancient rights of the people, and therefore they expressly demand them of the king as their rights and liberties.

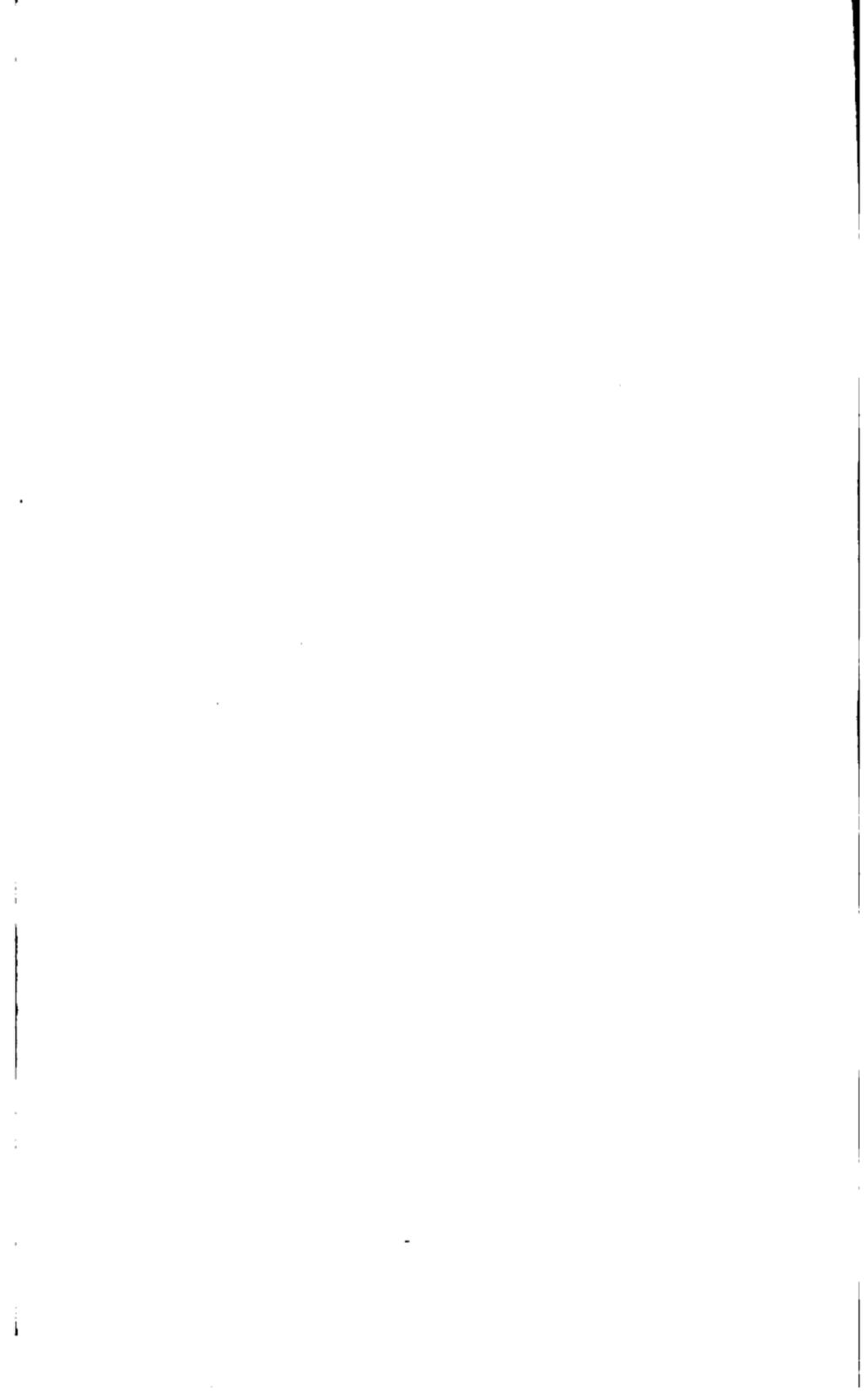
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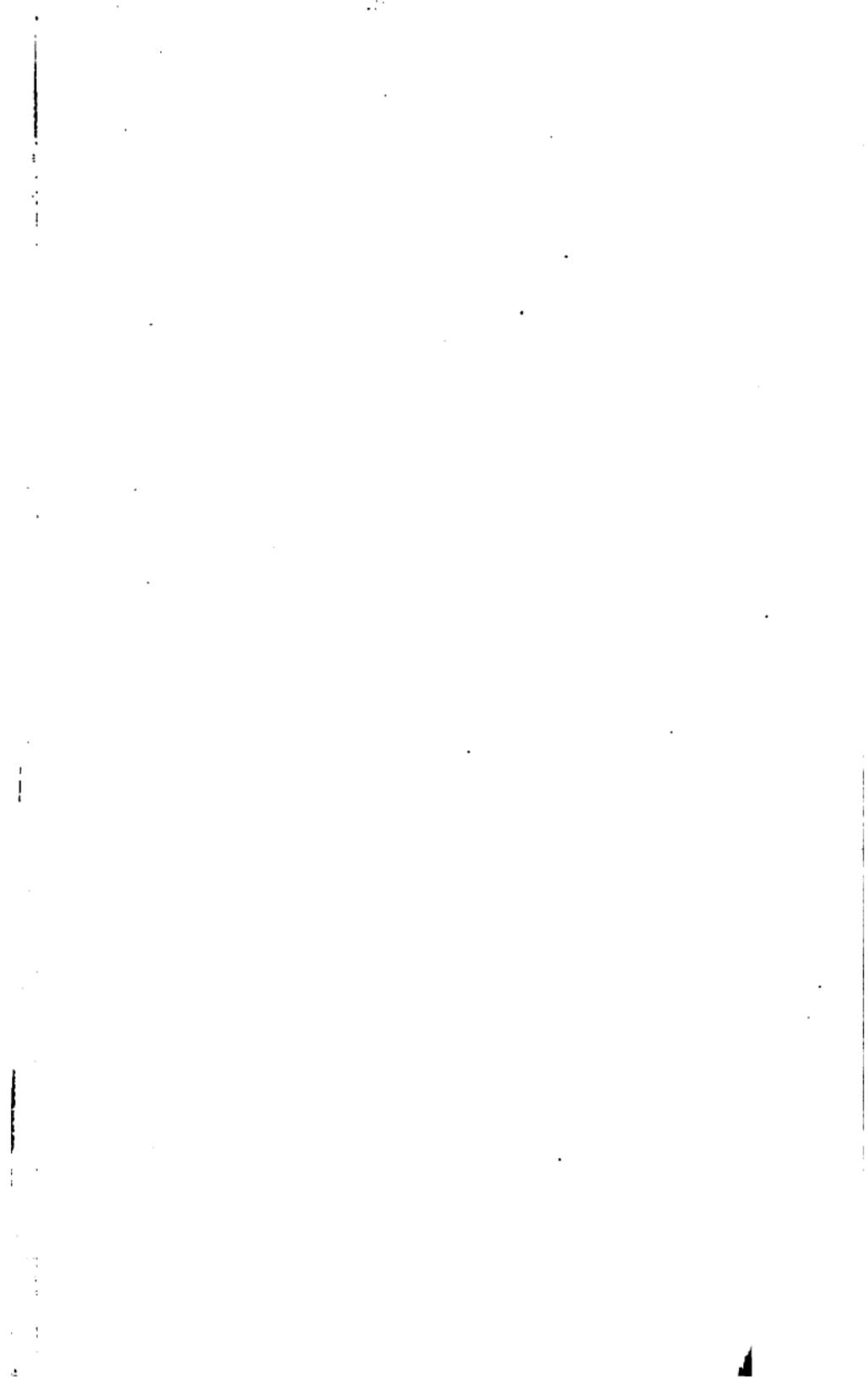


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