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THE  
CONSTITUTION  
OF  
ENGLAND,

Deduced by Analogy from its First Principles.

WITH  
Seasonable Applications of those Principles  
TO THE  
GOVERNMENT AND NATION.

ADDRESSED TO THE SOCIETY FOR CONSTITU-  
TIONAL INFORMATION.

By the Rev. THOMAS NORTHCOTE,  
Chaplain in the Royal Artillery.



*At a Meeting of the Society for CONSTITUTIONAL  
INFORMATION, held at N<sup>o</sup> 2, in New Inn, on  
Friday the 15th day of November 1782.*

Resolved,  
**T**HAT the following Letter from JEREMIAH  
BATLEY, Esq. to the Rev. CHRISTOPHER  
WYVILL, Chairman of the Committee of the  
Yorkshire Association, be entered in the Books of  
this Society.

S I R,

Halifax, April 10th, 1780.

THE great ability and zeal you have shewn  
in your endeavours to promote a redress of nation-  
al grievances, encourage me to hope that you  
will not be displeas'd, if, on this knowledge of  
your public character, I presume to state, with  
deference, a few objections to some part of the  
resolutions of the meeting at York on the 28th  
ult.

Actuated by principles similar to your own, I  
attended the meeting that was held on the 30th  
of December; and not only subscribed the peti-  
tion agreed to on that day, but took afterwards a  
very active part to persuade others in this neigh-  
bourhood to sign it. This, Sir, I premise with  
a view to preserve from censure the rectitude of  
my intention, provided these opinions should ap-  
pear to you erroneous.

Had I not been prevented from attending the  
last meeting, I should probably have given my  
reasons then for not assenting to the proposition  
for increasing the number of Knights of the Shire;  
a measure which seems to me to be pregnant with  
evils that may one day be far greater, and more  
difficult to correct, than even the present system  
of corruption.

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I am aware, Sir, that to the respectable public assemblies which have lately given a sanction to this mode of reformation, may be added the great authority of the late Lord Chatham. But, though I venerate the memory of that able and most worthy statesman, and highly respect the present patrons of his idea, I dare not carry my adulation so far as to prefer their judgments, when conjoined, to the wisdom of our ancestors, verified by the experience of many ages.

Our government is allowed by all who have studied it, to be constructed on a plan the most excellent; and though this beautiful edifice is certainly much impaired by time, there are, I trust, no dilapidations that may not be restored without altering its construction: a work so deservedly applauded we ought to retouch with all the delicacy and precaution a judicious artist would employ to renovate a painting that was once the rival of nature.

On an accurate examination of the British Legislature, it will appear, that the Third Estate is composed, in its primary condition, of men of various descriptions; whose occupations and property being very dissimilar, must often render their interests discordant; and hence it is requisite for their general security, that they should, when contracted into a smaller body, be represented by a diversity of characters.

The Lords and great Commoners, being large proprietors of land, have one general interest; and, as their property is of a permanent nature, this bond of union never changes. The Knights of the Shire are chosen, and for ever will be, increase them to what number you please, out of that body of country gentlemen whose interests are thus closely conjoined with the Peerage.

After the Conquest, that great multitude, emphatically called the People, being miserably oppressed by the sole dominion of real property, to redress a grievance so discouraging to commerce and industry, wisely obtained permission, by some means or other, for Cities and Boroughs to send Deputies to Parliament. This remarkable event happened in the Reign of Henry the Third; and, as Hume supposes, arose from no better principle than Leicester's desire to acquire popularity. But however that may be, it is certainly true, that the People retained a traditional memory of the happiness of the nation under some of the Saxon princes; and the establishment of any thing that bore a resemblance to their ancient customs, was a sure road to popularity; therefore, whether they were restored to this partial share of their elective rights from illiberal or generous motives, it equally proves their sentiments respecting it. Hume, who had certainly no prejudices in favour of a popular government, is compelled by the irresistible evidence of historical facts to declare (vol. ii. fol. 211.) that after the introduction of Deputies from the Boroughs, "The House of Commons soon proved one of the most useful, and, in process of time, one of the most powerful members of the national constitution, and gradually rescued the kingdom from aristocratical, as well as from regal tyranny." Such, Sir, were the salutary effects of the equitable mode of jurisdiction we are trying to alter. It eradicated every relic of slavery; and, by encouraging a spirit of enterprize in men of all descriptions, laid the foundation of the most glorious achievements in learning, commerce, and war!

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By a law, repealed only a few years ago, to give efficacy to a bill that a constitutional Parliament would render totally superfluous, it was directed, that every person chosen to represent a county, city, or borough should reside in it; a strong indication that an external representation had been found a grievance to the People: and it is very probable, that a law so well calculated for preserving the democratical part of the constitution would never have been neglected, if the great body of citizens and burghers had really continued to elect their representatives. The city of London, and some other independent places, generally adhere to it still, as a voluntary act; and indeed who is so proper a guardian of a district, as he who resides in it, and shares in its wants and conveniencies? This law was made too in the first Parliament of that great prince Henry the Fifth (a strong circumstance in favour of its popularity) and only thirteen years after the depofal of Richard the Second, against whom it was alledged, as one cause for depriving him of his regal authority, "That he changed the Representatives of the People at his pleasure, by exacting of the sheriffs a return of such persons as he nominated."

The Barons, being the great proprietors of land, were justly considered by our ancestors as the partial guardians of real property; but the Citizens and Burgeses in Parliament, they looked upon as the immediate protectors of the merchant and manufacturer, and of that large body of useful labourers, whom it was necessary to stimulate to industry by the security of possession.

Since an external influence has crept into cities and boroughs, their beneficial operation, we must allow,

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allow, has been greatly obstructed: but yet, venal as they are, it is through them, principally, that the commercial part of the kingdom is now represented; and though in political questions those members too often run with an improper bias, yet on many important occasions, not connected with party, they act with great judgment; and procure parliamentary attention to the interest of trade in general.

But we are mistaken if we suppose, that the Crown alone misleads the Representatives of these corrupt corporations. The unconstitutional power that landed property has got there is the most general cause of their prostitution; and so long as we continue to affix the idea of representation to property, and not to persons, we may expect to see them, alternately, the pernicious instruments of a factious party, and the base tools of ministerial delinquency. But though their present depravity is a very good reason for endeavouring to amend them, the occasion of it by no means conveys a favourable idea of a project that is calculated to enlarge the power of those who have been their seducers.

It certainly merits our particular attention, that boroughs, with which we are now so greatly offended, had, after many severe struggles for liberty, their privileges revived under the wisest and best of our princes; and is it not a dangerous experiment to destroy a barrier, erected, on such authority, expressly for the purpose of defending the people against arbitrary power?

To admit tradesmen and artizans, independent of property, to a certain share in the legislature, was conformable both to justice and sound policy, and beneficial, in the event, even to the aristocratic

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eratic body it was meant to restrain. For, under the auspices of universal freedom, riches flowed into the kingdom, deserts were cultivated, the conveniencies of life multiplied, and benevolence obtained the supreme satisfaction of seeing every useful citizen either enjoy, or reasonably hope to enjoy, a comfortable independence as a recompence for his labour or ingenuity!—That these advantages have resulted from this general participation of power, cannot be denied, notwithstanding there was a vice in its construction, which gave it a progressive tendency to that state of depravity to which, alas! it is now arrived.

There is no truth less problematical than that tyranny will, sooner or later, characterize every state that is governed by men of one description. Be they numerous or few, nobles or plebeians, churchmen or soldiers, their plan will be oppression; and though it would be their real interest to act otherwise, experience shews that it is far more difficult to regain liberty in a government that is aristocratic, than to force a monarch to relinquish his unjust prerogatives.

But I foresee it will be alledged, that as the present county members are, in general, the least corrupt of our senators, it is not candid to insinuate a suspicion of defection in public spirit, when their numbers shall be increased.—To their comparative merit I willingly subscribe: but yet I must declare that liberty, in my opinion, is poorly secured, when it depends on what is so precarious and changeable as the personal characters of men. To give stability to freedom, we must make it apparent, from the well-poised, and impartial construction of the government, that under all circumstances and changes of fortune, it is every  
honest

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honest man's individual interest to promote the general welfare of the community: for, if by an injudicious distribution of power, we separate, in appearance only, public and private utility, many, I fear, will be deaf to the friendly admonitions of reason and virtue.

Besides, as boroughs, in their present state of degeneracy, are the easiest prey of seduction, ministers have chiefly addressed their allurements to that quarter: but I doubt we shall be grievously disappointed, if we infer from this, that the system of corruption will vanish when our burgeses shall be displaced, or rendered insignificant, by an addition of county representatives. The servants of the crown will soon discover, where the power of granting supplies is really vested, and will study the gratification of that interest in their future plans for raising them; and hold forth every temptation that will be likely to procure its support. Government would be fettered in all its projects if it acted otherwise: though probably after a while the crown would be tired of this servility, and the people of their bondage; and to free themselves from it, an artful monarch might, perhaps, persuade them, irritated by the oppression of petty tyrants, to surrender into his hands those rights that were become useless, and like Denmark and Sweden, to vest in him that dreadful scourge, and disgrace of human nature, despotic power!

This alarming catastrophe, I am sensible, would not arrive in our time. But, were the proposed augmentation of Knights of the Shire to be adopted, we should certainly soon find the most important branch of the legislature dependent upon the Peers, and great Commoners. Even in the  
County

County of York, a very few of that rank, in strict union, might prescribe a list of candidates, whose Interests being joined to those of their leaders, and subscriptions entered into to support their nomination, an unconnected body of independent gentlemen and little freeholders could not successfully oppose; and in many less extensive counties, perhaps three or four great men, thus acting in concert with those whom they patronized, would be irresistible. No individual could be expected to oppose such powerful combinations; and were contending parties to be formed, as might sometimes be the case, the whole kingdom, at a general election, would exhibit a scene of intemperance, riot, and unextinguishable enmity!

That the evil I apprehend from partial representation, is not the romantic vision of too refined a theory, will appear from the following extract from Dr. Sullivan's Lectures on the Laws and Constitution of England. His facts were collected, as his ingenious editor has shewn, from good authorities, and they furnish a positive proof that the very inconveniencies, I apprehend, did actually exist, when the great proprietors of land were the only associates of regal power in governing this kingdom.

In his twenty-second lecture, fol. 210, he says,  
 " Next to the gentry or military order in estimation among the northern nations stood the citizens and burghers, that is, the trading part of the nation, whether merchants or artificers.  
 " These were for some ages held in a very low light, none of the conquerors or their descendants applying themselves to such occupations.  
 " They were indeed, at first, allowed certain pri-

" vileges,

" vileges, and enjoyed their own laws, under  
 " the inspection of magistrates appointed by the  
 " King, known by the name of *Præpositi*, pro-  
 " vofts, or some other equivalent title. But these  
 " liberties did not last long. The turbulent  
 " temper of the times, the frequent competitions  
 " for the throne, and the many rebellions of the  
 " great Lords, occasioned the towns and their  
 " inhabitants to be taken in war, one after ano-  
 " ther; and the persons so taken, were, by the  
 " prevailing *jus gentium* of these ages, reduced  
 " to servitude; not however to a condition so  
 " low as the villeins, who were properly the  
 " slaves of those people, and had no property but  
 " at the will of their Lords. However it is, no  
 " state, except one absolutely barbarous, could  
 " subsist without artizans; and as commerce is  
 " the parent of wealth, and as neither it, nor  
 " arts, could thrive where property is not in some  
 " sort secure, the Lords were, in some degree,  
 " by their own interest, obliged to relinquish to  
 " these people the seizing of their goods at plea-  
 " sure, as they practised towards their villeins,  
 " and to leave them at liberty to make regula-  
 " tions among themselves for the benefit of trade.  
 " Thus far, then, they were free, but their  
 " servitude consisted in their being liable to taxes  
 " or taillages at the will of the Lords, who, if  
 " they were wise, laid on such only as they could  
 " well bear; but miserable was their condition,  
 " when they fell into the hands of one who was  
 " needy and rapacious; for then they were often  
 " fleeced, even to ruin and depopulation. This  
 " induced the wiser Lords who saw the conse-  
 " quences, and how much the arbitrary exertion  
 " of such powers must, in the end, hurt them-

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" selves

“ selves, to restrain their own powers; and, by  
 “ degrees, by granting them charters to emanci-  
 “ pate them. They formed them into bodies  
 “ corporate, confirmed the right of making bye-  
 “ laws, which had been permitted them, and  
 “ granted them other privileges or franchises as  
 “ they called them, from their being infranchi-  
 “ sed, in derogation to former regal or feignoral  
 “ rights. But for their total freedom they were  
 “ indebted to parliament, which, seeing the bad  
 “ use King John made of his right in this kind,  
 “ provided thus in Magna Charta. *Civitas Lon-*  
 “ *don habeat omnes libertates suas antiquas, et con-*  
 “ *suetudines suas. Præterea volumus et concedemus,*  
 “ *quod omnes aliæ civitates, burgi et villæ, et Ba-*  
 “ *rones de quinque portibus, et omnes alii portus,*  
 “ *habeant omnes libertates et liberas consuetudines*  
 “ *suas.* And another chapter restrains the King  
 “ from laying new and evil tolls, and confines  
 “ him to the ancient customs.

“ Hitherto, however, the citizens and bur-  
 “ gesses were no part of the body politic, and  
 “ were not represented in parliament. But as  
 “ with their security their wealth and consequence  
 “ increased, about or before the year 1300, they  
 “ were admitted to that privilege; that they  
 “ might, in conjunction with the Knights of  
 “ Shires, *be a check on the overgrown power of*  
 “ *the mighty Lords.*

“ But to suffer the great proprietors of land to  
 “ enjoy a disproportioned influence in the legisla-  
 “ ture was not only oppressive to the people, but  
 “ an impediment to the orderly execution of the  
 “ laws; and very frequently excited the most dan-  
 “ gerous insurrections.

Sir

Sir Robert Cotton (*Cottoni Posthuma*, fol. 347.)  
 speaking of what Glanville calls, *Magnum et com-*  
*munne concilium coram Rege et Magnatibus suis*, says,  
 “ As this great court or councill consisting of  
 “ the King and Barons, ruled the great affairs of  
 “ state, and controulled all inferior courts, so  
 “ were there certain officers, whose transcendent  
 “ power seemed to be set to bound in the execu-  
 “ tion of princes wills; as the steward, consta-  
 “ ble, and marshall, fixed upon families in fee  
 “ for many ages: they, as tribunes of the peo-  
 “ ple, or Ephori amongst the Athenians, grown  
 “ by an unmannerly carriage fearful to monar-  
 “ chy, fell at the feet and mercy of the King,  
 “ when the daring Earl of Leicester was slain at  
 “ Evesham. This chance, and the dear expe-  
 “ rience Henry the Third himself had made at  
 “ the parliament at Oxford, in the fortieth year  
 “ of his reign, and the memory of the many  
 “ streights his father was driven unto, especi-  
 “ ally at Runny Mead, near Stanes, brought this  
 “ King wisely to begin what his successors for-  
 “ tunately finished, in lessening the strength and  
 “ power of his great Lords: and this was wrought  
 “ by searching into the regality they had usurped  
 “ over their peculiar sovereigns (whereby they  
 “ were, as the book at St. Alban's termeth them,  
 “ *Quot Domini tot tyranni*) and by weakening that  
 “ *hand of power which they carried in the Parlia-*  
 “ *ments, by commanding the service of many Knights,*  
 “ *Citizens, and Burgeses to that great councill.*  
 “ Now began the frequent sending of writs to  
 “ the Commons, their assents not only used in  
 “ money, charge and making laws (for before  
 “ all ordinances passed by the King and Peers)  
 “ but their consent in judgments of all natures,



“ whether civil or criminal.” And, as if he foresaw that there would one day be a project proposed similar to that which is now in agitation, he adds, at the conclusion of this discourse, concerning the power of the Peers, the following important reflection. “ *And how conveniently it suits with monarchy to maintain this form, lest others of that well-framed body, knit under one head, should swell too great and monstrous, it may be easily thought. For monarchy again may sooner groan under the weight of an aristocracy, as it once did, than under a democracy, which it never yet either felt or feared.*”

It must however be confessed, that after these reflections were made, a kind of democratic republic arose out of the ruins of the monarchy; but that example is so far from being adverse to his doctrine, that it is an express confirmation of it: for it was found to be a mode of Government incompatible with the laws and customs of this country, and the joint efforts of the greatest characters, both civil and military, could not give it a durable existence.

But although the new republic was not able to support itself against the ancient, and much more perfect form of regal government, its temporary establishment impressed on some minds a needless terror of the popular part of the constitution; and under the influence of this apprehension, the legislature has, ever since, been contracting the rights of the people in favour of an aristocracy. It was this timid spirit that framed the acts for triennial and septennial parliaments; for the qualification of members, and a multitude of others repugnant to universal liberty: and though innumerable evils have arisen from this dangerous mode

mode of redressing a few trivial, and frequently only imaginary inconveniences, we still, I fear, continue to follow the same line, without perceiving that its obliquity leads us further from the rectitude we have been hitherto vainly labouring to attain.

There is a prevailing opinion, but a very erroneous one, that our interest in the preservation of the constitution is proportioned to the property we possess. The reverse is, perhaps, the truth: for the wealthy have a protector in their riches, that will often shelter them from oppression in the worst of governments; but what friendly mediator have the indigent to stand between them and personal slavery? For, notwithstanding all men, by the law of nature, have a right to liberty, it is a felicity almost peculiar to the inhabitants of the British empire to enjoy an undoubted claim to a political government, that must, necessarily, extend its protection to the lowest order of citizens.

Universal representation is the distinguishing excellence of our unrivalled constitution. By recurring to it, our ancestors, long lectured in the school of adversity, were freed from the vilest servitude; and shall we, under a false idea of improvement, and in contempt of all preceding examples, abolish their wise institutions, and revive a power they were invented to curb, because it was found to be turbulent and fatal to liberty?

Besides, Sir, what occasion is there for so hazardous an innovation? Does not the form of that government remain under which we have obtained the most envied prosperity? And is it not as practicable to repair the parts that are decayed, as to supply new ones?

But,

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But, partial as I am to these ancient usages, it must be acknowledged they were defective in not providing better for their existence in that uncorrupted state, requisite to give them sufficient efficacy. To supply this defect, and to restore the people to their natural and constitutional right of electing their Representatives for what term *they alone shall think proper*, seem the grand objects to which our political zeal should be directed.

It is surely repugnant to reason to suppose that representatives created by the people, only for the purpose of expressing their sentiments more commodiously, have a right to prescribe the term for which they shall chuse them. Neither can it be maintained, that by an union with the King, and Upper House of Parliament, they may acquire such an extraordinary power, as both reason and law absolutely preclude these from interfering in elections. The truth is, that every restraint in the exercise of the right of election, imposed on the people by the legislature, is an act of usurpation in every branch of it; and when these evils shall be redressed, I hope it will be done by a declaratory repeal of those restraining acts as illegal, that the rights of the people may stand on the firm and unalterable basis of the constitution, and not on the mutable foundation of Acts of Parliament.

The subject of a reform has of late been minutely discussed by some of the most ingenious and illustrious characters in the kingdom; and it would be presumptuous to recommend a plan, as fit for execution, without an accurate examination of what they have published. But as my object at present is not so extensive, I will only mention, in a cursory way, what appears to me

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no ineligible mode of making our boroughs once more useful to the public.

In cities and boroughs restore all house-holders to the right of election: suffer no election to be valid, if the place contain not as many real voters as may be reasonably deemed sufficient to secure independence. The number should be ample for the purpose; and where the place cannot supply them, one or more neighbouring *towns* (not *parishes*) might be united with the ancient borough until there were enow. There would be no occasion to limit the increase of electors, nor to take any care that they do not exceed the number prescribed as the lowest that can act: but it should be strictly enjoined, that whenever any place, whether regulated before or not, shall have fewer voters than the law requires, the privilege of election shall be extended to yet another *town*, in like manner as was practised on the first occasion. Where it can be made convenient, it would not, I think, be unreasonable for the old borough to retain the honour and advantage of being the seat of election.

This, Sir, I am sensible is a very imperfect sketch of so important a regulation. But I meant only to give a few out-lines, and to leave it to more able artists to finish the design. If inclination be not wanting, I see no insuperable difficulty in the execution of it. There will, undoubtedly, be many discordant interests to reconcile; but where private property shall be really affected, the public will not repine to make a reasonable compensation; and if the pernicious privileges claimed by individuals be not criminal usurpations, I would give a liberal indemnification for abolishing them.

Without

Without troubling you further on the subject, I will now, Sir, intreat your pardon for this intrusion. Being called upon to support the present association, an apology became necessary for appearing to relax in a pursuit so laudable as the redress of those grievances, you described with so much energy in your petition to Parliament.

Before I conclude, permit me to add one observation, and to recommend the application of it to your plan. A petition may be respectable that is only signed by a few; but an association is of no validity unless numbers assent to it; and as every one should be desired to be a party, so every one ought to have an interest in supporting it.

I have the honour to subscribe myself with the greatest respect,

S I R,

Your most obedient humble servant,

JER. BATLEY.

PRINTED AND DISTRIBUTED GRATIS BY THE SOCIETY FOR CONSTITUTIONAL INFORMATION.

At a Meeting held on Friday the 15th day of November 1782.

Resolved,

THAT the following Extract from "A POLITICAL CATECHISM, by the Rev. Robert "Robinson," be entered in the Books of this Society.

" P. WHEN we speak of administration, George, we speak of what is; but when we speak of representation, we speak of what ought to be.

G. Why so, Sir?

P. Because administration, you see, is in effect the king's prerogative, and we would not seem to want respect for that branch of government, the executive power.

G. But representation being the people's birth-right, is more immediately our own province. Is that your meaning, Sir?

P. Exactly.

G. Are you represented in parliament, Sir?

P. No.

G. Then your family, consisting of more than twenty of us, is not represented?

P. No; our parliamentary representation is not a representation of persons, but of property.

G. Is your property represented, Sir?

P. No. My estates are copyhold, and leasehold, and personal estate. I have no freehold.

G. It is not all property, then, that is represented?

P. No; it is property of that peculiar tenure, which we call freehold.

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G. How

G. How many freeholders are there in this parish?

P. About four.

G. Yet this parish consists of some hundreds.

P. Yes; and I, who am not represented, was obliged to give old Sam the taylor, who botches for the labourers, who is represented, some pieces of wood to prop up his crazy freehold cottage, or else Sam's cottage would not have been represented.

G. You said you were speaking of what *ought to be*.

P. Excuse me for speaking first of what ought *not* to be.

G. You think representation then, Sir, imperfect?

P. Extremely so; and I think I see *four* imperfections in what we call parliamentary representation, in the nature, the subject, the mode, and the end. These are not constitutional imperfections, but accidental ones; the being of which probably originated not in design and depravity, but in a train of events. I will explain myself.

G. What do you mean, Sir, by the *nature* of representation?

P. The properties of it.

G. What ought these to be?

P. Representation is a human creation, and was intended to be, and therefore ought to be, an exact balance to the prerogatives of the other branches of the legislature, for by this balance the liberties of the people are preserved from encroachment.

G. It ought then to have dignity, power, revenue, and influence, that so, having the same pre-

prerogatives as the crown, and in the same degree, it may be a counterpoise.

P. Exactly so. Accordingly the *dignity* of parliament, as an aggregate body, is preserved by an ascription of properties and perfections, as independence, incorruption, fidelity, magnanimity, and so on. The *power* of parliament is that of making laws. In regard to *revenue*, all supplies are raised by them; and in respect to *influence*, it will always be proportional to the benefits which the people derive from their representatives.

G. You allowed yesterday, that the properties ascribed to the executive power, could not be found in any mortal. Are not the properties ascribed to the legislative power of the same kind, mere suppositions of law?

P. By no means. The properties ascribed to the person are, strictly speaking, found in the executive power. Executive power has ubiquity, for it is every where acting at the same time; besieging a town in the army, destroying an enemy's fleet at sea in the navy, guarding the trade in a convoy, or the coasts in a militia, distributing justice in courts of law, collecting customs in the ports, excise in warehouses, receiving and paying, rewarding and punishing at the same moment. Now as all this is the king's business, and as he executes it by deputation, we say he hath ubiquity; and so of the rest.

G. His majesty then has this property in proxy?

P. Yes; but as our representatives are themselves proxies for us, they cannot vote by proxy, and herein they differ from lords of parliament, who sit there in their own right, and who there-

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fore can vote by proxy. And further, as they cannot delegate any to act in their stead, so it is impossible they should possess any perfections, except such as are personal. These are in some degree in each individual, and in a high degree in the collective body, and these I call the nature of representation.

G. You said *independence* was one property of parliament.

P. It is an essential property interwoven in the constitution, and it implies the absence of all undue influence of every kind. Neither the crown, by means of the army, or the officers of some branches of the revenue, nor the peers, by means of lords of parliament, or lords lieutenants of counties, may interfere. No, nor may the candidates themselves use any bribery or corrupt influence under heavy penalties.

G. You said *incorruption* was another property.

P. Yes, for a man may go uninfluenced into the house, and become corruptible by strong temptations there: in such a case, he would cease to be *faithful* to the trust reposed in him by the people, and of course would lay aside all that elevation of soul, which we call *magnanimity*, and would sink from the noblest of all creatures, an object of public confidence, to the despicable state of a minister's tool.

G. Have not our legislators claimed these excellent properties, and passed many laws to secure them?

P. They have: but it is confessed, all means have been found inadequate.

G. Who can help it?

P. Not

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P. Not they who are so infatuated as not to see it, nor they who are so interested as to deny it, nor they who spend life in declaiming against human depravity.

G. Who then?

P. Such as understand the Lord's Prayer, *lead us not into temptation.*

G. How do you mean, Sir?

P. Why I mean, that if human frailty is so great, it ought not to be put to such severe trials as endanger the virtue and felicity of a person, a family, a county, a kingdom, a world; for a British parliament may affect all these.

G. So you would keep men virtuous, by putting it out of their power to be vicious.

P. What can you do with them?

G. But is this possible?

P. Every thing that ought to be is possible. How much money do you think was spent at our last election?

G. It was reported above a hundred thousand pounds.

P. Well, let us suppose only a hundred thousand pounds. Upon whom was this spent?

G. Upon freehold electors. Old Sam was drunk for a week.

P. Would not annual parliaments and equal representation put it absolutely out of the power of the whole world to destroy the independence of parliament?

G. It should seem so: at least it is worth trying. But have we a RIGHT to these?

P. We have both a natural and constitutional right to these. Septennial parliaments are of late date, triennial are not much older, and it was no longer

longer ago than the reign of Henry VI. that the people at large were deprived of this right, and the qualification of electors for knights of the shire, determined, to be the owning of a freehold of the value of forty shillings a year, which by the way was then equivalent to twenty pounds of present value. As to boroughs, we say nothing of them under this article, they do not deserve it.

G. You spoke of the *subject* of representation, Sir.

P. Yes, I ask *what* is represented? What ought to be represented?

G. The people undoubtedly.

P. Not dead houses and lands?

G. No: Bona fide, the people themselves.

P. What! all the people?

G. If all the people have lives, liberties, and properties, all the people have a natural right to choose the guardians of them.

P. They have also a constitutional one.

G. Would not this endanger property, by putting the poor on a level with the rich?

P. Neither property nor person ought to be endangered: but if one must suffer, better damage property than person; however, this is no question here, for the danger of both lies elsewhere, I mean in undue influence, not in the numbers of electors or elected. Keep representation pure and uninfluenced, and all things are safe.

G. But is such an election practicable?

P. As easy as the election of a coroner, or a sheriff in the city.

G. What fault do you find, Sir, with the *mode* of representation?

P. The

P. The establishment of the forementioned qualification having changed the subject of representation from person to property, you would suppose property was equally represented.

G. Certainly I should; whatever is represented ought to be equally represented."

THOMAS YATES, Sec.

*At a Meeting held on Friday the 6th day of December 1782.*

Resolved,

THAT the following Extract from LORD BOLINGBROKE'S DISSERTATION ON PARTIES be entered in the Books of this Society.

" SUBMISSION will be as grievous, and resistance much more difficult, when the legislature betrays its trust, than when the king alone abuses his power. This sets before us, in a very strong light, the necessity of using our utmost efforts that the true design of our Constitution may be pursued as closely as possible by the re-establishment of Annual or at least of Triennial Parliaments. But the importance of the matter, and the particular seasonableness of the conjuncture, invite me to offer one consideration more upon this head, which I think will not strike the less for being obvious and plain. It is this. Should a King obtain, for many years at once, the supplies and powers, which used to be granted annually to him; this would be deemed, I presume, even in the present age, an unjustifiable measure, and an intolerable grievance, for this plain reason; because

because it would alter our Constitution in the fundamental article, that requires frequent Assemblies of the whole Legislature, in order to assist, and controul too, the Executive Power, which is intrusted with one part of it. Now I ask, is not the article, which requires frequent Elections of the Representatives by the collective body of the People, in order to secure the latter against the ill consequence of the possible weakness, or corruption of the former, as fundamental an article, and as essential to the preservation of our Liberties as the other? No man dares say that it is not; at least no man who deserves our attention. The People of Britain have as good a right, and their right as necessary to be asserted, to keep their Representatives true to the trust reposed in them, and to the preservation of the Constitution, by the controul and frequent elections, as they have to keep their Kings true to the trust reposed in them, and to the preservation of the Constitution, by the controul of frequent sittings of Parliament. How comes it then to pass, that we may observe so great a difference in the sentiments of mankind, about these two cases? Propose the first, there is no servile friend of Government, who will not affect all that horror at the proposition which every friend of the Constitution will really feel. Propose the keeping up septennial, nay the making decennial Parliaments, the same friends of Government will contend strenuously for one, and by consequence for both; since there can be no reason alledged for the first, which is not stronger for the last, and would not be still stronger for a longer term. These reasons, drawn from two or three common-place topics of pretended conveniency

niency and expediency, or of supposed tranquillity at home, and strength abroad, I need not mention. They have been mentioned by others, and sufficiently refuted. But that which may very justly appear marvellous, is this, that some men, I think not many, who are true friends of the Constitution, have been staggered in their opinions, and almost seduced by the false reasonings of these friends of Government; though nothing can be more easy than to shew, from reason and experience, that conveniency, expediency, and domestic tranquillity, may be, and in fact have been as well, nay better secured, under triennial, nay annual Parliaments, than under Parliaments of a longer continuance; and as for strength abroad (that is, national credit and influence) it will depend on the opinion foreign nations have of our national dispositions, and the unanimity of our sentiments. It must be chiefly determined therefore by their knowledge of the real sense of the nation. Now that can appear no way so much as in the natural state of our Constitution, by frequent elections; and when it does appear so, it must have another kind of effect than the bare resolutions of a stale, ministerial Parliament; especially if it happens, as it may happen in some future time, that the sense of the nation should appear to be different from the sense of such a Parliament, and that the resolutions of such a Parliament should be avowedly dictated by men, odious and hated, contemptible and contemned, both at home and abroad. But in the supposition that some inconveniences may arise by frequent elections (which is only allowed for argument's sake) are such inconveniences, and the trifling

consequences of them, to be set in the balance against the danger of weakening any one barrier of our liberty? Let me ask, how comes it to pass that we observe so great a difference between the sentiments and reasonings of mankind about frequent sessions of Parliament and frequent Parliaments?—The only manner in which I can account for such an inconsistency, is this; the sight of the mind differs very much from the sight of the body, and its operations are frequently the reverse of the other. Objects at a distance appear to the former in their true magnitude, and diminish as they are brought nearer. The event, that created much astonishment, indignation, or terror in the prospect, creates less and less, as it approaches, and by the time it happens, men have familiarized themselves with it. If the Romans had been told, in the days of Augustus, that an Emperor would succeed, in whose reign a horse should be made consul, they would have been extremely surprized. I believe they were not so much surprized, when the thing happened; when the horse was Consul, and Caligula Emperor. If it had been foretold to those patriots at the Revolution, who remembered long Parliaments, who still felt the smart of them, who struggled hard for annual, and obtained with much difficulty, at the end of five or six years, triennial Parliaments, that a time would come, when even the term of triennial Parliaments would be deemed too short, and a Parliament chosen for three years, would chuse itself for four more, and entail Septennial Parliaments on the nation; that this would happen, and the fruits of their honest labours be lost, in little more than twenty years; and that it would

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be brought about, whilst our Government continued on the foundations they had then so newly laid: if all this had been foretold at the time I mention, it would have appeared improbable and monstrous to the friends of the Revolution. Yet it hath happened; and, in less than twenty years, it is grown, or is growing, familiar to us. The uniform zeal and complaisance of our Parliaments for the Crown, leave little room to apprehend any attempt to govern without them; or to make them do in one Session the work of seven; though this would be extremely convenient, no doubt a great ease to future Ministers, and a great saving of expence and time to Country Gentlemen. But suppose (for I desire it may be remembered that I reason hypothetically) a Parliament should think fit to give, in the first session, all the money, all the credit, and all the powers necessary for carrying on the government during seven years; and then let those persons, who will be shocked at this supposition, and yet declare themselves for Septennial Parliaments, lay their hands on their hearts, and consider whether such an alteration of the Constitution might not grow familiar to them, and even gain their approbation. I think it would do so. I am sure it might as reasonably as the other. They would find the ease, in one case, of little attendance, as much as that of distant Elections, in the other. The arguments of conveniency, expediency, public tranquillity, and strength to the government, would be just as well applied; and if the Ministers should, by miracle, make no very exorbitant ill use of such a situation, I doubt whether he, who should plead for Annual Parliaments



ments then, would be much better heard by the same persons than he, who pleads for frequent elections of Parliaments, is now. But let not the lovers of Liberty, the friends of the Constitution, reason in this manner. Let them remember, that danger commences when the breach is made, not when the attack is begun; that he, who neglects to stop the leak, as soon as it is discovered, in hopes to save his ship by pumping, when the water gushes in by violence, deserves to be drowned; and, to lay aside figures of speech, that our Constitution is not, like the schemes of some politicians, a jumble of disjointed, incoherent whimsies, but a noble and wise system, the essential parts of which are so proportioned, and so intimately connected, that a change in one begets a change in the whole; that the frequent elections of Parliament are as much an essential part of this system, as the frequent sittings of Parliament; that the work of the Revolution is imperfect therefore, and our future security precarious, unless our antient Constitution be restored, in this essential part."

THOMAS YATES, Sec.

*At a Meeting held on Friday the 13th day of December 1782.*

Resolved,

THAT the following Extracts from AN ESSAY ON THE FIRST PRINCIPLES OF GOVERNMENT, by DR. PRIESTLEY, be entered in the Books of this Society.

" WITH respect to this nation, it seems to be agreed, that Septennial Parliaments have brought

brought our liberties into very imminent hazard, and that Triennial, if not Annual Parliaments, would be better. Indeed Septennial Parliaments were at first a direct usurpation of the Rights of the People; for, by the same authority that one Parliament prolonged their own power to seven years, they might have continued it to twice seven, or, like the Parliament in 1641, have made it perpetual. The bulk of the People never see the most obvious tendencies of things, or so flagrant a violation of the Constitution would never have been suffered.

Political and Civil Liberty have many things in common, which, indeed, is the reason why they have been so often confounded. A sense, both of Political and Civil Slavery, makes a man think meanly of himself. The feeling of his insignificance debases his mind, checks every great and enterprising sentiment, and, in fact, renders him that poor abject creature, which he fancies himself to be. Having always some unknown evil to fear, though it should never come, he has no perfect enjoyment of himself, or of any of the blessings of life; and thus, his sentiments and his enjoyments being of a lower kind, the man sinks nearer to the state of the brute creation.

On the other hand, a sense of Political and Civil Liberty, though there should be no great occasion to exert it in the course of a man's life, gives him a constant feeling of his own power and importance; and is the foundation of his indulging a free, bold, and manly turn of thinking, unrestrained by the most distant ideas of controul. Being free from all fear, he has the most perfect enjoyment of himself, and of all the

the blessings of life; and his sentiments and enjoyments being raised, his very *being* is exalted, and the man makes nearer approaches to superior natures."

THOMAS YATES, Sec.

At a Meeting held on Friday, January 10, 1783.

Resolved,

THAT the following Extract from AN ESSAY ON THE ORIGIN AND PROGRESS OF GOVERNMENT be entered in the Books of this Society.

"A CERTAIN set of politicians have lately arrogated to those of the higher rank in their faction, the title of the King's friends: impertinently, and almost treasonably insinuating, that his Majesty has no other friends than themselves, and their followers of the lower order, who are contented with the title of Supporters of Government.

With regard to the King's friends, as they are undoubtedly incapable of being influenced, by any observations of mine, I just hint at the Italian wise proverb, *Iddio mi guardi da miei amici!* God keep his Majesty from his friends; and this brave and loyal nation will, under providence, guard him from his enemies.

But I solicit the attention of those who have adopted the less disrespectful appellation to his Majesty, and his subjects, that of *Supporters of Government*. Government must be supported is their

their cry; and to which none will refuse to join their assenting voice as a general proposition, or, indeed, axiom; and as few, methinks, should applaud the novelty and ingenuity of the discovery.

The seeming innocence and safety of this notion or principle, has seduced many timid, well-meaning, but ill-informed men, into the support of that faction, purely in favour of Government, as they themselves assert. But if those worthy men, thus seduced by a phrase, should once perceive, that by Government this faction means, every measure or wish of our governors or ministry, right or wrong, foolishly or insidiously pernicious, they will turn from their seducers with abhorrence, and not continue to act as if they held all ministers to be, by inheritance, infallible, and impeccable.

This principle, or pretence of supporting Government indiscriminately, tends, most perniciously, to throw an odium upon those brave and active spirits, who, in all ages and countries, and with success in England, have attempted to defend the rights of mankind from the dragon of royalty, and the hydra of aristocracy.

Whoever supports, instead of joining in the attack on a bad Administration, is not worthy of living under a good one: he is, if not a traitorous, at best a cowardly soldier, who deserts his post, or halts before the face of the enemy. If Administration, or Government, is good and wise, support it, that it may continue good; if bad, oppose it legally and constitutionally, lest it become very bad; if its folly or wickedness becomes enormous, let the supporters of Government, and pro-

professors of universal loyalty to Ministers, support it, if they can.

Let princes who wish to be absolute, or to govern by any other Constitution than the English, reflect that within the last twenty-five years; an Emperor of Russia was murdered; three Kings, those of France, Portugal, and Poland, were wounded by assassins; that the Kings of Spain and Denmark have seen the guards and their palaces attacked; and a Queen of Denmark— Let them reflect and tremble.

However, it must be allowed, that in an absolute monarchy, by strict attention to the words and actions of all the subjects, by the employment of domestic spies and other ungenerous means, and crushing opposition in embryo by a standing army, internal tranquillity is, in general, well preserved, which is the great boasted advantage of this form of government. But as advantages have some drawback, greater often than the original advantage proposed; it may be possible in time, that these troops, the brilliant bawbles and favourite playthings, the puppet-shews of grown princes, may, with a knowledge of their own strength, acquire an inclination to make use of it, and rend their kingdom in pieces; or, like the Prætorian guards, and their successors the Janissaries, set the Empire at sale.

The happiness of the subject depends not only on the personal character of the absolute monarch, but on that of his favourites of both sexes, and is affected by the passions of the favourites of favourites, in regular gradation *ad infinitum*.

Absolute monarchy is, in fact, a dominion of favourites, and if stolen in upon us, honour and reward

reward will be the price of flattery; and safety no where be found, for any rank, but in slavish submission to that above it. *Quot superiores tot tyranni, quot inferiores tot servi.* Privileges and exemptions defeat the energy of the few good laws; and he who doubts and hesitates opposition, is thrust into a dungeon, and may continue there till death, being absolutely forgotten; or for a time beyond all proportion to the offence, and indeed without any offence at all.

I will transcribe an instance of this from the history of the Bastile, lately given to the world by that true friend to mankind, Mr. Howard,

“ The Jesuits being honoured with the presence of Louis the 14th, at a play acted by their scholars; the next morning they changed the inscription *Collegium Societati Jæsus*, into *Collegium Ludovici magni*, the King having, as he went out, said, *This is my college*. A young scholar of quality posted up these verses on the college gate:

*Abstulit hinc Jæsum, posuitque insignia Regis  
Impia Gens, alium non colit illa Deum.*

The author, aged thirteen, was, as a matter of favour, it is said, condemned to perpetual imprisonment; but in 1705, having been a prisoner one-and-thirty years, and becoming the heir of his family, was let out of the Bastile, not without giving the Jesuits extensive proofs of his gratitude. Thus an offence, which in England would defy the pedant's rod, in France was punished with perpetual imprisonment.”

I have selected the above anecdote for the particular use of some tall boys, not double the age of the unfortunate sufferer, who have discovered,

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as they say, that the English Constitution is not good enough for them, nor fit for any other gentlemen. They do not meet, it seems, with the respect they wish for, from the sturdy peasant or humorous mechanic. First let them prove that they deserve any respect at all, and that they have shewn any to law, religion, decency, wisdom, or common sense; till when, let them do us the honour, to continue as insensible of the excellence of the English Government and Constitution, as of their duty to God and man.

The King does and ought in his wisdom, not caprice, to appoint not only his own attendants, but also the servants of the public, the great officers of state; yet as they are volunteers, if they undertake a task for which they are disqualified by ignorance, perverseness, profligacy; or cowardice, they are rightly punished for their rash attempt, and for their imposition upon their sovereign, who, if wise, will readily leave them to the punishment they merit. By the statute of Rhudland, made in the reign of Edward the First, even the sheriff of a county's first charge was, to enquire after the seducers of the King and kingdom, the Queen, her children, and their accomplices. So well known to the Constitution, and so early, was the animadversion of the public, upon the most pernicious of human beings, flattering ministers, and favourites without merit.

THOMAS YATES, Sec.

T H E  
CONSTITUTION OF ENGLAND.

ALL truths do not admit of demonstration, but they may be rendered satisfactory and conclusive to the mind by analogical investigation, or the plain deductions of common sense. It is as self-evident a truth, that the first law, and great end of government is the *salus populi*, as that the whole is greater than a part. If therefore, reasoning *à priori* upon this proposition, it may evidently be made to appear that the *salus populi* cannot consist with absolute Monarchy, whose principle is fear, and its first object, dominion—That Republicanism wants both the dignity and dispatch necessary to this great end—And that Aristocracies are always conspiracies against the people, it might very fairly be concluded, that our Constitution alone boasts the great sanction and authority of the *suprema lex*, the first law of government. But I mean a higher speculation upon untrodden ground, to prove it not only superior in its nature, but sacred in its origin. In order to which, I lay it down as my first axiom, that the more perfect and excellent nature, or principle, is ordained to rule the less perfect. The Supreme Being, because infinitely perfect, is the sovereign ruler of all intelligent natures. Man, because more perfect than Brutes, governs, under Providence, the inferior orders of creatures in this world. And, from the same prin-

principle, the most excellent faculty of mankind, their reason, is appointed to give law to their other powers and faculties—So, in states, a legislature, constituted by the wisdom of the community, must rule the public will, or executive power, for the same reason as in individuals, because the will not being formed to direct, but to act under the direction of a more excellent faculty, cannot command the intellectual powers, without subverting the order of nature.—It follows, as another self-evident principle, that the civil government is the most perfect that has the nearest resemblance to the Wisdom of the Creator in the natural government of individuals of the same species. It is almost obvious to the slightest reflection, that a perfect analogy subsists between the principle and structure of the English Constitution, and the frame of our nature and government as men, and moral agents. This admirable system has been the subject of general and deserved eulogy, from its simplicity and beauty; but as far as my recollection goes, it has always been considered as the work of human invention, whereas upon comparison, it will appear to be a perfect transcript of the original law of our nature.

Reason, will, and conscience, the three ruling powers of the man, are, in every human bosom, legislature, sovereign, and judicature; as these, in the state, are reciprocally the public reason, will, and conscience. From hence the perfection of this institution, which follows the exact model of the Creator, in ruling nations, as he hath ordained every man should be ruled. In the state of nature men live under the sole dominion of

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Providence, by the exercise of their own reason and will. But when societies are formed, it is necessary that a community of interests should have one common reason to appeal to, called Laws, the result of their joint wisdom and consent; and one common will, guarding and executing those laws, by a public conscience, or tribunal of justice. Passions, affections, and appetites are common to both, as incentives to action; but these being partial, and often turbulent and unruly, as the will, or executive power, that commands them is blind and headstrong, nature in one case and law in the other ordains, that this high and imperious power should be controuled by reason and justice, both in the man and the state. And accordingly we find the crown is controuled by one house of parliament in its use of the public property, which is the life-blood of the community; and by the other it is controuled, as a court of appeal, from the ordinary decisions of law and equity, which may be under its influence. But above all, it is limited by the natural rights of the people, by constitutional compacts, and the paramount law of the land, to which we are subject, as being equally the law of God to the nation, as reason to the individual in a state of nature.

Without entering more minutely into the comparison, which might give it a trifling, rather than a serious and important air, many useful observations and lessons may be drawn from this analogy, both by the government and the people.

We may learn first, that truth, reason, and virtue are the leading powers in men and governments; and that both are degenerate from their nature

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nature and end, when they receive the law from any other power. We learn further, that men are free when they follow reason, slaves when they obey the blind dictates of *their own will*; how much more of any other? And, as in the individual, so in states, when the reason of the state, that is, its uncorrupt legislature, leads the government, the people are free. But if the executive power, subverting the order of nature, presume to be its own counsellor and minister, the subject is then enslaved, because not acting under the direction of the public reason and judgment, it is no longer the public will, but that of a presumptuous despot. And if the reason and virtue of the nation can be so far seduced and corrupted by the executive power as to resign their authority and trust, and give their sanction to the usurpations of the crown, the depravity of such a people is as low as it can sink. It is insanity in the extreme; and, whether in the community or individuals, qualifies both for fetters and a dark room.

The will in the individual, seduced by the passions, may fly in the face of reason and conscience, and force the members and powers of the body into the execution of its arbitrary resolves; but when this is carried to an extreme, the tyrant's abuse of his own reason is commonly punished by that of other men with a prison or a mad-house; the properest places for usurping powers that insult their superiors, and trample on that natural order and legal justice which alone constitute good government. And this hath sometimes been the case with the public will, when by playing the tyrant

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beyond the patience of the people, they have been roused to self-defence, and retaliation. And it may be farther observed, that, with regard to the purposes of government, there is but little difference to a nation betwixt insanity and imbecility; unless it be, that insanity is a sufficient ground of deprivation; whereas persevering folly may be suffered to go such lengths in infatuation and mischief as no frenzy could equal, for want of that uniformity in error which has ever distinguished half-witted royalty, and rendered it, as history abundantly records, the greatest scourge of nations. There it will appear, in the darkest pages of human calamity, how many public dangers first courted, in the wantonness of folly, have at last been embraced in the rage of despair. How many mighty empires have been devoted to destruction, because kings were too proud to be wise, and ministers too corrupt to be honest!—In such a state of oppressed nature, and insulted humanity, why sleeps the vengeance of the people! since the monsters, who feel no restraints from the laws of reason and justice, are unworthy to preside over such laws: nor can the destroyers of mankind, who bring disgrace and ruin upon kingdoms, be considered as their guardians and protectors.

If this be not a chimerical, but a true statement of the principles of our constitution and government, we may learn further from it, the gross error we have fallen into by endeavouring to reduce the colonies to the foot of power, without the concurrence of their own reason, or legislature, which, with respect to them, were its only legal controul. The Crown of England,

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as I have shewn, is the public will and authority of the kingdom deputed to a chief magistrate, under the sole restraint of the deliberative powers of the respective governments over which it presides. Being the ruling power, it has, in behalf of the mother country, given charters, or powers of self-government, to the colonies, according to the terms and conditions of their several agreements; leaving sacred what could not be taken from them, their prior natural rights of liberty and property, and the constitutional powers of guarding them by laws of their own framing, and taxes of their own imposing, as far as consistent with the express covenants in their charters. To the assemblies of their provinces, the rights and the property of America were confided; and the executive power received supplies in behalf of the crown from the free grant of the people's representatives. To suppose this could be done for them in England without usurpation and tyranny is the grossest absurdity. For the end of legislation is to direct and controul power; and it is evident America could have no controul over the crown, or will of England, by the sole reason or legislature of England. She would, on the contrary, have been left to a government of power only, unrestrained by any legislature, but one whose interest would have surrendered her at discretion to the arbitrary ravages of corrupt and despotic ministers. It is the essence of liberty and our constitution, for the people to controul the crown; for the reason and deliberation of the state to give law to its power. This principle could not be dispensed with in America, without a direct violation of natural justice, law, compact, and

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and constitutional rights; nor indeed could any subject above the condition of vassalage be base enough to submit to it. It betrayed therefore extreme ignorance of the constitution, or extreme insolence of office, even under the system of Bute and North, to refuse the humble petitions of our fellow-subjects, in order to bring them to the foot of power by unconditional, that is, *passive obedience*. And the nefarious gang of slaves who dared to threaten the continent of America, peopled with Britons, in such opprobrious terms, ought long since to have expiated the treason and the injury to both countries at the block. But, alas! the patriots, who were to impeach the traitors, had made parliament itself accessory to the treason, by declaring an unlimited right to bind chartered colonies and free-born subjects. So that the honour, the justice, and the injuries of the nation are doomed to sleep for ever over the black enormities of that daring conspiracy, which, with an impunity as astonishing as the guilt, have lost America, while they lavished the best blood and treasure of England to enslave her own offspring.

By this simple rule, founded in nature and common sense, if we square the principles and measures of government, we shall discover at once the degree of its rectitude, or obliquity to the nature of man, the constitution of England, and the moral government of the Creator, who hath unalterably ordained, as the first law both to civil governments and to individuals, that the will should obey reason, and power be subservient to law. And, consequently, that princes in free nations are no longer to be intrusted as the public

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will, than they follow the public reason; much less when they presume to dictate to the great council of the nation, or to corrupt its integrity to support the arbitrary counsels of ambition. Kings love the power, but not the public reason and virtue that must guide and controul it. It is therefore the great concern of the whole community to see that they go together; since it is this only that can constitute lawful sovereignty; and tyranny, or anarchy, is the sure consequence of their separation. When the House of Commons, instead of speaking faithfully and fully the sense of the nation, corruptly echoes back the voice of the crown, or the chiefs of a faction, the people are betrayed by their own servants, bought with their own money, enslaved by their own power, wickedly and traitorously divorced from the public counsels and authority, by which only it can lawfully and constitutionally act. By this touchstone of government, and unerring law of power, we may also form a true estimate of the different parties in the state, and the opinions by which they are distinguished. The Tory is the blind votary of the crown. He flies directly in the face of nature and reason, by making his idol the leading as well as the efficient power of the state. He would annihilate the natural will of the subject by passive obedience, in order to give a divine right of despotism to a deputed public will. This doctrine destroys at once the very idea of a civil constitution, which implies law and compact, mutual obligation, and reciprocal interest as its only sanction. If these can not be dispensed with, or at least the appearance of them, this party makes no scruple of bribing

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Parliament to acquiesce in the treason. And a government of corruption is a declaration that the crown neither does, nor means to govern according to the sense, will, or interest of the people, but by its own pleasure, and for its own ends.—Modern Whigs are not quite so arbitrary; they would not utterly silence the public reason, and subdue it totally to the tyrant will. They would have it speak once in seven years at least, to support appearances for the government, and preserve the name of the constitution; but they by no means wish it to speak too freely, or too often, lest they should lose their own importance in speaking for it. They are professed enemies to despotic government, that is, a government by the will only; yet they are generally avowed enemies to equal representation and annual parliaments, which alone could give it effectual controul by speaking the sense and will of the public more frequently and fully. A free kingdom, that suffers its mouth to be stopped for seven years, and then only speaks by a few interested voices, contrary to the truth, and the public judgment and feelings, may as well be dumb for ever. And the pretended friends of the people who would substitute their own hackney'd oratory for the public voice, may call themselves by what name they please, they are all equally enemies to the natural and constitutional rights of their country. It is the popular party only, who wish to restore and perfect the constitution, that appear to have a just sense of its excellence, of the dignity of human nature, and the majesty of the great community. They know, that neither li-  
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erty nor law depends upon the will of the chief magistrate, who is in no sense a sovereign in the state, but as entrusted with and faithfully executing the public will, of which the people are the sole judges; formally, by their deputies in parliament, if represented, but ultimately, by their own more solemn decisions, when they become necessary. For although great kings, when they attempt to make slaves, may lose subjects, and sacrifice fertile provinces to barren prerogative, they can make no change in the moral reason and nature of things, whose immutable laws decree, that the government of all reasonable beings must be founded in truth and justice; and that all arbitrary dominion is no less treason against the God of nature than the rights of mankind.

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