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Cicero de Inventione.

L O N D O N:
 S O L D B Y W. N I C O L L, S T. P A U L'S C H U R C H - Y A R D,
 M. D C C. L X X X I.
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Advertisement to the READER.

THE following sheets contain a speech supposed to have been spoken in the House of Commons on a Re-hearing of Mr. Burke's Plan of Reform.

ERRATA.

- P. 17. on a certain day, *read* on a certainty.
 24. *as* the outlet, *r.* *at* the outlet.
 27. reverse all of, *r.* reverse of all.
 30. no upper one arrangement, *r.* no one arrangement.
 30. in departments, *r.* in *the* departments.
 53. in present, *r.* in *the* present.
 54. Emillus, *r.* Emilius.
 61. widely, *r.* wildly.
 62. cojointly, *r.* conjointly.
 64. of even of, *r.* even of.
 64. Estates, *r.* Estate.
 67. *as* scarcely, *r.* scarcely.
 68. I will explain this matter, *r.* This matter requires no Explanation.
 71. presen, *r.* present.
 74. pointed by satirical, *r.* pointedly satirical.
 76. full-bloom, *r.* full-blown.
 78. fitnes or fitnes, *r.* fitnes or unfitnes.

A N S W E R

T O

Mr. BURKE'S SPEECH.

S I R,

THE preservation of the three great orders of the state, namely, the King, Lords, and Commons, within their several distinct, and proper boundaries, so that neither of them shall incroach upon the persons, jurisdictions, or landed property of the other, being one and the same thing with the preservation of the Constitution itself, I rise up to rescue the royal jurisdictions, and landed property of the Crown from those democratic encroachments, and degrading alienations, which they must unavoidably undergo, if the honourable gentleman's bill be suffered to be carried into a law.

Sir, as the task I have now undertaken will involve in its elucidation a retrospect

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into the first principles of the British government, which cannot otherwise be ascertained but by having recourse to our original treaties or *pacta conventa*, I must with the greatest submission intreat, that the magnitude and importance of the subject may for a moment claim the serious attention of this illustrious assembly.

Some months have elapsed since the honourable gentleman favoured us with his favorite Philippic, and he hath deemed it so finished and masterly a *chef d'œuvre* in his wide and wild range of oratory and finance, that we find he could not long refrain from launching it out on the wider, but not less dangerous, ocean of public print and public criticism.

Sir, during the whole four hours which the honourable gentleman employed in thundering forth this fulminating speech, I do no more than justice to the enchanting volubility of his tongue, when I confess, that the over-rushing torrent of his words, and the perpetual flashes of his wit, bore down all my judgment whilst he was whirling me along with him in his fiery career; and if he did not possess the sterling, intrinsic talents

talents of making me a lasting convert, he left me at least a momentary admirer of the rapid conception, and leger-de-main deception, of his ideas. What a crowd! what a press of beautiful images!—Pity! the whole should be nothing but

“*Paint and pomatum, powder and perfume.*”

Sir, if we strip the honourable gentleman's pamphlet and plan of reform of these *papier-maché* ornaments; if we spoil it of his caricature portraits “*of the bold baron North and the good knight Probyn; of lord Talbot and a turnspit; of the pert factious fellow the duke of Lancaster and the dinnerless duke Humphrey,*” with a long train of other stories equally facetious, and equally applicable to any other subject, and which, on the momentous question now before us, occupy very near forty pages, we rob it at once of that which not enriches ourselves, but makes his publication poor indeed. It would then remain a perfect skeleton, *sans* life, *sans* soul, *sans* spirit: a mere farrago of propositions advanced in one page, and either contradicted or defeated by himself in the very next: a wanton, unskilful amputation of the vital and nobler members of the crown, unthought-

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thought-of by the petitioning counties, unasked in their petitions : in short, a system of finance, which he himself believes will bring no considerable sum of money into the exchequer † ; and a departure from the constitution, which must ultimately superinduce a much greater evil, than that intended to be removed.

Sir, that I have not said, without sufficient foundation, that the honourable gentleman frequently contradicts himself, give me leave to lay before this house a few of the many glaring instances of this kind, which occur in almost every page.

In page the first, on the very outset of his speech, he gives us to understand, that he grounds his Bill on *the unanimous wish of the whole nation for a plan of reform*. However in page eleven, he finds himself obliged to qualify the expression a little ; he accordingly does allow, that the ministers, and consequently all their numerous body-guard of adherents, are not included in this unanimous wish of the whole nation ; and perhaps it may not be thought an overstraining of

† Page 34.

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the question to ask him, whether by the nine petitioning counties, together with the city of Westminster, who do not make a sixth part of the nation, he means that the whole kingdom of Scotland, the whole principality of Wales, and all the non-petitioning and non-delegating counties in England, by their total silence, can fairly be presumed to have subscribed to, or done any other act in conformity to this *same unanimous wish of the whole nation* ? But, Sir, not to quarrel about trifles, let us suppose for a moment, that this same wish of the whole nation is unanimous : ought it not then to have operated as a powerful reason, and an inducement sufficient of itself, without any other considerations, to have prevailed on this faithful representative of the people to follow the sense of his constituents ? No, Sir, no such thing. His favourite maxim, which upon every occasion he takes care publickly to avow, is, that the *represented*, however they may be in possession of the clear, undoubted right to instruct their representatives, yet they have no right whatever to expect that the *representative* body are to square their votes in parliament conformant to the instructions of their constituents. Agreeable to this glorious principle of disobedience to our

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our superiors, or employers at least, he in page 15, with an easy *sang froid*, unbosoms himself to his constituents, and says, " I cannot indeed take upon me to say, that I have the honour to follow the sense of the people : the real truth of the matter is, and I candidly own it, I met the sense of the people on the way while I was pursuing their interest according to my own ideas." Not, Sir, according to the unanimous wish of the whole nation, not according to the special prayer of the petitioning counties, but (very modestly indeed) according to his own ideas.

Such, Sir, is the rock I have to soften ; such the knotted oak I have to bend ; such the contradictions I have to steer between ; and such the Goliath, the gigantic Wit I have to encounter. But wit, Sir, is one thing, and wisdom is another. And though I allow my antagonist speaks with the tongue of angels, though I allow he possesses all knowledge, and that he hath acquired a most enlarged understanding ; yet lacking wisdom, as he apparently doth, all his other acquirements become as sounding brass, and a tinkling cymbal.

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By *knowledge*, I mean that perception of things which comes to us through the medium of some one or more of our five senses ; it is *matter per se*, matter in its ultimate stage of divisibility, bordering upon, yet without any intermixture of, *spirit* : the brute creation have it in common with men : its proper seat is in the organs of our senses.

Understanding is not confined to superficialities as our senses are ; it is partly *material*, and partly *spiritual* ; it gives us to know not only the external forms of things, but also their internal, occult properties and qualities ; and they are said to be occult, because they are hidden from the perception of our senses ; the seat of this faculty of the *soul* is paramount to the mere organs of our senses ; it is much more than skin-deep ; it lies in the inmost recesses of the *heart*. It is that *liberum arbitrium* which raises us one step above the brute-creation ; all men (lunatics and idiots excepted) have it in common, and the only difference is in a less or greater degree.

Wisdom is the divine *primum-mobile* of the mind ; it is *pure spirit* divested of all matter. It is Light of Light². It is not acquirable

² John c. i. 5. ὁ Θεὸς Φῶς ἐστίν.

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as knowledge and understanding are by human means; it is the peculiar gift of God; its special province is not merely to *know* and *understand* men and things, but also to direct, and well-govern the thoughts, words, and actions of ourselves and of others in all our various stations and situations of life. It is the immediate link that connects the human soul with its Creator. Its proper seat is in the *brain* of man.

But, Sir, as there is an immensity of distance between Understanding and Wisdom, so it not unfrequently happens that they, who cannot arrive at the latter, stop short either at cunning or wit. Cunning is an undermining, mole-eyed animal, averse to day-light. Wit is a vivid sun-beam reflected from a watery surface on the wall, on the ceiling, or any other opaque body, full of brightness, without substance, without stability. Yet, transitorily pleasing as this dazzling brilliancy may be to the eye, it serves but to shew how unequal the momentary flashes of wit are to the true steady light of wisdom. A wit may be inimitable indeed at a *bon mot*, or an epigram, but he will never speak a finished oration, or write a masterly, serious epic poem. The one

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will be little better than a transcript of Joe Miller's Jests; the other, a fac-simile of Virgil Travestie.

Though I thus pay all fitting adoration to the rare gift of Wisdom, yet I promise my antagonist, I have no wish or design to lessen his reputation as a Wit: I shall leave him in full possession of his lively strokes of humour, and all the burnished gildings of his Arabian Knights Tales. My business shall be to expose and detect only such parts of his reform as are repugnant to, or incompatible with the constitution.

In proof that I mean nothing but fair, political candour, I will allow, as he does, "That the task he hath undertaken is of an unthankful, invidious nature." I will allow with him, "That he risques much odium should he succeed, and still much more contempt, if possible, should he fail." I also agree with him, nay, I will use his own words, and acknowledge, "That *something of the kind should be done.*" I farther agree with him, "That this *same something of the kind* should not be (as he still more elegantly phrases it) ³ *an accu-*

³ See pages 18 & 48.

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“ *mulated patch-work of occasional accommo-
dation;*” but, on the contrary, a substantial permanent reform, going to the very origin and first-ruling cause of the grievances complained-of in the ten petitions now before us. Having made these concessions, all that remains then in controversy between us, is simply, whether the bill he hath now brought-in will answer the ends he proposes by it.

The honourable gentleman’s pamphlet (as a preliminary to the bill) contains the sum total of every argument he thought proper to adduce in favour of that side the question he hath espoused. In order, therefore, to fish out the truth, as it were, by regular approaches, I will consider his plan under three distinct heads; shewing, in the first place, what *hath been done* in pursuance of these petitions, what is *still doing*, and what could *not be done* without a violation to the constitution. *Secondly*, that the influence of the crown, so far as it may be supposed to furnish matter of complaint, doth not originate in the number of court-dependants now, or at any former time, in parliament; but that its origin and first-ruling cause is the national debt. *Thirdly*, that the plan will not tend to diminish the influence complained of,
and

and that the sale of the forest and other crown lands, as an article of finance, can answer no one important purpose of the state.

With respect then to my first division, I am to observe, that the petitions before us are only ten in number 4; nine of them are petitions coming from nine several counties, the remaining petition is that of the city of Westminster. In this small catalogue of petitions, which the honourable reformer in the very first page of his pamphlet hath the true bronze forehead to say, that it conveys to this house *the unanimous wishes of the whole nation*; methinks it is rather a little unfortunate for him, that we cannot find in it the petition of the metropolitan city of the whole British empire. The city of London, which is the head of the whole British empire, and which in the point of taxes contributes as much as all the nine counties together, doth not appear to us, nor in any one of the petitions before us, to have harboured any one wish about the matter. I thought it necessary just to speak a word *en passant* of this silence of the city of London, to shew what little dependence or confidence

4 1 York. 2 Middlesex. 3 Hertford. 4 Suffex.
5 Surrey. 6 Bedford. 7 Essex. 8 Somerset. 9 Wilts.
10 Westminster.

can safely be placed in any person whatever, who in the very outset of his speech and pamphlet shall have the *forehead* and front to advance an assertion which every child in the kingdom must know to be untrue.

Return we then to those ten petitions before us, and taking that of the county of York as a ring-leader, if not an exact counterpart of the other nine, let us see what is their prayer. It is expressed in the following words :

“ That before any new burthens are laid
“ upon this country, effectual mea-
“ sures may be taken by this house to
“ enquire into, and correct the gross
“ abuses in the expenditure of public
“ money; to reduce all exorbitant
“ emoluments; to rescind and abolish
“ all sine-cure places, and unmerited
“ pensions; and to appropriate the pro-
“ duce to the necessities of the state,
“ in such manner as to the wisdom of
“ parliament shall seem meet.”

Sir, though the right to petition in all matters of grievance, whether public or private, be one of the dearest privileges a free people can enjoy, a right which is declared, re-
newed,

newed, and secured to us in the Bill of Rights; and though the principle of the prayer of the several petitions now before us, *so far* as it is conformant to the constitution of this realm, deserves every possible attention and respect, yet, with regard to the petitions themselves, it must be obvious to every one here present, that this house is not competent, nay, it is highly indecent in us, and that too in more senses than one, to assume and arrogate to ourselves the supreme and immediate authority of having prayers and supplications offered up to us. Pray, Sir, to whom and from whom do these prayers and supplications come? I will read to you the formula or superscription of them.

To the Honourable the Commons of Great Britain in Parliament assembled :
The PETITION of the Gentlemen, Clergy, and Freeholders of the County of York.

This turning of the established ranks and orders of men topsy-turvy is it fitting, is it decent? I have seen (saith Solomon the preacher) servants riding on horses, he might have said asses too for thus degrading themselves, and their masters walking as servants; and to give us his opinion of so preposterous and insufferable an insolence, one
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of the three things, for which the very earth is disquieted, he saith, is, when a servant reigneth over his master. This wise saying we at this instant verify. We are the servants of our constituents, they assign every one of us our certain fees and wages, namely, to every knight of the shire four shillings, and to every citizen and burges two shillings *per diem*: they likewise pay us our travelling expences from our own houses to this house, and back again from this house to our own. The last of the very numerous statutes made on our behalf in this respect was in the year 1543; its title is, "The Bill for Knights and Burgeses in Wales, concerning the Payment of their Fees and Wages." As servants to our constituents, receiving wages of our constituents, we ought with every mark of decency and respect to have sent the several petitions to their respective counties, by their respective representatives, with this information (if information could be wanting in a matter so obvious and clear) that this House is not competent to receive public documents of that nature from their constituents under the style of petitions; but if they would be pleased to return those very documents under the name of *instructions*, we should then most assuredly pay

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pay all due deference and immediate attention to them: otherwise we could neither presume nor dare to intermeddle, because the constitution⁵ had expressly assigned and confined all petitions of that sort respectively and solely to the head or supreme branch of the legislature: and that in *political* men it would be highly criminal to trespass upon the established forms of government; because it is well known to statesmen, that the definition of any thing is only the form of the thing defined, and that the corruption of one form of government unavoidably superinduces the generation of another.

Having thus shewn that the petitions, *quæ tales*, ought not to have been admitted under this roof at all; it should seem almost a work of supererogation to shew what hath been done in obedience, or in pursuance at least, to those petitions so unconstitutionally admitted within these walls. Besides, it should seem a pleonasm, or work of redundancy, from the very recency of the thing itself. For there is not one person in the whole kingdom, the least acquainted with public affairs, but must know, that government, as soon as the ordi-

⁵ See King John's Magna Charta, art. 49.

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nary rules of this house would well allow it, did actually appoint a public commission of accounts. It is likewise sufficiently known that these commissioners have not only begun upon this arduous task, but also that they have from time to time regularly reported the progress they have made, the sums of money they have found unaccounted-for, the large sums of money already paid into the exchequer, and the balance that still remains to be paid. The several sums already amount to 1,000,000 l. But it may probably be said, that the prayer of the petitioners does not extend so much to an enquiry into the quantum and magnitude of the several sums of money which lay dormant, or unaccounted-for, in the hands of the various receivers of it, as it does to the gross abuses alledged to have been made in the expenditure of public money. Granted. Yet surely the first step to be taken was to make a *productive* enquiry, an enquiry into such of the outstanding debts due to the public, as might immediately, or in a very short time, be paid into the exchequer. This great and good work, Sir, I have observed, hath far advanced on its way, and is still progressively and productively moving on, with such judiciousness, impartiality, regularity, and dispatch, as to have given a general satisfaction.

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tisfaction: We hear no murmurings nor high words without doors; no distressing of public debtors with vexatious, expensive lawsuits; no harrassing of their sureties with premature, and perhaps unnecessary extents. All is justice tempered with moderation on the part of the commissioners; all is obedience, stamped with the seal of alacrity on the part of the several accountants, who either have actually brought their respective balances into the exchequer, or request a reasonable respite, or satisfactorily ascertain their utter inability to pay.

In the midst of this willingness on one side to accommodate, and this readiness on the other to obey, if it be again demanded, why the gross abuses in the expenditure of the public money is not brought on the carpet, I answer again, that in all wise administrations, those enquiries are first to take place, which on a certain day will produce an immediate influx of ready money into the fiscal coffers.

Contrast the quick operations and immediate effect of this commission of accounts, a commission suggested and matured by administration; a commission which is daily

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and hourly pouring fresh tides of real specie into the national treasury from every county, without distressing any one HONEST man throughout the whole kingdom, and without making any innovation in the constitution, or even the least alteration in the established forms and settled rules of any one of the great or subordinate departments of the state: contrast, I say, the good and salutary effects immediately resulting from this commission of accounts, with the sluggish movements, and torpid, uncertain effects, we are taught to expect from the honourable gentleman's plan of reform. A reform, which crude and puerile as it is in theory, yet not one *iota* of it can be carried into practice, without introducing innovation upon innovation, and turning the very foundations of the constitution upside down; and what is still worse, if possible, the petitioners are to look for very little if any relief, from this wanton disturbance and perturbation of the ancient and established forms of government. And after all this chaos of disorder, will HIS pretended reform create such a national saving as to supply the place of any one fresh tax, were it ever so small? No, Sir, that hope, that point, is already given up. For the honourable gentleman does not, in the least, scruple to tell us, page

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14, " that a *great* part of his idea of reform " (id est, Form of Reform) is meant to operate gradually; some benefits, he says, will " accrue at a *nearer*, some at a more *remote* " period." But mark the cunning little Isaac, he does not say, *at a less near*, but in defiance of all correct writing, *at a more remote* period. The fact is, that not any one benefit whatever is likely to accrue *immediately*: so far from it, that his first class of benefits, which according to his Irish account of their *remoteness*, are *nearer* than his second class, even these are not to be expected by his petitioners, but at a period *positively* remote; otherwise, when speaking of his second class of benefits, he could not have said, this class will arrive at a period still *more remote*.

That this is the honourable gentleman's true meaning, if really he had any meaning at all, may be gathered from the day-light he afterwards, in pages 60, 61, 62, throws upon this crepuscular, sublucent passage:

*Qualia sublucent fugiente crepuscula Phæbo.
Aut ubi nox abiit, nec tamen orta Dies.*

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In this part of his pamphlet, alluding to the great patent offices of the exchequer, and finding all on a sudden, "that they are *held* (an accurate speaker would have said, "*bold-en*") for life, he hath these express words, I *fear* this reform cannot be *immediate*. Here indeed we have the first dawning of the truth—this reform is not to be *immediate*. But is this the whole truth? very far from it. It is only a negative pregnant. And the honourable gentleman, who in this paragraph, *fears* his reform will not be *immediate*, in the very next paragraph, feels himself quite bold, and frankly owns, that so far from this reform being immediate, it cannot take effect until two generations shall have passed away. For, in page 62, he says, "my idea is to reduce these patent offices to fixed salaries, as the lives and reversions shall fall." Now, Sir, as the honourable gentleman very well knows, that all these offices are granted two or three lives deep, he must of consequence know, that the reduction he now talks of, is not likely to take place during the present reign, and very possibly, not in the next immediately ensuing, so that the petitioners cannot reasonably expect one stiver benefit from it for half a century to come. Are these sugary, fly-catching, honied words,

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one jot better than holding forth false colours to his constituents? is it not trifling with them? or what is it but playing on the Irish harp with their petitions? they cry and roar for imminent daily bread—he gives them a stone—their fervent prayer is for instant, substantial food—he gives them moonshine and atmospheric air. And upon what terms does he condescend to grant them this flatulent, ill-digesting boon? why truly, they are to be tantalized with a warm Claude-Lorraine landscape-view of this promised land of Canaan, but the actual possession of it is to be withheld from them for two lives certain, and very probably till—doomsday.—

How different, how happily dissimilar in point of effect are the two plans of reform; the one proposed by the honourable gentleman, the other by administration. Parliament gave them both a candid hearing; parliament rejected the former, and adopted the latter; nor can there longer remain a doubt which of the two is impartially and bonâ fide the better, when an honourable member now in my eye, personally, and politically attached, as he is, to the author of the rejected plan of reform, hath given a decided

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cided preference in favor of that of the noble lord in the blue ribbon.

Having thus cursorily shewn, what hath been done, we will in due order shew what is farther to be done in pursuance of this treasury-plan of reform.

Sir, the noble lord at the head of the treasury hath already proposed three different bills, one of which is to prolong the commission of accounts for another year, with all the powers before granted; the other two bills are of great importance in the business of finance. By the first, the receivers-general of the land will, for the future, be obliged to remit their money within forty days after it shall have been collected by them. By this easy, simple improvement, the public money will come into the exchequer soon after it is received, and will no longer be exposed to those risques and losses which too often have happened, by suffering the whole, or part of the several collections, to be detained year after year in the hands of the respective receivers-general.

The *second* bill goes to an object of much greater extent; it applies upwards of
400,000 l.

400,000 l. sterling to the *public* service, by taking it out of the hands of the treasurers and paymasters, where it now is permitted to lie, for no other purpose but that of answering eventual demands. This reform, Sir, goes to the very pith and marrow of that branch of the petitioners prayer, which most earnestly requests that effectual measures may be taken by this House to reduce all exorbitant emoluments, and at the same time, that it does in reality reduce emoluments of office, to the amount of 400,000 l. and upwards, it appropriates that sum to the necessities of the state.

Let us again put the two plans of reform into the scales, that we may better judge the intrinsic weight of the one and the other.

The treasury plan, before this bill is presumed to have any right to take up the valuable moments of this House, points out to us an object, which in a month or two will produce a certain sum of money; that money is not to be hunted for North and South, or South and North of Trent; a fruitless, or at best, a tiresome journey: no, Sir, we have it already in hand, and we need travel no farther for it than to our own treasurers, and
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the persons who are to pay it, are our own paymasters. We know the precise or nearly the precise amount, we know for a certainty that the sum is four hundred thousand pounds and upwards.

Put we now the honourable gentleman's plan of reform in the opposite scale. What does he bring to counterbalance our predilection for his antagonist? Why, Sir, page 34, he will put up to public auction all the forest-lands, and forest rights, and apply the produce of them, as he says page 94, to the public service. But does he ascertain the specific sum, or nearly the specific sum, this enormous glut of forest-lands, &c. will sell for? No, Sir, our orator on this head is silent as the grave—all is vague, indefinite, and uncertain, except indeed, that he tells us, page 32, by way of an agreeable viaticum or morning's whet, before we set forward on this wild-goose chase South and North of Trent, that the revenue to be obtained from these sales will not be so considerable as many have imagined. This, Sir, is a poor encouragement, and exhibits somewhat of an unpleasant prospect, as the outset of a political journey.

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Does he give us other assurances, or feed us with better hopes of success in the sale of the other landed property of the crown? here again, we are unkindly left in the dark as to the specific, or nearly specific sum, the sale of them will produce. All that we know of the matter is, "that these landed estates of the crown, whatever they may possibly have been in other times, he assures us, page 32, they are not at present of magnitude enough to *provide for any one public object.*" Ergo, to apply the produce of them to the service of the public, must doubtless appear a very cogent reason for putting them up to sale.

Besides, Sir, the lords commissioners of that board have discovered a new road to make this banking business (as that noble gentleman calls it) not only very useful, but I might add, absolutely necessary offices. For the treasury board are now going to draw upon these two offices for 400,000 l. and upwards, and are certain, that the whole sum will be paid into the Exchequer immediately, without a moment's delay.

The conclusion then to be drawn from the premises is simply this, if one plan of reform

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offers to raise you an immediate specific, very considerable sum of money, and that already in the hands of government; and if the other plan of reform proposes to raise you at a far distant time an uncertain, unspecified, inconsiderable sum, and that too, probably not without litigious and expensive law-suits, it cannot well remain a doubt, which of the two deserves the preference, as an article of finance.

If we take a farther comparative view of the two plans, with respect to the offices of the treasurer of the navy, and that of the paymaster-general of the army, the scale will still preponderate as it did before.

The honourable gentleman, in his plan, page 55, proposes "that all the money which was formerly imprested to the two great *pay offices* abovementioned, shall be imprested in future to the *Bank of England*: that these offices shall, in future, receive no more than cash sufficient for *small payments*, and that their other payments shall be made by draughts on the Bank." Before he ventures indeed to introduce so daring and perplexed a scene of innovation, he endeavours to soften it by saying, page 53, "the

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"the crown will suffer no wrong by thus transferring the banking business of these two offices to the Bank of England."

This, Sir, I apprehend is a mere gratisdictum, unsupported by conclusive, unexceptionable arguments, and contradictable by a possible event. I do not say, "a *probable event*." It is, however, the distinguishing characteristic of every wise administration, to provide against, and prevent every possible disastrous contingency, more especially so, if the contingency should, in its own nature, be of such a magnitude, as to put an instantaneous stop to all the wheels of government, both at home and abroad.

Sir, if you transfer the banking business of the treasuryship of the navy, and of the paymaster-generalship of the army to the Bank of England; I say, such a case as that above alluded-to is possible, I mean a stoppage of payment at the Bank itself. We saw the Bank nearly reduced to that crisis in the year 1745. We saw it again not unlikely to have been effected but a few months ago, by the intrigues (as it is supposed) of the French court. Certain it is, that a person well known, was underhandedly countenanced, in the town of

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Bouillon, a town under the protection of France, to counterfeit an impression of English bank-notes, to a considerable amount, for the special purpose, as it should seem, of deluging, or at least stopping, for a moment, the credit of our bank-paper. It is true, by the vigilance of government, and the unalarmed, unbuffling activity of the Bank-directors, this storm was dispersed before it could acquire strength and force enough to give any important shock. But had this thunder-stroke succeeded, as it was evidently intended it should, what must have been the consequence to the whole British empire, if government, in such a moment of confusion and calamity, had, at that time, no other treasury, or bank to fly to? Is not then an event so possible as this, a sufficient cause for reprobating any plan of reform, which can seriously propose so ruinous and impolitic a measure, as that of consolidating and uniting the national and governmental cash, under one bank, and one paymaster-general. But, besides this dreadful inconvenience, such a measure would, necessarily, superinduce another, and still more to be more dreaded if possible than the former. For in every country, be the government despotic, aristocratic, mixt, or democratic, the fiscal treasure, whether

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ther it be lodged in one place or another, must always be protected by a military guard. And how the nation at large, or the merchants of this metropolis in particular, would relish such a sight, or how they could safely trust the Bank of England to any body of men, who, in one moment's time, and by one single word of command, could make themselves master of it any hour of the night or day, we may easily conceive from the din and clamour, in this house, made, even by the honourable gentleman himself, on a late similar fact; a fact, Sir, which nothing could have justified, but the incipient conflagration which then threatened, not only the Bank, but the whole cities of London and Westminster.

See now the reverse all of this misrule and uproar in the treasury plan of reform, which only by leaving the tide of business to flow in its old settled channels, and not breaking-in upon the established rules of office, enables government to draw upon the treasurer of the navy, and upon the paymaster-general of the army, for arrears actually in their hands, to the full and net amount of 400,000 l. and in case of a sudden stop in the national bank (which heaven avert) his majesty, in the hour of
tumult

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tumult in the city, would still have his naval bank, his military bank, and his civil-establishment bank, to resort-to; and thus while no upper one arrangement was put out of order in departments of the state, we should have the happiness to see our beloved sovereign, with all his wonted calmness of temper, serenity of countenance, and composure of mind, as one of our poets says,

Sit in the whirlwind, and DIRECT the storm.

Sir, the treasury-plan of reform, considering the petitions now before us in no other light than that of instructions to this house, embraces the earliest opportunity, consistent with the due course and order of the great political machine, to gratify and fulfill the wishes of the people in every respect as far as the constitution will allow. The noble lord who presides at the treasury hath, as you see, proposed two bills, their principal object, you likewise see, is a reduction of the exorbitant emoluments of office. That important end will, I apprehend, be attained by these bills, and in addition to it, behold another effect naturally resulting and springing out of them, which was not before in the contemplation of the petitioners. The reduction now proposed answers two purposes instead of one;

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for at the same time that it obeys the instructions of our constituents, it actually becomes an article of finance to the state.

Artful and masterly as this manœuvre is, yet it may probably be said, that it rather creates a saving out of the public money *not expended*, than that it goes to correct the gross abuses in the *expenditure* of the public money. Granted that it does—the treasury-plan of reform, you may be well assured, was aware of this distinction, and therefore does not stop at this stage, as at the final end of its journey; but only as a breathing-place for a few minutes, until a third bill, which is to come on at a short future day, can in its proper order of succession make its public entry into this house.

By this bill the gross abuses will be corrected conformant to the most sanguine desires of the people. The noble planner of it, with his usual accuracy and precision in pointing-out the course of, as well as the remedy *for* this abuse, observed to us, that in every one of the different establishments now in America there is an avowed, acknowledged HEAD, and if any abuse in the expenditure of the public money hath been committed,

committed, the person at the head of the establishment is responsible for every such abuse as hath happened in his particular department. The noble lord farther told us, that his intention was not to lay the blame on any officer either in the military or civil line; he was willing to proceed agreeable to that wise maxim, which went to conclude every man innocent, until he should be found guilty; but, no doubt, there were grounds to presume guilt, some where or other, from the extraordinaries of the army having risen to so enormous an amount. This fore, he thought, was beyond his abilities singly to cure; it ought to be probed to the bottom, and therefore declares that he should move in this third bill, "that it be a particular instruction to the commissioners to proceed immediately into an examination of the army extraordinaries, at least such of them as were incurred on account of the American war."

These, Sir, are the great out-lines of this third intended bill; our constituents in their instructions could not well have framed one more conformant to this branch of their request, nor more certain of producing the desired effect. The treasury-plan of reform, with

with respect to the most important and arduous undertaking to correct the gross abuses in the expenditure of public money, the treasury plan, I say, stands single, without rival, without competitor: the flowery, the brilliant Hibernian orator, in his plan of reform, must sure have thought the accomplishment of so intricate and weighty a business either impossible or impracticable, or not worthy his notice, or his abilities unequal to it: for certain it is, he hath not favoured us with one metaphor, one *bouquet*, one beautiful image; no, nor one single word on this most essential part of his constituents instructions. This omission, or neglect, not to call it by its proper name "disobedience," might not have been expected from a person who, page 15, acknowledges, "That he is under infinite obligations to his constituents who have raised him to so distinguished a trust, and have imparted such a degree of sanctity to a common character." Any the least shadow of disobedience in a person so circumstanced must have appeared very unaccountable, had not the honourable gentleman, in the very same paragraph, accounted for it his-self in the following very candid, but not very polite declaration: "In my opi-

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“ nion, it is our duty, when we have
 “ the desires of the people before us, to
 “ pursue them, *not in the spirit of literal*
 “ *obedience*, which may militate with their
 “ very principle.” So that we are now to con-
 clude, that when the people desire to have the
 gross abuses in the expenditure of the public
 money corrected, we are not to correct them
 at all; because such correction would militate
 against the principle of their desires, which
 are, that they should be corrected—*Ecce*
Homo!—This is one of thy gods, Oh
 Israel!

I have thus shewn, Sir, what hath been
 done, and what is now doing by govern-
 ment, in obedience to the wishes and in-
 structions of so respectable a part of the
 people as form a majority of nine counties
 and the city of Westminster: it remains to
 be shewn, what farther cannot be done.

The only remaining wish of the people is,
 that this house will take effectual measures
 to rescind and abolish all fine-cure places,
 and unmerited pensions.

Sir, if at any time such a requisition could
 be made to us by our constituents with the
 least

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least shadow of propriety, and common de-
 cency, certainly it should be at such periods
 when our royal sovereign applies to this
 house, either for an increase of his civil list
 establishment, or for a personal money-grant
 upon any other occasion. But the truth is,
 this house is not competent to take the least
 cognizance of this branch of their instruc-
 tions. The commons in parliament have no
 controul over the money after it is granted to
 the king: it is no longer theirs: they have
 nothing to do with it; it is solely at the
 king's will, pleasure, and disposal. Is there not
 a threefold division of the legislative power
 well understood and agreed to by the three
 branches of the legislature? The commons
 are exclusively in possession of all money-
 grants *in*, but not *out* of parliament: the ul-
 timate court of judicature, over the whole
 landed property in the kingdom, is exclu-
 sively appropriated to the lords. Lastly, the
executive power to GOVERN, is exclusively
 vested in the king.

Under this tripartite, well-divided, and
 well-understood, arrangement, I apprehend,
 it would not be a greater insult to this house,
 if the king was to come within these walls
 and say, “ I have an absolute, controlling
 E 2 power

power over the property of the people, and you must this session add 200,000 l. a year to my civil list establishment," than it would be, if when we next approach the king upon his throne, we should say to him, "Sire, we have an absolute, controlling power over the money we gave your majesty, we must, and do insist, that you dispose of it only to such persons, and in such manner, as we shall approve." This, Sir, is a fair statement of the case. What would be the consequence? Why, the commons within, and without doors, would be all on fire at so glaring a breach of their privilege, and the king would consider so gross, and indignant an insult upon his prerogative, in no other light, than an indirect attack upon his crown. *Eadem ratio, idem judicium.*

Sir, it is for these reasons, amongst others, still more cogent, which I shall enforce in their * proper place; that I am clearly of opinion, the county papers now before us, so far as they enjoin a rescision and abolition of *all* sine-cures, and unmerited pensions, do not come under the cognizance of this house. We have no right or power, consistent with

* See p.

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the arrangement above-mentioned, to interfere or intermeddle with them. This is so clear a point, that the honourable reformer his-self, who hath voluntarily undertaken the defence of these county-documents, florid and fluent as he is of words, hath not one *iota* to say in their behalf. Nay, Sir, he does not barely content himself with a simple desertion or dereliction of his client's cause on this head, he veers about on a sudden, shifts sides, and to give them a sample of his amazing powers of oratory, and at the same time to convince them, that much may be said on both sides the question, in pages 57, 58, he delivers his sentiments in the following words, "I do not propose to take away any pension. A critical, retrospective examination of the pension-list, upon the principle of merit, cannot answer, *according to my plan*, any effectual purpose of œconomy, or of future permanent reformation. The proposals, in any way, will be entangled and difficult, and it will be infinitely slow. Besides, the king has been, by the constitution, appointed *sole judge* of the merit for which a pension is to be given."

Having thus fully stated what hath been done by government, as well as what the honourable

honourable reformer his-self is constrained to own, cannot be done consistently with the constitution; it is now in course for us to shew, that the influence of the crown, so far as it may be supposed to furnish matter for complaint, doth not originate in the number of court-dependants now, or at any former time, in parliament, but that its origin, and first ruling cause, is solely imputable to the national debt.

Sir, there is nothing more common for physicians, who even pass for men of eminence in their profession, than to mistake a secondary symptom for a primary one, and, not unfrequently, one disease for another. The misfortune is, that whilst they are under the guidance of such false impressions, they apply wrong medicines, and the patient, after losing what little vivid blood he had remaining in his veins, instead of being cured, finds his constitution a thousand times more shattered than it was before. The fallibility of the physician is, however, in some degree excusable, because in the therapeutic science, there is no absolute, certain, unerring criterion for the gentlemen of the faculty to judge by. But this apology for professional ignorance, a very bad one indeed, yet the
very

very best that can be given, does not apply to our state-licentiates. If they mistake the effect for the cause, if they prescribe Hendick's popular pill as a general curative, and the only nostrum they are possessed of, and if by an over-dose of it, the disorder of the state (as the honourable reformer his-self very justly observes, p. 14) "should become incurable, not by the virulence of their own quality, but by the unapt and violent nature of the remedies," no apology can be made either for their ignorance or their presumption, they become such pests to society.

———— they are so bad,
There is no mercy to be had.
They ought to be hang'd alive or fled,
Or serv'd as Romish priests in Sweed.

The reason why they merit * an exemplary punishment is obvious. Their error cannot be favourably imputed to an error in judgment only, it must be construed an error in the heart. Sir, it can be deemed no other than a false judgment, knowingly and willfully given in open violation of the constitution. Sir, I am not mounted on the gentleman's meta-

* See the Anathema denounced against the violation of Magna Charta.

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phorical hobby-horse. I would not have it be understood that I am speaking figuratively or metaphorically. I say, in plain, proper terms, that not a writ of error, but a writ of false judgment, lies against any judge, who shall give his voice in any court of judicature within this realm, in express violation of the constitution. In such case, the maxim is, *ignorantia non exculpabit defectum*. By our laws, Sir, no judge is supposed to be ignorant of any one of the POINTS expressly specified in our constitution*.

No one spouter in any of your city spouting-clubs more frequently uses the word constitution, than the honourable reformer does in this house; no one can possibly prostitute it oftener. It is for this reason, I suppose, he industriously conceals its true, precise, and definite meaning. But, Sir, as the honourable gentleman, in the very outset of his pamphlet, (page 2) expressly charges, that the influence of the crown is not only a corrupt influence, but that it takes away every shadow of authority and credit from the most venerable parts of the *constitution*; I shall endeavour to wipe off this stain and

* Nuls jugemens soient donnez contre les Pointz des Chartres, 21 Ed. I. c. 2.

odium,

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odium, by shewing that the crown always *constitutionally* had, and always must have the same degree of influence in the council of the nation, which it now hath. But as this influence cannot be seen in its true and proper light now, in any favourable point of view, nor its real origin and first ruling cause be clearly ascertained, without our thoroughly understanding what the word 'constitution' means, I find myself under the necessity of laying before this house, the clearest and most impartial definition of it I am able to give.

Sir, I must apprise the younger members here present, that they must not, as almost always is the case, confound the two words, constitution and act of parliament, together, as if they had one and the same meaning, or as if there was no essential difference between the one and the other. "Our constitution, properly so called, I define to be the original treaties which, at divers epochs, have been entered into, ratified, and confirmed, by and between the people of England, and some other person or state, *prior* to their taking the oath of allegiance to such person or state, the several articles of which treaties are immutable and indefeasible laws, in contradistinction

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to acts of parliament, which are alterable and repealable at pleasure."

Sir, we have four of these treaties, and these four taken collectively form that code of fundamental, immutable laws, properly, and emphatically called "THE CONSTITUTION."

From the definition above, it appears then, to make a constitution, it is absolutely necessary, that the parties intending to be governed, and the party designated to be governor, must, at the time of making such constitution, be under no rightful or acknowledged subjection, or tie whatever, the one to the other. On the other hand, to make an act of parliament, it must be inferred, that the parties governed, at the time of making such act, are actually under a sworn allegiance to the party governing.

The first of these treaties, or *pacta conventa*, in order of time, is that made between the people of Kent in the name of the whole kingdom and duke William of Normandy. The revered law of Edward the Confessor, which is itself a summary of our Danish, Mercian, and West-Saxons laws, is the basis of

of this treaty. It contains seventy-one articles, twenty of which, being new laws, added by duke William, the whole was called the COMMON LAW, which venerable name it bears at this day; and it was so called, because by its formula, it is expressly stiled "a Treaty of Peace, Safety, and Concord, inter Anglos, et Normannos, similiter intra Francigenas et Britones, Walliæ et Cornubiæ, et Pictos, et Scotos Albanicæ; similiter Francos, et Insulicolas, et Provinciarum quæ pertinent ad coronam et dignitatem." This, I say, being a treaty of peace, enjoyed in common by such a variety of different nations, languages, and people, was for that reason called the *Common Law*; and so sacred hath it been always holden, and is of such high authority, that we have many adjudications in our law-books, in proof, that the common law shall be a good plea in bar to any act of parliament that may have been made repugnant to the common law.

Our *second* treaty is that between the barons and king John, better known this day by the name of Magna Charta. Its stile and formula is *pax et securitas inter REGEM et REGNUM*. It consists of forty-nine articles. There is a critical nicety in the wording of

it; for in the formula, the king is simply called Rex, but in the actual concession of the articles, he is stiled DOMINUS Rex, as if he had no dominion *de facto* until he had granted these articles. There is another critical nicety to be observed in the high contracting parties; the REX or king is one party; the REGNUM or kingdom is the other. The latin verbs *regnare* and *regere*, will explain this nicety: for in states which acknowledge no king, there the verb *regnare* is invariably used by the best Latin writers; on the contrary, in states where the king is absolute, there the verb *regere*. An instance of this Augustin latinity, we have in Virgil,

—*Tu REGERE imperium, Romane, memento.*

The principal object of this treaty was to declare, and revive, certain rights and liberties, part and parcel (as our lawyers phrase it) of the *common law*, which had either run into defuetude, or had been forcibly withholden from the barons and the people by king John. It is in all respects of equal authority with the *common law* itself; and for this reason, it is expressly declared, 25 Edw. I. that the king's judges, justices, &c. shall allow it, in all its points, to be pleaded

“ come

“ come LEY COMMUNE;” and farther, that all judgments given contrary to the articles of it, shall be undone, *et pur nient tenus*. We have likewise another statute, which denounces a most tremendous anathema against the violator of this charta, or *revived common law*, concluding in these words, “ thus may his soul for ever stink in hell.” I have produced these extracts from the two statutes alluded to above, to the intent, that this house may clearly see the characteristic, and be able to draw a distinct line, between the constitution and a simple act of parliament.

Our *third* treaty, is that made between the lords spiritual and temporal, and the commons, as one of the high-contracting parties, and William and Mary, then prince and princess of Orange, as the other. In common parlance, it is generally called, the bill or declaration of rights. It consists only of twelve articles. It hath two objects, first to declare, and revive, certain rights which had been invaded: *secondly*, to establish, upon *constitutional* principles, the protestant in the place of the Roman catholic religion. This great work, which was a phenomenon in the political world, had been begun by Henry the eighth, and various acts of parliament

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ment had been made in favor and support of it; but still they were only acts of parliament: to speak the truth, they were acts of tyranny; and if our judges had dared to do their duty, they must, *ex officio*, have admitted either the common law, or the great charter, as a good plea in bar to any of these acts. For it is a maxim, in all cases where prescription cannot be constitutionally pleaded, "that whatever is bad, *ab initio*, the same shall not acquire any additional strength or authority by mere tract of time. James the third knew the force of this maxim, and also the inherent weakness of the acts of parliament above alluded to.

Protestant He considered the ~~Roman catholic~~ religion, as it really was, the *fashionable*, but not the *established* religion of the kingdom. He was resolved to restore the old established religion, but he went about it in a very awkward manner. He was resolved to do that by his own single authority, which a hundred acts of parliament of his predecessors could not separately, nor even accumulatively, effect. This was an ill-advised attempt, not only to mend a *malum per pejus*, but a *pejus per pessimum*. He failed in the execution. In the first instance, he was a martyr to fashion or the ton; in the second, he was

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a martyr, either to his own weakness of intellect, or to the badness of his heart. On his abdication, an *inter-regnum*, which the gentlemen of the long robe pretend, cannot happen in this kingdom, actually took place. For the houses of Savoy and Conti, as heirs to the crown in the Roman catholic line, not chusing to risk the danger of stemming the torrent of the *ton*, and the prince of Orange (*jure uxoris*), though a protestant, yet not being the rightful heir, declined stepping into the throne on so unstable, precarious, and *repealable* a tenure, as that of acts of parliament, avowedly *anti-constitutional*. The consequence was, that no heir of the blood royal any longer *existing* (for *de non apparentibus & non existentibus, eadem est ratio*) the two treaties (in part recited as above) became void, through want of parties; I say *parties*, because only one of the high contra-acting parties to it did then virtually exist: and every treaty is a covenant or convention between two or more persons or states. Thus the PEOPLE having become a lawful, full, and free power, qualified to enter into any new treaties, with whatever state or person they should please, and to adopt whatever mode of religion they in their wisdom should think fit, entered into this third

treaty

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treaty or bill of rights, which I am now speaking of, and by virtue of which, the protestant religion became the rightful, established, indefeasible religion of the whole British empire.

Sir, our fourth and last treaty, is that of the union. It consists of thirty-eight articles, twenty-five respect the *civil*, and the remaining thirteen articles, the *ecclesiastical* government of Scotland. This treaty hath also the two characteristics, essentially necessary to form and found a constitution. *First*, it was made at a time when each kingdom was a separate, distinct kingdom, and as independent of each other as the electorate of Hanover is, at this hour, independent of Great Britain.

Secondly, all the articles in it are ascertained to be so many fundamental, immutable, indefeasible laws, as more explicitly will appear on a reference to the treaty itself, which is printed at large in all our statute books.

These four treaties collectively taken, I say, Sir, again, and it cannot be inculcated too often, form that code or system of fundamental

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damental laws, emphatically called, "The Constitution." And to talk of any other statutes, acts of parliament, or judicial determinations, either in Westminster-hall, or in the house of lords, as *constitutional*, if they be repugnant to, or subversive of any one of the articles in the *constitution*, as it now stands complete and perfect, is talking wildly, without a clue, without knowledge, without

SCIENCE.

The queen of England who had the honour to put the finishing and all-perfecting hand to this code or system of laws, gave a motto to the armorial bearings of this realm, highly expressive of her just idea of that code, namely, that it could not admit any addition or subtraction, under colour of any amendment or otherwise, but that every article ought to remain "*semper eadem*."

Sir, this short system of fundamental laws, the whole of which in *brevier* types might be printed on half-a-sheet of paper, which then we might wear as a phylactera at our hearts, as the Jews do their law of Moses, is sufficient of itself for the wise government of the whole British empire, wide and dispersed as its various parts and members lie. And I

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am clearly convinced, that, instead of passing our time this session of parliament in rescinding and abolishing a few fine-cures and unmerited pensions, the greatest and indeed the only real service we could do the public at large, would be to rescind and abolish every statute, and act of parliament which hath been made from the ninth of Henry the Third to the twenty-first of George the Third inclusive.

Sir, I deemed it necessary to lay before you these historical data, in order previously to make good the ground I have to travel over. For now, if I mention or allude to the first treaty or first branch of our constitution, it will be clearly understood what I mean, and so of the second, third, and fourth branches of it. This is the only way we can argue with perspicuity, the only way that we can reason with certainty in political debates.

Sir, by virtue of the first treaty, our kings of England actually stand seized of more than thirteen hundred baronies, more than one hundred towns *sending members to parliament*, besides all the castles or constaberies, all the forests and chaces in the kingdom.

dom. This, Sir, is their landed patrimony, and from its utter inalienability is called "*Sacrum Patrimonium*;" the word "*sacrum*," to prevent any cavelling about it, like the word *agion* in Greek, and *kadosh* in Hebrew, only means something that is set a-part and appropriated to some particular person, or for some particular purpose. So that by the phrase, *sacrum patrimonium*, is understood that landed estate which by the constitution is set a-part and appropriated to the crown, which can be holden by no other person but the king or queen, or other person holding under the king or queen, but still to the special use and behoof of the crown. What the rental of this crown-estate is, we may learn from Odericus Vitalis, a contemporary historian, who states that the king received from it a clear income of one thousand and sixty pounds sterling money, thirty shillings and three farthings a-day, throughout the whole year; not including, in this estimate, fines, reliefs, and a multiplicity of other articles of finance, which daily came into the treasury. Out of this *landed* fund our kings maintained, not only the navy and peace-establishment of this kingdom, but they also supported the dignity of their own household, paid the ambassadors they sent to

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foreign courts, gave the *aurum reginæ* to the queen-confort, assigned dowries to their queens-dowager, settled splendid establishments on their sons and other branches of the blood royal, gave ample marriage portions to their daughters, and had at least *one thousand seats in parliament* at their own disposal, and all of them accordingly filled with their own tenants *in capite*. All these expences were defrayed out of the *landed* hereditaments of the crown, without putting the rest of the nation, in times of peace, to the contribution of one single shilling. In war-time indeed, or when the kingdom was apparently in danger of an invasion, the crown called for the military service of the greater and lesser barons (the latter now called Freeholders) and also for the respective quotas of all the cities and other walled towns, not by way of *personal* service, but as our first treaty expressly mentions "*pro viribus suis, & facultatibus pro posse suo.*"

This summary statement of the constitutional power of the crown is sufficient of itself to silence all the clamour against the present war-establishment of our fleets and armies. Numerous in the extreme, and burthenfome to the public, as they may seem to

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superficial reasoners and ignorant politicians, yet the war-establishment of this mighty navy of ours, what will it appear in point of the number of its seamen, when compared with the ordinary *peace-establishment* of our navy in the reigns of Alfred, Edward the Elder, and Edgar, whose annual fleets, independent of their army, were manned with two hundred and eighty thousand seamen, and that too, rather to exercise and train them to naval habits, than to encounter any foreign enemy, as our Latin historians, Malmesbury, Florentius, Brampton, and Abbas Jornalenfis record, varying not essentially from one another?

If I refer you to the constitutional armies of our kings on their war-establishment, persons, who are unacquainted with our history, will be equally surprized when I tell them, that Richard the Second at a period of time, when this nation might reasonably be supposed to have exhausted the greater part of its strength and treasure, found himself still enabled to take the field with three hundred thousand foot, and forty thousand horse. In present sceptic age, the fact perhaps may be called into doubt. But it stands well attested by Walsingham, the biographer

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of that king, and his testimony is the more to be depended-upon, as Emillus, a French contemporary historian, who had no reason to magnify the English army at that time, confirms the account.

If we come to times nearer our own, we may see Henry the Eighth parading the plains in the vicinage of Calais with an army of one hundred and eighty-five thousand infantry, and forty thousand cavalry, all well-found and well-equipped by virtue of their respective military tenures, without laying any one tax upon the people, or running the nation into debt one single six-pence. On the same principle, but half a century still nearer the present times, we may see the daughter of that king commanding an army of one hundred and sixty thousand foot, accompanied by forty thousand horse, and a navy of one hundred and forty ships of war: a navy adequate to the purposes for which that princess raised it, for it dispersed and shattered to pieces the Invincible Armada of Spain.

Navies and armies, thus raised by military tenure, were formed in a few months, and did their business in a few weeks; they had

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had no interest, as mercenary troops may have, to protract the war. The constitutional finance of this kingdom is *servitium gladii*, the artificial and ruinous one is that of funding.

Sir, if the kings of England could at all times thus constitutionally raise such fleets and armies as these I have just now mentioned; if, agreeable also to the constitution, they could bring *into parliament at least one thousand* of their own immediate tenants, certainly we are not to look up to the present, comparatively narrow, and I am sorry to say, inadequate scale of our fleets and armies, much less to the comparatively very small number of court-dependents now in parliament, as the origin and first-ruling cause of the present influence of the crown, which, according to a late resolution of this house, is supposed to have increased, is still increasing, and ought to be diminished.

Unfounded and false, as I have shewn this supposition to be, yet the honourable gentleman taking it for granted, falls immediately to work upon it, and as a preliminary ground for ejecting a dozen or two members out

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out of this and the other house, suppresses a dozen or two of places, places essential to the dignity, essential to the very welfare and well-being of the crown. I say essential to the welfare and well-being of the crown; because it is highly necessary that the kings of England, who have anti-constitutionally granted the landed property of the crown to private individuals, should either have those specific grantees, or at least others in their stead, always in parliament to see that the patrimony of the crown *ne quid PLUS caperet detrimenti*.

Sir, this argument, which is founded upon the strictest principles of the constitution, is, I am persuaded, quite new to the honourable gentleman; it never occurred to him before, and his total ignorance of it hath been the cause of his labouring under one continued error from the beginning quite to the very end of his pamphlet. He hath considered himself as one of the representatives of the people. In that word "people" lies the sole error. And granting it had not been an error *per se*, yet the honourable gentleman, taking it for gold of Ophir, hath hammered and hammered it so thin, and expatiated it to such an extent, that one breath more from his own lips would certainly have puffed away

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away the whole superficial fabric into the air, and into air itself.

To say, as we do in common colloquy, that the commons in parliament assembled represent the *people* of England, Sir, it is a vulgar error. I will explain myself; but I must make a little digression.

Sir, the kingdom of England contains between nine and ten thousand baronies, lordships, or manors. Upon the original, political division of the whole lands of this realm, thirteen hundred of these baronies were allotted to the crown, for the special purposes I have already mentioned. Our kings summoned the crown-tenants of these baronies to parliament at the same time and for the same purpose that they summoned the other barons (not tenants *in capite*) that is to say, in the first instance, to assess a general aid or auxilium; and in the *second*, to watch and take care, that in such assessment the crown-lands should not be over-assessed. And thus our kings constitutionally had a proportionate number of their own immediate tenants in the great council of the kingdom, there to be ready so to vote, that the landed property and jurisdictions of the crown should

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be charged, but not overcharged, or in other words, that the crown should contribute its proper quota to the exigencies of the public, but no more.

Sir, the whole land in this kingdom is the property of the public. The primary seisin of it is in the public. The several tenants or holders of this land, by whatsoever names they may be diversified, are only trustees for the public; if we are seized of any part of these estates, and which by common usage of speech we call *our own*, it is because each trustee, in consideration of his care, trouble, service, and expence attending his trust, is allowed for his private use and behoof a reasonable share of the rent in money, or produce in kind, according to the quantity, quality, or dignity of the trust-land so committed to his charge and confidence. If we trace this idea still higher, we shall find that the national assembly, or great council of the kingdom, is one general representation of the whole landed property of the public. It is for this reason, that the fundamental laws contained in our second treaty, or Magna Charta, are called "*Lex TERRÆ.*" Not the act of such or such a parliament, nor of such or such a king, but

but *lex terræ* the law of the *land*. Not the law of the land-holders, but the law of the *land* itself. Agreeable to this accurate mode of expressing our ideas, an accuracy never to be deviated from in political discussions, we find in our third treaty, or Bill of Rights, that the Lords Spiritual and Temporal and the Commons, at Westminster, are there said "lawfully, fully, and freely to *represent* all the *ESTATES* of the "*people*," not the people themselves, but the estates, or landed property of the public. It is a solecism in language to say, that the people represent the people. Nor is the blunder a jot mended, by saying the people *in* parliament represent the people *out* of parliament. For whether in or out of parliament, the people are still the people, they have one and the same privileges, one and the same political interest; and that which is one and the same cannot be represented by itself, much less by any part of itself. For if it were a part, it would be a misrepresentation of the whole, and consequently not a representation of the people. But this nonsense does not occur when we say, the people represent the land. Coming then again to the point in question, I say, that the commons in parliament assembled represent the *trust-estates*

estates of the people ; but not the people themselves : the barons represent not themselves, but such of the baronal, *fiduciary* lands, as they hold : and the king, in like manner, represents those lands of the public which, for their supereminent dignity, are called crown-lands. The peers and commons, without any great inconvenience to themselves, can give their constant attendance upon parliament ; but as the king cannot do the same, at least in *propria personâ*, on account of the various occupations and avocations of the kingly office, he is authorized by the constitution to have his substitute in both houses, and these substitutes are his own immediate tenants, who as such become, *de jure coronæ*, the sub-representatives of the coronal-lands of the public.

Thus we see, the whole landed property of the public is divided into three distinct classes of common, baronal, and coronal lands ; and the principal business of parliament, when rightly understood, is to see, that neither the king shall usurp upon, and appropriate to his allotted division, any of the common, or baronal lands on one hand, nor that the peers and commons (as the honourable

nourable gentleman widely and extravagantly proposes in his plan of reform, page 35.) “ shall convert the estates of the crown, and “ throw them into the mass of *private* property on the other hand.”

If the *common* lands then have their possessors and protectors in parliament ; if the baronal lands have theirs ; it is a policy founded upon equality of justice, that the coronal lands should stand upon the same footing of protection ; and that if the king cannot personally attend to protect them, it is fitting, it is just, it is right, he should have representatives in the high court of parliament, adequate to the quantity and quality of the lands committed to the special trust and superintendance of the crown.

If it be objected, as the honourable gentleman does object, page 32, “ that the landed estates of the crown are already given up to parliament,” and that *cessante causa, cessat effectus* ; I answer, the fact is not true. The landed estates of the crown neither are, nor can be *irresumably* given up to parliament, or to any individual whatever ; and granting that they could be so given up, the reason for the crown’s having a sufficient number of dependents

dependents in parliament, would be stronger still.

If the honourable gentleman should still insist that the estates of the crown are *given up* to parliament, I would ask him what he means by the word parliament: it cannot be the commons singly, nor the lords singly, nor yet the commons and lords conjointly; for neither disjunctively, nor in their conjunctive capacity, can they be called the parliament; it is high treason to assert such a doctrine: it would be a denial of the king's supremacy. Much less can the honourable gentleman mean by the word parliament, that these estates of the crown are *given up* to the king, as head of the parliament. For that would be a gift from prince Volfus to prince Volfus. Besides, every gift to be valid, presupposes and implies a power and right in the grantor to give, and a fitness and ability in the grantee to take. But the king hath no constitutional right or power to grant the estates of the crown for any longer term than the life of the grantee, and that too upon the *express condition* of military service, reserving always the reversion to the crown; he therefore cannot grant it to parliament, because parliament never dies; and the king would not only lose his reversionary interest, but the heir, or next successor to the

the crown, would be defrauded of his patrimony. Such a grant would have all the characteristic properties of a fraudulent conveyance; it would be a grant of a trust estate in perpetuity, by a trustee who only had a life-estate in the premises; a grant which discharged the estate of its trust-conditions. Is parliament fitly qualified to take such a grant? God forbid.

But, Sir, for argument sake, let us suppose, that the crown-estates are irrefumably given up to parliament; let us suppose, that the kings of England, without any equivocation or mental reservation, have *bonâ fide*, agreed to take 900,000 l. a-year in hard guineas, in lieu of the landed estates of the crown; let us suppose, as the fact really is, that the crown-estates of England, with those of Scotland and the principality of Wales included, at the very same rents they are now demised, would produce the annual sum of five millions sterling. Would it then follow, that because they had thus changed one species of income for another, they had therefore divested themselves of their constitutional right of having such a number of their own immediate dependents in the great council of the nation, as might be equal to the weight

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and importance, which an estate of even of that magnitude (reduced as it thus would be) ought to have in the parliamentary scales or balancing power of Great Britain? The estates of every individual person in the kingdom is sufficiently represented in parliament, either personally or *per autrui*; and shall that of the king be alone unrepresented? Because his estate cannot be represented by himself, for the reason already adduced, shall it therefore not be represented at all? Shall the five or six shilling a-year estate of a Potwalloper be sufficiently represented *per autrui*, and that of the king not equally so? The idea is repugnant to common sense and common justice, nor is it less ill-judged than it is ill-timed. For, Sir, will any member of this or the other house clap his hand on his heart, and upon his honour declare, that the balance of power is at present, in reality, in favour of the crown? That it substantially is not, we may, from evident, stubborn, and undeniable facts, conclude. For so long as the queens of Great Britain shall, *per autrui*, drop a curtesy to that chair for their alimony, and so long as the sovereign of the greatest empire that ever existed, shall not feel the dignity and lustre of his crown diminished, nor demeaned in becoming a suppliant to us,

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on very little derangement in the civil-list establishment, so long the public can have no reason to complain of the influence of the crown. A greater proof needs not to be given, that it hath much decreased; a more flattering one cannot be given, that it ought not to be diminished.

It hath been super-abundantly proven above, that a certain degree of influence in our parliaments, adequate to the magnitude of the crown-estates, is clearly and constitutionally vested in our kings: the consequence then is uncontrovertibly clear, that such influence cannot be justly charged or accused of furnishing matter for any just complaint. We must therefore look for the real ground of this complaint in some other quarter.

Sir, the good people of Great Britain have great and real cause for complaint. They cannot go into their houses, but the very door is taxed. They cannot look through the panes of a window, but they are taxed. They cannot walk within doors or without, at least with shoes on, but they find themselves taxed. They cannot drink a draught of home-brewed small beer, but they are

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taxed,

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taxed. They cannot have a grain of salt, to preserve their viands from putridity, but they are taxed. They cannot put on a clean shirt, but they are taxed. They cannot work by candle-light, but they are taxed. They feel, they groan under all these pressures, and think it extremely hard that, while they are sinking under such a load of accumulated and accumulating oppressions, they should still be obliged to pay the king every year so enormous a sum as nine hundred thousand pounds sterling. Their own knowledge tells them, that if they could stint the king's annual expences to three hundred instead of nine hundred thousand pounds a-year, the very savings, in this single article, would enable parliament to take off all the above-mentioned taxes, on houses, window-lights, leather, small beer, salt, soap, and candles. They grumble and growl, as if the king's civil-list establishment was the sole cause of all these burthens, when, in truth and in fact, the charge is altogether groundless, false, and inapplicable.

That the people, Sir, who in political matters seldom reason deeper than the mere organs of their senses enable them, is no wonder; but that there should be found gentle-

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gentlemen in this house, and noble lords in the other, who can gloss over, and openly countenance so base and baseless an opinion, must appear extraordinary indeed, and it should seem as scarcely to be accounted-for without suggesting suspicions of *another* and more dangerous crown-influence than *that* of Great Britain.

But, Sir, to shew the weakness of this charge, and how easily it confutes and defeats itself, let us for a moment suppose, that our gracious sovereign, ever attentive to the cries of his subjects, should fairly meet the people *without doors* on the same ground of complaint, might not his majesty with great justice say, "Trusty and well-beloved subjects, I am conscious that the general taxes must bear very hard on you; I am conscious that, in particular, my civil-list establishment is very burthenfome to you. Is it your wish, is it your real desire to be exonerated of your present burthens, so far as the payment of my civil-list may directly or indirectly be the occasion of them? If your answer be in the affirmative, I will meet you half way in so virtuous and truly constitutional a cause. It is a work that cannot possibly be more agreeable

“ agreeable to you than it is to myself.
 “ Lend me your joint assistance, and it shall be
 “ accomplished without noise, and with much
 “ facility the very next session of parliament.
 “ I will point out the road to you ; it is turn-
 “ pike road all the way ; it hath indeed a
 “ few bars, but these, you know, must be
 “ always *open* night and day to the royal
 “ family, or in case of opposition the con-
 “ stitution warrants me to cut them down.
 “ I will explain this matter, it is obvious to
 “ the meanest capacity, it lies on a level
 “ with all your understandings, provided you
 “ will divest yourselves for a moment of
 “ that prejudice, which is too apt to darken
 “ and barricade the clearest and most open
 “ avenues to truth. You are to know then,
 “ trusty and well-beloved subjects, that se-
 “ veral of my royal progenitors, kings of
 “ England, for reasons only known to them-
 “ selves, in breach of their special trust,
 “ and in violation of the constitution, have
 “ at different periods of time frittered away
 “ the royal patrimony in private grants to
 “ various subjects of this realm, without any
 “ valuable consideration in money, service,
 “ or otherwise : that the very rents of the
 “ lands so granted do actually bring-in at
 “ this day an income of 5,000,000 sterling
 per

“ *per annum* ; and that the several subjects
 “ to whom these grants had been made,
 “ well-knowing the invalidity of the said
 “ grants, and being persons of great weight
 “ in their several different counties, and of
 “ great influence in the British senate, com-
 “ plotted together to obtain certain acts of
 “ parliament called *Acts of Limitation*, and
 “ *Nullum Tempus Acts* ; under colour of
 “ which they pretend, that a sixty years
 “ quiet possession is a bar in law, and pre-
 “ cludes any king from ever resuming the
 “ same lands, and re-uniting them to the
 “ crown. But this is all mere pretext and self-
 “ ishness, nor hath it the least foundation in
 “ truth ; for an act of parliament avowedly
 “ made in violation of the constitution, and
 “ at the same time for the special purpose of
 “ plundering the crown, is a nullity *in se*,
 “ and in fact does not require the formality
 “ of an act of parliament to repeal it.
 “ Harry the Eighth’s act for illegitimizing
 “ the princess Elizabeth was one of these
 “ anti-constitutional acts of parliament ;
 “ but that princess ascended the throne not-
 “ withstanding, nor was it deemed any-
 “ ways necessary to repeal the illegitimizing
 “ act, because it was in fact a nullity *ab*
 “ *origine*. But as several kings of England
 “ have

“ have resumed the crown-lands, not by
 “ virtue of their own prerogative, but by
 “ the milder and more gracious mode of
 “ acts of parliament; all that is required
 “ on your parts, trusty and well-beloved
 “ subjects, is that you retire to your respec-
 “ tive houses, and there give one general
 “ instruction to the several representatives
 “ of the counties, cities, and boroughs of
 “ England, Scotland, and the principality
 “ of Wales, enjoining them to bring in
 “ and carry through this house, a bill for
 “ re-uniting in the crown all jurisdictions,
 “ forests, chafes, latids, and estates; and
 “ for re-instituting the kings of Great Britain
 “ for the time being in the perception and
 “ and reception of all the rents and profits
 “ arising from the same. This is a short,
 “ easy mode of doing the business; it is con-
 “ formant to several precedents on similar
 “ occasions, and it furnishes no handle for
 “ any clamours against the exertion of a
 “ prerogative, which from its long dor-
 “ mancy might be construed by artful and
 “ ill-designing men to have run into defue-
 “ tude. Get this bill passed through both
 “ houses, it shall most certainly have the
 “ royal assent, with this farther assurance,
 “ that taxes equivalent to the clear amount
 “ of

“ of the civil-list shall be suppressed and
 “ abolished: that no more than one million
 “ sterling shall be appropriated to the crown
 “ out of the yearly rents or income of the
 “ crown-lands, in exoneration and lieu of
 “ the said civil-list establishment, which,
 “ together with all the remaining rents and
 “ profits arising from the patrimonial lands
 “ of the crown, shall be applied to the pub-
 “ lic service, save and except such fit and
 “ reasonable share as may enable the presen-
 “ holders, and their heirs, to live sumptu-
 “ ously, honourably, and nobly, as the
 “ king's tenants ought to live, and as they
 “ did live in former days. Thus, trusty
 “ and well-beloved subjects, like a tender
 “ parent and skilful physician, I have pre-
 “ scribed you a safe and speedy remedy. Go
 “ you immediately to work upon it, you
 “ have my full permission, authority, and
 “ hearty concurrence.”

Eja!

Quid statis? nolint, atqui licet, esse beati.

Mr. Speaker, I have introduced this little
 narrative, not so much with the design of seeing
 so constitutional a plan of reform carried into
 execu-

execution at present, as to shew and convince the people *without doors*, that the influence they complain of, the influence which they load with the epithets of baneful, evil, and corrupt, doth not originate in the crown; but, on the contrary, that it originated within this house, within these walls, within that very chair, Sir, on which you yourself are now seated. The national debt could have no other origin; if I may be allowed the expression, it was begotten in that chair, it is a spurious brat, *nullius filius*, disowned by its putative parents, thrown upon all the parishes in the kingdom, and unknown to the constitution; yet, spurious as its own nativity is, it gave legitimate birth to the civil-list establishment, so far, I mean, as an act of parliament can legitimate, which by the bye must be deemed a paradox, otherwise it would be hard to account, how legitimacy could spring out of spuriousness, since it hath to this hour been an incontrovertible maxim, that *nihil dat quod non habet*.

Thus we see this very civil-list establishment had no other foundation for its first existence and subsequent continuance, but that of an act of parliament. But, Sir, every act of parliament

liament hath one inseparably incidental vice interwoven in its very frame and essence, namely, that it is repealable, and that too not unfrequently *ad arbitrium popularis aures*. Witness also that long string of acts, which in Harry the Eighth's reign (if the expression be not too bold) did actually *dis-establish* the *established* religion of this country. Witness the Jew-act; witness our late American acts, and our still later acts respecting the Catholics. This parliamentary power of creating and uncreating being well understood in this house, and being likewise carried into practice almost every session in some one instance or other, it unavoidably renders the civil-list establishment not quite so stable as the possessor of it for the time being could wish; and when he comes not only to be confronted, but affronted on every personal money-application, when it is hinted by another senator, both *viva voce* and in print, p. 14, "That in hot reformation, in what men call making clear work, some part of the ABDICATED grievance is recalled from its exile to become a corrective of the correction—when, I say, the same reforming senator tells him, page 12, that the best criterion of a wise government is, well to know the best time and manner of yielding what it is *impossible* to keep," a language

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language so pointedly by satirical within doors, and so unwarrantably indecent without, must naturally put any possessor of a civil-list so circumstanced upon his guard, and impell him as it were *se defendendo*, if not to use violent means, at least to recur to the adoption of such measures for the guaranteeship and security of his property, as the constitution authorises and enjoins. The constitutional guarantees of the crown properly are, as I observed before, the tenants or dependents of the crown elected into parliament in right of certain borough-towns, which very towns are part and parcel of the ancient crown-property of this realm. And here again, the necessity or self-defence of calling these crown-dependents into parliament does not originate in the crown, but in those speeches within the house, and publications out of it, which evidently tend to make the tenure of the civil-list establishment not only precarious and uncertain, but absolutely and solely dependent upon the two houses of parliament. This doctrine is totally repugnant to the principles of our constitution; for no one of the three branches of the legislature is to be dependent on the other; but each is to act in its own proper sphere and circle, freely, independently, and uncontrouledly.

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uncontrouledly. I say uncontrouledly, because the commons have no right to controul the peers, nor the peers the commons, nor the peers nor commons the king, nor the king either the peers or commons. In this respect, the government of this kingdom breathes the pure spirit of liberty, freedom, and independence. It is therefore idle as it is injurious, to attribute to the crown an influence, which the honourable reformer must certainly know in his own heart and conscience, is attributable to the national debt, and to the national debt only.

It is so many years since the honourable gentleman frequented, figured in, and stole a private march out of the purlieus of Jonathan's coffee-house, that he seems to have forgotten, this once goodly kingdom of Great Britain is now become a nation of bankers, money-lenders, usurers, speculators, contractors, stock-jobbers, and gamblers, and that this house holds the national purse to be scrambled-for by them all. This purse, ever since it came into our hand, which is about ninety years, hath been constantly draining itself, like a perpetual milch cow, to fatten one half of this corrupt and corrupting body politic, and to keep the other half just above
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water, without any other but a temporary advantage now-and-then to the state. A new species of revenue-places, and consequently, revenue placemen, unknown to this country a century ago, have gradually formed an irresistible phalanx. They are the very sperm and spawn of the national debt. They grew with its growth, they strengthened with its strength. Their number now is between six and seven thousand. Here, Sir, is a copious, extensive field of influence. And I may say with certainty, where one vote is given in the British senate, under the constitutional influence of those crown-places which the honourable reformer would now either suppress or abolish, twenty votes at least are given under the anti-constitutional influence of these new-created revenue-places.

If the honourable gentleman be really in earnest, if he hath really no other object in view, but a noble, public-spirited plan of reform; in the name of common sense, why will he thus begin at the wrong end? Why will he lop-off eighteen or twenty places, which are co-æval with the crown, and leave the primary source and first-ruling cause of all corruption in its full-bloom, fly-blown entirety? What is this tampering, ineffec-
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tual patch-work, but laying rouge, as it were, upon the pale cheek of some fashionable *impure*; it may indeed give a rosy bloom for the present, and impose upon the eye; the stricken deer may fly from Ranelagh to Vauxhall, and range the whole circle of nocturnal revels: but the vermilion thus superficially applied, reaches not the latent cause and seat of the complaint, the wound keeps festering all the while within, *et hæret zonæ lethalis arundo*.

Why does not the honourable reformer then go at once to the root of the evil? Certainly this new revenue system is no part of the constitution, it is rather an unfightly overgrown When upon it, full of corruption. Its weight and influence pervades and perverts all the ancient, natural streams, and channels of government. The expence in keeping up this political remora, besides that it disorders and retards every motion of the executive power, the expence, I say, in keeping it up is tremendous; it amounts to little less than six millions sterling annually. It is equal to the pay of one hundred thousand seamen, and the construction of twenty new capital ships of the line yearly. It would without firing one gun, either in the Park or at the Tower,
instantly

instantly proclaim peace with America. It would, as effectually as the dreadfulest of all hurricanes, instantaneously shatter and shipwreck the whole maritime league combined against us. And to come nearer home, if any consideration can be nearer and dearer to a true Briton than the prosperity of the British navy, it would entirely defeat and utterly annihilate all corrupt influence for the future.

Sir, I mention not these reasons, weighty as they are, that they should be understood to convey any opinion of mine respecting the fitness or fitness of sponging-off the national debt, or of placing the national purse in other hands; that would only be grafting innovation upon innovation, and the remedy full as bad as the disease. I adduce the cogent reasons alluded to above, for no other end or purpose, but to prove and enforce, by arguments equivalent to mathematical demonstration, that the corrupt influence so falsely and injuriously attributed to the crown, doth not originate in the crown, but in the supposed-permanent security of the national debt, which itself cannot have originated in any other branch of the legislature than in this house, and this house only. And that it therefore

therefore ill-becomes any senator within these walls to sound the alarm-bell against taxes or their concomitant influence, which are one and the same thing; more especially as we cannot but know, or at least it is our duty to know, that by the fifty-fifth article of our first treaty, it is expressly declared, ratified, and confirmed, that the subjects of England shall not only be free *ab omni injusta exactione*, but *ab omni tallagio*, that is to say, nothing but their just and *debitum servitium* shall be exacted, and that there shall be no super-taxation whatever.

It remains now to shew, that this plan of reform will not tend to diminish the influence complained of, and that the sale of the forest and other crown lands, as an article of finance, can answer no one important purpose of the state.

Sir, the honourable gentleman, by way of paving the road to bring in his very modest bill for the sale of the forest and other crownlands, rents, and hereditaments of the several principalities, palatinates, and duchies, mentioned in the bill before us, lays down one general, fundamental dictum. This dictum neither involves in its texture the accidents common

common to every problem, nor the properties of a maxim. For on the one hand, we must not argue upon it as a problematical proposition, admitting a possible latitude of disquisition; nor can we, on the other hand, take it for granted as an absolute, revered, unquestionable maxim of state, without flying in the face of all antiquity, and setting our own fallible judgment far above the wisdom of the all-wise Being, who hath given to mankind one perfect model of a state, the observance of, or deviation from which, hath, in all ages, stamped the *Conditores* of their several and respective countries, with the name of wise or weak princes. Providentially, Sir, for England, the architectonic founders of this country, followed that illuminated and sacred model in the allotment of the landed property of this monarchy and kingdom, as near as the differential locality of its extent and boundaries would at first admit.

By the word "*monarchy*," I mean such forests, chafes, baronies, and other landed hereditaments, as were originally apportioned for the support of the crown, and dignity of the sovereign prince; and also to maintain the military-peace establishment of the whole empire of England. By the word "*king-*
dom,"

dom," I mean all the remaining English baronies, and other landed property, which were likewise, at the same time, apportioned under the several distinct allotments, to the various orders and classes of men, to be holden, either by ecclesiastical, or military service, or in free and common socage.

I am warranted in making this distinction between the words *monarchy* and *kingdom*, for in so doing, I follow the accurate language observed in our first treaty, in which, by way of antithesis or contradistinction, to distinguish the government of England from that of an absolute monarchy *per se*, it is *twice* declared, that *Anglia una est MONARCHIA et unum est REGNUM*. This distinction accounts also for the same correctness of language being used in our second treaty, or great charter, the formula of which, as I have already observed, is, *pax inter REGEM et REGNUM*.

Sir, it is not a mere distinction; it carries with it a farther essential difference. For the word "*monarchia*" clearly gives us to understand, that the king, for the time being, hath the *sole*, free, and uncontrollable government of, in, and over the landed estate so assigned, for his special lot and portion, that
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consequently in its nature, it is not assignable either *in toto* or *in parte*, nor can be thrown, as the honourable gentleman proposes, page 35, "into the mass of *private* property," without putting the very foundations of the political hemisphere out of course. The bounds of it are not to be broken thro' either by the priests or the people, lest the sovereign prince break forth upon them.

The mould from which this monarchy and kingdom is cast, is not of human invention: the original model is still to be seen in the inspired writings of the prophet Ezekiel, chapters 45 & 48. Where the specific, separate portion of land allotted to the sovereign prince, is not only accurately delineated, but the political reasons for the prince having such portion assigned him, and for his resting contented with it, are carefully laid-down, as an unerring lesson of instruction for every future wise prince, in the following remarkable precept: "thus saith, Jehovah Elohim, let *this* portion of land **SUF-**
FICE you, O princes of Israel!—remove violence and spoil—execute judgment and justice—take away your **TAXES** from my people, saith Jehovah Elohim." And it is highly worth notice, a notice well-understood in the Hebrew language, that in delivering these im-
 portant

portant state-maxims, the prophet twice inserts the words "Jehovah Elohim:" Not Jehovah singly, nor Elohim singly, but Jehovah Elohim conjointly, once at the beginning, and once at the conclusion of the sentence; to mark, as it were, in double characters, that the Almighty would avenge, by a two-fold punishment, the non-observers of this truly divine precept. For the words "Jehovah Elohim" where any politic commands given, are always express, or at least imply a denunciation of God's vengeance in case of disobedience, and if they be repeated as they are in the present instance, they denote a two-fold punishment will be inflicted on the offenders.

Sir, notwithstanding this appointment of land for the separate department, and special duties of the sovereign prince, in the organization of a well-formed state; be copied from the sacred scriptures; notwithstanding it hath the sanction and imprimatur of the best and most ancient political theorists, such as Plato, and Aristotle, yet comes-in the eloquent Edmund Burke, Esq; the great reformer, non-conformer, and deformer of the British constitution, with his *ipse dixit*, and tell us point blank, p. 32, "a landed estate
 L 2 is

is certainly the very worst which the crown can possess."

On this sandy foundation, with such untempered mortar as this, doth the honourable artist build the chief merit of his plan of reform, little profiting by the fate of his brother architect, who building his house not on the scriptural rock above alluded-to, but upon a loose, sandy soil, the floods came, and beating against it, suddenly it fell down, and the ruin of *this* house was great as it was sudden.

A plan, Sir, fundamentally bad, cannot be made good by the liveliest flashes of wit, much less by ridicule and drollery. For, can it be reasonably expected, that the royal assent shall be given to the abolition of all the ancient offices appurtenant to the principality of Wales, merely because the droll Wag, Edmund Burke, Esq; hath the facetious talent of setting this house a-roar, in repeated bursts of laughter for hours, "with pouring down his goat-herds from the mountain of Cader Edris, or vomiting forth his miners from their deep and footy caverns?" Happy! for this nation, could the corrupt influence complained-of be diminished by the droll-wag, Edmund Burke, Esq; becoming the merry

merry Andrew, on this, or any other public stage, and turning his own mountebank plan of reform into buffoonery and burlesque. But alas! neither the true * pativinity of this droll wag, nor the more noisy hammer of his countryman and great rival in oratory, the mellifluous Mr. Christie, were it to knock down all the forests, all the lands, all the rents, and all the other crown-hereditaments, the bill proposes to put-up to public auction, would decrease this influence in quantity or quality; and all that we should gain by thus driving the foul fiend out of our houses at the lobby-door, would be forcing it to come with violence in at the windows over our heads, and perhaps break them about our ears into the bargain. Such a scheme, Sir, is by no means calculated to produce the desired effect. Sir, if you would have this corruption put-on incorruption, we must take away the co-existent cause of that corruption: that cause, it hath super-abundantly been proven, is the national debt. They are twin-brothers, they came into the world close upon the heels of each other; they were nursed together on the same fostering lap; they kept exact pace together in their imperceptible growth; and whenever the elder of the two

* Read, *paddy-vinity. sic corraige meo periculo. Martinus Scriblerus.*

shall

shall die either a natural or a violent death; the younger will not survive one single session of parliament—the national debt!—the national debt—*hinc illæ lachrymæ!*

But let us, Sir, in imagination at least behold the honourable reformer in his plenitude of earthly happiness, in his zenith of terrestrial glory; let us for argument's sake suppose, that the bill now before us had passed both the houses; that his majesty seated on his throne, surrounded by his enrobed peers, attended by his faithful commons, had actually given the significant, suicidal nod, that the Norman linguist had pronounced the fatal sentence, "*Le roy le veut,*" that the guns in the Park and their echoing brothers at the Tower (instead of the Saxon *mot-bel*, or ringing of the *bell*) had promulgated the birth of this miscreant, miscreated, parliamentary abortion—this *monstrum—horrendum—informe—ingens—cui lumen ademptum*. Let us even go with the honourable gentleman to the end of his journey, and conclude, that in compliance to the utmost extravagance of his wishes, the principality of Wales, the county-palatine of Chester, the dutchy of Lancaster, and the county-palatine of Lancaster, together
with

with the dutchy of Cornwall were *all, all*, not only *perfectly* united (but as he, p. 94, incongruously expresses it) * *more perfectly* united to the crown: let us conclude that all the various offices and places incidental to these five sub-ordinate sceptres were all suppressed: and finally, that every other office or place growing either out of the forest-lands, or other crown-lands, or the royal household, or the mint, had suffered the proscription he ordains. What then? Will that side the house be one member the stronger, or will there be one court-lord the fewer elsewhere? If we say there will, we either proclaim our own ignorance of the constitution, or we belie our own consciences, and the truth is not in us. We may indeed drive administration from this artificial, temporary Hold, but shall not we constrain the

* The honourable gentleman uses the phrase "*more perfectly,*" but does not seem to understand the true and only meaning of the *plusquam perfectum* degree. For it implies either a person or a thing, which is not only perfect itself, but which hath also the power of conferring perfection to some other person or thing: and this *plusquam perfectum* degree is never used by correct, intelligible writers in any other sense. But the honourable gentleman by thus *more perfectly* uniting these minor sovereignties in the crown, takes from the crown the very power of conferring this species of sovereignty on any other persons for the future.

crown *ipso facto* to have recourse to a much stronger and a much more eligible eminence? An eminence, Sir, where the minister will have no occasion for the pitiful arts of corruption; where Cornish boroughs, Cinque ports, and Chiltern hundreds, will no longer disturb his repose, nor furnish matter of complaint, either within doors or without: an eminence, Sir, from which the kings of Great Britain may with their own eyes behold their own fertile, wide-extended domains, their own hereditary, constitutional landed-estates, cultivated by their own tenants; and those tenants well-clothed and well-fed, composing an army sixty thousand strong, for the peace-establishment of this realm. Sir, if we drive the crown to extremities, no middle measure, I apprehend, can be adopted, and every dispassionate, impartial reasoner must allow, that either the present influence of the crown, which now stands upon one and the same false principle with the national debt, must not be diminished, or if it be diminished, that we then endanger a general, unexceptional resumption of all the crown-lands. I shall therefore say no more on this subject, but proceed to shew that the honourable gentleman's intended sale of lands, numerous and dispersed as they

are

are in every county of the kingdom, will not, as an article of finance, answer any good or important end to the state.

This subdivision of his plan the honourable reformer again subdivides under *two* distinct heads: the *first* he distinguishes by calling it, p. 32, "*the landed estate of the crown,*" which same estate by-the-bye, and in the very same paragraph he tells us, "*is not the estate of the crown, and be it whose estate it will, it is of no great value.*" The *second* head he distinguishes by the name of forest-lands. I will speak upon each head in the same order of succession.

With respect, Sir, to this landed estate of the crown, or not of the crown (for the honourable gentleman sometimes calls it crown-property and sometimes property not of the crown, just as it suits his purpose for the present moment) if in pursuance of the bill before us it should be sold by public auction, I believe it will be the first landed estate, either in this or any other country, that ever was so sold, and previous to the sale of which, neither the vendor nor the auctioneer had formed to themselves any idea of the net sum, or nearly the net sum, it probably

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bably

bably might sell for. An ignorance of the real value of the commodity to be sold by no means forebodes a good sale. But how, in the name of goodness, can a good sale be expected, when the honourable reformer turns public crier, and just before the auction begins, thunders out, O-yes! O-yes! you are to take notice, p. 34, " I conceive
 " it unwise, Mr. Christie, to screw up the
 " sale to the utmost, or *even to suffer bidders*
 " *to enhance according to their wishes: if it be*
 " *objected, Mr. Christie, that these lands sell*
 " *at a low market: this is answered by shew-*
 " *ing, as I do in my pamphlet, p. 33, that*
 " *money at present is at high price. So you*
 " *may fobb them off by telling them, that one*
 " *balances the other. Lands sell at the cur-*
 " *rent rate, and nothing can sell for more."*
 This may be very fine music, piping hot from the lips of our celebrated orator; but unfortunately it hath no charms for a chancellor of the exchequer, it does not come home *crura thymo plena*, it does not enrich the public stock.

Come we then to the forest-lands: will the sale of these turn out more beneficial to the public? are the fiscal coffers to be enlarged in order that they may be able to contain the

the purchase-money? No such good news, alas! is to be expected even from this quarter; and that you will say is rather strange. For these are all *virgin* lands, lands which never yet felt the plough-share nor harrow of parliament, lands on which parliament never dared to lay a finger before. They remain at this day in the crown, as they have unalienably done from the time of king Brute, the founder of this monarchy and kingdom, the commencement of whose reign bears date 2855 years prior to the Christian æra. However let us not despair, the quack-bill now before us seriously undertakes radically to cure the forest-lands of this stubborn, chronic disease, and when the Panacea shall have wrought this *extra-ordinary* cure—what then?—why, Sir, by a beautiful figure which pervades the whole Burkian, new system of rhetorick, called "Inconsistency," he declares, p. 34, "that the revenue to be
 " obtained from the sale of the forest-lands
 " will"—what?—why, "will not be so
 " considerable, *he believes*, as many people
 " have imagined."

This being the case, so far as we may rely on the honourable reformer's own personal knowledge in the *first* instance, and his bare belief

in the *second*, we may fairly conclude, at least from his own testimony, that neither the sale of the landed estate of the crown, nor the sale of the forest-lands, can either separately or jointly be considered as an object of finance. When we therefore hear the honourable gentleman talk, in p. 94, of "applying the produce of these sales to the service of the public," can we forbear smiling at the pomposity of his professions, or can the buzz of his popularity be envied, when we know it is to be caught by such flimsy fly-traps and cobweb filaments as these? Sir, there is an invariable fatality attending all this gentleman's public declarations and public professions, they always in the end or in effect turn out to be just the reverse of what he gave them out for. Behold him, in page 49, suppressing places and placemen by the dozen; you think he hath weeded the royal household of all corruption, root and branch, and that he hath not left a possible germ to renovate its noxious influence. Turn but your eye back to pages 43, 44, 45, 46, 47, 48, you see the kind, good-natured creature replenishing the royal household, nay the artillery too, with a new swarm of locusts; and because the very name of *Contractor* is odious to the people, he proposes, p. 48, "to execute by *contract*, every
" thing

" thing that by *contract* can be executed." He gives indeed a very good reason for so doing, in p. 43, for there he says, "it has ever been found the best way, *to do all things* " by a general contract." So that where his plan turns out one placeman, he makes ample amends by introducing three or four. Yes, but he says, p. 43, he does this upon an *economising principle*, and with the solemnity of another Solon he, in p. 21, lays down this amazing, wonderful *dictum*, namely, "an economical institution is a necessary basis for an economical administration:" he supports this doctrine with an example, an example worthy, but difficult indeed of imitation in all the great out-lines of his character, I mean the king of Prussia; the king of Prussia, he says, is an economist, and in his royal school it is we may learn the manner of reconciling the state of a court with the support of war. Well, Sir, after this eulogy upon economy, who would not be convinced that our reformer was in this respect an exemplary *élève* of the Prussian school, and that he could beat all his brother-senators in the article of economy all *à-loup**. This man of economy, this prince of œco-

* The jockey-phrase all-hollow, is a corruption of the word *a-loup*—*a-loup*—a term of the chase used in hunting the wolf.

nomists,

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nomists, who was to convince his constituents how much he hath improved by his studies in the Prussian school of œconomics, scruples not, but rather boasts and glories to vote no less a sum than one million sterling for the erection of another school, the very enemy of all œconomy, I mean the school for painting, architecture, and antique medals, and that too at a time when we are deeply engaged in a war with France, Spain, Holland, and the American Congress. No wonder then, Sir, that the honourable reformer's bill which so pompously applies all the produce of the sales of all the crown hereditaments to the public service in page 94, should actually upon his own confession produce nothing at all, or at least nothing worthy of the public assistance.

But, Sir, will not ill-nature, spite, or envy say, that the honourable gentleman hath been all this time depreciating and running down the real value of those estates, in order to get them at a lower price for himself and his four ducal friends, when they come to be sold? This, I understand, is no unusual trick in Pall Mall and at Garraway's, at one of which markets ouvert these lands will probably be put-up to auction, if *that* may indeed be called an *auktion*, at which the
bidders,

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bidders, according to this admirable plan of reform, sup. 34, so far from being egg'd on to screw the sale up to the utmost, will not *even be suffered* to enhance one upon another. I do not like such suspicious practices. It is the very life, soul, and spirit of an auction to have real bidders at every moment, overbidding one another with unabated eagerness. This doctrine is so well understood, that nine times out of ten the learning and valuable talents of an auctioneer (see p. 35) would be wasted in a desert, if it was not for the porcupine phalanx of puffers in the room, which he hires at half a crown a day per head, with each a good dinner, and a full pot of porter into the bargain, for the sole purpose of decoying and wire-drawing the non-mercenary forces to *bid away*, aye, and fire away as fast and as eagerly as they can. If the lands in question shall be brought to some such *real* auction as this, it hath been calculated by persons, very near as knowing and wise as somebody else, that the several sales will produce on the whole at least two millions sterling. But the quantum of the sum total these sales may produce, depends upon two leading circumstances. The one is to bring them forward at proper seasons; the other is to put-up the parcels in such small lots as to
come

come within the reach of such of the yeomanry (and no other class of people) as can muster-up two or three hundred pounds at most. The honourable reformer adopts quite a different mode; he tells us p. 34, " he really conceives that a rule of fair preference may be established." Sir, where a great number of acres are to be put-up in one lot, where the purchasers must consequently either be such landed nobility and gentry as have already more land than they can find tenants for, or such overgrown monied merchants and nabobs as would only lay out the land itself in such fanciful or rather false improvements, as parks for their deer, paddocks for their studs, or in extensive vistas, open lawns, sheets of water, pineries, and parterres, and thus transplant and disseminate the luxuries and high price of labour, from the metropolis and its vicinity all over the interior parts of the kingdom, and where a preference is avowedly to be given to such un-agrarian purchasers as these, I am not in the least surprized that this new-fashioned capability-reformer of our ancient but now-exploded system of agriculture, should tell us that the revenue to be obtained from the sale of the forest-lands, will not be so considerable as many people have imagined. I say, I am not

not at all surprized if he hath left me any thing to wonder at: it is, how any preference can be fairly given to any one person whose lands are to be put-up and sold by public auction.

Besides, Sir, how does this mode of selling in great lots, and to such unhusbandlike purchasers, square and tally with the two principal objects the reformer saith he hath in view, namely, improvement of uncultivated waste land, and the population of the kingdom? If by the words improvement and population, he means to turn the crown and forest-lands into shrubberies and gardens, then indeed an increase of nurserymen and gardeners in a ten thousand-fold degree becomes absolutely necessary, and his plan is admirably well calculated to answer the end proposed. But I apprehend the face of the country is already sufficiently ornamented with that skin-deep species of land-improvement, and it is evident from the numerous advertisements of unemployed gardeners to be daily seen in our public prints, that the kingdom is overstocked in that species of population. Sir, believe me, there is no occasion for any farther increase of lawyers, attornies, coach-makers, gardeners, ribbon-weavers,

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hair-dressers, effenced livery servants, and drunken alehouse-keepers; the population we want is a race of yeomanry; a robust, well-limbed, healthy, useful race of men; men who in time of war shall recruit your fleets and armies with strength, vigour, and activity; men, who in the happier moments of peace, shall propagate a manlier posterity, and ploughing their own small landed estates redeem you from the humiliating and opprobrious shame of importing your own bread-corn from those very countries, which your ancestors by a simple yet scientific agriculture before supplied. This, Sir, is the only species of population this country stands alone in need of; a population which this house by all the ties of reason, duty, law, and equity are bounden to encourage and promote. I say, *by all these ties*, Sir, because it is notorious that the prodigious number of bills for private inclosures, all of which originated in this house, are the principal, if not the sole cause of the alarming decrease and almost total decay of that most useful and necessary species of population. It therefore behoves this house in a singular manner to remedy or at least to put a stop to any farther depopulation of this kind, as we now have an opportunity to begin upon so desirable

able a work, by adding one clause to the bill before us, the express purpose of which is, that no lot shall be put up for sale, containing less than ten nor more than twenty acres of land, and that no person shall be capable of buying, or of ever holding any two lots at one time. This measure is I apprehend the more necessary to be adopted on the present occasion, as the honourable reformer openly declares, "that the several
 " *Commons* are to be allotted and compensated-for upon ideas nearly the same with
 " *the principles upon which we have acted in*
 " *private inclosures.*" Sir, if this idea of vesting all the crown and forest-land in the yeomanry only, and that by small allotments, had not clashed with perhaps the narrow-minded or selfish views of our reformer, the expediency and fitness, the necessity of adopting the proposition itself, could not well have escaped the quickness of his perception. For though it might not have entertained this house with such bursts of laughter as the long-winded story of his *preux Chevalier Probert*, though it might not in his estimation have merited an equal number of pages in his voluminous pamphlet, yet, certainly he might have destined for it one short, solitary paragraph, a poet's corner as it were, or at

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least a word or two by way of parenthesis
 But we see nothing of this kind, no, not
 even one poor monosyllable, which should
 seem the more extraordinary, as one should
 think it almost impossible for any person
 writing on such a subject not to lay down
 some general outlines for preventing the far-
 ther decrease of population, and the present
 rage for the monopolization of farms. This
 neglect or omission must proceed from some
 latent cause, since we cannot attribute
 it either to the timidity or bashfulness of
 our reformer, nor yet to the novelty of the
 thing itself. We have already a precedent
 for it in our statute books, ready cut and
 dried, and the honourable gentleman, p. 34.
 openly declares, "He shall never quit pre-
 cedents where he finds them applicable."
 It is for this reason, Sir, I desire the clerk
 may read the sixteenth statute of the 4th of
 Hen. VII. specifying, *inter alia*, the penalty
 for taking more farms than one.

" For as much as it is to the king our
 " sovereign lord great surety, and also the
 " surety of this realm of England, that the
 " Isle of Wight in the county of South^{ton}. be
 " well inhabited with English people, for the
 " defence as well of his ancient enemies of
 " the

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" the realm of France, as of other parties,
 " the which isle is lately decayed of peo-
 " ple, by reason that many towns and vil-
 " lages have been beaten down, and the fields
 " ditched and made pastures for beasts and
 " cattels: and also many dwelling places,
 " farms and fermholds, have of late time
 " been used to be taken in one man's hold
 " and hands, that of old time were wont to
 " be in many several persons holds and
 " hands, and many several households kept
 " in them, and thereby much people mul-
 " tiplied, and the same isle thereby well in-
 " habited, the which now by the occasion
 " aforesaid is desolate, and not inhabited, but
 " occupied with beasts and cattel, so that if
 " hasty remedy be not provided, that isle
 " cannot be kept and defended, but will be
 " open and ready to the hands of the king's
 " enemies, which God forbid; for remedy
 " whereof it is ordained, enacted, and estab-
 " lished, by the assent of the lords spiritual
 " and temporal, and the commons in the
 " said parliament assembled, and by autho-
 " rity of the same, that from henceforth no
 " manner of person, of what estate, degree,
 " or condition he is, or shall be, take any
 " several farms, more than one, of any man-
 " ners, lands, and tenements, parsonages or
 " tythes

“ tythes within the said isle, whereof the
 “ ferm of them altogether shall not exceed
 “ the sum of ten marks yearly.”

The only remark I beg leave to make on this declarative excellent act of parliament is, that although it was made for the special purpose of preventing a depopulation of husbandmen in the Isle of Wight, yet the principle of it is no longer become local, it pervades the whole kingdom, and if this bill should be carried into an act of parliament, the only one good that can possibly accrue to the nation from it, will be to mould and fashion it after the exact model of Henry the VIIth's statute, now fresh in your minds.

Having thus amply delineated the glaring impropriety and impolitic tendency of exposing these crown and forest-lands to sale on any other principle than that of a well-executed, well-framed agrarian law, apportioning them into small farms, and rendering those farms neither divisible by inheritance, nor devisable by will, to any other class of people but the yeomanry only, nor accumulatable even amongst the yeomanry themselves; I will, in order that no argument which the honourable gentlemen attempts to
 enforce

enforce may pass unnoticed or unrefuted, turn for a moment to page 27, where he asks with warmth, and with an air of triumph, for what plausible reason is the principality of Wales, the county-palatine of Chester, the duchy and county-palatine of Lancaster, and the duchy of Cornwall, suffered to continue? to indulge the honourable querist I will select two or three out of a thousand reasons which might be given for the continuance of their existence.

Sir, they are continued to exist, in the first place, because it is conformant to the constitution that they should not be abolished. But this you will say is too general a reason; I will give you then a particular one. For, so long as they are suffered to continue, they serve as daily mementos to the crown, that a king of England is not an unique, solitary Being, standing alone, and aloof from the other orders of the state, and phoenix-like, existing *ex se, per se, et pro se solo*. On the contrary, by an easy natural climax, as the baronage holds a middle rank between the commonalty and these principalities and palatinates, so these principalities and palatinates hold a middle rank between the baronage and the crown; thus forming one body
 politic,

politic, the respective members of which, mutually depend upon each other, in matters of legislation, in a co-equal, though not co-ordinate relation, a relation which our kings might very easily forget, were they to step at once, as it were, from the cradle to the crown, without any intermediate gradation. This may then be urged as one reason for *suffering* (as the honourable gentleman is pleased to term it) the principalities and palatinates still to exist, in order that in this instance we may follow the invariable law of nature, *quæ nihil magnum facit per saltus*.

The honourable gentleman in the same page, propounding another question equally insidious and jesuitical, asks whether these principalities and palatinates answer any purpose to the king? I apprehend they do, and nearly the same purpose as Gibraltar does.

For this Fort, besides that it is the *secret* and *SOLE* cause that binds and secures to us the alliance and trade of Portugal; considerations highly worth noticing at this present moment, it serves the king of England in the capacity of a double key, either to enter the Mediterranean, or the kingdom of Spain at all times, whenever his majesty shall so please. In like

like manner, though the former kings of England granted leases for years, or otherwise, of the several estates in the principality of Wales, the county-palatine of Chester, the duchy and county-palatine of Lancaster, and the duchy of Cornwall, yet they very carefully retained to themselves and their successors, kings of England, a small, annual reserved rent, together with all their respective jurisdictions, of whatsoever denomination they might be. Thus by virtue of the reservation of the several jurisdictions, they remained sovereign lords *de jure*, and by virtue of the annual reserved rent, sovereign lords *de facto*, and consequently upon the determination of the respective leases, might re-enter *de novo* to their own special use and behoof, as the lawyers phrase it, without furnishing the least, just cause of complaint to the immediate representation of the deceased lessees, or any other persons in the kingdom. It is these *jura regalia*, and these small reserved rents, his majesty, I apprehend, would not wish to relinquish, as well for the purpose already mentioned, as, possibly, for that of making suitable establishments for his own children, upon the present leases dropping-in; establishments, which from their own nature are incommunicable to any subjects, those of the royal blood excepted; and lastly, such

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establish-

establiſhments only which his majeſty hath in his power at preſent to make, without oppreſſing his people by freſh money-grants in the name of portions for his children. This mode of providing for the blood-royal, by giving them certain portions of land out of the PATRIMONY of the crown, (mark the word *patrimony*) is conformant to the law of God, and likewise to our own laws, which are founded on the law of God. In Ezekiel, chapter 46, ver. 11, the form of the grant, and the reason of the grant itself, is happily preserved for our observance and imitation, where it is said, “ the king shall not take of “ the *people's* inheritance by oppression, *id est*, taxes; but he shall give his sons their “ inheritance out of HIS OWN POSSESIONS; that my people be not scattered, “ every man from his possession.” The land so granted is in our laws called “ bock-land in the Saxon language, and *book-land** in modern English:” that is to say, land granted as we find it commanded in THE book, meaning the Bible.

Having thus not merely given a *plausible* reason, p. 27, as the honourable reformer

* This boc-land is a tenure which Mr. Fearn in Chart of Tenures, after Spelman, *unprofessionally*, calls *allodial*, which term is applicable only to *personal* property.

ſimply

ſimply requires, but ſuch a reaſon as muſt convince every impartial, true Briton, that theſe principalities and palatinates ought to be ſuffered ſtill to exiſt. And having fully answered every argument and queſtion relative to the ſales of theſe crown-hereditaments, I come now to enquire whether any important benefit be likely to redound to the public, by bringing ſuch a glut of crown-property all at once to market.

It is true, indeed, the honourable gentleman tells us, page 64, that the produce of the reſpective ſales is to be applied to the public ſervice—the public ſervice—Sir, they are enchanting words—there is muſic in the very ſound of them. St. Omar is inſpired with the magic, *Ignatius Loyola* is all a-blaze with their electric fire, and from the magnetic touch of his divine lips, every other patriotic breaſt is ready, inſtantly to catch the pure ethereal flame.—But alas! Sir, have theſe ſacred words never been prostituted within theſe walls before? Are they not prostituted in the preſent inſtance? By the words *public ſervice* does the gentleman mean, that the money ſhall be applied either in the total extinction, or even in a partial defalcation of any one tax whatever that bears hard upon the poorer claſſes of people? Will the plough-

man who ploughs your fields, or the reaper who reaps your corn, will either of them pay one sixpenny piece the less, either for new soaling or patching of their shoes, which they have laboriously and dearly earned, and which they have to this hour unmurmuringly worn out in your service? the day-labourer half-starved with cold, and pinched with hunger, who threshes out your bread-corn, who tends your flocks on wilds, and wolds, uninhabited by mortal man, and who is to hedge those very lands you would now inclose, will he at even-tide, when the scanty half-pint of beer should recruit his exhausted bodily strength and spirits, will he buy that beverage, the only luxury he knows, one farthing the cheaper? The poor, aged, unre-pining widow, whose virtuous pride disdains to ask parochial relief, rising up hours before the sun, and having earned her four-pence at her wheel, going with her *farthing light*, though late to bed, say, thou humane bene-ficent reformer, will that farthing light cost her one obole less? These ideas never entered our reformer's head, much less ever reached his heart. If we turn our eyes from these hum-ble, but not discontented scenes of low life, and take a cursory view of the daily distresses under which the farmer, the grazier, and the whole

whole landed gentry of this kingdom, labour at present, through a deficiency of that cash, which, instead of flowing directly into their hands, now takes a tedious, circuitous course thro' the various channels and *locks* of the navy and the army, before it reaches their doors: if on one hand, we behold the landlord seiz-ing on his tenants for his rent: on the other hand, the mortgagee distraining on the land-lord for his long-forborne interest: and in the midst of this spacious field of reciprocal rapine and ruin, if we behold both the land-lord and the mortgagee, dispensing with the previous, dilatory forms of law, mutually consenting to sell the mortgaged lands, for each other's mutual and immediate relief, and after all the trouble, humiliation, and dis-grace, usual on such occasions, not a pur-chaser in the whole kingdom is to be found; let me ask the honourable gentleman, whe-ther his plan of reform will either remedy or alleviate this distressful, unexaggerated situa-tion of the landed interest of this nation? Will it augment the number of purchasers for their estates? Will their estates sell for one year's purchase more? Have not those estates already fallen, some fifteen, some even twenty years purchase lower than what they cost but six years ago? He knows, he knows his super-ficial

facial, frothy, whip-syllabub plan cannot possibly be attended with any one of these cheering, hope-reviving effects: he knows on the contrary, it will not only magnify, but multiply the present difficulties, embarrassments, I had almost said, despair of the *landed interest*; but what is others wretchedness to Edmund Burke, Esq; . . . *he has no children of his own*—he hath no landed estates—at least on this side the Irish sea. Doth he then propose some other, or what other important end, to which the money arising from the sales of this glut of crown-property may be better, or beneficially applied? The question is superfluous. Read but his pamphlet page 35, and he mildly tells us, that this money is not to be applied to any of the idle, foolish purposes above alluded-to, no, Sir,—“it shall come through the course of circulation, and through the political secretions of the state into our better understood and better ordered revenues.”

I like not these same political secretions; besides, Sir, if this be the great public service we are to expect from the intended sales, these sales will necessarily tend to increase, rather than decrease, the influence the honourable gentleman so much labours to diminish,

minish. For no maxim can be plainer nor truer, than that every money-addition to the exchequer must give an additional weight of influence to administration. This idea might not perhaps strike the honourable gentleman in the first sketches of his plan, when the imagination was all on fire, p. 24, with the massacre of the Bards, the uproar of Prestatyn, the shaking of Snowden to its base, and loosening Cader Edris from its foundation: during this paroxysm of prose run poetically mad there could be little room for sound judgment or sober reflection. But I understand that since the publication of his pamphlet, he sees the maxim above-mentioned in so clear a point of view, and is so thoroughly convinced of its bottomness, that he publicly disavows the plan of reform as a brat of his own proper GET, and indulging his happy talent for ridicule and pleasantry declares he is only the god-father and putative father, for which reason he now in derision thinks proper to christen it “The Plan of the Four Dukes;” but what four they may be remains a secret, and for their credit, we hope it never may transpire.

I beg pardon, Sir, for having trespassed thus long on your valuable moments, in commenting

menting upon so puerile and unprincipled a plan of reform; but as it was ushered first into this house, and afterwards into the world at large, under the auspices of a name high on the waxen pinions of public fame for eloquence, wit, and satire, I could not reconcile to myself that this *lepidum caput* should be hung out to public view as a *caput mortuum*, a mere *Sign* of the four-dukes-heads, which however excusable it may be where the entertainment within is tolerably good, or at least tolerably decent; yet in the present instance, where all good order is subverted and common decency is wanting, the licensing such a house, or even such a *Sign*, can only tend to misguide, misinform, deceive, and impose upon an incautious, unsuspecting public.

Having thus brought the reflections and remarks I had to make upon the honourable gentleman's bill to a conclusion, I will now collect them under one point of view. In order to give them every possible elucidation and perspicuity, I divided them into three distinct heads: under the first, I stated what was done, and what still is doing by administration, in pursuance of the county-papers now before us, and also what could not be done

done by administration without violating the constitution. I proved that the plan proposed and actually carried into execution by government had already brought into the exchequer upwards of 400,000 l. and that other very great sums would be still daily flowing in; and that all this real and immediate advantage would accrue to the public without altering any one of the established rules of office, without disturbing any one arrangement of men or places, and without injuring, or giving cause of discontent, to any one HONEST man in the kingdom. I contrasted this plan of reform with *that* projected by the honourable gentleman, shewing that the advantage the public were to reap by his plan was neither immediate, nor even likely to take place within the current century; that by his own confession the sum would be but trifling, and that before one farthing could come into the exchequer, the principal departments in the royal household, the mint, the artillery, the treasuryship of the navy, the paymaster-generalship of the army, the great offices in the principality of Wales, in the palatinates of Chester, Lancaster, and in the duchy of Cornwall, must all either be entirely abolished, or undergo certain modifications introductive of

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general confusion, and that the whole was innovation upon innovation.

Under the *second* head, I proved that the influence of the crown, so far as it may be supposed to furnish matter of complaint, doth not originate in the number of court-dependents now, or at any former time, in parliament; but, on the contrary, that the origin and first-ruling cause of all corrupt influence is to be found in the national debt, and in the national debt only. This incontrovertible axiom I corroborated by giving a clear impartial definition of the constitution itself, and by shewing that the constitution (which is a technical term to express by one word the four treaties establishing the fundamental, immutable, indefeasible laws of this realm) justifies, authorises, and enjoins the crown to bring into parliament a certain, definite number of crown-tenants, a number greatly inferior to the present.

Under the *third* head, I proved that the honourable gentleman's plan of reform did not tend to diminish the influence complained of, that the most favourable event that this plan could produce, would be to shift the
influence

influence only from one quarter to another, without the least diminution of its effect; but that an infinitely greater danger might be more reasonably expected, namely, that of driving the crown to revert to first principles, which would necessarily superinduce one general unexceptional resumption of the crown lands, and a total sponge of the national debt.

I likewise clearly demonstrated that the glut of crown lands which the superficial, unprincipled reformer, by his plan, proposes to be sold, would, as a mere article of finance, answer no one important purpose of the state. It hath been superabundantly proven, that it would not alleviate the lower classes of the laborious or industrious people of one single tax. They must still, out of their hard-earned pittance set a part of that very pittance for the tax on their farthing candle, the tax on their half peck of coals, and the tax on their quarter of a pound of soap: that the farmer, the grazier, and the whole landed gentry will find in this article of finance, no new supplies of money circulating in their respective neighbourhoods to assist them in this present dearth of current cash, but on the contrary, it will accumulate distresses

upon distreffes, and leave them in a much worse state, if possible, than they were before. Are these the happy, these the glorious effects the people are to experience from the sales of this glut of crown-property; is this to be the produce that is to be applied to the *public service*, oh excellent reformer? *non hoc pollicitus tuis*. The bill now before us, Sir, promises the good people of England that the whole produce of the sale of the lands of the duchy of Cornwall, of the duchy of Lancaster, of the county palatine of Chester, and of the principality of Wales, shall all, all, all be applied to the public service. But my countryman, to what public service I pray you is it to be applied? unblushingly, unfeelingly, and as it were, upbraiding you with your miseries, he his-self aggravatingly tells you, it is to be applied to the political secretions of the state,—hear him, hear him, my countrymen,—the political secretions of the state,—there is all the public service he means. These ancient monuments of the landed property of our kings which have never been severed from the crown, which have withstood the devouring tooth of time upwards of three thousand five hundred years, are now to be thrown down by his ruthless, un pitying, sacrilegious, hand, and are to be converted

converted for-sooth into the common mass of *private* property; but neither your king, yourselves, your wives, your children, your families, or your posterity, are to be benefited one single shilling from all this wanton, unnecessary proscription, barbarism, and devastation. And to insult your understandings at the very instant he is removing all the ancient landmarks which your fathers had fixed up, he hath the graceless front to tell you, that “ what the law respects shall be sacred to him: for if the barriers of law, he says, should be broken down, upon ideas of convenience, even of *public* convenience, we shall have no longer any thing certain among us.” What he here advances, oh injured people, is alas too true! When the barriers of our laws, our fundamental laws I say, are once broken down, neither you, nor your nobles, nor our king, will any longer have the least certainty, or shadow of assurance for your lives, your persons, or your landed property. But what say those fundamental laws their-selves against the person that shall impiously dare to break down these barriers? I shudder to pronounce the whole sentence, the anathema is too tremendous and too long to be repeated at large against the more than parricidal violator;

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violator; suffice it, that I tell you it concludes with the following curse and execration, "thus may his soul for ever stink in hell."

What more then need be said; the charge, infernal as it is, hath been fully proven against him. The bill, Sir, now before us, without any other evidence to ascertain his guilt, fully and clearly pronounces his conviction, and the sentence to be passed on a crime of so black a dye is too legible in the holy scriptures to be misunderstood, or to be equivocated away, by the meanest capacity in the kingdom, when he hears this solemn condemnation: "Curfed be he that removeth his neighbour's land-mark: and all the people shall say, Amen."

For these reasons, Sir, I find myself, as a citizen of the world at large, who pays implicit obedience to the express law of God, and as a subject of this kingdom in particular, who pays all due submission and veneration to the fundamental laws of this realm, I find myself obliged not only to give my hearty and full negative to the bill; but however tenacious I may be of the most unlimited freedom of speech within these walls, yet,
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as a member of this house, Edmund Burke, Esquire, by name and addition, instigated by vanity, or some worse motive, hath, contrary to the usage of parliament, and regardless of the duty of a good subject, dared to print and publish a pamphlet containing divers dangerous and anti-constitutional doctrines, subversive of the ancient rights and hereditaments of the crown: a pamphlet, Sir, which hath for its title,

" The Speech

" of

" Edmund Burke, Esquire,

" Member of Parliament for the

" City of Bristol,

" On presenting to the House of Commons

" (On the 1st of February 1780)

" A Plan for the better Security of

" The Independence of Parliament,

" and the

" Oeconomical Reformation of the civil

" and other Establishments."

I move, Sir, that as a mark and stigma of our entire disapprobation, and indignation, that the said pamphlet, by order of this house, be forthwith committed to the flames by the hands of the common hangman.

F I N I S.

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