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At a Meeting of the SOCIETY for CONSTITUTIONAL INFORMATION held at N° 2, in New-Inn, on Friday the 15th Day of February 1782,

It was resolved unanimously,

THAT the following Extract, taken from "The Elements of Moral Philosophy, by the late Rev. Dr. David Fordyce, Professor of Moral Philosophy, in the University of Aberdeen, and published in 1758," be entered in the books of this Society.

"A Society, a Government, or real Public, truly worthy the name, and not a confederacy of banditti, a clan of lawless savages, or a band of slaves under the whip of a master, must be such a one as consists of freemen, chusing or consenting to laws themselves; or, since it often happens that they cannot assemble and act in a collective body, delegating a sufficient number of representatives, i. e. such a number as shall most fully comprehend, and most equally represent, their common feelings, and common interests, to digest and vote laws for the conduct and controul of the whole body, the most agreeable to those common feelings, and common interests.

"A Society thus constituted by *common reason*, and formed on the plan of a *common interest*, becomes immediately an object of public attention, public veneration, public obedience, a public and inviolable attachment, which ought neither to be seduced by bribes, nor awed by terrors; an object, in fine, of all those extensive and important duties which arise from so glorious a confederacy. To watch over such a system; to contribute all he can to promote its good by his reason, his ingenuity, his strength, and every other ability, whether natural or acquired; to resist, and, to the utmost of his power, defeat every **INCROACHMENT** upon it, whether carried on by secret corruption, or open violence; and to sacrifice his ease, his wealth, his power, nay life itself, and, what is dearer still, his family and friends, to defend or save it, is the duty, the honour, the interest, and the happiness of every citizen; it will make him venerable and beloved while he lives, be lamented and honoured if he falls in so glorious a cause, and transmit his name with immortal renown to the latest posterity.

"As the **PEOPLE** are the fountain of power and authority, the original seat of majesty, the authors of laws, and the creators of officers to execute them; if they shall find the power they have conferred abused by their trustees, their majesty violated by tyranny, or by usurpation, their authority prostituted to support violence or screen corruption, the laws grown pernicious through accidents unforeseen, or unavoidable, or rendered ineffectual through the infidelity and corruption of the executors of

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them; then it is their right, and what is their right is their duty, to resume that delegated power, and call their trustees to an account; to resist the usurpation, and extirpate the tyranny; to restore their sullied majesty and prostituted authority; to suspend, alter, or abrogate those laws, and punish their unfaithful and corrupt officers. Nor is it the duty only of the united body, but every member of it ought, according to his respective rank, power, and weight in the community, to concur in advancing and supporting those glorious designs.

“The obligations of every *Briton* to fulfil the political duties, receive a vast accession of strength, when he calls to mind of what a noble and well-balanced constitution of government he has the honour to partake; a constitution founded on *common reason*, *common consent*, and *common good*; a constitution of free and equal laws, secured against *arbitrary will* and *popular licence*, by an admirable temperament of the governing powers, controuling and controuled by one another. How must every one, who has tolerable understanding to observe, or tolerable honesty to acknowledge its happy effects, venerate and love a constitution, in which the majesty of the people is, and has been frequently recognized; in which kings are made and unmade by the choice of the people; laws enacted or annulled only by their own consent, and for their own good, in which none can be deprived of their property, abridged of their freedom, or forfeit their lives, without an appeal to the laws, and the verdict of their peers or equals; a constitution, in fine, the nurse of heroes, the parent of liberty, the patron of learning and arts, the dominion of laws, “the pride of *Britain*, the envy of her neighbours, and their sanctuary too!”—How dissolute and execrable must their character and conduct be, who, instead of sacrificing their *interest* and *ambition*, will not part with the least degree of either, to preserve inviolate, and intail, in full vigour to their posterity, such a glorious constitution, the labour of so many ages, and price of so much blood and treasure; but would chuse rather to sacrifice it, and all their own independency, freedom, and dignity, to personal power and hollow grandeur, to any little pageant of a *King*, who should prefer being the *master of slaves* to being the *guardian of freemen*, and considers himself as the *proprietor*, not the *father* of his people!—But words cannot express the *selfishness* and *servility* of those men; and as little the public and heroic spirit of such, if any such there are, as have virtue enough still left to stem the torrent of corruption, and guard our sacred constitution against the profligacy and prostitution of the *corruptors* and the *corrupted*.”

It was also resolved unanimously,

THAT the following Extract, taken from a Sermon preached before the University of Oxford, by William Crowe, LL. B. on the fifth day of November 1781, be entered in the books of this Society:

“The true end of civil society is the preservation of the civil rights of its members; and it is incumbent on the magistrate, to whom the protection of those rights is intrusted, to exert his utmost vigilance, prudence, and fortitude, in their defence; and he being bound by the very nature and reason

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reason of his office, to make the welfare of the Society the ultimate object of his care, it is no less his duty to prevent the dangers he foresees, than to remedy the evils he cannot prevent: yet must he not interfere by discretionary acts of power; for the magistrate's discretion may be made a scourge for the people; nor yet in matters purely religious, for with such he has not, of right, any concern whatever.

But if the magistrate shall refuse to fulfil that great purpose of his institution (the protection of the people); and much more if he should betray the trust reposed in him, and become himself a danger to the state, in such circumstances the community is at liberty to act for itself; and is justified, provided the members in their conscience believe, that less damage will follow from so doing, than from submitting to the evil.

It was this manner of acting (or in other words, the duty of self-preservation) that brought on the second great deliverance of this day; when the people having received many provocations from the intrusion of papal superstitions, and sustained many injuries from the insolence of arbitrary power, arose to vindicate their truly indefeasible rights. And because they saw that their grievances had sprung as much from the assumed authority of the prince as from his bigotry, they judged it expedient to secure themselves with equal precaution against both. They would no longer receive from his precarious bounty, that which they claimed and demanded as their right; nor would they allow the head of their own church to hold religious principles which made him the subject of another. The throne was placed on the firm basis of a Protestant religion and bounded prerogative, and thus was completed for us that noble structure of freedom which the Revolution established. It was planned in wisdom and founded in justice; and it was erected on the ruins of a royal house—a glorious and awful monument, to tell mankind, THERE IS NO GREATNESS OR DOMINION ON EARTH SO SACRED, BUT IT MUST FALL BEFORE THE LIBERTIES OF THE PEOPLE.

To us, who with grateful commemoration solemnize this day, it remains that we offer up the duty of praise and thanksgiving to God for these signal and repeated instances of his protection. And so just a claim has this day to every sentiment and expression of our joy, that it were devoutly to be wished there was no room for unwelcome reflections, and that every unquiet thought could be banished from it. But though it be our duty to rejoice in the day of prosperity, in the day of adversity we are bid to consider; and God hath so set the one against the other before the people of this nation, that if we will rejoice in this day, we must rejoice with fear. For at what time were we so exposed to the dangers and calamities of war from the united attempts of so many and so powerful enemies? or when did our unhappy divisions and our other manifold sins and provocations more conspire to bring down his judgments upon us? Awakened from the dreams of conquest, we behold the most thriving branch of our empire engrafted on the power of our natural foe, and defend with difficulty our remaining possessions. It is a war of apprehension and dismay; and even now is every one listening in the anxiety of fear for the news that the next hour may bring him of some heavy calamity. It will come; it will come quickly, and it will be but the beginning of sorrows.

And to what can we attribute this alarming situation, but to the just visitation of God for our offences? It is therefore every man's duty first to examine himself, and so to regulate his future life, that his guilt may not add more to the too heavy burden of this land. But this is not the whole matter. The causes of national prosperity and distress are often to be found (where they are naturally to be sought for) in national practices and principles; and surely that state cannot but be in a perilous condition, where, on one hand, corruption maintains a wide and encreasing influence, acknowledged but uncontroled, and prodigal beyond example; on the other, a people indulge themselves in idle and luxurious dissipation; so to avoid reflections too serious and too distressful, because they care not, or despair of the commonwealth. Yet these, and other practices as bad as these, are but as diseases which a sound constitution may throw off, and again recover its pristine health. Much worse is the case when national principles are vitiated; when (for instance) it is asserted with a wicked boldness, that corruption is useful and necessary to the government; or when those plain and sacred doctrines of Civil Liberty, of which no sophistry can perplex, and no strength of argument confute, are slandered with the injurious name of empty speculations.—These are dreadful and fatal tokens, and unless some antidote can subdue their malignity, the constitution in which they are found, will soon decline into that state of agony and despair, when its evils shall be both intolerable and incurable.

THOMAS YEATES, Secretary.

At a Meeting held on Friday the 8th day of March 1782,

It was resolved,
THAT the following Extract, taken from "Three Dialogues concerning Liberty, published in 1766 by Doddsley," be entered in the books of this Society.

From DIALOGUE the FIRST.

"But the principal foundation of right in men to enforce obedience on each other, to the true laws of their nature, is derived from their *natural equality*. "How!" interrogated I, "do you then maintain that levelling principle, that men are naturally equal, when there are natural inequalities among them so very manifest?" I do, answered he: but I fancy the ideas which you and I have affixed to the word *equality*, in this instance, are very different. What mine are, with your permission, I will endeavour to explain in as few words as possible. I begged he would; and he proceeded thus:

"All creatures of the same kind are created under laws peculiar to their kind. All men are of the same kind, and are doubtless created under laws peculiar to their kind; and in this respect it is that all men are certainly equal. So it appears to me, said I. But are the great differences in the faculties and abilities of men no objection against this equality? Not at all, answered he. The possession of great bodily strength, for instance,

gives a man no just title to use that strength mischievously, and against the laws of humanity; he may possess some of, or all, the faculties of the body in greater perfection than other men; but these faculties are given him subjected to the same natural laws which are common to all men; nor can he, by superior force, transgress the laws common to his kind by nature without injustice. He may bear greater burdens, run swifter, shew more agility in action, &c. and all the superior advantages resulting from these faculties, justly used, he hath a right to, but no other. Your reasoning seems just, said I: But what say you to superior mental powers? Have they no better claim than those of the body? In this case, answered he, they appear to me to have less. Superior understanding, far from allowing a man to dispense with the laws of human nature, more strictly binds him to a nice observance of them. He is unpardonable, if he do no more than common men in practising and promoting a due obedience to them. Great genius enables him to be more thoroughly convinced of the truth and justice of these laws. He perceives more, understands more, than inferior minds: Can we from thence infer, he hath a right to transgress these laws, which the inferior hath not? or, if the inferior transgress, is he not more pardonable than the superior genius, for that very reason, because he is inferior? I cannot but confess it, said I.

"If a man offend, in such a manner, against the laws of human nature, that the ill effects be absolutely confined to his own person (which is, strictly speaking, hardly possible) and be no way detrimental to others; he does not seem to be accountable to any, but to God and himself. But for the least transgression which injures, or tends to injure, his equals and fellow-creatures, he is accountable to them, as well as to his Maker. Men, being injured, or having just cause to fear injury, and being equal, have therefore an indisputable right to use all reasonable means of prevention and correction; regulating their conduct by the laws of their nature; since otherwise, that just equality of the human kind could never be, in any tolerable degree, preserved.

"Nor can it be conceived, by what right any man, or number of men, could correct the wrong or unjust actions of another, if this natural equality had no existence: every one would have reason to think he might do any thing he could do, without regard to others; as containing in himself specific qualities, which made the laws of his nature peculiar to himself, and not the same as those which are common to all men. But as no man is a species of himself, but only a part of a species, he cannot have laws peculiar to himself, but must be subjected to those which are common to all of his species. It will not be understood, continued he, that equality in point of property is intended; for that is not only impossible in the natural course of things, but neither reasonable or just. The laws of our nature are not at all infringed by a just use of the advantages which superior wisdom, or superior industry, gives one man over another: on the contrary, it would be great injustice, and great discouragement to all merit, to take from them those advantages and emoluments, which they may naturally acquire without breach of the laws of the human nature. Here he paused, seeming to expect some reply. I am glad, said I, to find myself, by your last observations, re-

lieved from the dread I had of the levelling principles, which at first I thought would have been the consequence of this natural equality. But now I think I clearly understand you; nor do I know of any rational objection to equality thus explained."

It was also Resolved,

THAT the following Extracts, taken from the political works of LORD SOMMERS, be entered in the books of this Society.

"Government in general, as ordained and instituted by God, is circumscribed and limited by him to be exercised according to the laws of nature, in subserviency to his own glory, and the benefit of mankind. All rulers are confined, by the Almighty and Supreme Sovereign, to exert their governing power for the promoting his service and honour, and to exercise their authority for the safety, welfare, and prosperity of those over whom they are established.

"To extend the governor's right to command, and subject's duty to obey, beyond the laws of one's country, is treason against the constitution, and treachery to the society whereof we are members: and to dissolve the ties by which princes stand confined, and overthrow the hedges by which the reserved rights, privileges, and properties of the subjects are fenced about, tempts every prince to become a tyrant, and to make all his subjects slaves.

"Whosoever he be, that, under a pretence of being constituted sovereign, does invade and subvert the fundamental laws of the society, he does thereby, *ipso facto*, annul all the legal right he had to govern, and absolves all, who were before his subjects, from the legal engagements they were under of yielding him obedience; so that the immediate and natural effect of a prince's claiming what the rules of the constitution are so far from entitling him unto, that they preclude him from it, is the depriving himself of all right to claim any thing, and a restoring of the people to their state and condition of primitive freedom; of which, as they only divested themselves by and upon the terms of the constitution, so they did not depart from it any longer than that should be kept sacred and inviolable, nor any further than was covenanted and stipulated in, and by the terms and agreements therein specified and contained.

"Whenever any person is chosen from the rest of the society, and raised to kingship upon a foregoing and previous contract with the community, he becomes, upon the very accepting it, bound absolutely, and without reserve to govern them according to the terms and measures which they have agreed and stipulated, and to rule them by the tenor of the laws unto which they have circumscribed and confined him. Whereas all the obedience and fealty which they, who by that agreement have rendered themselves subjects, owe unto their ordained and created sovereign, do derive their obligatory power over them, and become due unto him, upon his governing them according to the concerted and stipulated conditions, and his preserving unto them their reserved privileges, liberties, and rights.

All politic societies began from a voluntary union and mutual agreement of men, freely acting in the choice of the governors, and forms of government.

The safety of the people is the supreme law, and what they by common consent have enacted only for the public safety, they may, without any obstacle, alter, when things require it, by the like common consent.

By the law of nature, *salus populi*, the welfare of the people is both the supreme and first law in government, and the scope and end of all other laws, and of government itself; because the safety of the body politic is ever to be preferred before any one person whatsoever.

As magistrates were designed for the public good, so the obligation to them must be understood so, as to be still in subordination to the main end; for the reason of all law and government is the public good.

A just governor for the benefit of the people, is more careful of the public good and welfare, than of his own private advantage.

The power that is lodged in the crown is only a trust, and nothing more; for no prince has any other right to the throne, than what the laws of the land or voice of the people give him; for he cannot have a right by nature, he has no more power or authority from God, before he is a magistrate, than another man; all men are ordained of God, and have power or strength from him, either to do good or evil, and God permits him to do either. The prince has his authority from the people, or the law, which chuses or appoints him to be supreme, of which he is only executor during the intervals of parliament. The law is the rule and power of his government (and the measure of the people's submission and obedience) beyond which he hath no just or rightful power in his politic capacity.

The supreme authority of a nation belongs to those who have the legislative authority reserved to them, and not only to those who have the executive, which is plainly a trust when it is separated from the legislative power; and all trusts by their nature import, that those to whom they are given are accountable, though no such condition is specified.

The laws are the nerves and sinews of societies; and as the magistrate is above the people in his legal capacity, so is the law above the magistrate, or else there could be no safety to the constitution.

He who makes himself above all law, is no member of a commonwealth, but a mere tyrant whenever he pleases.

No man in civil society can be exempted from the laws of it: for if there be no appeal on earth for redress or security against the greatest mischief the prince may do, or cause to be done by others, then every man in that society is in a state of nature, with respect to him or those others.

The principles of natural religion give those who are in authority no power at all, but only secures them in the possession of that which is theirs by the laws of the country.

Absolute monarchy is inconsistent with civil society; and therefore can be no form of civil government, which is to remedy the inconveniences of the state of nature.

No man or society of men have power to deliver up their preservation, or

or the means of it, to the absolute will of any man, and they will have always a right to preserve what they have not power to part with.

No power can exempt princes from the obligation to the eternal laws of God and nature. In all disputes between power and liberty, power must always be proved, but liberty proves itself; the one being founded upon positive law, the other upon the law of nature.

If a magistrate, notwithstanding all laws made for the well-governing a community, will act destructive to that community, they are discharged, either from active or passive obedience, and indispensably obliged by the law of nature to resistance.

The same reason that obliges people to submit to governors and magistrates, when they govern according to the laws and constitution of the country, and act for the good of the society, does as much oblige the people to oppose them, if they design their ruin or destruction; it cannot be supposed that God, who has obliged mankind to preserve their lives, and consequently to use the means that are necessary for that end, should require people to suffer themselves to be destroyed, or made slaves to gratify the lust or barbarity of any single person, or a few who are by nature their equals, and only above them by being in an office which the people erected for their own convenience.

That cause is just which defends the laws; which protects the common good; which preserves the state; and that cause is unjust which violates the laws; defends the breakers of the laws; protects the subverters of the constitution. That is just which doth destroy tyrannical government; that unjust which would abolish just government.

What can be more absurd than to say, "That there is an absolute subjection due to a prince to whom the laws of God, nature, and the country have not given authority?" As if such men were as so many herds of cattle, or beasts of burden, made for the prince's use.

Those who flatter a king that he is above the law, do most notoriously contradict one of the first axioms of our regal government, which is, that *Lex facit regem*; and he hath originally subjected himself to the law by his coronation oath."

THOMAS YEATES, Secretary.

At a Meeting held on Friday the 22d Day of March 1782,

Resolved,

THAT the following Extracts concerning the British government, and the rights and privileges of the people, taken from the political works of LORD SOMMERS, be entered in the books of this Society.

"As Great Britain has been the most provident and careful of all countries in reserving to itself, upon the first institution of, and submission to, regal government, all such rights, privileges, and liberties as were necessary to render it either renowned and honourable abroad, or safe, happy, and prosperous at home; so it hath, with a courage and magnanimity peculiar unto it, maintained its privileges and liberties through

through a long series of ages, and either re-affirmed and secured them by new and superadded laws, when there were endeavours to undermine and supplant them, or else hath vindicated them with a generous courage, even to the deposition and abdication of treacherous, usurping, and tyrannical princes, when more gentle, mild, and senatorian methods were found weak and ineffectual to cover and protect them to themselves, and to convey and transmit them to such as were to come after. The people of Britain have the same title to, and security for the enjoyment of their liberties and properties, that our kings have to their crowns, or for defence of the regal dignity. For as they can plead nothing for what they enjoy or claim as kings, but fundamental and positive laws; so the subject's interest in his liberty and property is conveyed unto him by the same terms and channels, and fenced about with the same hedges and pales.

"Nor is that unworthy our observation, which Henry the first writ to the pope, when attacked by him about the matter of Investitures, viz. "That he could not diminish the rights either of the crown or of the kingdom, and that if he should be so abject and mean as to attempt it, the barons and people of England represented in parliament would not allow or permit it." It is upon this account affirmed of an English king, that he can do no wrong, because he can do nothing but what the law impowers him. For though he hath all things subjected to his authority, while he acts according to law, yet there is nothing left to his arbitrary will. The several charters, especially that styled the Great Charter, in and by which our rights stand secured, sworn and entailed unto us, and to our posterity, were not the grants and concessions of our princes, but recognitions of what we have reserved unto ourselves in the original institution of our government, and of what had always appertained unto us by common law and immemorial customs.

"But amongst all the rights and privileges appertaining unto us, that of having a share in the legislation, and being to be governed by such laws as we ourselves shall chuse, is the most fundamental and essential, as well as the most advantageous and beneficial. For thereby we are enabled to make such successive and continual provisions, as to the preservation of the society, and the promoting either the temporal or eternal welfare of the subject, shall be found needful or expedient. And as by our being possessed of so great a portion of the legislative power, and by our having a right by several positive laws to annual parliaments, we can both relieve ourselves from and against every thing that threateneth, endangereth, or oppresseth us, and furnish and accommodate the whole community with all legal succours and means that are necessary for peace, preservation, and prosperity; so herein lies our signal advantage and felicity, that what we become interested in by a positive and statute law, it doth thereby and from thence become a part of our right and property, and not to be wrested again from us but by our own consent. For, as Bracton saith, Lib. 1. C. 2. Laws can neither be altered nor vacated, save by the consent and concurrence of the same authority by which they were made and enacted. It is true that the executive part of government is, both by our common and statute laws, conveyed unto, and vested in the king, but at the same time, it is

efficient provision made; both in the terms of our constitution, and in our parliamentary acts, to prevent this from being hurtful unto us, unless our Sovereigns become guilty both of the highest treachery, and withal make an invasion upon, and endeavour the subversion of the whole government. A right of overseeing the execution of the laws, being a prerogative inseparable from the office of the supreme magistrate, because the very ends to which he is clothed with rectoral authority, and for which he is designed and established, are the conservation of the public peace, and the administration of justice towards and among the members of the body politic: all that could be expected from the wisdom of our ancestors, or practicable by them, either upon the first institution of civil government, or upon their after improvements, and further regulations of it, was to direct, limit, and restrain his executive power committed unto the sovereign, and to make him and his subordinate ministers accountable, in case they should deny, delay, or pervert justice, or be found chargeable with mal-administration of the laws. Now, never were a people more provident as to all these, than our predecessors and ancestors have been. For as they have left nothing to the king's private discretion, much less to his arbitrary will, but have assigned him the laws as the rules and measures he is to govern by; so they not only delegated it unto him, as a trust which he is to swear faithfully to perform, but they always reserved a liberty, right, and power unto themselves of inspecting his administration, making him responsible for it, and of abdicating him from the sovereignty upon universal and egregious failures in the trust that had been credited and consigned unto him. Of this we have indisputable evidence in the articles advanced in parliament against Richard the Second, when he was deposed from the throne, and had the scepter take out of his hand.

“ And as it is the duty and hath been the practice of those princes who have been faithful to the trust reposed in them, regardful of their own honour, and just to the kingdom, to punish their officers and ministers for malversation; and for departing in their administration from the rules of our common and statute laws; witness king Alfred, who caused forty-four justices to be hanged in one year for illegal, false, and corrupt judgments: so it belongeth to our parliaments, as being one of the great ends as well as reasons for which they ought to be frequently called and assembled, to enquire into, and to punish the crimes of judges, and all others employed by and under the king, in the executive part of the government. From hence it is, that as the House of Commons, among other capacities in which they sit and act, are by the constitution to be the great inquest of the kingdom, to search into all the oppressions and injustice of the king's ministers; so the House of Lords, among their several other rights and privileges, stand clothed with the power and authority of the High Court of Judicature of the nation, who are to punish those who have misbehaved themselves in all courts, as well as those whom inferior courts have either connived at, or have been so wicked as unrighteously to justify. Of this all ages afford us precedents, and nothing but the neglect of this, in not making so frequent and signal examples of parliamentary justice among the ministerial dispensers of our laws, and the officers of our late kings, as our ancestors used to do,

hath been the encouragement and cause of so many usurpations and invasions of the laws, immunities, rights, and privileges of the nation.”
 THOMAS YEATES, Secretary.

At an adjourned General Meeting held at No. 2, in New Inn, on Friday the 29th of March 1782,

Resolved,
 THAT the following copy of Mr. WILKES's speech in parliament, on the 21st day of March 1776, in favour of a just and equal representation of the Commons, be minuted in the books of this Society.

Votes of March 21, 1776.

A motion was made, and the question was put, “ That leave be given “ to bring in a bill, for a just and equal representation of the people “ of England in parliament.”

Mr. WILKES said,

Mr. Speaker,

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

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

When all the burghers of Italy obtained the freedom of Rome, and voted in public assemblies, their multitudes rendered the distinction of the citizen of Rome and the alien impossible. Their assemblies and deliberations became disorderly and tumultuous. Unprincipled and ambitious men found out the secret of turning them to the ruin of the Roman liberty and commonwealth. Among us this evil is avoided by *representation*, and yet the justice of the principle is preserved. Every Englishman is supposed to be present in parliament, either in person, or by a deputy chosen by himself, and therefore the resolution of parliament is taken to be the resolution of every individual, and to give the public the consent and approbation of every free agent of the community.

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

From so pleasing a view as that of the equal power, which our ancestors had, with great wisdom and care, modelled for the commons of this realm, the present scene gives us not very venerable ruins of that majestic and beautiful fabric, the English constitution. As the whole seems in disorder and confusion, all the former union and harmony of the parts are lost or destroyed. It appears, Sir, from the writs remaining in the King's Remembrancer's office in the Exchequer, that no less than twenty-two towns sent members to the parliament in the 23d, 25th, and 26th of Edward I. which have long ceased to be represented. The names of some of them are scarcely known to us, such as those of Canebrig and Bamburg in Northumberland; Pershore and Brem in Worcestershire; Jarvall and Tykhull in Yorkshire. What a happy fate, Sir, has attended the boroughs of Gatton and Old Sarum, of which, although *ipsa periere ruina*, the names are familiar to us, the clerk regularly calls them over, and four respectable gentlemen represent their departed greatness, as the knights at a coronation represent Aquitaine and Normandy? The little town of Banbury, *petit ville grand renom*, as Rabelais says of Chinon, has, I believe, only seventeen electors, yet gives us, in its representative *, what is of the utmost importance to the majority here, a First Lord of the Treasury, and a Chancellor of the Exchequer. Its influence and weight on a division, I have often seen overpower the united force of the Members for London, Bristol, and several of the most populous counties. East Grinstead too, I think, has only about thirty electors, yet gives a feat among us to that † brave, heroic Lord at the head of a great civil department, now very military, who has fully determined ‡ to conquer America—but not in Germany. It is not, Sir, my purpose to

* Lord North is member for Banbury.

† Lord George Germaine is member for East Grinstead.

‡ This seems to allude to the celebrated expression of Mr. Pitt in the House of Commons, "That he had conquered America in Germany."

wear the patience of the House by the researches of an antiquarian into the ancient state of our representation, and its variations at different periods. I shall only remark shortly on what passed in the reign of Henry VI. and some of his successors. In that reign, Sir John Fortescue, his Chancellor, observed that the House of Commons consisted of more than three hundred chosen men; various alterations were made by succeeding kings till James II. No change has happened since that period. Great abuses, it must be owned, contrary to the primary ideas of the English constitution, were committed by our former princes, in giving the right of representation to several paltry boroughs, because the places were poor, and dependent on them, or on a favourite overgrown peer. The landmarks of the constitution have often been removed. The marked partiality for Cornwall, which single county still sends, within one, as many members as the whole kingdom of Scotland, is striking. It arose from yielding to the crown in tin and lands a larger hereditary revenue than any other English county, as well as from the duchy being in the crown, and giving an amazing command and influence. By such abuses of our princes the constitution was wounded in its most vital part. Henry VIII. restored two members, Edward VI. twenty, Queen Mary four, Queen Elizabeth twelve, James I. sixteen, Charles I. eighteen; in all seventy-two. The alterations by creation in the same period were more considerable, for Henry VIII. created thirty-three, Edward VI. twenty-eight, Queen Mary, seventeen, Queen Elizabeth, forty-eight, James I. eleven; in all one hundred and thirty-seven. Charles I. made no new creation of this kind. Charles II. added two for the county, and two for the city of Durham; and two for Newark on Trent. This House is at this hour composed of the same representation it was at his demise, notwithstanding the many and important changes which have since happened. It becomes us therefore to enquire, whether the sense of parliament can be now, on solid grounds, from the present representation, said to be the sense of the nation, as in the time of our forefathers. I am satisfied, Sir, the sentiments of the people cannot be justly known at this time from the resolutions of a parliament, composed as the present is, even tho' no undue influence was practised after the return of the members to the House, even supposing for a moment the influence of all the baneful arts of corruption to be suspended, which, for a moment, I believe, they have not been, under the present profligate administration. Let us examine, Sir, with exactness and candour, if the * representation is fair and perfect, let us consider of what the efficient parts of this House are composed, and what proportion they bear on the large scale, to the body of the people of England, who are supposed to be represented.

The southern part of this island, to which I now confine my ideas, consists of about five millions of people, according to the most received

* The representation must be complete. No state, a part of which only is represented in the legislature that governs it, is self-governed. Had Scotland no representatives in the parliament of Britain, it would not be free; nor would it be proper to call Britain free, though England, its other part, were adequately represented. The like is true, in general, of every country subject to a legislature in which some of its parts, or some classes of men in it, are represented, and others not. Dr. Price's Additional Observations on Civil Liberty, p. 6.

Calculation. I will state by what numbers the majority of this House is elected, and I suppose the largest number present of any recorded on our Journals, which was in the famous year 1741. In that year the three largest divisions appear on our Journals. The first is that of the 21st of January, when the numbers were 253 to 250; the second on the 28th of the same month, 236 to 235; the third on the 9th of March, 244 to 242. In these divisions the members for Scotland are included; but I will state my calculations only for England, because it gives the argument more force. The division, therefore, I adopt, is that of January 21st. The number of members present on that day were 503. Let me, however, suppose the number of 254 to be the majority of members, who will ever be able to attend in their places. I state it high, from the accidents of sickness, service in foreign parts, travelling and necessary avocations. From the majority of electors only in the boroughs, which return members to this House, it has been demonstrated that this number of 254 members is elected by no more than 5723 persons, generally the inhabitants of Cornish, and other very insignificant boroughs, perhaps by not the most respectable part of the community. Is our Sovereign then to learn the sense of his whole people from these few persons? Are these the men to give laws to this vast empire, and to tax this wealthy nation? I do not mention all the tedious calculations, because gentlemen may find them at length in the works of the incomparable Dr. Price, in Postlethwaite, and in Burgh's Political Disquisitions. Figures afford the clearest demonstration, incapable of cavil or sophistry. Since Burgh's calculations only one alteration has happened. I allude to the borough of Shoreham in Suffex. By the act of 1771, all the freeholders of forty shillings per annum in the neighbouring rape or hundred of Bramber are admitted to vote for that borough; but many of the old electors were disfranchised. It appears likewise, that fifty-six of our members are elected by only 364 persons. Lord Chancellor Talbot supposed that the majority of this House was elected by 500,000 persons, and he exclaimed against the injustice of that idea. More accurate calculations than his Lordship's, and the unerring rules of political arithmetic, have shewn the injustice to be vastly beyond what his Lordship even suspected.

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

This evil has been complained of by some of the wisest patriots our country has produced. I shall beg leave to give that close reasoner, Mr. Locke's ideas in his own words: He says, in the treatise on civil government, " Things not always changing equally, and private interest often keeping up customs and privileges, when the reasons of them are ceased, it often comes to pass, that in governments, where part of the legislative consists of representatives chosen by the people, that in

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tract of time this representation becomes very unequal and disproportionate to the reasons it was at first established upon. To what gross absurdities, the following of a custom, when reason has left it, may lead, we may be satisfied, when we see the bare name of a town, of which there remains not so much as the ruins, where scarce so much housing as a sheep-cote, or more inhabitants than a shepherd is to be found, sends as many representatives to the grand assembly of law-makers, as a whole county, numerous in people, and powerful in riches. This strangers stand amazed at, and every one must confess needs a remedy." After so great an authority as that of Mr. Locke, I shall not be treated on this occasion as a mere visionary, and the propriety of the motion I shall have the honour of submitting to the House, will scarcely be disputed. Even the members for such places as Old Sarum, and Gatton, who I may venture to say at present *stant nominis umbra*, will, I am persuaded, have too much candour to complain of the right of their few constituents, if indeed they have constituents, if they are not self-created, self-elected, self-existent, of this pretended right being transferred to the county, while the rich and populous manufacturing towns of Birmingham, Manchester, Leeds, Sheffield, and others, may have at least an equitable share in the formation of those laws by which they are governed. My idea, Sir, in this case, as to the wretched and depopulated towns and boroughs in general, I freely own, is amputation. I say with Horace, *Inutiles ramos amputans, feliciores inserit*.

This is not, Sir, the first attempt of the kind to correct, although in an inconsiderable degree, this growing evil. Proceedings of a similar nature were had among us above a century past. The clerk will read from our Journals what passed on the 26th of March, 1668, on a bill to enable the county palatine of Durham to send two knights for the county, and two citizens for the city of Durham. [*The Clerk reads.*] In a book of authority, Anchtell Grey's debates, we have a more particular account of what passed in the House on that occasion: He says, that " Sir Thomas Meres moved, that the shires may have an increase of knights, and that some of the small boroughs, where there are but few electors, may be taken away, and a bill for that purpose." We find afterwards, " on a division, the bill was rejected, 65 to 50." This division, however, alludes only to the bill then before the House, respecting the county and city of Durham. I desire to add the few remarkable words of Sir Thomas Strickland in this debate, because I have not seen them quoted in the late important American questions: " The county palatine of Durham was never taxed in parliament by ancient privilege before King James's time, and so needed no representatives, but now being taxed, it is but reasonable they should have." Such sentiments, Sir, were promulgated in this House even so long ago as the reign of Charles II.

I am aware, Sir, that the power, *de jure**, of the legislature to disfranchise

* Junius in a letter to Mr. Wilkes, dated Sept. 7, 1771, and printed the end of his second volume, says, " As to cutting away the rotten boroughs, I am as

franchise a number of boroughs, upon the general grounds of improving the constitution, has been doubted; and gentlemen will ask, whether a power is lodged in the representative to destroy his immediate constituent? Such a question is best answered by another. How originated the right, and upon what ground was it at first granted? Old Sarum and Gatton, for instance, were populous towns, and therefore the right of representation was first given them. They are now desolate, and of consequence ought not to retain a privilege, which they acquired only by their extent and populousness. We ought in every thing, as far as we can, to make the theory and practice of the constitution coincide. The supreme legislative body of a state must surely have this power inherent in itself. It was *de facto* lately exercised to its full extent by parliament

“ much offended as any man at seeing so many of them under the direct influence of the crown, or at the disposal of private persons. Yet, I own, I have both doubts and apprehensions, in regard to the remedy you propose. I shall be charged perhaps with an unusual want of political intrepidity, when I honestly confess to you, that I am startled at the idea of so extensive an amputation. In the first place, I question the power, *de jure*, of the legislature to disfranchise a number of boroughs, upon the general ground of improving the constitution. There cannot be a doctrine more fatal to the liberty and property we are contending for, than that, which confounds the idea of a supreme and arbitrary legislature. I need not point out to you the fatal purposes to which it has been, and may be applied. If we are sincere in the political creed we profess, there are many things, which we ought to affirm, cannot be done by King, Lords, and Commons. Among these I reckon the disfranchising of boroughs with a general view of improvement. I consider it as equivalent to robbing the parties concerned of their freehold, of their birth-right. I say that, although this birth-right may be forfeited, or the exercise of it suspended in particular cases, it cannot be taken away, by a general law, for any real or pretended purpose of improving the constitution. Supposing the attempt made, I am persuaded you cannot mean that either King or Lords should take an active part in it. A bill, which only touches the representation of the people, must originate in the House of Commons. In the formation and mode of passing it, the exclusive right of the Commons must be asserted as scrupulously, as in the case of a money-bill. Now, Sir, I should be glad to know, by what kind of reasoning it can be proved, that there is a power vested in the representative to destroy his immediate constituent. From whence could he possibly derive it? A courtier, I know, will be ready to maintain the affirmative. The doctrine suits him exactly, because it gives an unlimited operation to the influence of the crown. But we, Mr. Wilkes, ought to hold a different language. It is no answer to me to say, that the bill, when it passes the House of Commons, is the act of the majority, and not the representatives of the particular boroughs concerned. If the majority can disfranchise ten boroughs, why not twenty? why not the whole kingdom? Why should not they make their own seats in parliament for life? When the septennial act passed, the legislature did what apparently and palpably they had no right to do; but they did more than people in general were aware of: they, in effect, disfranchised the whole kingdom for four years. For argument's sake, I will now suppose, that the expediency of the measure, and the power of parliament, are unquestionable. Still you will find an insurmountable difficulty in the execution. When all your instruments of amputation are prepared, when the unhappy patient lies bound at your feet, without the possibility of resistance, by what infallible rule will you direct the operation? When you propose to cut away the rotten parts, can you tell us what parts are perfectly sound? Are there any certain limits in fact, or theory, to inform you at what point you must stop, at what point the mortification ends? To a man so capable of observation and reflection as you are

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

It will be objected, I foresee, that a time of perfect calm and peace throughout this vast empire is the most proper to propose internal regulations of this importance; and that while intestine discord rages in the whole northern continent of America, our attention ought to be fixed upon that most alarming object, and all our efforts employed to extinguish the devouring flame of a civil war. In my opinion, Sir, the American war is, in this truly critical era, one of the strongest arguments for the regulation of our representation, which I now submit to the House. During the rest of our lives, likewise, I may venture to prophecy, America will be the leading feature of this age. In our late disputes with the Americans, we have always taken it for granted, that the people of England justified all the iniquitous, cruel, arbitrary, and mad proceedings of administration, because they had the approbation of the majority of this House. The absurdity of such an argument is apparent, for the majority of this House, we know, speak only the sense of 5723 persons, even supposing, according to the laudable, constitutional custom of our ancestors, that the constituent had been consulted on this great national point, as he ought to have been. We have seen in what manner the acquiescence of a majority here is obtained. The people in the southern part of this island amount to upwards of five millions. The sense, therefore, of five millions cannot be ascertained by the opinion of not 6000, even supposing it had been collected. The Americans with great reason insist, that the present is war carried on, contrary to the sense of the nation, by a ministerial junto, and an arbitrary faction, equally hostile to the rights of Englishmen, and the claims of Americans. The various addresses to the throne from the most numerous bodies, praying that the sword may be returned to the scabbard, and all hostilities cease, confirm this assertion. The capital of our country has repeatedly declared, by various public acts, its abhorrence of the present unnatural civil war, begun on principles subversive of our constitution. Our history furnishes frequent instances of the sense of parliament running directly counter to the sense of the nation. It was notoriously of late the case in the business of the Middlesex election. I believe the fact

“ it is unnecessary to say all that might be said on the subject. Besides, that I approve highly of Lord Chatham's idea of infusing a portion of new health into the constitution, to enable it to bear its infirmities (a brilliant expression, and full of intrinsic wisdom) other reasons concur in persuading me to adopt it. I have no objection, &c.”

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

to be equally certain in the grand American dispute, at least as to the actual hostilities now carrying on against our brethren and fellow-subjects. The proposition before us will bring the case to an issue, and from a fair and equal representation of the people, America may at length distinguish the real sentiments of freemen and Englishmen.

I do not mean, Sir, at this time, to go into a tedious detail of all the various proposals which have been made for redressing this irregularity in the representation of the people. I will not intrude on the indulgence of the House, which I have always found favourable and encouraging. When the bill is brought in, and sent to a committee, it will be the proper time to examine all the minutiae of this great plan, and to determine on the propriety of what ought now to be done, and to consider what formerly was actually accomplished. The journals of Cromwell's parliaments prove that a more equal representation was settled, and carried by him into execution. That wonderful, comprehensive mind embraced the whole of this powerful empire. Ireland was put on a par with Scotland. Each kingdom sent thirty members to a parliament, which consisted likewise of four hundred from England and Wales. It was to be triennial. Our colonies were then a speck on the face of the globe; now they cover half the new world. I will at this time, Sir, only throw out general ideas, that every free agent in this kingdom should, in my wish, be represented in parliament; that the metropolis, which contains in itself a ninth part of the people, and the counties of Middlesex, York, and others, which so greatly abound with inhabitants, should receive an increase in their representation, that the mean and insignificant boroughs, so emphatically stiled *the rotten part of our constitution*, should be lopped off, and the electors in them thrown into the counties; and the rich, populous, trading towns, Birmingham, Manchester, Sheffield, Leeds, and others, be permitted to send deputies to the great council of the nation.

The disfranchising of the mean, venal, and dependent boroughs would be laying the axe to the root of corruption and treasury influence, as well as aristocratical tyranny. We ought equally to guard against those who sell themselves, or whose Lords sell them. Burgage tenures, and private property in a share of the legislature, are monstrous absurdities in a free state, as well as an insult on common sense. I wish, Sir, an English parliament to speak the free, unbiassed sense of the body of the English people, and of every man among us, of each individual, who may justly be supposed to be comprehended in a fair majority. The meanest mechanic, the poorest peasant and day-labourer, has important rights respecting his personal liberty, that of his wife and children, his property, however inconsiderable, his wages, his earnings, the very price and value of each day's hard labour, which are in many trades and manufactures regulated by the power of parliament. Every law relative to marriage, to the protection of a wife, sister, or daughter, against violence and brutal lust, to every contract or agreement with a rapacious or unjust master, is of importance to the manufacturer, the cottager, the servant, as well as to the rich subjects of the state. Some share, therefore, in the power of making those laws, which

should be reserved even to this inferior, but most useful set of men in the community. We ought always to remember this important truth, acknowledged by every free state, that all government is instituted for the good of the mass of the people to be governed; that they are the original fountain of power, and even of revenue, and in all events the last resource.

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

My enquiries, Sir, are confined to the southern part of the island. Scotland I leave to the care of its own careful and prudent sons. I hope they will spare a few moments from the management of the arduous affairs of England and America, which are now solely entrusted to their wisdom, and at present so much engross their time, to attend to the state of representation among their own people, if they have not all * emigrated to this warmer and more fruitful climate. I am almost afraid the forty-five Scottish gentlemen among us represent themselves. Perhaps in my plan for the improvement of the representation of the inhabitants of England, almost all the natives of Scotland may at this time be included. I shall only remark, that the proportion of representation between the two countries cannot be changed. In the 22d article of the treaty of union forty-five is to be the proportion of the representative body in the parliament of Great Britain for the northern part of this island. To increase the members for England and Wales beyond the number, of which the English parliament consisted at the period of that treaty in 1706, would be a breach of public faith, and a violation of a solemn treaty between two independent states. My proposition has for its basis the preservation of that compact, the proportional share of each kingdom in the legislative body remaining exactly according to its present establishment.

The monstrous injustice and glaring partiality of the present representation of the Commons of England has been fully stated, and is, I believe, almost universally acknowledged, as well as the necessity of our recurring to the great leading principle of our free constitution, which declares this House of Parliament to be only a delegated power from the

* Without any abstract reasoning upon causes and effects, we shall soon be convinced by experience, that the Scots, transplanted from their own country, are always a distinct and separate body from the people who receive them. In other settlements, they only love themselves---in England, they cordially love themselves, and as cordially hate their neighbours. JUNIUS, Preface, p. 26.

The weasel Scots are hungry, and want feeding.

Epistle to Dr. SHEBBEARE.

The eagle England being in prey,
To her unguarded nest the weasel Scot

people at large. Policy, no less than justice, calls our attention to this momentous point. Reason, not custom, ought to be our guide in a business of this consequence, where the rights of a free people are materially interested. Without a true representation of the Commons, our constitution is essentially defective, and our parliament a delusive name, a mere phantom. All other remedies to recover the pristine purity of the form of government established by our ancestors would be ineffectual, even the shortening the period of parliaments, even a place and pension bill; both which I highly approve, and think absolutely necessary. I therefore flatter myself, Sir, that I shall have the concurrence of the House with the motion, which I have now the honour of making, "That leave be given to bring in a bill for a just and equal representation of the people of England in parliament."

THOMAS YEATES, Secretary.

At a Meeting held on Friday the 5th of April, 1782.

THIS Society having been instituted with the express design of reviving in the minds of the Commonalty at large a knowledge of their lost rights, particularly such as respect the election and duration of the representative body, and to impress them with a sense of their importance,

Resolved,

That the thanks of the Society be given to Major Cartwright (a Member of the same) for his clear, animated, and constitutional publication, intitled, "*Give us our Rights,*" as being highly conducive to the grand object of this institution.

Resolved,

That the above resolution be printed in the public papers.

THOMAS YEATES, Secretary.

At a Meeting held at No. 2, in New-Inn, on Friday the 12th day of April, 1782.

Resolved,

THAT the following copy of the *Bill of Rights* be entered in the books of this Society.

By an act of the first of William and Mary, declaring the rights and liberties of the subject, and settling the succession of the Crown, they do in the first place (as their ancestors in like cases have usually done) for the vindicating and asserting their ancient rights and liberties, declare,

1. That the pretended power of suspending of laws, or the execution of laws by Regal authority, without consent of parliament, is illegal.
2. That the pretended power of dispensing with laws, or the execution of laws by Regal authority, as it hath been assumed, and exercised

3. That the commission for erecting the late Court of Commissioners for ecclesiastical causes, and all other commissions and courts of like nature, are illegal and pernicious.

4. That levying money for, or to the use of the Crown, by pretence of prerogative, without grant of parliament for longer time, or in other manner than the same is, or shall be granted, is illegal.

5. That it is the right of the subjects to petition the King, and all commitments and prosecutions for such petitioning are illegal.

6. That the raising, or keeping a Standing Army within the kingdom, in time of peace, unless it be with consent of parliament, is against law.

7. That the subjects which are Protestants, may have arms for their defence, according to their conditions, and as allowed by law.

8. That election of members of parliament ought to be free.

9. That the freedom of speech, and debates, or proceedings in parliament, ought not to be impeached, or questioned in any court or place out of parliament.

10. That excessive bail ought not to be required, nor excessive fines imposed; nor cruel and unusual punishments inflicted.

11. That jurors ought to be impannelled, and returned; and jurors which pass upon men, in trials for high treason, ought to be freeholders.

12. That all grants and promises of fines and forfeitures of particular persons before conviction are illegal and void.

13. And that for redress of all grievances, and for the amending, strengthening, and preserving of the laws, parliaments ought to be held frequently. And they do claim, demand, and insist upon all and singular the premises, as their undoubted rights and liberties: and that no declarations, judgments, doings, or proceedings, to the prejudice of the people in any of the said premises, ought in any wise to be drawn hereafter into consequence or example. And whereas it hath been found by experience, that it is inconsistent with the safety and welfare of this Protestant kingdom to be governed by a Popish prince, or by any king or queen marrying a Papist, it is declared, that all and every person or persons, that is, are, or shall be reconciled to, or shall profess the Popish religion, or shall marry a Papist, shall be excluded, and be for ever incapable to inherit, possess, or enjoy the crown and government of this realm, and Ireland, and the dominions thereunto belonging, or any part of the same, or to have, use, or exercise any Regal power, authority, or jurisdiction within the same; and in all, and every such case or cases, the people of these realms shall be, and are hereby absolved of their allegiance; and the said Crown and Government shall from time to time descend to, and be enjoyed by such person or persons, being Protestants, as should have inherited and enjoyed the same, in case the said person or persons, so reconciled, holding communion, or professing, or marrying, as aforesaid, were naturally dead.

THOMAS YEATES, Secretary.

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At a Meeting held at No. 2, in New Inn, on Friday the 19th day of April, 1782.

Resolved,

THAT the following copy of Major Cartwright's letter to JAMES MARTIN, Esq; President of the SOCIETY FOR CONSTITUTIONAL INFORMATION, be printed in the public papers.

"SIR,

"Honoured as I have been by the Society, with public thanks for my efforts (in a late publication under the title of "Give us our Rights") to promote the great object of its institution, my own feelings will not permit me to suppress my acknowledgments on the occasion; so that I must request your good offices in assuring the Society, that I have the highest sense of the value of so distinguished a mark of its approbation.

"In times so disastrous to our country and so inimical to our liberties as we have of late experienced, I had esteemed it no small felicity even to be the obscurest member of a Society founded on the purest principles of public virtue, for the immediate purpose of reviving in the minds of our fellow citizens a knowledge of lost rights so sacred, so inestimable, and so essential to freedom, that, if once recovered, the constitution is restored; but great indeed, Sir, is the satisfaction I feel, in having so much reason for hoping, that I have done the cause in which the Society is embarked some little service.

"When I must henceforth recollect, that in its late vote, the Society hath in some sort adopted the work of its member, and hazarded in a certain degree an union of its own name with his, I trust that in every future exertion for advancing the reformation we seek, that vote, so highly honourable to him, will prove a never-failing incentive to his mind to be as careful of the reputation of the Society as of his own.

"With great personal esteem and respect,

"I have the honour to be,

"SIR,

"Your faithful and

"obedient servant,

"JOHN CARTWRIGHT."

April 8, 1782.

At a Meeting held at No. 2, in New Inn, on Friday the 26th day of April, 1782.

Resolved,

THAT the following Extract from a late publication, intitled, "Thoughts on Despotic and Free Governments, &c." be entered in the books of this Society.

"Whenever men experience that, "To live by one man's will, be-
comes the cause of all men's misery" they feel that allegiance is no

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longer due, and act as in a state of nature. Judge Blackstone demonstrates, "That a prince assuming and exercising a despotic power is in a state of nature, with respect to those who are under his dominion; for there is no stated law or express legal provision between the oppressor and oppressed; but that the prudence of the times must provide new remedies on new emergencies;" and then he adds, "Indeed it is found by experience, that whenever the unconstitutional oppressions, even of the sovereign power, advance with gigantic strides, and threaten desolation to a state, mankind will not be reasoned out of their feelings of humanity; nor will sacrifice their liberty, by a scrupulous adherence to those political maxims, which were originally established to preserve it; and therefore, though the positive laws are silent, experience will furnish us with a very remarkable case, wherein nature and reason prevailed:" he then gives the case of James the Second, and proceeds, "Where both law and history are silent, it becomes us to be silent too; leaving to future generations, whenever necessity and the safety of the whole shall require it, the exertion of those inherent, though latent powers of society, which no climate, no time, no constitution, no contract, can ever destroy or diminish." I cannot help observing, that in all the authors I have ever read on this subject, I never met with so beautiful a passage. Again, "When therefore the people feel themselves oppressed under the dominion of a despot, they dethrone him, but most frequently put another in his place." Again, "If the people are prevented from revenging the wrongs they suffer, it must be by an armed force; in this case, the despot may be a slave himself, in the midst of his own palace, and surrounded by his guards." I trust, that after all, no throne can ever be permanent, where the sovereign does not reign in the affections of his subjects; for that, universally, protection and allegiance are allied, and that where the sovereign studies the happiness of his people, their love to him will be stronger than death; but that where he prefers a favourite, a mistress, or a priest, to his subjects, their jealousy will be cruel as the grave."

THOMAS YEATES, Secretary.

At a Meeting held at No. 2, in New Inn, on Friday the 3d day of May, 1782.

Resolved,

THAT the following Letter be entered in the books of this Society.

Lamb's-Buildings, Temple, April 25, 1782.

"SIR,

"It was not till within these very few days that I received, on my return from the circuit, your obliging letter, dated the 18th March, which had I been so fortunate as to receive earlier, I should have made a point of answering immediately.

"The Society for Constitutional Information, by electing me one of their members, will confer upon me an honour which I am wholly un-

conscious of deserving, but which is so flattering to me, that I accept of their offer with pleasure and gratitude: I should indeed long ago have testified my regard for so useful an Institution, by an offer of my humble services, in promoting it, if I had not really despaired, in my present situation, of being able to attend your meetings as often as I should ardently wish.

“ My future life shall certainly be devoted to the support of that excellent constitution, which it is the object of your Society to unfold and elucidate; and from this resolution, long and deliberately made, no prospects, no connections, no station here or abroad, no fear of danger, or hope of advantage to myself, shall ever deter or allure me. A form of government so apparently conducive to the true happiness of the community, must be admired as soon as it is understood, and, if reason and virtue have any influence in human breasts, ought to be preserved by any exertions, and at any hazard. Care must now be taken, lest, by reducing the Regal power to its just level, we raise the Aristocratical to a dangerous height; since it is from the people alone that we can deduce the obligation of our laws and the authority of magistrates. On the people depend the welfare, the security, and the permanence of every legal government; in the people must reside all substantial power; and to the people must all those, in whose ability and knowledge we sometimes wisely, often imprudently, confide, be always accountable for the due exercise of that power, with which they are for a time intrusted. If the properties of all good government be considered as duly distributed in the different parts of our limited republic, goodness ought to be the distinguished attribute of the Crown, wisdom of the Aristocracy, but power and fortitude of the People. May justice and humanity prevail in them all!

“ I am, Sir,
“ Your very faithful,
and obedient servant,
“ W. JONES.”

To Mr. THOMAS YEATES.

At a Meeting held at No. 2, in New-Inn, on Friday the 10th day of May, 1782.

Resolved,
THAT the following Letter be entered in the books of this Society.

“ SIR,
“ I received your favour, and must take the liberty of requesting you to return my most respectful acknowledgments to the Society for promoting Constitutional Information, for the honour they have done me in electing me a member of their body; and to express my satisfaction, that my “Vindication of the Political Principles of Mr. Locke” has met with so public a testimony of their approbation. I have ever considered the extensive propagation of the great principles of liberty, as of the utmost

importance to the dignity and felicity of human beings; and am convinced, that nothing but the want of sound knowledge on this subject has prevented men from being generally and zealously attached to the interests of public freedom. Literature and science, the arts and commerce, are all promoted and advanced by civil liberty; and those nations who have been the most free, have been the most illustrious. A few mercenary, or ambitious individuals, ready to prostrate themselves at the shrine of power, may find their advantage in defending the doctrines of despotism, and in propagating the maxims of meanness and servility; but it must ever be for the interests of the community at large, that the principles of public freedom should be universally understood, and universally received. A Society, therefore, established for the promotion of Constitutional Information, and calculated to diffuse sound political knowledge among all orders of the people, must be of eminent service to the public, and at this time peculiarly seasonable.

“ The present Administration, which consists of men of the first abilities, and who are deservedly respected by the public, have pledged themselves to the nation, to endeavour to effectuate some substantial Constitutional Reformation. In every effort of this kind they should be animated, encouraged, and supported by the people at large; who should give the most authentic evidence, that nothing but a free constitution, and real security for its continuance, will give them satisfaction, or lead them to place confidence in any administration, however respectable the members of which it may be composed. Unless a more equal representation of the people be procured, and other necessary and important constitutional regulations established, the present ministry will not render that service to the nation which is expected from them, nor obtain that most honourable of all rewards, the well-founded applause of their country. But to this they will have a just claim, and to the gratitude of the present age and of posterity, if they act on truly public-spirited principles, and procure such laws to be enacted, as will perpetuate the freedom of our constitution and secure it not only from the open attacks of tyranny, but from the more secret, though not less dangerous, encroachments of court influence, and of corruption. If the present opportunity of establishing the liberties of the people, on a solid and permanent foundation, be lost, it may never be recovered; and, therefore, every sincere friend to the real interests of his country should exert his utmost efforts, at the present interesting period, to promote this great and important object.

“ I am,
Well-street,
May 2, 1782.
“ SIR,
“ Your most humble servant,
“ JOSEPH TOWERS.”

To Mr. THOMAS YEATES.

Resolved,
That the following extract from Gibbon's History, &c. be entered in the books of this Society.

" The obvious definition of a Monarchy, seems to be that of a state, in which a single person, by whatsoever name he may be distinguished, is entrusted with the execution of the laws, the management of the revenue, and the command of the army. But unless public liberty is protected by intrepid and vigilant guardians, the authority of so formidable a magistrate will soon degenerate into despotism. The influence of the clergy, in an age of superstition, might be usefully employed to assert the rights of mankind; but so intimate is the connection between the throne and the altar, that the banner of the church has very seldom been seen on the side of the people. A martial nobility and stubborn commons, possessed of arms, tenacious of property, and collected into *constitutional assemblies*, form the only balance capable of preserving a free constitution against enterprizes of an aspiring prince."

THOMAS YEATES, Secretary.

At a Meeting held at No. 2, in New-Inn, on Friday the 17th Day of May, 1782,

Resolved,

THAT the following extract from Ruffhead's Preface to the Statutes be entered in the books of this Society.

" The inconveniencies arising from a system wherein power too often took place of right, must, in those days, have been frequently and fatally experienced; more especially by the commoners. Their experience of these inconveniencies taught them to prize the superior advantages of civil institutions: and as they, by degrees, were enabled to assert their independence, and to obtain that share in the administration of government to which they are by nature entitled, we find that the legislature applied their attention to the framing of laws with greater precision and uniformity, in order more effectually to ascertain the bounds of justice, and compel lawless force to submit to the civil tribunal.

SESSIONAL, OR ANNUAL PARLIAMENTS. 4 E. III. ch. 13.

Item, it is recorded that Parliament shall be holden every year once, and more often if need be.

36 E. III. st. 1. GENERAL PREAMBLE.

To the honour and pleasure of God, and amendment of the outrageous grievances and oppressions done to the people, and in relief of their estate.

Then follow various articles in remedy of particular abuses—and then ch. 10.

For maintenance of the said articles and statutes, and redress of divers mischiefs and grievances which daily happen, Parliament shall be holden every year, as aforesaid was ordained by statute.

FREE and GENERAL ELECTIONS. 7 H. IV. ch. 15.

Our Lord the King, at the grievous complaint of his commonalty of

the undue election of the knights of counties for the parliament, which he sometimes made of affection of sheriffs and otherwise, against the form of the writs directed to the sheriff, to the great slander of the counties and hindrance of the business of the commonalty of the said county, our Sovereign Lord the King, willing therein to provide remedy, by the assent of the lords spiritual and temporal, and of all the commonalty in this present parliament, hath ordained and established, That from henceforth the election of such knights be made in the form ensuing—to wit, at the next county court to be holden after delivery of the writ of parliament, proclamation be made in full county of the day and place of parliament; and that all they who be then present, as well suitors duly summoned for that cause, as others, shall attend to the election of their knights for the parliament; and then in the full county proceed to election freely and indifferently, notwithstanding any request or command to the contrary. And after they be elected, be the persons chosen present or absent, their names shall be written in an indenture, under the seals of all them that did chuse them *, and annexed to the same writ of the parliament; which indenture, so sealed and annexed, shall be holden for the return of the said writ, touching the knights of the shires."

THOMAS YEATES, Secretary.

At a Meeting held at New-Inn Coffee-House, on Friday the 24th Day of May, 1782,

Resolved,

THAT the following Extracts from " An Historical Essay on the English Constitution" be entered in the books of this Society.

" The annual exercise of elective power, under the Saxon government, was the quintessence, the life and soul of their constitution, and the basis of the whole fabrick of their government, from the internal police of the minutest part of the country, to the administration of the government of the whole kingdom. This Saxon institution formed a perfect model of government; where the natural rights of mankind were preserved, in their full exercise, pure and perfect, as far as the nature of Society will admit of.

" It would be something surprizing, to find the people of England continually disputing about the principles, and powers, vested in the constituent parts of their government; did we not know that, at this day, it consists of a mixture of the old, or first establishment, and the new, or that which took place at (and since) what is commonly called the Conquest, by William the First. These two forms of government, the first founded upon the principles of liberty, and the latter upon the

* The sureties (or manucaptors) generally discharged this office of certifying the election for themselves and their fellow-electors. See instances in Prynne. It is believed also, that in the former part of this chapter, we should read suretez instead of suitez; for that these sureties are there intended.

principles of slavery, being so diametrically opposite, it is no wonder that they are continually at war one with the other. For the first is grounded upon the natural rights of mankind, in the constant annual exercise of their elective power, and the latter upon the despotic rule of one man. Hence our disputants drawing their arguments from two principles widely different, it is no wonder they should differ in their conclusions.

“ Our Saxon forefathers established their government, in Britain, before the transactions of mankind were recorded in writing; at least, among the Northern nations. They, therefore, handed down to posterity the principles of their government, by the actual exercise of their rights; which became the ancient usage, and custom of the people, and the law of the land. And hence it came to pass, that when this ancient custom and usage ceased to act, the remembrance of the custom ceased with it. We may add to this, that, since the Conquest, our arbitrary kings, and men of arbitrary principles, have endeavoured to destroy the few remaining records, and historical facts, that might keep in remembrance a form of government so kind, friendly, and hospitable to the human species. It is for these reasons, that we have such a scarcity of historical evidence, concerning the principles, and manner of conducting the first establishment of our mode of government, in this kingdom.

“ However, notwithstanding these difficulties, and the time that hath elapsed, there are four sources, from whence we may draw this intelligence. First, from the great remains of it we have, in our government, now in use; secondly, from the several Saxon establishments that are still in being, but of no use, with respect to the end of their first establishment; thirdly, from the glimmering lights of ancient history; and lastly, from the known alterations that have taken place, at, and since the Conquest. There are also many customs, forms, principles, and doctrines, that have been handed down to us by tradition; which will serve as so many land-marks, to guide our steps to the foundation of this ancient structure, which is only buried under the rubbish collected by time, and new establishments. Whatever is of Saxon establishment, is truly constitutional; but whatever is Norman, is heterogeneous to it, and partakes of a tyrannical spirit.

“ From these sources it is, that I would endeavour to draw the outlines of this ancient model of government, established in this kingdom by our Saxon forefathers; where it continued to grow, and flourish, for six hundred years; till it was overwhelmed and destroyed by William the First, commonly called the Conqueror, and lay buried under a load of tyranny for one hundred and forty-seven years. When again it arose, like a phoenix from its own ashes, in the reign of Henry the Third, by the assistance of many concurrent causes; but principally by the bravery of the English people, under the conduct, and intrepidity of our ancient and immortal Barons, who restored it, in part, once more to this isle. And though much impaired, maimed, and disfigured, it hath stood the admiration of many ages; and still remains the most noble, and ancient monument of Gothick antiquity.”

“ The first principle of a government, that is founded upon the natural rights of mankind, is the principle of annual election. Liberty and

and election, in this case, are synonymous terms; for where there is no election there can be no liberty. And therefore the preservation of this elective power, in its full extent, is the preservation of liberty in its full extent; and where that is restrained in any degree, liberty is restrained just in proportion; and where that is destroyed by any power in a state, whether military or civil, liberty is also destroyed by that power, whether it be lodged in the hands of one man, one hundred, or one thousand.

“ I have said, that there is a natural difficulty in placing mankind in such a situation, that they might delegate their power to others, without confusion or inconvenience to themselves. It is in this point, that we are so much indebted to our Saxon forefathers, for their plan of government, by which the people of England are so situated, as to be able to elect, or delegate their power, with the greatest facility; and to a degree beyond the conception of all nations before them.

“ The first connection the tithings had with one another, was to form an establishment for the military defence of the country. For this end a number of these tithings were united together, so far as related to their military concerns. This union necessarily created a larger division of the land equal to the number of tithings that were thus united; and this they called a Wapentake, or Weapontake. Here likewise they established a court of council, and a court of law, which last was called a Wapentake-Court. In the court of council the chief magistrates of every tithing assembled to elect the officers of the militia to their respective command, and regulate all matters relating to the militia; in which every individual tithing was concerned. The court of law was to enforce these regulations within that jurisdiction.

“ As a considerable alteration was made in the *representation*, at the union of the seven kingdoms into one by Alfred the Great, it will be proper here to remark the constituent parts of the parliaments, and the rights of election of the people, during the Heptarchy. First, the representatives of the town-tithings, or boroughs, were always their chief magistrates for the time being, by virtue of their office; to which they were annually elected, by every man that was a resident inhabitant of the town, and that paid his shot and bore his lot.

“ Secondly, the representatives of the rural tithings were likewise their chief magistrates for the time being, by virtue of their office; to which they were annually elected, by every man that was a resident inhabitant of a rural tithing, and that paid his shot and bore his lot.

“ Hence it is evident, that the people never delegated their power, to their members of parliament, for a longer time than one year. Because the powers vested in them must of course expire with their office; they being mayors or chief magistrates in their respective divisions. And before such a member was out of his office as mayor, he was obliged by law (*ex officio*) to assemble the people of the town for the election of officers to serve for the ensuing year; the principal of whom was their mayor elect, who consequently was their member elect; and, for the same reason, it was not in the power of the king to continue the same parliament longer than one year. Thus we see that the constitution hath doubly armed itself against long parliaments, by confining the power of the members within the duty of an annual office.

“ Though

“ Though I would not be thought to talk like a constitutional enthusiast, yet I am of opinion, that, if ever God Almighty did concern himself about forming a government for mankind to live happily under, it was that which was established in England by our Saxon forefathers; under which they continued to live free and happy for six hundred years before the Norman conquest; when, for a time, it was totally lost, or little regarded.

“ If we were to select the attributes of good government, we should find them to consist in wisdom and justice. And if we could divide those virtues from all bad qualities in men, and place such men, and such only, to rule over us, we should establish an heaven upon earth. The power of election, which our government hath diffused through the whole nation, will always produce this happy effect, when it is left to operate upon its genuine principles. For, by dividing the country into small parts, as our tithings were, the character of every man that was fit to bear an office was well known amongst his neighbours. And, therefore, when the choice of an officer, to preside over them, was their object of election, the concurrent sentiments of an uninfluenced majority, of a multitude of people, would naturally fall upon those men only who were most eminent for their wisdom and justice.

“ Thus our Saxon forefathers bade the fairest of any men to obtain a government formed upon the principles of wisdom. And their high sense upon this matter is most emphatically expressed by the name they gave to their parliament; which, as hath been said, they called THE WITTENA-GEMOT, or, an assembly of wise men.”

THOMAS YEATES, Secretary.

At a Meeting held at No. 2, New Inn, on Friday the 7th of June 1782.

Resolved,

THAT the following Letter be entered in the books of this Society.

Troston Hall, near Bury, Suffolk, 21 May, 1782.

S I R,

I had the honour to be a member of the SOCIETY FOR CONSTITUTIONAL INFORMATION when first established, and found myself united with a very small band of men, whose private worth I esteemed, and whose public virtue hath been unremittingly exerted in maintenance of the great rights of their country and of mankind. To this Society, founded with the express design of “reviving in the minds of the commonalty at large a knowledge of their lost rights, particularly such as relate to the election and duration of the representative body, and to impress them with a sense of their importance,” great has been the accession of new members in the space of a few months: and the public papers containing the names of those elected are the best testimonial, that while it has so considerably enlarged in numbers, it has continued to increase in substantial consequence; such are the acknowledged abilities and approved

proved public spirit of the characters who have joined it! And the several tracts printed and distributed by the Society have been such from the first as would induce and impel the lovers of their country to consider the institution as their conduct proves them to have done. They having consisted of such republications and extracts as went to the three points which would restore to us a complete re-establishment of our admired constitution, and a perfect security to civil freedom, agreeably to our inalienable rights as men, repeatedly confirmed to us by fundamental laws: Annual Parliaments with the personal and therefore equal universal right of Election, and the Right, Duty, and Necessity of every free citizen to have arms and be instructed in the use of them for DEFENCE of himself and the community, are the great points maintained in the various publications of the Society. They are to be traced as the vital principles in our constitutional system; and are evidently of such a nature as to be necessary to the maintenance of free government amongst us: to which end nothing short of these can be adequate. I therefore wishing, though absent, to co-operate according to the best of my power towards the advancement of objects whose importance and necessity are impressed upon my mind with so full conviction, desire to lay before the Society the underwritten Extracts from a “A Dissertation on Parties, fifth edition, 1739.”

The British Constitution is the business of every Briton. Dedication.

“ The design of the Revolution being not only to save us from the immediate attempts on our religion and liberty made by King James, but from all other attempts of the same tendency; to renew and strengthen our constitution; to establish the peace, honour, and happiness of these nations, and to procure a settlement to the liberties of the subject upon so sure a foundation, that there might be no danger of relapsing into the like miseries at any time hereafter; this being, I say, the avowed design of the Revolution, and the nation having engaged in it, on a confidence that all this would be effectually performed, the design was not accomplished, the benefit was not secured to us, the just expectations of the nation could not be answered, unless the freedom of elections, and the frequency, integrity, and independency of parliaments were sufficiently provided for. These are the essentials of British liberty. Defects in the other parts of the constitution can never be fatal, if these are preserved entire: but defects in these will soon destroy the constitution, though every other part of it should be so preserved. However it happened, the truth and notoriety of the fact obliges us to say that these important conditions, without which liberty can never be secure, were almost wholly neglected at the Revolution. The claim of right declares indeed, that elections ought to be free, and that parliaments ought to be held frequently. But such declarations, however solemnly made, are nothing better than pompous trifles, if they stand alone, productive of no good; and thus far productive of ill, that they serve to amuse mankind in points wherein it concerns them the most nearly neither to be deceived, nor so much as amused. These were rights to which the nation had an indisputable claim. But then they ought to

have been more than claimed, since they had been so often and so lately invaded. That they were not more than claimed, that they were not effectually asserted and secured at this time, gave very great and immediate dissatisfaction; and they who were called Whigs in those days, distinguished themselves by the loudness of their complaints. They insisted there could be no real settlement, nay, that it was a jest to talk of a settlement, till the manner and time of calling parliaments, and their sitting when called, were fully determined. They insisted that the assurances given at the Revolution had led them to think that the ancient legal course of annually chosen parliaments would have been immediately restored, and the particular circumstances of King William, who had received the crown by the gift of the people, and who had renewed the original contract with the people (which are precisely the circumstances of the present royal family) were urged as particular reasons for the nation to expect his compliance.

The frequent sitting of parliament was, indeed, provided for indirectly, and, in consequence, by the exigencies of the war which soon followed the Revolution. This is the present state, and this must continue to be the state, unless some prince should arise hereafter, who, being advised by a desperate minister, abetted by a mercenary faction, supported by a standing army, and instigated, like Richard the Second, by the rashness of his own temper, may lay rapacious hands on all the funds that have been created. Till this happens, sessions of parliament must be annually held, or the government itself be distressed. But neither is this such a direct and full security as the importance of the thing requires; nor does the security of our liberty consist only in frequent sessions of parliament; but it consists likewise in frequent new parliaments. Nay, it consists so much more in this than in the other, that the former may tend, without the latter, even more than the discontinuance of parliaments, to the loss of liberty. This was foreseen by the wisdom of the constitution. As parliaments were to be held, so they were to be chosen frequently; and the opinion that the holding and continuance of parliaments depended absolutely on the will of the prince, may be justly ranked among those attempts that were made by some men to set the law, whilst others endeavoured to set the gospel, on the side of arbitrary power. The plain intent and scheme of our constitution provides, that the representatives of the people should have frequent opportunity to communicate together about national grievances, and to obtain the redress of them; and that the people should have frequent opportunities of calling their representatives to account, as it were for the discharge of the trust committed to them, and of approving or disapproving their conduct, by electing or not electing them anew. By the frequent succession of new parliaments, there is not time sufficient given to form a cabal; or, if this should happen, such a cabal must be soon broken. These reflections, and such others as they naturally suggest, are sufficient to convince any thinking man:

“First, That nothing could make it safe, nor, therefore, reasonable, to repose in any set of men whatsoever, so great a trust as the collective body delegates to the representative in this kingdom, except the shortness of the term for which this trust is delegated.

“Second

“Second, That every prolongation of this term is, therefore, in its degree, unsafe for the people; weakens their security, and endangers liberty, by the very powers given for its preservation.”

The above extracts are offered to the consideration of the Society with the most earnest wishes of success to their endeavours of bringing that knowledge of the constitution, which the right and duty of every Englishman requires him to possess, home to the understanding and hearts of the commonalty at large; an undertaking in which there is every reason to believe they have been already in a great degree successful.—I am (on these principles) their

Unworthy Member,

But devoted servant of the cause,

CAPEL LOFFT.

To Mr. THOMAS YEATES, Secretary to the
Society for Constitutional Information.

At a Meeting held at No. 2, in New Inn, on Friday the 28th day
of June 1782,

Resolved,

THAT the following Extract from “Dr. Swift’s letter to Mr. Pope, dated, Dublin, January 10th, 1721,” be entered in the books of this Society.

“As to parliaments, I adore the wisdom of that Gothic institution which made them annual; and I was confident our liberty could never be placed on a firm foundation, until that antient law was restored among us: for who sees not, that while such assemblies are permitted to have a longer duration, there grows up a commerce of corruption between the ministry and the deputies, wherein they both find their accounts, to the manifest danger of liberty; which traffick would neither answer the design nor expence, if parliaments met once a year.”

Resolved,

THAT the following Extracts, taken from the Rev. Dr. Towers’ late publication, entitled, “A Vindication of the Political Principles of Mr. Locke,” &c. be entered in the books of this Society.

“As all just government, and all national assemblies, properly constituted, must be intended to promote the happiness of the whole community, the more general the representation is, the more probable it is that this end will be obtained. Parliaments are not appointed to advance the interests of any particular bodies or classes of men in preference to others, but to make laws for the protection, security, and advantage of the community at large; every individual, therefore, is interested in the proceedings of parliament; and the more general the representation is, it must be the more equitable, and it will be the more likely that the welfare of all will be impartially consulted. A partial representation

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tation will naturally produce partial laws, and be a source of oppression and injustice; and a partial representation may be influenced and corrupted by the crown, in a manner that would be totally impossible, if the people enjoyed a fair, equal, and general representation in parliament.

“ No unprejudiced person can, indeed, consider the present state of parliamentary representation in England, without being convinced that it is partial and inadequate, and ill calculated to advance the real interests of the nation.

“ It is certainly absurd and unjust, that large and populous towns should send no representatives to parliament, while the most inconsiderable boroughs return members; and even places in which scarcely an inhabitant can be found. ‘ To what gross absurdities, says Mr. Locke, the following of custom, when reason has left it, may lead, we may be satisfied, when we see the bare name of a town, of which there remains not so much as the ruins, where scarce so much housing as a sheep-cote, or more inhabitants than a shepherd is to be found, sends as many representatives to the grand assembly of law-makers, as a whole county, numerous in people, and powerful in riches. This strangers stand amazed at, and every one must confess needs a remedy.’

“ It appears repugnant to every principle of reason, to suppose that a partial parliamentary representation will better promote the interests of the great body of the people, than one more general or universal. ‘ It being the interest, says Mr. Locke, as well as intention of the people, to have a fair and equal representative; whoever brings it nearest to that, is an undoubted friend to, and establisher of the government, and cannot miss the consent and approbation of the community.’—‘ Whatsoever cannot but be acknowledged to be of advantage to the society and people in general, upon just and lasting measures, will always, when done, justify itself; and whenever the people shall chuse their representatives upon just and undeniably equal measures, suitable to the original frame of the government, it cannot be doubted to be the will and act of the society, whoever permitted or caused them so to do.’

THOMAS YEATES, Secretary.

At a Meeting held at No. 2, New Inn, on Friday the 5th day of July 1782,

Resolved,

THAT the following letter, wrote by William Jones, Esq; to the secretary, be entered in the books of this society.

Lamb Buildings, Temple, June 7, 1782.

S I R,

I lately met with some dangerous doctrine concerning the constitution of England, in the work of an admired English writer; the doctrine so dangerous, that an immediate confutation of it seems highly necessary, and the writer so admired, that his opinions, good or bad, must naturally have a very general influence. It was the opinion, in short, of the late

late ingenious Henry Fielding, that “ the constitution of this island was nothing fixed, but just as variable as its weather,” and he treats the contrary notion as a ridiculous error. Now, if this doctrine be well founded, our Society will soon, I imagine, think it wise to dissolve themselves, since it is hardly consistent with the gravity of sensible men to collect and impart information, like the makers of almanacks, upon any thing so uncertain as the weather: if, on the other hand, the error be palpably on the side of Mr. Fielding, you will not only proceed with assiduity in your laudable design of rendering our constitution universally known, but will be at least equal in usefulness and true dignity to any society that ever was formed. His words are these, in the preface to his tract, “ On the Increase of Robberies, dedicated to Lord Chancellor Hardwicke:” “ There is nothing so much talked of, and so little understood in this country, as the constitution. It is a word in the mouth of every man; and yet, when we come to discourse of the matter, there is no subject, on which our ideas are more confused and perplexed. Some, when they speak of the constitution, confine their notions to the law; others to the legislature; others, again, to the governing or executive part; and many there are, who jumble all these together in one idea. One error, however, is common to them all; for all seem to have the conception of something uniform and permanent, as if the constitution of England partook rather of the nature of the soil than of the climate, and was as fixed and constant as the former, not as changing and variable as the latter.”

“ Now in this word, The Constitution, are included the original and fundamental law of the kingdom, from whence all powers are derived, and by which they are circumscribed; all legislative and executive authority; all those municipal provisions, which are commonly called the Laws; and lastly, the customs, manners, and habits of the people. These joined together, do, I apprehend, form the political, as the several members of the body, the animal oeconomy, with the humours and habit, compose that which is called the natural constitution.

He adds a paragraph or two of elegant, but idle allusions to the Platonic philosophy, as if we lived under the polity of Plato, not in the dregs of William the Norman.

Now of all words easy to be comprehended the easiest, in my humble opinion, is the word Constitution; it is the great system of public, in contradistinction to private, and criminal, law, and comprizes all those articles, which Blackstone arranges, in his first volume, under the rights of persons, and of which he gives a perspicuous analysis. Whatever then relates to the rights of persons, either absolute rights, as the enjoyment of liberty, security, and property, or relative, that is, in the public relations of magistrates and people, makes a part of that majestic whole, which we properly call The Constitution. Of those magistrates some are subordinate, and some supreme; as the legislative, or parliament, which ought to consist of delegates from every independent voice in the nation; and the executive, or the King, whose legal rights for the general good are called prerogative. The people are the aggregate body or community, and are in an ecclesiastical, civil, military, or maritime state.

This constitutional or public law is partly unwritten, and grounded upon immemorial usage, and partly written or enacted by the legislative power; but the unwritten, or common law, contains the true spirit of our constitution; the written has often most unjustifiably altered the form of it; the common law is the collected wisdom of many centuries, having been used and approved by successive generations; but the statutes frequently contain the whims of a few leading men, and sometimes of the mere individuals employed to draw them; lastly, the unwritten law is eminently favourable, and the written generally hostile, to the absolute rights of persons.

But though this inestimable law be called unwritten, yet the only evidence of it is in writing, preserved in the public records, judicial, official, and parliamentary, and explained in works of acknowledged authority. Positive acts of the legislature may, indeed, change the form of the constitution; but, as in the system of private law, the narrowness or rigour of our forensic rules may be enlarged or softened by the interposition of parliament (for our courts of equity are wholly of a different nature) so all legislative provisions, which oppose the spirit of the constitution, may be corrected, agreeably to that very spirit, by the people or nation at large, who form, as it were, the high court of appeal in cases of constitutional equity; and their sense must be collected from the petitions which they present, expressed with moderation and respect, yet with all the firmness which their cause justifies, and all the dignity which truly becomes them.

I am, Sir,

Your very faithful, humble servant,

W. JONES.

To Mr. THOMAS YEATES, Secretary to the
Society for Constitutional Information.

DECLA-

DECLARATION OF RIGHTS,

Without which no Englishman can be a free Man, nor
the English Nation a free People.

I. **T**HE right of making Laws for this realm is, by the Constitution, lodged in the hands of King, Lords of Parliament, and the Representatives of the Commons.

II. Every Englishman (infants, insane persons, and criminals only excepted) is, of common right, and by the laws of God, a *free* man, and intitled to the full enjoyment of political liberty.

III. It is essential to an Englishman's political liberty that he have an *actual share*, either in legislation itself, or in electing of those who are to frame the laws; which, although they ought to protect him in the full enjoyment of those absolute rights, that are vested in him by the immutable laws of nature, may yet be fabricated to the destruction of his person, his property, his religious freedom, family, and fame.

IV. It is a natural right of the Commons of England, and required by the principles of the constitution, that they elect a *new* House of Parliament once at least in *every* year: Because, whenever a parliament continues in being for a longer term than *one session*, then thousands who, since it was chosen, have attained to man's estate, and are therefore entitled to enter into immediate possession of that elective power which is their best and most sacred inheritance, are in that case unjustly *denied their right*, and *excluded from* the enjoyment of political liberty.

Note 1st. The rich and the poor being of *the same species*, are under the same laws of nature, and being alike capable of benefit or injury from their legislators, they necessarily have, in the election of those legislators, *the same rights*. But the rich, in defence of their liberty and property, have every advantage which wealth, knowledge, and the purchased services of others can afford them; while the poor, destitute of all these, have no security but in *the purity of legislation*, nor any means of self-defence, but in *retaining their share of the elective power*.

The poor then, have an *equal right*, but *more need*, to elect representatives than the rich. He that is free, possesses that which is more to be valued than riches; but, robbed of liberty, he is poor indeed!

Note 2d. All who talk of a *virtual* representation, agree that it is not a *real* representation; consequently, it is no representation at all. All *electors* share in a *real* representation; because the chosen person represents the *body* of which they are severally the *members*. Why does an attorney at law represent his client?—Because chosen so to do *by* that client. Why does a parliamentary attorney represent any particular community or body of electors?—Because chosen so to do *by* that community or body of electors. But beyond the limits of *election*, there can be no *representation* whatever. And where there is no representation, there is no constitutional power of taxation or legislation. Who ever heard that the attorney of *John* shall dispose of the property of *Thomas*, because John and Thomas happen to reside in the same town or county? Or who now

admits, that men chosen by *Henry* and *Edward* only, shall have power over the life and liberty of *William* and *George*?

Note 3d. Neither is the member chosen by *one* community the representative of *any other* community; much less of *all other* communities in the kingdom. The member chosen to represent *Yorkshire* is undoubtedly, *with others*, a *joint-legislator* for the whole kingdom; but to call him who is chosen by *Yorkshire alone*, the *representative* of *all England*, is to trifle with words, and to confound ideas which are totally distinct. If, on occasion of a joint concern, three partners, *John*, *Thomas*, and *Samuel*, appoint each his separate attorney, to be paid out of his separate purse, to follow his separate instructions, and to take care of his separate interest, at the same time that he was required, *in conjunction with the others*, to promote the joint interest of the whole partnership, each person so appointed is still the attorney of *his own principal*, and not the attorney of *the partnership*. As no one could be the attorney of the partnership without being chosen *by* the partnership; so no member of parliament can be the attorney or representative of the whole kingdom until chosen *by* the whole kingdom.

Note 4th. Those Englishmen who have *no* votes for electing representatives, are *not* free men, as the Rights of nature and the principles of our constitution require; but are *enslaved* to the representatives of those who have votes: for, to be enslaved is to have *no will of our own* in the choice of law-makers, but to be governed by legislators whom *other men have set over us*. This was the unhappy condition of the antient *villani*, or *Villains*; who being accounted *not free*, had no votes for electing representatives. But there being now, *none who in law are accounted not free*, there are consequently none to whom we can pretend to deny the sacred right of election.

Note 5th. But by the operation of *one* unconstitutional and wicked law (the disfranchising statute of 8 Hen. VI.) about *nine-tenths* of the English nation are at this day totally debarred from their birthright of voting for members of Parliament, which sacred inheritance and right of nature was enjoyed by their free ancestors, until the enacting of that statute: and by the operation of *another* iniquitous law (the septennial act) the remaining *tenth part* are also debarred six years in every seven!

As, by the IVth Article, it is demonstrated, that no parliament could possess any just authority to prolong its own existence beyond one session; so it is also evident that any submission on the part of the people to the injustice of the *septennial* or *triennial* statutes, could not weaken their natural right to a sessional choice of representatives.

Note 6th. The people's right to parliaments of *one session* was uniformly asserted in the written law of the land from the remotest antiquity down to the reign of *Charles the First*. Not a single disadvantage to liberty from the shortness of sessional Parliaments was ever recorded in history. But the evils of long parliaments—Are they not written in tears and in blood! And have such parliaments left us aught of liberty but the name!

Note 7th. With the poor exception then, of *one year* of freedom in every seven, and in favour of only *one tenth part* of the nation, it is demonstrated, that the people of England are constantly *taxed without being* ~~represented~~ *and compelled to obey laws to which they never gave assent.*

Are not these the very definitions of slavery! And are not Englishmen thus degraded to a level with the very cattle in the field, and the sheep in the fold, which are a property to those who rule over them, and have no voice to say, Why are we bought and sold? Why are we yoked and laden with heavy burdens? Why are we fleeced and led to the slaughter?

For the great Constitutional *Right* and *Duty*, as well as the *Wisdom* and the *Necessity* of being ARMED for Defence of the Peace, the Laws and the Liberties of our Country, see the following Authorities and Arguments.

“ YOU that be lieutenants and gentlemen of command in your counties, I require you to take care *that the People be well ARMED*, and in readiness upon all occasions.” [Q. Elizabeth to both Houses of Parliament.]

“ It is the duty of all free men to have arms;” [De Laud. Leg. Angl. c. 44.] “ Arms of Defence and Peace;” [Bracton, lib. iv. c. 4.] “ Under peril of *fine*; [N. Bacon, p. 64. 33 Hen. viii. c. 9.] “ And not only to be *armed*, but to be *expert in arms*.” [33 Hen. viii. c. 9. Free Militia, p. 14, 18. Legal Mode of suppressing Riots, p. 13.]

“ The common and statute laws of the realm, *in force at this day*, give the *civil* state in every county a power, which, if it were perfectly understood, and continually prepared, would effectually quell any riot or insurrection, without assistance from the *military*, and even without the modern riot-act.”—“ Since the *musket* and *bayonet* are found by experience to be the most effectual arms, all persons, who constitute the power of a county, are bound to be competently skilled in the use of them.”—“ And since the only safe and certain mode of using them with effect is by acting *in a body*, it is the duty of the whole *civil* state to know the platoon exercise, and to learn it in companies.” [Legal Mode of Suppressing Riots, p. 5, 13.]

“ The Defence of the Constitution was in *the people* at large.” [Dobbs on Volunteers, p. 8.]

“ The custom of the nation has been to train up the freeholders to discipline.” [Aland's De Laud. Leg. Angl. c. 44.]

“ No nation ever kept up an *army* in times of peace, which did not *lose its liberties*.” [Polit. Disq. Vol. II. 349.]

“ No kingdom can be secured, otherwise than by arming *the people*. The possession of ARMS is the distinction between a *freeman* and a *slave*.” [Fletcher, 307. Pol. Disq. Vol. II. 390.]

Had the Londoners but uniformly acted upon the above principles of Constitutional defence, their property and habitations, in June 1780, instead of being at the mercy of an abandoned and contemptible mob, had been in perfect quiet and security, that mob had not spread terror and dismay wherever it bent its licentious course, nor wrapt in flames whatever became the object of its capricious fury.

And

And had the inhabitants in general on that occasion assembled in *armed companies*, and defended their city, as their duty required, the just sentence of offended law had not since levied on them its FINES, in punishment of their disgraceful negligence for suffering individuals to be pillaged and their houses to be burnt at noon day, chapels to be violated, and prisons to be broke down, and the residence and property of millions to be threatened with one common and instant ruin; as though it were a city without laws, without magistrates, without citizens; where every thing was deserted and given up as a spoil to the most brutish and senseless destroyers that ever trampled order, justice, and humanity under foot. Good God! Can the Inhabitants of London recal this scene of horror and anarchy to their minds, and yet neglect to form armed associations in every ward, in every parish, in every street!

Nor is the *property* of the unarmed less insecure than their domestic government and civil liberties. For, if a people, through an unaccountable supineness and infatuation, will altogether abandon the possession and use of arms to a mercenary army, that army in time of war will be subject to a defeat, which, *if none else be armed*, may in one instant transfer the government to a foreign invader; as actually happened to our ancestors, when King Harold was defeated at Hastings, and William the Norman, *by a single battle*, became at once the Conqueror and the tyrant of England.

With this instructive event before our eyes, at a time when we know not how soon it may be the turn of England herself to be the theatre of a war, originating in pride, injustice, and want of wisdom;—with the horrors of a burning capital still fresh in every mind, while no resort has yet been had to effectual measures of future prevention;—with the recollection how insidiously designing ministers suffered every ancient law for arming the inhabitants at large to fall into disuse and forgetfulness, while a military power, abhorrent to our Laws and Constitution, was constantly kept to overawe us, and made on too many occasions a shocking instrument for enforcing the civil authority;—and with the evidence also of a seven years bloody contest for establishing in America *Taxation without representation*, to convince us that there is no principle of the Constitution, however sacred, which a mere army will ever regard.—With all these awful warnings before our eyes, it is to be hoped we shall no longer neglect the indispensable duty of arming in defence of all that is dear to us, or that can be dear to our posterity; that our representatives will no longer neglect to adapt the antient arming laws to the weapons now in use; that men of rank, fortune, and public spirit, will no longer delay to promote armed Associations, at a time when those constitutional statesmen who now preside over our affairs, like the wise ministers of the immortal Elizabeth, encourage a system of national defence most agreeable to the genius of our free government; a system which, while it should give internal security to our island, would hereafter enable those ministers to retrench from the present expence of internal defence, in order to augment our external bulwark the NAVY.

PRINTED AND DISTRIBUTED GRATIS BY THE SOCIETY FOR CONSTITUTIONAL INFORMATION.

At a Meeting of the CONSTITUTIONAL SOCIETY, July 26th 1782.

Resolved,

THAT the following ADDRESS TO THE PEOPLE, &c. written by a Member of this Society, be printed in the public papers.

TO THE PEOPLE OF GREAT BRITAIN OF ALL DENOMINATIONS, BUT PARTICULARLY TO THOSE WHO SUBSIST BY HONEST INDUSTRY.

IT is now so common to treat with contempt the poor labourer and mechanic, that I fear it will appear very strange to see any notice taken of such low and despised members of society, in an address to my countrymen.

But regardless of censure or ridicule, I frankly own that I principally write for their sake: for as reason prescribes no inequality amongst men, with respect to civil liberty and personal security, those who possess the fewest means of knowing their rights, are surely the properest objects for instruction: and if there be a body more interested than any other in the preservation of its natural rights, it must be that which possesses nothing valuable but the privileges of Englishmen; and so long as the most indigent shall have spirit to defend those inestimable privileges, they will, without any other possession, be rich when compared to those who want them.

Cross but the Channel and you will see thousands of families almost predestined to poverty and servile occupations. It is there scarcely possible for a man born in an abject station to ascend any higher, whatever may be his prudence and industry. The cruel hand of oppression has chained him to the oar, and he, poor wretch! must tug at it through the ocean of life for bread alone.

But perhaps you will say, though the dastardly spirit of Frenchmen be passive under such injuries, an Englishman would not submit to them. I hope he never will; and that he never may, through a dangerous confidence in his native virtue, I will, with your permission, shew you what it is which gives you such a just abhorrence of slavery, and renders your condition so vastly preferable to theirs.

It is no reflection to our country to allow that Britons come into the world with no better qualities than other men. On both sides the Channel, nature is the same; but the political constitutions are widely different, and the impressions they make, form by degrees, characters that cannot be easily effaced.

In France the laws are made by the King and his Council; and whatever he commands, a large standing army is always ready to enforce. The Church governs as absolutely in spiritual concerns: and, as is ever the case where there is a privileged establishment, joins the Civil Magistrate in enforcing obedience to the most partial distribution of riches and power; and by this confederate union against the rights of mankind, a foundation for servility is laid in infancy: for in that early period, the mode of education being under the sole direction of a bigotted Clergy, is calculated to subdue the mind, that the rights of men in an adult age, may be trampled upon with security.

It well deserves your serious attention, that the government of that unhappy country had once a near resemblance to your own. There was then no standing army to compel submission to the illegal and partial edicts of the crown; nor did all those invidious distinctions exist between the Protestant and the Papist, which are now so oppressive.

The encroachments made on the liberties of the people, arose from the want of a well defined representative body to watch over their privileges, and to balance the authority of the crown and the nobility; and wherever this was disregarded in the construction of a government, despotism has been introduced, as Spain, Denmark, Poland, and Sweden, as well as France, have dreadfully experienced.

It is obvious, that where all the power of the state is vested in the Sovereign, those who are the most remote from him in rank, will partake very sparingly of his favours; and it will often happen, that they will be considered as mere instruments, formed for the gratification of his pleasure or ambition.

The nobility will be so far from interfering to protect the people from these insults, that they will generally share in the guilt of imposing them, and often add private injuries to the weight of regal tyranny.

You see, then, how necessary it is to have a third estate independent of the Crown, and not under the influence of the Peers, to guard your property, and to take care that you be not oppressed by either of the other branches of the Legislature; and for this purpose the House of Commons was instituted. But the end will not be attained if your Representatives be not your real Agents, and have, by inseparable interests, a general connection with all those whom they represent.

You may collect from these few observations, how important it is to your welfare to have the House of Commons an independent body; and a little reflection will convince you, that there is no possibility of obtaining this advantage but by free and frequent elections; and as the elected are called Representatives, because they are chosen to represent the wants and sentiments of the people at large, they ought to receive their commission from as many as can conveniently express their approbation of them; but this I may probably enlarge on hereafter. Having seen how other countries have lost their liberties by a criminal inactivity, I hope it will render you vigilant in defending your own. France might at this day have enjoyed the invaluable privileges of a free people, if those, who had nothing but liberty to lose, had not foolishly thought it not worth their care. May the errors which cause their present wretchedness be an instructive lesson to you!

As Providence has kindly furnished men in every station with faculties necessary for judging of what concerns them, it is somewhat strange, that the multitude should suffer a few, with no better natural intellects than their own, to usurp the important power of governing them without controul. We surely should have seen more evident marks of inferiority in the understandings of the several ranks of mankind, if nature had meant us to be so basely subordinate to one another.

For my own part, I am convinced, that it is both the interest and duty of all men to be active in examining the conduct of their Magistrates: for not only their temporal prosperity, but the virtues of their mind, and, perhaps,

perhaps, everlasting felicity, may be affected by it. Therefore let your condition be ever so humble, when any one tells you that you should mind your own business, and not meddle with state affairs, be assured he is either a knave or a fool.

You are never so well employed, either for yourselves or your families, as when you are inquiring into your constitutional rights, and examining *without sedition*, the conduct of Magistrates and Ministers.

Some, indeed, pretend that they only wish to hinder you from wasting your money and your time, in fruitless researches into subjects above your comprehension. But surely any man, with common sense, is competent to judge whether he receives protection or injury; whether taxes increase or diminish; trades flourish or decay; and whether our fleets and armies are prosperous or unsuccessful: and whatever mysteries some may ascribe to the science of politicks, a knowledge of such simple facts as these is all that is necessary to enable us to judge of the merit of those who rule over us.

Many, with an air of delicacy and affected self-importance, express the utmost contempt for the plain sentiments and language of a poor labourer or mechanic, whose good sense, perhaps, like his person, wants only the ornaments of dress to make it admired. But all who laugh at his opinions, do not really despise them. They feel the force of truth, and, fearing its influence, discourage reflection, because they know that it will discover oppression, refute errors, and rectify abuses from which they derive advantages. But let not your enemies, my dear countrymen, divert you from these interesting inquiries, either by ridicule or menaces. Degrade not humanity, by supposing that of all the animal creation, man is the only being to whom nature has not given understanding sufficient to decide on what concerns him the most nearly.

There are others who, without insulting your understandings, counsel you not to meddle with public affairs, for fear it should make you neglect your families. But they are full as disingenuous as those who openly deride you. For, if you examine, you will find, that while they profess this regard for your interest, they are contriving, by every method that selfishness can devise, to keep you poor.

Can you then suppose, that such men as these will give you honest counsel? Do they follow themselves the advice they give you? When they employ you, they examine your work and your accounts; and they would think it very strange, if you were to tell them, that they ought not to do either, because you are better judges of both (which is often very true) than they are.

Now Ministers and Members of Parliament are as much your servants, as you are the servant of him who pays you your wages. It is your money, earned by hard labour, that they grant, under the pretence that it will be employed for your advantage: and surely then you have a right, nay indeed it is your duty, to examine both their work and their accounts.

Besides, it is your undoubted privilege (though you have foolishly, pardon the expression, forebore of late to exercise it) to send new Members to Parliament every Year; and how is it possible you should know whether you ought to employ the same hands or not, if you do not ex-

his business to the management of his servants for seven years, without looking at their work, or examining his cash-book, and the manner in which they dispose of his property? But if he knew too, that his servants were paid by another to do his work badly, would you not be sure that such a tradesman would break? This, however, is exactly your case. Members of Parliament, as I said before, are your servants, and used formerly to receive wages from you, but your negligence in permitting them to keep their places too long, has enabled them to get more by working for themselves; and being paid like post-boys, not by their proper masters, but by those whom they carry, they sweat and flog you as unmercifully for a place or a pension, as the others do their masters horses for half a crown extraordinary.

It is scarcely credible, that notwithstanding this fact is known to you all, you suffer them to meet, year after year, to make bargains for you as your agents, and to give away your property on what conditions they please; to impose restraints and taxes on your commerce and industry, and even to make game laws, and other oppressive prohibitions, that subject you to fines and imprisonment for actions that injure no man's property; I say, though you know perfectly well that they are totally regardless of your interest, you criminally permit them to exercise the important trust of your Representatives in Parliament seven years together; and, to the astonishment of those who know the characters of Englishmen, during that period, scarcely once examine in what manner they have served you. However, every body knows that you are yet powerful enough to redress all your grievances, whenever you shall think proper to exert yourselves with unanimity.

It is intirely owing to your negligence that you have now so much dirty work to inspect. Had your Representatives acted as faithful servants, you would not have lost America and your West India Islands, nor have had many branches of useful commerce almost annihilated; and if you continue much longer supine, you will certainly lose all that remains, and suffer the ruin of your country to be completed.

Believe me, my dear countrymen, it is neither disappointed ambition, a seditious spirit, nor the influence of any party, which makes me, in language so unalluring, arraign your conduct, and alarm you by such fatal predictions; but a thorough conviction that your situation is awful, and cannot be amended without the most vigorous exertions; and surely when your house is in flames, it cannot be unfriendly to disturb your slumbers.

Read what I have written attentively, and comment upon it freely. I do not desire you to adopt my opinions without examination. They are published with no other view than to serve you, but cannot possibly be useful, unless you will exercise your own understandings.

THOMAS YATES, Secretary.

At a Meeting of the CONSTITUTIONAL SOCIETY, August 2d 1782.

Resolved,

THAT the following LETTER TO THE PEOPLE OF GREAT BRITAIN, written by a Member of this Society, be printed in the public papers.

THE injury you receive from an unequal representation in Parliament, and the injustice of the Legislature in unconstitutionally extending the duration of your House of Representatives, by the septennial Act, are now so well understood, that it is almost superfluous to add any thing to what has already been published on that subject. But since the effects produced by those violations of your rights, have brought the nation into a most unhappy situation, I hope you will think it friendly if I solicit your particular attention to a Petition that proposes to redress them.

When misfortunes assail us, it is a proof of wisdom to search for some circumstance relative to our affliction, that may mitigate the evil; and by doing so, men of virtue and fortitude have often converted an apparent calamity into a real benefit.

Societies as well as individuals, may frequently find consolation in this practice; and we shall now very much alleviate the mortifying events of an unprosperous war, by adverting to the cause of it, and making it the occasion of restoring the Constitution.

Unfortunately, both for the real dignity of the Crown and the happiness of the People, the inattention of our forefathers permitted a partial representation in Parliament to be gradually introduced; and, as political evils are generally prolific, this fatal inadvertency produced, in time, another, whose operation completely changed our excellent Monarchy into a pernicious Aristocracy. You have, I dare say, anticipated my allusion to the septennial act.

Submission to those two innovations, more than the turpitude of any individuals now living, has brought upon us all the misfortunes we experience. The last, indeed, was a dissolution of the Government; and the people ought to have resisted the first act of a septennial Parliament as the immortal Hampden did the payment of ship-money.

From this period, the object of Government has been, in all Administrations, a partial attention to the interest of a few; always to the prejudice, and often to the total neglect of those of the public.

So general a disregard of the duty of good Magistrates caused, as might be expected, immense burdens to be laid upon the people; and the money, when levied, was frequently given to Members of Parliament for their support and approbation of measures injurious to their constituents. Particular families were by these means enriched; and it soon became a lucrative commerce to purchase a seat in Parliament.

It was impossible that such a deviation from an equitable distribution of power, and of public treasure, could long endure, without great national calamity. The fact is, that when this country, by her prodigality, for the purposes of bribery and corruption, had accumulated a debt that threatened her destruction; and the system of parliamentary seduction could neither be safely declined, nor supported without new resources, a

plan was formed for extending the oppressive impositions under which we laboured to our Colonies; and credulous men were artfully made to believe, that a project, which had nothing in view but to perpetuate abuses, was only contrived for the purpose of diminishing the taxes of this country.

Our Colonists, wiser than their Parent had been when her rights were first invaded, saw the danger that threatened them in its embryo. They dutifully remonstrated against it; but the minds of our Ministers were so intent on the harvest they expected to reap, and *your servants* in Parliament so eager for a seven years Jubilee on the spoils of America, that they were blind to all the difficulties that interposed between them and that fruitful prospect. I need not tell you, that the consequence of this delusion has been the loss of America.

It is useless to waste our time in virulent exclamations against the agents in this business. We shall act far more wisely by endeavouring to remedy what we cannot avoid; and by a firm support of the Petition for a more equal Representation, and shorter Parliaments, you now have it in your power to leave to your posterity a possession that they will not think you have purchased too dear, by the resignation of America.

It seems as if Providence had, at this instant, united every circumstance that can make the design easy. The public opinion is almost unanimous in favour of reformation: the source of corruption is exhausted, without a hope of being replenished; the possessor of land finds his produce diminish in value: the stock-holder trembles for his security: the merchant calls in vain for protection to his commerce; and the manufacturer for bread.

To these incentives to activity may be added, that he who presides in the Councils of our sovereign has given the strongest pledges that he will be the patron of the people's privileges. Besides, what energy should it inspire to see in the Cabinet two such characters as the noble Duke who is the parent of a bill for an equal representation, and that wonderful youth, who seems to possess, as a paternal inheritance, knowledge, virtue, and patriotism! Can you ever expect a time more propitious than when a Richmond, a Shelburne, a Camden, and a Pitt, unite their abilities in the service of their country? With the patronage of Ministers like these, who can doubt of success, if your inactivity do not discourage them from attempting to purify that standing pool of corruption, a septennial Parliament?

It has been said, "The measure is good: Reformation, we confess, is wanted; but it is inexpedient to introduce it at a time so busy and perilous." But is it not obvious, that it can only be an interruption to public business by an improper and factious opposition? The revival of old and favourite institutions hath frequently produced extraordinary effects on the minds of the people: and can any thing be imagined more likely to animate them now to the most vigorous exertions against their external foes, and to voluntary contributions to the exigencies of the state, than restoring them to the rights of free citizens? An able politician would think it a happy expedient, in a general despondency, to invent something similar as an incitement to bravery.

No reason, that is not either venal or puerile, has ever been assigned against shortening the duration of Parliament. Every branch of the Le-

gisature is injured by the septennial Act. It has encouraged the House of Commons to act as an imperious Dictator to the King, his Servants, and the People. For, being released from all controul, Members of Parliament are now the Janissaries of the Minister; and the moment he ceases to pay them, they strangle him. Can any administration act with continued vigour so circumstanced?

The injuries done to the state, by the improper interference of the House of Commons, in consequence of long Parliaments, are innumerable and enormous! Instead of confining itself to the important duty of granting supplies, making useful regulations for internal Government, and impeaching Ministers whose conduct deserved it, it has impertinently interfered in the appointment of the servants of the Crown; hath acted as a Minister and Civil Magistrate; confounded together the legislative and executive power, and sheltered from responsibility the most notorious delinquents: can you wonder that it is unwilling to part with these privileges? Are they not too lucrative for your Representatives to exchange for the respect and barren approbation of their constituents? Annual Parliaments they are sensible will diminish their self-importance, and strip them of those exclusive and flattering advantages; and therefore they amuse you with trivial schemes of public œconomy, to divert your attention from that grand object. But be not deluded; petition with firmness; and your resolution under the auspices of the present Ministers, will recover your rights. For, when the advocates for slavery see your spirit, they will shrink into obscurity, and think themselves happy if you will only permit them to riot, without molestation, on the spoils of rapacity.

A more equal Representation and shorter Parliaments are so essential to your future prosperity, that, without them, it is of little consequence whether you have peace or war, success or ill fortune, since your ruin, in either case will be inevitable. America is liberated from all dependence on a corrupt Parliament; Ireland, when her brave volunteers shall think of internal regulation, certainly will be so; and if we correct not our errors at home, such as can live elsewhere will fly to those happier regions. With this desertion, your trade must leave you; and then the distress will soon be universal. He indeed who has land will have something permanent, if he can prevail on a starving populace to suffer him to enjoy it.

Treat not these predictions with levity, lest you prepare greater anguish for yourselves when you shall see them verified. Many bitterly lament the loss of America, and tremble at the number and strength of our enemies, who laughed at those events, as improbable, when they might easily have been prevented. Repeat not that fatal error: we may be yet saved by an incorrupt Parliament; but that we shall never have, as we have proved by dear experience, without more equal Representation, and frequent Elections.

Be not contented with a shuffling compromise for a part of your rights. Such a relief will not be durable; and, wanting effect, may hereafter be urged by your opponents as an argument against a plan that only miscarried, because it was not fully executed.

Suffer not the unmanly and imaginary fear of civil dissention to deter you from doing your duty. To reform abuses is the only way to prevent confusion. But should the worst happen, through the perverseness of
your

your domestic enemies, remember that the multitude in many states have been happy during insurrections, but *never in slavery*.

I cannot conclude without addressing myself more particularly to the lowest order of the people, who being the most numerous part of the community, have certainly the greatest interest in its welfare. You are respectable on that account; and yet more for having preserved undiminished, in a luxurious age, that simplicity of manners, and intrepid spirit, which have always made Britons, when united, unconquerable.

Good sense is not distributed to men so parsimoniously as to be confined to any rank; and in justification of your judgment, I dare venture to affirm that a good magistrate was never unpopular. There is not, in my opinion, a surer mark of ministerial delinquency, than an intimation that frequent appeals to the people are dangerous.

You have not, it is true, much property to lose; but, thank God, you have all rights to demand, which may enable you, or your children, to acquire possessions. There is nothing, then, improper in your constitutional interference in the government of your country. No harm can result from the most general application for the redress of your grievances; and the Constitution, when repaired, will be an impregnable bulwark to your religion, your property, and your persons.

You cannot be too often reminded, that we have been reduced to our present humiliating situation, by long Parliaments, and unequal Representation; and if you wish to recover your glory, to enjoy and to transmit to your children security in your possessions, and the inestimable blessings of Liberty, your ardour should never relax, until those evils be corrected. Nothing short of this can remedy the distracted state of our country, and render us once more, a prosperous, formidable, and happy people.

Join then all ye brave and virtuous inhabitants of Great Britain, in this grand design; and discarding every national and religious prejudice, and every little sordid passion, erase, for ever, from your memory the unjust distinctions between two nations equally respectable: listen to no illiberal reflections on each other; but as you are united by compact, by interest, and by nature, be also inseparable in your pursuits; and let it be your only subject of rivalry and contention to promote the reformation of Parliament: make an attachment to that principle the test of political virtue, and the basis of your future friendships and patronage: shew to the world, by the most steady and generous efforts for the salvation of your country, that the character of Britons is not degenerated. The cause is general—the object sublime; and on our union we depend for success: the beautiful edifice our ancestors erected totters to its foundation, and we cannot spare a particle that may serve to uphold it.

THOMAS YATES, Secretary.

PRINTED AND DISTRIBUTED GRATIS BY THE SOCIETY FOR CONSTITUTIONAL INFORMATION.

1782.

At a Meeting of the CONSTITUTIONAL SOCIETY, Aug. 16, 1782.

Resolved,

THAT the following Letter be entered in the Books of this Society.

Troston Hall, August 12, 1782.

S I R,

HAVING been honoured by the Society's accepting my former letter on the right of the people of England to the yearly re-election of their representatives in the House of Commons, I now submit a STATE of FACTS, with some remarks on the undue distribution and limitation of the elective right itself: attention to the redress of which, agreeably to the constitution in its principles and spirit, appears to be the first spring of real reform; since, without an equal and complete representation, even *Annual Parliaments* would be ineffectual, could we suppose them to be attainable. As the departure from the constitutional connection between the body of the Commons and the House, which ought to represent them, made way for long Parliaments, the return to that connection is the obvious means to bring back their duration to its just period: My endeavour will be by extracts from the political disquisitions, and other writings of respectable authority, to shew that the representation was, in its purity, of such a nature as to extend to *all who were recognized as free*; that its departure from that wise and just establishment depends on causes which no Englishman will be likely to contemplate with veneration; that in its present state it is insufferably unequal in all imaginable ways, from whence inequality can be deduced; by the partial share of the boroughs; by the exclusion of great and populous towns; and by the disproportion of representatives to the number of inhabitants in the counties; and besides this, that were it equal, it is so dreadfully short of constitutional extent, as to deprive a vast majority of the people of any share in this necessary right, by which Freemen are distinguished.

THE ORIGINAL EXTENT OF REPRESENTATION.

The Extent of Representation has been well proved, particularly by the labours of Mr. Granville Sharp and Major Cartwright; to whom this country has peculiar obligations: and I must desire to quote a passage from a late speech of a Member of this Society*, whose knowledge and love of the Constitution reflect lustre on his extraordinary talents. In his Discourse, addressed to the Quintuple Alliance, he expresses himself thus: "It is true, the *spirit* of the *Constitution* ought not to be changed; it is false that the form of it ought not to be corrected. There has been a continued war in the Constitution of England between two jarring principles; the evil principle of the feudal system, with his dark auxiliaries, ignorance, and false philosophy, and the good principle of increasing commerce with her liberal allies, true learning, and sound

* William Jones, Esq;

reason. The first is the poisoned source of all the abomination which history too faithfully records: it has blemished and polluted whenever it has touched the fair form of the Constitution, and for ages even contaminated the spirit; while any dregs of this baneful system remain, you cannot justly boast of general freedom: it was a system of niggardly and partial freedom, enjoyed by great Barons only, and many-acred men, who were perpetually insulting the King, while they racked and harrowed the people. Narrow and base as it was, and confined exclusively to landed property, it admitted the lowest freeholders to the due enjoyment of that inestimable right, without which it is a banter to call a man *free*, the right of voting in the choice of deputies, to assist in making those laws which may affect not his property only, but his life, and, what is dearer, his liberty; and *which are not laws, but tyrannous ordinances, if imposed on him*, without his suffrage given in person, or by deputation. This I conceive to have been the right of every freeholder, even by the feudal polity, from the earliest time; and the statute of Henry IV. to have been merely declaratory. An act which passed in the 7th year of that prince, near *four hundred years* ago, ordains, that 'all they who are present at the County Court, as well suitors duly summoned for the same cause, as others, shall proceed to the election of their Knights for the parliament.' All suitors, you see, had the right; and all freeholders were suitors in the Court. Here, then, is a plain declaration, that the minuteness of real property created no harsh suspicion of a dependent mind; for a harsh suspicion it is, and by proving too much, proves nothing.

"What caused the absurd yet fatal distinction between property personal and real? The feudal principle. What created another odious distinction between free and base holdings, and thus excluded copyholds of any value? The feudal principle. What introduced an order of men called villains, transferrable like cattle with the land which they stocked? The feudal principle. What excludes the holders of beneficial leases? The feudal principle. What made personality in those times of little or no estimation? The feudal principle. What raised the silly notion that the property not the person of the subject was to be represented? The feudal principle."

I cannot do better than by subjoining to the above extract the following note from the invaluable Declaration of Rights, lately published by the Society:

"Those Englishmen who have no votes for electing Representatives are not free men, as the rights of nature and the principles of our constitution require; but are enslaved to the Representatives of those who have votes; for to be enslaved is to have no will of our own in the choice of law-makers, but to be governed by legislators whom other men have set over us. This was the unhappy condition of the ancient villani; who being accounted not free, had no votes for electing Representatives. But there being now none who are accounted in law not free, there are consequently none to whom we can pretend to deny the sacred Right of Election."

On the present Defective Representation.

Having shewn that Freedom and the Right of Representation to those who are not personally and immediately legislators, are terms commensurate to each other by reason and the constitution, it remains on this head to shew what the grossness of the defect in Representation is. Now unhappily this may be made evident in few words. It appearing by the state published by the Westminster Sub-committee, for whose very intelligent report the thanks of the Committee were given, that not more than two hundred thousand are now admitted to vote. The number stated by the Committee, as constitutionally intitled to vote, is nearly twelve hundred thousand*.

If we ask, and if we do not, a ruined posterity will ask the question in vain, and in bitterness of soul, to what the difference so enormous is owing? It is already answered, to the 8th of Henry VI. disfranchising all freeholders under forty shillings (an ordinance which Judge Tyer has observed to want the appearance and form of legal sanction); to which no forms, no authority on earth could have imparted the spirit and essence of a law. To this iniquitous product of a disgraceful minority, in conjunction with the infernal tyranny of the feudal principles, we owe the existence of this infamy, this execrable injustice, infinitely worse now in proportion as the spirit of commerce and enlightened policy hath broken those fetters from the necks of individuals in their private capacity. To what negligence of ours will our descendants impute it, if these accursed chains shall continue to bow the neck of the British nation?

On the Inequality of Representation.

I am now to call the attention of my countrymen to some of the causes, and an imperfect view of the extent of the *Inequality* of the present *Representation*, if it can deserve the name.

C A U S E S.

"Representation in the Commons' House of Parliament came to be thus out of all proportion inadequate, in much the same manner as cities came to be built, in defiance of all plan or regularity, by every land proprietor's humouring his own caprice. Our Kings and our Queens gave and took away the privilege of sending members as pleased their fancy, without all regard to justice or proportion."

Political Disquisitions, B. II. C. 5.

"Mr. Carte alleges that the lawyers in the puritan times, in order to strengthen their own party, searched old records, and found that many towns of the King's demesne had been summoned once or twice by Edward I. to send Representatives; and on this founded a pretence that they were in all times Parliament-towns. Thus, says he, was an un-

* This number is taken at the lowest calculation of the inhabitants of England.

reasonable disproportion in the representation of the kingdom introduced, to the infinite prejudice of the Constitution."

Political Disquisitions, B. II. C. 5.

Grounds for forming some Idea of the present Inequality of the Representation.

In the following list, that number is said to elect which is the efficient majority; and where Burgesses are appointed occasionally for election purposes, those who appoint are considered as the real Electors, since it depends on them whether there shall be any others.

The inequality may be considered principally in the Boroughs as compared with the Counties; and, but in a much less degree, in the difference between the number elected by the Counties severally, and what ought to be their respective share on an equal scale of County Representation, estimated by the number of inhabitants in each.

To begin with particulars; the inequality in Towns and Boroughs may be thus considered. In having no Representatives, or too few; in having too many; in having Representatives not properly of the town, but of an exclusive interest; in having Representatives where no pretence for separate Representation exists; as in depopulated places, whose inhabitants, where there remain any, ought to vote with those of a larger neighbouring district.

Considerable Places which have no Representative.

Manchester, containing, in 1773, 4,338 houses, and 27,246 inhabitants.

Birmingham, containing, in 1770, 6,025 houses, and 30,804 inhabitants.

Leeds, containing, in 1775, 4,096 families, 17,121 inhabitants.

From Dr. Price on the Present State of Population.

Besides Sheffield, Bradford, Wolverhampton, Hallifax, &c.

Those great Cities and Towns which have too few Representatives, as London and Westminster, may fall within the view of County Representation.

BOROUGHS

BOROUGHS

Possessing more than an equitable Share in the Representation.

East Grinstead (Suffex)	—	—	—	2 chosen by	19
Bewdley (Worcestershire)	—	—	—	2 by	18
New Romney (Kent)	—	—	—	2 by	17
Lestwithiel (Cornwall)	—	—	—	2 by	13
Truro (ditto)	—	—	—	2 by	14
Bodmyn (ditto)	—	—	—	2 by	19
Saltash (ditto)	—	—	—	2 by	15
Camelford (ditto)	—	—	—	2 by	11
St. Michael's (ditto)	—	—	—	2 by	14
St. Mawe's (ditto)	—	—	—	2 by	16
					<hr/>
				20 by	156

These inconsiderable numbers (namely, 156 Electors in ten Boroughs) choose twenty Representatives; on an average, less than eight persons return a Member to serve them in Parliament; of these, seven are Cornish Boroughs, and, by an hundred and two Electors, return fourteen Representatives.

Depopulated Places, in which the Election is merely nominal.

Old Sarum (Wilts) no house, the Lord of the Manor appoints a Bailiff and six burgesses	—	—	—	2 by	1
Newton (Hants) in the Isle of Wight	—	—	—	2 by	1
Gatton (Surrey)	—	—	—	2 by	11
Bramber (Suffex)	—	—	—	2 by	8
Malmesbury (Wilts)	—	—	—	2 by	7
Bosfiney (Cornwall)	—	—	—	2 by	11
					<hr/>
				12 by	39

On an average, three is almost the efficient whole number to send a Member to Parliament, if the number of Representatives were equally divided amongst the Voters, and each was returned unanimously; which, indeed, is but a fair supposition.

CONSIDERABLE TOWNS,

in which the Electors are very few.

Bath (Somersetshire)	—	—	—	2 by	17
Marlborough (Wilts)	—	—	—	2 by	3
Andover, 600 houses (Hants)	—	—	—	2 by	13
St. Edmondsbury (Suffolk)	—	—	—	2 by	20
Yarmouth (Norfolk)	—	—	—	2 by	26
Winchester (Hants)	—	—	—	2 by	51
Southampton (Ditto)	—	—	—	2 by	51
					<hr/>
				14 by	181

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20 by 156

12 by 39

14 by 181

 Total 46 by 376

Calne, in Wiltshire, 2 Members by 18 votes: though consisting of 776 families, 3,467 inhabitants.

Nor is this the worst; for Mr. Burgh shews, that 56 Members, about a tenth of the House, including Scotch, are sent by *three hundred and sixty-four* votes: a number of Representatives equal to that chosen by twenty-eight English counties, containing (according to Davenant) taking them alphabetically, 787,623 male inhabitants of 21 and upwards.

It appears also by the reports of the Westminster Sub-committee, to which reference has been made above, that forty-one thousand chuse three hundred and sixty-nine Members; about 130 Electors for one Representative.

Some instances of Inequality in the share of Representation, as exercised in the Counties.

Cornwall sends forty-four Members.

Its proportion, according to Major Cartwright, ten.

Difference of excess, thirty-four.

But those ten, duly elected, would give Cornwall an inexpressible advantage; as they would be the real Representatives of about twenty-six thousand; whereas the present forty-four are almost entirely the Representatives of a set of petty Boroughs, or of those who govern the mock Election.

In number of Representatives, the Shires of Oxford, Somerset, Stafford, Worcester, and County of Cumberland, would (according to the Table of equal Representation annexed by Major Cartwright to his admirable work, intitled, "Give us our Rights!") remain as they are, but advantaged beyond all powers of calculating in real Representation.

Berks, Devon, Bucks, Dorset, Hereford, Huntingdon, Nottingham, Salop, Suffex, Wilts, and Hampshire, would have fewer Members, but many more Representatives.

Bedfordshire, Cheshire, Cambridge, and Derbyshire; Essex, Gloucester, and Hertfordshire; Leicester, Lancaster, and Warwickshire; Northamptonshire; the Counties of Kent and Westmoreland; the populous and extensive districts of Norfolk, Suffolk, Durham, Northumberland, and Yorkshire; the Principality of Wales; the Metropolis, with its fully inhabited vicinities, would gain in number of Representatives; and still vastly more in the just extension of the elective rights.

Effects of the Inequality of Representation.

Our admirable Constitution, the envy of Europe, has been perverted in that branch of it which is by far the most valuable, and the only just basis of the whole, to a degree of injustice that contradicts its first principles, and totally vitiates all its beneficial tendency; reduces our

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security to a shadow, and renders our public freedom an idle name. Thus the abuse permitted for ages to accumulate is the inexhaustible source of all that ought to be deprecated by the friends of virtue, and of the happiness of mankind. There is not, cannot be, freedom or integrity, where the rights and duties of the whole State are in the hands of a few. The excellent Burgh gives the following account:

"Of these pretended Electors, the greatest part are obliged to chuse the person nominated by some Lord, or by the Minister. Instead of the power returning annually into the hands of the people, the lengthening of Parliament to septennial has deprived them of six parts in seven of their power. And if the power returned annually, as it ought, all the people would still have reason to complain, except the handful who vote the Members into the House. In consequence of the inadequate state of Representation, the sense of the people may be grossly misapprehended, or misrepresented; and it may turn out to be of very little consequence, that Members were willing to obey the instructions of their Constituents, because that would not be obeying the general sense of the people, 'For the People are not their Constituents.' The people of England are the innumerable multitude which fills, like one continued city, a great part of Middlesex, Kent, and Surrey; the countless inhabitants of the vast Ridings of Yorkshire; the multitudes who swarm in the great towns of Bristol, Liverpool, Manchester, Birmingham, Ely, and others; some of which places have no Representatives, and all the rest are unequally represented.

"That a part, a small part, the most dependent part of the people, should engross the power of electing legislators, and deprive the majority of the people of their right, is the grossest injustice."

C O N C L U S I O N.

I have thus, from the collection of a man who devoted his time, his health, and life to the service of the community, and who submitted talents, of unusual vigour and acuteness, to the painful office of compiling authentic evidence for their information on points of universal concern, laid before a Society engaged in diffusing the knowledge of such truths, a general, but imperfect view of the abuses which have destroyed the Representation of the Commonalty. The dry statement of numbers, so far as it is here carried, will demonstrate that abuse to be enormous: but the quantity of a moral and political evil is not to be estimated on simply arithmetical proportions. If the counties and great towns are found to have a share in the Representation little more than one third of that possessed by the boroughs, their efficiency will not be represented, by supposing it to be one third of that of the boroughs; it will really be next to none; and if in this purest part of the Representation (that of counties and great towns) not one in seven, or, perhaps, ten of the body of the people has any vote whatever, the Commonalty of England does not only suffer a reduction of nine parts out of ten in their invaluable freedom, but is absolutely deprived of political liberty: since nothing can be plainer than the servitude of a nation, when the majority of individuals composing it cannot say they have more share in the choice of laws, or the appointment of legislators, than aliens, or enemies, or

slaves; notwithstanding they possess the sacred name of citizens of a State, the end of whose constitution is freedom—a name, which reunited to the blessings once enjoyed under it, justifies the warmest exultation of honest pride; but detached from the privileges belonging to it, and divested of the inalienable rights of men, is a name of insult, aggravating the miseries and disgrace, from which it is no longer a protection. I should not feel myself a member of a Society, instituted and conducted on the principles of conveying constitutional information to the Commonalty at large, on the extent and importance of their elective rights, if I could cease to be animated with the wish and hope, and earnest desire of the re-establishment of those rights, which fully comprehend, and alone are adequate to preserve the freedom, order, and happiness of the whole community.

I am, Sir,

Your obliged, and

obedient humble servant,

CAPEL LOFFT.

To Mr. THOMAS YATES,
Secretary to the Constitutional Society.

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