ELEMENTS OF REFORM.

Neque lex est justior ualla
Quam necis artifices arte perire sua.—Ovid.

Having in America, witnessed the fatal effects of revolution; having seen piety give place to a contempt of religion; plain-dealing exchanged for shuffling and fraud, universal confidence for universal suspicion and distrust; having seen a country, once the seat of peace and good neighbourhood, torn to pieces by faction; plunged, by intriguing demagogues, into never-ceasing hatred and strife; having seen a people once too fond of what they called liberty to bear the gentle sway of a British king, humbly bend their necks to the yoke, nay, to the very foot of a set of grovelling despots; having in short, seen the crime of rebellion against monarchy punished by the tormenting, the degrading curse of re-
publicanism, it is with the utmost astonishment and indignation, that I find many of those, who have the press at their command, endeavouring to bring down on my native country the very same species of calamity and disgrace.

Notwithstanding the example of America, and the more dreadful example of France, I find the emissaries of the Republican faction (for such it really is), still preaching fanaticism and infidelity, still bawling for that change which they have the audacity to denominate REFORM, still exerting all their nefarious ingenuity in sapping the foundation of the Church and the Throne. Those who want experience of the consequences, may, for aught I know, be excused for conniving at these attempts; but for me, who have seen acts passed by a republican legislature, more fraudulent than forgery or coining; for me, who have seen republican officers of state offering their country for sale for a few thousand dollars; for me, who have seen republican judges become felons, and felons become republican judges; for me to fold my hands and tamely listen to the insolent eulogist of republican governments.
and rulers, would be a shameful abandonment of principle, dastardly desertion of duty.

It is with no small mortification that I find too many of the periodical publications (as well pamphlets as papers) in the hands of fanatics and infidels, all of whom, however numerous their mongrel sects, however opposite their tenets, however hateful their persons to each other, do most cordially unite in their enmity to the national establishment, and most zealously cooperate for its destruction. Convinced, as I am, from the experience of America, as well as from history in general, that an established church is absolutely necessary to the existence of religion and morality; convinced also that the church of England, while she is an ornament, an honour, and a blessing to the nation, is the principal pillar of the throne; I trust I never shall be base enough to decline a combat with her enemies, whether they approach me in the lank locks of the sectary, or the scald crop of the Jacobin.

The subjects of a British king, like the sons
of every provident and tender father, never know his value till they feel the want of his protection. In the days of youth and of ignorance, I was led to believe, that comfort, freedom, and virtue, were exclusively the lot of republicans. A very short trial convinced me of my error, admonished me to repent my folly, and urged me to compensate for the injustice of the opinion I had conceived.

During an eight years' absence from my country, I was not an unconcerned spectator of her perils, nor did I listen, in silence, to the slanders of her enemies. Though divided from England by the ocean, though her gay fields were hidden, probably for ever, from my view, still her happiness and her glory were the objects of my constant solicitude; I rejoiced at her victories, and mourned at her defeats; her friends were my friends, and her foes were my foes. Once more returned, once more under the safeguard of that Sovereign, who watched over me in my infancy; and the want of whose protecting arm I have so long had occasion to lament, I feel an irresistible desire to commu-
nicate to my countrymen the fruit of my experience; to shew them the injurious and degrading consequences of discontent, disloyalty, and innovation, to convince them, that they are the freest, as well as happiest, of the human race; and above all, to warn them against the arts of those ambitious and perfidious demagogues, who would willingly reduce them to a level with the cheated slaves, in the hearing of whose yoke I have had the mortification to share.*

We are told, that there is, or ought to be, about every human body, a certain part called the crumenæ, upon which depends the whole æconomy of the intestines. When the crumenæ is full, the intestines are in a correspondent state; and then the body is inclined to repose, and the mind to peace and good neighbourhood, but when the crumenæ† becomes empty, the sympathetic intestines are immediately contracted, and the whole internal state of the patient is thrown into insurrection and uproar, which, communicating itself to the brain, pro-

* Vide Porcupine Newspaper, No. 1.
† The Purse.
duces what a learned state Physician calls the mania reformationis; and if this malady is not stopped at once, by the help of an hempen necklace, or some other remedy equally efficacious, it never fails to break out into Atheism, Robbery, Unitarianism, Swindling, Jacobinism, Massacres, Civic Feasts and Insurrections.*

The history of the United Irishmen will not detain us long. Soon after the ever to be regretted epoch, when God, in his wrath, suffered the tinkers, butchers, harlequins, quacks, cut-throats, and other modern philosophers, to usurp the government of France, their brethren in Ireland tempted by the successful example, began, with wonderful industry, to prepare for taking the government of that country into their own hands. With this laudable end in view, they formed what they called their society, in the city of Dublin. To say in what manner they proceeded to business, would be superfluous, since we know they were Democrats. Their meetings, as among us, produced resolves in abundance, and good fortune seemed for a time

to smile upon them. The press was suffocated with their addresses,* and letters of fraternity, which were swallowed by the mob, for whom they were intended, with an appetite which generally characterizes that class of citizens. But all of a sudden, when they were in the height of their work, mangling the carcase of the government, the magistracy soosed down upon them, like an eagle among a flock of carrion crows. Here was fine heller-skelter; fining, imprisoning, whipping, and emigrating; some ran this way, others that; some came to America to brew whiskey, some went to France to gather laurels, while others of a more philosophic turn, set off to Botany Bay, to cull simples.†

The ostensible object of the United Irishmen, like that of all other usurpers from the beginning of the world to the present day, was a reformation in the government of their country. To say much about a plan of reform proposed by a "band" of such obscure and illiterate persons as their proceedings prove them to be, would be paying

* Vide Political Register passim
† Vide Porcupine works, vol n. page 97, 98.
Elements of Reform.

ignorance too much attention, and would be, besides, in a great measure, superfluous, as we have already been favoured with the newest new constitution of a sister republic, of which that proposed by the United Irishmen was but a counterpart*. "Rebellions," says Swift, "ever travel from north to south; that is to say, from poverty to plenty." The Dean knew mankind pretty well, but not better than his countrymen, the United Irishmen, as we shall see by their addresses to the poor. "To you," say they, "the poorer classes of the community, we address ourselves. We are told you are ignorant; we wish you to enjoy liberty, without which no people was ever enlightened; we are told you are uneducated and immoral; we wish you to be educated, and your morality improved by the most rapid of all instructors; a good government. Do you find yourselves sunk into poverty and wretchedness? Examine peaceably and attentively the plan of reform we now submit to you. Consider, does it propose to do you justice? does it propose to give you sufficient

protection? for we have no fear but that the rich will have justice done to them, and will be sufficiently protected.” In another place they tell their poor friends, that it is the “unequal partition of rights, that is the cause of their poverty, and that makes them mob.” It is thus that the ambitious trouble of mankind ever find their way to the hearts of the lower classes of the community. They flatter their natural inclination, which is ever to attribute their wants and misfortunes, which are usually no more than the lot of humanity, or the natural consequences of their own idleness or profligacy, to the errors or wickedness of those who rule over them.

Those who are simple enough to listen to a demagogue, seldom care about his moral character. With the rights of the citizens, their virtue, and their sovereignty, eternally vibrating on his lips, he may, for aught they care, have a heart as black as Tartarus. If he writes, let him fill his pages with frothy declamation, and vaunting bombast, with the canting jargon.

* Vide Porcupine's Works, vol. ii. page 105
of modern republicans, and it matters little what arrangement he makes use of. Ambiguity and confusion are even an advantage to him; they are a labyrinth in which he loses the wretches whom he has enticed from duty. In short, his business is to awaken in his reader, jealousy, envy, revenge, and every passion that can disgrace the heart of man, to lull his gratitude, reason, and conscience asleep, and then let him loose upon society*.

On all hands it is allowed, that the parasite of a prince is a most despicable character; a *popular parasite* must then be *doubly despicable*. It is possible for the supple courtier to find something like an apology for his self-humiliation: one may be dazzled by the splendour of a crown, or blinded by the munificence of a friend and protector; but what must be the man (if, indeed, he be worthy of the name) who can crawl to the dregs of mankind? who can make a voluntary surrender of the superiority with which nature has endowed him? who can
sacrifice truth, honour, justice, and even common sense, to the stupid stare and momentary huzza of the populace, whose welfare affects him not, and whom in his heart he despises."

Sir Francis Burdett, in a moment of exultation, and tumult of joy, undoubtedly considers himself as a most sublime patriot, and as the idol of the mob. *Enviable distinction!* But the most serious charge I have against him is, the attempt he has made to insinuate, that government has had recourse to secret execution. This is so black and diabolical an insinuation, that no power of language can sufficiently mark its infamy. Does he mean to say that prisoners have been secretly executed without a trial? Can he have the effrontery to assert it? Let him bring forward his proofs; proofs clearly substantiated. I dare him to do it. But no, he cannot; he dare not; and the attempt to fix such a crime on the government, is to the full as atrocious as the actual commission of it, and merits the strongest and most pointed reprobation. Can

measures, sanctioned by Parliament, and approved by a vast majority of the country; measures evidently adopted for the security of our persons, our properties, and our laws, be called tyranny and oppression? It has been the happy lot of this country to possess a minister, (the late Mr. Pitt), whose great and comprehensive mind was competent to the difficulties of our situation; by whose effective and decisive measures, the disaffected have been crushed, and compelled to hide their diminished heads; and, it will reflect the most resplendent lustre on the British character to the latest posterity, that the people had the wisdom to approve, and the fortitude to support them. Sir Francis need not be told, that by these insinuations he is highly reflecting on the Parliament, which he probably intends. The measures which have prevented the seditious from disturbing the peace and good order of the country, and for whose sufferings, though justly inflicted, he feels such a tender regard, were approved in Parliament; and dares he censure its decree? It really excites something like a smile, to observe how very limited is the loving-kindness of this tender-hearted philanthropist. It has never
come to my knowledge, that he has extended it to any other criminals. Did he ever bring before the House the cause of the widow, or the orphan, unconnected with politics? or of some unfortunate wretch, languishing in prison, rather through his own misfortunes, or the villainy of others, than from any crimes? Did he ever from the purse, which now so readily overflows; did he ever glad the heart of the unfortunate debtor, and restore him to his afflicted and starving family, and to Society? Let him satisfactorily answer these questions, before he makes a parade of his philanthropic humanity, in behalf of acquitted felons, and the pests of society.

He says he loves his country, and its tranquillity. What a prostitution of the noblest of all principles! Our patriotic philanthropist proves this, by advocating the cause of its bitterest enemies. Is it love for our country to display, on every occasion, the most rooted animosity to its constitution and government? Is it love for our country to take a decided part with the seditious and disaffected? Is it love for our country to treat with contempt the laws,
and its administrators? Away with such critical care. If this be love of our country, confess I have none of it. Sir Francis may again assert it; but where is the credulous, fool who will believe it? It was our intention to have entered into a refutation of certain political doctrines, which Sir Francis Burdett has published; but, upon closer examination, we find them proceed upon notions so directly subversive of the laws and government of the country, that any controversy with him must necessarily have for its object, to prove the inexpediency of destroying the monarchy of England. To reason with such a man would be absurd: he must be treated with silent contempt, or be combatted with weapons very different from a pen: however, we declare our abhorrence of the principles and conduct of the man, who, in alluding to the British Government, speaks of "hired magistrates, parliaments, and kings;" we DETEST and LOATHE Sir FRANCIS BURDETT, we would trample upon him, for his false, base, and insolent insinuations and assertions respecting his and our Sovereign.
I shall stop here to make an observation which ought to be very well attended to by the whole of the British nation: and that is, that all the revolutionists, while they are endeavouring to excite the people of Great Britain and Ireland to revolt against the government, profess great fidelity to their country and loyalty to their king. They pretend to have nothing in view, but "the good, the honor, the permanent glory of the empire." They propose to amend and not to destroy;" to make the people truly happy, and "His Gracious Majesty truly Great." Their stalking horse is REFORM, but their real object is the OVERTHROW OF THE MONARCHY: a scramble for power and riches: and this intention, should they succeed, they will boast of, with as unblushing a front as Lauderdale's friend Brisot and his gang, after they had made the exciting of the insurrection of the 10th of August, one of the crimes for which they put their sovereign to death, boasted of having excited the insurrection themselves! This is one of the blackest deeds in the annals of Republican France; but let the people of Great Britain be assured, that, instead of abhorrence, it has served to awaken emulation in the minds of the degraded and desperate fac-
tion, who have still the hypocrisy to bellow for REFORM

In reply to Counsellor Ego's speech (for reform in 1797), Mr. Pitt did not take the ground that I should have taken. "He insisted, (and with great truth) that the sort of reform, which the present reformers intended to introduce, was widely different from that which he had once endeavoured to bring about, and therefore he was not chargeable with inconsistency in espousing the one, and opposing the other. He said, that with respect to any plan of reform at all, whatever he might in former situations of the country have felt on this subject; he meant not to deny, that since the new æra in the history of the world, occasioned by the French revolution, he had felt the ground on which the argument formerly stood, was essentially and fundamentally altered. Thinking as he now did, of a parliamentary reform, it was not at all inconsistent, that under the present situation of the country, he should be inclined to forego the benefits of reform, rather than compromise, or give a footing to principles of so
much more dangerous a tendency than those imperfections in the constitution; the removal of which he might wish.” This was not the ground for a man like Mr. Pitt to take; he should have candidly and boldly acknowledged his error. He was a youth when he formerly espoused the cause of Reform; age and experience had taught him that he was wrong.* I should think myself the most stupid ass that ever browsed a thistle, were I to doubt one moment as to the unity of the object kept in view by all the tribes of Reformers:†

The people have been told that they are not represented in the House of Commons, that, that assembly is no longer what it used to be, and that until it be reformed, it is in vain for them to hope for any good from that quarter. The words representation and elective franchise have done much towards confusing the brain and corrupting the heart of his Majesty’s subjects: and, though we have not the vanity to suppose, that we possess the power of dissipating the fatal delusion, it is our duty to contribute our mite in the attempt.

The maxim, upon which the enemies of the government proceed is this: that a people are free and happy in the exact proportion in which their voice prevails in the election of those who make the laws; and, as the voice of the mass of the people here has, in truth, no very great share in the election of the House of Commons, they, of course, can enjoy but a small portion of freedom, and of that happiness, which it is in the power of law and government to bestow.

To argue against this doctrine would be useless: men have been disputing on it for two hundred years, and are as far from an agreement as ever. We shall, therefore, appeal from reasoning to experience; from theory to practice; from opinions to facts. Nor shall these facts be drawn from antiquated history, the authenticity of which might be doubted, but from a state of things this moment in exercise. Again, they shall not be sought for amongst the Venetians, the Genoese, the Swiss, the French, or the Dutch, but amongst a people descended from the same stock with ourselves; speaking the same
same habits, customs, and manners, and differing from us only in those points where the revolution in their government have had an immediate effect.

It will easily be perceived, that we here allude to the people and government of America; and we shall, after a few presatory remarks, extract a passage from a pamphlet, written by an American, an eminent lawyer of New Jersey, in the year 1799. The pamphlet was addressed to the people of that state; the author’s name, William Griffiths, whose object was to point out the evils of the government, and to prevail on the people to consent to a change. The “elective franchise,” was as universal as even Sir Francis Burdett could have wished it, and we now are about to see a fair picture of legislative assembly produced by that “inestimable privilege.”

Our famous countryman, Swift, has compared the people who choose popular assemblies, to those silly worms, which exhaust their substance, and destroy their lives, in making habits for beings of a superior order. With all due deference to such
an authority, we beg leave to say, that the latter part of the comparison will not bear the test of experience. That the people, in the exercise of their imaginary rights and privileges, do exhaust their substance, and, sometimes destroy their lives is most certain; but, that they do this for the sake of beings of superior order, will be believed by no one, who has paid any attention to the objects of their choice, and who must of course have observed, that that choice does not unfrequently fall upon bankrupts, swindlers, quacks, parasites, panders, atheists, apostates, in a word, upon the most infamous and the most despicable of the humane race; wretches whom no prudent tradesman would trust alone in his shop, and with whom any honest man would blush to be seen in conversation.

How happens it, that the people of America, for instance, are induced in many instances, to commit their property and their lives to the guardianship of the refuse of the community? The Americans are, generally speaking, descended from the same ancestors with ourselves; they
are by no means inferior to us in point of discernment; and their love of liberty, property, and life, is equal to ours. The cause of their pro-
posterous choice is this: the mass of the people of all nations, are so fond of nothing as of power. Men of sense know, that the people can, in reality, exercise no power which will not tend to their own injury; and, therefore, if they are honest men, as well as men of sense, they scorn to foster their vanity at the expence of their peace and happiness. Hence it is, that in states, where the popular voice is unchecked by a royal or any other hereditary influence, that voice is, nine times out of ten, given in favour of those fawning parasites, who in order to gratify their own interest and ambition, profess to acknowledge no sovereignty but that of the people, and who, when they once get into power, rule the poor sovereign that has chosen them, with a rod of scorpions, affecting, while the miserable wretch is writhing under their stripes, to call themselves his "representatives."

Of all the tyrannies that the devil or man ever invented, the tyranny of an elective assembly, un-
controled by regal power, is the most insupportable. When the tyrant is an individual, the slaves have the satisfaction of knowing their oppressor; they have the consolation of hearing him execrated, and amidst their miseries, they are now and then cheered with the hope, that some valiant hand will bear a dagger to his heart. But, an uncontroled assembly is an undefinable; an invisible, and an invulnerable monster; it insinuates like the plague, or strikes like the apoplexy: it is as capricious, as cruel, and as ravenous as death; like death, too, it loses half its terrors by the frequent repetition of its ravages: and, such is its delusive influence, that every man, though he daily sees his neighbour falling a sacrifice to the scourge, vainly imagines it to be at a distance, from himself. Now, for proof of what we have advanced, we shall quote Mr. Griffith’s description of the Legislative Assembly of New Jersey.

Page 109.—“It is impracticable here to enter into a detail of facts to prove, that the virtue of the legislature has been, and will be, constantly assaulted and overcome. It shews itself in the
formation of the legislature. No sooner does an election for a legislative assembly and council approach, than the question is not who are the wisest and most disinterested, and of most integrity; but who will best answer the views of party, of private ambition, or personal resentment. In every county there is constantly a succession of people aspiring to appointments, civil or military: some desire to be judges, some justices, some majors, and some colonels; some have interests depending in the courts of law, and some, perhaps, have resentments against existing officers, and would fain oust them from their seats: all these, and a thousand more passions are set to work; and nominations to the legislature are directed, and supported, upon principles altogether beside those which should form the basis for a right election of legislative characters: the result must, of course, be unfavourable to the public good. But this is not all; not only are elections rendered vicious, and the morals of the people corrupted, in these struggles for personal advantages, but unhappily the candidates partake of the contamination: they must promise allegiance to their party: you shall be a judge, and you a justice, you
you a major, and you a colonel, you a clerk, and you a commissioner; I will solicit your cause in the court of errors, and will vote for your friend to fill a seat in the judiciary. If these kind of illicit engagements are not publicly or directly entered into, they are sufficiently understood and guaranteed by those friends of the candidate who take a leading part in his election. Instead of being elected with a national view, and for the purpose of forming general laws, for a more equal and salutary government of the people, the persons go there to represent the interests and gratify the desires of a few partizans in their different districts, upon the performance of which will depend their re-appointment at the ensuing election!

"When the legislature is formed, then begins a scene of intrigue, of canvassing and finesse, which baffles all description, and is too notorious to require proof, and too disgusting for exhibition. The members of a county, in which an office is to be disposed of, are beset by friends and partizans of the candidates; their hopes and fears are excited, by all the arts which can be
suggested; from these the attack extends itself till it reaches every member of the legislature; and so strong and so general does the contest become, by the different representations having each particular objects to attain, that one grand scene of canvass and barter ensues: a vote for one, is made the condition of voting for another, without regard to qualifications; even laws which are to affect the public interest, are made the price of these interested concessions; and not unfrequently is almost the whole sitting of the legislature spent in adjusting the pretensions, and marshalling the strength of the respective candidates for office. To such a pitch has this grown, that even the members of the legislature complain of it, as an intolerable evil. There contests again lay the foundation for new parties and new sentiments at the next election. To counteract the opposition which may be stirred up, all the appointments will be made, with a view to strengthen the interest of the sitting members. New commissions, civil and military, judges and justices, general officers, general-staff and field officers, will be made, with a reference to the state of parties in the county,
instead of being dictated by a quite contrary spirit. It is within the knowledge of those conversant in the courts of law, that in the counties, many of them are become mere, political clubs. They take sides; and a man, before he brings on his cause, counts the heads upon the bench.

"The result of all this is seen and felt in every quarter. From hence proceed the jars and divisions which destroy the pleasure of social life in every neighbourhood and village; and from hence arises the instability of laws, the multiplication of magistrates, the weakness and division of the courts of justice, the heats and ill-directed zeal at elections, and that general languour and dereliction of principle in every department, which menaces the total depravation of the body politic."

Such Englishmen, such is the description of a legislative assembly, where "equal representation" prevails, where almost every man has a vote at elections, and where those elections do annually recur. The ambitious knaves, who flatter you with high notions of your rights and
privileges, who are everlastingly driving in your ears the blessings of what they call the "elective franchise," wish to add to the number of electors, because they well know that they would thereby gain an accession of strength. The only object that such men have in view, is the gratification of their own ambition at the public expense; and, to accomplish this object, they stand in need of your assistance. There is a continual struggle between them and the legitimate sovereignty of the country, which restrains them from pillaging, oppressing, and insulting the people. Hence it is, that they are constantly endeavouring to persuade the people, that that sovereignty requires to be checked and controuled; in which nefarious endeavours, they are unfortunately but too often successful. How they would act, were they once to engross the whole power of the state, you may easily perceive, from what has been disclosed to you respecting the legislature of an American republic. If you imagine, that you should be able to avoid the evils, which, from this source, the Americans have experienced, you deceive yourself most grossly. They
are as fond of freedom as you are, and they want no information, nor any good and great quality that you possess; but, having been too jealous of the royal authority, having rent their ears, and next their hands, to those demagogues who persuaded them that they were capable of governing themselves, they destroyed the only safe-guard of that liberty, for which they thought they were fighting, and the want of which they now so sensibly feel and so deeply deplore.

"Stick to the Crown, though you find it hanging on a bush," was the precept which a good old Englishman gave to his sons, at a time when the monarchy was threatened with that subversion, which it afterwards experienced, and which was attended with the perpetration of a deed that has fixed an indelible stain on the annals of England. Blessed be God! we are threatened with no such danger at present; but a repetition of the precept can never be out of season, as long as there are Whigs in existence, and as long as there are men foolish enough to listen to their insidious harangues. The Crown
is the guardian of the people, but more especially is its guardianship necessary to those who are destitute of rank and wealth. The King gives the weakest and poorest of us some degree of consequence: as his subjects, we are upon a level with the noble and the rich; in yielding him obedience, veneration, and love, neither obscurity nor penury can repress our desires, or lessen the pleasure that we feel in return; He is the fountain of national honor, which, like the sun, is no respecter of persons, but smiles with equal warmth on the palace and the cottage; in his justice, his magnanimity, his piety, in the wisdom of his councils, in the splendor of his throne, in the glory of his arms, in all his virtues, and in all his honors, we share, not according to rank or to riches, but in proportion to the attachment that we bear to the land which gave us birth, and to THE SOVEREIGN, WHOM GOD HAS COMMANDED US TO HONOR AND OBEY.*

The present have been called "the days of

Vide Political Register, Vol. i. page 791-2-3-4-5-6.
disloyalty," and in truth of the justice of the appellation, the clamours for what has been termed CONSTITUTIONAL AND PARLIAMENTARY REFORM have been cited: From whatever source political delusion may come, by whatever means it may be propagated, and in whatever degree it may prevail, can its prevalence ever be conducive either to the interest or honour of the nation?—Can it enlarge our understandings, or strengthen the integrity of our hearts? CAN IT LESSEN OUR WANTS or INCREASE OUR COMFORTS? At home can it ever make us happy? Abroad can it ever make us feared or respected? EXPERIENCE, sad EXPERIENCE, says NO.

On the contrary, it is the cause of all our calamities and disgraces, domestic and foreign. It is a slow but deadly poison to Britain. Amidst those blessings, which are the envy of her neighbours, it makes her peevish, malecontented and mad: it mines her constitution: it convulses her frame, IT ENERVATES THOSE COUNCILS AND PALSIES THOSE ARMS,
WITH WHICH SHE WOULD OTHERWISE ANNIHILATE HER FOES.

Those who have perused the recent Numbers of the *Political Register*, will scarcely believe it possible that the foregoing sentiments could have been promulgated by the same author: they may, however, rest assured, that every line is the genuine production of the identical William Cobbett, who now addresses us as the advocate of reform, who is now the sworn friend of the man whom he wished to "trample under his feet," who is now one of those very demagogues, of whom he has said that "their stalking-horse is Reform, but their real object is the overthrow of the Monarchy;" and that "while they are endeavouring to excite the people of Great Britain to revolt against the Government, profess great fidelity to their country, and loyalty to their King†; and who is now, according to his own words, endeavouring to persuade us, that

---

the sovereignty requires to be checked, that he may "PILLAGE, OPPRESS, AND INSULT
THE PEOPLE". In is Political Register of
this day, (May 13th, 1809) page 722, he tells
us; that the constitution of our forefathers con-
siders the House of Commons as a check upon the
crown." Now let us see what he has before said
on the subject, when the Question of Reform
was agitated in the House of Commons, in 1797;
Mr. Erskine, then a demagogue, stated that the
office of the House of Commons was to curb
and control the power of the Crown, acting
on the part of the people. Upon which senti-
ment Mr. Cobbett made the following remarks:
—"Precisely the contrary, good lawyer.
I defy you to produce any sentence, phrase, or
word in use among "our forefathers," from which
it can possibly be presumed that the office of the
House of Commons was to curb and control the
executive power; and with much more confidence
I defy you to prove, that this House were ever
looked upon as mere agents, acting on the part

† Political Register, vol. i. p. 725.
of the people. They are one branch of a Grand Council, the whole of the Members of which act for the King and the Nobility, as well as for the rest of the nation. Nothing is more invidious, nothing more repugnant to the principles of monarchy, nothing more dangerous and leading to consequences more destructive, than this whiggish doctrine of separate powers, acting in opposition to each other.'—(Cobbett's Works, vol. vii. p. 29.)

Thus has he given us two diametrically opposite accounts of 'the Constitution of our forefathers.' And shall we be cheated by such knaves as this?* Shall we listen to the delusive voice of traitors, who are endeavouring to excite us to revolt, that they may "pillage, oppress, and insult us?—Let us first consider what benefits WE should obtain by furthering their visionary schemes; let us calmly compare our own situation with that of other European nations—and let us seriously reflect that the same tyrant who has subjugated France, Holland, Switzerland,

* "Ex uno disce omnes."—Virgil."
and Italy,—degraded Prussia, and desolated Spain, will not fail to take advantage of any civil commotion among ourselves, and, while we are contending for imaginary rights, despoil us of those real blessings, which Englishmen, and Englishmen alone, enjoy.

It must not be forgotten that WILLIAM COBBETT has told us that eight years experience had taught him "the injurious and degrading consequences of discontent, disloyalty, and INNOVATION," (for which he was once before an advocate), and that Englishmen "were the freest as well as happiest of the human race"—his present apostacy, therefore, admits of no palliation, and his wilful attempts to destroy our happiness must result from the most malignant and diabolical motives that ever debased the human heart.

We may now say of him, as he, in his Political Register of Dec. 11th, 1802, said of his present idol Sir Francis Burdett, "The wonder is not how a man can hold up his head, but how he can bear to exist, under the proof of
such glaring such shameful Tergiversation!!"

Henceforward, Britons, I trust, you will duly appreciate the worth and patriotism of

WILLIAM COBBETT.

A LETTER
TO
THE RIGHT HONOURABLE
LORD VISCOUNT MELVILLE,
ON THE SUBJECT OF
HIS LORDSHIP'S LETTER
TO
THE RIGHT HON. SPENCER PERCEVAEL,
RESPECTING
A NAVAL ARSENAL
AT
NORTHFLEET.

BY THE RIGHT HON. GEORGE ROSE.

SECOND EDITION.

LONDON:
PRINTED FOR T.CADELL AND W. DAVIES, STRAND.
1810.
The author has been enabled, in this edition, to give a correct extract from the report of the Commissioners for Naval Revision, respecting their opinion as to the ships of the enemy carrying their lower-deck ports higher out of the water than those built in this country; which in justice to them he has inserted. — See p. 11.
A LETTER, &c.

MY LORD,

IN making this address to your Lordship, I have not the remotest intention of entering into a controversy with you in consequence of your letter to Mr. Perceval; to which I should feel myself very unequal in every respect, even if the ground of the difference of opinion between us on the subject was much wider than it is. In truth that difference is more in degree than in substance, for if a new Naval Arsenal must be provided to the eastward, I am persuaded a better situation than Northfleet cannot be found; from its easy access to the Nore, and being free from the difficulties of the upper part of the river.

Some explanation is, however, necessary for my presuming to address you on a matter out of the line of my general pursuits in public business, especially upon
upon one on which you have had opportunities that could not escape you in official situations, of informing yourself to the best advantage: and I cannot hope to be excused for doing so on a better ground than by stating, that after last Christmas Mr. Perceval sent to me in the country an abstract of the 15th Report of the Commissioners for Naval Revision, made for the purpose of drawing his attention to the several points in it, which were conceived to be the most important for his consideration. Unwilling to withhold the paper from others infinitely more likely to give useful advice upon it than myself, I sent it back by the return of the post, and in a few days afterwards communicated to him the following observations. Having then recently considered most attentively the extent to which our expenditure had grown, I will fairly own, I made them under the influence of a firm persuasion of the absolute necessity of reducing that in every practicable way not inconsistent with our safety: and I think it desirable to give these suggestions in the state they were offered at the time, to avoid as carefully as I can even the appearance of going out of my way to differ with your Lordship.
Cuffnells, January 6th 1810.

If it could be satisfactorily proved, that there is an indispensable necessity, or even a pressing urgency, for the Naval Arsenal at Northfleet to the extent proposed, the amount of the expence likely to attend it should not, I think, prevent the adoption of the measure; because unquestionably the maintenance of our naval superiority must be paramount to all other considerations whatever. But on the other hand it may safely be asserted, that there has been no period in our history when there existed stronger reasons for carefully avoiding every charge not essentially necessary for the safety of the country.

It is therefore incumbent on those who are most immediately intrusted with the public purse, to examine with the most diligent attention any plan that may be proposed, which is likely to occasion a considerable expenditure; and it can convey no reflection on the distinguished Nobleman at the head of the Commission for Naval Revision, than whom I know not a man more eminent for skill in naval matters, or more to be respected for unbiased integrity and unremitting zeal in the public service, or on the other commissioners, to
Suppose it possible in this instance, that they may not have been aware of the infinite importance of such an examination. Under a strong impression of the great utility of the measure, they have very naturally brought forward every consideration likely to influence the minds of others.

What the cost of the whole of the works proposed at Northfleet would be, is, I think, not stated in the abridged account extracted from the report; but the expectation held out by the commissioners cannot have been much less than 6,000,000l., as they say that the expense of the measure will be compensated by the savings in the first fifteen years, amounting to 5,900,000l.; and considering how infinitely the real charge exceeds the estimate in all cases of this sort, it is not likely that the whole work, with the extensive fortifications necessary for its defence, in a situation more exposed than Chatham, would be completed for a sum lower than 10,000,000l.; for whatever difference of opinion has prevailed about fortifications, there never was one expressed by any authority against effectual protection for our great Naval arsenals. The sum above-
above-mentioned will therefore not be thought an extravagant conjecture; for which taxes must be found to produce nearly 600,000l. a-year.

The advantages that would attend the introduction of the use of mechanical powers to perform work in our dock yards, now done by the hands of men, are unquestionable; and it has long been a matter of surprize to me that it has not been much earlier considered, how far that was practicable in the present yards; as we have seen mechanical engines, especially those worked by steam, applied for the abridgment of labour in almost every private establishment of magnitude in the kingdom; by the use of which the articles manufactured have not only been furnished at a much less expence, but have been improved in quality. The convenience and economy of railways, for carts, &c. to move in, is equally evident.

I am ready to make an admission also to the projectors of the plan (without knowing the fact), that great advantage would be derived from building all the large ships of war, and making the whole of the cordage, and perhaps the anchors, in His Ma-

 Majesty's
jefty's yards; but I am inclined to think it would by no means be advisable to introduce manufactures of canvas there, about which I shall say more before I finish this paper.

That the attainment of the objects on which there is no difference of opinion, could be infinitely better provided for in a new Naval Arsenal of sufficient extent than in the present yards, not only on account of the additional space that would be acquired, but by making all the arrangements of the buildings most advantageous for the application of machinery, it would be absurd to deny; but the point for attentive consideration is, whether the superior benefits that would be derived from the new Arsenal are sufficient to justify the unavoidable expense that would be incurred.

Other circumstances are, however, stated by the commissioners to induce the adoption of the plan.

The want of sufficient depth of water at the present dock-yards; an inconvenience said to be rapidly increasing. improper situations in which they are placed.
— insufficiency of them to maintain the navy on its present extended scale.
— want of space for ships in ordinary.
— decline of the dock-yards; the means of naval superiority being thus lessened.
— necessity for our building the large ships of such a construction, as to prevent their carrying their lower-deck ports as advantageously as those of the enemy.
— distance at which the ships are from the yards, which affords opportunities for embezzlement; expense of craft, &c. &c. &c.

In such a case as the present I should justly incur the imputation of great presumption if I were to do more than recommend that opinions offered by men of the highest professional character, should be considered before a measure which must be attended with a most enormous expense is adopted. — I repeat that it is perfectly natural they should propose such a measure, impressed as they are with its importance. The point I wish to press for attention is, whether material parts of it cannot be obtained in the present yards at a limited expense, though not to so great advantage as in a new Naval Arsenal;
Arsenal; and whether the urgency is quite as great for that proposed as the zeal of the commissioners for the improvement of the navy has induced them to represent.

With respect to laying cordage by machinery, an highly useful work, and I believe the most important of those proposed to be done by steam, both as toconomy and the improvement of the article; I have a perfect conviction, formed on no light ground, that sufficient room may be found for it in the present yards; and in many of them it seems probable machinery might be erected for all the other purposes suggested except the manufacture of canvas.

The forming railways to a considerable extent cannot be difficult, though not so much advantage as if the buildings, &c. had been constructed with a view to them.

The inconvenience, urged by the Commissioners as rapidly increasing, of an insufficiency of the depth of water in our dock yards is a most serious evil. It is I believe not felt at Plymouth, where ships
ships of any draft of water can enter the harbour and be docked; and equal convenience has been afforded by modern improvements, as far as respects the docks at Portsmouth; at the latter it is not the depth of water in the docks, or in the harbour, that is complained of, but the bar near the spit at the entrance of the harbour:—an inconvenience, I admit, nearly as great as shallow water in the docks or harbour would be, unless it can be removed; the practicability of which has probably not escaped attention; otherwise it certainly ought to be considered.—At Sheerness no ship larger than one of 64 guns can be docked, but at Chatham first rates may be taken in. The objections to the yards at Woolwich and Deptford arise principally from the want of water in one or two of the reaches above Gravesend, Erith in particular.*

* As high as Long Reach, vessels of any draft of water may be navigated with perfect safety; but ships of great draft are lightened there, and wait for spring tides before they go higher up. The large Indiamen draw 23 or 24 feet, within a few inches of a seventy-four gun ship. The depth of water in the stream of the Thames continues nearly the same, (though the shores are covered with mud) by the exertions of the Trinity House, who take up above 300,000 tons of gravel yearly from the bed of the river, but the collection of mud there is about equal to that: in particular spots, however, I believe the depth has been somewhat improved.
And here may arise two questions for consideration, 1st. Whether the shoal in Erith Reach can be removed, and at what expense; and, 2dly. If that should be found impracticable or too expensive, what the charge would be of making a cut from Purfleet to Blackwall, sufficiently deep for ships of the largest draft of water to pass through. The latter question is the more important, as it is of great consequence to the trade of the capital, as well as to the naval yards in the river; such a cut has been in contemplation, and if it could be undertaken, it is probable the expense either of that, or of deepening Erith Reach, might be defrayed by a charge on the trade of the port, which would be compensated by the saving arising from avoiding delays, frequently very expensive and inconvenient: in either of which cases the yards of Woolwich and Deptford might perhaps be enlarged and rendered more useful.

The consideration next in importance to the obtaining deeper water at the entrance of Portsmouth Harbour and in Erith Reach, is the capacity of the present Yards for the building and equipment of ships for the navy; having already referred to the
practicability of erecting machinery in them. In this part of the subject it is proper to take notice of the observations of the Commissioners, as stated in the abridgement* of the Report, respecting "the necessity which unfortunately exists, of not giving the large ships sufficient depth of hold to enable them to carry their ports so high out of the water as the ships of our enemies; owing to which the large ships of France and Spain are

* Since the publication of the first edition, I have been favoured with the following correct extract from the report of the commissioners; which I think it right to give in their own words:—'In addition to the disadvantages arising from the want of a sufficient depth of water in the Royal harbours, there is another which we cannot state in more forcible terms than the Navy Board did in a letter of the 9th of November 1806 to the secretary of the admiralty, as follows: "We must beg you will be pleased to draw their Lordships' attention to the want of the depth of water in the several King's ports; this consideration has prevented our giving the ships more depth, as we could not but be aware (even without the examples of the many French ships which have been taken,) that increased depth of hold would give the ships more stability, and enable them to carry their ports higher, provided they are not loaded with increased weights. If the ships of the first and second rates be deepened generally, the difficulty of docking them, and laying them up in a state of ordinary, must be increased."

"frequently"
frequently enabled to use their lower-deck guns at a time when the lower-deck ports of our large ships are under water, and the guns rendered incapable of being brought to bear upon the enemy."

On reading what the Commissioners say on these points, without the remotest intention, I am persuaded, of exaggeration; but insensibly carried away by their zeal for improvements, a person quite new to the subject would be disposed to think that no endeavours had been used for making improvements in our Naval Arsenals, to keep pace with the increase of our navy: whereas at Portsmouth alone, 23 acres have been added since the end of the seven years' war in 1763; that yard now containing 100 acres; in the new part of which are slips for building three ships of the largest size, and two for small ships. In Sheerness yard some additions have been lately made, the extent of which I do not know; nor am I apprized of what improvements have been lately made at Chatham, but those at Plymouth have been very complete. With the certain knowledge, however, of the very extensive improvements at Portsmouth, of some at Sheerness, and
and observing no neglect at Woolwich and Deptford, I am not aware of what the Commissioners allude to, when they speak of the decline of the dock yards, and the means of our naval superiority being lessened; especially, as the additional convenience at Portsmouth, provided within the last 40 years, is not confined to building ships. The great basin there has been deepened and enlarged; the middle dock, south dock, and south east dock, in the great basin, made new; the four jetties have been enlarged; the north basin deepened and enlarged; the channel leading to the basin formed into a dock for frigates, and the entrance formed into a lock for receiving a ship occasionally. When it is considered likewise, that within the same period, the coppering our men of war has come into general use, which prolongs the time very considerably during which they can continue afloat without being docked, the provision made for docking them should be reckoned as two or three fold.

Difficult as I find it to understand the allusion of the Commissioners to the decline of our dock yards, I am equally unfortunate as to the comparative advantage
vantage (in the opinion of the Commissioners) in the construction of the ships of the enemy over those built in this country, with respect to their being able to use their lower tier of guns, when the lower-deck ports of our ships are under water; which I am persuaded arises from my ignorance in professional matters. It will be seen in the following instances (not selected for the purpose), that the actual height of the lower-deck ports in our ships is about the same as in those of the enemy: and if the greater draft of water gives additional stiffness to a ship when it blows fresh, and so enables her to fight her lower guns better, even in that case the additional draft of the ships of the enemy above ours is inconsiderable.

Of first-rates I have not the means of making a comparison between the French and ours; I believe indeed we have not now a French ship of this class in commission; but the Spaniards have long been supposed to build as fine ships of war as the French; with those the comparison stands thus; a Spanish and an English ship of the same class, are lying along-side each other at Spithead at this time:
The height of midship ports out of the water.

<table>
<thead>
<tr>
<th>British</th>
<th>Caledonia</th>
<th>120 Guns</th>
<th>5 6</th>
</tr>
</thead>
<tbody>
<tr>
<td>Spanish</td>
<td>San Joseph</td>
<td>114 Guns</td>
<td>5 6</td>
</tr>
</tbody>
</table>

Of third-rates we can make the comparison between the English and French.

<table>
<thead>
<tr>
<th>Height above the midship port.</th>
</tr>
</thead>
<tbody>
<tr>
<td>------</td>
</tr>
<tr>
<td>British</td>
</tr>
<tr>
<td>Revenge</td>
</tr>
<tr>
<td>Ajax</td>
</tr>
<tr>
<td>Majestic</td>
</tr>
<tr>
<td>French</td>
</tr>
<tr>
<td>Impetueux</td>
</tr>
<tr>
<td>Implacable</td>
</tr>
<tr>
<td>Donegal</td>
</tr>
</tbody>
</table>

It having been thus shewn that the enemy has no advantage in the height of the lower-deck ports above the water, it remains to be considered whether there is such a difference in the construction, occasioning an increased draft of water, as to create a necessity for a new dock-yard on that account.

The load draft of water.

<table>
<thead>
<tr>
<th>British</th>
<th>Caledonia</th>
<th>120 Guns</th>
<th>26 0</th>
</tr>
</thead>
<tbody>
<tr>
<td>Milford</td>
<td>74 Guns</td>
<td>24 6</td>
<td></td>
</tr>
<tr>
<td>Revenge</td>
<td>74 Guns</td>
<td>24 6*</td>
<td></td>
</tr>
</tbody>
</table>

* This French ship, drawing the most water of any in the same class, appears to carry her lower-deck ports nearer to the water than the others.

Ajax
Ajax 74 Guns 23 3
Majestic 74 23 9
Foreign, San Joseph 114 27 1
Tigre * 74 25 4
Impetueux 74 24 0
Implacable 74 24 0
Donegal 74 24 4

Hence it appears that the greatest difference in the draft of water is in a first rate 13 inches, and not more in most of the third-rates; in some cases in the latter no difference can be insisted on.

I am next led to advert to provision being made for laying up ships in ordinary in time of peace; of which I admit the necessity; but a question upon this naturally arises, Whether in consequence thereof the incurring the heavy expence of making wet docks or basins of sufficient capacity for the purpose, is unavoidable? Or whether space may not be found in the vicinity of the present dock yards? In considering which, when it is admitted that a basin is much more convenient than a river for laying up ships, as the expence of moorings and boats are

* This French ship, drawing the most water of any in the same class, appears to carry her lower-deck ports nearer to the water than the others.

thereby
thereby saved, and the ships are in a state of quietness, it must at the same time be recollected, that the danger from accidental fire, or the destruction by an incendiary, or from a bombardment, is much greater in the former than in the latter situation. I have understood that in the Medway, at least double the number of ships may be moored than ever were laid up there, as there is sufficient depth of water for them between Gillingham and Standgate Creek; and in the latter I was informed, when last there, moorings might be laid down for eight or ten, as the Lazarette on shore is now in use. In the Southampton river, emptying itself into the sea within the Isle of Wight, and consequently smooth water, there is a space above Calshot Castle of nine miles, in a great part of which, moorings might be laid down for large ships. In the Hamble river, emptying itself into the Southampton river, there is a space of four miles between Burfledon (where 74 gun ships are built,) and the mouth of it, equally convenient for ships of a smaller size; and in the Beaulieu river, close to the Southampton water, there is a considerable space between Buckler’s Hard (where also 74 gun ships are built) and the mouth of the river. Of additional accommodation in the neighbourhood of Plymouth
Plymouth I cannot speak confidently, but I have been assured that it may be obtained in different branches of the Tamar.

Without deciding upon the comparative advantages and risks between ships being laid up in basins, and their lying at moorings in safe harbours, and still rivers, it may be observed, that the latter practice has prevailed from the earliest period of our naval history, and we have not heard of mischiefs resulting from it.

The argument used by the Commissioners, of our present ports being on a lee-shore, as applying to Portsmouth and Plymouth, can have reference only to the arsenals being on the most inconvenient sides of the harbours, because the opposite shores of the Channel belong to the enemy; which circumstance may make it a little more inconvenient for ships to get out of the harbours, but can occasion no material delay: and however prevalent the wind from the westward is, I believe it does not often happen that a ship could go down the Channel from a French, when she could not do so from an English port on the opposite coast; but if I am mistaken about that, it
it would not affect the present question for the reason above-mentioned. Applying the objection to a lee-shore, to the extent of preferring one side of the river Thames to the other on that ground, seems to be pressing it very far; but this is not worth entering upon.

The observations on the inconvenience and loss arising from the ships necessarily lying at a distance from the dock yards, to take in their stores, which affords opportunities for embezzlement, must apply principally to Deptford and Woolwich. At all the other yards the ships lie within a trifling distance from the jetties and wharfs*; and even at those in the river I apprehend all the small stores of the Boatswain, Gunner and Carpenter, such I mean as are capable of being plundered, might be put on board close to the yards without bringing the ship down one inch in the water; and the delay of delivering the remainder in Long Reach, cannot be considerable, unless in very bad weather, as the Hoy which carries

* At Portsmouth the shoal-water at the entrance of the harbour does not prevent the large ships from taking in their heavy stores close to the yards; although their guns may not be taken in till they get to Spithead.
them will always get down in one tide. The expense of employing craft on such service, stated by the Commissioners, appears to be too trifling to deserve attention.

The situation of the yards of Portsmouth and Plymouth, it is conceived, are as good as can be found for channel or foreign service, except Falmouth; where at some time it may be desirable to provide convenience for making that harbour a rendezvous for line-of-battle ships, which, I believe, might be done at a very moderate expense. To this place, however, I am aware objections have been made; applying to the narrowness of the road for mooring ships of the line in safety; to their getting out with the wind from south-east to south; and to the danger from the Manacle rocks, which lie about seven or eight miles from the harbour's mouth. To all which I have in my possession answers which appear to me to be perfectly satisfactory; and I have likewise a list of 656 ships and vessels in His Majesty's service, of which 69 were of the line and 83 frigates, that arrived at, and failed from Falmouth, from 1805 to 1808, without an accident having happened to any one of them. In the latter part of
of Mr. Pitt's administration, enquiries were made by skilful men as to the use that might be made of this port; and the result established the certainty that it might be rendered highly advantageous to the naval service of the country.

Chatham and Sheerness are well situated for the North Sea, as to equipment; in the former of which large ships may be built and receive thorough repairs; and those in the river are used for building large ships, and giving thorough repairs to frigates. If the arsenal at Northfleet should be erected, I apprehend its principal use (exclusive of containing the ships in ordinary,) must be to supply the defects of the eastern yards; it cannot answer for docking and fitting ships for the westward, on account of the length of time usually occupied in ships going from the Nore to Spithead or Plymouth, for which different winds are necessary.*

When

---

* It is not improbable that a ship might go from Plymouth to the West Indies, while one was getting from Gravesend to Plymouth; the supposition is not extravagant in the case of a large man of war: the advantage of the western ports for docking, small repairs and fitting, for all services except the North Seas, is therefore incontrovertible. A fleet failed from Portf.
When the Commissioners say that a ship may make that passage with any wind, they must mean, I suppose, as far as the Downes, and that only in moderate and settled weather, (not much to be relied on in the winter season,) owing to the intricacy of the navigation: from the Downes they cannot go down the Channel with a westerly wind.

I come next to some positions of the Commissioners, on which I am under a considerable disadvantage, as the ground on which they rest is not stated in the Abstract.

1. That ships will be fitted in the new yard in half the time, and at half the expence now incurred,

2. The mode of returning the stores would enable them to be used again; which at present is seldom the case.

Portsmouth for foreign service, the same day that Colonel Crawfurd failed with the force under his command to South America, from Falmouth; and accounts were received from him to the southward of the Line, on the same day that the Portsmouth squadron failed from Plymouth; which port only they could reach, while the other crossed the Line, and a ship came from there to this country. This will appear the less surprizing, if the prevalence of westerly winds in the Channel is considered.
On these two points it would be unfit to make any comment, till the reasons in support of them shall be seen in the Report: I will only say in the meantime, that I should think it difficult for much greater expedition to be used, than I have been an eye-witness of at Portsmouth.

3. Officers would be sooner set free when ships are paid off. — A ship being unrigged in a basin, might be stripped in a few days less, and the stores returned sooner than in a harbour; but at Portsmouth there is a basin which would contain as many ships as are likely to be paid off at once.

Thus far for the advantages expected to be derived to the navy from the new Naval Arsenal. The saving to be effected by it is estimated at £5,900,000, in the first 15 years, and an equal sum in every 15 years afterwards; to arise from—

Building ships in the King's yards, instead of by contracts with private builders, £2,580,000
By making cordage and canvas £3,320,000

£5,900,000

The particulars in support of this estimate are probably detailed in the Report; I will, therefore, suppose
suppose the amount accurately stated in the paper sent to me. But in that case it would not be in my mind, as at present advised, an inducement to adopt the proposed measure; because I believe if workmen could be found, there is sufficient accommodation in the King's yards for building the requisite number of ships.

The Commissioners say that the number of ships of the line and of 50 guns, including those built in the King's yards, Merchants' yards, and taken from the enemy in the 18 years previous to this Report, which were sufficient to carry our navy to its then flourishing state, amounted to 106, equal to about six in a year, and as we have 20 slips in the present dock-yards for ships of the line, the whole number necessary might be built in those, allowing each to be more than three years in hand, which must be admitted to be a reasonable time for seasoning. If there are not already sufficient slips in the King's yards for frigates, I suppose more may be provided. How far it would be practicable to get a sufficient strength of artificers for carrying on the whole of the new work, and for the repairs of the navy; or if that could be accomplished, how far it would be prudent to engage
so much larger a number than could be employed in peace, I will not take upon me to say. I remember when the Pegase was taken by Lord St. Vincent in 1781, it was reported that she was built in 70 days. That was perhaps not true; nor, if true, is it meant to suggest that it would be expedient to attempt to follow such an example; as I have always understood that one certain advantage of building in the King's yards, is, that from the length of time the ships are usually on the stocks, the timber is well seasoned, in consequence of which they continue longer serviceable than those built more quickly in merchants' yards.

The saving on Cordage might be made in the present yards, nearly, if not quite, to the whole extent, as in the new Arsenal; if I am right in supposing that machinery for that article might be erected in these.

To the expediency of introducing a manufactory for Canvas in a Naval Arsenal, already alluded to generally, there seems to be serious objections; and the saving (if any) may be at least as well effected by
by the public establishing one or more *, under superintendents of its own, in the most convenient situations that can be found. The introduction into yards of great numbers of men, women and children, who must be employed in such a manufactury, would alone be a great evil; and to prevent mischief therefrom, much of the time of the superior officers would be taken up, interfering with their more important avocations of building, repairing, &c.

You will judge how far these observations are entitled to consideration; I never till now heard the measure spoken of, except loosely as one to which it might be expedient at some time or other to resort; no other reason occurred to me, therefore, against it, except its enormous expense. In such a case, the arguments in support of an opinion, formed to a certain extent, without a due examination, should be scrutinized with at least the same severity as those stated in support of one, conceived by

* Such manufactures might afford excellent employment in the naval schools, which I have long felt anxious for the establishment of.
the party proposing it to be of great utility, without having duly reflected on all the difficulties attendant on its adoption. Many of mine may be found to be erroneous or irrelevant. I feel my inferiority of judgment on the subject to that of the framers of the Report very strongly, and most unaffectedly: more especially as it is said to be supported by the authority of several gentlemen of the very highest respectability, (two of whom I have the good fortune to know personally) but who may perhaps have had in view only the best possible arrangements for a NavalArsenal, without weighing concomitant circumstances *. With the sense of their superiority strongly impressed on my mind, I still feel that some facts which I have stated deserve consideration; because I am confident that steam-engines may be applied in the present yards with great advantage to many purposes, such as the making cordage, to the sawing of timber, rolling and forging copper and iron, working the cranes, and perhaps for other uses. The spaces which they would occupy, would certainly, in most cases, be much less than is now

* Mr. Rennie, Mr. Huddart, Mr. Mylne, Mr. Jeffop, and Mr. Whidbey.
taken up by the mode in which the different articles are manufactured. Under which conviction, if that shall be admitted to be correct by competent judges, I am quite sure the measure in contemplation should not be proposed to Parliament, till a careful survey of each yard, as it now stands, shall be taken, in order to ascertain what improvements can be made in them respectively; on which surveys, well-digested designs may be prepared for the future probable increase of the improvements; so that as the present buildings shall decay, or may be gradually taken down, new may be erected in such situations as, in the end, to render the whole complete.

The expence of such surveys would be incon siderable, and one year only would be lost. If the result should be a complete adoption of the Northfleet plan, the person proposing it would go to Parliament with a much better sanction than the recommendation of the Commissioners for Naval Revision, highly respectable as their authority is. The throwing down great and extensive buildings in two dock-yards, as proposed, which have been erected at an immense expence, and setting up others
others on a new spot of ground, even if the charge to be incurred should be only one half of what has been stated, would surely require much deliberation, if the resources of the country were as abundant as they ever were. Of these I do not mean to speak with despondency; with proper management I am persuaded they will carry us through all our difficulties, whatever their duration may be.

I have not entered on the question alluded to by the Commissioners, respecting the comparative economy between task-work and day-pay, because, as far as the former can be adopted, it may be as easily done in the old yards as in a new one.

The only other point touched upon in the abstract, and that but slightly, relates to Milford Haven; but as the building ships there is suggested, I cannot resist recommending that some enquiry may be made before any establishment is fixed for that purpose; the convenience of such a one can hardly arise from an abundance of timber in the neighbourhood; as I remember to have heard, that by far the greater part used for the construction of the Milford of 74 guns built there, was supplied
plied from the forest of Dean; which would otherwise have been carried to His Majesty's yard at Plymouth. As a port for ships of war to resort to, except a few on the Irish station, I suppose it has seldom been used, unless by ships putting in accidentally.

I well remember the late Mr. Greville labouring incessantly during twelve years to obtain a naval establishment there; but he failed in that, though he succeeded in two other schemes for the benefit of the port; in one of the cases, at a great and useless expence to the public. A strong solicitation was urged even to make it a tobacco port, notwithstanding its extreme inconvenience in point of situation for importing and exporting, and that there is but little home-trade near it.

If these very superficial remarks, hastily made, shall contribute in any degree towards inducing you to consider the whole subject attentively, and to avail yourself, without delay, of the best advice you can obtain as to the practicability of improvements in the present yards, and the extent to which these can be carried, I shall think my time has not been ill employed.
THESE were the observations made to Mr. Perceval at the instant of my reading the paper sent to me by him; and acknowledging as I do, that there is much force in your Lordship's statements, and in the arguments in support of them, I am compelled to say that if I had been so fortunate as to have had the benefit of those, when writing to the first lord of the treasury, I should still have endeavoured to press on his mind the expediency of having the fullest possible information respecting the improvements which may be made in the present yards, before any thing should be done at Northfleet*; because without that a proper judgment cannot be formed of the extent to which the new work, if decided on, should be carried; and an useless expense might otherwise be incurred by its being begun on a larger scale than might ultimately be deemed necessary;—for such an enquiry, men more competent than those mentioned by your Lordship cannot be found in this country, nor I believe in the world†. It is

* Even for the works necessary for a dock-yard, as suggested in p. 47, in your Lordship's letter.
† See p. 27, of this tract.
true that these gentlemen, or some of them, have already examined the dock yards, but not for the purpose to which I endeavoured to direct Mr. Perceval’s attention. The immediate object, I think, should be to have correct surveys made of each yard as it now is, that it may be ascertained what steam-engines can be erected, and other improvements made for the works to which they are suited in the dock-yards; and that they may be arranged in such a manner, as to admit of their benefits being extended, as the further increase of the yards may require.

With the aid of such surveys, well digested designs for the future enlargement of the arsenals may be prepared, with a view to their gradual improvement, so that as the present buildings decay, new ones may be erected in such situations as in the end may render the whole complete; from the want of which, I am afraid some of the buildings lately erected in the dock-yards, have not been placed to the best advantage.

It was an alarm at the expence of the undertaking, that led me to step out of my line, to submit
mit advice to Mr. Perceval. Concurring with your Lordship, as I do entirely, "that the country can never be served by a government of uncon¬trouled departments," I thought it important that he should satisfy himself of the necessity of an immense expence being incurred, before he should give his sanction to it; for which I was the more anxious, under a conviction, not shaken I must confess by any thing in your Lordship's letter, that the savings to meet the charge, or in diminution of it, will be extremely inconsiderable. The estimate, as already noticed, is nearly 6,000,000l.; nothing is included in that for defence; and notwithstanding your Lordship's remarks on the triteness of the observation respecting the actual expence generally exceeding the estimate, and your reference to the works lately executed by private companies in the river, I am persuaded the arsenal would not be finished for any thing like that sum; and that I was guilty of no exaggeration, when I suggested to Mr. Perceval the probability of an expenditure of 10,000,000l., including the extensive fortifications that would be requisite for it's defence; without taking any thing into the calculation for the troops to be employed in them.
If I am right in supposing that all the machinery necessary for the several purposes wanted, may be erected in the present yards, and that there are slips sufficient in them for building all the line-of-battle ships, the articles of saving will be reduced to the doubtful one of building frigates and smaller vessels; the mooring chains, and the charge for the men in ordinary, whose wages would be saved by the ships being in a basin, instead of in a river or harbour. Some misconception must have prevailed, I think, about the plunder of stores; no new protection against which at the great ports of out-fit has been thought of. In the instances your Lordship mentions of eight months' sea stores having been consumed before the ships left the Nore, the gross corruption of the officers must have been notorious, and it must be hoped was most severely punished, as a warning to deter such manifest delinquency in others

* This fact surely deserves a most minute investigation, to have it ascertained whether the stores alluded to were actually plundered, or were articles that had been worked up for the ship's use; this is the more important, as the charge refers to more than one case. Mr. Colquhoun, whose authority is quoted, states the plunder of stores in the yards at Portsmouth, Plymouth
On estimating the saving arising from a great number of ships of the line being laid up in a basin, some allowance should be made for the charge to be incurred for keeping it in repair. Other considerations, indeed, of a much higher nature, should also not escape attention; to which I have slightly alluded in my paper to Mr. Perceval, namely, the danger of fire from accident*, or from an incendiary; nor should we exclude from our mind attempts that may be made by an enterprising enemy, induced thereto by the hope of destroying a large part of our navy at once; as he will now be able, unfortunately, to collect an immense force

Plymouth, and Chatham at 700,000l. a year; and as he supposes the value of those in the former to be greater in amount than the other two, his estimate of the plunder at Portsmouth alone must be nearly 400,000l. annually! where now, at least, there is as much vigilance as in any merchant's warehouse. And in the Thames, he mentions some river-pirates weighing a ship's anchor off Rotherhithe, in the night, with which, and a whole cable, they actually rowed away in the presence of the captain (who, with his crew, had been asleep while the operation was going on), telling him what they had done, and wishing him a good morning!

* If it is intended that no fires shall be allowed in the ships, to guard against accidents, barracks must be built and kept in repair, for the officers and men who have the care of the ships to reside in; respecting the expence of which some conjecture may now be formed.
opposite to the mouth of the Thames, and within 24 or 30 hours sail from it, with one wind.

Having stated as concisely as I could my reasons for thinking that an enormous expense should not be incurred, for a new naval arsenal to the extent proposed, I am ready to admit, that the means of offensive operations France has acquired, by the energy with which it has established an immense arsenal at Antwerp, and by the acquisition of all the ports of Holland, we may probably be compelled to keep a much larger number of line-of-battle ships constantly to the eastward, than have hitherto been found necessary; in which case the present Eastern Docks may not be found adequate for repairing and refitting the fleets to be employed in those seas, with a sufficient degree of expedition, so as effectually to supply the deficiency of the yards at Chatham and Sheerness for that service. But I still feel confident, that, before the larger or the narrower scale is finally decided on, an accurate survey of the present yards should be made, and that detailed plans for their improvement should be given*

* I am aware of the opinion of the Commissioners for Naval Revision, quoted in p. 28. of the Letter, and of the
When your Lordship observes, "that some enlargements have been made to the yards within the space of time I am speaking of (that is from the reign of Henry VIII. to the present year), and that some few docks and slips have been added, and some storehouses built, but that the additions have by no means kept pace with the augmentations of our navy," you hardly do justice to those who have presided in our naval departments for nearly three centuries. Anderson, in his History of Commerce, says: "How much these dock-yards, storehouses, &c. (in Kent) have been increased and improved since Camden's time, and even since the first edition of Bishop Gibson's Additions in 1692, would require a volume fully to describe: and there are enlargements, as well as very useful and beautiful improvements, constantly making to those places, and also to the two famous ports of Portsmouth and Plymouth."—Your Lordship indeed states, reference to the Reports of Messrs. Jeffes and others, in p. 29; but it is the report of such civil engineers, and detailed plans from actual surveys, that I wish the Minister to be in possession of, after the attention of those gentlemen shall have been called to the precise point in view.
that the latter was formed in the reign of King William; and I have already observed that, since the end of the seven years' war, the yard at the former has been enlarged more than one-third; and additions made in it of several docks, basins, and very extensive storehouses, with other very considerable improvements. With the modern additions and improvements in some of the other yards I am not so well acquainted, but I believe they have been extensive. If measures have not been taken for deepening the water at the bar near the spit, at the entrance of the harbour at Portsmouth, and for increasing the back-water to prevent the future increase of the bar, no more time I think should be lost in attempting works of such infinite importance; unless they have been deemed impracticable by competent judges.

The use of Northfleet, as a port of out-fit, would be confined to the equipment of the ships employed to the eastward; for those on channel and foreign service it could not be rendered serviceable, on account of its distance, and the prevalence of the wind in the south-west quarter during two thirds of the year: ships would get from the Nore (as I observed to Mr. Perceval) to the Downs with almost any
any wind in moderate weather; but there they would be likely to be detained frequently for many weeks, in an extremely bad anchorage, with the wind at south-west or south-south-west; during which time there might be a pressing urgency for employing them. In the early part of the year the wind prevails from the eastward, which would, on the other hand, prevent the ships of the western and foreign squadrons, from getting to the river to be fitted.

Not being able to form a conjecture about the nature of the plan for making the proposed arsenal by subscription under private management, I can offer no opinion respecting it; such a one, however, as holds out the prospect of the advantages of avoiding the necessity of advancing the capital and the risk of bad workmanship, ensuring at the same time the speedy completion of it, should not be rejected on account of the novelty, or even the improbability of its succeeding, without full deliberation.

I have thus, in the midst of very pressing engagements in public business, ran very hastily over the

* See p. 21, 22. of this Tract.
several points in your Lordship's letter, in the hope only of contributing towards satisfying the public of the propriety of further enquiry, before we embark in an immense expense; submitting to the judgment of others, with great deference, the considerations which have occurred to me, as to the expediency, or rather the necessity, for the extended work, so earnestly recommended by your Lordship.

I have the honour to be, my Lord,
Your most obedient, and
very humble servant,

GEORGE ROSE.

March 19th,
1810.
THE
ORDERS IN COUNCIL,
&c.
THE
ORDERS IN COUNCIL
AND
THE AMERICAN EMBARGO
BENEFICIAL
TO THE
POLITICAL AND COMMERCIAL INTERESTS
OF
GREAT BRITAIN.

BY LORD SHEFFIELD.

LONDON:
PRINTED BY W. BULMER AND CO. CLEVELAND ROW,
ST. JAMES'S;
AND SOLD BY G. AND W. NICOL, BOOKSELLERS TO
HIS MAJESTY, PALL-MALL.
1809.
These pages were hastily written, immediately after the Debate, in the House of Lords, on Friday the 17th February; the publication having been delayed, a few passages have been introduced, referring to a later period.

Portland Place, March 10, 180
BOLD assertions, however groundless, will often succeed in making an impression upon the public; and, when such representations are of a complicated nature and perplexed; intentionally or otherwise, it is difficult to perceive, at the moment, how far, and in what manner, they can best be refuted or exposed.

This observation applies to the unfounded clamour which has been raised against the Orders in Council; and, to the various misrepresentations which have been, and are still, made upon the subject of our commercial intercourse and political connection with the States of America. Assertions, though repeatedly refuted, are, with little variation, again brought forward; and, being delivered with great confidence, may impose on those who have not leisure or attention to develope their fallacy, or the means of forming a correct estimate of their merits.

Notwithstanding the able confusion,* (in no instance either superfluous or defective),

* Ry Earls Bathurst and Liverpool.
which the arguments* of the advocates for American pretensions have already experienced in the House of Lords, during the present Session, these questions continue to be agitated. It may, therefore, be useful, especially as some new circumstances have arisen, to call the attention of the country to a few facts, in illustration of the justice and necessity of an adherence to those principles of maritime and commercial policy, which constitute the basis of our prosperity and power, and, by which alone, we shall be enabled to bear up against those outrageous attacks upon our existence as a nation, which have been instigated and directed by the insatiable ambition, the insidious arts, and the power, of an inveterate enemy.

That men should differ on probable results is not extraordinary; but, that they should persist in endeavours to uphold doctrines, with whatever views they were first embraced,—that they should continue to, hazard their credit as statesmen and politicians, after it has been ascertained, by experience and incontestible proof, that those doctrines are erroneous, appears utterly incomprehensible.

Ever since the Orders in Council were first discussed, it has been constantly contended, by the American advocates, both in and out of Parliament, that our manufactures would be ruined, and our commerce destroyed, by their operation; that our revenue would be fatally

* The prevailing taste for diffusive declamation, which is now so frequently displayed in speeches of three hours and upwards, (the whole matter of which might be much better stated in half an hour), renders attendance in parliament, a most severe duty; and essentially interferes with the despatch
reduced; and, that they would prove of no
effect as measures of annoyance to the enemy.
That those predictions were unfounded, the
experience of the last year has fully established;
and the object of the following pages is, to
render that fact, in plain words, evident to
every person who interests himself in the in-
quiry.

Although the French Government had, pre-
viously to the invasion of Prussia and the oc-
cupation of Hamburgh, exerted its utmost
endeavours to prevent the introduction of
British manufactures and of our colonial pro-
duce, into France and every other country
under its controul or influence, yet they still
continued to find their way to the Continent,
where the demand for them was considerable,
though not to the extent which would have
obtained in times of peace. Even the French
themselves found it necessary to import,
through the medium of neutrals, large quan-
tities of cotton yarn or twist, and of calicoes
and cambric-muslins, for the maintenance of
their printing works. Hence, the exportation
of our printed calicoes and cotton yarn had
progressively advanced, from the commence-
ment of the war; but, in consequence of com-
petition in the foreign markets, the export of
other cotton articles had somewhat decreased.
The Continent furnished several at a lower
rate; and, the quantity of East India goods
which, with such bad policy, had been suffered
to be brought to Europe, by foreign Ameri-
cans, contributed in a great degree to that de-
cline.

But, subsequently to the invasion of Prussia,
and the consequent occupation of Hamburgh, the exports from this country to the Continent diminished; and our trade through Tonninggen and other ports in the North of Germany ceased, a few months afterwards, except, in the article of cotton yarn, which continued to be admitted until the latter end of the year 1807.

The demand from Russia, however, was then much more considerable than it had been for many years preceding; and goods, to a large amount, were smuggled into Holland. Early in the summer; the French had abated their rigour in respect to the execution of their prohibitory decrees; but, our merchants wisely distrusted the relaxation, which was only intended to deceive, and to entice them to make more considerable consignments, which would have been seized and confiscated.* Considerable quantities of hardware, cotton, woollen, and other goods were sent to Sicily, Malta, and even the Italian States. The greater part of the consignments to Malta were re-exported, in neutral vessels, to the ports of Fiume and Trieste, for the supply of Germany, Hungary, &c. and to the Adriatic, the Greek Islands, Turkey and the Levant; where they found a ready market. Towards the autumn of 1807, that Island and Sicily afforded the chief opening to the Continent of Europe for our manufactures and merchandise; and our exports, thither, of cotton and woollen goods exceeded that to any other part of Europe.

* In the year 1807, upwards of one hundred sail of vessels arrived direct from France, laden with brandy, wines, grain and drugs, of various sorts, in considerable quantities; but on the return of those vessels, no British manufactures or other merchandize were sent direct to that country.
The temporary footing which we obtained in South America, also, conducd to the maintenance of our export trade, and afforded a market for large quantities of cotton and other goods; and our commerce with the American States was very considerable during the former part of the year.

Thus, it will appear that, if the demand for British manufactures and merchandize from one part of Europe declined, our exports to other places proportionally increased; and, upon the whole, the amount of our commerce, in the year ending the 5th of January 1808, suffered only a very trifling diminution, whilst the export of British manufactures and produce, was greater than in the year ending the 5th of January 1806; as will be seen by the following comparative statement of imports and exports.

An Account of the Total Official* Value of all Imports into, and Exports from, Great Britain for Three Years ending 5th January, 1808.

<table>
<thead>
<tr>
<th>Years ending 5 Jan.</th>
<th>Imports</th>
<th>Total Exports</th>
</tr>
</thead>
<tbody>
<tr>
<td>1806</td>
<td>£30,344,628</td>
<td>£25,004,337</td>
</tr>
<tr>
<td>1807</td>
<td>£28,835,907</td>
<td>£27,402,685</td>
</tr>
<tr>
<td>1808</td>
<td>£28,854,658</td>
<td>£25,171,422</td>
</tr>
</tbody>
</table>

* When statements of imports and exports, during war, are to be made, I would rather refer to the official values, because I conceive the extent of a trade, and the quantities of merchandize, are thereby best ascertained for the purposes of comparison; the fluctuating and extraordinary prices of certain articles, in time of war, must affect every estimate of their real value, and would only lead to delusive conclusions.
However, at the close of the year 1807, and before our Orders in Council, of November and December had come into operation, our commerce declined, and our manufactures experienced a heavy, though temporary, depression. The causes which contributed to produce that depression, arose out of the recent political events in the North of Europe, and the unfriendly proceedings of the American States, upon the rencontre between the Leopard and Chesapeake frigates.

The disastrous campaign in the North had been terminated by the treaties of Tilsit, in July; the rupture with Denmark took place in August; the Russian declaration of war against England, was issued in October; that of Prussia in December, and about the same time that the French had taken possession of Portugal; so that, before Christmas, Buonaparte had, either actually or virtually, acquired an absolute control over the whole extent of sea coast from Venice to Archangel, affording him the means of enforcing, as much as possible, the execution of his interdictory decrees against the commerce of this country. The Austrian ports of Fiume and Trieste were shut against us, through the influence of the French government, even prior to the Emperor’s declaration of hostilities; and the shores of the Adriatic had become equally hostile to the interests of British Merchants.

At the commencement of the last year, 1808, therefore, our commerce was labouring under greater difficulties than at any former period, during the present war; it being excluded from all the Russian ports in the Baltic, from those of Denmark, Prussia, Portugal, &c. to which
we had had access in the preceding year; and our manufactures, were consequently depressed in an unusual degree. Independent of any other cause, it will be evident that the shackles which Buonaparté had imposed upon our commercial intercourse with the European continent, must have produced a great diminution in the exports of this country, and that, this circumstance would alone account for the seeming great decrease of our trade, upon the face of the accounts lately laid before Parliament.

As to our commerce with the American States, it should be recollected that, in consequence of the war in Europe, they had successively acquired the carrying trade of almost the whole world, and nearly the exclusive supply of the foreign colonies; and that, under this state of things, our nominal exports to those States had doubled, in less than five years. Towards the latter end of July, 1807, our merchants had received intelligence of the rencontre between the Leopard and Chesapeake frigates; and, in the course of the first week in August, they were in possession of the President's proclamation interdicting the entrance of British armed vessels into the American ports and waters. The uncertainty of the result of the negotiations, which were then entered into, between the British and American governments, produced a great diminution in our trade with the people of the American States, in the autumn of that year. The very violent proceedings of the Southern States, added to the known partiality of the persons at the head of their government, to France, naturally excited a strong distrust in the minds of our merchants and manufacturers;
the apprehension of a war between the two countries, with the Non-importation act hanging in terræm, produced a corresponding degree of caution; and accordingly, they suspended the execution of numerous orders, particularly in the cotton, woollen, iron, steel, and silk branches. The spring shipment of these and other articles to the American States was, therefore, very inconsiderable.

Hence it appears that, the great check to our manufactures and trade, was not produced, by the orders in council, which were issued at the latter end of the year, 1807, nor, by the American embargo, which was not known here till the middle of January; it having occurred previously to those measures coming into operation. On the contrary, it must be imputed to the success of the enemy, in occupying or inducing the whole of the European continent, except the small territory of Sweden, to shut their ports against us; and, even if the Orders in Council and the American embargo had never existed, still our manufactures would not have been admitted into the ports under the control of Buonaparté, in neutral vessels.

It has, however, been gravely asserted that, our commerce has suffered a diminution of fourteen millions sterling, in the last year; and that, this is solely attributable to the operation of the Orders in Council, issued under the administration of his Majesty's present ministers.

It is worth while to shew, upon what foundation this assertion rests, and how little credit it is entitled to.

The conclusions, just mentioned, are drawn from the following account of imports and ex-
An ACCOUNT of the Total Official and Real Value of all IMPORTS into, an
EXPORTS from Great Britain, for Three Years ending 10th October 1808; distinguishing
each Year, and Foreign Merchandize from British Produce and Manufactures.

N. B. This Account does not include the Trade of Scotland, nor the Amount of Im-
portations from the East Indies and China, the Returns of which being made up in An-
nual Periods ending the 5th of January, are not yet received for the last Year.

<table>
<thead>
<tr>
<th>OFFICIAL VALUE.</th>
<th>REAL VALUE.</th>
</tr>
</thead>
<tbody>
<tr>
<td>IMPORTS</td>
<td>EXPORTS</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>£.</td>
<td>£.</td>
</tr>
<tr>
<td>22,058,003</td>
<td>8,395,269</td>
</tr>
<tr>
<td>23,493,127</td>
<td>9,090,918</td>
</tr>
<tr>
<td>20,707,323</td>
<td>6,680,024</td>
</tr>
<tr>
<td></td>
<td>Years ending 10th October.</td>
</tr>
<tr>
<td></td>
<td>1806</td>
</tr>
<tr>
<td></td>
<td>38,398,645</td>
</tr>
<tr>
<td></td>
<td>1807</td>
</tr>
<tr>
<td></td>
<td>006'476'0</td>
</tr>
<tr>
<td></td>
<td>34,443,620</td>
</tr>
</tbody>
</table>

Upon this return, it is argued, that our ex-
ports, which in the year ending October 10,
1807, amounted according to the estimated real
value, to £28,721,506, were only £2,971,759.

There are no Official Returns of Real Value of Foreign Goods either imported or ex-
ported, but only of such British Produce and Manufactures, as are chargeable with Duty
ad valorem; in obedience, however, to the Order of the House of Lords, the Inspector
General has calculated these Values according to the best Information which he has been
enabled to procure by Inquiries of Merchants in different Branches of Trade.

WILLIAM IRVING,
Custom House, London, 7
6th February, 1809. 7
Inspector General of Imports.
and Exports.
dimunition of £6,349,747; that, the dimunition of imports, in the same period, amounts to £6,498,680; and that, giving to Ireland, and Scotland, (which are not included in the account,) a proportionate share, the aggregate diminution of our commerce was £14,000,000.

In the first place, it should be observed that the above official paper was called for in a manner which, necessarily, tends to produce a very inconclusive and disadvantageous comparison. During the years ending October 10, 1806, and 1807, our commerce had been little affected, at any time, by the prohibitory decrees and other hostile measures of the Enemy. When our manufactures had been repelled from one part of the continent, a new channel for their vent was immediately opened in another; and the demand for them continued in full activity. But, in the six months succeeding the last mentioned period, the enemy was enabled, by the success of his arms, and by his influence in the councils of Russia, to close every avenue to the continent; and, except some goods introduced through the medium of a smuggling trade, our manufactures and merchandize were entirely excluded therefrom. At first, the continental states did not experience any very essential inconveniences from this deprivation of supplies from Great Britain, the stocks on hand being very great. When these were exhausted, the ingenuity of the merchant suggested new modes of procuring further supplies; the extraordinary profits which were derived from the sales of British merchandize and colonial produce, amply indemnified him for the charges attending their circuitous introduction, and for the risk of confiscation. Im-
mense quantities of goods were sent to Malta, Sicily, and Sweden, from whence they were re-exported to adjacent parts of the continent. About the same period, our commerce with the Brazils, and other Portuguese settlements, became important; and, soon after, the explosion in Spain opened the ports of that country to our shipping, and very considerable consignments of goods were made both to Spain and Portugal. Large quantities of British manufactures and produce were likewise exported to the Spanish colonies. Our commerce with South America produced an extraordinary demand for cotton goods of every description, linens, woollens, &c. &c.; and our manufacturers were, in general, fully employed. An extensive trade had, also, been carried on, under the Barbary flags, in the Adriatic Sea and Archipelago, to the Levant; and, it is well known to every mercantile man, that the export trade of this country was, certainly, much more considerable in the last three months of 1808, than it usually is at that season of the year.

Upon these grounds I am clearly of opinion that, our commerce for the year, ending the 5th of January last, had suffered very little, if any, diminution compared with an average of preceding years. But though the demand for our manufactures were considerably less than it actually was, the decrease could not be considered as the general effect of a state of common warfare, but of the unprecedented events which have occurred within the last two years. And it should be recollected that the abolition of the Slave Trade deprived us, last year, of the African market for our merchandize; and
that the external consumption of our cotton manufactures, as well as those of Sheffield, Birmingham, &c. was consequently reduced nearly to the amount of what that trade had required, when carried on in British shipping—and besides these, the greater part of the prohibited piece goods of India went to Africa, the supply of which, as well as the trade in slaves, had fallen into the hands of foreign Americans. And I cannot refrain from observing that, there is something peculiarly disingenuous in the suggestion that, we have experienced a loss of 14 millions, and that it arises from the Orders in Council and supposed consequent Embargo. The loss cannot be made to amount to 14 millions, (as it has been stated in Parliament), by the most exaggerated account, or upon any principle of calculation; and nothing can be more absurd than that of adding import to export, by way of marking our loss of trade; because, it is the difference between import and export, and not the aggregate of both, which constitutes the gross amount of the balance of trade, and which furnishes the only basis, upon which an estimate of the profit or loss to the country can be founded.

It has, however, been stated that, the supposed great desalvation in our general trade, arises principally from the decline in our commerce with the American States; that trade having diminished in the last year to the amount of nearly eight millions estimated real value; that this decrease was partly the effect of the embargo; and that the embargo is solely attributable to the Orders in Council.

The means used to exaggerate the advantages arising to this country from her trade with
ing, mischievous concessions, may deceive those who are not practically, or otherwise, well acquainted with the subject. Of this, however, we may be assured, that they never have, and never will, take from us any article which they can procure cheaper or better from other countries. They find it highly advantageous to take our manufactures and produce to enable them to carry on their commerce with other nations; especially on account of the long credit which they obtain here, and which no other country can afford. They have the advantage of drawing immediately for the produce received from them, though they require and are allowed from 12 to 18 months credit from us. Indeed, so pertinaciously are the magnified advantages of the American trade insisted upon, with the view of intimidating us into measures highly injurious to British interests, that they require even further contradiction. It has the characteristics of the worst trade. The apparent balance in our favour becomes nearly a non-entity. A trade with every country is, certainly, desirable; inasmuch as an extensively general commerce with the world secures us from a state of dependance on any one individual nation. But, what advantages do we derive from an exportation, if we are not paid for it? Which, most assuredly, is much more frequently the case, in the course of our trade with the citizens of the American States, than with any other country. Immense sums have been continually lost to our merchants and manufacturers, by the insolvency of their American customers; and the payment of any part of their accounts is, always, very slow and uncertain: otherwise, they would not have it
in their power to hold out, the threat of confiscating an estimated debt due to us of ten million pounds sterling; which is, however, over-rated.

Everything taken from hence, by American vessels, is put down to the consumption of the American States. But, this matter has been closely investigated; and, there is ground to believe that, not one half of the manufactures and produce, entered at the Custom House as exports to the American States, (and of which we have so frequently had a grand display,) were consumed in those States, but that, they were re-exported, in their ships, to different parts of the world, whither they would have been, and might otherwise be, carried by other neutrals or by ourselves. And, in corroboration of this statement, it is well worthy of notice that, the goods and merchandise which had heretofore been carried to the foreign colonies, by the citizens of the American States, were last year carried, in British bottoms, and, on British account: and that, by this transfer, not only our merchants acquired all the profits arising from the interchange of their commodities with the foreign colonies; but, our shipping-interest was, also, benefitted to the full amount of the profits of the freight accruing from the possession of the carrying trade. The commerce between Great Britain and the American States had altered, by degrees, from an equality of British and American shipping employed, to a reduction, on our part, to only 8000 tons, in the year previously to the em-

* This is further authenticated by the following statement,
bargo; whilst the quantity of American shipping, employed in that trade, had increased in the inverse ratio of 172,000 tons. But, under

made by Mr. Rose, in the House of Commons, on the 6th of March.

The estimated real value of exports from England to the American States, on an average of the two years ending the 10th of October, 1807, was 11,774,000 L.

Ditto, the year ending the 10th of October, 1808 5,784,000

---

Decrease in 1808. 5,990,000

Ditto, to all parts of America, exclusive of the American States but inclusive of the British and Foreign West Indies, the year ending the 10th of October, 1808. 12,859,009

Ditto, Ditto, on an average of the two years ending the 10th of October, 1807. 8,622,000

Increase in 1808, 4,230,000

Leaving a decrease in our trade to all parts of America of L. 1760,000.

But, to set against that decrease, there should be taken into the account, the mercantile profit on the L.4,230,000; and also, the profits derived from the British shipping employed with all the beneficial consequences attending it; which, in the way the trade was before carried on to those countries, were entirely engrossed by the Americans.

The estimated real value of British goods exported to the American States, in 1808, was 5,784,000 L.

Ditto, of British goods consumed in that country, according to accounts from thence, in 1804, 5,158,000

So that, under all the embarrassments of the Non-Importation and Embargo Laws, imposed in the American States, we did, in fact, last year, send goods there to the amount of their consumption.
the operation of the American embargo, there was an increase of 60,000 tons of British shipping employed in the colonial trade, in the last year, 1808.

The American Non-Importation Act was originally passed on April 18, 1806, fifteen months prior to the affair of the Chesapeake, and long before any of our Orders in Council, restraining the commerce of neutrals, were meditated; and it was passed for the obvious purpose of inducing us to abandon our right of search. The operation of this Act, however, was suspended until the 25th November following; and, on the meeting of Congress, in December, (1806), it was further suspended until the 1st July, 1807. The Act was not, therefore, in force more than three weeks, during the whole of that period; and, even in that short space, its execution was not enforced. British ships, as well as their own vessels, were permitted to land at the ports of the States, every article which they had been before allowed to carry to them; and no essential impediments were opposed to their admission, till late in the autumn of 1807, about which time some English goods had been seized at Charlestown, in virtue of the Act. Early in December, 1807, a Supplementary Act was passed, and, on the 22nd of the same month, the Embargo was laid, in consequence of the President's Message of the 18th. From that period, the Non-Importation Laws were put into execution; but, it will be seen, by a reference to those Acts, that, comparatively speaking, very few of those articles of our manufactures, (and especially woollens), which are actually consumed in the American States,
are prohibited; and that, they only forbid the
admission of articles that are not essentially
necessary to them.*

In respect to the American Embargo Law,
it is, in point of fact, only a restraint on the
exportation of the produce of their own states;
and though inconveniences may have been felt
in this country, from a short supply of some
articles of American produce, yet, it will be
presently shewn that, they cannot be of material
importance. The execution of these laws,
therefore, has tended, and can merely tend, to
circumscribe their own commerce, and to de-
stroy that carrying trade which they probably
might have retained as long as the European
Belligerents continued their hostilities; and
that they do not, by any means, essentially af-
flect the external commerce of Great Britain.
Indeed, I am much disposed to believe that,
our direct exports to the American States have
depended thus much from their want of cre-
dit in this country, (for there was no want of
commissions,) arising from their hostile or un-
friendly proceedings towards us, as from any
other circumstance. And it should be further
observed that, there is every reason to expect,
(judging from what took place during the
American Revolution,) that in the event of
hostilities with America, at least one half of the
exports from this country, usually consumed in
those states, would be introduced into them
through the medium of an illicit trade, even
supposing all the states to be hostile, which
assuredly would not be the case with the New
England provinces and Vermont.

Vide American Non Importation Acts, in the Appendix.
The exaggeration, also, is very great, respecting the mischief supposed to arise to our manufactures from the want of certain raw materials from the American States. If we compare the imports of last year with those of the preceding year, when an extraordinary exportation from America to this country took place, in consequence of the apprehensions of hostilities or of a non-intercourse act, the decrease is very considerable. But, in regard to cotton wool, which amounts, according to the estimated real value, to much more than half of the aggregate imports from the American States, if we look back to the preceding year, 1806, we shall find the quantity of that article imported, to be not much greater than what was imported last year, as will appear from the subjoined account.

Official value of Cotton Wool imported into Great Britain from the United States of America, in the following years, ending the 10th of October, 1808.

<table>
<thead>
<tr>
<th>Year</th>
<th>Value (L)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1806</td>
<td>714,452</td>
</tr>
<tr>
<td>1807</td>
<td>1,069,638</td>
</tr>
<tr>
<td>1808</td>
<td>627,185*</td>
</tr>
</tbody>
</table>

Much stress having been laid upon the injury which our cotton manufacture and trade are supposed to have sustained, under the operation of the American embargo, and it having been stated that, very distressing consequences must continue to result from the decrease in the supplies of cotton wool from the American States,

* Certain accounts having been printed by Order of the House of Commons, since the above was written, I am enabled to lay before my readers, the following statement, in further proof that, the supply of cotton wool was, at no
it may be worth while to enter more at large into this subject.

Since cotton wool became an article of extensive consumption in England, a very great proportion of its product has been exported to the European continent, in the state of yarn, (wherein the manufacture is advanced, on an average, at least one half,) and in manufactured goods; until the different channels were successively stopped by the prohibitory edicts of the enemy. In the mean while, and previously to the American embargo, the stocks of yarns in this country, spun principally with a view to export, became very large, notwithstanding an increased quantity was taken by the manufacturers, encouraged by the extremely low prices part of the last year, inadequate to the demand from our manufacturers.

The quantity of cotton wool imported into Great Britain.

<table>
<thead>
<tr>
<th>From the United States.</th>
<th>From all other parts.</th>
<th>TOTAL.</th>
</tr>
</thead>
<tbody>
<tr>
<td>lbs.</td>
<td>lbs.</td>
<td>lbs.</td>
</tr>
<tr>
<td>On an average of four years, ending 5th Jan. 1807, was</td>
<td></td>
<td>58,859,415</td>
</tr>
<tr>
<td>In the year ending 5th January, 1807</td>
<td>27,549,393</td>
<td>30,626,890</td>
</tr>
</tbody>
</table>

| In the year ending 5th January, 1808 | 41,090,079 | 30,835,227 | 71,925,306 |
| In the year ending 5th January, 1809 | 12,228,397 | 31,239,748 | 43,468,145 |

Average of the two years ending 5th January, 1809 | 28,159,238 | 31,037,487 | 59,196,725 |

The average importation of cotton wool, in the years 1807 and 1808, therefore, exceeded the average importation of the four preceding years; and consequently, the supply was greater, at a period when the consumption was decreasing, than it had been previously to the decline in the demand. The average import from the American States, also, was greater in those two years, than it had been in the year preceding, viz. 1806—the excess being 609,845 lbs. equal to
at which yarns were procured. Manufactured goods were hereby daily accumulating, beyond any existing or looked for demand.

At the commencement of the year 1808, the stock of cotton wool in Great Britain, imported at very low prices, was equal to about six months of the then computed consumption, namely, 260,000 bags annually. The importations from the American States and elsewhere, in the early months of the year, were not deficient of the quantity demanded for consumption, and prices had advanced only 20 to 30 per cent. but, in the middle of the year, it becoming evident that, the supplies were materially diminishing, extensive speculations ensued, and prices advanced from 50 to 80 per cent. generally; and 70 to 90, and progressively to 130 per cent. on American cottons.*

Cotton wool imported into Great Britain.

<table>
<thead>
<tr>
<th>Quarter ending</th>
<th>From the United States, exclusive of Asia.</th>
</tr>
</thead>
<tbody>
<tr>
<td>5th April, 1806</td>
<td>6,896,244 lbs. 13,546,628 lbs.</td>
</tr>
<tr>
<td>5th April, 1807</td>
<td>9,277,484 lbs. 16,066,258 lbs.</td>
</tr>
<tr>
<td>5th April, 1808</td>
<td>9,004,849 lbs. 13,664,176 lbs.</td>
</tr>
<tr>
<td>5th July, 1806</td>
<td>7,644,844 lbs. 12,097,499 lbs.</td>
</tr>
<tr>
<td>5th July, 1807</td>
<td>10,827,705 lbs. 16,695,510 lbs.</td>
</tr>
<tr>
<td>5th July, 1808</td>
<td>2,537,942 lbs.  7,698,812 lbs.</td>
</tr>
</tbody>
</table>

London Prices Current of Bowed Georgia Cotton Wool.

<table>
<thead>
<tr>
<th>s. d.</th>
<th>s. d.</th>
<th>Nearly the fair average prices since the commencement of the war.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jan. 7, 1807</td>
<td>4 a 1 5</td>
<td>The market overstocked.</td>
</tr>
<tr>
<td>July</td>
<td>3 a 1 7½</td>
<td>Prices increased by extensive speculations.</td>
</tr>
<tr>
<td>Nov.</td>
<td>1 0½ a 1 4</td>
<td></td>
</tr>
<tr>
<td>Jan. 1808</td>
<td>a 1 4</td>
<td></td>
</tr>
<tr>
<td>April</td>
<td>2 a 1 6½</td>
<td></td>
</tr>
<tr>
<td>June</td>
<td>6 a 1 9½</td>
<td></td>
</tr>
</tbody>
</table>
As yarns and goods did not, however, advance in any adequate proportion, and the spring shipment had passed without any relief to these branches of the trade from foreign exports, the spinners began, gradually and generally, to reduce their consumption; so that in October to December last, it did not, probably, exceed the rate of 104,000 bags annually. This quantity was found to be fully adequate to the demand from the manufacture, which had called in to its aid, all the surplus stock of yarns abovementioned.

The manufacture, in the interim, had diminished but little, not having relied so much upon export to the continent of Europe, and having experienced great relief by exports to the Brazils, and to our own West India Islands for re-exportation to Spanish America; in addition to our own internal consumption, that of our colonies, and at least two thirds of our usual exportation to the American States. It is therefore certain that, during the last year, the cotton trade, generally, did not experience any inconvenience from the American embargo; but, on the contrary, it should be considered as having been benefitted by an accumulating inactive stock being called into active demand.

In looking to the probable state of this branch of our commerce for the present year, under the supposition that the American embargo will remain in force, two points must be considered; 1st, the probable demand for yarns and manufactured goods; and, 2d, the supply of the raw material. Assuming that there is little probability of any essential change in our favour, on the European continent, we must take for granted that the present system of commercial
regulations will be continued by the Belligerents, and that, therefore, a very large quantity of yarn will not be produced for export. During the whole of last year, some trade in cotton yarns and goods was carried on with Fiume and Trieste; and some shipments were made to Heligoland and Sweden, from whence they were successfully smuggled into the North of Germany. That this smuggling trade was not carried on to a much greater extent is attributable, in a great measure, to the circumstance of the stocks of the raw material and of yarns, on the continent, not being so much exhausted as they must since have become, by the continued operation of the American embargo and of our Orders in Council. And, unless the continent can raise a further supply of cotton within itself, (Turkey being now, the only source from whence it draws any quantity), or dispense with the use of cotton goods, to a certain degree, by the substitution of linens and woollens, it may be concluded that, under the continuance of the two measures, larger supplies of yarns and goods must be drawn from this country, in the present year: especially, if our government rigidly enforce the very politic prohibition of the export of the raw material. It certainly does not appear likely that, our manufacturers will want a market, even though they should be, in a great measure, deprived of that of the American States. And it may well be doubted whether, the whole quantity usually taken by those States for their own consumption, and for trade to Spanish America, will not still be drawn from this country, in some shape or other. It is also proper to notice the encouragement afforded, by the present state of things, to our
East India piece goods, which have for several years been accumulating in England, without any material vent, except to the African market, and selling at prices far below the import cost. These have been lately demanded both from the north of Europe, and the Mediterranean, and have experienced an advance of 15 to 20, and 30 per cent. within the last six months.

To supply the demand for cotton wool, we commenced the present year with a stock of about 80,000 bags, being about nine months consumption at the lowest diminished rate, viz. 104,000 bags, annually; but this rate being likely to increase from the want of the redundant stock of yarns in England before mentioned, our stock of cotton wool should be estimated as a supply for only six months. We are now receiving, and are likely to receive, from the Brazils, the East Indies, the Mediterranean, and our West India colonies, supplies fully adequate to our wants; and, most probably, the supplies which we shall obtain, in the autumn and afterwards, will render us entirely independent of the American States, for this article, even although any opening to the continent should renew the former demand for yarns. Within the last fortnight, (February 24th) 16 vessels have arrived from the American States, in breach of the embargo, bringing upwards of 6,000 bags of cotton. These vessels sailed before the additional restrictions, founded upon the rigorous principles recommended by Mr. Gallatin in his letter to the embargo committee, and adopted by Congress, had been completely carried into execution; and, perhaps, we may have some further arrivals in the same way. It does not, however, seem probable that, when the new embargo regulations
are strictly enforced, they can be frequently, if at all, evaded by vessels sailing direct from the American ports: but there is a well founded expectation that large quantities of cotton will find their way here, from Halifax, the Floridas, and the Bahamas; one or two cargoes have already arrived from each of those places. Prices are, in consequence of this state of the trade, now falling.

The supply of printing and dying materials has varied a good deal; but, on the average, it has been adequate to our wants, throughout the last year. The commercial decree of Holland, issued in the autumn, permitting Dutch vessels to pursue their coasting trade, and to export their own produce, though in force only a very short time, was the means of bringing a seasonable supply of drugs, and particularly a very large quantity of fine madder, which was much wanted; and it had the effect of reducing considerably the high price to which that article had risen, the stock being nearly exhausted. On the whole, this branch of the cotton trade did not sustain any material inconvenience.

Whether or not the urgent wants of the Northern European States will induce them to adopt any other expedient, than an exercise of their ingenuity in smuggling, may be matter of doubt. By the prohibitory edicts of the enemy they have been deprived of an extensive vent for their linens, which article may possibly contribute to lessen materially the demand for cottons, as it can be afforded at an exceedingly low rate. The supplies of cotton wool from Turkey may probably be increased, or some may even be produced in other parts of Europe, so as to diminish the pressure which might
otherwise be felt. From present appearances, however, it would seem that, means will be found to obtain supplies from this country; and that, whatever expedients may be recommended by the French Government to obviate the heavy inconveniences which are now felt on the Continent, under the deprivation of our yarns and goods, they will not be very generally adopted.

Under these circumstances, it will appear, how truly imaginary are those apprehensions of the destruction of our cotton trade and manufacture, which, it is said, must inevitably result from the continuance of the American embargo, and a perseverance in our present system of commercial policy. That there was a reduction in our consumption of cotton wool in the latter part of last year, is admitted. But, the radical causes of that reduction lie widely remote from our Orders in Council or the American Embargo; though, the latter measure was certainly the immediate cause. It however only acted the part of a salutary medicine upon a previously diseased body. It has been already shewn that, the accumulation of yarns and of manufactured goods, at the close of the year 1807, was much beyond any existing or looked for demand. At that time, cotton wool was at an extremely low price, only about 12d. per pound, for the article most in use; yet such was the glut in the market produced by our exclusion from the Continent, that neither yarns nor goods could be sold with any advantage to the spinner or the manufacturer. A depression would probably have been felt much sooner had not the manufacturers continued their works, even when there remained
no orders to execute. The free and unshackled state of the manufacture tended to keep the work-people employed, as the reduction of wages tempted persons of capital to continue the manufacture, at a period when they had no immediate prospect of a demand for their goods.

A continuance of this state of things could only issue in distress to the whole trade; and therefore, the American Embargo, by giving a salutary check thereto, has been productive of essential benefit. In no view of the question can our Orders in Council be supposed to have contributed to the diminution of our consumption. On the contrary, we may be assured that, those Orders have produced a pressure on the European Continent which would never otherwise have been felt; and that, unless restrained by them, the Americans would have been supplying that Continent with raw materials, which would soon have enabled the latter to return to the former their value in manufactures, in competition with, or in opposition to, our own. It is therefore certain that, the Orders in Council and the American Embargo, by uniting in depriving the Continental countries of their usual supplies of the raw material, give to our yarns and goods an additional value, and that they will tend, more and more, to frustrate the objects of that system of exclusion which has been adopted by the enemy.

As to other articles of importation from the American States, the high prices which they now bear, result chiefly from the suspension of our commerce with Russia, whence those products were principally drawn. The supplies of pot and pearl ashes, of pitch and tar, of turpen-
tine, of seeds, flax and linseed, of tobacco, and other articles which we received from the States of America, in the two last years, are not much below an average importation, according to the accounts of imports from the United States ending the 10th of October 1808, lately called for in the House of Lords.—Much stress is laid on the probable want of flaxseed, for the linen manufacture of Ireland; and it is insinuated that, this essential manufacture has suffered and will suffer extremely in consequence of it. At present it flourishes as well as it ever has done, and very lately Irish linens have risen from 40 to 50 per cent, which is partly to be attributed to the advantage given to them by the check to the export of that article from the North of Europe, and partly to the apprehension of a scarcity of flax, in the ensuing year. The extraordinary circumstance of the ports of almost all Europe and of the United States being, at least nominally, closed against exportation to the United Kingdom, undoubtedly occasions some difficulty on this point. The quantity of seed, however, in this country, is more considerable than was imagined. Speculation has raised the price, and a high price will bring supplies in opposition to all restrictions. Scarcely a day passes that one or more American ships do not enter, in breach of the embargo, with various goods of their produce. But the scarcity of this article will ultimately prove a great advantage, if it should lead us to raise among ourselves the whole quantity of flax and flaxseed wanted, which undoubtedly is very practicable.—In regard to timber, masts, and staves, very considerable quantities have been received from our remaining colonies in North
America. The duty on timber, fit for naval purposes, imported from those colonies, was wisely repealed by an Act of 46 Geo. III. the beneficial effect of which is experienced in the large additional supply; and it will tend to render us independent of foreign America, and almost, if not quite, even of the Baltic, for the supply of those articles.

The prognosticated decay of revenue has not answered the expectation of the American advocates better than their other predictions. The details will soon be laid before the public; therefore, at present it will be sufficient to observe that, in the year ending the 5th of Jan. 1809, the deficiency in the customs was about £400,000 but that the amount of the permanent, annual, and war taxes, that is, the aggregate revenue, collected in 1808, exceeded that of the preceding year, £2,700,000.

We come now to a consideration of the alarming difficulties and embarrassments which, it is alleged, our West India Islands have to encounter, in consequence of the suspension of intercourse with the American States.—Notwithstanding the nature of our commercial intercourse and political connection with those States has, during the last 25 years, been frequently discussed and investigated, the same wild and unfounded doctrines which were originally advanced on that subject, are still maintained with a degree of perverse and dishonest obstinacy, which renders it necessary to recall the attention of the public, once more, to the only genuine principles of policy, upon which this country ought to act, and to govern her conduct, in her relations with the States of America,
The main points of the question alluded to, having been several times debated in Parliament, a power was given to the Crown, to regulate the intercourse between the West India Islands and the United States, by proclamation. An enquiry was instituted, and diligently pursued for a considerable time. Many eminent merchants and others, the best informed, were examined, and a most able report was made, in 1784, by the late Lord Liverpool, President of the Committee of Council, appointed for the consideration of matters relating to trade and foreign plantations, which appeared to those conversant with the subject, completely conclusive as to the leading points. In consequence of certain acts passed by the Congress of the American States, in the year 1789, the Committee of Council was directed to examine those acts, and to enquire into their probable effects: a full examination took place, and a second very able and satisfactory report was made, in 1791, by the late Lord Liverpool.

Another discussion of the material points, respecting the intercourse between our colonies and the American States, took place in 1806, when the late Ministers assumed the power of dispensing with some of the most essential laws of our country, never before entrusted to the executive branch of our government; and again, in 1807, the same subject, intermixed with other considerations, was several times debated in parliament.

The result of all these inquiries and discussions has uniformly been, that the complaints of the West India planters, on the restrictions contained in our Navigation and Colonial system are utterly unfounded; that Great Britain
and Ireland and the remaining British Colonies in North America, are fully adequate, at all times, to the supply of all the necessary articles for the West India Colonies, in British ships; and that, the ship-owners of the United Kingdom, instead of rejecting the Navigation between the American Continent and those colonies, on account of the expence of the circuitous voyage, have every inducement of profit, if the navigation laws are inviolably maintained, to enter fully and effectually into that trade.

The wisdom and essential utility of our Navigation and Colonial system have been since admitted by the West India colonists themselves; for, in the resolutions passed by the House of Assembly, in Jamaica, on the 29th of October 1807, relative to the distressed state of the Colony, the following are stated to be among the principal causes which had produced the extreme depreciation of their principal staple, sugar; viz. "The departure from what has been usually called the rule of the war of 1756, but which, in fact, was established before that period, and decided that 'a neutral has no right to deliver a belligerent from the pressure of his enemies' hostilities by trading 'with his colonies in time of war, in any manner which was prohibited in time of peace.'—The peculiar relaxations of this rule, by the orders issued to the prize courts, in the year 1794 and 1798, respectively, which, with very trifling modifications, continue to regulate the decrees of those important tribunals. —The geographical position of the ports of the United States of North America, the neutral power chiefly engaged in carrying the produce of the enemy's West India colonies,
which renders the few restrictions yet re-
tained by the last mentioned orders to be
hardly an inconvenience, as they are got over
by systematic fraud and perjury.—The easy
expense and security, with which, by means
of this fraudulent system of neutrality, the
sugars of the enemy’s colonies are transported
to the European markets, it having been pro-
ved that, for freight and insurance alone, the
British planter pays for every hundred weight
of sugar, conveyed through the parent State
to the ports of Holland, or the North of Eu-
rope, 8s. 1½d. sterling, and to the Mediterra-
nean 12s. 6d. more than attaches on the goods
of the French or Spanish cultivator, carried
in neutral bottoms to the same markets.—
The restrictions of importation into the con-
tinental ports, from the power and influence
of the French domination, whilst the tem-
pation to resist and evade it, is taken away by
the abundant supply, brought under the neu-
tral flag.—The agriculture of the belligerent
colonies, has been encouraged by a monopoly
of the demand from the United States of
America, and by having their produce trans-
ported under the safe and cheap protection
of the neutral flag, to every market where it
was in request.”—And we shall discover in
some later legislative proceedings of the same
House of Assembly, a practical proof of their
admission that, they are, by no means, depen-
dent on the American States for a supply of
provisions and lumber, and that it is not expe-
dient, nor necessary, that the intercourse should
be carried on, even in time of war, in foreign
 bottoms, to the certain consequent exclusion of
British shipping. An Act, imposing a tax upon
the importation of the produce of the American
States, into the Island of Jamaica, and laying a duty of a dollar per ton upon every vessel belonging to that country, which should hereafter enter their harbours, was actually passed by the House of Assembly, in the last sessions. Unfortunately, the disputes which arose, respecting the mutiny in the 2d West India regiment, between the Governor of the Island and the Assembly, obliged the former to, pro- rogue the sessions, before the act had received that sanction which the formalities of the laws require, and its execution was therefore necessarily suspended.

This lastmentioned Act never would have been entertained by the representatives of the Island, if they had not been thoroughly convinced that, they were not dependent on the American States for supplies of those articles in their shipping. In fact, the West India Islands have never been better supplied than they were during the last year, under the operation of the American embargo. The prices current evince that, little or no inconvenience was experienced by them, in consequence of that measure; and it has had the beneficial effect of accustoming the inhabitants to entertain just views of the subject of their intercourse with the States, and to disregard idle fears of retaliation. The Island of Jamaica has been so well supplied with flour through our remaining colonies that, of one thousand barrels shipped to that Island from hence, about six months ago, instead of 20,000 which were ordered under the expectation of a deficient supply from America, less than one half had been, with difficulty, sold in December last, under prime cost. Flour has even been cheaper at Kingston than at Philadelphia.

If the people of America should be so simple
or infatuated as to submit much longer to the embargo, which is principally ruinous and hurtful to themselves, we may he assured that, their produce will still find its way to us and our Colonies; for, though that measure may prevent the direct supply of the West Indies from the American States; yet, it cannot, and will not, prevent the supply of flour, and other provisions in small coasting vessels, through the British North American Colonies. Flour, pork, beef, butter and cheese are now smuggled into these provinces, in vessels, from 14 tons and upwards. The number of Islands in the Bay of Fundy; the numerous ports in those waters, only a very few hours sail distant from each other, the incalculable means of meeting on Nantucket shoals, and at the uninhabited islands in Penobscot Bay (where they shift their cargoes), and the short navigation, over Lake Champlain, between Canada and Vermont, render the prevention of the illicit trade, by armed vessels, or by any other means which the American Government can put in action, absolutely impossible. Not a vessel, of any description, leaves an American port, that does not contrive to carry away some flour. The New England States are so hostile to the embargo that, it is scarcely regarded; and their repugnance to it has lately been more fully evinced, by open acts of violation of the law, amounting to little short of rebellion. The people have forcibly taken possession of the forts at Portland and Cape Anne, and forbidden the armed vessels, sent to enforce the embargo, to interrupt any ships sailing to the West Indies or elsewhere, with their produce. The courts of justice, in those parts, have discharged all persons bound in re-
cognizances for the breach of the embargo laws; and since it was found that congress would not take off the embargo, numbers of vessels have gone to the West Indies laden with provisions. It is known, from the best authority, that 44,000 barrels of flour from Halifax, and 36,000 from St. Andrew, New Brunswick, were sent to the West Indies during the latter part of last year.

In the event of a Non-intercourse law being carried into execution, the public entry of articles may be checked, but the contraband trade cannot be suppressed. British manufactures and merchandize will be smuggled into the States, on the return of the vessels which carry flour, &c. to our provinces; and the greater part of their produce will be exported in that manner. At least two-thirds of the flour supplied to the West Indies, since the embargo was laid on, went from the American States through our Northern Colonies.

But, there is no doubt that, the British Colonies on the continent of America, in conjunction with Prince Edward's Island, and Newfoundland, will be able to supply our dependencies, with provisions of all kinds, and lumber, to the full extent of the demand, if foreign shipping be permanently excluded from our colonies, as the navigation laws require.

Our fisheries have been suffered to languish, in an extreme degree; the settlers on the coasts scarcely acquired a subsistence; they were without capital, and obliged to depend on precarious markets, and on the unstable demands of American adventurers. But, monied people are now vesting their capitals in this important
which they have infused into it, and the exertions which they are making, the supply will very shortly become much more than equal to the demand of the West India Islands. Neutral vessels should be prevented from carrying fish to any of our West India settlements; at present, they are only allowed to take them to those islands where the bounty is given; but, the British North American Colonies oppose the continuance of this permission, and urge that the supply of fish should be confined to British shipping. Previously to the year 1792, our fisheries supplied them with all the dry and pickled fish they consumed.

That our remaining colonies would very soon be competent to an efficient supply of lumber, in general, if the West India market be exclusively secured to them, is amply proved by the quantities which they furnished last year. The war which arose out of the French revolution, and the subsequent suspensions of our Navigation Laws, essentially checked the growing prosperity of the several provinces, and threw the supply into the hands of foreign Americans, to the immediate injury of our colonial navigation. The colonists were constrained to dispose of the products of their fisheries and forests, on the most disadvantageous terms, to the people of the American States, who re-exported, or rather shipped, them to the West Indies; so that, in fact, the greater part of the supplies which were imported into those settlements, in foreign shipping, was the growth and produce of British North American Colonies. The extensive forests of Cape Breton lying immediately contiguous to the sea coast and to the banks of
haustible forests of Canada, Nova Scotia, and New Brunswick; the facilities of water carriage for transportation; and the improved and powerful machinery, which has been established, for the purpose of preparing their timber, boards, staves, &c.; all these circumstances united, render those provinces peculiarly competent to supply the greatest quantities of lumber that can be required: And by a reference to the returns of their trade, for the first three quarters of last year, it will be seen what a very considerable augmentation it had experienced, under the operation of the embargo, in the short space of nine months only.

Beef, pork and butter, the American States have never supplied in an equal degree with the United Kingdom and its dependencies. Rice, is not an article of great consumption in the West Indies, and it is evident that, there can be no difficulty in procuring it elsewhere. As to corn and flour, the Colonies have so long laboured under a system of depression, that Canada, and Nova Scotia, from whence very large supplies were formerly received, have lately grown much less than they did, even when they were in the possession of the French; but, if due encouragement should continue to be held out to them, there is every prospect of the supply being considerably increased; the capacity of those provinces is indubitable. It should also be remarked that, the West India settlements will not require, in future, such large quantities of provisions and grain as they have hitherto been obliged to import. The embargo, in this instance, also, instead of causing the effects it was intended and expected to produce, has turned the attention of the planters to a more
prudent cultivation of their lands; and to other resources which the colonies afford. Extensive tracts of ground are now appropriated to the growth of provisions; and therefore, they will be able to dispense with much of the grain which has hitherto been drawn from foreign countries.

Another very important advantage has resulted from the American embargo to the British nation. It has produced the recovery of our seamen; who, to avoid the impress, and for the sake of other advantages, quitted our service to enter on board American ships; but the embargo having thrown them out of employ, many have returned to us, at least 2000: one hundred and nine entered on board the Squirrel schooner and two other small vessels of war, within a short time since, at Passamaquoddy alone.

All the latest letters from the British North American provinces express the highest satisfaction on their flourishing state; they flatter themselves that, his Majesty's present ministers will not make any mischievous and unnecessary concessions to the encroaching and presumptuous requisitions of the government of the American States.*

* To prove all the preceding statements, the most respectable evidence can be brought before Parliament; and the most satisfactory accounts can be produced, to shew the ability of our Northern Colonies and the United Kingdom, to supply the wants of our West India settlements.

It was not agreeable to the late Ministers, when they brought forward the Bill for giving to themselves a power to suspend the Navigation Laws, in respect to the admission of American shipping into the British West Indies, to hear any evidence against their measure, notwithstanding there were many petitions from the most respectable bodies of men, praying to be heard. Judging from the candour and impartiality of the
Thus, then, it is no longer matter of opinion but of proof, that the American embargo is, comparatively, of little or no disadvantage to our West India Colonies, to our manufactures, or to our commerce in general; and that, in respect to the British empire at large it is highly advantageous: and, above all, those who are susceptible of conviction must now be satisfied that, it is not Great Britain which is dependent on the American States, but they on Great Britain. The embargo has most effectually re-established our carrying trade, and it has, more especially, forwarded the re-establishment of our navigation and colonial system. No event which has occurred, gratifies me more than the experiment which has been made of it. It settles completely, the question, whether the British West Indies can be supplied without a direct trade with the American States; and we now know, from the best experience, that it is not necessary to sacrifice, for that purpose, our navigation and colonial system, the origin and main pillar of our political power and greatness.

In regard to the expediency of the Orders in Council, instead of impeaching the policy of those measures on the ground of the restrictions which they impose on neutral trade, I am disposed to attach blame to his Majesty's government, for not having availed themselves of the

Majesty’s present Ministers, during the last sessions of Parliament, when a public inquiry at the bar of the House of Commons was instituted, for the purpose of acquiring information respecting the operation of the Orders in Council, upon the Petitions of Persons very unfriendly to those measures, it is not likely that, if a similar occasion should arise, the present Administration will refuse to attend to the Petitions of the merchants and others concerned.
right which was been given them, to retaliate the whole system of blockade and exclusion which has been adopted and acted upon by France; and I cannot better express the opinions I have always entertained on the subject than in the words of Mr. Canning, in his just and perspicuous exposition of those measures, in his letter to Mr. Pinckney, of the date of 22d February, 1808; "The principle upon which the whole of this measure has been framed, is that of refusing to the enemy those advantages of commerce, which he has forbidden to this country; and the simple method of enforcing this system of retaliation, would have been to follow the example of the enemy, by prohibiting altogether all commercial intercourse between him and other states." · Indulgencies granted to neutral trade, by suffering a commercial intercourse with the enemy, under any code of regulations whatever, essentially weaken the efficacy and operation of the retaliative measures; and have prevented that extreme pressure which would otherwise be felt on the Continent, and which might give rise to the most important political results, in our favour. Mr. Erskine also, in his letter of the 23 Feb. 1808, to Mr. Maddison, justly observes that, "the principle upon which His Majesty finds himself compelled to proceed, would justify a complete and unqualified retaliation, on his part, of the system announced and acted upon by France, in respect to his Majesty's dominions; and his Majesty might, therefore, have declared in a state of rigorous and unmitigated blockade, all the coasts and colonies of France and her allies. Such a measure, the maritime power of Great Britain would have enabled his
"Majesty to enforce: nor would those nations which have acquiesced without effectual remonstrance in the French decree of blockade, have derived any right from the more perfect execution of a corresponding determination on the part of his Majesty, to complain of his Majesty's enforcing that measure which the enemy has executed imperfectly only from want of the means of execution."

"—" You will observe, also, that the transportation of the Colonial produce of the enemy from the United States to Europe, instead of being altogether prohibited, (which would have been the natural retaliation for the rigorous and universal prohibition of British produce and manufactures by France,) is freely permitted to the ports of Great Britain, with the power of subsequently re-exporting it to any part of Europe, under certain regulations."

"—" Another most important relaxation of the principles upon which His Majesty's Orders proceed, is that which licenses the importation of all flour and meal, and all grain, tobacco, and other articles, the produce of the soil of America, with the exception of cotton, through the ports of His Majesty's dominions, into those of his enemies, without the payment of any duty on the transit. This is, I beg leave to observe, an instance in which His Majesty has deprived his measure of its most efficacious and hurtful operation against the enemy, through motives of consideration for the interests of America."

Nothing, therefore, appears to me more clear than that, it is unnecessary and impolitic, as well as disgraceful, at the present moment, to retract our Orders in Council, which were issued for
the purpose of counteracting Buonaparte's decrees against the commerce of this country. The American measure of Embargo, was undoubtedly adopted and framed previously to any knowledge, in that country, of the Orders in Council.

It is known that, the persons who have the best information concerning the actual relations between France and America, declare that the embargo is despised in France, and almost forgotten in England; and have recommended a Non-Intercourse with France and conciliation with Great Britain, and to arm against the French cruisers: at the same time it has been recommended from another quarter, high in the confidence of the American government, to continue the embargo, on the ground that, if proper measures are taken, an accommodation may be effected with England, there being a party in this country, disposed to be on friendly terms with the American States.

Superior talents, exerted with energy and judgment, will naturally excite invidious observation, particularly in those who have not been as successful in their measures; — in this light, I consider the petty objections to the letters of Mr. Canning, whose official papers are generally considered to be as able and as masterly productions as any to be found in the archives of his office. The letters of the American Secretary of State and Plenipotentiaries, if addressed to individuals on private concerns, would be deemed very offensive; and on any occasion, deserve a severe replication; but, I can observe nothing of that kind in the letters of Mr. Canning, to the style of which, overstrained and captious objections have been
made. At all events, we owe to his firmness, and to that of the present Administration collectively, a great improvement in the situation of this country in respect to the American States; and to them we shall be indebted for the re-establishment of our excellent Navigation and Colonial system, and for the flourishing state of our colonies.

The same pretended anxiety for conciliation, and the same mischievous measures, through which the American Colonies were lost, (if they can be deemed a loss,) are again urged and brought forward, and with the same view,—to distress the government of the country. Those factious measures, if they were not the sole cause of the separation of the Colonies from this country, at least produced a peace which no success on the part of the enemy could justify. But, it is to be hoped that the country will not again be imposed upon, and we have reason to expect that the present Ministers are not likely to be intimidated by such means.

In respect to the question, whether the conduct of the American States has been, or is, such as to entitle them to a more peculiar modification of our Orders in Council, (which would, in its ultimate consequences, amount to a total relinquishment of our right to retaliate the Enemy's unjust decrees,) none of the assertions of the advocates for the American requisitions have surprised me more than, that their government is disposed to be friendly to us. The elaborate attempts to prove from the Official Letters of the American Ministers, (and which, they must have been assured, would be published,) their real views respecting France, scarcely deserve notice. I have too good an opinion of Mr.
Maddison and of Mr. Pinckney to suppose that, they would, under existing circumstances, so far commit themselves as to declare, in their public correspondence, the secret disposition and ultimate views of their employers.

The strongest facts and circumstances, however, prove their partiality to France; and they scarcely attempt to conceal it. Their ports are shut, in the most rigid manner, to our ships of war; not a man is permitted to go ashore, except with despatches, nor is a cask of water allowed them: while vessels of the same description, belonging to Buonaparté, are permitted to repair, and victual, in their ports. They allowed five French privateers to equip and victual, at the Chesapeake and Savannah, not long since.

Great Britain has too long submitted to the aggressions of the people of the American States, whereby the honour and the dignity of this country have been disgracefully compromised, and its subjects injured. The terms of Treaties have been evaded, as well as the payment of debts. The encroachments in the Bay of Fundy have long and loudly called for redress. The violent aggression on British subjects, peaceably navigating within their own proper limits, on Lake Ontario, (as fully stated in a memorial from the merchants of Montreal to the Governor of Quebec,) requires ample satisfaction. Our forbearance and concessions, instead of conciliating, have only produced further invasions and claims, and the assumption of a dictatorial tone, not tolerated in any other power; and to which they are encouraged, by a kind of jargon, which ignorantly prevailed, that the commerce and manu-
factures of the United Kingdom are entirely dependent on the good-will of the American States,

It is impossible to say, how far self-importance, and irritation, in consequence of their not having succeeded in their projects of intimidating us into concessions, by insulting Non-intercourse measures, may carry the government of the American States: but, even if they should be so infatuated as to prefer war with us, and the total ruin of their trade, to a friendly intercourse, it cannot be considered as a wild prediction that, the people of that country will, for a very short time only, tolerate such extravagant and ruinous conduct on the part of their government. What would become of their exports, amounting to 48 millions of dollars annually? What would become of their revenue, arising almost entirely from their imports, which would, in a great degree, become clandestine? Instead of being the principal carriers, as they have lately been, to the greater part of the world, they would scarcely have a commercial vessel on the ocean. Perhaps, at first, they might send some privateers to the West Indies; but, would they have a commercial ship in the West Indies, or in the East Indies, or in the Mediterranean? They are not now what they were, at the close of the American war; at that time, they were warlike; at present, they are merely commercial, and their dependence is solely on commerce; and they would assuredly very soon find, as many of them already perceive, that they cannot essentially injure this country.

Whenever the government of the American States shall recover from its frenzy, they will
discover that, by being placed on the footing of the most favour'd nation, they obtain every thing that they can reasonably expect from this country; and I hope we shall have discovered that, no Treaty is necessary, that it can communicate no advantage to the British Empire, and cannot be desirable to the United States, except with the view of gaining some undue concessions, and unjust advantages over British subjects.—These are the opinions I offered to the attention of the public, twenty-five years ago, and every thing that has since happened proves that they were well founded.
APPENDIX.

An Act to Prohibit the Importation of certain Goods, Wares, and Merchandize.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That from and after the fifteenth day of November next, it shall not be lawful to import into the United States, or the territories thereof, from any port or place, situated in Great Britain or Ireland, or in any of the colonies or dependencies of Great Britain, any goods, wares, or merchandize, of the following description, that is to say:

All articles of which Leather is the material of chief value:

All articles of which Silk is the material of chief value:

All articles of which Hemp or Flax is the material of chief value:

All articles of which Tin or Brass is the material of chief value, tin in sheets excepted:

Woollen Cloths whose invoice prices shall exceed five shillings sterling per square yard:

Woollen Hosiery of all kinds:

Window Glass, and all other manufactures of glass:

Silver and plated Wares:

Paper of every description:

Nails and Spikes:

Hats:

Clothing ready made:

Millinery of all kinds:

Playing Cards:

Beer, Ale, and Porter: and

Pictures and Prints:

Nor shall it be lawful to import into the United
States, or the territories thereof, from any foreign port or place whatever, any of the above mentioned goods, wares, or merchandize, being of the growth, produce or manufacture of Great Britain or Ireland, or any of the colonies or dependencies of Great Britain: Provided however, that no articles which shall within fifteen months after the passing of this act, be imported from any place beyond the Cape of Good Hope, on board any vessel cleared out before the passing of this act, from any port within the United States, or the territories thereof, for the said Cape of Good Hope, or any place beyond the same, shall be subject to the prohibition aforesaid.

Sect. 2. And be it further enacted, That whenever any article or articles, the importation of which is prohibited by this act, shall, after the said fifteenth day of November next, be imported into the United States, or the territories thereof, contrary to the true intent and meaning of this act, or shall, after the said fifteenth day of November next, be put on board any ship or vessel, boat, raft, or carriage, with intention of importing the same into the United States, or the territories thereof, all such articles, as well as all other articles on board the same ship or vessel, boat, raft or carriage, belonging to the owner of such prohibited articles, shall be forfeited, and the owner thereof shall moreover forfeit and pay treble the value of such articles.

Sect. 3. And be it further enacted, That if any article or articles, the importation of which is prohibited by this act, shall, after the said fifteenth day of November next, be put on board any ship or vessel, boat, raft or carriage, with intention to import the same into the United States, or the territories thereof, contrary to the true intent and meaning of this act, and with the knowledge of the owner or master of such ship or vessel, boat, raft or carriage, shall be forfeited, and the owner and master thereof shall moreover each forfeit and pay treble the value of such articles.

Sect. 4. And be it further enacted, That if any article or articles, the importation of which is prohibited by this act, and which shall nevertheless be on board any ship or vessel, boat, raft or carriage, arriving after the said fifteenth day of November next, in the United States, or the territories thereof, shall be omitted in th
Reform in Parliament

AN

THE

PEOPLE OF ENGLAND,

ON THE

REFORM IN PARLIAMENT,

TO WHICH ARE ANNEXED, COMPLETE COPIES OF THE

MAGNA CHARTA,

AND THE

BILL OF RIGHTS

With Explanatory Notes.

BY A TRUE FRIEND TO THE CONSTITUTION, AND

NOTHING BUT THE CONSTITUTION.

"England expects every man to do his duty."

NELSON.

LONDON:

PRINTED FOR J. BLACKLOCK, 92, ROYAL EXCHANGE:

AND J. LUFFMAN, 377, STRAND.

And to be had of Mr. RIDGWAY, Piccadilly, and all

other Booksellers.

Price 2s. 6d.
TO THE

ENGLISH NATION.

ENGLISHMEN,

THE Charters following this Address, called MAGNA CHARTA and the BILL OF RIGHTS, formed the Constitution of the country of your forefathers: they ought to have formed the Constitution of your country; but the canker-worm of Corruption has introduced his foul fangs into its fine form, and some of its nobler parts have thereby been mutilated, almost to subversion.

Previously, however, to any discussion on the mutilations committed on these memorable grants, I will attempt to shew from whence the grants themselves originated.

MAGNA
MAGNA CHARTA is looked up to by the people of England as the foundation stone of the English Constitution and of English liberty. King John had no sooner signed this deed, than he found that it set bounds to his power, and which to bear he conceived to be an intolerable disgrace; and all the precautions taken by the Barons, to secure the observance of its articles, seemed barely sufficient to counterbalance the unsettled disposition of the king, surrounded by a circle of unprincipled men, mostly French. They represented to him the injury he had done to himself, in suffering his Barons to deprive him of so much of his regal power. John felt the force of their arguments, and determined, if possible, to free himself from the subjection of the Barons. He wished for revenge, but had neither men nor money to support him in the execution of his ambitious views. At length, when almost driven into a state of despair, by the never-ceasing reproaches of his courtiers, he sent the Bishop of Worcester, the Bishop of Norwich, and others, into France, Germany, Italy, and Flanders, with offers to such as would enter into his service, of the estates of the rebellious Barons—so he termed those friends to patriotism and liberty.

John
John, in the mean time that his agents were busy in raising troops, addressed a letter to the Pope, acquainting him with his situation, and at the same time sent him a copy of the Great Charter, with an intreaty to be absolved from the oath he had taken to observe it. He succeeded at the court of Rome: Pope Innocent III. who felt himself much hurt by his vassal's humiliating situation, swore by St. Peter, that the temerity of the Barons should not go unpunished. He sent them orders to renounce those privileges which they had with so much difficulty obtained, or incur the anger of the Holy See. The Barons, however, disregarding the rage of the Pope, immediately seized on Rochester, at that time a vast magazine of arms and ammunition.

Advice now came to King John, that large bodies of troops, raised by his agents, had arrived at Dover; in fact, the numbers were so great, that although forty thousand men under the conduct of Hugh de Boves are said to have perished at sea, yet there were a sufficient number remaining to awe the Barons.

The king's first undertaking with these mercenaries, was to attack Rochester, which
he carried, although the Barons used every means to throw succours into it. Immediately after this event he divided his army, with an intent to ravage the southern counties. England was now in a most miserable state; two armies of foreigners, rendered bold and bloody by success, and the king’s promises, were destroying the country in a merciless manner. The Barons finding their power incompetent to meet the foe in the field, had returned to London: their castles, their houses, and their lands were now laid waste by the enemy; and those great characters, which but a short time before had been the boast of every Englishman blessed with the light of reason, were reduced to the most deplorable condition, which life is capable of sustaining.

The insatiate John seemed to glut his revenge with all that pleasure which plays about the heart of a sanguinary tyrant, intent on the destruction of humanity. He ravaged with fire and sword the counties of Essex, Middlesex, Hertford, Cambridge, and Huntingdon; while Pope Innocent thundered the anathemas of the Church against the distressed Barons and their partizans.
The Barons finding their estates plundered and given to foreigners, that last resource of wretchedness, despair, prompted them to offer, as far as in their power lay, the crown of England to Prince Louis, son of King Philip of France. Philip readily embraced the proposition; and, after having received hostages from the Barons, began to make preparations for a descent.

Louis landed soon after at Sandwich, in Kent, without interruption. He marched to Rochester, which he took after a faint resistance; and the whole county of Kent, Dover excepted, became in a very short time under the control of the French. Louis, soon after, became master of the southern counties; Norfolk and Suffolk had likewise submitted to his arms, and the city of York had fallen before the power of his adherents: during which time the base John had the mortification to find his foreign friends, his hired adventurers, were deserting in numbers to his foe. This circumstance, with a variety of others, all tending to affect both the mental and bodily faculties, threw him into a fever, which deprived him of life on the 18th of October 1216, one year and four months after he had signed Magna Charta.
Not even this wicked king, nor any of his successors, with intentions equally unworthy, have yet been able to destroy this glorious work. It has, indeed, been mutilated, but to this hour it remains the corner stone of English liberty; and it is most fervently to be hoped, that nothing short of the general wreck of Nature, will ever shake it to its fall.

The Constitution of England, as established by the above sacred authority, having become much impaired by the encroachments made upon it by some of the English kings, but more particularly by those of the Stuart dynasty, who exceeded all their progenitors in mutilating the venerable fabric; these men formed a court of Star Chamber, a court of fine and imprisonment, without the interference of Juries—These men assumed a power of dispensing with the laws—These men exacted money from the people of England, without the authority of parliament—These men endeavoured to establish the power of the pope in England—These men arrogated to themselves divine authority to rule—These men were pensioners to the court of France. One of these men deservedly lost his life on the scaffold, and one of these men probably saved his life by abdication; and
and the descendants of the latter were excluded from the succession to the throne of England for the presumption, the insincerity, and the profligacy of their ancestors. This deluded family ever lost sight of a maxim, which, it is to be hoped, the present exalted family will constantly keep within their view, "That while "they continue true to the people, the people will "continue true to them."

At the abdication of James, the crown of England was offered to the Prince of Orange, on certain conditions, which were afterwards formed into a Bill, or Charter, and called the Bill of Rights. This bill by no means abrogated Magna Charta; it went only to add strength to the weakened part of that great work, and to make some additional amendments thereto, beneficial both to the prince and the people.

Having shewn the means by which our ancestors obtained the two great Charters of our liberties, I come now to the painful task of pointing out the decline of liberty, by the violences committed thereon, by weak or wicked ministers, from time to time.

During
During a period of twenty-five years from the establishment of the Bill of Rights, Corruption may be said almost to have hid its monstrous head; but soon after the introduction of a new family from Germany to the throne of England—a family at that time wholly unacquainted with the laws of the country, or the genius of the people—a plan was formed by some designing courtiers, which presently became a basis for a system of corruption, as complete as the most wicked of men could ever wish or hope for. Sir Robert Walpole was the first minister who dared openly to act upon this system, soon after the commencement of the reign of George II. He was a bold minister, and bribed in the face of day, and presumed to say, "That every "man had his price." Notwithstanding this man's barefacedness in the practice of bribery, he was wanting in the refinement, in the subtleties of the art, as practised by some of his successors in office. The liberty of the subject was, however, less sported with in the reign of George II. than it has been since. The *Habeas Corpus* act was but once suspended during that reign, and that at a time when the most imminent danger threatened the nation from an army of rebels within its own bowels,
bowels, headed by a man who claimed the crown by *jure divino*, divine right—I mean the Pretender, Charles Edward Stuart.

The administration of Lord Bute struck the first great blow at the Constitution since the formation of the Bill of Rights. This was by an attempt to establish a remnant of the old Star-Chamber tyranny, as practised by the first Charles of glorious memory, under the name of a general warrant issued from the Secretary of State's office, and signed by the Secretary himself. The first attack by this new weapon, or rather old weapon new polished, was, very fortunately for the country, made on an intrepid character, John Wilkes, member for Aylesbury; who had rendered himself obnoxious to ministers by his bold speeches in the House of Commons, and by his writings without doors. The matter was at length argued in the Court of Common Pleas, Westminster, before Sir Charles Pratt, afterwards Lord Camden, and declared to be illegal. This latter event took place during the short administration of the Marquis of Rockingham, 1765.

The Duke of Grafton next succeeded to office; his strides at power beyond the law...
soon manifested itself; and the case of the Freeholders of Middlesex, so far as related to Mr. Wilkes and Colonel Lutterell, must ever stigmatize, not only the ministers, but the venal parliament of the day. In fact, it was the bare-faced corruption of this time that called forth the pen of the admirable Junius; who never ceased to lash the infamy of those concerned in frittering away the rights of the people, till he drove them, with disgrace, from the situations which they were unworthy to fill, into obscurity, if not oblivion.

The Duke of Grafton’s administration no sooner closed, than Lord North, previously an under workman, now took the lead in the ministerial work-shop. The American war, and the objects immediately connected therewith, occupied a great part of this administration. Notwithstanding this might be supposed to have been sufficient for the management of any minister, he thought proper also to irritate the people of England by a measure which ought never to be resorted to but in the worst of times:—this was no other than a suspension of the Habeas Corpus act; a measure which had lain dormant since the year 1745.
1745. By the suspension of this act the liberties of the people are laid at the foot of the minister: it enables him to imprison any subject, during the suspension, without shewing any cause for doing, or bringing the supposed offending party to a trial. Thus have Englishmen been, by a complying and venal parliament—a parliament whose majority consisted of placemen and pensioners—consigned to prisons from two to five years; and at length liberated, without trial, or any satisfaction whatever for the injuries sustained either in person or property. The cases of Bingley and Le Maitre, out of many more, will justify me in the above assertion: the ministers, always taking care to cover themselves from the reach of the law, by an act of indemnity.

The North administration, which finished in the early part of 1781, was succeeded by the Rockingham, which was put an end to by the death of the Marquis, and was succeeded by the Shelburne administration; which gave place, very early in 1783, to the coalition, or North and Fox administration: this administration did not stand one whole year. During the Shelburne administration, the American colonies were declared "free and inde-
"pendent states;" and from which time may be dated the decline of the British Empire. During these three short administrations, nothing material was done by ministers that affected the Constitution.

We now arrive at the period of William Pitt's first administration: it will be found replete with aggression against the subject. This man, at the set-out of his career, promised much in favour of the people. The popular son of a popular father, he was, previous to his appointment of prime minister, the clamorous never-ceasing advocate for Parliamentary Reform, "a matter most devoutly to be wished;" but no sooner had he obtained the summit of office, but his tones lowered, and fell by degrees, from the warm friend into the determined enemy of that measure.

Mr. Pitt had now become, instead of the champion of the people's liberties, the champion of the court; and every act and thing that breathed the warm spirit of liberty, which he had heretofore endeavoured to fan into an enthusiastic flame, he doomed to destruction. Many persons were apprehended on
on charges of high treason; and among them, John Horne Tooke, a very learned and worthy character, who had, from the early part of the present reign, united with some of the first characters in the kingdom to stem the overwhelming torrent of ministerial corruption. These men were tried by a special commission at the Old Bailey, and acquitted. Mr. Pitt was subpoena'd as an evidence, and examined; but, to his eternal disgrace, he prevaricated; and pretended to have lost all recollection of his own actions, when at meetings instituted for the promotion of Parliamentary Reform, until reminded thereof in a manner that must have been highly hurtful to the feelings of a man of honour. No sooner were these trials finished, but he introduced a new treason bill into the House of Commons, and it received the royal assent: the old treason act, which had been, from the time of Edward III, found quite sufficient for all its alleged purposes, became now exploded. Many other acts, militating against the liberty of the subject, originated during this man's administration, as well as the ruinous war in which we are at present unfortunately engaged, and to which we must attribute the aggrandizement of France, and the submission of almost all the powers
on the European continent, to the yoke of that overwhelming power.

The Addington administration, the second administration of Pitt, the Grenville and Fox, and the Portland administration, have not openly attacked the Constitution; yet, by a kind of side-wind, or by a misconstruction of the Bill of Rights, violent encroachments have been made upon the liberty of the subject, as in the cases of Wakefield, and White and Hart, and of which I shall speak shortly.

Peculators and mal-administrators in various departments of the state have been exposed, if not otherwise punished. Corruption has been found to pervade every office and department of Government that has hitherto come under the investigation of the Committees appointed for that purpose.

The recent inquiry into the conduct of the Duke of York, as Commander in Chief of the army, has thrown a strong light on the features of this devouring monster; and although the vote of a majority of the House of Commons, declaratory of the Duke's innocence of corruption, has passed, it will be, notwithstanding, a difficult
a difficult task indeed for ministers to bring the minds of the people to a belief that he is innocent of connivance also.

It is not only in the departments of the state itself, that Corruption stalks unchecked; but into that "Imperium in Imperio," that injurious monopoly, the India Company, it has also found its way. Indeed, we never expected virtue to spring out of such ill-composed materials as the union sovereignty and traffic: a sovereign and a merchant will never amalgamate. Writerships and cadetships have been sold in a variety of instances, through the industrious agency of Tahourdin and Shee, a pair of men calling themselves Solicitors, but better known by the name of Lawyers; and it appears from the debates at the India House, on Friday, April 7, that no less than eleven Directors were implicated in the nefarious traffic. It is most fervently to be hoped, that the law will be sufficiently strong to reach all or any of them found guilty of such a gross and scandalous abuse both of their patronage and their oath.

In the city, attempts to render the 5th section of the Bill of Rights a dead letter, was made by
by the Mayor, Charles Flower, by refusing a Common Hall, under a requisition, according to law and usage. This weak man (not to use a harsher phrase) presumed to dictate to the citizens, and place his own very moderate judgment in competition with that of men of real abilities, enlightened understanding, and eloquence. He was, however, at length, obliged to comply with the wishes of the citizens; and that body compelled him to put a vote of censure on his own conduct, and it passed with very few dissents in a Hall, composed of five thousand persons. The Court of Common Council have also expressed most fully their opinion on the subject of corruption, and also on the conduct of the majority in Parliament in favour of the Duke of York. In Resolution V. they declare, that "they (the majority of Parliament) voted "in direct contradiction to the evidence pro-
"duced." This declaration, or resolution of the citizens, falls very little short of a vote of infamy, and places them and the majority of Parliament at issue; one or the other must be right, and the people at large are the umpire in this great question. The citizens of London have ever been looked up to by the nation at large, as the assertors of true liberty. Whenever the state has appeared to be in danger, either from the
the misconduct of the monarch, or from a licentious spirit in the people, the rule of their conduct has been uniformly to support right; and the example set by them has been, in almost every instance, followed by all other corporations of consequence in the kingdom. The present conduct of the citizens will do them honour so long as liberty remains in England; and has shown them as men, worthy of a place by the side of those immortal worthies, our ancestors, who brought about the glorious Revolution in 1688.

I will now speak of some of the most striking recent encroachments on the English Constitution, agreeable to the promise made a few pages back.

The 10th section of the Bill of Rights is thus expressed—"That excessive bail ought not to be required, nor excessive fines imposed, nor cruel or unusual punishments inflicted." It is fine, it is beautiful in itself, and breathes that heavenly spirit of mercy, that every man of common understanding must admire. This section appears to me to be very plain, even to the conceptions of men of ordinary talents; it ought to appear at least as clear, and to be
as well understood by those of more enlightened minds and superior education. Notwithstanding which, excessive bail, or surety, has been required. The case of Lord G. Gordon, for a libel on Antoinette, the infamous and last queen of France, is in point, and which caused that unfortunate, and I will say ill-advised man to terminate his existence in prison: I think the prison was Newgate.

Excessive fines have also been demanded—I here allude to the case of Dickie, the Stationer. I will not, in this place, go into an investigation of the character of this man; I mean only to say, that in consequence of the excessive fine imposed as a retribution for his criminality, and which it was out of his power to pay, he lingered many years in prison, and in prison he ultimately died.

The third part of the 10th section appears to apply directly in point to several recent cases. In fact, not only the letter, but the very spirit, here go hand in hand: the words cruel and unusual want no definition; they speak for themselves. Our ancestors spoke thus plain, because no misconstruction should be put upon the words of the Charter, every syllable
syllable of which is so simple, that it is immediately understood by the most inferior capacity, on the first reading. The Rev. Gilbert Wakefield was convicted for publishing a libel in either the city of London or county of Middlesex; and his sentence went to confine him in the gaol of Dorchester, instead of the county-gaol of Middlesex, or Newgate. The case of White and Hart is directly in point with Wakefield's case. These men were, one the printer or editor, and the other the publisher, of a weekly newspaper: they were convicted of printing and publishing two libels in the city of London; and the punishment was partly by fine, and partly by imprisonment, not in the gaol of the city of London, where they had committed the offence, but in Dorchester and Gloucester gaols, situated in counties or districts wherein it was not even stated that they had committed any the least offence. These punishments appear to strike both at the letter and spirit of the Bill of Rights; and if such is the construction put by some men on this part of our Constitution—and such construction appears now to be the leading point of our law-courts—county and district gaols are at once rendered useless, as far as relates to their original institution; and one general depot, in
some remote corner of the island will best suit the disposition of some interpreters of that most excellent code of jurisprudence, established by our invaluable Constitution at the ever memorable and glorious Revolution, after the abdication of the bigotted king and villain, James II. These infringements, however, do not attach to the present ministers, or the present judges; they had been previously established under the administrations of North and Pitt, and were now grown into use from precedent.

Another encroachment on the rights of the people, and that of a gross and aggravated nature, I will now adduce:—the act empowering Justices of the Peace to try and determine certain causes in a "summary way;" that is to say, without the assistance of a jury, and from whose decision there is no appeal. This act is a direct attack on the 46th section of Magna Charta, which see in its proper place. The cases already quoted will be sufficient to shew, that a conspiracy against the liberties of the people has existed many years. I have only marked here some of its footsteps, from the accession of Lord Bute into power, in 1762; many more may be adduced, were it necessary to make any further observations thereon.
One concluding sentence, and I finish my address to my countrymen. The subject of Parliamentary Reform seems once more to engross the attention of the people. The 8th section of the Bill of Rights declares, "that elections of Members of Parliament ought to be free," by which it is certainly implied, that there ought not to be any interference in elections, and that the representation ought to proceed from the electors, and the electors only. How can we then reconcile with this declaration, the elections, as they are termed, in those boroughs under the immediate influence, or rather, in the gift of certain noble and opulent families*, who, from

* In the Court of Common Council it was stated, that 17 Peers and 92 Commoners returned 368 members to the House of Commons; and in one of the resolves of the said body they declare, "that it appears by a report of a Committee of the House of Commons, that 78 Members of that House are in the receipt of £178,994 per annum out of the public money." In another part of their resolutions they declare, that "if any doubt could remain as to the beneficial effect of such influence, it has been sufficiently exemplified by the rejection of Mr. Wardle's late proposition in parliament, against the most conclusive evidence, and unequivocal sense of the country, and where it appeared that all his Majesty's ministers, all the placemen, and all the pensioners, then present, (stated to be 82 in number) voted against the said proposition; while in the minority of
from among themselves, and not by the free suffrage of the people, elect nearly half of what is called the representation of the people of England. Nearly all the boroughs of Wiltshire and Cornwall, and many others in different counties, are rendered useful only to their patrons; and it is impossible to speak otherwise than indignantly, when we find such places as Old Sarum, Gatton, and many others, some quite destitute of votes, and others nearly so, sending members to Parliament; while the flourishing towns of Manchester, Glasgow, Leeds, Birmingham, and Sheffield, each with a population from thirty thousand to eighty thousand souls, as appears by the census taken in 1801, remain without any representation whatever in the Commons' House of Parliament. This is a matter which cries loudly for remedy; and it must be remedied if it is not remedied shortly by prudent measures, it will ultimately find its own remedy, and very probably in violence.

Let it be considered, that taxation has nearly reached its climax; that one seventh, by the best calculation, of all the people of England are

"125, not one minister, not one placeman, not one pensioner, and only one naval and military commander was " to be found."

paupers;
paupers; that luxury pervades almost every rank of society; that the cry of corruption in the state comes from every mouth, and the cry of Reform! Reform! proceeds from every tongue, and reverberates upon every ear, throughout the kingdom; that religion and morality are smiled at as useless in modern society; that public virtue is lost, because men obtain seats in parliament, by purchase or patronage, without possessing honour, honesty, or national pride.—When we have an enemy almost at our doors as fertile in projects as he is successful in their execution—Think of these things, ye, whose duty it is to apply, at least the palliative, if not the caustic, to the sores which threatens death to the Body Politic; and when you have considered these things well, and determine that this is not the proper season for Reform, at least acknowledge your infatuation, and rush upon perdition.

L.
MAGNA CHARTA;

OR THE

GREAT CHARTER

OF

LIBERTIES,

Granted by King John to the People of England,

on the 15th Day of June, 1215

JOHN, by the grace of God, King of England, Lord of Ireland, Duke of Normandy and Aquitaine, and Earl of Anjou; to the archbishops, bishops, abbots, earls, barons, justiciaries of the forests, sheriffs, governors, officers, and to all bailiffs, and other his faithful

* Taken from an authentic copy of the original, in the Cottonian library at Oxford.

The Notes at the bottom referred to by the letters (a), (b), &c. are such paragraphs as are to be found in the Magna Charta extant in Matthew Paris, (p. 255.) and which are left out, in the Cottonian copy. All insertions within these marks [ ] are the clauses omitted in the Magna Charta of Henry III. The reader will therefore find here a faithful copy of the Cottonian library Charter, as also that of Matthew Paris, and that of Henry III.

subjects
subjects, greeting. Know ye, that We*, in the presence of God, and for the health of our soul, and the souls of our ancestors, and heirs, and to the honor of God, and the exaltation of his holy church, and amendment of our kingdom, by advice of our venerable fathers, Stephen archbishop of Canterbury, primate of all England, and cardinal of the holy Roman church; Henry archbishop of Dublin, William bishop of London, Peter of Winchester, Jocelin of Bath and Glastonbury, Hugh of Lincoln, Walter of Worcester, William of Coventry, Benedict of Rochester, bishops; and Master Pandulph, the Pope's sub-deacon and ancient servant; brother Aymerick, master of the Temple in England, and the noble persons William Marescall earl of Pembroke, William earl of Salisbury, William earl of Warren, William earl of Arundel, Alan de Galoway constable of Scotland, Warin Fitz-Gerald, Peter Fitz-Herebert, and Hubert de Burgh seneschal of Poictou, Hugh de Neville, Matthew Fitz-Herebert, Thomas Basset, Alan Basset, Philip de Albiney, Robert de Ropele, John Marescall, John Fitz-Hugh, and others our liegemen; have in the first place granted to God, and

* King John was the first of the kings of England, who in his grants wrote We. (Coke's Institutes, p. 2.)
by this our present Charter, confirmed for us and our heirs for ever.

1. That the church of England shall be free*, and enjoy her whole rights and liberties inviolable†. And we will have them so to be observed, which appears from hence, that the freedom of elections, which was reckoned most necessary for the church of England‡, of our own free will and pleasure we have granted and confirmed by our Charter, and obtained the confirmation of, from Pope Innocent the Thir'd, before the discord between Us and our barons, which Charter we shall observe, and do will it to be faithfully observed by our heirs for ever.

2. We have also granted to all the freemen of our kingdom, for us and our heirs for ever, all the underwritten liberties, to have and to hold them and their heirs, of Us and our heirs.

* The goods and possessions of Ecclesiastics shall not be liable to oppression, but yield only lawful duties. (Coke, p. 2.)
† Ecclesiastics receive from this grant nothing more than a confirmation of their ancient privileges. (Coke, p. 3.)
‡ See Rapin, page 267, col. 1.

3. If
3. If any of our earls*, or barons, or others, who hold of Us in chief by military service, shall die, and at the time of his death his heir shall be of full age, and owe a relief, he shall have his inheritance by the ancient relief†; that is to say, the heir or heirs of an earl, for a whole earl's barony, by a hundred pounds; the heir or heirs of a baron, for a whole barony, by a hundred pounds‡; the heir or heirs of a knight, for a whole knight's fee, by an hundred shillings at most; and he that oweth less shall give less, according to the ancient custom of fees:

* At this time the titles of Duke, Marquis, and Viscount, were unknown in England. (See Rapin, p. 149, 150; and Selden's Titles of Honor.

† The relief of an Earl, as set down in the laws of William I. was, eight horses saddled and bridled, four helnets, four coats of mail, four shields, four spears, four swords, four chafers, and one palfrey bridled and saddled. The relief of a Baron was one half of the above, together with the palfrey. That of a vassal, or great vassal, to his lord, his best horse, his helmet, coat of mail, shield, spear, sword; or, in lieu of these, one hundred shillings, &c. &c. (Coke, p. 7.)

‡ The Cottonian copy has it as above; but it should be marks in lieu of pounds. (Coke, p. 7.)
4. But if the heir of any such shall be under age, and shall be in *ward (a), when he comes of age, he shall have his inheritance without relief or without fine (b).

5. The warden of the land of such heir, who shall be under age, shall take of the land of such heir only reasonable issues, reasonable customs, and reasonable services†; and that without destruction and waste of the men or things (c). And if we shall commit the guardianship of these lands to the sheriff, or any other, who is answerable to us for the

(a) [His lord shall not have the wardship of him, nor his land, before he hath received his homage; and after such heir shall be in ward, and shall attain to the age of twenty-one years.]

(b) [Yet so, that if he be made a knight § while he is under age, nevertheless the lands shall remain in the custody of the lord, until the aforesaid time.]

(c) [Upon the estate.]

* Heirs of the king’s tenants, while under age, were said to be in ward.

† By Issues are meant rents and profits, customs, advowsons, commons, strays, fines, &c. By Services, the labour due from copyholders to their lords. (Rapin, p. 150, and Notes; and Coke, p. 12, 13.)

§ By being made a knight, the heir was out of ward as to his body; but the land remained in custody of the lord. (Coke, p. 11.)
issues of the land; and if he shall make destruction and waste upon the ward-lands, we will compel him to give satisfaction, and the land shall be committed to two lawful and discreet tenants of that fee, who shall be answerable for the issues to us, or to him whom we shall assign. And if we shall give or sell the wardship of any such lands to any one, and he makes destruction or waste upon them, he shall lose the wardship, which shall be committed to two lawful and discreet tenants of that fee, who shall in like manner be answerable to us, as hath been said.

6. But the warden, so long as he shall have the wardship of the land, shall keep up and maintain the houses, parks, warrens, ponds, mills, and other things pertaining to the land, out of the issues of the same land; and shall restore to the heir, when he comes of full age, his whole land stocked with ploughs and carriages, according as the time of wallage shall require, and the issues of the land can reasonably bear (a).

(a) [And all these things shall be observed in the custodies of vacant archbishopricks, bishopricks, abbies, priories, churches, and dignities which appertain to us; except that these wardships are not be sold.]
7. Heirs shall be married without disparagement *, [so as that before matrimony shall be contracted, those who are nearest to the heir in blood shall be made acquainted with it.]

8. A widow, after the death of her husband, shall forthwith, and without any difficulty, have her marriage †, and her inheritance; nor shall she give any thing for her dower, or her marriage, or her inheritance, which her husband and she held at the day of his death: And she may remain in the capital messuage or mansion house of her husband, forty days after his death; within which term her dower shall be assigned (a).

(a) [If it was not assigned before, or unless the house shall be a castle; and if she departs from the castle, there shall forthwith be provided for her a complete house, in which she may decently dwell, till her dower be to her assigned as hath been said; and she shall in the mean time have her reasonable Estover (competent maintenance) out of the common [Revenue.] And there shall be assigned to her for her dower, the third part of her husband's lands, which were his in his life time, except she were endowed with less at the church door.]

* Under his degree.
† Liberty to marry where she will.

9. No
9. No widow shall be destine'd * to marry herself so long as she has a mind to live without a husband. But yet she shall give security that she will not marry without our assent, if she holds of Us; or without the consent of the lord of whom she holds, if she holds of another.

10. Neither we nor our bailiffs † shall seize any land ‡ or rent for any debt, so long as there shall be chattels of the debtor's upon the premises, sufficient to pay the debt (a). Nor shall the sureties of the debtor be de‐ strained, so long as the principal debtor is suf‐ ficient for the payment of the debt.

11. And if the principal debtor fail in the payment of the debt, not having wherewithal to discharge it (b), then the sureties shall answer the debt, and, if they will, they shall have the lands and rents of the debtor, until they shall be satisfied for the debt which they

(a) [And that the debtor be ready to satisfy it.]
(b) [Or will not discharge it when he is able.]

* Compelled by seizing her goods.
† Sheriffs and their officers. (Coke, p. 19.)
‡ Previous to this grant, the king could take the body, lands, and goods of the debtor. (Coke, ibid.)
paid for him; unless the principal debtor can show himself acquitted thereof, against the said sureties.

12. [If any one have borrowed any thing of the Jews, more or less, and dies before the debt be satisfied, there shall be no interest paid for that debt, so long as the heir is under age, of whomsoever he may hold: and if the debt falls into our hands, we will take only the chattels mentioned in the Charter or instrument.]

13. [And if any one shall die indebted to the Jews, his wife shall have her dower, and pay nothing of that debt; and if the deceased left children under age, they shall have necessaries provided for them according to the tenement (or real estate) of the deceased, and out of the residue the debt shall be paid; saving however the service of the lords. In like manner let it be with the debts due to other persons than Jews.]

14. No Scutage * or aid shall be imposed in our kingdom, unless by the common coun-

* Military service, due to the king from the tenants in chief. (Rapin.)
cil of our kingdom, except to redeem our person, and to make our eldest son a knight, and once to marry our eldest daughter; and for this there shall only be paid a reasonable aid.

15. [In like manner it shall be concerning the aids of the city of London; and] the city of London shall have all its ancient liberties and free customs, as well by land as by water.

16. Furthermore, we will and grant that all other cities and boroughs, and towns (a), and ports, shall have all their liberties and free customs; and shall have the common council of the kingdom concerning the assessment of their aids, except in the three cases aforesaid.

17. [And for the assessing of scutages we shall cause to be summoned the archbishops, bishops, abbots, earls, and great barons of the realm, singly by our letters.]

(a) [And barons of the Cinque ports*.]

* The Cinque ports are in the county of Kent, and have great privileges. (Rapin.)
[And furthermore, we shall cause to be summoned in general by our sheriffs and bailiffs, all others who hold of us in chief, at a certain day, that is to say, forty days (before their meeting) at least, to a certain place; and in all letters of such summons, we will declare the cause of the summons.]

19. [And summons being thus made, the business shall proceed on the day appointed, according to the advice of such as shall be present, although all that were summoned come not.]

20. We will not for the future grant to any one, that he may take aid of his own free-tenants, unless to redeem his body; and to make his eldest son a knight, and once to marry his eldest daughter; and for this there shall only be paid a reasonable aid.

21. No man shall be distreined to perform more service for a knight's fee, or other free tenement, than is due from thence.

It appears by this article that none but tenants in chief, had a right to sit in the common-council, or parliament. (Rapin.)

22. Common
22. Common Pleas shall not follow our court but shall be holden in some certain place: trials upon the writs of Novel Disseisin, and of Mort d'Ancestor, and of Darreine Presentment*, shall be taken but in their proper counties, and after this manner: We, or (if we shall be out of the realm) our chief justiciary, shall send two justiciaries through every county four times a year; who, with the four knights chosen out of every shire by the people, shall hold the said assizes in the county, on the day, and at the place appointed.

23. And if any matters cannot be determined on the day appointed to hold the assizes in each county, so many of the knights and freeholders as have been at the assizes afore-

* A writ of Assize of Novel Disseisin lies, where a tenant, for ever, or for life, is put out and desseised of his lands or tenements, rents, common of pasture, common way, or of an office, toll, &c. that he may recover his right. (G. Jacob.)
A writ of Mort d'Ancestor is that which lies where any near relations of a man die, seized of lands, rents, or tenements, and after his death, a stranger seizes them. —— A writ of Darreine Presentment lies, where a man or his ancestors have presented to a church, and after it has become void, a stranger presents thereto, whereby the person having right is disturbed. (Id.)
said, shall be appointed to decide them, as is necessary, according as there is more or less business (a).

24. A free man * shall not be amerced for a small fault, but according to the degree of the fault; and for a great crime, in proportion to the heinousness of it, saving to him his contenement †, and after the same manner a merchant, saving to him his merchandise.

25. And a villain (b) shall be amerced after the same manner, saving to him his wainage ‡, if he falls under our mercy; and none of the aforesaid amerciaments § shall be assessed, but by the oath of honest men of the neighbourhood (c).

(a) [Assizes of Darriené Presentment to churches, shall be always taken before the justiciaries of the bench.]
(b) [Of any other than our own.]
(c) [Of the county.]

* A Freeholder.
† The means of livelihood, such as tools, implements, &c.
‡ Carts and implements of husbandry.
§ Pecuniary punishment of an offender, against the king.

(Jacob.)
26. Earls and barons shall not be amerced but by their peers*, and according to the quality of the offence.

27. No ecclesiastical person shall be amerced, but according to the proportion aforesaid, and not according to the value of his ecclesiastical benefice.

28. Neither a town, nor any person, shall be distreined to make bridges over rivers, unless that anciently, and of right they are bound to do it (a).

29. No sheriff, constable †, coroners, or other our bailiffs, shall hold pleas of the crown.

30. [All counties, hundreds, wapentakes, and trethings, shall stand at the old ferm, without any encrease, except in our demesne lands.]

31. If any one that holds of us a lay-fee,

(a) [No river for the future shall be embanked, but what was embanked in the time of King Henry our grandfather.]

* Equals.

† Constable of a castle. Men in ancient times of great authority.
dies, and the sheriff or our bailiff show our letters-patent of summons concerning the debt, due to us from the deceased; it shall be lawful for the sheriff or our bailiff to attach and register the chattels of the deceased found upon his lay-fee, to the value of the debt, by the view of lawful men, so as nothing be removed until our whole debt be paid; and the rest shall be left to the executors to fulfil the will of the deceased: and if there be nothing due from him to us, all the chattels shall remain to the deceased, save to his wife and children their reasonable shares.

32. [If any freeman dies intestate, his chattels shall be distributed by the hands of his nearest relations and friends, by view of the church, saving to every one his debts, which the deceased owed.]

33. No constable or bailiff of ours shall take corn or other chattels of any man (a), unless he presently gives him money for it, or hath respite of payment from the seller (b).

(a) [Who is not of the town where the castle is.]
(b) [But if he be of the same town, he shall pay him within forty days.]

34. No
34. No constable shall distrein any knight to give money for castle-guard, if he himself shall do it in his own person, or by another able man, in case he shall be hindered by any reasonable cause.

35. And if We shall lead him, or if we shall send him into the army, he shall be free from castle-guard, for the time he shall be in the army, by our command (a).

36. No sheriff or bailiff of ours, or any other, shall take horses or carts of any for carriage (b).

37. Neither shall We or our officers or others, take any man's timber for our castles, or other uses, unless by the consent of the owner of the timber (c).

38. We will retain the lands of those that

(a) [For the fee, for which he did service in the army.]
(b) [Without paying according to the rate anciently appointed; that is to say, for a cart and two horses, ten-pence a day; and for a cart and three horses, fourteen-pence a day.]
(c) No demesne cart of any ecclesiastical person, or knight, or any lady, shall be taken by our officers.

are
are convicted of felony but one year and a day, and then they shall be delivered to the lord of the fee.

39. All Weares for the time to come shall be demolished in the rivers Thames and Medway; and throughout all England, except upon the sea-coast.

40. The writ which is called Præcipe*, for the future, shall not be granted to any one of any tenement, whereby a freeman may lose his cause.

41. There shall be one measure of wine, and one of ale, through our whole realm; and one measure of corn, that is to say, the London quarter; and one breadth of dyed cloth and russets and haberjects†, that is to say, two ells within the list; and the weights shall be as the measures.

"42. From henceforward nothing shall be

* The writ called Præcipe quod reddat. It signifies in general an order from the king, or some court of justice, to put in possession any person complaining of having been unjustly put out.
† A sort of coarse cloth.
given or taken for a writ of inquisition*, from him that desires an inquisition of life or limbs, but shall be granted gratis, and not denied.

43. If any one holds of us by fee-farm, or socage, or burgage†, and holds lands of another by military service, We will not have the wardship of the heir or land, which belongs to another man's fee, by reason of what he holds of Us by fee-farm, socage, or burgage: nor will we have the wardship of the fee-farm, socage, or burgage, unless the fee-farm is bound to perform military service.

44. We will not have the wardship of an heir, nor of any land, which he holds of another by military service, by reason of any petit serjeanty he holds of us, as by the service of giving us daggers, arrows, or the like.

* A writ directed to the sheriff, to enquire whether a man sent to prison on suspicion of murder, was committed on just cause of suspicion, or only out of malice. (Jacob.)

† To hold in Fee-Farm, is, when there is some rent reserved by the lord, upon granting the tenancy. To hold in Socage, is, upon condition of ploughing the lord's land, and doing other offices of husbandry. And to hold in Burgage, is, when the inhabitants of a borough pay the king a certain rent for their tenements.
45. No bailiff for the future shall put any man to his law*, (a) upon his single accusation, without credible witnesses produced to prove it.

46. No freeman shall be taken, or imprisoned, or disseis’d (b), or out-law’d, or banished, or any ways destroyed; nor will we pass upon him, or commit him to prison, unless by the legal judgment of his peers, or by the law of the land †.

†. We will no sell to no man, we will deny no man, nor defer right or justice.

48 All merchants (c) shall have safe and secure conduct to go out of, and come into England‡; and to stay there, and to pass, as well by land as by water; to buy and sell by the

(a) [Not to an oath.]
(b) [Of his freehold or liberties, or free customs.]
(c) [Unless they be publicly prohibited.]

* To take his oath.
† Legal process, trial by a jury of equals. (Dr. Brady.)
‡ By some ancient laws of England, foreign merchants were forbid to come into the kingdom, except in fair times, and were not allowed to continue therein more than forty days. (Coke, p. 57.)
ancient and allowed customs, without any evil tolls, except in time of war, or when they shall be of any nation in war with us.

49. And if there shall be found any such in our land in the beginning of a war, they shall be attached, without damage to their bodies or goods, until it may be known unto us, or our chief justiciary, how our merchants be treated in the nation at war with us: and if ours be safe there, they shall be safe in our land.

50. [It shall be lawful for the time to come, for any one to go out of our kingdom, and return safely and securely by land or by water, saving his allegiance to us; unless in time of war by some short space for the common benefit of the kingdom, except prisoners and out-laws, (according to the law of the land) and people in war with Us, and merchants who shall be in such condition as is above mentioned.]

51. If any man holds of any escheat, as of the honour of Wallingford, Nottingham, Bologna, Lancaster, or of other escheats which are in our hands, and are baronies, and dies, his heir shall not give any other relief, or perform any other service to Us than he would to the baron,
baron, if the barony were in possession of the baron; we will hold it after the same manner the baron held it (a).

52. [Those men who dwell without the forest, from henceforth shall not come before our justiciaries of the forest upon summons, but such as are impleaded, or are pledges for any that were attached for something concerning the forest] (b).

53. We

(a) Nor will we by reason of such barony or escheat, have any escheat or wardship of any of our men, unless the that held the barony or escheat, held of us in chief elsewhere.

(b) [No County-court for the future shall be holden but from month to month; and where there used to be a greater interval, let it be so continued. Neither any sheriff, or his bailiff, shall keep his turn in the hundred oftener than twice in a year, and only in the accustomed place; that is, once after Easter, and once after Michaelmas; and the view of Frank-pledge shall be held after Michaelmas, without occasion*, and so that every one shall have his liberties, which he had and was wont to have in the time of King Henry our grandfather, or such as he obtained afterwards. But the view of Frank-pledge shall be so made, that our peace may be kept, and that the tything be full, as it was wont to be. And the sheriffs shall not seek occasions †, but shall be content with what the sheriff was wont to have, for making his view, in

* Without oppression. (Dr. Brady.)
† Causes to oppress any man. (ibid.)
53. We will not make any justiciaries, constables, sheriffs, or bailiffs, but what are knowing in the law of the realm, and are disposed duly to observe it.

54. All barons, who are founders of abbies, and have charters of the Kings of England for the advowson, or are entitled to it by another time of King Henry our grandfather, shall not be lawful for any man to give his land to a religious house, so as to take it again, and hold it of that house. Nor shall it be lawful for any religious house to receive land, so as to grant it to him again of whom they received it, to hold of him. If any man for the future shall so give his land to a religious house, and be convicted thereof, his gift shall be void, and the land shall be forfeited to the lord of the fee. Scutage for the future shall not be taken, as it was used to be taken in the time of King Henry our grandfather. [And that the sheriffs shall oppress no man, but be content with what he was wont to have.] Saving to the archbishop, bishops, abbots, priors, temple, hospitallers, earls, barons, knights, and all others, as well ecclesiastics as seculars, the liberties and free customs which they had before: These being Witnesses, &c.

* By holbing lands of the church, the service due from the fees, which were intended for the defence of the kingdom, were unjustly withdrawn; and the chief lords' fees: whereby the escheats, wardships, reliefs, &c. Many ways were found to evade the force of this law, until an effectual stop was put thereto, by the statute of Mortmain, 7 Edward II.
cient tenure, may have the custody of them, when void, as they ought to have.

55. All woods that have been taken into the forests (a) in our own time, shall forthwith be laid out again (b), and the like shall be done with the rivers that have been taken or fenced in by us, during our reign.

56. All evil customs concerning forests, warrens, and foresters, warreners, sheriffs, and their officers, rivers, and their keepers, shall forthwith be enquired into in each county, by twelve knights of the same shire, chosen by the most creditable persons in the same county, and upon oath; and, within forty days after the said inquest, be utterly abolished, so as never to be restored (c).

57. We will immediately give up all hostages and engagements, delivered unto us by our English subjects, as securities for their keeping the peace; and yielding us faithful service.

(a) [By King Richard our brother.]
(b) [Unless they were our demesne woods.]
(c) [No freeman for the future shall give or sell any more of his land, but so that, out of the residue, the service due to the lord of the fee may be sufficiently performed.]

58. We
58. We will entirely remove from our bailiwicks the relations of Gerard de Athyes, so as that for the future they shall have no bailiwick in England. We will also remove Engelard de Cygony, Andrew, Peter, and Iyon de Canceles, Gyon de Cygony, Geofrey de Martyn and his brothers, Philip Mark and his brothers, and his nephew Geoffrey, and their whole retinue.

59. And as soon as peace is restored, we will send out of the kingdom all foreign soldiers, cross-bowmen, and stipendiaries, who are come with horses and arms, to the injury of our people,

60. If any one hath been dispossessed, or deprived by us without the legal judgment of his peers, of his lands, castles, liberties or right, we will forthwith restore them to him; and if any dispute arises upon this head, let the matter be decided by the five and twenty barons hereafter mentioned*, for the preservation of the peace.

61. As

* According to Matthew Paris, p. 262, their names were, the Earls of Clare, Albemarle, Glocester, Winchester, Hereford, Earl Roger, Earl Robert, Earl Marescall junior, Robert Fitz-
61. As for those things, of which any person has, without the legal judgment of his peers, been dispossessed or deprived, either by King Henry our father, or our brother King Richard, and which we have in our hands, or are possessed by others, and we are bound to warrant and make good, we shall have a respite, till the term usually allowed the croises; excepting those things about which there is a suit depending, or whereof an inquest hath been made by our order, before we undertook the crusade. But when we return from our pilgrimage, or if we do not perform it, we will immediately cause full justice to be administered therein.

62. The same respite we shall have for disafforesting the forests, which Henry our father, or our brother Richard have afforested; and for the wardship of the lands which are in another's fee, in the same manner as we

have hitherto enjoyed those wardships, by reason of a fee, held of us by knight’s service; and for the abbies founded in any other fee than our own, in which the lord of the fee claims a right. And when we return from our pilgrimage, or if we should not perform it, we will immediately do full justice to all the complainants in this behalf.

63. No man shall be taken or imprisoned, upon the appeal of a woman, for the death of any other man than her husband.

64. All unjust and illegal fines, and all amerciaments imposed unjustly, and contrary to the law of the land, shall be entirely forgiven, or else be left to the decision of the five and twenty barons hereafter mentioned for the preservation of the peace, or of the major part of them, together with the aforesaid Stephen archbishop of Canterbury, if he can be present, and others whom he shall think fit to take along with him. And if he cannot be present, the business shall notwithstanding go on without him. But so that, if one or more of the aforesaid five and twenty barons be plaintiffs in the same cause, they shall be set aside, as to what concerns this particular affair;
affair; and others be chosen in their room out of the said five and twenty, and sworn by the rest to decide that matter.

65. If we have dispossessed or dispossessed the Welsh of any lands, liberties, or other things, without the legal judgment of their peers, they shall immediately be restored to them. And if any dispute arises upon this head, the matter shall be determined in the Marches, by the judgment of their peers. For tenements in England according to the law of England. For tenements in Wales according to the law of Wales. The same shall the Welsh do to Us and our subjects.

66. As for all those things, of which any Welshman hath, without the legal judgment of his peers, being dispossessed or deprived, by King Henry our father, or our brother King Richard, and which we either have in our hands, or others are possessed of, and we are obliged to warrant it; we shall have a respite till the time generally allowed, the croises: excepting those things about which a suit is depending, or whereof an inquest has been made by our order, before we undertook the crusade. But when we return, or if we stay at home
home and do not perform our pilgrimage, we will immediately do them full justice according to the laws of the Welsh, and of the parts afore-mentioned.

67. We will without delay dismiss the son of Lewelin; and all the Welsh hostages, and release them from the engagements they entered into with Us, for the preservation of the peace.

68. We shall treat with Alexander King of Scots, concerning the restoring of his sisters and hostages, and his right and liberties; in the same form and manner as we shall do to the rest of our barons of England; unless by the engagements which his father William late King of Scots hath entered into with us it ought to be otherwise; and this shall be left to the determination of his peers in our court.

69. All the aforesaid customs and liberties which we have granted, to be holden in our kingdom, as much as it belongs to us towards our people; all our subjects, as well clergy as laity, shall observe as far as they are concerned, towards their dependents.
70. And whereas, for the honour of God, and the amendment of our kingdom, and for quieting the discord that has arisen between Us and our barons, we have granted all the things aforesaid; willing to render them firm and lasting, we do give and grant our subjects the following security; namely, that the barons may choose five and twenty barons of the kingdom, whom they think convenient, who shall take care, with all their might, to hold and observe, and cause to be observed, the peace and liberties we have granted them, and by this our present Charter confirmed. So as that if we, our justiciary, our bailiffs, or any of our officers, shall in any case fail in the performance of them, towards any person; or shall break through any of these articles of peace and security, and the offence is notified to four barons, chosen out of the five and twenty afore-mentioned, the said four barons shall repair to Us, or our justiciary if we are out of the realm, and laying open the grievance, shall petition to have it redressed without delay; and if it is not redressed by Us, or, if we should chance to be out of the realm, if it is not redressed by our justiciary, within forty days, reckoning from the time it has been notified to Us, or to our justiciary
if we should be out of the realm; the four barons aforesaid shall lay the cause before the rest of the five and twenty barons; and the said five and twenty barons, together with the community of the whole kingdom, shall distress Us all the ways possible; namely, by seizing our castles, lands, possessions, and in any other manner they can, till the grievance is redressed according to their pleasure, saving harmless our own person, and the person of our queen and children; and when it is redressed, they shall obey Us as before.

71. And any person whatsoever in the kingdom may swear that he will obey the orders of the five and twenty barons aforesaid, in the execution of the premises, and that he will distress Us, jointly with them, to the utmost of his power; and we give public and free liberty to any one that will swear to them, and never shall hinder any person from taking the same oath.

72. As for all those of our subjects, who will not, of their own accord, swear to join the five and twenty barons, in distreining and distressing us, we will issue our order to make them take the same oath, as aforesaid.

73. And
73. And if any one of the five and twenty barons dies, or goes out of the kingdom, or is hindered any other way, from putting the things aforesaid in execution, the rest of the said five and twenty barons may choose another in his room, at their discretion, who shall be sworn in like manner, as the rest.

74. In all things that are committed to the charge of these five and twenty barons, if, when they are all assembled together, they should happen to disagree about any matter; or some of them, when summoned, will not or cannot come, whatever is agreed upon, or enjoined by the major part of those who are present, shall be reputed as firm and valid, as if all the five and twenty had given their consent, and the aforesaid five and twenty shall swear, that all the premises they shall faithfully observe, and cause with all their power to be observed.

75. And we will not, by ourselves, or others, procure any thing, whereby any of these concessions and liberties be revoked, or lessened; and if any such thing be obtained, let it be null and void: neither shall we ever make use of it, either by ourselves, or any other.

76. And
76. And all the ill-will, anger, and malice, that hath arisen between us and our subjects, of the clergy and laity, from the first breaking out of the dissension between us, we do fully remit, and forgive. Moreover, all trespasses occasioned by the said dissension, from Easter in the sixteenth year of our reign, till the restoration of peace and tranquillity, we hereby entirely remit, to all, clergy as well as laity, and as far as in Us lies, do fully forgive.

77. We have moreover granted them our letters-patent testimonial of Stephen lord archbishop of Canterbury, Henry lord archbishop of Dublin, and the bishops aforesaid, as also of Master Pandulph, for the security and concessions aforesaid.

78. Wherefore we will, and firmly enjoin, that the church of England be free, and that all men in our kingdom, have and hold, all the aforesaid liberties, rights, and concessions, truly and peaceably, freely and quietly, fully and wholly, to themselves and their heirs, of Us and our heirs, in all things and places for ever, as is aforesaid.

79. It is also sworn, as well on our part, as
on the part of the barons, that all the things aforesaid shall faithfully and sincerely be observed.

Given under our hand in the presence of the witnesses above-named, and many others, in the Meadow called Runingmede, between Windelesore and Stanes, the 15th day of June, in the 17th year of our reign.

— So as we are first acquainted therewith, or our justiciary, if we should not be in England.

— And in the same manner, about administering justice, deafforesting the forests, letting them continue.

— Either in England or Wales.

— For ever.

There are two Copies of the above Charter in the Cottonian library, which are as old as the time of King John. One has the broad Seal, and both appear to be written by the same hand. That which hath no Seal, hath two slits at the bottom, from which, without doubt, originally hung two Seals. The words at the end of the Charter beginning with, "So," and ending with "For ever," are placed in the like manner in the original, and referred to by the same marks.
BILL OF RIGHTS.

THE DECLARATION OF RIGHTS
OF THE

PEOPLE OF ENGLAND.

Made by the Lords Spiritual and Temporal, and the Commons, assembled at Westminster, assented to and confirmed by William, Prince of Orange, and the Princess Mary, previous to the offer made them of the Crown, by the Convention, February 13, 1689.

WHEREAS the late King James the Second, by the assistance of divers evil counsellors, judges, and ministers employed by him, did endeavour to subvert and extirpate the Protestant religion, and the laws and liberties of this kingdom; by assuming and exercising a power of dispensing with, and suspending of laws, without consent of parliament; by committing and prosecuting divers worthy prelates, for humbly petitioning to be excused from concurring to the said assumed power; by issuing, and causing to be executed, a commission under the great
great seal, for erecting a court called The Court of Commissioners for Ecclesiastical Causes; by levying money for and to the use of the crown, by pretense of prerogative, for other time, and in other manner, than the same was granted by parliament; by raising and keeping a standing army within this kingdom in time of peace, without consent of parliament, and quartering soldiers contrary to law; by causing divers good subjects, being Protestants, to be disarmed, at the same time when Papists were both armed and employed contrary to law; by violating the freedom of election of members to serve in parliament; by prosecutions in the Court of King's Bench for matters and causes cognizable only in parliament; and by divers other arbitrary and illegal courses. And whereas, of late years, partial, corrupt, and unqualified persons have been returned and served on juries in trials, and particularly divers jurors in trials for high treason, which were not freeholders; and excessive bail hath been required of persons committed in criminal cases, to elude the benefit of the laws made for the liberty of the subjects; and excessive fines have been imposed; and illegal and cruel punishments inflicted; and several grants and promises made of fines and forfeitures, before any conviction or judgment against the persons upon whom the
the same were to be levied. All which are utterly and directly contrary to the known laws and statutes, and freedom of this realm.

And whereas the said late King James the Second having abdicated the government, and the throne being thereby vacant, his Highness the Prince of Orange (whom it hath pleased Almighty God to make the glorious instrument of delivering this kingdom from popery and arbitrary power) did, by the advice of the Lords spiritual and temporal and divers principal persons of the Commons, cause letters to be written to the lords spiritual and temporal, being Protestants, and other letters to the several counties, cities, universities, boroughs, and cinque-ports, for the chusing of such persons to represent them, as were of right to be sent to parliament, to meet and sit at Westminster upon the twenty-second day of January, in the year 1689, in order to such an establishment, as that their religion, laws, and liberties might not again be in danger of being subverted. Upon which letters, elections having been accordingly made; and thereupon the Lords spiritual and temporal, and Commons, pursuant to their several letters and elections, being now assembled in a full and free representative of this nation, taking into their most serious
serious consideration the best means for attaining the ends aforesaid, do in the first place (as their ancestors in like case have usually done) for vindicating and asserting their ancient rights and liberties; declare,

1. That the pretended power of suspending laws, or 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 of late, is illegal.

3. That the commission for erecting the late court of Commissioners for Ecclesiastical Causes, and all other commissions and courts of the like nature, are illegal and pernicious.

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

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

6. That raising and keeping a standing army within the kingdom in time of peace, unless it be with the consent of parliament, is against law.

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

8. That elections 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 duly empanelled and returned, and jurors which pass upon men in trials of high treason ought to be freeholders.

12. That
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 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. To which demand of their rights they are particularly encouraged by the declaration of his Highness the Prince of Orange, as being the only means for obtaining a full redress and remedy therein.

Having therefore an entire confidence, that his said Highness the Prince of Orange will perfect the deliverance so far advanced by him, and will still preserve them from the violation of their rights, which they have here asserted, and from all other attempts upon their religion, rights, and liberties; the Lords spiritual and temporal, assembled
bled at Westminster, do resolve, That William and Mary, Prince and Princess of Orange, be, and be declared King and Queen of England, France, and Ireland, and the dominions thereunto belonging, to hold the crown and royal dignity of the said kingdoms and dominions to them the said Prince and Princess, during their lives and the life of the survivor of them; and that the sole and full exercise of the regal power be only in, and executed by the said Prince of Orange in the names of the said Prince and Princess during their joint lives; and after their decease the said crown and royal dignity of the said kingdoms and dominions to be to the heir of the body of the said Princess; and for default of such issue, to the Princess Anne of Denmark, and the heirs of her body; and for default of such issue, to the heirs of the body of the said Prince of Orange.

And the said Lords spiritual and temporal, and commons, do pray the said Prince and Princess of Orange to accept the same accordingly. And that the oaths hereafter mentioned be taken by all persons of whom the oaths of allegiance and supremacy might be required by law, instead of them; and that the said oaths of allegiance and supremacy be abrogated.

I, A.B.
I, A. B. do sincerely promise and swear, That I will be faithful and bear true allegiance to their majesties, King William and Queen Mary. So help me God.

I, A. B. do swear, That I do from my heart abhor, detest, and abjure, as impious and heretical, this damnable doctrine and position—That princes excommunicated or deprived by the Pope, or any authority of the see of Rome, may be deposed or murdered by their subjects, or any other whatsoever. And I do declare, That no foreign prince, person, prelate, state, or potentate, hath, or ought to have, any jurisdiction, power, superiority, pre-eminence, or authority ecclesiastical or spiritual, within this realm. So help me God.

FINIS.