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FOX against FOX!!!

O R

Political Bloffoms

O F T H E

RIGHT HON. CHARLES JAMES FOX :

Selected from his Speeches in the House of Commons, on the Omnipotence of Parliament, in the appointment of the Ministers of the Crown.

CONTRASTED

With his PRESENT Arguments in favour of PREROGATIVE. SHEWING how EASILY a STAUNCH WHIG may become a PROFESSSED TORY.

To which are added,

THE SPEECHES OF MR. PITT AND MR. FOX,
On Wednesday December 10th, 1788, on the Subject of a
REGENCY.

Embellished with a curious FRONTICEPIECE adapted to the occasion; and a DESIGN for the REVOLUTION PILLAR at RUNEMEDE.

The Honourable Gentleman should indeed lose the Name
of THE MAN OF THE PEOPLE.

Sir Richard Hill. *Debates*, 1783.

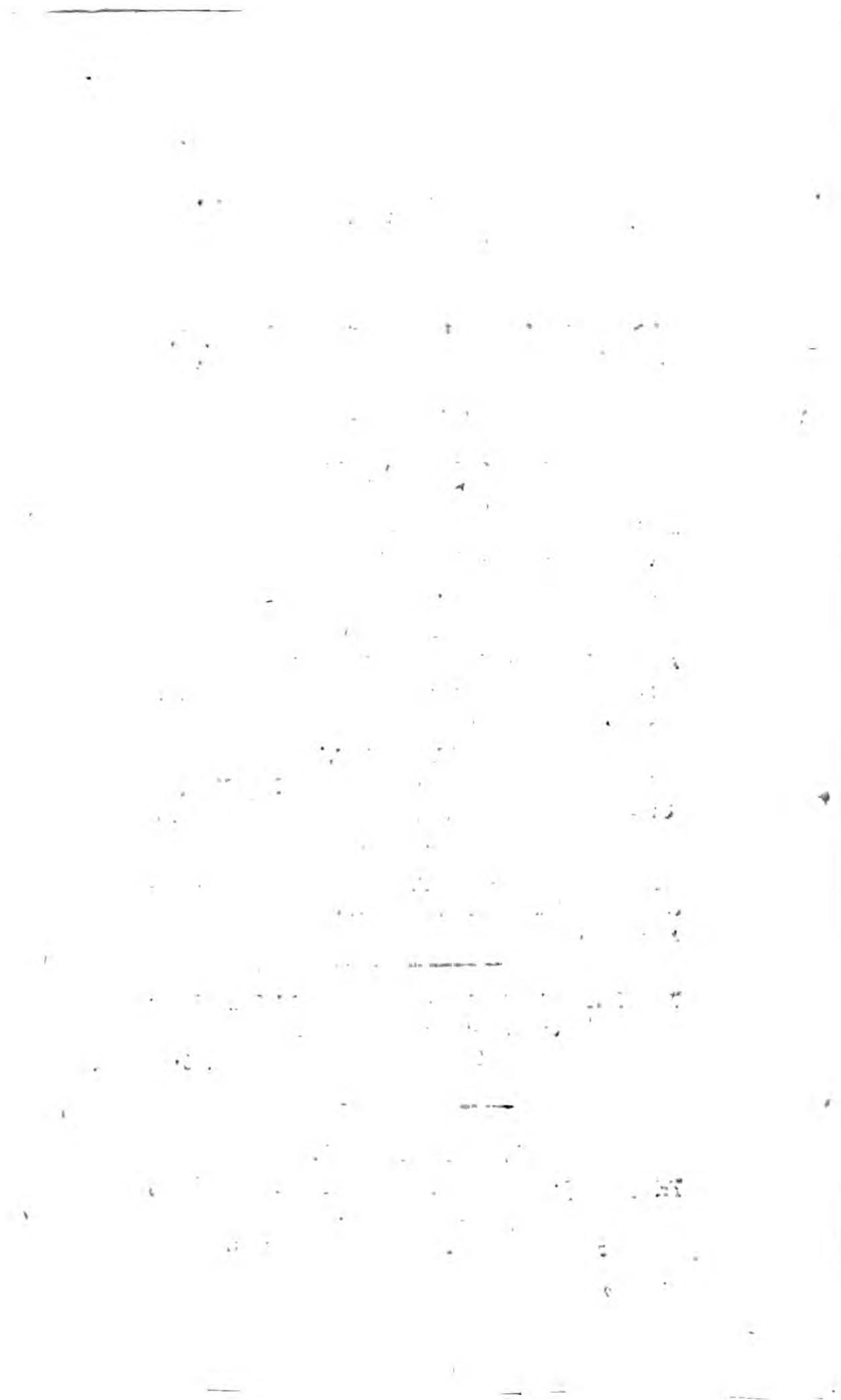
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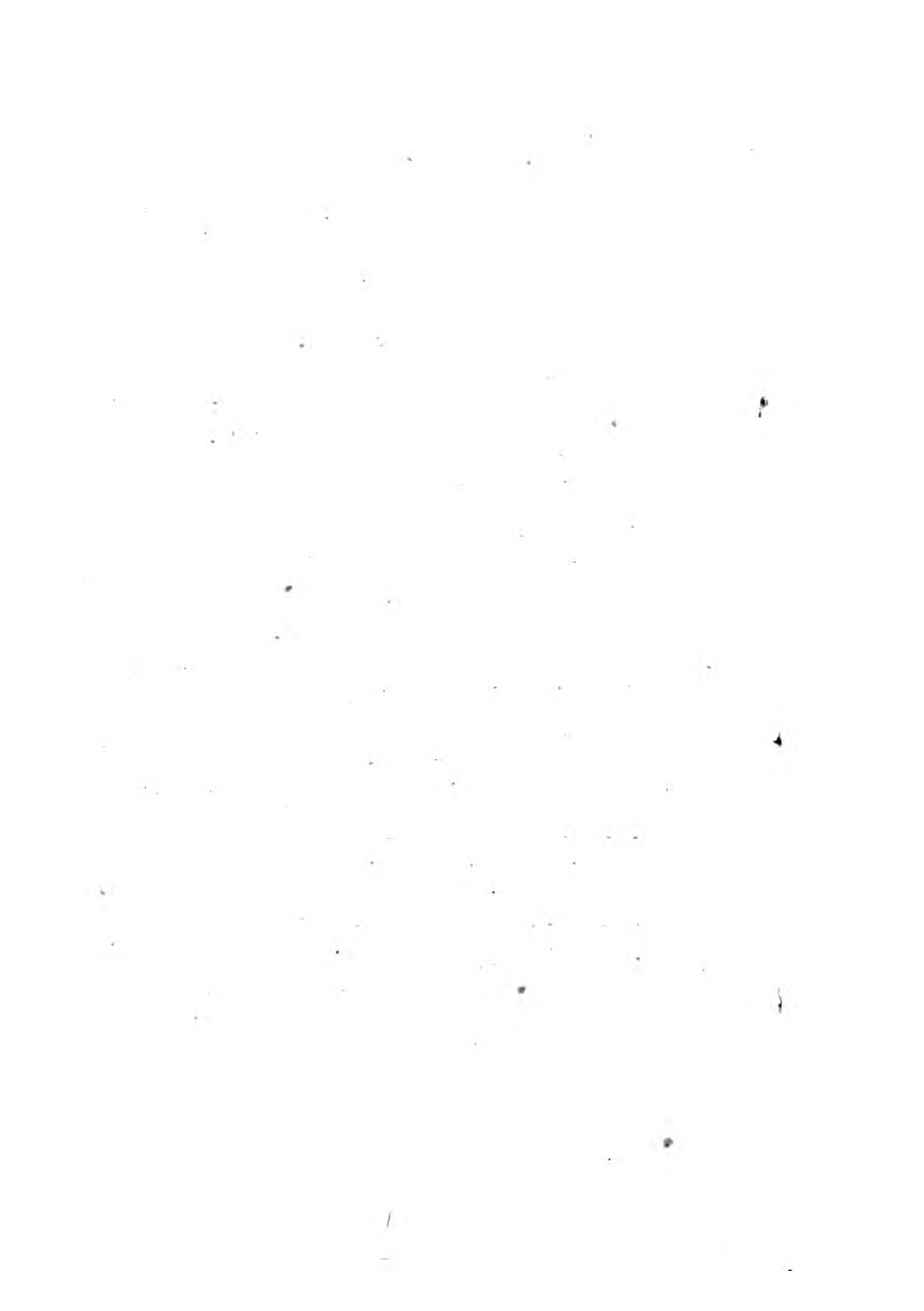


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ADVERTISEMENT.

AS a striking Proof of the Political *Consistency* of the Right Hon. CHARLES JAMES FOX, and a clear Demonstration of the *Purity* of his *Principles*, in the Line of Conduct adopted by him on the Present State of Public Affairs, the following *Blossoms*, selected from his Speeches, delivered in the House of Commons, is most respectfully submitted to the Consideration of the People in general, and the Friends of that Gentleman in particular.



EXTRACT FROM MR. PITT'S SPEECH.

BUT it was not to be wondered at that the conduct of the Hon. Gentleman should be so inconsistent, when it was remembered how inconsistent all the measures of the party, of which he was the mouth, were in themselves, and how inconsistent the persons who composed that party were with one another. Still the pursuits of that party, however various and however contradictory, had one uniform tendency. Whether they reprobated on this day what they had approved in the preceding, or whether they abandoned a principle which they had before admitted; whether one individual differed from or coincided with the rest of his associates; still the effect of all their efforts, of all their perseverance, and of all their tergiversation, was to be the same—to embarrass and confound the measures of Administration, to embroil and disunite the affections of their fellow-subjects, to excite groundless alarms, and on those groundless alarms to foment the most dangerous discontents.

Debates, 30th May, 1785.



POLITICAL BLOSSOMS

OF THE

RIGHT HONOURABLE

CHARLES JAMES FOX.

April 24, 1780.

THE *encreased influence of the Crown* calls for *new and unprecedented means of redrefs.*

Same Day.

He trusted there was yet enough of weight, and power, in the House of Commons, to make good *its own resolutions*, and to carry them *into effect*; that the respect *in which the EXECUTIVE POWER held its advice* was too great to admit of a conduct *contrary to its wishes.*

B

Same

2 POLITICAL BLOSSOMS.

Same Day.

When he came into that House, he had been taught to consider the privileges of it as the *first and most necessary part of the constitution*; that House was the PALLADIUM of *British liberty*; there it was that the *rights of the people* were to be supported, and the *liberties of the people of England* were to be preserved.

Same Day,

He said the vote of the 6th of April, *that glorious vote*, which established a foundation for the liberty of this country, could not be carried into execution without agreeing to the present motion not to dissolve Parliament until the grievances of the people should be redressed. Those who had voted for it had entered into a bond with the people of England *to reduce the influence of the Crown*; and the penalty, in case of non-performance, was a forfeiture of the *affections* of the people of England.

May

POLITICAL BLOSSOMS. 3

May 8.

The people of England, in whom the sole right of the duration of Parliament lay, called upon that House to shorten it. The people made this requisition, a requisition *they* ALONE could make, and which, like *every other* requisition that came from the same quarter, HE should ever hold himself bound *to comply with and to obey.*

Same Day.

If any of his constituents should ask him, what our present misfortunes were owing to, he should say the first cause *was the influence of the Crown*; the second, *the influence of the Crown*, and the third, *the influence of the Crown*; to that, and that only, in his mind, were our grievances to be ascribed.

November 20.

Mr. *Fox* replied to Mr. Rigby and Mr. Courtney, and ridiculed in poignant

B 2

terms

4 POLITICAL BLOSSOMS.

terms Mr. Rigby's expression of a doubt whether a day might not arrive, when Sir Fletcher Norton would repent of having changed his conduct, and taken a decisive part in support of the people, *against the influence of the Crown.* Mr. Fox also seconded Lord Mahon's idea of the *Civil List* of the King being *as much subject to the controul of Parliament as any other part of the Public Revenue.*

May 8, 1781.

An Hon. Gentleman who spoke lately under the gallery (Mr. Courteney) said, that in every government of a mixed or populer form, the middle rank of people were those whose voice ought to be more especially attended to. They were the true echo of the nation. This was an observation that indeed carried an appearance of truth and plausibility, but experience proved it to be totally fallacious. The sense of the people, or great
body

POLITICAL BLOSSOMS. 5

body of the nation, was, in HIS opinion, *the true criterion by which PUBLIC OPINION could be FAIRLY determined.*

Same Day.

The Noble Lord (Lord G. Gordon) had given the House to understand, that if they did not acquiesce in his political opinions, that a certain class of people, whose director and whose mouth he was, would take the government into their own hands, and deal out that redress to themselves which ministers and the majority of that House possessed an intention to deny. Was not *this* endeavouring TO OVERAWE THE LEGISLATURE? Was not *this* attempting, so far as it went, TO SUBVERT THE CONSTITUTION?

Same Day.

It had been laid down as a matter not to be controverted, that the Minister and his measures were supported, not by the
vote

6 POLITICAL BLOSSOMS.

vote of corruption, nor by the effect or operation of hopes and fears on different men's minds respecting place and emolument, but by a most respectable body of men of landed property, who supported Government upon principle and conviction, namely, THE COUNTRY GENTLEMEN. No man had a higher respect or veneration for THIS DESCRIPTION OF MEN THAN HE HAD. HE *knew their value*; HE *loved*, HE *revered them*. HE *was bound to them by SENTIMENT, as well as opinion!*

Same Day.

The man to whom the Honourable Member (Sir George Yonge) alluded, the Lord Chancellor (Lord Thurlow), was ABLE and HONEST, and possessed a NOBLE and INDEPENDENT mind.

May 30.

It surely was NOT *competent* (said Mr. Fox) *in the Crown*, to DECIDE on the *privileges of Parliament*.

Same

Same Day.

There were men who taught *very pernicious doctrines*; men furrounding the Throne were anxious to insinuate, that the power and prosperity of the Crown were distinct and opposite to those of the subject. Such men alleged, and it was indeed a truth, that in war the power of the Crown is greater than it is in times of peace. But the power of the Crown, if not so great, WAS MORE GLORIOUS when it rested, in times of peace and prosperity, *in the CONSTITUTION, and on the AFFECTIONS OF THE PEOPLE.*

June 12.

After a variety of other arguments, he moved, that "his Majesty's MINISTERS
" ought immediately to take every possible measure for concluding peace
" with America;" and added, that they had *an undoubted right* to lay

A PAR-

8 POLITICAL BLOSSOMS.

A PARLIAMENTARY INJUNCTION *ON* THEM!

Same Day.

When the learned Lord (Lord Advocate) asserted with so much confidence, that there had been no one instance in which the Legislature *expressly* interfered *between* the STATE and the KING'S SERVANTS, or offered to controul or give general or specific directions, I must own, after what the Honourable Gentleman (Mr. Adam), to whose speech I am immediately attending, had asserted, I WAS MUCH SURPRISED; because, in the first place, the Honourable Gentleman had himself furnished one example to the contrary; and because the History of England, sometimes with very good effect, and from the best motives, gives FREQUENT INSTANCES, that SUCH A CONTROUL *has been exercised by Parliament.*

November

POLITICAL BLOSSOMS. 9

November 27.

There was one *grand domestic evil*, from which ALL our other evils, foreign and domestic, had sprung—THE INFLUENCE OF THE CROWN.

November 30.

Ministers had basely advised their Master to rule by the silent means of *intrigue*, instead of reigning in the *hearts* of the *people*: they had destroyed the DEMOCRACY of the CONSTITUTION, and all was now swallowed up in the MONARCHY!

January 23, 1782.

He was convinced that, as a prelude to an inquiry into naval affairs, he ought to move an address to the King to remove the Earl of Sandwich from his Councils. If there was NERVE, HONESTY, and INDEPENDENCE in that House, that would be the mode in which they would

C

set

10 POLITICAL BLOSSOMS.

set about the business; but the *evil effects* of the INFLUENCE of the CROWN were, that they had *poisoned the understanding* as well as the *heart* of that *House*.

Same Day.

In every Government *there must be a confidence in the Servants of the Crown by the people*, or else the business of the State *can never be carried on with any degree of success*.

February 20, 1782.

The *majority* of the House of Commons ought (in his opinion) to be considered *as containing the voice of the people!*

February 28.

Those Ministers who wished to make the Crown follow a plan of conduct *directly opposite to the advice of his faithful Commons*, were not *friends to their country*, and should be deemed CRIMINAL.

March

POLITICAL BLOSSOMS. 11

March 8.

He had declared, and he repeated the assertion, that he would be an infamous man who should, on coming into place, abandon the principles and professions that he had made when out of place. The two great leading principles of his mind, in which he differed from the King's Ministers, were the prosecution of the American war, AND THE INFLUENCE OF THE CROWN.

Same Day.

In *this*, he was clear and decided—that the House of Commons ought to be, was originally intended to be—THE REPRESENTATIVES OF THE NATION.

Same Day.

The country were entitled to an Administration in which *they could place confidence*.

Same Day.

He spoke of his idea of consulting the voice of the people *without doors*. It was

was clearly *his* opinion, that they *had a right*, and that they ought *to declare their opinion* of MEN and THINGS.

Same Day.

He would add, that when that House should become lost to its sense of duty, and abandon the rights of the people, so as to become *the passive instruments of the Crown*, then it might be justifiable for the people to revert *to the original principles of the Constitution*, and to *resume the direction of their own affairs*, so as to *prevent the popular weight in the scale of Government*.

April 8.

There was one proposition made that did not meet his wishes, and that was the taking from the East-India Company, and placing under the direction of the Crown, the entire management of our territories in the East. *This* HE could not approve of consistent with his regard for the
Crown

Crown *and the Constitution of the country.* It would afford to Government such ample *means of corruption, and undue influence,* as might in the end *overthrow the whole Constitution.*

July 9.

With respect to any fear of letting in the OLD Administration, there was *none,* he said, for THAT HOUSE *would not suffer it.*

December 5, 1782.

He had, in general, too great a respect for *Princes* to speak lightly of them; but there might be near the heart of every Prince *a longing after something,* which could not be removed but by the attainment of *that something;* and a thousand disappointments might not be able to convince him, *that his longing could never be gratified.*

Same Day.

He saw the Minister's intention; he meant to wound the liberties of the
people,

people, by rendering the House odious, thereby *to strengthen the power of the Crown*; a design as *alarming* as it was *insidious*!

Same Day.

The command of disinterestedness in the Minister, was a miserable attempt to gain popularity; and was, of all other ideas that could possibly be imagined, the most preposterous, and thrown out for the most preposterous purpose—to *invite the people to fly to the Treasury and the Crown*; thereby meaning to insinuate to the people, that they *could and ought to have no confidence in their representatives*, and that they must seek *protection in the Crown*! This was what he termed the most insidious attack that could be formed *against the Constitution*.

Same Day.

He had a confidence in the good sense and energy of the people of
England,

POLITICAL BLOSSOMS. 15

England, that they would *never* be brought hastily *to entertain suspicions of that House; and when they did, that they would not fly to the Crown for deliverance.*

December 18.

It was a most *convenient* thing indeed, for a man to have a conscience behind which he could shelter himself from whatever he did not like to face; and would permit him to act as it would best serve his purpose.

Same Day.

There always was a *willingness* or *bias* in the House of Commons to *support* the people; and HE would ever call this bias truly LAUDABLE, and shew, that no one *felt it more than HE did.*

February 19, 1783.

It is evident and clear, at least to me, that when a man has been baffled

16 POLITICAL BLOSSOMS.

fled on one great political point, he will have recourse to *any* pretext to comfort and save himself from shame.

Same Day.

The House had a right to exercise their minds freely, and to determine for themselves on any point whatever.

February 21.

I have always been answerable to my country for my conduct; and I think it most safe, in every public transaction, to resign my *private* opinion when I found it *departing from the general opinion*.

Same Day.

As I am convinced that no system can exist that is not supported by a *fair, consistent, and established UNANIMITY*, I shall always be happy to *join* with a party that may have *abilities and intentions* of promoting the general welfare.

Same

Same Day.

The King by his prerogative possesses the right of ministerial appointment, yet let it be remembered, that the PEOPLE can by their privilege annul *that* appointment. It is only the CONFIDENCE of the PEOPLE *that gives effect to the springs of Government.*

Same Day.

No man ought to be the Minister of this country that has neither the *sanction* of the *people* or *Parliament.*

March 6, 1783.

What did the practice of promising pensions to persons taking upon them offices upon quitting the same lead to, but a most dangerous and alarming exercise of the influence of the Crown? By this means the Crown could always obtain an Administration *without the smallest regard to the sense of Parliament, or the confidence of the people.*

D

Same

Same Day.

His Hon. Friend (Mr. Powells) had talked of those who avowed, who boasted, and who gloried in acting *independent of the public opinion*. If his Hon. Friend meant to allude to HIM, he was entirely mistaken. HE had neither avowed, boasted of, nor gloried in any such conduct; on the contrary, he maintained the very reverse idea; and he was not a little surpris'd to hear his Hon. Friend immediately afterwards confess, that he thought the Government ought to go into such hands. HE (Mr. Fox) had contended, and ever would contend, that no Ministers who acted *independent of the public opinion*, OUGHT TO BE EMPLOYED. The public opinion alone was the BASIS in HIS mind on which an Administration should be formed.

Same Day.

It had been argued, again and again, that the KING had a right to chuse his
own

own Ministers. In that particular he rested on the *spirit* of the *constitution*, and *not* on the letter of it, and grounding his opinion on the *spirit* of the *constitution*, he ever had, and ever would maintain, that his Majesty, in his choice of Ministers, ought NOT to be influenced by his personal favor alone, BUT BY THE PUBLIC VOICE, by THE SENSE OF HIS PARLIAMENT, AND THE SENSE OF HIS PEOPLE.

Same Day.

An Administration in whom the House did not *place a confidence*, was SUCH an Administration as it was *unsafe* to lodge the government of this country in. It was no argument to say “ *I am Minister, because HIS MAJESTY has made me one.*” THE PERSONAL INFLUENCE OF THE CROWN WAS NOT the ground for a Minister to stand upon. The CONFIDENCE of the people *must* accompany the Royal Favour,

or the country could not be governed wisely, prosperously, or safely.

March 24.

He declared he could never sit still and hear the name of Majesty brought forward in debate. That House knew nothing of his Majesty's *private* feelings, or his Majesty's *private* opinions; they could suppose nothing about them. *Whatever* were his Majesty's private feelings or opinions, they were only known to his *own* royal breast.

Same Day.

Let any one look at the speech made by his Majesty at the opening of the present session, and he will there see a lesson laid down to the House; for the Minister had made his Majesty say, *that he knew the sentiments of the people better than their representatives.* The speech recommended the House to act with temper and wisdom, collectively and individually

dividually; and concluded with saying,
 “ My people expect these qualifications
 “ from you, and I call for them.”
 Surely, Mr. Fox said, the House had AN
 EQUAL RIGHT to say to the Throne,
 “ The PEOPLE *expect an Administration*
 “ *they can confide in*, and to you ‘THEY
 “ *call for it.*”

Same Day.

Mr. Fox severely reprehended those
 persons who now stood forward as the
 authors of *secret influence*, and the *private*
advisers of his Majesty, TO ACT
 IN OPPOSITION TO THE WISHES OF
 HIS PEOPLE, AND THE SENSE OF
 HIS PARLIAMENT.

Same Day.

He admitted that Mr. Jenkinson, be-
 ing a Privy Counsellor, had a right to
 give the King his advice; but what he
 found fault with was, not that the Hon.
 Gentleman gave his Majesty his advice,
but that he gave it him in secret. THERE
lay the Rub!

March

March 28.

He had learnt more *than he ever knew before*, and, in fact, more than he ever expected to have heard; he had learnt that a Privy Counsellor, who was not a Minister, might give his Sovereign advice, and not be ostensible for the effect it produced. Surely the House could not agree to such an absurd, ridiculous, dangerous, and unconstitutional doctrine.

Same Day.

The whole HOUSE ought to agree on one point, that the appointment of an Administration should be such as would be *most consistent with the dignity of the Crown*. This HE must again urge to the House.

Same Day.

HE ever should contend, that this country was only to flourish, her glory to be maintained, and her commerce preserved, by the UNANIMITY of Parliament.

Same

Same Day.

He did not think that any *new* power should be given to the Crown.

Same Day.

In speaking of the Constitution, he regarded it as one of its chief excellencies, that it involved a *renovating* principle in itself; and by being capable of repeated improvement, admitted the possibility of its being from time to time carried to a degree of perfection, beyond which no human idea could go.

Same Day.

It was the best Government, Mr. Fox said, where the PEOPLE had the greatest share in it.

July 27.

Of all the influence of the Crown, he knew of no influence so much to be dreaded as the influence of terror. Those who professed themselves the warmest and most strenuous advocates for extending

tending the influence of the Crown of another kind, were, he believed, as averse as he was to the influence of terror; because they knew, that if it were suffered to be exercised in one instance, it would be exercised in many others; and, in short, it would shake the whole kingdom. HE therefore was determined to resist it, whenever the attempt was made to exert it.

December 19.

He confessed he was struck with astonishment, that there could be found in the kingdom a subject daring enough to advise his Sovereign to so desperate a measure. He meant not to question the prerogative of the Crown in dissolving Parliaments; but no one could, on the other hand, question the undoubted right of that House to call Ministers to account *for any wanton or imprudent exercise of that prerogative.*

Same

Same Day.

He thought that the learned Gentleman (Sir William Dolben) who had studied the Constitution, ought to have known *that the voice of the House of Commons was the voice of the people of England!*

Same Day.

Ambitious young men might be assisted by secret influence; and if they should venture to think for themselves, and refuse to be the slaves and tools of advisers whom they did not see, the same secret influence which raised them, would as easily pull them down. A Sovereign could not do better than appeal to his people for the approbation of his Ministers.

Same Day.

He was of opinion, the House ought not to give up the idea of going into a Committee on the State of the Nation,
E tion,

26 POLITICAL BLOSSOMS.

tion, in which a learned friend of his (Mr. Erskine) intended to make a motion *which would guard against the fatal effects of that baneful secret influence that threatened the existence of the Constitution.*

December 23.

Mr. Fox, in his motion for addressing the Sovereign against the dissolution of Parliament, hoped that his Majesty would be graciously pleased *to hearken to the ADVICE of his faithful Commons, and not to the secret advices of particular persons, who had private interests of their own, separate from the true interests of his Majesty and his people.*

December 24.

He did not know that he should be one of the next Administration; but he confessed that he was impatient *that the SENSE of that House might soon be taken*

taken on the Ministers; that they might soon learn, either that they had the *confidence* of the House, without which no Ministry could last, or that they had not. *This* was what was highly necessary, and what the people had a *right* to know.

Same Day.

He talked of the weakness of young men in accepting offices, under the present circumstances of affairs; and he mentioned their youth as the only possible excuse for their rashness: However, as they came in the avowed champions of the House of Lords *against the SENSE of the House of Commons*, it would be necessary to proceed as early as possible in the business on which the Committee on the State of the Nation was to sit; and to take such steps as should be thought prudent and fa-

lutory to guard against the evils that might be apprehended from secret influence.

January 12, 1784.

The Right Hon. Gentleman (Mr. Pitt) has called himself the Minister of the Crown, and never perhaps was a name given with more distinct propriety; for he is the Minister of the Crown, *at least he is NOT THE MINISTER OF THE HOUSE OF COMMONS.* If he was not the Minister of the Crown, or of the advisers of the Crown, HE WAS NOT THE MINISTER OF THE COUNTRY,

Same Day.

It was asked, he said, "But if the Ministers are disagreeable, why not move for their dismissal." He did not think this was the precise way; he thought it more advisable to give the most decided disapprobation of the principles upon which they came into place. They had declared those principles to be unconstitutional,

tutional, and that they had come in on terms as disgraceful to themselves as they were alarming to their country. The Hon. Gentleman had rejoiced in his absence before the recess, and indeed it was favourable to his repose that he was so; for thinking as he did of Ministers, wishing them well, and meaning to support them, it must have been ungrateful to HIM to have observed the *low* and *shameful* means by which they got into office.

Same Day.

“ But it was no *new* thing (they say) “ for men not in office to give the Crown “ advice.” Perhaps not; but it was a *new* thing (said Mr. Fox) for men having given such advice *to come forward*, and use the Royal name *to influence votes*. “ Oh, but this is nothing, say they, if “ they *avow* their advice.” To this he answered, that it was something very material; for when any others than those
who

30 POLITICAL BLOSSOMS.

who were by their office and duty responsible, advised the King, their acknowledgment depended on their precarious magnanimity, a dependence which the Constitution would not respect.

Same Day.

But the Hon. Gentleman (Mr. Powys) still wishes for more coalitions. It had always been his idea that there were, in cases of political variance and objection, but two means to be used. The one was, in case of delinquency, to inflict public censure, and, where that was not pursued, public oblivion. This had been his motive in coalescing with the noble Lord (North), but in so doing, he had lost the good opinion of the Hon. Gentleman, a matter very dear to him. He had many great friends, however, who, agreeing with him in his idea, had their sentiments on other topics, and who might say to him, "What, would you
" listen

" listen to the invitation of this Hon.
 " Gentleman, and coalesce with men
 " *who support secret influence?* Would
 " YOU coalesce with men who disdain to
 " stand on the INFLUENCE of GOOD OPI-
 " NION, on the SENTIMENTS of the
 " PEOPLE, on the CONFIDENCE of PAR-
 " LIAMENT? Would YOU forget all the
 " doctrines in which you have been
 " bred? Will you creep into office by
 " the back stairs, which you so loudly,
 " and, as we think, so justly reprobate?
 " or to take these men with whom you
 " are invited to join, even on their best
 " plea? Would YOU make part of an
 " Administration which stands on the
 " House of Lords, *in preference to the*
 " HOUSE OF COMMONS? YOU, who have
 " constantly reprobated *the principle of*
 " *secret influence*; YOU, who have always
 " declared that you could only pay re-
 " spect or take a share in that Govern-
 " ment *which flowed from the opinion of*
 " *the* MANY, and not from the personal
 " favour

32 POLITICAL BLOSSOMS.

“favour of the advising few; would
“YOU so far forget the habits in which
“you have been bred, as, at last, to coa-
“lesce with those *who have become the*
“*instruments of this* ACCURSED, ABHOR-
“RED SECRET INFLUENCE? We cannot
“believe YOU to be capable of *such atro-*
“*cious apostacy from all principle.*” This,
he imagined, would be their language;
and he thought, though he might not go
so far himself, they would be *perfectly jus-*
tified in this address to him.

Same Day.

What they were contending for, was
no trial of strength between the Mini-
sters, and those on his side the House.
If it was a trial of strength, it was,
Whether this country was in future to be
governed by A MINISTRY SUPPORTED BY
THAT HOUSE, *or by the secret advisers*
of the Crown? THIS was the question at
issue, and he trusted it would very soon
be decided.

Same

Same Day.

In regard to the prerogatives of the Crown, if from the little he had read he might be allowed to state an opinion, those who had read more, and spent their lives better, might be able to correct him ; but it was his idea, that the rights of the Crown, as well as the rights of Parliament, were not always to be exercised merely because they were rights. For instance, it was the privilege of the House of Commons to refuse supplies to the Crown, and nobody would dispute it, but it was like many of the prerogatives of the Crown, a privilege which could not be put into practice without much confusion ; for who was to suffer ? The supplies were granted to the King first, undoubtedly, but they came to the people at last, and they must suffer, if they did not come.

It was so with the right of the Crown to

F

appoint

appoint Ministers not possessing the confidence of the people.

Same Day.

He recalled to their memory the case of Lord Carteret and Mr. Pelham, where the first, a man of more ability than the last, was supported by the secret advisers of the Crown; but the COMMONS PROPERLY addressed the Crown to state, that HE only could be a Minister with effect *who had the confidence of the people.*

Same Day.

He charged Mr. Pitt with having come into office upon *unconstitutional* grounds, and upon such principles as were disgraceful to himself, disgusting to the country, and such as must necessarily deprive him and his coadjutors of the confidence of that House, *without which no Ministry could carry on the public business.*

January

January 14.

Mr. Fox said, he would take notice of a subject that had been strangely introduced into the debate: that of the Heir-Apparent's coming to that House to hear the debates, and make himself master of public business; a passion that was most laudable and virtuous! The Hon. Baronet who first mentioned this, talked of influence: *He forgot, the Prince of Wales, though the first subject in the kingdom, was but a subject.* He was the highest in the ladder of the peerage; as a viscount was higher than a baron, an earl than a viscount, a marquis than an earl, and a prince than a duke. *He had no prerogatives.* He could have no influence.

Same Day.

The wisdom and ability of a Minister, however exalted in situation, however distinguished by talents, however flattered by partizans, or however confident of his

own unrivalled powers, signified nothing opposed to the sense of THAT House—of the Commons of England in Parliament assembled.

Same Day.

The last Parliament, *to their immortal honour*, voted the influence of the Crown to be *inconsistent* with public liberty.

Same Day.

I am aware how much energy his (Mr. Pitt's) eloquence derives from the use of particular words, of which he certainly has a very choice selection. Half measures has, therefore, been marked as the watch-word of the party, and undoubtedly it has its use, though not quite so founding and agreeable to the ear as confiscation, and chartered rights of men, which admirably serve the purpose of filling a period, and pleasing the ear. But the first has the advantage of the second in this, that it is true, and the
other

other is not. The history, however, of half measures is briefly this: last year, the Right Hon. Gentleman was rather shy, and refused to accept his present situation, from a very wary apprehension that the House, which had dismissed him from the service of the public, would not support him. All the summer, it is more than probable, the game that had lately been played at St. James's was going on. Private advice and whispering in abundance prevailed at Court, in order, if possible, *to reduce the consequence of Parliament*, and get the better of *that* confidence which was the support of Ministry, and might still operate to a farther retrenchment of the Royal prerogative.

Same Day.

The system of the Minister, at present, is founded *on secret influence*, and that system must terminate *inevitably in public ruin*.

January

January 16.

But though to appoint the Administration be the admitted and established right of the executive branch of the constitution, is it not also *the privilege OF THIS HOUSE, and OF PARLIAMENT, to decide* on the conduct of Administration, on the *peculiarity* of their introduction into office, and on those circumstances which either entitle them *to the confidence or the reprobation of the House?* It was on *this* principle allowed on all hands; and the exercise of which, in many and various instances, *has saved this country from ruin.*

Same Day.

He could not even allow himself to imagine that a Monarch would appoint Ministers whom he did not think possessed *of the confidence of Parliament.*

Same Day.

It has been asserted that the influence of the Crown in this House is diminished.

nished. Still, however, is it not *great* and *extensive*? Does not the dismissal of the late Ministers and the adoption of the present, exhibit and illustrate its magnitude? Were not both these measures effectuated by the means of *a dark and secret influence on the Royal mind*? Was it not in this way that Ministers, who had been emphatically stiled the keepers of his Majesty's conscience, were dismissed from the participation of his councils and government? These were facts which were no secrets. These the person who was accessory to their existence found himself under the necessity of publishing; and while he published them he published his own infamy. I have no doubt on the rights of Parliament, and assert the privilege of this House *to decide as to Ministers.*

Same Day.

When the Noble Lord (North) who sits near me, and who had governed the country

try for so long a period, at last found himself deserted by the House, and a majority of nine only in his favour, even in this situation he retired with becoming propriety and decency.

January 20.

The nation had now to see what had not been seen since the Revolution, an Administration in defiance of the House of Commons, and renewing as much as in them lay those distracted times before the Revolution, when to the misfortune of the nation the House of Commons were almost at variance with the executive power, obliged to maintain their rights against the prerogative of the Crown, which aimed at an alienation. He wished the sea which surrounded the island could prevent the shame of this country from reaching the nations on the Continent. He wished that the destruction of the government of this country could be kept from the knowledge of the dependencies of
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of the British empire; or rather he wished that the constitution were secure, and that every thing were restored to peace and quiet at home, and rescued from the effects of private influence.

Same Day.

It might be to be inquired into, why an Administration was found to stand in this country, *in open defiance of the sense of the representatives of the people of England*. However, Mr. Fox was willing to give his Majesty's Ministers time to reflect, and coolly to consider the situation in which they stood. They might reflect, that remaining in office under such circumstances, must be productive of the most serious consequences, not perhaps to themselves, but to their country. It seemed to be a contest between *privilege* and *prerogative*, or rather between *prerogative* and the *constitution*. The question was, in fact, whether a secret and unconstitutional influence should so far prevail

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in this country, as to be able to maintain in office a set of men in whom the House of Commons had declared *they could not repose a confidence*. These men should reflect, that a more dangerous contest could not be introduced. That such a contest never existed in this country without proving of the greatest evil to the liberties of the people. They should seriously reflect on this, and consider how like lovers of their country they must be, to render themselves instrumental in bringing on a contest, from which *the most melancholy consequences might be naturally expected*.

Same Day.

Lord North had always looked to the confidence of Parliament for the support of his Administration; and when a resolution was proposed to declare the Commons could no longer confide in him, his Noble Friend thought proper to retire.

Same

Same Day.

His Noble Friend, (Lord North) like a man who rightly understood the Constitution of his country, knew that when the Commons and the executive power were at variance, no Minister could or ought to stand;—or, in other words, that no Minister could stand who had not the support and confidence of the House of Commons.

Same Day.

With this principle rooted in his (Lord North's) mind, that no Minister ought to remain against the sense of that House, his Noble Friend gave up the helm of the State, because he knew he ought not to hold it *against the sense of the representatives of the people*. His Noble Friend submitted to the sense of that House, and refused to trust that influence as far perhaps as he might have had means to do it if

44 POLITICAL BLOSSOMS.

he had paid less deference to the opinion of the House of Commons.

Same Day.

He was sure that there was not a man in that House who would lay his hand upon his heart and say, and much less believe, that but for the struggle the House had lately made, any thing more than the shadow of liberty would have remained, or that the substance of it would not have been borne down *by the influence of the Crown.*

January 29.

The House and the Public still saw, to their sorrow, a Ministry in this country retaining their situations *in direct opposition to the House of Commons.*

Same Day.

He always expected to be told, that the prerogatives of the Crown were not to be restrained. He was the last man
who

who would ever wish to see one of the three estates stript of any of those powers with which it was legally invested. But were not *all those powers* originally given with a view to the public service?

Same Day.

He would insist on it, that Ministers were responsible to the House of Commons for the exercise of every prerogative belonging to the Crown. It was in the House of Commons, or by the People in their *original* capacity, that every exertion of those powers which distinguished the Sovereign of the empire were ultimately to be tried, and, in proportion as they answered the *primary* intention of their institution, be acquitted or condemned.

Same Day.

To what length the House would be justified in going, it did not become him to say; but neither would any one opposite

posite to him pretend to affirm, *that Parliament was not defied by Ministers*. Why did they not condescend to gratify the Public, to meet the wishes of the people, to sacrifice their attachment to place, for the sake of restoring tranquillity to the country, and confidence in an Administration which might do the business as it ought to be done.

Same Day.

He had never renounced his allegiance to that House; he had never stood forth in opposition to its decisions the *avowed* and *unconstitutional* advocate of Royal prerogative; HE had never called himself the *Minister of the Crown*; HE had acted agreeable to the decisions of the House, and the interest of his constituents.

Same Day.

He had never stood forth the avowed unconstitutional Champion of prerogative;

tive; he had never attempted to destroy the equality and importance of individuals, by trying them by their property, or had he ever dared to oppose the sense of the people by their representatives in Parliament.

Same Day.

The prerogatives of the Crown were mentioned by two Honourable Barons as not a little affected by the House; and one of them had expressly declared, that so far as it interfered with that of the Crown choosing its own Ministers, he could not go with it. For his part, he declared, *that the most consummate ruin would be the inevitable and immediate consequence of carrying any of those prerogatives which distinguished the respective estates of the Constitution to excess.* Were this House, on all occasions, to *be over-awed by prerogative?* Were the Royal Powers which the Constitution vested in the
 Crown

48 POLITICAL BLOSSOMS.

Crown intended to have such an operation? No man, he trusted, would hold such opinions;—No man DARED to hold such language in a free Parliament.

Same Day.

His Majesty undoubtedly had the power of choosing his own Ministers;—and the House of Commons of assigning the supplies: But were the one to take into his service any men, or set of men, most desirable to the Royal inclination, without any regard to how such an appointment might operate on the Public, might not the House with the same propriety withhold the purse of the people? Both *extremes* ought to be avoided, because *equally* injurious to public well-fare, and *that Constitution* which depends on the tendency of all its separate and combined virtues to this one great and substantial object.

Same

Same Day.

The Crown was endowed with no faculty whatever of a *private* nature: *all* its functions were instituted for public benefit.

Same Day.

But *why* had the House so much interest in the choice of Ministers? And *why* were all the operations of the Constitution endowed with this public tendency? The reason which to his mind was perfectly satisfactory was, that as the business of the public *were only so many actions of confidence and trust*, the Minister was consequently under the necessity of possessing their *good opinion* in a very eminent degree, *in order to be qualified* for guiding an active and vigorous Government.

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Same

Same Day.

He would not use the indecent language of calling any individual in that House a dictator. He trusted Parliament would ever prove equal to its own protection, especially against the ambition of its own Members. But he was not a little apprehensive that this enormous power *might one day be assumed by the Crown.* In the conduct of the Right Honourable Gentleman (Mr. Pitt), was immediately *to put the Crown in the situation of dictator to that House.*

Same Day.

The constitution and secret influence were at odds, and the decision could not be very distant. He for one had exerted himself since the moment he came into public life, and he would, he trusted, *continue* his utmost for the utter annihilation of what *had ever struck HIM as the greatest curse to which this unhappy country was subjected.*

February

February 5.

There was a settled design somewhere to render the Commons *subservient to the will of the Crown*, and consequently *useless to the constitution*.

Same Day.

The difference between the Noble Lord (Mahon) and him was, that he contended *for the people's influence*, and his Lordship for that of the Crown.

Same Day.

The Minister's influence in that House depended on *what confidence* they had in him; HE was their *trustee*; to them he was responsible for every thing.

Same Day.

Were not his Majesty's Ministers called to office, maintained in office, and by every mean and vulgar artifice exhibited to the people, not as objects of respect and merit, but of innocence and pity?

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But what was the object of the constitution in vesting the House of Commons with the absolute, the unequivocal and sole disposal of the public purse? Was it to undo that branch of the Legislature with various, independent, separate powers? No—for *this peculiar prerogative the House of Commons possesses*, not as a branch of the Legislature, but as the representatives of the people, unconnected with any other powers or body of men whatever. *In this distinguishing attribute of their delegated capacity, neither KING nor LORDS had any right of interference.*

February 18.

Had not a majority of the House of Commons, almost from time immemorial, governed this country? Was it not a confidence in the House of Commons that gave energy and effect to every Administration? Was it not the *countenance and concurrence of the House of Commons* which

which gave popularity and stability to the throne?

Same Day.

He trusted they would face the difficulties they had to surmount with resolution and dignity. They were in circumstances in which no House of Commons had been for many years; and as every thing about them must consequently bear a new aspect, their duty was deliberation and attention. The subject which demanded their consideration was unquestionably one of the most serious and important that ever did, or ever could, demand their deliberation. It was neither less nor more than what it became them to do, under a circumstance so novel and unprecedented in the history of a free Parliament, as to destroy their consequence for ever, unless some method was devised by which their honour and independence could be saved.

Same

Same Day.

The present question involved them very materially. That his Majesty had a legal right to appoint whom HE pleased, and even to continue those whom he had appointed, to be his Ministers, in *opposition* to the sentiments of THAT House.

Same Day,

The variance stated by the Minister to subsist between the Crown and the House could not but give something like a new turn to men's feelings and ideas. He confessed it to have impressed HIM with the *most awful apprehensions!*

Same Day.

We beheld a Ministry without the confidence of the House of Commons. An executive government in which the House placed no degree of trust whatever. These persons who had advised it, had adopted
a system

a system of politics wholly inconsistent with the functions of this House, hostile indeed to the spirit and character of a free government. It was their evident intention to render the House of Commons the mere tool and organ of despotism, and he hoped the *spirit of a brave and free people would defeat the base design!*

Same Day.

Those persons had long endeavoured to have the voice of the people on their side, had long struggled to make the people parties in their own ruin, have long endeavoured to make them at enmity with their best friends, and to persuade them, that those only who run every risk, and sacrifice every thing desirable on their account, are most hostile to their interest, and least inclined, as well as least able, to do them any real service. This is one of their most capital manœuvres, which they are playing off in the face of a country *which bleeds at every pore,* and
under

under circumstances which rendered us the derision and contempt of all the world.

Same Day.

They (the Ministry) make you exert your utmost endeavours to pull down this Asylum of Liberty, but you unavoidably involve yourselves in its ruin. If Ministers, therefore, are determined to trace the power of Parliament, and oppose their own personal feelings to the honor of the House, and the welfare of the people, they must abide by the consequences. The principles on which they act is an everlasting bar to any prospect of unanimity in this House. It had bore to HIS mind a menacing aspect to the liberties, not of the House only, but of the country. It affected that great vital of active principle in the Constitution on which all the privileges of Englishmen hung: and while that impediment remained, no safety could be expected. It placed an OCEAN between them,

them which it was impossible to pass, and put every wish of supremacy or connection altogether out of the question.

Same Day.

The Princes on the Throne had respected that House, and their first and greatest glory had been to attend to its wishes, and listen to its advice. God forbid, he said, that those secret advisers to his Majesty should induce our present gracious Sovereign to be the first of his name and of his race to neglect the councils, and *turn aside from the advice of his faithful Commons.*

Same Day.

He alluded to Sir William's Dolben's having asked, a few night's since, if the prerogatives of the Crown were to be served up as a collation, like Sancho's banquet, to feast the eye alone, and not the appetite. He said he by no means

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meant to deny that the prerogatives of the Crown ought to be substantial: all he contended for was, that the House of Commons, who granted the public money in large sums to Ministers upon confidence, *had a right, at least, to have a negative voice in the appointment of those Ministers.*

March 1.

Whatever attention George the First and George the Second might pay to secret advices, whatever degree of curiosity or inquisitiveness might affect their hours of social and friendly intercourse, the harmony of the nation, the public business, the great concerns of the public, were seldom or never interrupted, *by an ill-advised and unconstitutional preference of any man, or set of men, IN OPPOSITION TO THE REPRESENTATIVES OF THE PEOPLE AT LARGE.*

Same

Same Day.

The people were the great source of all power—and their well-fare the sole object for which it was to be exerted: But who in this case were to be the judges? The House of Commons undoubtedly were competent to protect the rights of the people—to pronounce on whatever they deemed an encroachment on their privileges—and the moment they could not prevent every thing which struck them as such, they were not equal to the design of such an institution. The HOUSE OF COMMONS were possessed of the power OF PUTTING A NEGATIVE ON THE CHOICE OF MINISTERS:

Same Day.

Their (the Minister's) object was to render the House a mere appendage of the Crown—an *appurtenance to the Minister*.

Same Day.

On what was the existence of the Ministers founded? Was it possible to *mistake* their intentions? Were they not meant to *annihilate* the House of Commons, *in complaisance to the Crown and the House of Lords?*

March 8.

It was not, he said, right that the Ministers of the country should be immediately dependent on the Crown, as it seemed now the fashion to assert they ought to be: If their study was to please the Crown, then Ministers it seemed were safe; but if they dared to do their duty, their own ruin was the certain consequence. It well became the House of Commons therefore not to suffer men to be disgraced and forsaken who had been thus strenuous in their duty. It was better, he said, to be a Courtier in France than
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In England;—for there the King's favour was the sole object; but here the Courtier must play a double part; for he must also *delude* or *enslave the House of Commons into obedience to the Crown and its secret advisers.*

Same Day.

His Majesty and his Royal progenitors have been fixed in the hearts of their people, and have commanded the respect and admiration of all the nations of the earth *by a constant and uniform attention to the advice of their Commons.*

Speeches

Speeches of Mr. PITT and Mr. Fox, on the Subject of a REGENCY, taken from the Morning Herald of the 11th of December, 1788; a Paper avowedly in the Service of Opposition.

COMMITTEE OF ENQUIRY.

Mr. Pitt observed, that as the paper which had just been read had fully informed the House of the melancholy situation of His Majesty, so it also held forth the best hopes to a loyal and anxious people; but however sanguine those hopes may be, it was the duty of that House, proceeding in such case with the most respectful regret, to take such intermediate steps as were necessary for the public safety. They would act, he trusted, in such a manner as would convince the Sovereign on his recovery, whenever that period should arrive, that the people whom he had so long loved and ruled, were not neglected at the time when he laboured under the severest visitation of Providence. For this purpose it was necessary to recur to the wisdom of past ages, and to examine how it was determined by the Constitution, in any interruption of the personal exercise of the sovereignty, that the deficiency should be supplied. The expediency of this measure was, he trusted, so obvious, that he should not use any arguments in its support, unless (what he could scarcely apprehend) it should meet with an opposition. He then moved, "That a Committee should be appointed to enquire into the proceedings in cases of the personal exercise of Royal Authority being interrupted

“ rupted by absence, incapacity, or infirmity; with the
 “ remedies provided for the same.”

When this Resolution was read from the Chair,

Mr. Fox immediately arose: He had not, he said, the good fortune to concur in the propriety of the present motion, yet he did not mean to give it any opposition. After the weighty information which they had just received, there was certainly no time for delay; and after the time which had lapsed, though perhaps it was not lost, the House was undoubtedly pressed to come to a decision. He could therefore dispense with the present enquiry, which could tend only to loss of time. The researches to be made were not confined to the Journals of the House; they were to be extended to the history of these realms. Of that history every person in that House must be supposed to possess a competent knowledge, and they must therefore know, that there was *no precedent to be found* which was applicable to the present occasion. There was now a person in this realm standing in a situation wholly differing from any instance that could be adduced--an *heir apparent* of full age, of full capacity, and in every respect fully qualified for the situation in which he was destined to act. This was an incitement to all becoming speed, and this was the moment in which they were called for the first time to decide. The report of the Privy Council he did not consider as coming properly before that House, and therefore until the present report was read, they must be considered as being without any authentic information on the subject. This was the precise point of time in which they began to act; and standing in this situation, their incitements would undoubtedly be more strong, if they thought, as he trusted

trusted a majority of the House must think, that the subject was not a matter for their deliberation. He for his part was of opinion, that the PRINCE OF WALES, on the *civil* demise of his Royal Father, had a *full, clear,* and *perfect* RIGHT to exercise every function of Government in his name, and in the same manner as if the Sovereign had been naturally demised; that right commencing from the instant that His Majesty became incapable, and continuing as long as that incapacity existed. If the Prince did not instantly assume those powers, to which, from analogy, and from history, and from the spirit of our constitution, he was clearly entitled; if he acted in a manner more suited to his character and education, more suited to those principles which first placed his ancestors on the Throne, that moderation should be their strongest incitement. In the deference and forbearance of the Prince, they were not to forget his *claim of right*. In all their observations they should remember, that there was such a claim existing, and it should serve to hasten their decisions, as far as was consistent with the magnitude of the occasion.

There was an omission, Mr. Fox observed, in the resolution proposed, which should have been---to examine into the "Parliamentary" Proceedings; as it was on these alone that their decision could be founded. But as this might perhaps be thought to narrow the ground of enquiry, and as unanimity was so very desirable in the present instance, he should not interrupt their progress by pressing this amendment.

Of the report on the table, he observed, that it contained in fact no more than that which had been laid before the Privy Council. From each there were *three* principal points deducible; namely,

That

That his Majesty was at present incapable of any attention to public business;

That there were happily strong hopes of his recovery;

But that no degree of knowledge or experience could afford them any light as to the time when that recovery might naturally be expected.

These facts admitted, were to form the *substratum* of their future proceedings: different persons might dwell on particular words, but it was on their admissions that the superstructure was to be raised. On the completion of which, that House and the nation were so deeply interested.

Mr. Pitt commenced a very warm reply, by observing, that if any person had entertained a doubt of the propriety of such a Committee as he had proposed, the Right Hon. Gentleman opposite had furnished in his arguments the strongest proof of its necessity. He was ready to acknowledge the splendor of his abilities; he admitted his *theoretical* information, even at the time when they differed in point of *practice*; but he could not possibly admit of the doctrine which had been now laid down. He could by no means admit that in a reference to past times there was no case in point with that now before the House. In every interruption of the personal exercise of the Royal powers it rested with Parliament to determine in whom it should be vested. To maintain the contrary opinion, to say that the other branches of the Constitution were not to be consulted, but a right of sovereignty instantly devolved to any persons was *little less* than TREASON!!! With respect to the present instance, he should be ready on a future occasion to state his opinion of the steps necessary to be taken. He should content

tent himself at present with saying, that every instance of Parliamentary interference on an interruption of the executive government, was to his mind a case entirely in point; that whatever may be the *discretion* of Parliament with respect to the disposition of those powers, their right to dispose of them was undoubted; and that until the sanction of Parliament was obtained—THE PRINCE OF WALES HAD NO MORE RIGHT TO EXERCISE THE POWERS OF GOVERNMENT THAN ANY OTHER PERSON IN THESE REALMS.

This position Mr. Pitt put into a variety of lights, but in each his inference was still the same—that the Prince of Wales had *no right* to the executive powers without the sanction of Parliament! He then proceeded to vindicate himself from the imputation of delay. The first communication, he contended, had been given as soon, and the adjournments made as briefly, as possible. They could not before ascertain the state of his Majesty's health; and having done that, their next step was to ascertain their own rights. The question before the House was of a nature the most momentous, whether they regarded the honour of the Sovereign, or the safety of the people. They would therefore, he trusted, conduct themselves according to the usage and laws of Parliament, without attending to doctrines which militated against every principle of the constitution, and against its spirit, since it could be regarded as having taken a shape and name.

Mr. Fox replied, that either the Right Hon. Gentleman had misunderstood him, or that he had rested himself on the use of an equivocal word. If it was meant that the sovereignty should be settled in all cases by *Parliament*

liament—meaning thereby the King, Lords, and Commons, he should readily agree to the principles which had been laid down. But if the same was alledged of the two Houses acting without the kingly sanction, the reverse of those principles was the truth. They were in that state maimed of their powers;—they could pass no law, but were to await the operation either of some provisional statute, or of the principles of the Constitution as they had been generally laid down. If they proceeded to regulate, or to limit the bounds of the executive power, they acted contrary to the spirit and to the letter of the Constitution. This was the law, as laid down by the statutes of the realm; and if he maintained the contrary of this doctrine, the Attorney General should, in duty, prosecute him for treason, and he must incur all the penalties of a *Premunire*. If this was the language deemed *treasonable*, he should repeat in so many words—that the PRINCE OF WALES, in his opinion, stood possessed of the sovereign power, by virtue of the *civil* demise, in the manner as he would have done by the natural demise of his father, and as independently of any interference of Parliament.—But when this last word was so often repeated, it should be recollected, that a question might be put, whether they sat as a *Parliament*, or merely as a *Convention*. If as the latter, they were of course no perfect Parliament; and former Conventions, whose meetings we justified by necessity and to whom we owe every thing we hold dear, were too wise either to take the name of Parliament, or to attempt any measures until they had restored that third branch of the Constitution to which it owes its form and energy. He did not stand up to justify the exploded doctrines of a “divine and

indefeasible right;" he knew of none such existing in the Constitution. The Crown was hereditary, but the executive government was not. The former was hereditary for the benefit of the people, and to preclude the evils of an elective sovereignty; the latter was not, because it would be incompatible with the spirit of our Constitution.

THE REVOLUTION PILLAR

1788



Mr.

Mr. *Pitt* said, that the issue was now settled on which this controversy may be debated on a future day. He had denied that the Prince of WALES possessed any right of government independently of the authority of Parliament, and he would still continue to deny that any such right existed. He would admit that if the King had been *naturally* demised, there could have been no question as to the right of the Heir Apparent; but the cases were, in his opinion, to be distinguished, and on such an interruption of the executive power as the present, no right could devolve, but with the authority of the remaining branches of the Legislature.

Mr. *Pitt* said, that when the Right Hon. Gentleman who had last spoken, stood forward as the advocate and specimen of moderation, he was undoubtedly entitled to every respect. If therefore he had before spoken with any intemperance, he could now coolly and gravely assure him, that what he had said was the result of mature reflection, and that he was not disposed to retract a single syllable. He would on the contrary repeat it, as his opinion under the present circumstances—"that the Prince of Wales, in point of *right*, whatever he might claim from the *discretion* of Parliament, had no more claim to hold the executive government of this country than any other subject whatsoever!"—If Mr. *Somers*, he would ask, or any other of the supporters of the Revolution, had held this language at that æra, would it therefore have been that he meant thereby to have put himself in competition with, or exclude the rightful claims of his Prince, William the Third?—The language was, on the contrary that of the Constitution, which as such he should be always proud to repeat.

Extracts from Judge Blackstone's Commentaries,
Vol. I. p. 210, 211.

IT appears from the highest authority this nation is acquainted with, that the Crown of England hath ever been an hereditary Crown, *though subject to limitations by Parliament.* The first instance is the famous Bill of Exclusion in the latter end of King Charles the Second's reign. The purport of the Bill was to have set aside the King's brother and presumptive heir, the Duke of York, on the score of his being a Papist; it passed the House of Commons, but was rejected by the Lords. From this transaction we may collect two things; first, that the Crown was universally acknowledged to be hereditary, and the inheritance indefeasible, *unless by Parliament.* Secondly, that the Parliament had a power to have defeated the inheritance, else such a Bill had been ineffectual. The Lords did not dispute the *power*, but the propriety.

The true ground and principle upon which that memorable event (the Revolution in 1688) proceeded, was an entirely new case in politics. It was not a defeazance of the right of succession, and a new limitation of the Crown *by the King and both Houses of Parliament; it was the act of the nation alone*, upon conviction that there was no King in being.

Blackstone's Commentaries, 212. Whenever a question arises between the society at large and any magistrate vested with powers originally delegated by that society, it must be decided by the voice of the society itself; there is not upon earth any other tribunal to resort to. And that these consequences were fairly deduced from
 from

from these facts our ancestors have solemnly determined in a full parliamentary convention, representing the whole society.

214. He says, If the Throne be at any time vacant, which may happen *by other means* besides that of abdication; if, I say, a vacancy by *any means whatsoever* should happen, the right of disposing of this vacancy seems naturally to result to the *Lords and Commons*, the Trustees and Representatives of the Nation. For there are no other hands in which it can so properly be intrusted, and there is a necessity of its being intrusted somewhere; else the whole frame of government must be dissolved and perish. The Lords and Commons having therefore determined this main fundamental article, they proceeded to fill up the vacancy in such manner as they judged the most proper.

Extract from the Works of Doctor Swift, Dean of St. Patrick's.

“ There are two questions to be considered, first, Whether upon the foot of our constitution, as it stood in the reign of the late King *James*, a King of *England* may be deposed? The second is, Whether the people of *England*, convened by their own authority, after the King had withdrawn himself in the manner he did, had power to alter the succession?

As for the first, it is a point I shall not presume to determine, and shall therefore only say, that to any man who holds the negative, I would demand the liberty of putting

putting the case as strongly as I please. I will suppose a Prince, limited by laws like ours, yet running into a thousand caprices of cruelty, like *Nero* or *Caligula*; I will suppose him to murder his mother and his wife, to commit incest, to ravish matrons, to blow up the senate, and burn his metropolis, openly to renounce God and Christ, and worship the devil; these and the like exorbitances, are in the power of a single person to commit without the advice of a Ministry, or assistance of an army. And if such a King as I have described cannot be deposed but by his own consent in Parliament, I do not well see how he can be *resisted*, or what can be meant by a *limited* monarchy; or what signifies the people's consent in making and repealing laws, if the person who administers hath no tie but conscience, and is answerable to none but God. I desire no stronger proof of an opinion being false, than to find very great absurdities annexed to it, and there cannot be greater than in the present case, for it is not a bare speculation that Kings may run into such enormities as are abovementioned; the practice may be proved by examples, not only drawn from the first *Cæsars*, or later Emperors, but many modern Princes of *Europe*, such as *Peter the Cruel*, *Phillip the Second of Spain*, *John Basilovits of Muscovy*, and in our own nation, *King John*, *Richard the Third*, and *Henry the Eighth*. But there cannot be equal absurdities supposed in maintaining the contrary opinion, because it is certain that Princes have it in their power to keep a majority on their side by any tolerable Administration, till provoked by continual oppressions; no man, indeed, can then answer where the madness of the people will stop.

As to the second part of the objection, whether the people of *England* convened by their own authority, upon King *James's* precipitate departure, had power to alter the succession?

In answer to this, I think it is manifest, from the practice of the wisest nations, and who seem to have had the truest notions of freedom, that, when a Prince was laid aside for mal-administration, the nobles and people, they thought it necessary for the public weal, did resume the administration of the supreme power (the power itself having always been in them), and did not only alter the succession, but often the very form of government too, because they believed there was no natural right in one man to govern another, but that all was by institution, force, or consent. Thus the cities of *Greece*, when they drove out their tyrannical Kings, either chose others from a new family, or abolished the kingly government, and became free states. Thus the *Romans*, upon the expulsion of *Tarquin*, found it inconvenient for them to be subject any longer to the pride, the lust, the cruelty, and arbitrary will of single persons, and therefore by general consent entirely altered the whole frame of their government. Nor do I find the proceedings of either in this point to have been condemned by any Historian of the succeeding ages.

But a great deal hath been already said by other writers upon this invidious and beaten subject; therefore I shall let it fall, though the point is commonly mistaken, especially by the *lawyers*, who, of all others, seem least to understand the nature of Government in general; like under workmen, who are expert enough at making a single

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wheel

wheel in a clock, but are utterly ignorant how to adjust the several parts, or regulate the movements.

To return, therefore, from this digression, it is a *Church of England man's opinion*, that the freedom of a nation consists in an absolute *unlimited legislative power*, wherein the whole body of the people are fairly represented, and in an *executive duly limited*; because on this side likewise there may be dangerous degrees, and a very ill extreme. For when two parties in a State are pretty equal in *power, pretensions, merits, and virtue* (for these two last are, with relation to parties and a Court, quite different things), it hath been the opinion of the best writers upon Government, that a Prince ought not in any sort to be under the guidance or influence of either, because he declares by this means from his office of presiding over the *whole*, to be the head of a *party*, which, besides the indignity, renders him answerable for all public mismanagements, and the consequences of them; and in whatever state this happens, there must either be a weakness in the Prince, or Ministry.

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