

A letter to Sir Robert Bernard, bart., Chairman of the Huntingdonshire Committee / by John Jebb.

Contributors

Jebb, John, 1736-1786.
Royal College of Surgeons of England

Publication/Creation

London : Printed for J. Stockdale, 1782.

Persistent URL

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L E T T E R

T O

Sir ROBERT BERNARD, Bart.

Chairman of the Huntingdonshire Committee.

By JOHN JEBB, M. D. F. R. S.

Injussa Populi nihil sanciri potest quod populum teneat.

LIV.

A general presumption that Kings (or Ministers) will govern well is not a sufficient security to the People.

ALGERNON SYDNEY.

THE SECOND EDITION.

^c L O N D O N :

Printed for J. STOCKDALE, N^o 181, Piccadilly, opposite
Burlington House.

MDCCLXXXII.

[PRICE SIX-PENCE.]

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A L E T T E R

T O

SIR ROBERT BERNARD, BART.

Chairman of the Huntingdonshire Committee.

S I R,

THE Delegation being closed by a resolution of its members, upon Saturday the 21st ult. I think it now incumbent upon me to explain the principles, upon which I conducted myself in the discharge of an office, to which the partiality of yourself, and the other gentlemen of the Huntingdonshire Committee, had a second time appointed me.

Although I was persuaded, that an House of Commons, constituted as the present, would never be induced by the supplications of the people to take an active part in diminishing the influence of the Crown, yet I thought it my duty to concur in an application to that purpose; perceiving it to be the general opinion of the delegates, that such application should take the lead of what I own has always appeared to me the most eligible plan of reformation—I mean

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J. E. T. B. R.

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that substantial reform in the representative body, which in the highest degree it concerns the people to advert to—a reform more practicable than is generally apprehended, and which to my understanding suggests the only hope of political salvation.

I must confess, it was with reluctance I consented to the idea of keeping out of sight our delegated character in the title of the Petition, lately presented to the Commons House of Parliament.—It was with equal reluctance I consented to wave the insertion of some other circumstances, respecting the finance of this country, which seemed to me to call more loudly for parliamentary reprehension, than any hitherto noticed in the petitions of the people.

It was also with difficulty I persuaded myself to adopt a stile in my idea too humble for such an occasion—in an address to the servants of the people—to a body of men, of whom I verily believed the majority had already, in the short period that hath elapsed since their election, more than once manifested an utter disregard to the interests of their constituents.

Urged by the force of these impressions, I declared my sentiments with that freedom which became your delegate—but I reflected, that if unanimity was ever desirable, it was peculiarly so at the outset of our undertaking.

ing. I therefore acquiesced in the idea of petitioning as a freeholder of your county, and conceded to the general wish of abiding by a form, which, it was urged, had already received the sanction of a very considerable part of the community.

It was with heartfelt pleasure that I was witness to the well-informed zeal, with which the worthy Deputies of Yorkshire opened and supported the plan of parliamentary reformation, announced in the address of their Committee, and that spirit of patriotism, with which their idea was generally adopted by the assembly.

To the first part of that plan, which proposed the addition of at least one hundred members, to be chosen in due proportion in the several counties of this kingdom, I gave my concurrence; being inclined to hope, that such an institution, which had already been approved by many of the associated counties, might be salutary in its consequences; and not inconsistent with those more enlarged schemes of reformation, which I trust the spirit and good sense of the English nation will hereafter carry into effect.

But, in order that my subsequent conduct may appear in its proper point of view, I request the indulgent attention of the Committee to the following considerations :

It seemed to be the general opinion of the delegates, that parliamentary freedom and independence might be restored by an improved arrangement of the present electors of this kingdom. I did not therefore controvert the idea in this stage of the business—I concurred with them in practice as far as they went—but my theory led me to more extensive conclusions.

I considered that the persons, who at present exercise the power of election in the name of the people of England, might be distributed into three classes*.

In the first class would be contained those inhabitants of this kingdom, who possess freeholds to the amount of forty shillings a year and upwards, supposed to be in number 130,000, and electing 92 members to serve for 52 counties.

The second class would comprehend 43,000 citizens, freemen and others, who elect 52 members for 23 cities and 2 universities.

In the third or last class would be found 41,000 electors, who choose 369 members for 192 towns and boroughs.

It was proposed by the Deputies of York-

* Report of the Westminster Sub-Committee, dated March 19, 1780.

shire, that the members elected by the 130,000 freeholders should amount at the least to 192.

As a further barrier against undue influence, I proposed that one hundred should be subtracted from the 369 burgeses chosen at present by the 41,000 electors, in order that the sum total of the members elected by the present freeholders, citizens, freemen, burgeses, and other electors of England, might remain the same as before.

The motion was not supported—the reasons that induced me to propose this alteration are as follows:

In the first place it appeared to me, that the House of Commons is already sufficiently numerous for all the purposes of its institution. In the happiest periods of our history its number was far inferior to what it is at present: and it has been ably observed, that with the increase of its members would in all probability be increased the national depravity, and the expence of the public; † unless at the same time such measures were embraced, as by subjecting

† The Resolution, actually assented to by the Delegation, proposes that the additional members should be chosen in due proportion, in the several cities as well as counties of the kingdom—A provision which rather strengthens than impairs the argument in favour of a diminution of the borough members.

the representative to the controul of the constituent, would necessarily place him beyond the power of corruption.

I secondly reflected that the persons, who elect the 369 members to serve for the towns and boroughs of the kingdom, are the most dependent part of the nation; and are acknowledged to be in every respect the least worthy of being intrusted with the exercise of so important a power as they at present enjoy, to the great injury of the landed and commercial interests of this country.

In the last place I considered, that the popular sentiment seemed more favourable to the idea of diminishing the number of the Borough members, than to the proposed augmentation in the counties. And although it was alledged, that in case this idea were adopted, we should have the interest of the proprietors of boroughs to contend with, it appeared to me such interest might be purchased in many instances by a proper compensation; and that even in case some reluctance should be manifested by any of the parties concerned, such persons would probably not continue to oppose the general wish, when they reflected, that the power they enjoyed was utterly inconsistent with the people's undoubted right to an equal representation, whenever they might think proper to assert it.

In proposing this improvement, I proceeded upon the idea, adopted by my brethren of the delegation. But in fact I esteem all propositions for an improved arrangement of the present voters of this kingdom, in no further degree worthy of the attention of the public, than as they are preparatory steps to that complete reformation, which I am now more than ever persuaded might be effected by the peaceful efforts of the people, acting by their Committees, and uniting in a general association to support their resolves.

I am, as will afterwards more fully appear, decidedly of opinion, that an English House of Commons should be a representation of persons, not of property—of men, not of things—and that there is no necessity for the delegation of the important right of election to any portion of the community, intermediate between the representative and the great collective body of the people. But supposing these points were to be conceded, and supposing the sum total of the standing electors of this kingdom, who are at present allowed to exercise this power in derogation of the right of more than a million of their fellow-citizens, now excluded from their franchise, were to remain as at this day, it may reasonably be demanded, whether the 130,000 freeholders who now enjoy the
privilege

privilege of electing 92 members, are the persons, whom the landed interest would depute for this important purpose? Whether there be not a large proportion of them, who, notwithstanding their legal qualification, cannot claim, from their station in life, this great pre-eminence—and whether many copyholders are not rejected in the present system, whose independent circumstances would render them fitter objects of this trust?

With respect to the 84,000 citizens, burghesses, and other inhabitants of England, who elect the remaining 421 members, can we seriously maintain, that they properly represent the various branches of the commercial interest of this country? And can it be imagined, that the liberties and properties of more than five millions of people can be safe, when intrusted in the hands of representatives, of whom it has been demonstrated the majority may be returned by a number of electors less than 6000, consisting in general of the most dependent and most venal part of the community? *

I will dismiss the subject of representation for the present, and proceed to the next object of Parliamentary reformation propo-

* See Burgh's Political Disquisitions, Vol. I. c. 4. and Mr. Wilkes's admirable Speech in favour of a more equal representation of the people.

fed by the Yorkshire Committee, viz. the shortening the duration of Parliaments to a period not exceeding three years.

I had the pleasure of concurring with the delegates in their first resolution respecting this subject.—The propriety of the measure was ably debated, and the general sentiment decidedly in its favour.—The resolution, as moved by Sir James Norcliff, was as follows:

“ RESOLVED,

That the bill, enacting the Septennial duration of Parliaments, was a violation of the rights of the people, by which the constitutional connection between the constituent body and the representative has been impaired, and the Parliament exposed to great and systematic corruption.”

This resolution passed with the following amendments—After the words *Septennial duration of Parliaments* was inserted, “ however expedient it might have been rendered by the circumstances of the times,” and instead of *systematic corruption* was substituted “ unconstitutional influence.” I do not conceive these alterations to have been real improvements of this motion.

I have always imagined the Triennial bill to be equally a violation of the constitution with the Septennial. I conceive also that the proper business of a representative, as indeed is evident from the tenor of the antient writs,

is to act as an agent for his constituents in the great assembly of the nation, and in their name to assent to such measures, as he apprehends they would approve. I would ask, whether the sense of the people can with propriety be supposed to be expressed in that assembly, by persons delegated, as it might happen, nearly three years before the actual issuing of the yearly proclamation for its convention?

Urged by the force of these reflections, I made the following motion, which, for want of being supported, occasioned no debate:

“RESOLVED,

That the people of England have an undoubted right to an Annual election of members to serve in the Commons House of Parliament—and that the act of the sixth of William the Third, which afforded the first legal sanction to the duration of Parliaments beyond a single session, was subversive of the constitution, and a violation on the part of the representatives of the sacred trust reposed in them by their constituents.”

It was with pain I differed from the Yorkshire gentlemen, and the majority of the deputation in the subsequent resolution, which is now subjoined:

“RESOLVED,

That when by the peaceful and legal efforts of the people, a more frugal management of the public purse, and a more adequate

quate representation in Parliament shall have been obtained, the repeal of the Septennial bill would form a strong barrier against the inroads of Parliamentary corruption, and the alarming influence of the Crown."

I will not trouble the Committee with a recital of the various reasons, which induced me to oppose the passing of this resolution— They were very different, I believe, from those which influenced the two other deputations, who concurred with me on this occasion. It may be sufficient for the present to observe, that with some formality I declared, that I objected to this motion, "because it postpones the redress of an acknowledged violation of the constitution, until that more frugal management of the public purse shall have been obtained, which I am persuaded the controlling power of a Commons House of Parliament, elected in conformity to antient usage, solely can effect."

Previously to my statement of the last motion I made in the assembly of delegates, I would beg leave to submit to you the following considerations in the form of queries. If they should not have so much weight with the Committee as they had with me, they may yet convince the gentlemen who compose it, that I did not act without reflection, and that if my conduct was erroneous, my intentions were nevertheless sincere.

1. Is it practicable to assign to the present 214,000 electors of England any such new arrangement, as shall render it possible for them to return a free and independent Commons House of Parliament?

2. Does not the mode of electing two members for each county of this kingdom, however varying in extent and population, besides the obvious inequality it introduces into the representation, also give rise, especially in the larger counties, to that riot, confusion, and undue influence, which might effectually be removed by a new allotment into districts, each containing as much as may be the same number of inhabitants, and electing one member?

3. Do not the petitions to Parliament, respecting contested elections in boroughs, almost intirely arise from the various qualifications annexed to the right of voting? and therefore would not these contests, which form one of the strongest objections to the revival of the antient constitutional Parliaments of a single session, be almost unknown, if the legal age of the citizen were considered as the only qualification of the voter?

4. Is there any absolute necessity for having recourse to the House of Commons in order to re-establish the inhabitants of this country in their undoubted right to an equal, annual, and universal representation of themselves

selves in Parliament? and would not an act of delegates freely chosen by the people, assented to by the king and hereditary nobility, be sufficient for this purpose? *

5. Is it not the duty of all men who wish well to their country, and have influence in the community, to state the substantial rights of the people, and to use such arguments as may induce them by every legal and constitutional method to assert them? †

6. Is it not much more likely that the commonalty of England, when national distress shall have awakened them to a sense of their own misconduct, would embrace a mode of reformation, which actually reinstates

* In my address to the freeholders of Middlesex, printed at the close of the year 1779, this question is treated more diffusely.—I am satisfied the doctrine, maintained in that tract, is truly constitutional, and might be reduced to practice by the peaceable efforts of the people.

† If that body of our fellow-citizens, who for many years have opposed in the Commons' House of Parliament the ruinous measures of the present administration, were solemnly to secede from an assembly, in which it is impossible for argument, aided by the sublimest eloquence, to be of any avail—and, assembling the counties, would explain the grounds of their secession, and declare their persuasion, that the last hope of England now rests on the constitutional exertions of the collective body of the people, they would certainly discharge the duty they owe to their constituents, and probably preserve their country from impending destruction.

them in the possession of an important franchise, than that they should interest themselves in the establishment of a system of measures, of which it requires a long train of circuitous reasoning to demonstrate to them the use?

The motion grounded on the doctrine contained in the preceding queries, the greatest part of which I with pleasure acknowledge I have been led to adopt in consequence of the incomparable publications of Major Cartwright, was as follows :

“ Whereas, after solemn argument and the most dispassionate discussion, it appears to this assembly, that the right of election for members to serve in the Commons’ House of Parliament (which at present, to the great detriment of the nation, is unwarrantably exercised by an inconsiderable portion of the community, in many respects incompetent to the discharge of so important a trust) doth in truth constitutionally appertain to, and might conveniently be exercised by every male inhabitant of the kingdom, arrived at the legal age of discretion.—And whereas the people in their collective capacity (by reason that the voice of the commonalty of England is no less necessary to every legislative purpose, than that of either the king or the lords) have a just and inherent right to correct the abuses of par-

parliamentary representation, whenever such abuses shall have so increased, as to rob them of their constitutional share in their own government;

“RESOLVED,

That it be recommended to the Committees of Correspondence, established in this kingdom, to carry into immediate effect the proper measures, for collecting the free and unbiaſſed ſenſe of the inhabitants of the ſeveral counties, cities, and boroughs of England, reſpecting the preſent un-Conſtitutional infringements of their election franchises, and the means that ſhould be employed for their recovery.”

I prefaced this motion with a defence of the principles upon which it was founded. I entered largely into the practicability and expediency of the meaſure—and urged, that, as no alterations ought to be attempted, which did not meet with the full concurrence of the people, it was neceſſary to adopt the proper means for collecting the ſenſe of the people;—but this motion alſo not being ſupported occaſioned no debate.

A motion being then made for the immediate diſſolution of our aſſembly, I thought it my duty to oppoſe it. I wiſhed that we might continue in exiſtence until we were enabled, at leaſt, to report the fate of our petition; but I was unſupported in my oppoſition, and the meeting was diſſolved.

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I cannot be unconscious, that, from my own report, I stand exposed to the charge of singularity in many parts of my conduct—I regard it as a misfortune—the gentlemen of the Delegation are deservedly respected—in point of integrity, ability, and public spirit, they cannot have more sincere and zealous admirers than myself. With many of them I am united in the strictest bonds of friendship; and I can truly say, I felt more poignant uneasiness, from my not being able to concur with them in sentiment, than I should have experienced of apprehension, had it been my lot to have stood single amidst an host of foes.

It is possible, but I deliver it only as matter of opinion, that some gentlemen in the delegation might think it prudent for us to insist only on a portion of what might justly be demanded, for the purpose of conciliating the favourable attention of a powerful party to our views. But it may not be unuseful to reflect, that we are agents for the democratical part of the Constitution, and that it is not reasonable to expect, that we shall be strenuously supported by the nobility, unless when the common danger shall become extreme—in such circumstances the virtuous part of the nobility will unite with us. When that danger is at a distance, retaining the natural prejudices of their order, they will not be sanguine in our cause—

cause—I say this with an exception of some elevated characters, whose generosity of sentiment in supporting the rights of the people is above my praise.

With respect to the commonalty at large, I am satisfied the present languor of patriotism did not originate with them—they were inclined in the last year to adopt the most spirited measures—but, through the want of concord in their leaders, they now, alas! know not in whom they can confide.

I am not an advocate for an intemperate expression of zeal, nor inclined to appeal even to the constitutional powers of the people upon trivial occasions, and without a prospect of success. But I am persuaded that a timely declaration of the popular sentiment, respecting the long violated rights of representation, would be the most likely method of preventing the further inroads of despotism, and the final ruin of the state*.

Ever since I took a part in politics, I have esteemed it my duty to avow, and to

* With such declaration might with propriety be combined a remonstrance against the continuance of the American war, and a disavowal of the principles and practices, which gave occasion to its commencement. A remonstrance of this nature, expressed in manly yet respectful language to the throne, though it might not bend certain of those inflexible spirits who surround it, would probably dispose the hearts of our American brethren to peace, and to the concession of many commercial advantages in their power to grant, as a free and independent people.

bring forward, to the utmost of my power, those maxims, which I believed would promote the peace and prosperity of my country. In political and religious disquisitions, as well as in philosophical, it is surely a point of prudence to encourage a free communication of such hints, as, in the opinion of the proposers, may benefit mankind. Many doctrines, now universally received, were, at one period, the opinions of a few private individuals, which, though for a time opposed by the combinations of interest, an open appeal to the good sense of the community, at length hath carried into effect.—An unreserved communication of sentiments is essential to freedom of discussion—and that persevering unanimity, which is the result of conviction, can flourish only where a free discussion hath previously prevailed.—For these reasons I conceive that the moment, in which truth first suggests itself to the mind, is the proper season for declaring it.

With regard to the instance before us, the matter may be brought to this short issue; whether it be more expedient to withhold a doctrine conducive to the interests of the people—to suspend our exertions in a cause demonstrably just, because such doctrine or such exertions may possibly be offensive to persons, whom we might wish to conciliate—

ciliate—Or, relying on those energies, which an open avowal of political truth would most probably excite in the breasts of Englishmen of every description, intrepidly assert it in the face of our country, regardless of opposition from whatever quarter it may arise. This is a question which futurity may probably decide.—† My own sentiments

† It has, of late years, been too much the custom with men of every description, to express an unfavourable opinion of the general disposition of the English people.—They have been repeatedly represented as strangers to principle in virtue and religion, and totally degenerate with regard to the love of liberty and public spirit.

I can by no means assent to a position, which exhibits my fellow-citizens in so unpleasing a point of view—I am persuaded, that the contrary is a fact. I am persuaded, that there does not only exist sufficient virtue in this country to preserve what is left of the forms of the constitution, but that there also remains such a portion of public spirit, as, under proper direction, would restore that constitution to its primæval integrity and splendor.

When the brave and injured Keppel endured that memorable conflict, to which the arts of base detraction had exposed him, with a firmness and composure, which conscious innocence could alone afford—What were the sentiments, that occupied the minds of the attentive audience at that important hour? Respect for injured merit, strong resentment, and anxious expectation, by turns maintained the intire possession of their souls. And at the moment of his acquittal, when surrounded by his fellow-citizens, he obtained a triumph, more truly honourable, more truly glorious, than England yet had witnessed, did not a spirit, manly and exalted as his own, inform each English breast?

Nor

timents are sufficiently apparent ; and I trust this avowal of them will be received with candour by yourself and the other gentlemen of the Committee, to whom, with the utmost respect and most cordial good wishes, they are addressed by their

Devoted humble servant,

J O H N J E B B.

Craven-street,
13th May, 1781.

Nor were these sentiments of more than Roman virtue confined to the spectators of this affecting scene—they diffused themselves with resistless energy to the remotest quarters of the island—and while the meanest of the multitude felt those generous emotions, which public virtue only can inspire, DECUS ET TUTAMEN, the proper motto of nobility, appeared to be inscribed in splendid characters on each illustrious brow.

Is it possible that my fellow-citizens, who interested themselves so warmly in the cause of injured virtue, should remain utterly insensible, when their country calls? Can a nation, thus feeling for another's honour, long continue regardless of its own?