

# STATES OF JERSEY



## REFORM DAY: 28TH SEPTEMBER 1769

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Lodged au Greffe on 22nd October 2012  
by Deputy T.M. Pitman of St. Helier

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STATES GREFFE

## **PROPOSITION**

**THE STATES are asked to decide whether they are of opinion –**

- (a) to agree that 28th September should be recognised annually by the States of Jersey as 'Reform Day' to mark the anniversary of the events in Jersey of 28th September 1769;
- (b) to agree that a sum not exceeding £3,000 should be made available by the Minister for Treasury and Resources from central reserves so that experts might examine the records of the Cour d'Héritage of 28th September 1769 held at the Jersey Archives and discover the text that has remained erased for more than 2 centuries following the Order of the Privy Council dated 27th October 1769 that ordered that the records be erased;
- (c) to agree that an appropriate memorial in the form of a monument, sculpture or plaque be researched and funded, in either whole or part from public funds, and erected in the Royal Square near to the location of the original 28th September demonstration in 1769 and –
  - (i) to request the Council of Ministers to take the necessary steps to initiate the process for the creation of a memorial; and
  - (ii) to request the Minister for Treasury and Resources to make available funding for the memorial from central reserves if necessary;
- (d) to request the Minister for Education, Sport and Culture to take the necessary steps to ensure that schools in Jersey teach school-children about the events of 28th September 1769;
- (e) to request the Minister for Treasury and Resources to make available to cultural organisations such as the Société Jersiaise, the Jersey Heritage Trust and the Jersey Archive from central reserves the necessary funds to research and publish information about the events of the day;
- (f) to agree that an annual financial award of £1,000 be established to encourage an act or contribution to Jersey political or wider human rights knowledge in the form of writing, film, play or other artistic form and to request the Minister for Treasury and Resources to identify the most appropriate source of funding for the award from existing departmental budgets.

DEPUTY T.M. PITMAN OF ST. HELIER

## REPORT

*'It is the essence of the poor that they do not appear in history'*

Anonymous

In reflecting upon the reasons underlying my bringing this proposition to at last seek official recognition as to the historical importance of the events of 28th September 1769, I thought long and hard about an appropriate quotation to set the scene. To this regard I was all set to go with the following one from Dr. Carl Sagan, who stated: *'You have to know the past to understand the present'*. Yet maybe the anonymous quotation I stumbled upon above is even more apt?

Why? Because it demands answer of us to the question: why would such an important event in Jersey's history be all but unknown not just to school-children, but to the community as a whole? History as we know tends to be written by the victors not the vanquished; yet this results all too often in little more than a sham; an illusion – even political propaganda – to suit the purposes of those who got to write it and that of their successors.

Indeed, as George Orwell famously wrote in his classic study of oppressive politics, lie is passed into history and becomes truth. **'Who controls the past,' ran the Party slogan of Big Brother, 'controls the future: who controls the present controls the past.'** Is this really the direction a democracy in the 21st Century can afford to travel?

Uncomfortable or perhaps 'undesirable' facets of history continuing to be downplayed or even airbrushed out of time altogether. In this case a 'rising-up' of ordinary, working people weary of the abuse of privilege; of a deliberate 'two-tier' society and the moral bankruptcy of all too many of their 'betters' as took place on 28th September 1769 becoming just 'a corn riot'. Such 'history' I suggest must be seen as less than worthless simply because it is not *real*: and as such, no real, beneficial lessons can be learnt from it to help ensure the future is better.

### **How much of this history are even we elected public representatives aware of?**

As it is always difficult to know at what depth of information one should pitch a proposition in the hope that as many States Members as possible will read it in full, and thus appreciate the facts underlying the proposals in the hope of garnering majority support, I have tried to offer Members the 'best of both worlds'. For those who are already familiar with the history, a brief summary is set out below within the main body of the report. Alternatively, for those colleagues (quite possibly the majority of us who are now only recently becoming aware to the importance of the events of 28th September and their direct consequences, I also attach 2 fascinating, lengthier versions of what 28th September 1769 was all about as **Appendices**.

To this regard I must thank local history enthusiast and Human Rights campaigner Mr. Mike Dun for his assistance in providing both. Indeed, that more and more of Jersey's people are slowly becoming aware of the true nature of the events of some 243 years ago; further still that such an important – and indeed, pivotal – part of our political history is finally beginning to be afforded its deserved and rightful place is largely down to Mr. Dun's passion for the subject. Though split into a number of inter-related parts, I hope this proposition can help consolidate this development by at the very least gaining official States recognition for the 28th September 1769 date.

Of course, it is also important to stress to Members at this point that it is this 'official recognition' that is all the proposition seeks by means of this proposition – I am not seeking the day to become an additional local Bank Holiday. There are thus none of the significant financial implications that would be attached to such a move.

### **A history of 28th September 1769 condensed into 2 paragraphs**

*'On 28 September 1769 the Royal Court of Jersey was descended upon by several hundreds of protestors. Given the public frustrations at its root this was a remarkably peaceful protest but these brave people nevertheless risked their lives in order to reform the then corrupt government and administration of the Island. As a direct result of their action, the States of Jersey was separated from the Court and owes its origins as a more democratic and representative institution to the protestors.'*

*The famous Code of 1771 was another direct result of their actions but the fuller details of their grievances were crossed out (raturé) from the official court record, by Order of the Privy Council dated 27 October 1769. Those details have remained crossed out to this day, are not recorded elsewhere and there is no public monument to the protestors. Their leader Thomas Gruchy actually lies in an unmarked Trinity grave. It is as though they and the event have been erased from history.'*

### **Why this event is so important and worth the comparatively small financial investment**

As a school student I was always surprised how little of our Island's history we were actually taught. Indeed, the extent of this teaching often seeming to be little more than the events of the Occupation and, of course, Major Peirson and the Battle of Jersey. Nothing whatsoever as I recall was ever taught to us about the events of 1769 – something I was saddened to learn in talking to some of the great many young people I know through my youth and community development work in Jersey, appears to have changed little even to this day.

In essence this proposition finally seeks to correct this lack of knowledge about this hugely important day in Jersey's historical and political development; primarily as indicated by giving this date official government recognition by the States Assembly as Jersey's 'Reform Day'. From such beginnings I believe something of real benefit – not just culturally but potentially even economically – may well eventually grow.

All estimated costs for initial commitment to the various parts of the proposition – such as it is possible to project – are indicated within the financial and manpower statement at the end of the report. However, prior to briefly outlining the significance of each of the (a) to (f) parts of the proposition, I ask Members to consider (first reading the **Appendices** if necessary) one final question in asking that they support the proposition in full.

Should we, or indeed, can we afford to pretend such significant events as 28th September 1769 never came to pass just because it may challenge the cosy 'tradition' passed down over the centuries: i.e. that Jersey has always had a natural and benevolent 'order' of what some might call 'elites' holding political power and looking out for the best interests of those less well-off; always doing so without either problem or prejudice? Perhaps just as tellingly, challenge our own set political

understanding of how we came to have the political environment we have today? I suggest that the answer surely has to be no. Democracy is far ‘messier’ than that is often portrayed – but all the better and healthier for it. It is my contention that acknowledging this reality officially by recognizing 28th September 1769 as the proposition requests, can thus only prove beneficial to our understanding of ‘who we are’ and ‘how we got here’. What could possibly be more appropriate and timely as we move toward a referendum on political reform?

### **The parts of the proposition**

#### **Part (a)**

As indicated above, this is clearly the key aspect of the whole proposition. Whilst I have constructed this so that each and every part can be voted upon, and stand or fall independently, I believe that if there is one aspect alone that I would hope Members can give their support to, it is this. Official recognition of 28th September really is ‘key’ to helping all of those interested in our heritage and history to develop future events around the day – possibly eventually even to becoming a significant tourist event that may benefit the economy.

#### **Part (b)**

I see this research as also being of crucial importance to true historical recognition of the date’s importance. That there appears never to have been any work undertaken to reveal the actual wording of what was won by the actions of Thomas Gruchy and his companions more than 2 centuries ago is something I find quite remarkable. It is surely of huge historical importance. The suggested possible costs involved in this are, from what I am advised, likely to be more than adequate to see the work done.

#### **Part (c)**

That there should be some form of memorial marking the events of 28th September seems to me quite obvious. Such historical memorials are always of keen interest, both to tourists visiting the Island and highly valuable in terms of education. Members should also not be put off by the thought that supporting this part would automatically mean committing significant sums of money. Though I believe that a monument or sculpture would be very fitting, the fact is a memorial in the form of a well designed official plaque could still be both impressive and not break the bank.

#### **Parts (d) and (e)**

I believe that even if Members feel unable to support any others parts of the proposition, part (d) simply must be worthy of a ‘pour’ vote: this is, after all, a part of history, and not to teach children about it in full within our schools must surely be unthinkable. Part (e) is likewise highly important in my view, and has not been defined in set costs deliberately in order not to tie Ministers’ hands. If supported, I see this aspect of the proposition growing in line with the subsequent growth of the day’s events over time. Financial input could start modestly, but increase over time if and when the benefits of Reform Day grow as a cultural and tourist event.

## **Part (f)**

Though listed last, I genuinely believe that the establishment of such an annual 28th September 'award' or 'prize' could prove very beneficial in terms of encouraging awareness of both local history and Human Rights issues. It would also clearly be very beneficial to stimulating interest in the arts. Given this potential, I thus believe that the commitment of £1,000 annually would prove money very well spent.

### **Financial and manpower implications**

As indicated above, I believe that the financial and manpower implications of supporting the whole proposition are minimal to the point of being all but irrelevant set against the potential benefits that the recognition and subsequent development of an official Reform Day could generate. To this regard, the actual cost of granting official recognition and status to 28th September is all but non-existent.

As outlined, the estimated maximum £3,000 costs of carrying out research into what has been obliterated from the original court records is probably overly generous, and highly unlikely to be exceeded. The cost of establishing a related annual 'award' or 'prize' is limited at just £1,000.

It is my advice that a memorial in the form of a plaque could cost a similar sum; a more impressive memorial and its costs being entirely up the Council of Ministers to decide upon. I would suggest that there could likely be significant scope for also securing private sponsorship toward such a memorial, which would obviously help keep official costs down.

As to the costs to schools of teaching about the events of 28th September, this should surely be achievable from within existing budgets. Finally, the costs to government of supporting our Heritage organisations develop and promote an officially recognised Reform Day would remain entirely within the gift of the Council of Ministers: growing or not as the stature of the day grew. It is thus hard to put an estimate to, as this could start out as next to nothing, yet end up quite significant as the benefit to tourism and the community developed.

## **APPENDICES**

As indicated within the main report of the proposition, I must thank Mr. Mike Dun for his assistance in providing the following 2 historical Appendices; similarly the Greffier's Office for further help in formatting them. Both articles provide fascinating descriptions of the history underlying the proposition, that in my view really help bring the subject 'to life' for those who are not overly familiar with the events.

I am thus pleased to say that the above also allows me to write that any spelling mistakes and/or interesting takes on grammar have nothing whatsoever to do with me – it is all the fault of history and time!

Deputy Trevor Mark Pitman of St. Helier

## APPENDIX 1

### The Jersey Revolution: 28th September 1769

*“Poverty is the parent of revolution and crime” ..... Aristotle*

The 2 famous Revolutions of the 18th century, the American War of Independence of 1775 – 1783 and the French Revolutionary War that started in 1789 were preceded by a minor little skirmish in Jersey that history has largely forgotten. But, the issues that caused Jersey people to rebel against their autocratic government and the dreadful poverty that many endured were remarkably similar, and the “little event” was to prove just as important to the Islanders as the more famous rebellions were to the American and French peoples.

In Jersey during the 18th century, government was in the hands of the rich few. The Bailiff was Lord Granville who lived in England and never visited the Bailiwick and took little interest in the affairs of the Island. He was descended from the De Carteret family and they were virtually hereditary Bailiffs for several centuries but in 1769, Charles Lempriere was serving as their Lt. Bailiff in a Royal Court that was the all powerful governmental and administrative body, but there was a very ineffective States Assembly over which he presided too.

Then, democratic representation was almost unknown. Only the wealthier men of the Island’s 20,000 residents voted for the Parish Constables and Centeniers and Lt. Bailiff Charles Lempriere, Seigneur of Rozel, Dielement and many other fiefs, filled the important positions with his relatives like brother Philip as Attorney General and Receiver of the Revenues. His father, father-in-law, cousins and brothers-in-law were Jurats and this was a time when Jurats were much more important than they are today. The 12 Parish Rectors were also an integral part of the government.

The Lt. Governor was a very weak and sick man named Thomas Ball and he was described by the political writer Dr. John Shebbeare as a man *“who possessed no more idea than an oyster... and like that animal... seldom opened his mouth but to take in fluids.”*

Not only did Islanders endure a despotic form of government but the remains of a feudal system still prevailed too and the land was divided up into hundreds of fiefs over which Seigneurs had the right to extract tithes from the unfortunate people who lived there.

Thus, every year, most Islanders had to pay to their Seigneurs so many chickens or apples as a tithe and the most important imposition was that for wheat or corn and every year the important Seigneurs like the Lemprieres, would fix the value of the “wheat rent” with their friendly miller and baker allies.

When wheat or corn was scarce the price increased so the Seigneurs stood to receive more money and poor people couldn’t afford to pay, either in cash or in wheat if there was a bad harvest, even if they had a piece of land to cultivate.

In 1768 there was a severe shortage of wheat around England and France so the price was already high and it was a great opportunity for the Lemprieres and their friends to



extract as much money as possible from the Islanders. Not only was it expensive, but wheat was scarce and many Islanders faced starvation. Even in a good year, the Island did not produce enough wheat to satisfy Islanders' needs.

In August 1768, a Chamber of Commerce had been formed in Jersey to represent the interests of ship owners and to deal with threats to the Islands smuggling trade from newly appointed English Customs Officers – and that was a theme that influenced the American Revolution too. But, in Jersey the Chamber was also aware of the problems of the poor and in October and December arranged to purchase cargoes of barley at St. Malo and offered these for sale at “30 sols the cabotel”, for the relief of the Island's poor.

However, it was only a temporary relief and during the spring and summer of 1769 the shortages became worse and the Lemprieres actually arranged to take wheat out of storage to ship to France in order to sell it at a high price and they even organised for shipments from Southampton to be diverted there too under false papers. Many people were killed at Cherbourg and other places in France during *corn riots*.

In June, Capt. John Messervy who was involved in shipping corn to France on his ship “*Marie*” was detained and 14 women were taken by the Vicomte to the quay under arrest for allegedly trying to ship small quantities of wheat in the vessel. Among the women were Claire Huet, Coline Ruet, Barbe De Ray, Marie Hamel, Suzanne De St. Lo, Marie Ruel, Anne La Secille, Jeanne Bertram. Marie La Noire, Barbe Paris, Julienne Bertram, Anne Couliere, and Margaritte Le Brun.

But, whether the women were heroines or villains was not clear because soon afterwards, several hundred more descended upon the Jersey harbour to prevent this or other ships from sailing and the Lt. Governor, called to maintain order with his troops was persuaded to unload the wheat cargoes for sale on the quay, so that the Island women had something to feed to their families.

It was a breakthrough – a unique victory for direct action in Jersey.

Unfortunately, the Lemprieres and their important friends did not relent and the Lt. Bailiff had declined a Chamber of Commerce request to travel to London and discuss various matters with the London government and he claimed “ill health” as his excuse.

There was no newspaper in Jersey at this time, so accurate records of everyday life are difficult to find but the wheat rent was fixed at the high price of 44 sols (or sous) per cabotel and a great many people were in desperate circumstances.

Edward Hocquard was typical, as Shebbeare explained:

*“He carried to the farmer-general 7 cabotels of rent wheat, or 3½ bushels English measure. It was rejected as not good, although no man would dare to bring but the best, because they knew that the consequence would be the refusal of it. The poor man was commanded to pay 2 shillings in money, to be added to the wheat; or 54 sous per cabotel in money. With the latter it was impossible for him to comply, he had not 6 sous upon earth. To accomplish the former, he was obliged to borrow from the poor people who lived at hand; and by their assistance he was unable to raise more than 18 pence. With many a prayer to take that sum, and protesting that he could borrow no more, that and the wheat were taken together.”*

The Lemprieres were screwing for every penny and there was no proper avenue for redress or appeal. Again, Shebbeare explained:

*“But Philip Lempriere was the Attorney General, the Receiver and the Farmer of the Revenues; and on that account he would not undertake an action against himself. There was no Solicitor General to adopt the cause; nor would another Advocate defend an action against the brothers. The Lt. Bailiff and one of the Jurats participated in the profits of the receipt; and a majority of the Bench would so soon have passed an act to abolish the 10 Commandments, as one that should diminish the profits of the Lemprieres.”*

It wasn't just the poor people that the Lemprieres bullied. Charles and his brother had a long running feud with Nicholas Fiott, a successful merchant and their former partner in the “*Charming Nancy*” privateer and other ventures. On one occasion they sold his one sixth share in the vessel without even telling him and when he complained about their behaviour to the Privy Council, they locked him up for Contempt of Court. Fiott was no friend of poor people but they shared a common cause in the struggle against the Lemprieres.

Fiott joined with others and invited John Shebbeare to Jersey. He was a Doctor of Medicine from Bideford but was famous as a scurrilous political writer and campaigner and he had served 3 years in Newgate jail and stood in the pillory for various libels against important people including the King. Shebbeare's daughter Elizabeth was married to Charles Le Geyt, a former Army Officer and he was also part of a sympathetic group that even included Moses Corbet, the Lt. Bailiff's father-in-law. Shebbeare was put to work producing pamphlets attacking the Lemprieres.

The summer of discontent continued during 1769 until Philip Larbalastier was arrested in St. Saviour and sent to the grim prison near Charing Cross for one month on bread and water on 23rd September. He had been found guilty of insulting Deputy Vicomte George Benest and the dispute probably arose over the non-payment of wheat rent. Larbalastier also had to beg his pardon and pay a 100 livres fine (about £7 sterling). His father pleaded with the Court to let him come home on an assurance to keep him out of taverns and that he would not let him stay out late.

But for some reason, the incident seemed to have been the last straw for many discontented residents and before sunrise on 28th September they began to assemble in the Country Parishes and some carried sticks.

In Trinity about 200 political innocents gathered together behind Thomas James (Jacques) Gruchy a 50 year old local man who had made his fortune and lost it in Boston as the owner and commander of a British privateer and as a smuggler.

He had emigrated to America as a young man and married Mary Dumaresq there and prospered. They lived extravagantly in a grand house and kept a servant “black slave girl” called *Tamuse* and he probably picked up some New World political ideas and joined the Freemasons. But, for some reason he went bust and returned to his Trinity roots and was soon restored as a respectable Churchwarden, Parish Official and Captain in the Militia.

In 1763 he had also secured the job as Collector of the Greenwich Sixpences at the rate of 6 pence per month from all mariners engaged in the Channel Islands. This was a job undertaken by Customs Officers in Britain and America and he was not popular with ship owners or the new Jersey Chamber of Commerce either.

Yet, now in September 1769, Gruchy was leading the main group of dissenters in the Parish of Trinity and they were headed for St. Helier to confront corruption.

At St. Martin, Amice Durell from St. Helier, carrying a long stick with a lantern was leading another group of about 100 into the capital.

Within a few hours between 4 and 500 hundred “revolutionaries” arrived in St. Helier and passed by the hospital, then under construction and where Mr. Luce, a half pay lieutenant in the navy was superintendent of the works. He was probably the same Jean Luce master of the “*Marie*” sloop seized for smuggling in May 1768 by the newly appointed Customs Officers and he and some of his men agreed to join the procession. So they closed up the site and they all marched to the Cohue, the Royal Court building where “*L’Empereur*” was holding court.

What happened next was reported in *Felix Farley’s Bristol Journal* – belatedly – in November:

*“Our accounts of the affairs at Jersey from the Register of Certificates bearing date 2nd instance say that all matter respecting the civil government were then at a stand, owing to the rising of the country people, who assembled and went to the Court House and forced their way in, compelling the Governor and Court, then sitting, to sign an order consisting of 13 Articles, one of which was for the expulsion of all revenue officers and this order has been published in the market and in all the churches in that Island. The letter adds that the Lt Bailiff and many of the Jurats have repaired to the Castle out of reach of the mob and put themselves under the protection of the military force. 4 or 5 companies of the Royal Scots at Winchester are ordered to hold themselves ready to embark for the Island.”*

The “Register of Certificates” referred to was Thomas Haskins, one of the English Customs Officers and he had also written to the English Treasury with a similar letter which added “*The Lt. Bailiff has advised Customs Officers to be careful for their safety*”.

The Jersey Revolution was more like the Boston Tea Party than might have been at first realised. *Jersey’s wheat was very much like America’s tea*. It tipped the balance of tolerance in favour of direct action against the oppressions of governmental authority.

But, what did the Jersey Revolutionaries actually want?

In fact, the Jersey Revolution was a remarkably passive affair. Nobody was sacrificed on the Guillotine or even molested. The assembled Royal Court, a “*Cour d’Heritage*” which included Lt. Governor Thomas Ball, received the dissenters and their complaints with sufficient politeness and cooperation to allow papers to be processed. The Lempriere Brotherhood would not have enjoyed the experience but they played along and must have wondered at the rude simplicity of it all and whether some more ominous experience awaited them.

It is likely that Thomas Gruchy did the talking and it was in French. The small Royal Court building would have been crowded, even before the country people arrived in their rustic gear because the “Cour d’Heritage” was only held 3 times a year, ran for 2 days and was a partly ceremonial occasion for Seigniorial loyalties and obligations to be confirmed. So, it was especially important in the context of tithes and the payment of “wheat rents”.

There would have been many important people present in their best clothes. The Lt. Bailiff and the Jurats wore their scarlet robes, and as Shebbeare wrote, “*appearing at half leg most gracefully below; the dignity of which is heightened by a pair of dirty boots.*” The Court assembled behind the Royal mace awarded by King Charles 2nd to his loyal subjects and the Lt. Governor, as the current Royal representative and not speaking French, presumably looked on in some state of bewilderment. The Jurats present were probably, Jean Le Hardy, Jean Poingdestre, James Pipon, Jean Dumaresq, Francis Marett, Charles Hilgrove, Daniel Messervy, James Lempriere, Josué Pipon and Edward Ricard.

Priority on the rebel agenda of complaints was almost certainly that the export of corn, bread and flour should be prohibited and that the import of foodstuffs should be allowed in accordance with Island privileges. Furthermore they would have called for a general rate for the whole Island for the repair of high roads and that rich and poor might contribute according to their circumstances, that the rates of wheat tithes should be consistently applied and to be subject to appeal to the court, that Parish Constables should consult with their Parishioners before laws and regulations were changed. Also, that Constables should be elected every 3 years; that market regulations be properly applied, His Majesty should appoint a King’s Advocate; the impôt should be applied to improve the harbour and that ALL LAWS and ordinances be collected together in a proper BOOK.

For reasons not clear, the rebels wanted Philip Larbalastier released from prison.

Revolution demands that *somebody* should be released from the Bastille and 28th September was Phillip’s lucky day.

Various Acts against Nicholas Fiott, including his Contempt of Court, were also to be reversed and he was to become Constable of St. Helier too.

Finally, the rebels supposedly wanted all Revenue Officers expelled from Jersey.

Perhaps this was just the smugglers like Capt. Luce venting their spleens but it was especially curious since the Officers could have been allies to the protesters by ensuring that corn was only legally exported etc. Perhaps the Officers had been colluding with the Lemprieres?

In fact, precisely what happened on this historic day was not preserved in the Islands records. If there were 13 Articles and if the Court agreed to them or to repudiate previous enactments, whatever was written down on 28th September was obliterated by a scribbling pen, by Order of the King in Council, one month later. Yet even through the scribbling, it can be deduced that there weren’t 13 Articles or much else to record the rebels’ demands. Other Court Books too were remarkably blank for 28th September 1769. It was, so far as the Lempriere government was concerned, *like a day that did not happen.*

Nevertheless, job done, revolution achieved, the “mob” dissolved or as Shebbeare described it:

*“...the common people of the isle are too brave to commit acts of cruelty, and generously left these invaders of their rights to the justice of their sovereign. In this manner, having accomplished their design, they retired in quietness, to their own houses.”*

Even the Lt. Bailiff was allowed to return peacefully to his country house, 4 miles out of town, on horseback with his wife riding pillion. And the next day, when Lempriere went to inspect a house he was having built, the workmen gave no trouble. *“He was then in the middle of those who had been the most active on the preceding day. Not a word, nor gesture expressed their resentment.”*

It was all very curiously civilised and the Lt. Bailiff must have experienced some sort of delayed shock because on Saturday he declined to join the Jurats at the Royal Court. And, contrary to the Bristol newspaper account it was only on 6th October that Lempriere summoned a special meeting of the States of Jersey (virtually the Royal Court by another name) at Elizabeth Castle, where protected by thick granite walls, troops and the rising tide, it was agreed that he should be sent to England with his brother Philip and Jurats Jean Le Hardy and Josué Pipon. The purpose was to attend upon the Privy Council and to have their recent conduct applauded, to ask for more troops to be shipped over and their authority confirmed *to deal with the troublemakers.*

Lempriere was all the more apprehensive because the Jersey Newfoundland fishing fleet of 60 vessels was due back soon and that carried 1,500 potential supporters of the rebellion.

Evidently Lempriere was now well enough to travel to London where he dismissed the grievances of the rioters and claimed that they were:

*“some factions of jealous persons of a spirit of disrespect in some of the lower classes towards their superiors.”*

On 24th October, Lord Weymouth signed Royal Orders sending the Jersey delegates back to their Island duties with 200 soldiers under Lt. Colonel Rudolf Bentinck’s command, to protect them and to maintain peace. But, the Royal instructions restricted the Lemprieres’ powers of trying the offenders in their own Court and required that *complaints and grievances should be collected and sent to the King as petitions.*

Upon their return, the Lemprieres published the latest Order in Council, offered £100 reward for apprehending the leaders of the rebellion or *“revolte”* and *obliterated 4 pages of the Cour d’Heritage record.*

The *Cour De Catel* record ledgers survived with no entries for September at all.

Over the next 6 months dozens of Islanders were rounded up and detained in prison for a week or two on the basis of spurious charges and rumours, many connected with non-payment of wheat rents or the signing of petitions.

The dissenters had drawn up a well drafted 27 Articles Petition for reform (it contained nothing about expelling Customs Officers) and were collecting signatures around the Parishes, much to the discomfort of the Lemprieres who viewed it as a seditious activity.

Sedition was a very serious crime because the punishment could be death or transportation, yet almost any challenge against the authority of government was liable to be classed as “sedition”.

The Lt. Bailiff claimed that any petitions should be sent through him and not directly to King George 3rd and it did not take much imagination to realise that they would be a valuable source of names for prosecution or persecution in Jersey.

On 26th January 1770, Thomas James Gruchy was seized and imprisoned for having read out a pamphlet before a meeting in the Parish of Trinity. Philip Alexandre, Philip Luce, Clement Gallichan, Francis Le Boutillier jr., Jean Coutanche, Amice Le Vavasseur dit Durell, and Jean De Ste Croix jr were also arrested for their previous “seditious behaviour” on 28th September 1769 and they were all sent to prison by Deputy Procureur Ricard. Edward De Ste Croix was deemed too old for prison. Denunciator Durell had tried to seize Nicholas Arthur of St. Mary but he was in hiding and so an order was issued for his arrest and all commanders of ships were to be warned not to carry him away.

Gruchy’s address at Trinity was a remarkably sensible and democratic proposition yet he was labelled as the most criminal of them all. There was no limit to his sedition and it was probably no coincidence, that if convicted and transported or worse, then his property would revert to Seigneurs like Charles Lempriere.

Gruchy’s proposals included:

*“To suppress all revolts and to establish a union in the Island; that the Jurats, Constables, Centeniers and all other elective officers be annually chosen by ballot. This being done, the people at the end of the year, may refuse to re-elect those who have not been agreeable to them, and re-elect those who have served them agreeably. The lives and the effects of peaceful subjects would not then be exposed as they have been and are at present; and the people would have no grounds to murmur ..... there is not a place in all the King’s dominions where persons are elected for life, except in this Island.....”*

*..... “In Old England, they are chosen once in seven years. In New England they are annually elected; and wherefore shall we be the sole subjects of the King of England exempted from such privileges? The constitution is sustained by the people; and the people by those whom they elect. One sustains the other, and renders their fabric strong, and not to be shaken, without the necessity of having recourse to the military force.”*

*“When a constitution cannot support itself without a military power, it is of no value.... Things being so, the people are under a government more arbitrary than the French. The French have written laws, but in this isle there are none. Persons elected for life have all the power, and can impose upon the people whatever they may think convenient....”*

Gruchy was a man before his time and he grappled with reforms that Thomas Paine the internationally famous Human Rights campaigner would be describing in a few years time and the *Chartists* would be promoting in the next century. Gruchy's modest sounding observations were nevertheless disturbing to governments and in Britain similar calls for reform of the electoral process and of notorious "Rotten Boroughs" would be an excuse for the transportation of many campaigners during the next 25 years.

Thomas Gruchy was bailed by the Jersey Court on 6th February in the sum of £100 sterling. Others were bailed for 100 livres (about £7). Over the next few months he was brought back to Court on many occasions and witnesses were produced to ensure his and others' convictions. But, no sentences were to be pronounced until Gruchy's punishment was declared and Lempriere desperately wanted to hang or transport some as examples to others.

But, Lempriere was restrained by the Privy Council and on 6th June 1770 the Royal body ordered that *no proceedings* should be taken against the Jersey dissenters and a full pardon for all was issued in December.

Lt. Governor Ball died in June and Colonel Bentinck took over as Commander-in-Chief on 15th June. Philip Lempriere resigned as Attorney General and moved to Southampton and his nephew Thomas Pipon took over and James Pipon became Receiver of the Revenues.

Guided by the Lemprieres, Bentinck collected together a rag-bag collection of Island Regulations, Ordinances and Laws which were endorsed as a Code of Laws in 1771. The Code laid down some rules for the conduct of the States Assembly, the election of Officers and the government of the Island and curtailed the powers of the Royal Court, but did little to explain the obscure and ancient laws of the Island which remain largely unwritten or clarified to this day.

The Code did confirm, however, that neither the States nor the Royal Court could enact legislation (excepting certain temporary ordinances and regulations) or change existing laws without obtaining prior Privy Council approval or "*that no political ordinances should be passed except by the whole Assembly of the States*".

Moses Corbet, the Lt. Bailiff's own father-in-law petitioned Governor Lord Albermarle taking complaints to him against the Lempriere excesses and was appointed as Lt. Governor.

Thomas Gruchy carried on collecting the Greenwich sixpences and the Chamber of Commerce supported an action against him before the Privy Council in 1775 following his arrest of the ship "*George*". Thomas Gruchy died in 1780.

Charles Lempriere carried on manipulating the wheat rents. In October 1771 Charles Le Geyt wrote to Dr. Shebbeare, "We are now almost starving, now that the exportation of corn is stopt... The Lt. Bailiff, nor his brother nor Josué Pipon father to the Procureur will not plough a bit more than will serve their families... The Lt. Bailiff's brother has not ploughed at all..... the rest of the farmers will plough no more.....can anybody be at a loss how these Lemprieres get such influence over these honest judges?"

John Shebbeare published several books on the Tyrannical behaviour of the Lemprieres and the injustices of Jersey government in 1771/2.

In 1773 John Dumaresq a young Advocate emerged from St. Peter. He had hoped to marry the Lt. Bailiff's daughter but she ran off with a Guernsey brewer and he wed the wealthy daughter of John Le Mesurier, the notorious smuggling Governor of Alderney instead.

Dumaresq, like the young Charles Lempriere was fired up with progressive political views at first but as Lempriere became the despot when appointed as Lt. Bailiff, so Dumaresq gradually lost his reforming zeal after he was elected as Constable for St. Peter in 1776 and became a champion of smugglers' rights.

Nevertheless, he is most remembered as the founder of the "Jeannots" Political Party which was more usually referred to as the "Magots" or cheese mites which was bitterly opposed to the "Charlots" faction of Charles Lempriere.

Much of the bitterness derived from personal and petty family feuds but the "Magots" became powerful in the States and Charles Lempriere resigned as Lt. Bailiff in 1781, the same year that the French invaded and briefly captured the Island. Lempriere's son took over as Lt. Bailiff in a weakened Royal Court.

The "Magots" were also responsible for the appearance of "*Le Magazin*" monthly newspaper in 1784 and "*La Gazette De L'Ile de Jersey*" in 1786. "*Le Magazin*" survived for less than one year because it published some particularly critical attacks on Charles Lempriere and the editor Mathieu Alexandre was prosecuted for criminal libel.

Later the "Magots" became known as the Rose Party and the "Charlots" the Laurel Party. Personal and family feuds were such that whole communities were divided along party lines. The Parishes of St. Ouen, Trinity, Grouville and St. Clement were predominantly Laurel in 1846 and of the remainder, only St. Brelade was neutral.

During the mid 19th century, Abraham Jones Le Cras emerged as a dedicated political reformer, campaigner and publisher of books and newspapers .....

But, the need for Change and Reform in Jersey has not been diminished by time.



**Petition of Jersey people to His Majesty after the events of 28th September 1769**

To the King's Most Excellent Majesty

The humble petition of your most faithful and most loyal subjects, the inhabitants of the town and parish of St. Helier, of the parishes of St. Ouen, St. Peter, Trinity, St. John, St. Laurens, Grouville and St. Mary, in the Island of Jersey, (formerly part of the dutchy of Normandy) which has always remained under the true and lawful sway of your sacred majesty, and you most illustrious predecessors, who in reward of the approved and distinguished loyalty of the inhabitants, have not only allowed them the free enjoyment of their ancient laws and liberties, but have added other great and invaluable privileges, as appears by their different charters, etc. But as ever since the unnatural revolt of the greatest part of the said dutchy, your liege subjects of this Island can in no wise participate or be subject to such laws and ordinances as have been and are from time to time made for the Government of the province since the said defection, many abuses have therefore crept into their laws and privileges, from the length and corruption of the times and manners, which it is become necessary to reform and redress.

Your petitioners most humbly beseech your majesty to take this their petition into your royal consideration, and that you would be pleased graciously to order, that the articles which it contains may for ever have the force of law, humbly conceiving this to be the surest and most effectual method of re-establishing, on a solid foundation, the public tranquillity, and of restoring a mutual confidence between the magistrates and the people of this Island.

Most humbly prayeth,

1. That as the produce of the Island in the most plentiful harvest is not sufficient to afford subsistence for more than six or eight months to the inhabitants, the exportation of corn, bread, flour, meal, peas and beans, be absolutely prohibited.
2. That the free importation of all kind of victuals and provisions be allowed, agreeable to our privileges as in indemnification, and a reward for the great expense, fatigue and danger, to which in time of war the inhabitants are by their situation exposed, that they may enjoy, by plenty and low prices, the sweets of peace.
3. That the importation of cattle and hog-meat from France, be under such restrictions as will seem proper, so that the farmer may not be discouraged from breeding, and that the poor may not be distressed.
4. That the exportation of cattle and every kind of provision be prohibited, except such as are necessary for victualling ships, bound from this island to foreign parts, except also cows, which may be sent to Great Britain, under such restrictions as will seem meet.
5. That the support and repair of the high roads be effected by a general rate on the whole island, and regulated in such manner, that the poor and the rich, without exemption of rank and office, may contribute to it according to their circumstances.

6. That there shall be no other fine for boughs affected the roads, but such as is inflicted at the visit of inspection, according to ancient usage.

7. That every one who owes tithes to the revenue, and to lords of manors, shall have the preference of such tithes due by him, on paying the price for which they might let to others.

8. That when it is expedient to make or alter local laws or ordinances, to raise rates or subsidies, the constables shall decide nothing thereon until they have consulted their constituents, as they are by oath bound to do.

9. That when any constable has served three years there shall be a new election, as well as of his officers, and that the parish accounts shall be settled every year.

10. To obviate and remedy the many inconveniencies which may arise to the publick, and those who are obliged to exercise the office of Jurat, from the perpetuity of it, there be such a duration prescribed as will seem meet to your majesty, on the expiration of which the Jurat shall be discharged, and a new election ensue wherein he may if he does not refuse it, be re-elected by the people, that all elections be absolutely free, and every civil and military officer strictly forbidden to interfere, directly or indirectly.

11. That when the price of corn has, through the course of any year, exceeded a certain rate, the court may have power of reducing the rents to what will appear just and reasonable, in order to relieve the poor, and those overburthened with rents.

12. That your majesty be graciously pleased to appoint an avocat du roi, with the same authority and power as of old, by which you petitioners hope to see the constitution restored, and the many hardships removed, under which they have laboured through the too absolute power of the procureur du roi.

13. That the regulations for the market, and particularly those contained in the act of the states of the 11th November, 1709, be renewed, and put into due execution, to prevent monopolies, and that the market be duly provided with corn, and finally, that all abuses on this article, and on all provisions, be removed, and that the assize of bread, which has been for many years neglected, be again put in practice.

14. That no strangers be permitted to settle in the island to the prejudice of any inhabitant, except refugees, for the sake of the protestant religion, who are permitted and encouraged in all your majesty's dominions.

15. That the revenue arising from the imposts be applied to compleat the harbours of St. Helier's and St. Aubin's and to build stores and warehouses where it will be thought necessary for the good of trade, and to keep the harbour, stores, and warehouses in due repair, all which being accomplished, that the residue may form a capital, the interest of which be appropriated to the use of the poor and in the general hospital.

16. That the introduction of all goods, ware and merchandize, not prohibited by royal authority, be allowed; that every privilege whatsoever granted to the inhabitants of this island, as a reward for the consummate loyalty they have at all times demonstrated towards their august sovereigns, and for their military and other

services, be maintained and preserved without any reduction or change, but such as your majesty has or may order.

17. That in all criminal process, one of the best lawyers be allowed the prisoner to assist him in his defence, agreeable to the maxim, that it is better for a hundred criminals to escape punishment, than for one innocent man to suffer; and that in all other causes whatsoever, after the plaintiff has fixed upon one lawyer, the defendant be allowed and other, in conformity to the law on that head.

18. That in future no ignominious fine (commonly called *amende qualifiée*) be inflicted, but for crimes and very high misdemeanours, and that the sum of all fines be fixed at the time when sentence is passed, and in the presence of the parties.

19. That the orders of the royal commissioners be revised, amended, and such corrections made as may render them intelligible to everybody, and prevent any undue and partial explanation thereof.

20. That after the expiration of forty years no junior be allowed to claim of his senior a new division of estate, and that no guarantee shall extend beyond that term.

21. That as it appears to be the intention of the royal commissioners, the price of the rents due to your majesty be duly taxed, and not left to the option of the receiver, your majesty's income being by far more than sufficient to discharge the sum which the receiver pays the governor in chief, without setting the rents at the exorbitant price which they have borne for many years, and which has greatly contributed to raise the price of bread.

22. That all ordinances and decisions of the States be registered and enrolled, and that no one be refused an act of what has been put to the opinion of the members of the royal court.

23. That no one dare to prevent the clerk or the register from admitting any one to inspect the books of the record, on proper application, and on paying the fees according to the intention of the royal commissioners.

24. That in collateral successions the lords of the manors be obliged to name an arbitrator, and the tenants another, and that these two arbitrators so named, be allowed to call a third, and these three do decide the clear income of such succession, the value of which shall be paid to the lords of manors, which will prevent many great abuses.

25. That there be a book of the land measurement of each parish made out at the parish expence, and lodged in the respective constable's possession, that the royal, clerical, and common tythes may be clearly distinguished.

26. That no member or office of the court be appointed receiver, or become under-farmer of your royal revenue.

27. That no person, on any plea or consideration whatsoever, be exempted from performing any service due to your majesty, or any lord of manor, as such exemption falls very heavy on the poorer tenants.

We beseech your majesty to order the bailly, or his lieutenant, to attend once a week to pass contracts, etc. (as the predecessor of the present lieutenant-bailly voluntarily did) that the people may not lose their time in going to town for three or four successive weeks, without being able to do their business.

That all laws and political ordinances be collected in a proper book, of which every constable shall have a copy drawn, which on his discharge shall be delivered to his successor, that the people may not every instant be subject to fines, for unknowingly contravening old laws and ordinances, which are renewed every session, in general terms, without any distinction, and that all local laws and ordinances be in future made by the States alone.

And lastly, as direct contradictions about in the laws, practice, ordinances, and precedents, the multitude of which creates many doubts, differences, and troubles, it is highly expedient to have a code of laws: we humbly beseech your majesty to grant us in this respect, the same favour as the late queen Elizabeth, of glorious memory, conferred on the inhabitants of the Island of Guernsey.

That Almighty God may pour his choicest blessings on your sacred majesty, and on your august family, and that your posterity may fill the throne of these realms, until time shall be no more, is the fervent prayer of your ancient and every loyal subjects of the Island of Jersey, who are every one ready, by imitating the example of their ancestors, to sacrifice their lives and fortunes in support of a government, under which they have for many ages enjoyed the paternal protection of your royal predecessors; they humbly implore.

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### **Re-issue Note**

This Projet is re-issued because some material was omitted from Appendix 2 due to an administrative oversight.