

THE WORKS
OF
THE RIGHT HONOURABLE
EDMUND BURKE

VOL. II

WITH A PREFACE BY

F. W. RAFFETY

AT NOCTE



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EDMUND BURKE.

Born, Dublin 1728
Died, Beaconsfield July 8, 1797

The pieces in the present volume were published or spoken by Burke between the years 1770 and 1780. In 'The World's Classics' they were first published in 1906 and reprinted in 1915, and 1924.

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PREFACE

It is not intended in the brief notes to the several volumes of this edition of Burke's principal works to attempt any detailed criticism. Judge Willis has given a general introduction with the first volume. The writings on Burke are legionary, in classical literature and current review. Prior's *Life* should be read by all who would know the man as he appeared to his contemporaries; while Mr. John Morley's shorter *Life* in the 'English Men of Letters' series will be read and re-read, alike for its subject and itself.

At least some attempt should be made to refresh the memory of the life and times of Burke. And yet his works stand—relevant to that time—but for all time, as clear almost in these days in their general intent as when they were first published.

It is this that makes Burke the greatest political writer of our country, Bacon perhaps excepted. This has preserved his influence almost intact, and his fame far before that of statesmen who filled the Cabinet while he was a subordinate official. And this has placed him among the very limited body of national orators, when the speeches of Chatham, Pitt, and Fox are only a tradition, when Sheridan lives as a dramatist, and nearly all those who loomed so large in their day, and to whom such generous tributes are paid by Burke himself, are forgotten.

That direct appeal which Burke makes to each age has made him so truly a classic, although this is a quality which naturally attaches to some of his writings more than to others. Yet—as may be always expected from a classic—the more he is read, the more he will be admired; and even in those writings or speeches which seem to lie further off from our own days, the

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imperishable excellence of his general deductions will become more manifest. The contents of the present volume relating to America, however, may be said to have the greatest claim of all, as of living importance to the actual man of affairs.

In order to understand Burke as a politician, it is necessary to recognize at the outset that, although so long the inspirer of the Whig party, he was always what we should call a Conservative. But his Conservatism was, as the late Mr. E. J. Payne has said in the introduction to his scholarly edition of Burke's *Select Works*, 'that preference for and indulgence to what is already established, that faith in what has been tried, and that distrust of what exists only in speculation, which never wholly forsakes every sound politician, of whatever party.'

Over and over again we find in these earlier works expressions and limitations which foreshadow Burke's action under later changes and fears. His occasional waywardness, and his violence—for violent he did become under those influences—were due to temperament, and in some sense to disappointment; the root principles were there all along.

No one who considers the many *caveats* which in early years Burke enters against a too hasty reform or a too wide indulgence of liberty, his enthusiasm for the Constitution, his reverence for precedent, and his veneration for the authors of the settlement after the Revolution—can accuse him of being in any sense a turn-coat, or even say that, like so many ardent politicians, his enthusiasms passed with his youth. A Conservative he was and remained; but, when not carried away by the overmastering trend of French affairs, always of that 'best' type who 'lop the mouldering branch away.'

The *Thoughts on the Cause of the Present Discontents*, in so far as it deals with the public affairs of 1770, is of minor interest to us, and the larger portion is devoted to the discussion of the situation brought about by the rejection of Wilkes, and the assumption of privileges by

the House of Commons. With all these irregularities and the disorders they engendered, Burke deals at large, and enforces the popular view. This was intended as a manifesto for the Rockingham Whigs, who, it was maintained, were combined for the public good, as opposed to the Government and other knots and factions. Lord Chatham, at the head of the other section of Whigs, professed himself apprehensive that Burke had done an injury to the whole party by this publication.

The failure of these two great men—Chatham and Burke—to see each other for long at their best, or even sufficiently well to work together, is one of those strange coincidences which show how much the personal element has to do with party success. But Chatham's faults, Burke admits, did not 'derogate from his great splendid side!'

Burke's enemies attempted to silence him by accusing him of the authorship of the *Letters of Junius*, a charge which long clung to him, but which an impartial comparison of the two documents would alone have served to refute. Dr. Johnson admitted that his reason for at first thinking Burke must be *Junius* was his ignorance of any one else with sufficient ability.

'I am not one of those who think that the people are never in the wrong. They have been so, frequently and outrageously, both in other countries and in this. But I do say that, in all disputes between them and their rulers, the presumption is at least upon a par in favour of the people.' This was Burke's starting-point.

'The people have no interest in disorder. When they do wrong, it is their error, and not their crime.'

Having in that spirit discussed the 'Present Discontents,' he comes to those parts of the pamphlet which are of ever-durable character, his description of the functions of the constitution, his valuation of the personal and human factors in all governments, and his defence of party in its best sense. All constitutions, he says, must depend largely on the *men* who work them; and men in public life, as in private, are some good, some evil. 'We must soften into a credulity below the milki-

ness of infancy, to think all men virtuous. We must be tainted with a malignity truly diabolical, to believe all the world to be equally wicked and corrupt.'

Those who in these days are heard to depreciate public service, indiscriminately suspect public men, or deplore party government should have their attention directed to the ideals here set up by Burke. Nowhere else can such a vindication be read of public life and government by the union of those who are linked together by a friendship and attachment arising from the tie of common thought about the affairs of the commonwealth. Reference must be particularly made to pp. 80-86 of this volume—but the theme is a favourite one with Burke.

Party, to his mind, is a body of men united in the national interest upon some leading general principles in government. The politician is 'the philosopher in action,' whose business it is to find out the means of putting those principles into effect. To hold principles and not to be eager for their application is a neglect of duty. We are to give our best to the service of the public. 'It is therefore our business carefully to cultivate in our minds, to rear to the most perfect vigour and maturity, every sort of generous and honest feeling that belongs to our nature. To bring the dispositions that are lovely in private life into the service and conduct of the commonwealth; so to be patriots, as not to forget we are gentlemen. To cultivate friendships, and to incur enmities. To have both strong, but both selected; in the one, to be placable; in the other immovable. To model our principles to our duties and our situation. To be fully persuaded that all virtue which is impracticable is spurious; and rather to run the risk of falling into faults in a course which leads us to act with effect and energy, than to loiter out our days without blame, and without use. Public life is a situation of power and energy; he trespasses against his duty who sleeps upon his watch, as well as he that goes over to the enemy.' That is a plea which will always be in season. 'Such a generous contention for power'

ennobles public life. Burke does not disregard the necessity for individual dissent, but he thinks the occasions for its requirement limited. Unfortunately in his own career they came with crushing urgency, and the most eloquent advocate of party loyalty was destined to bring sections of his party into detested coalitions, and lead the whole to disruption.

The three publications on the American War have been called Burke's manual for the politician. 'It is no exaggeration,' writes Mr. Morley, 'to say that they compose the most perfect manual in our literature, or in any literature, for one who approaches the study of public affairs, whether for knowledge or for practice.'

The speech on *Taxation* (1774), though perhaps not so highly finished as the other two, contains some of Burke's most familiar *dicta*. 'Nobody shall persuade me, when a whole people are concerned, that acts of lenity are not means of conciliation.' It is notable for the fine character-flashes of Grenville, the statesman hampered by his legal and official training; of Chatham, 'a name that keeps the name of this country respectable in every part of the globe'; of Charles Townshend, 'the candidate for contradictory honours,' who tried to 'tax and to please'; but all great men, 'the guide-posts and landmarks in the state,' whom Burke loved to honour.

In the interval between the two American speeches, Burke was invited to stand for Bristol. The first of the two short speeches to the electors tells them how he has hastened from Yorkshire to take up their candidature. At the end he was declared elected second on the poll; and, although it was petitioned against, the return was confirmed. In thanking the electors, he made one of his most celebrated pronouncements, 'legislating,' as Lord Acton has said, 'from the hustings'—'Your representative owes you, not his industry only, but his judgment; and he betrays, instead of serving you, if he sacrifices it to your opinion.'

Perhaps the most remarkable historical fact in regard to the speech on *Conciliation* is, that only seventy-

eight members voted for the resolution. Well might Burke say that 'frenzy does not become a slighter distemper on account of the numbers of those who may be infected with it!'

He argues in favour of such terms being offered to the Colonists as men of high spirit can accept, while Britain is still in the ascendant. 'The superior power may offer *peace with honour and with safety.*' He does not wish to crush the colonial spirit, because it is the spirit which has made the country—as it made the mother-country. And crushed in America, the statesman could see the prospect of its being crushed at home. Burke does not know the method of drawing up *an indictment against a whole people.* 'The question with me is, not whether you have a right to render your people miserable; but whether it is not your interest to make them happy.' He would bind the colonies by the real ties of freedom, in the spirit of the English constitution; and he assures the House in his peroration—'Magnanimity in politics is not seldom the truest wisdom; and a great empire and little minds go ill together.'

The Letter to the Sheriffs of Bristol followed two years later (1777). The headlong policy had been continued; hostilities had broken out and were being pursued with all the venom and rancour of civil war. Mercenaries were employed against the Colonists, and this drew from Burke indignant protests.

But further parliamentary opposition had become futile. Burke had withdrawn temporarily from attendance in the House, his views only provoking ridicule. He will 'preserve his activity for rational endeavours.'

In this letter to two of his principal constituents, with views in sympathy, he calmly reviews the situation; lamenting that in most of the late proceedings 'we see very few traces of that generosity, humanity, and dignity of mind, which formerly characterized this nation.'

During this state of public feeling counsels of moderation were thought treason; but Burke combats the theory that as soon as war is declared, an act of oblivion is to

be passed for all ministerial misconduct. As a result he is 'charged with being an American.' But undismayed he will go forward, in the good old traditions, and in the company of the Saviles and Dowdeswells, Wentworths and Bentincks, of 'the temperate, permanent, hereditary virtue of the whole house of Cavendish.' And for their sakes he vindicates once more the high purpose of public life—in which 'I have found much human virtue, I have seen not a little public spirit.' 'He that accuses all mankind of corruption ought to remember that he is sure to convict only one.' If the age is not what we all wish, he is sure the only remedy is 'heartily to concur with whatever is the best in our time.'

Here is the great lesson of hopefulness and well-regulated optimism in the dark hour of national affairs. Yet these utterances on the American War were entirely unavailing. It was left to history to confirm their wisdom. As a contribution to the political wisdom of mankind they stand out from passing controversy, because they are superior to any particular circumstance and adapted to the varied situations of all time.

It is often said that Burke's speeches were delivered to an empty House, or were entirely unappreciated by his few hearers. But this does not appear to have been the case with the earlier ones. No doubt their effect was greater when they were read afterwards in print. Burke was not a graceful orator, and the matter was often too lofty for his audience. But of the *Speech on Taxation*, Prior says, 'He did not rise . . . till the evening was advanced and some members were withdrawn, who, on the report of his unusual brilliancy, hurried back to give frequent and audible testimonies of admiration of his eloquence, though they would not give him their votes. The murmurs of applause in the gallery, it is said, were only restrained from bursting out by awe of the House.'

Of the *Speech on Conciliation*, twenty years after, Fox said, 'Let gentlemen read the speech by day, and meditate upon it by night; let them peruse it again

and again, study it, imprint it on their minds, impress it upon their hearts.' And Lord Erskine said, 'It could only proceed from this cause (the alleged corruption of Parliament) that the immortal orations of Burke against the American War did not produce as general conviction as they did unmingled admiration.'

These speeches must have taken three or four hours in delivery, and it has been doubted if in these days many legislators would be found to sit them out. Their great effect has always been in pamphlet form. There are occasional flights of imagination and scriptural allusion that a more practical generation would not expect from the orator of to-day. But they are singularly free from the affectation of the rhetorician, and, allowing for the change of style, that of the scholar. To be perfectly intelligible to the most ordinary reader of our time they call for very slight explanation. As soon as they were published they were in every one's mouth, and they have been the wise man's resort ever since.

Ineffectual to turn the current of prejudice which had infected king and people alike in his own day, his legacy remains as a treasury of maxims in this country, and receives a grateful recognition across the Atlantic. Cultivated Americans, as a recent article by the Archbishop of Armagh reminds us, everywhere revere Burke as one of the assertors of their liberties.

Passing from American affairs, the two short letters to gentlemen in Bristol reveal complications there, due to the proposal to free Irish trade from restrictions which had operated in favour of Bristol.

Burke, the lover of his native country and of justice to all countries, the far-seeing statesman, could be in no doubt; but the immediate and local circumstances alone weighed with his constituents. They were not open to conviction by his general arguments. It is idle to regret that a constituency which had returned him on such a lofty platform—never perhaps generally understood—should have been influenced by the small local issue. Such things happen

even in these days. Two years later this disagreement brought about Burke's withdrawal from Bristol; and, but for pocket boroughs, it would undoubtedly have meant his exclusion from Parliament.

Though the *Speech on Economical Reform* is devoted largely to details that are no longer of living interest, there is still room for the application of its general principles; and it is remarkable as showing the thoroughness with which Burke dealt with the whole civil establishment of that time. His statesmanship never evoked more general applause than in this attempt to regulate expenditure. And yet it was not so much economy that he sought as the removal of the danger to the free working of the Constitution which arose from the parcelling out of sinecure offices amongst members of Parliament. In this way a body of 'household troops,' as Burke calls them, was always available to vote as directed by the Government. Previous attempts to reform had been thwarted by this very fact. 'The King's turnspit was a member of Parliament.'

Burke was never much of a friend to Parliamentary reform—he believed in the reform of administrative methods. Even in this speech we find him cautious and sensitive to personal claims. 'If I cannot reform with equity, I will not reform at all.' But he pours scorn on the multiplication of petty principedoms, dukedoms, and jurisdictions within the kingdom, only heaping up useless offices; he demands the reduction of officials and the extinction of jobs in various departments; he ridicules the then Board of Trade and supposed duties of certain State Secretaries; he provides for the regulation of the Civil List, and concludes with an appeal to the Commons to perform their duty and pledges to the people.

But the scheme—originally comprised in five Bills—was too vast, and it touched too many 'vested interests.' Lord North did not oppose it. It was debated during several months, and drew several exhaustive speeches from Burke. The following February it was

reintroduced but again lost, although in its support Pitt made his first speech in Parliament.

It was not till Lord Rockingham came into office in 1782, and Burke himself became Paymaster of the Forces, that he was able to carry out some of his proposals. Then the most notable was that relating to his own office, which previously, besides having a large salary, enriched its holder by the interest on vast accumulations left unaudited in his hands for several years. By Burke's own scheme, this irregular profit was disallowed, and he was the first to receive the reduced emolument by way of a fixed salary of £4,000 a year. Between thirty and forty useless offices, formerly held by members of Parliament, were also extinguished. This has been said to mark the highest point of Burke's effective career.

F. W. RAFFETY.

THOUGHTS
ON
THE CAUSE OF THE PRESENT
DISCONTENTS

Hoc vero occultum, intestinum, ac domesticum malum non modo existit, verum etiam opprimit, antequam prospicere atque explorare potueris. — Cic.

1770

THOUGHTS ON THE CAUSE OF THE PRESENT DISCONTENTS

It is an undertaking of some degree of delicacy to examine into the cause of public disorders. If a man happens not to succeed in such an inquiry, he will be thought weak and visionary; if he touches the true grievance, there is a danger that he may come near to persons of weight and consequence, who will rather be exasperated at the discovery of their errors, than thankful for the occasion of correcting them. If he should be obliged to blame the favourites of the people, he will be considered as the tool of power; if he censures those in power, he will be looked on as an instrument of faction. But in all exertions of duty something is to be hazarded. In cases of tumult and disorder, our law has invested every man, in some sort, with the authority of a magistrate. When the affairs of the nation are distracted, private people are, by the spirit of that law, justified in stepping a little out of their ordinary sphere. They enjoy a privilege, of somewhat more dignity and effect, than that of idle lamentation over the calamities of their country. They may look into them narrowly; they may reason upon them liberally; and if they should be so fortunate as to discover the true source of the mischief, and to suggest any probable method of removing it, though they may displease the rulers for the day, they are certainly of service to the cause of government. Government is deeply interested in every thing which, even through the medium of some temporary uneasiness, may tend finally to compose the minds of the subject and to conciliate their affections. I have nothing to do

here with the abstract value of the voice of the people. But as long as reputation, the most precious possession of every individual, and as long as opinion, the great support of the state, depend entirely upon that voice, it can never be considered as a thing of little consequence either to individuals or to governments. Nations are not primarily ruled by laws; less by violence. Whatever original energy may be supposed either in force or regulation, the operation of both is, in truth, merely instrumental. Nations are governed by the same methods, and on the same principles, by which an individual without authority is often able to govern those who are his equals or his superiors; by a knowledge of their temper, and by a judicious management of it; I mean,—when public affairs are steadily and quietly conducted; and when government is nothing but a continued scuffle between the magistrate and the multitude; in which sometimes the one and sometimes the other is uppermost; in which they alternately yield and prevail, in a series of contemptible victories, and scandalous submissions. The temper of the people amongst whom he presides ought therefore to be the first study of a statesman. And the knowledge of this temper it is by no means impossible for him to attain, if he has not an interest in being ignorant of what it is his duty to learn.

To complain of the age we live in, to murmur at the present possessors of power, to lament the past, to conceive extravagant hopes of the future, are the common dispositions of the greatest part of mankind; indeed the necessary effects of the ignorance and levity of the vulgar. Such complaints and humours have existed in all times; yet as all times have *not* been alike, true political sagacity manifests itself in distinguishing that complaint which only characterises the general infirmity of human nature, from those which are symptoms of the particular distemperature of our own air and season.

Nobody, I believe, will consider it merely as the language of spleen or disappointment, if I say that

there is something particularly alarming in the present conjuncture. There is hardly a man, in or out of power, who holds any other language. That government is at once dreaded and contemned; that the laws are despoiled of all their respected and salutary errors; that their inaction is a subject of ridicule, and their exertion of abhorrence; that rank, and office, and title, and all the solemn plausibilities of the world, have lost their reverence and effect; that our foreign politics are as much deranged as our domestic economy; that our dependencies are slackened in their affection, and loosened from their obedience; that we know neither how to yield nor how to enforce; that hardly anything above or below, abroad or at home, is sound and entire; but that disconnexion and confusion, in offices, in parties, in families, in parliament, in the nation, prevail beyond the disorders of any former time: these are facts universally admitted and lamented.

This state of things is the more extraordinary because the great parties which formerly divided and agitated the kingdom are known to be in a manner entirely dissolved. No great external calamity has visited the nation; no pestilence or famine. We do not labour at present under any scheme of taxation new or oppressive in the quantity or in the mode. Nor are we engaged in unsuccessful war; in which our misfortunes might easily pervert our judgment; and our minds, sore from the loss of national glory, might feel every blow of fortune as a crime in government.

It is impossible that the cause of this strange disorder should not sometimes become a subject of discourse. It is a compliment due, and which I willingly pay, to those who administer our affairs, to take notice in the first place of their speculation. Our ministers are of opinion that the increase of our trade and manufactures, that our growth by colonisation, and by conquest, have concurred to accumulate immense wealth in the hands of some individuals; and this again being dispersed among the people, has rendered them universally proud, ferocious, and un-

governable; that the insolence of some from their enormous wealth, and the boldness of others from a guilty poverty, have rendered them capable of the most atrocious attempts; so that they have trampled upon all subordination, and violently borne down the unarmed laws of a free government; barriers too feeble against the fury of a populace so fierce and licentious as ours. They contend, that no adequate provocation has been given for so spreading a discontent; our affairs having been conducted throughout with remarkable temper and consummate wisdom. The wicked industry of some libellers, joined to the intrigues of a few disappointed politicians, have, in their opinions, been able to produce this unnatural ferment in the nation.

Nothing indeed can be more unnatural than the present convulsions of this country, if the above account be a true one. I confess I shall assent to it with great reluctance, and only on the compulsion of the clearest and firmest proofs; because their account resolves itself into this short but discouraging proposition, 'That we have a very good ministry, but that we are a very bad people;' that we set ourselves to bite the hand that feeds us; that with a malignant insanity we oppose the measures, and ungratefully vilify the persons, of those whose sole object is our own peace and prosperity. If a few puny libellers, acting under a knot of factious politicians, without virtue, parts, or character (such they are constantly represented by these gentlemen) are sufficient to excite this disturbance, very perverse must be the disposition of that people, amongst whom such a disturbance can be excited by such means. It is besides to no small aggravation of the public misfortune, that the disease, on this hypothesis, appears to be without remedy. If the wealth of the nation be the cause of its turbulence, I imagine it is not proposed to introduce poverty, as a constable to keep the peace. If our dominions abroad are the roots which feed all this rank luxuriance of sedition, it is not intended to cut them off in order to famish the

fruit. If our liberty has enfeebled the executive power, there is no design, I hope, to call in the aid of despotism to fill up the deficiencies of law. Whatever may be intended, these things are not yet professed. We seem therefore to be driven to absolute despair ; for we have no other materials to work upon, but those out of which God has been pleased to form the inhabitants of this island. If these be radically and essentially vicious, all that can be said is, that those men are very unhappy, to whose fortune or duty it falls to administer the affairs of this untoward people. I hear it indeed sometimes asserted, that a steady perseverance in the present measures, and a rigorous punishment of those who oppose them, will in course of time infallibly put an end to these disorders. But this, in my opinion, is said without much observation of our present disposition, and without any knowledge at all of the general nature of mankind. If the matter of which this nation is composed be so very fermentable as these gentlemen describe it, leaven never will be wanting to work it up, as long as discontent, revenge, and ambition, have existence in the world. Particular punishments are the cure for accidental distempers in the state ; they inflame rather than allay those heats which arise from the settled mismanagement of the government, or from a natural indisposition in the people. It is of the utmost moment not to make mistakes in the use of strong measures : and firmness is then only a virtue when it accompanies the most perfect wisdom. In truth, inconstancy is a sort of natural corrective of folly and ignorance.

I am not one of those who think that the people are never in the wrong. They have been so, frequently and outrageously, both in other countries and in this. But I do say, that in all disputes between them and their rulers, the presumption is at least upon a par in favour of the people. Experience may perhaps justify me in going farther. When popular discontents have been very prevalent, it may well be affirmed and supported, that there has been generally something

found amiss in the constitution, or in the conduct of government. The people have no interest in disorder. When they do wrong, it is their error, and not their crime. But with the governing part of the state, it is far otherwise. They certainly may act ill by design, as well as by mistake. *‘Les révolutions qui arrivent dans les grands états ne sont point un effet du hazard, ni du caprice des peuples. Rien ne révolte les grands d’un royaume comme un gouvernement foible et dérangé. Pour la populace, ce n’est jamais par envie d’attaquer qu’elle se soulève, mais par impatience de souffrir.’* These are the words of a great man; of a minister of state; and a zealous assertor of monarchy. They are applied to the *system of favoritism* which was adopted by Henry III of France, and to the dreadful consequences it produced. What he says of revolutions, is equally true of all great disturbances. If this presumption in favour of the subjects against the trustees of power be not the more probable, I am sure it is the more comfortable speculation; because it is more easy to change an administration, than to reform a people.

Upon a supposition, therefore, that, in the opening of the cause, the presumptions stand equally balanced between the parties, there seems sufficient ground to entitle any person to a fair hearing, who attempts some other scheme beside that easy one which is fashionable in some fashionable companies, to account for the present discontents. It is not to be argued that we endure no grievance, because our grievances are not of the same sort with those under which we laboured formerly; not precisely those which we bore from the Tudors, or vindicated on the Stuarts. A great change has taken place in the affairs of this country. For in the silent lapse of events as material alterations have been insensibly brought about in the policy and character of governments and nations, as those which have been marked by the tumult of public revolutions.

It is very rare indeed for men to be wrong in their

¹ Mém. de Sully, tom. i. p. 133.

feelings concerning public misconduct; as rare to be right in their speculation upon the cause of it. I have constantly observed that the generality of people are fifty years, at least, behindhand in their politics. There are but very few who are capable of comparing and digesting what passes before their eyes at different times and occasions, so as to form the whole into a distinct system. But in books everything is settled for them, without the exertion of any considerable diligence or sagacity. For which reason men are wise with but little reflection, and good with little self-denial, in the business of all times except their own. We are very uncorrupt and tolerably enlightened judges of the transactions of past ages; where no passions deceive, and where the whole train of circumstances, from the trifling cause to the tragical event, is set in an orderly series before us. Few are the partisans of departed tyranny; and to be a Whig on the business of an hundred years ago, is very consistent with every advantage of present servility. This retrospective wisdom, and historical patriotism, are things of wonderful convenience: and serve admirably to reconcile the old quarrel between speculation and practice. Many a stern republican, after gorging himself with a full feast of admiration of the Grecian commonwealths and of our true Saxon constitution, and discharging all the splendid bile of his virtuous indignation on King John and King James, sits down perfectly satisfied to the coarsest work and homeliest job of the day he lives in. I believe there was no professed admirer of Henry VIII among the instruments of the last King James; nor in the court of Henry VIII was there, I dare say, to be found a single advocate for the favourites of Richard II.

No complaisance to our court or to our age can make me believe nature to be so changed, but that public liberty will be among us, as among our ancestors, obnoxious to some person or other; and that opportunities will be furnished for attempting, at least, some alteration to the prejudice of our constitution. These attempts will naturally vary in their mode,

according to times and circumstances. For ambition, though it has ever the same general views, has not at all times the same means, nor the same particular objects. A great deal of the furniture of ancient tyranny is worn to rags; the rest is entirely out of fashion. Besides, there are few statesmen so very clumsy and awkward in their business, as to fall into the identical snare which has proved fatal to their predecessors. When an arbitrary imposition is attempted upon the subject, undoubtedly it will not bear on its forehead the name of *Ship-money*. There is no danger that an extension of the *Forest laws* should be the chosen mode of oppression in this age. And when we hear any instance of ministerial rapacity, to the prejudice of the rights of private life, it will certainly not be the exaction of two hundred pullets, from a woman of fashion, for leave to lie with her own husband¹.

Every age has its own manners, and its politics dependent upon them; and the same attempts will not be made against a constitution fully formed and matured, that were used to destroy it in the cradle, or to resist its growth during its infancy.

Against the being of parliament, I am satisfied, no designs have ever been entertained since the revolution. Every one must perceive that it is strongly the interest of the court, to have some second cause interposed between the ministers and the people. The gentlemen of the House of Commons have an interest equally strong in sustaining the part of that intermediate cause. However they may hire out the *usufruct* of their voices, they never will part with the *fee and inheritance*. Accordingly those who have been of the most known devotion to the will and pleasure of a court have, at the same time, been most forward in asserting a high authority in the House of Commons. When they knew who were to use that authority, and

¹ 'Uxor Hugonis de Nevill dat domino Regi ducentas Gallinas, eo quod possit iacere una nocte cum Domino suo Hugone de Nevill.' Maddox, *Hist. Exch.* c. xiii, p. 326.

how it was to be employed, they thought it never could be carried too far. It must be always the wish of an unconstitutional statesman that a House of Commons, who are entirely dependent upon him, should have every right of the people entirely dependent upon their pleasure. It was soon discovered, that the forms of a free, and the ends of an arbitrary government, were things not altogether incompatible.

(The power of the crown, almost dead and rotten as Prerogative, has grown up anew, with much more strength, and far less odium, under the name of Influence.) An influence, which operated without noise and without violence; an influence which converted the very antagonist into the instrument of power; which contained in itself a perpetual principle of growth and renovation; and which the distresses and the prosperity of the country equally tended to augment, was an admirable substitute for a prerogative, that, being only the offspring of antiquated prejudices, had moulded into its original stamina irresistible principles of decay and dissolution. The ignorance of the people is a bottom but for a temporary system; the interest of active men in the state is a foundation perpetual and infallible. However, some circumstances, arising, it must be confessed, in a great degree from accident, prevented the effects of this influence for a long time from breaking out in a manner capable of exciting any serious apprehensions. Although government was strong and flourished exceedingly, the court had drawn far less advantage than one would imagine from this great source of power.

At the revolution, the crown, deprived, for the ends of the revolution itself, of many prerogatives, was found too weak to struggle against all the difficulties which pressed so new and unsettled a government. The court was obliged therefore to delegate a part of its powers to men of such interest as could support, and of such fidelity as would adhere to, its establishment. Such men were able to draw in a greater number to a concurrence in the common defence. This con-

nexion, necessary at first, continued long after convenient ; and properly conducted might indeed, in all situations, be an useful instrument of government. At the same time, through the intervention of men of popular weight and character, the people possessed a security for their just proportion of importance in the state. But as the title to the crown grew stronger by long possession, and by the constant increase of its influence, these helps have of late seemed to certain persons no better than incumbrances. The powerful managers for government were not sufficiently submissive to the pleasure of the possessors of immediate and personal favour, sometimes from a confidence in their own strength natural and acquired ; sometimes from a fear of offending their friends, and weakening that lead in the country, which gave them a consideration independent of the court. Men acted as if the court could receive, as well as confer, an obligation. The influence of government, thus divided in appearance between the court and the leaders of parties, became in many cases an accession rather to the popular than to the royal scale ; and some part of that influence, which would otherwise have been possessed as in a sort of mortmain and unalienable domain, returned again to the great ocean from whence it arose, and circulated among the people. This method, therefore, of governing by men of great natural interest or great acquired consideration was viewed in a very invidious light by the true lovers of absolute monarchy. It is the nature of despotism to abhor power held by any means but its own momentary pleasure ; and to annihilate all intermediate situations between boundless strength on its own part, and total debility on the part of the people.

To get rid of all this intermediate and independent importance, and *to secure to the court the unlimited and uncontrolled use of its own vast influence, under the sole direction of its own private favour*, has for some years past been the great object of policy. If this were compassed, the influence of the crown must of course

produce all the effects which the most sanguine partisans of the court could possibly desire. Government might then be carried on without any concurrence on the part of the people ; without any attention to the dignity of the greater, or to the affections of the lower sorts. A new project was therefore devised by a certain set of intriguing men, totally different from the system of administration which had prevailed since the accession of the House of Brunswick. This project, I have heard, was first conceived by some persons in the court of Frederick, Prince of Wales.

The earliest attempt in the execution of this design was to set up for minister, a person, in rank indeed respectable, and very ample in fortune ; but who, to the moment of this vast and sudden elevation, was little known or considered in the kingdom. To him the whole nation was to yield an immediate and implicit submission. But whether it was from want of firmness to bear up against the first opposition ; or that things were not yet fully ripened, or that this method was not found the most eligible ; that idea was soon abandoned. The instrumental part of the project was a little altered, to accommodate it to the time, and to bring things more gradually and more surely to the one great end proposed.

The first part of the reformed plan was to draw *a line which should separate the court from the ministry.* Hitherto these names had been looked upon as synonymous ; but for the future, court and administration were to be considered as things totally distinct. By this operation, two systems of administration were to be formed ; one which should be in the real secret and confidence ; the other merely ostensible, to perform the official and executory duties of government. The latter were alone to be responsible ; whilst the real advisers, who enjoyed all the power, were effectually removed from all the danger.

Secondly, *A party under these leaders was to be formed in favour of the court against the ministry :* this party was to have a large share in the emoluments of govern-

ment, and to hold it totally separate from, and independent of, ostensible administration.

The third point, and that on which the success of the whole scheme ultimately depended, was *to bring parliament to an acquiescence in this project*. Parliament was therefore to be taught by degrees a total indifference to the persons, rank, influence, abilities, connexions, and character of the ministers of the crown. By means of a discipline, on which I shall say more hereafter, that body was to be habituated to the most opposite interests, and the most discordant politics. All connexions and dependencies among subjects were to be entirely dissolved. As, hitherto, business had gone through the hands of leaders of Whigs or Tories, men of talents to conciliate the people, and to engage their confidence; now the method was to be altered, and the lead was to be given to men of no sort of consideration or credit in the country. This want of natural importance was to be their very title to delegated power. Members of parliament were to be hardened into an insensibility to pride as well as to duty. Those high and haughty sentiments, which are the great support of independence, were to be let down gradually. Points of honour and precedence were no more to be regarded in parliamentary decorum than in a Turkish army. It was to be avowed, as a constitutional maxim, that the king might appoint one of his footmen, or one of your footmen for minister; and that he ought to be, and that he would be, as well followed as the first name for rank or wisdom in the nation. Thus parliament was to look on, as if perfectly unconcerned, while a cabal of the closet and back-stairs was substituted in the place of a national administration.

With such a degree of acquiescence, any measure of any court might well be deemed thoroughly secure. The capital objects, and by much the most flattering characteristics of arbitrary power, would be obtained. Everything would be drawn from its holdings in the country to the personal favour and inclination of the

prince. This favour would be the sole introduction to power, and the only tenure by which it was to be held, so that no person looking towards another, and all looking towards the court, it was impossible but that the motive which solely influenced every man's hopes must come in time to govern every man's conduct; till at last the servility became universal, in spite of the dead letter of any laws or institutions whatsoever.

How it should happen that any man could be tempted to venture upon such a project of government, may at first view appear surprising. But the fact is that opportunities very inviting to such an attempt have offered; and the scheme itself was not destitute of some arguments, not wholly unpalatable, to recommend it. These opportunities and these arguments, the use that has been made of both, the plan for carrying this new scheme of government into execution, and the effects which it has produced, are, in my opinion, worthy of our serious consideration.

His majesty came to the throne of these kingdoms with more advantages than any of his predecessors since the revolution. Fourth in descent, and third in succession of his royal family, even the zealots of hereditary right, in him, saw something to flatter their favourite prejudices; and to justify a transfer of their attachments, without a change in their principles. The person and cause of the Pretender were become contemptible; his title disowned throughout Europe; his party disbanded in England. His majesty came, indeed, to the inheritance of a mighty war; but, victorious in every part of the globe, peace was always in his power, not to negotiate, but to dictate. No foreign habitudes or attachments withdrew him from the cultivation of his power at home. His revenue for the civil establishment, fixed (as it was then thought) at a large, but definite sum, was ample without being invidious. His influence, by additions from conquest, by an augmentation of debt, by an increase of military and naval establishment, much strengthened and extended. And coming to the throne in the prime and

full vigour of youth, as from affection there was a strong dislike, so from dread there seemed to be a general averseness, from giving anything like offence to a monarch, against whose resentment opposition could not look for a refuge in any sort of reversionary hope.

These singular advantages inspired his majesty only with a more ardent desire to preserve unimpaired the spirit of that national freedom, to which he owed a situation so full of glory. But to others it suggested sentiments of a very different nature. They thought they now beheld an opportunity (by a certain sort of statesman never long undiscovered or unemployed) of drawing to themselves, by the aggrandizement of a court faction, a degree of power which they could never hope to derive from natural influence or from honourable service; and which it was impossible they could hold with the least security, whilst the system of administration rested upon its former bottom. In order to facilitate the execution of their design, it was necessary to make many alterations in political arrangement, and a signal change in the opinions, habits, and connexions of the greatest part of those who at that time acted in public.

In the first place, they proceeded gradually, but not slowly, to destroy everything of strength which did not derive its principal nourishment from the immediate pleasure of the court. The greatest weight of popular opinion and party connexion were then with the Duke of Newcastle and Mr. Pitt. Neither of these held their importance by the *new tenure* of the court; they were not, therefore, thought to be so proper as others for the services which were required by that tenure. It happened very favourably for the new system, that under a forced coalition there rankled an incurable alienation and disgust between the parties which composed the administration. Mr. Pitt was first attacked. Not satisfied with removing him from power, they endeavoured by various artifices to ruin his character. The other party seemed rather pleased to get rid of so oppressive a support; not perceiving, that their own

fall was prepared by his, and involved in it. Many other reasons prevented them from daring to look their true situation in the face. To the great Whig families it was extremely disagreeable, and seemed almost unnatural, to oppose the administration of a prince of the house of Brunswick. Day after day they hesitated, and doubted, and lingered, expecting that other counsels would take place; and were slow to be persuaded, that all which had been done by the cabal was the effect not of humour, but of system. It was more strongly and evidently the interest of the new court faction, to get rid of the great Whig connexions, than to destroy Mr. Pitt. The power of that gentleman was vast indeed and merited; but it was in a great degree personal, and therefore transient. Theirs was rooted in the country. For, with a good deal less of popularity, they possessed a far more natural and fixed influence. Long possession of government; vast property; obligations of favours given and received; connexion of office; ties of blood, of alliance, of friendship (things at that time supposed of some force); the name of Whig, dear to the majority of the people; the zeal early begun and steadily continued to the royal family; all these together formed a body of power in the nation, which was criminal and devoted. The great ruling principle of the cabal, and that which animated and harmonized all their proceedings, how various soever they may have been, was to signify to the world that the court would proceed upon its own proper forces only; and that the pretence of bringing any other into its service was an affront to it, and not a support. Therefore when the chiefs were removed, in order to go to the root, the whole party was put under a proscription, so general and severe, as to take their hard-earned bread from the lowest officers, in a manner which had never been known before, even in general revolutions. But it was thought necessary effectually to destroy all dependencies but one; and to show an example of the firmness and rigour with which the new system was to be supported.

Thus for the time were pulled down, in the persons of the Whig leaders and of Mr. Pitt (in spite of the services of the one at the accession of the royal family, and the recent services of the other in the war) the *two only securities for the importance of the people; power arising from popularity; and power arising from connexion.* Here and there indeed a few individuals were left standing, who gave security for their total estrangement from the odious principles of party connexion and personal attachment; and it must be confessed that most of them have religiously kept their faith. Such a change could not, however, be made without a mighty shock to government.

To reconcile the minds of the people to all these movements, principles correspondent to them had been preached up with great zeal. Every one must remember that the cabal set out with the most astonishing prudery, both moral and political. Those, who in a few months after soused over head and ears into the deepest and dirtiest pits of corruption, cried out violently against the indirect practices in the electing and managing of parliaments, which had formerly prevailed. This marvellous abhorrence which the court had suddenly taken to all influence, was not only circulated in conversation through the kingdom, but pompously announced to the public, with many other extraordinary things, in a pamphlet¹ which had all the appearance of a manifesto preparatory to some considerable enterprise. Throughout it was a satire, though its terms managed and decent enough, on the politics of the former reign. It was indeed written with no small art and address.

In this piece appeared the first dawning of the new system; there first appeared the idea (then only in speculation) of *separating the court from the administration*; of carrying everything from national connexion to personal regards; and of forming a regular party for that purpose, under the name of *king's men*.

¹ Sentiments of an honest Man.

To recommend this system to the people, a perspective view of the court, gorgeously painted, and finely illuminated from within, was exhibited to the gaping multitude. Party was to be totally done away, with all its evil works. Corruption was to be cast down from court, as *Atè* was from heaven. Power was thenceforward to be the chosen residence of public spirit; and no one was to be supposed, under any sinister influence, except those who had the misfortune to be in disgrace at court, which was to stand in lieu of all vices and all corruptions; a scheme of perfection to be realised in a monarchy far beyond the visionary republic of Plato. The whole scenery was exactly disposed to captivate those good souls, whose credulous morality is so invaluable a treasure to crafty politicians. Indeed there was wherewithal to charm everybody, except those few who are not much pleased with professions of supernatural virtue, who know of what stuff such professions are made, for what purposes they are designed, and in what they are sure constantly to end. Many innocent gentlemen, who had been talking prose all their lives without knowing anything of the matter, began at last to open their eyes upon their own merits, and to attribute their not having been lords of the treasury and lords of trade many years before, merely to the prevalence of party, and to the ministerial power, which had frustrated the good intentions of the court in favour of their abilities. Now was the time to unlock the sealed fountain of royal bounty, which had been infamously monopolized and huckstered, and to let it flow at large upon the whole people. The time was come to restore royalty to its original splendour. *Mettre le Roy hors de page*, became a sort of watchword. And it was constantly in the mouths of all the runners of the court, that nothing could preserve the balance of the constitution from being overturned by the rabble, or by a faction of the nobility, but to free the sovereign effectually from that ministerial tyranny under which the royal dignity had been oppressed in the person of his majesty's grandfather.

These were some of the many artifices used to reconcile the people to the great change which was made in the persons who composed the ministry, and the still greater which was made and avowed in its constitution. As to individuals, other methods were employed with them ; in order so thoroughly to disunite every party, and even every family, that *no concert, order, or effect, might appear in any future opposition.* And in this manner an administration without connexion with the people, or with one another, was first put in possession of government. What good consequences followed from it, we have all seen ; whether with regard to virtue, public or private ; to the ease and happiness of the sovereign ; or to the real strength of government. But as so much stress was then laid on the necessity of this new project, it will not be amiss to take a view of the effects of this royal servitude and vile durance, which was so deplored in the reign of the late monarch, and was so carefully to be avoided in the reign of his successor. The effects were these.

In times full of doubt and danger to his person and family, George II maintained the dignity of his crown connected with the liberty of his people, not only unimpaired, but improved, for the space of thirty-three years. He overcame a dangerous rebellion, abetted by foreign force, and raging in the heart of his kingdoms ; and thereby destroyed the seeds of all future rebellion that could arise upon the same principle. He carried the glory, the power, the commerce of England, to a height unknown even to this renowned nation in the times of its greatest prosperity, and he left his succession resting on the true and only true foundations of all national and all regal greatness ; affection at home, reputation abroad, trust in allies, terror in rival nations. The most ardent lover of his country cannot wish for Great Britain a happier fate than to continue as she was then left. A people, emulous as we are in affection to our present sovereign, know not how to form a prayer to heaven for a greater blessing upon his virtues, or a higher state of felicity

and glory, than that he should live, and should reign, and when Providence ordains it, should die, exactly like his illustrious predecessor.

A great prince may be obliged (though such a thing cannot happen very often) to sacrifice his private inclination to his public interest. A wise prince will not think that such a restraint implies a condition of servility; and truly, if such was the condition of the last reign, and the effects were also such as we have described, we ought, no less for the sake of the sovereign whom we love, than for our own, to hear arguments convincing indeed, before we depart from the maxims of that reign, or fly in the face of this great body of strong and recent experience.

One of the principal topics which was then, and has been since, much employed by that political¹ school, is an effectual terror of the growth of an aristocratic power, prejudicial to the rights of the crown, and the balance of the constitution. Any new powers exercised in the House of Lords, or in the House of Commons, or by the crown, ought certainly to excite the vigilant and anxious jealousy of a free people. Even a new and unprecedented course of action in the whole legislature, without great and evident reason, may be a subject of just uneasiness. I will not affirm, that there may not have lately appeared in the House of Lords a disposition to some attempts derogatory to the legal rights of the subject. If any such have really appeared, they have arisen, not from a power properly aristocratic, but from the same influence which is charged with having excited attempts of a similar nature in the House of Commons; which House, if it should have been betrayed into an unfortunate quarrel with its constituents, and involved in a charge of the very same nature, could have neither power nor inclination to repel such attempts in others. Those attempts in the House of Lords can no more be called

¹ See the political writings of the late Dr. Brown, and many others.

aristocratic proceedings, than the proceedings with regard to the county of Middlesex in the House of Commons can with any sense be called democratical.

It is true, that the peers have a great influence in the kingdom, and in every part of the public concerns. While they are men of property, it is impossible to prevent it, except by such means as must prevent all property from its natural operation: an event not easily to be compassed, while property is power; nor by any means to be wished, while the least notion exists of the method by which the spirit of liberty acts, and of the means by which it is preserved. If any particular peers, by their uniform, upright, constitutional conduct, by their public and their private virtues, have acquired an influence in the country; the people, on whose favour that influence depends, and from whom it arose, will never be duped into an opinion, that such greatness in a peer is the despotism of an aristocracy, when they know and feel it to be the effect and pledge of their own importance.

I am no friend to aristocracy, in the sense at least in which that word is usually understood. If it were not a bad habit to moot cases on the supposed ruin of the constitution, I should be free to declare that, if it must perish, I would rather by far see it resolved into any other form, than lost in that austere and insolent domination. But, whatever my dislikes may be, my fears are not upon that quarter. The question, on the influence of a court, and of a peerage, is not, which of the two dangers is the more eligible, but which is the more imminent. He is but a poor observer, who has not seen, that the generality of peers, far from supporting themselves in a state of independent greatness, are but too apt to fall into an oblivion of their proper dignity, and to run headlong into an abject servitude. Would to God it were true that the fault of our peers were too much spirit! It is worthy of some observation that these gentlemen, so jealous of aristocracy, make no complaints of the power of those peers (neither few nor inconsiderable) who are always in the train of

a court, and whose whole weight must be considered as a portion of the settled influence of the crown. This is all safe and right ; but if some peers (I am very sorry they are not as many as they ought to be) set themselves, in the great concern of peers and commons, against a back-stairs influence and clandestine government, then the alarm begins ; then the constitution is in danger of being forced into an aristocracy.

I rest a little the longer on this court topic because it was much insisted upon at the time of the great change, and has been since frequently revived by many of the agents of that party ; for, whilst they are terrifying the great and opulent with the horrors of mob-government, they are by other managers attempting (though hitherto with little success) to alarm the people with a phantom of tyranny in the nobles. All this is done upon their favourite principle of disunion, of sowing jealousies amongst the different orders of the state, and of disjointing the natural strength of the kingdom ; that it may be rendered incapable of resisting the sinister designs of wicked men, who have engrossed the royal power.

Thus much of the topics chosen by the courtiers to recommend their system ; it will be necessary to open a little more at large the nature of that party which was formed for its support. Without this, the whole would have been no better than a visionary amusement, like the scheme of Harrington's political club, and not a business in which the nation had a real concern. As a powerful party, and a party constructed on a new principle, it is a very inviting object of curiosity.

It must be remembered that, since the revolution, until the period we are speaking of, the influence of the crown had been always employed in supporting the ministers of state, and in carrying on the public business according to their opinions. But the party now in question is formed upon a very different idea. It is to intercept the favour, protection, and confidence of the crown in the passage to its ministers ; it is to come between them and their importance in parliament ; it

is to separate them from all their natural and acquired dependencies ; it is intended as the control, not the support, of administration. The machinery of this system is perplexed in its movements, and false in its principles. It is formed on a supposition that the king is something external to his government ; and that he may be honoured and aggrandized, even by its debility and disgrace. The plan proceeds expressly on the idea of enfeebling the regular executory power. It proceeds on the idea of weakening the state in order to strengthen the court. The scheme depending entirely on distrust, on disconnexion, on mutability by principle, on systematic weakness in every particular member ; it is impossible that the total result should be substantial strength of any kind.

As a foundation of their scheme, the cabal have established a sort of *rota* in the court. All sorts of parties, by this means, have been brought into administration ; from whence few have had the good fortune to escape without disgrace ; none at all without considerable losses. In the beginning of each arrangement no professions of confidence and support are wanting, to induce the leading men to engage. But while the ministers of the day appear in all the pomp and pride of power, while they have all their canvas spread out to the wind, and every sail filled with the fair and prosperous gale of royal favour, in a short time they find, they know not how, a current, which sets directly against them ; which prevents all progress ; and even drives them backwards. They grow ashamed and mortified in a situation which, by its vicinity to power, only serves to remind them the more strongly of their insignificance. They are obliged either to execute the orders of their inferiors or to see themselves opposed by the natural instruments of their office. With the loss of their dignity they lose their temper. In their turn they grow troublesome to that cabal which, whether it supports or opposes, equally disgraces and equally betrays them. It is soon found necessary to get rid of the heads of administration ;

but it is of the heads only. As there always are many rotten members belonging to the best connexions, it is not hard to persuade several to continue in office without their leaders. By this means the party goes out much thinner than it came in ; and is only reduced in strength by its temporary possession of power. Besides, if by accident, or in course of change, that power should be recovered, the junto have thrown up a retrenchment of these carcasses, which may serve to cover themselves in a day of danger. They conclude, not unwisely, that such rotten members will become the first objects of disgust and resentment to their ancient connexions.

They contrive to form in the outward administration two parties at the least ; which, whilst they are tearing one another to pieces, are both competitors for the favour and protection of the cabal ; and, by their emulation, contribute to throw everything more and more into the hands of the interior managers.

A minister of state will sometimes keep himself totally estranged from all his colleagues ; will differ from them in their councils, will privately traverse, and publicly oppose, their measures. He will, however, continue in his employment. Instead of suffering any mark of displeasure, he will be distinguished by an unbounded profusion of court rewards and caresses ; because he does what is expected, and all that is expected, from men in office. He helps to keep some form of administration in being, and keeps it at the same time as weak and divided as possible.

However, we must take care not to be mistaken, or to imagine that such persons have any weight in their opposition. When, by them, administration is convinced of its insignificancy, they are soon to be convinced of their own. They never are suffered to succeed in their opposition. They and the world are to be satisfied, that neither office, nor authority, nor property, nor ability, eloquence, counsel, skill, or union, are of the least importance ; but that the mere influence of the court, naked of all support, and destitute of all

management, is abundantly sufficient for all its own purposes.

When any adverse connexion is to be destroyed, the cabal seldom appear in the work themselves. They find out some person of whom the party entertains a high opinion. Such a person they endeavour to delude with various pretences. They teach him first to distrust, and then to quarrel with his friends; among whom, by the same arts, they excite a similar diffidence of him; so that in this mutual fear and distrust, he may suffer himself to be employed as the instrument in the change which is brought about. Afterwards they are sure to destroy him in his turn, by setting up in his place some person in whom he had himself reposed the greatest confidence, and who serves to carry off a considerable part of his adherents.

When such a person has broke in this manner with his connexions, he is soon compelled to commit some flagrant act of iniquitous, personal hostility against some of them (such as an attempt to strip a particular friend of his family estate), by which the cabal hope to render the parties utterly irreconcilable. In truth, they have so contrived matters, that people have greater hatred to the subordinate instruments than to the principal movers.

As in destroying their enemies they make use of instruments not immediately belonging to their corps, so in advancing their own friends they pursue exactly the same method. To promote any of them to considerable rank or emolument, they commonly take care that the recommendation shall pass through the hands of the ostensible ministry: such a recommendation might however appear to the world, as some proof of the credit of ministers, and some means of increasing their strength. To prevent this, the persons so advanced are directed, in all companies, industriously to declare, that they are under no obligations whatsoever to administration; that they have received their office from another quarter; that they are totally free and independent.

When the faction has any job of lucre to obtain, or of vengeance to perpetrate, their way is, to select, for the execution, those very persons to whose habits, friendships, principles, and declarations, such proceedings are publicly known to be the most adverse; at once to render the instruments the more odious, and therefore the more dependent, and to prevent the people from ever reposing a confidence in any appearance of private friendship or public principle.

If the administration seem now and then, from remissness, or from fear of making themselves disagreeable, to suffer any popular excesses to go unpunished, the cabal immediately sets up some creature of theirs to raise a clamour against the ministers, as having shamefully betrayed the dignity of government. Then they compel the ministry to become active in conferring rewards and honours on the persons who have been the instruments of their disgrace; and, after having first vilified them with the higher orders for suffering the laws to sleep over the licentiousness of the populace, they drive them (in order to make amends for their former inactivity) to some act of atrocious violence, which renders them completely abhorred by the people. They, who remember the riots which attended the Middlesex election, the opening of the present parliament, and the transactions relative to St. George's Fields, will not be at a loss for an application of these remarks.

That this body may be enabled to compass all the ends of its institution, its members are scarcely ever to aim at the high and responsible offices of the state. They are distributed with art and judgment through all the secondary, but efficient, departments of office, and through the households of all the branches of the royal family: so as on one hand to occupy all the avenues to the throne; and on the other to forward or frustrate the execution of any measure, according to their own interests. For with the credit and support which they are known to have, though for the greater part in places which are only a genteel excuse for

salary, they possess all the influence of the highest posts ; and they dictate publicly in almost everything, even with a parade of superiority. Whenever they dissent (as it often happens) from their nominal leaders, the trained part of the senate, instinctively in the secret, is sure to follow them : provided the leaders, sensible of their situation, do not of themselves recede in time from their most declared opinions. This latter is generally the case. It will not be conceivable to any one who has not seen it, what pleasure is taken by the cabal in rendering these heads of office thoroughly contemptible and ridiculous. And when they are become so, they have then the best chance for being well supported.

The members of the court faction are fully indemnified for not holding places on the slippery heights of the kingdom, not only by the lead in all affairs, but also by the perfect security in which they enjoy less conspicuous, but very advantageous situations. Their places are in express legal tenure, or, in effect, all of them for life. Whilst the first and most respectable persons in the kingdom are tossed about like tennis balls, the sport of a blind and insolent caprice, no minister dares even to cast an oblique glance at the lowest of their body. If an attempt be made upon one of this corps, immediately he flies to sanctuary, and pretends to the most inviolable of all promises. No conveniency of public arrangement is available to remove any one of them from the specific situation he holds ; and the slightest attempt upon one of them, by the most powerful minister, is a certain preliminary to his own destruction.

Conscious of their independence, they bear themselves with a lofty air to the exterior ministers. Like janissaries, they derive a kind of freedom from the very condition of their servitude. They may act just as they please ; provided they are true to the great ruling principle of their institution. It is, therefore, not at all wonderful, that people should be so desirous of adding themselves to that body, in which they may possess

and reconcile satisfactions the most alluring, and seemingly the most contradictory; enjoying at once all the spirited pleasure of independence, and all the gross lucre and fat emoluments of servitude.

Here is a sketch, though a slight one, of the constitution, laws, and policy, of this new court corporation. (The name by which they choose to distinguish themselves, is that of *king's men*, or the *king's friends*, by an invidious exclusion of the rest of his majesty's most loyal and affectionate subjects. The whole system, comprehending the exterior and interior administrations, is commonly called, in the technical language of the court, *double cabinet*;) in French or English, as you choose to pronounce it.

Whether all this be a vision of a distracted brain, or the invention of a malicious heart, or a real faction in the country, must be judged by the appearances which things have worn for eight years past. Thus far I am certain, that there is not a single public man, in or out of office, who has not, at some time or other, borne testimony to the truth of what I have now related. In particular, no persons have been more strong in their assertions, and louder and more indecent in their complaints, than those who compose all the exterior part of the present administration; in whose time that faction has arrived at such an height of power, and of boldness in the use of it, as may, in the end, perhaps bring about its total destruction.

It is true, that about four years ago, during the administration of the Marquis of Rockingham, an attempt was made to carry on government without their concurrence. However, this was only a transient cloud; they were hid but for a moment; and their constellation blazed out with greater brightness, and a far more vigorous influence, some time after it was blown over. An attempt was at that time made (but without any idea of proscription) to break their corps, to discountenance their doctrines, to revive connexions of a different kind, to restore the principles and policy of the Whigs, to reanimate the cause of

liberty by ministerial countenance ; and then for the first time were men seen attached in office to every principle they had maintained in opposition. No one will doubt, that such men were abhorred and violently opposed by the court faction, and that such a system could have but a short duration.

It may appear somewhat affected, that in so much discourse upon this extraordinary party, I should say so little of the Earl of Bute, who is the supposed head of it. But this was neither owing to affectation nor inadvertence. I have carefully avoided the introduction of personal reflections of any kind. Much the greater part of the topics which have been used to blacken this nobleman are either unjust or frivolous. At best, they have a tendency to give the resentment of this bitter calamity a wrong direction, and to turn a public grievance into a mean, personal, or a dangerous national quarrel. Where there is a regular scheme of operations carried on, it is the system and not any individual person who acts in it, that is truly dangerous. This system has not arisen solely from the ambition of Lord Bute, but from the circumstances which favoured it, and from an indifference to the constitution which had been for some time growing among our gentry. We should have been tried with it, if the Earl of Bute had never existed ; and it will want neither a contriving head nor active members, when the Earl of Bute exists no longer. It is not, therefore, to rail at Lord Bute, but firmly to embody against this court party and its practices, which can afford us any prospect of relief in our present condition.

Another motive induces me to put the personal consideration of Lord Bute wholly out of the question. He communicates very little in a direct manner with the greater part of our men of business. This has never been his custom. It is enough for him that he surrounds them with his creatures. Several imagine, therefore, that they have a very good excuse for doing all the work of this faction, when they have no personal connexion with Lord Bute. But whoever becomes

a party to an administration, composed of insulated individuals, without faith plighted, tie, or common principle; an administration constitutionally impotent, because supported by no party in the nation; he who contributes to destroy the connexions of men and their trust in one another, or in any sort to throw the dependence of public counsels upon private will and favour, possibly may have nothing to do with the Earl of Bute. It matters little whether he be the friend or the enemy of that particular person. But let him be who or what he will, he abets a faction that is driving hard to the ruin of his country. He is sapping the foundation of its liberty, disturbing the sources of its domestic tranquillity, weakening its government over its dependencies, degrading it from all its importance in the system of Europe.

It is this unnatural infusion of a *system of favouritism* into a government which in a great part of its constitution is popular, that has raised the present ferment in the nation. The people, without entering deeply into its principles, could plainly perceive its effects, in much violence, in a great spirit of innovation, and a general disorder in all the functions of government. I keep my eye solely on this system; if I speak of those measures which have arisen from it, it will be so far only as they illustrate the general scheme. This is the fountain of all those bitter waters of which, through an hundred different conduits, we have drunk until we are ready to burst. The discretionary power of the crown in the formation of ministry, abused by bad or weak men, has given rise to a system, which, without directly violating the letter of any law, operates against the spirit of the whole constitution.

A plan of *favouritism* for our executory government is essentially at variance with the plan of our legislature. One great end undoubtedly of a mixed government like ours, composed of monarchy, and of controls, on the part of the higher people and the lower, is that the prince shall not be able to violate the laws. This is useful indeed and fundamental. But this, even at

first view, is no more than a negative advantage ; an armour merely defensive. It is therefore next in order, and equal in importance, *that the discretionary powers which are necessarily vested in the monarch, whether for the execution of the laws, or for the nomination to magistracy and office, or for conducting the affairs of peace and war, or for ordering the revenue, should all be exercised upon public principles and national grounds, and not on the likings or prejudices, the intrigues or policies, of a court.* This, I said, is equal in importance to the securing a government according to law. The laws reach but a very little way. Constitute government how you please, infinitely the greater part of it must depend upon the exercise of the powers which are left at large to the prudence and uprightness of ministers of state. Even all the use and potency of the laws depends upon them. Without them, your commonwealth is no better than a scheme upon paper ; and not a living, active, effective constitution. It is possible that through negligence, or ignorance, or design artfully conducted, ministers may suffer one part of government to languish, another to be perverted from its purposes, and every valuable interest of the country to fall into ruin and decay, without possibility of fixing any single act on which a criminal prosecution can be justly grounded. The due arrangement of men in the active part of the state, far from being foreign to the purposes of a wise government, ought to be among its very first and dearest objects. When, therefore, the abettors of the new system tell us, that between them and their opposers there is nothing but a struggle for power, and that therefore we are no ways concerned in it ; we must tell those who have the impudence to insult us in this manner that, of all things, we ought to be the most concerned who and what sort of men they are that hold the trust of everything that is dear to us. Nothing can render this a point of indifference to the nation, but what must either render us totally desperate, or sooth us into the security of idiots. We must soften into a credulity below the

milkiness of infancy to think all men virtuous. We must be tainted with a malignity truly diabolical, to believe all the world to be equally wicked and corrupt. Men are in public life as in private, some good, some evil. The elevation of the one, and the depression of the other, are the first objects of all true policy. But that form of government, which, neither in its direct institutions, nor in their immediate tendency, has contrived to throw its affairs into the most trustworthy hands, but has left its whole executory system to be disposed of agreeably to the uncontrolled pleasure of any one man, however excellent or virtuous, is a plan of polity defective not only in that member, but consequentially erroneous in every part of it.

In arbitrary governments, the constitution of the ministry follows the constitution of the legislature. Both the law and the magistrate are the creatures of will. It must be so. Nothing, indeed, will appear more certain, on any tolerable consideration of this matter, than that *every sort of government ought to have its administration correspondent to its legislature*. If it should be otherwise, things must fall into an hideous disorder. The people of a free commonwealth, who have taken such care that their laws should be the result of general consent, cannot be so senseless as to suffer their executory system to be composed of persons on whom they have no dependence, and whom no proofs of the public love and confidence have recommended to those powers, upon the use of which the very being of the state depends.

The popular election of magistrates and popular disposition of rewards and honours, is one of the first advantages of a free state. Without it, or something equivalent to it, perhaps the people cannot long enjoy the substance of freedom; certainly none of the vivifying energy of good government. The frame of our commonwealth did not admit of such an actual election: but it provided as well, and (while the spirit of the constitution is preserved) better for all the effects of it than by the method of suffrage in any democratic

state whatsoever. It had always, until of late, been held the first duty of Parliament *to refuse to support government, until power was in the hands of persons who were acceptable to the people, or while factions predominated in the court of which the nation had no confidence.* Thus all the good effects of popular election were supposed to be secured to us, without the mischiefs attending on perpetual intrigue, and a distinct canvass for every particular office throughout the body of the people. This was the most noble and refined part of our constitution. The people, by their representatives and grandees, were intrusted with a deliberative power in making laws; the king with the control of his negative. The king was intrusted with the deliberative choice and the election to office; the people had the negative in a parliamentary refusal to support. Formerly this power of control was what kept ministers in awe of parliaments, and parliaments in reverence with the people. If the use of this power of control on the system and persons of administration is gone, everything is lost, parliament and all. We may assure ourselves, that if parliament will tamely see evil men take possession of all the strongholds of their country, and allow them time and means to fortify themselves, under a pretence of giving them a fair trial, and upon a hope of discovering, whether they will not be reformed by power, and whether their measures will not be better than their morals; such a parliament will give countenance to their measures also, whatever their parliament may pretend, and whatever those measures may be.

Every good political institution must have a preventive operation as well as a remedial. It ought to have a natural tendency to exclude bad men from government, and not to trust for the safety of the state to subsequent punishment alone; punishment, which has ever been tardy and uncertain; and which, when power is suffered in bad hands, may chance to fall rather on the injured than the criminal.

Before men are put forward into the great trusts of

the state, they ought by their conduct to have obtained such a degree of estimation in their country, as may be some sort of pledge and security to the public, that they will not abuse those trusts. It is no mean security for a proper use of power, that a man has shown by the general tenor of his actions that the affection, the good opinion, the confidence of his fellow-citizens have been among the principal objects of his life; and that he has owed none of the degradations of his power or fortune to a settled contempt, or occasional forfeiture of their esteem.

That man who before he comes into power has no friends, or who coming into power is obliged to desert his friends, or who losing it has no friends to sympathize with him; he who has no sway among any part of the landed or commercial interest, but whose whole importance has begun with his office, and is sure to end with it; is a person who ought never to be suffered by a controlling parliament to continue in any of those situations which confer the lead and direction of all our public affairs; because such a man *has no connexion with the interest of the people.*

Those knots or cabals of men who have got together, avowedly without any public principle, in order to sell their conjunct iniquity at the higher rate, and are therefore universally odious, ought never to be suffered to domineer in the state; because they have *no connexion with the sentiments and opinions of the people.*

These are considerations which in my opinion enforce the necessity of having some better reason, in a free country—and a free parliament, for supporting the ministers of the crown, than that short one, *That the king has thought proper to appoint them.* There is something very courtly in this. But it is a principle pregnant with all sorts of mischief, in a constitution like ours, to turn the views of active men from the country to the court. Whatever be the road to power, that is the road which will be trod. If the opinion of the country be of no use as a means of power or consideration, the qualities which usually procure that

opinion will be no longer cultivated. And whether it will be right, in a state so popular in its constitution as ours, to leave ambition without popular motives, and to trust all to the operation of pure virtue in the minds of kings, and ministers, and public men, must be submitted to the judgment and good sense of the people of England.

Cunning men are here apt to break in, and, without directly controverting the principle, to raise objections from the difficulty under which the sovereign labours, to distinguish the genuine voice and sentiments of his people from the clamour of a faction, by which it is so easily counterfeited. The nation, they say, is generally divided into parties, with views and passions utterly irreconcilable. If the king should put his affairs into the hands of any one of them, he is sure to disgust the rest; if he select particular men from among them all, it is a hazard that he disgusts them all. Those who are left out, however divided before, will soon run into a body of opposition; which, being a collection of many discontents into one focus, will without doubt be hot and violent enough. Faction will make its cries resound through the nation, as if the whole were in an uproar, when by far the majority, and much the better part, will seem for a while as it were annihilated by the quiet in which their virtue and moderation incline them to enjoy the blessings of government. Besides that the opinion of the mere vulgar is a miserable rule even with regard to themselves, on account of their violence and instability. So that if you were to gratify them in their humour to-day, that very gratification would be a ground of their dissatisfaction on the next. Now as all these rules of public opinion are to be collected with great difficulty, and to be applied with equal uncertainty as to the effect, what better can a king of England do, than to employ such men as he finds to have views and inclinations most conformable to his own; who are least infected with pride and self-will; and who are least moved by such popular humours as are perpetually

traversing his designs, and disturbing his service; trusting that, when he means no ill to his people, he will be supported in his appointments, whether he chooses to keep or to change, as his private judgment or his pleasure leads him. He will find a sure resource in the real weight and influence of the crown, when it is not suffered to become an instrument in the hands of a faction.

I will not pretend to say that there is nothing at all in this mode of reasoning; because I will not assert that there is no difficulty in the art of government. Undoubtedly the very best administration must encounter a great deal of opposition; and the very worst will find more support than it deserves. Sufficient appearances will never be wanting to those who have a mind to deceive themselves. It is a fallacy in constant use with those who would level all things, and confound right with wrong, to insist upon the inconveniences which are attached to every choice, without taking into consideration the different weight and consequence of those inconveniences. The question is not concerning *absolute* discontent or *perfect* satisfaction in government; neither of which can be pure and unmixed at any time, or upon any system. The controversy is about that degree of good humour in the people, which may possibly be attained, and ought certainly to be looked for. While some politicians may be waiting to know whether the sense of every individual be against them, accurately distinguishing the vulgar from the better sort, drawing lines between the enterprises of a faction and the efforts of a people, they may chance to see the government, which they are so nicely weighing, and dividing, and distinguishing, tumble to the ground in the midst of their wise deliberation. Prudent men, when so great an object as the security of government, or even its peace, is at stake, will not run the risk of a decision which may be fatal to it. They who can read the political sky will see a hurricane in a cloud no bigger than a hand at the very edge of the horizon, and will run into the first

harbour. No lines can be laid down for civil or political wisdom. They are a matter incapable of exact definition. But, though no man can draw a stroke between the confines of day and night, yet light and darkness are upon the whole tolerably distinguishable. Nor will it be impossible for a prince to find out such a mode of government, and such persons to administer it, as will give a great degree of content to his people; without any curious and anxious research for that abstract, universal, perfect harmony, which while he is seeking, he abandons those means of ordinary tranquillity which are in his power without any research at all.

It is not more the duty than it is the interest of a prince, to aim at giving tranquillity to his government. But those who advise him may have an interest in disorder and confusion. If the opinion of the people is against them, they will naturally wish that it should have no prevalence. Here it is that the people must on their part show themselves sensible of their own value. Their whole importance, in the first instance, and afterwards their whole freedom, is at stake. Their freedom cannot long survive their importance. Here it is that the natural strength of the kingdom, the great peers, the leading landed gentlemen, the opulent merchants and manufacturers, the substantial yeomanry, must interpose, to rescue their prince, themselves, and their posterity.

We are at present at issue upon this point. We are in the great crisis of this contention; and the part which men take, one way or other, will serve to discriminate their characters and their principles. Until the matter is decided, the country will remain in its present confusion. For while a system of administration is attempted, entirely repugnant to the genius of the people, and not conformable to the plan of their government, everything must necessarily be disordered for a time, until this system destroys the constitution, or the constitution gets the better of this system.

There is, in my opinion, a peculiar venom and

malignity in this political distemper beyond any that I have heard or read of. In former times the projectors of arbitrary government attacked only the liberties of their country; a design surely mischievous enough to have satisfied a mind of the most unruly ambition. But a system unfavourable to freedom may be so formed, as considerably to exalt the grandeur of the state; and men may find, in the pride and splendour of that prosperity, some sort of consolation for the loss of their solid privileges. Indeed the increase of the power of the state has often been urged by artful men, as a pretext for some abridgment of the public liberty. But the scheme of the junto under consideration, not only strikes a palsy into every nerve of our free constitution, but in the same degree benumbs and stupifies the whole executive power: rendering government in all its grand operations languid, uncertain, ineffective; making ministers fearful of attempting, and incapable of executing, any useful plan of domestic arrangement, or of foreign politics. It tends to produce neither the security of a free government, nor the energy of a monarchy that is absolute. Accordingly the crown has dwindled away, in proportion to the unnatural and turgid growth of this excrescence on the court.

The interior ministry are sensible, that war is a situation which sets in its full light the value of the hearts of a people; and they well know, that the beginning of the importance of the people must be the end of theirs. For this reason they discover upon all occasions the utmost fear of everything, which by possibility may lead to such an event. I do not mean that they manifest any of that pious fear which is backward to commit the safety of the country to the dubious experiment of war. Such a fear, being the tender sensation of virtue, excited, as it is regulated, by reason, frequently shows itself in a seasonable boldness, which keeps danger at a distance, by seeming to despise it. Their fear betrays to the first glance of the eye, its true cause, and its real object. Foreign powers, confident in the knowledge of their character, have not

scrupled to violate the most solemn treaties ; and, in defiance of them, to make conquests in the midst of a general peace, and in the heart of Europe. Such was the conquest of Corsica, by the professed enemies of the freedom of mankind, in defiance of those who were formerly its professed defenders. We have had just claims upon the same powers : rights which ought to have been sacred to them as well as to us, as they had their origin in our lenity and generosity towards France and Spain, in the day of their great humiliation. Such I call the ransom of Manilla, and the demand on France for the East India prisoners. But these powers put a just confidence in their resource of the *double cabinet*. These demands (one of them at least) are hastening fast towards an acquittal by prescription. Oblivion begins to spread her cobwebs over all our spirited remonstrances. Some of the most valuable branches of our trade are also on the point of perishing from the same cause. I do not mean those branches which bear without the hand of the vine-dresser ; I mean those which the policy of treaties had formerly secured to us ; I mean to mark and distinguish the trade of Portugal, the loss of which, and the power of the cabal, have one and the same era.

If, by any chance, the ministers who stand before the curtain possess or affect any spirit, it makes little or no impression. Foreign courts and ministers, who were among the first to discover and to profit by this invention of the *double cabinet*, attend very little to their remonstrances. They know that those shadows of ministers have nothing to do in the ultimate disposal of things. Jealousies and animosities are sedulously nourished in the outward administration, and have been even considered as a *causa sine qua non* in its constitution : thence foreign courts have a certainty, that nothing can be done by common counsel in this nation. If one of those ministers officially takes up a business with spirit, it serves only the better to signalize the meanness of the rest, and the discord of them all. His colleagues in office are in haste to shake him off, and to

disclaim the whole of his proceedings. Of this nature was that astonishing transaction, in which Lord Rochford, our ambassador at Paris, remonstrated against the attempt upon Corsica, in consequence of a direct authority from Lord Shelburne. This remonstrance the French minister treated with the contempt that was natural: as he was assured, from the ambassador of his court to ours, that these orders of Lord Shelburne were not supported by the rest of the (I had like to have said British) administration. Lord Rochford, a man of spirit, could not endure this situation. The consequences were, however, curious. He returns from Paris, and comes home full of anger. Lord Shelburne, who gave the orders, is obliged to give up the seals. Lord Rochford, who obeyed these orders, receives them. He goes, however, into another department of the same office, that he might not be obliged officially to acquiesce, in one situation, under what he had officially remonstrated against, in another. At Paris, the Duke of Choiseul considered this office arrangement as a compliment to him: here it was spoken of as an attention to the delicacy of Lord Rochford. But whether the compliment was to one or both, to this nation it was the same. By this transaction the condition of our court lay exposed in all its nakedness. Our office correspondence has lost all pretence to authenticity: British policy is brought into derision in those nations, that a while ago trembled at the power of our arms, whilst they looked up with confidence to the equity, firmness, and candour, which shone in all our negotiations. I represent this matter exactly in the light in which it has been universally received.

Such has been the aspect of our foreign politics, under the influence of a *double cabinet*. With such an arrangement at court, it is impossible it should have been otherwise. Nor is it possible that this scheme should have a better effect upon the government of our dependencies, the first, the dearest, and most delicate objects, of the interior policy of this empire. The

colonies know that administration is separated from the court, divided within itself, and detested by the nation. The *double cabinet* has, in both the parts of it, shown the most malignant dispositions towards them, without being able to do them the smallest mischief.

They are convinced, by sufficient experience, that no plan, either of lenity or rigour, can be pursued with uniformity and perseverance. Therefore they turn their eyes entirely from Great Britain, where they have neither dependence on friendship nor apprehension from enmity. They look to themselves, and their own arrangements. They grow every day into alienation from this country; and whilst they are becoming disconnected with our government, we have not the consolation to find that they are even friendly in their new independence. Nothing can equal the futility, the weakness, the rashness, the timidity, the perpetual contradiction in the management of our affairs in that part of the world. A volume might be written on this melancholy subject; but it were better to leave it entirely to the reflections of the reader himself than not to treat it in the extent it deserves.

In what manner our domestic economy is affected by this system, it is needless to explain. It is the perpetual subject of their own complaints.

The court party resolve the whole into faction. Having said something before upon this subject, I shall only observe here that, when they give this account of the prevalence of faction, they present no very favourable aspect of the confidence of the people in their own government. They may be assured that however they amuse themselves with a variety of projects for substituting something else in the place of that great and only foundation of government, the confidence of the people, every attempt will but make their condition worse. When men imagine that their food is only a cover for poison, and when they neither love nor trust the hand that serves it, it is not the name of the roast beef of Old England, that will persuade them to sit down to the table that is spread for

them. When the people conceive that laws, and tribunals, and even popular assemblies, are perverted from the ends of their institution, they find in those names of degenerated establishments only new motives to discontent. Those bodies which, when full of life and beauty, lay in their arms, and were their joy and comfort, when dead and putrid, become but the more loathsome from remembrance of former endearments. A sullen gloom and furious disorder prevail by fits: the nation loses its relish for peace and prosperity; as it did in that season of fulness which opened our troubles in the time of Charles I. A species of men to whom a state of order would become a sentence of obscurity are nourished into a dangerous magnitude by the heat of intestine disturbances; and it is no wonder that, by a sort of sinister piety, they cherish, in their turn, the disorders which are the parents of all their consequence. Superficial observers consider such persons as the cause of the public uneasiness, when, in truth, they are nothing more than the effect of it. Good men look upon this distracted scene with sorrow and indignation. Their hands are tied behind them. They are despoiled of all the power which might enable them to reconcile the strength of government with the rights of the people. They stand in a most distressing alternative. But in the election among evils they hope better things from temporary confusion, than from established servitude. In the meantime, the voice of law is not to be heard. Fierce licentiousness begets violent restraints. The military arm is the sole reliance; and then, call your constitution what you please, it is the sword that governs. The civil power, like every other that calls in the aid of an ally stronger than itself, perishes by the assistance it receives. But the contrivers of this scheme of government will not trust solely to the military power; because they are cunning men. Their restless and crooked spirit drives them to rake in the dirt of every kind of expedient. Unable to rule the multitude, they endeavour to raise divisions amongst them. One mob is hired to destroy another; a pro-

cedure which at once encourages the boldness of the populace, and justly increases their discontent. Men become pensioners of state on account of their abilities in the array of riot, and the discipline of confusion. Government is put under the disgraceful necessity of protecting from the severity of the laws that very licentiousness, which the laws had been before violated to repress. • Everything partakes of the original disorder. Anarchy predominates without freedom, and servitude without submission or subordination. These are the consequences inevitable to our public peace, from the scheme of rendering the executory government at once odious and feeble; of freeing administration from the constitutional and salutary control of parliament, and inventing for it a *new control*, unknown to the constitution, an *interior cabinet*; which brings the whole body of government into confusion and contempt.

After having stated, as shortly as I am able, the effects of this system on our foreign affairs, on the policy of our government with regard to our dependencies, and on the interior economy of the commonwealth; there remains only, in this part of my design, to say something of the grand principle which first recommended this system at court. The pretence was, to prevent the king from being enslaved by a faction, and made a prisoner in his closet. This scheme might have been expected to answer at least its own end, and to indemnify the king, in his personal capacity, for all the confusion into which it has thrown his government. But has it in reality answered this purpose? I am sure, if it had, every affectionate subject would have one motive for enduring with patience all the evils which attend it.

In order to come at the truth of this matter, it may not be amiss to consider it somewhat in detail. I speak here of the king, and not of the crown; the interests of which we have already touched. Independent of that greatness which a king possesses merely by being a representative of the national dignity, the things in

which he may have an individual interest seem to be these ;—wealth accumulated ; wealth spent in magnificence, pleasure, or beneficence ; personal respect and attention ; and, above all, private ease and repose of mind. These compose the inventory of prosperous circumstances, whether they regard a prince or a subject ; their enjoyments differing only in the scale upon which they are formed.

Suppose then we were to ask, whether the king has been richer than his predecessors in accumulated wealth, since the establishment of the plan of favouritism ? I believe it will be found that the picture of royal indigence, which our court has presented until this year, has been truly humiliating. Nor has it been relieved from this unseemly distress, but by means which have hazarded the affection of the people, and shaken their confidence in parliament. If the public treasures have been exhausted in magnificence and splendour, this distress would have been accounted for, and in some measure justified. Nothing would be more unworthy of this nation, than with a mean and mechanical rule, to mete out the splendour of the crown. Indeed I have found very few persons disposed to so ungenerous a procedure. But the generality of people, it must be confessed, do feel a good deal mortified, when they compare the wants of the court with its expenses. They do not behold the cause of this distress in any part of the apparatus of royal magnificence. In all this, they see nothing but the operations of parsimony, attended with all the consequences of profusion. Nothing expended, nothing saved. Their wonder is increased by their knowledge that besides the revenue settled on his majesty's civil list to the amount of £800,000 a year, he has a farther aid from a large pension list, £90,000 a year, in Ireland ; from the produce of the duchy of Lancaster (which we are told has been greatly improved) ; from the revenue of the duchy of Cornwall ; from the American quit-rents ; from the four and a half per cent. duty in the Leeward Islands ; this last worth to be sure considerably more

than £40,000 a year. The whole is certainly not much short of a million annually.

These are revenues within the knowledge and cognizance of our national councils. We have no direct right to examine into the receipts from his majesty's German dominions, and the bishopric of Osnaburg. This is unquestionably true. But that which is not within the province of parliament, is yet within the sphere of every man's own reflection. If a foreign prince resided amongst us, the state of his revenues could not fail of becoming the subject of our speculation. Filled with an anxious concern for whatever regards the welfare of our sovereign, it is impossible, in considering the miserable circumstances into which he has been brought, that this obvious topic should be entirely passed over. There is an opinion universal, that these revenues produce something not inconsiderable, clear of all charges and establishments. This produce the people do not believe to be hoarded, nor perceive to be spent. It is accounted for in the only manner it can, by supposing that it is drawn away, for the support of that court faction, which, whilst it distresses the nation, impoverishes the prince in every one of his resources. I once more caution the reader, that I do not urge this consideration concerning the foreign revenue, as if I supposed we had a direct right to examine into the expenditure of any part of it; but solely for the purpose of showing how little this system of favouritism has been advantageous to the monarch himself; which, without magnificence, has sunk him into a state of unnatural poverty; at the same time that he possessed every means of affluence, from ample revenues, both in this country, and in other parts of his dominions.

Has this system provided better for the treatment becoming his high and sacred character, and secured the king from those disgusts attached to the necessity of employing men who are not personally agreeable? This is a topic upon which for many reasons I could wish to be silent; but the pretence of securing against

such causes of uneasiness, is the corner-stone of the court-party. It has however so happened, that if I were to fix upon any one point, in which this system has been more particularly and shamefully blamable, the effects which it has produced would justify me in choosing for that point its tendency to degrade the personal dignity of the sovereign, and to expose him to a thousand contradictions and mortifications. It is but too evident in what manner these projectors of royal greatness have fulfilled all their magnificent promises. Without recapitulating all the circumstances of the reign, every one of which is, more or less, a melancholy proof of the truth of what I have advanced, let us consider the language of the court but a few years ago, concerning most of the persons now in the external administration: let me ask, whether any enemy to the personal feelings of the sovereign could possibly contrive a keener instrument of mortification, and degradation of all dignity, than almost every part and member of the present arrangement? Nor, in the whole course of our history, has any compliance with the will of the people ever been known to extort from any prince a greater contradiction to all his own declared affections and dislikes, than that which is now adopted, in direct opposition to everything the people approve and desire.

An opinion prevails that greatness has been more than once advised to submit to certain condescensions towards individuals, which have been denied to the entreaties of a nation. For the meanest and most dependent instrument of this system knows that there are hours when its existence may depend upon his adherence to it; and he takes his advantage accordingly. Indeed it is a law of nature that, whoever is necessary to what we have made our object is sure, in some way, or in some time or other, to become our master. All this however is submitted to, in order to avoid that monstrous evil of governing in concurrence with the opinion of the people. For it seems to be laid down as a maxim that a king has some sort of interest

in giving uneasiness to his subjects : that all who are pleasing to them, are to be of course disagreeable to him : that as soon as the persons who are odious at court are known to be odious to the people, it is snatched at as a lucky occasion of showering down upon them all kinds of emoluments and honours. None are considered as well-wishers to the crown, but those who advised to some unpopular course of action ; none capable of serving it, but those who are obliged to call at every instant upon all its power for the safety of their lives. None are supposed to be fit priests in the temple of government, but the persons who are compelled to fly into it for sanctuary. Such is the effect of this refined project ; such is ever the result of all the contrivances, which are used to free men from the servitude of their reason and from the necessity of ordering their affairs according to their evident interests. These contrivances oblige them to run into a real and ruinous servitude in order to avoid a supposed restraint that might be attended with advantage.

If therefore this system has so ill answered its own grand pretence of saving the king from the necessity of employing persons disagreeable to him, has it given more peace and tranquillity to his majesty's private hours ? No, most certainly. The father of his people cannot possibly enjoy repose, while his family is in such a state of distraction. Then what has the crown or the king profited by all this fine-wrought scheme ? Is he more rich, or more splendid, or more powerful, or more at his ease, by so many labours and contrivances ? Have they not beggared his exchequer, tarnished the splendour of his court, sunk his dignity, galled his feelings, discomposed the whole order and happiness of his private life ?

It will be very hard, I believe, to state in what respect the king has profited by that faction which presumptuously choose to call themselves *his friends*.

If particular men had grown into an attachment by the distinguished honour of the society of their sovereign ; and, by being the partakers of his amusements,

came sometimes to prefer the gratification of his personal inclinations to the support of his high character, the thing would be very natural, and it would be excusable enough. But the pleasant part of the story is that these *king's friends* have no more ground for usurping such a title than a resident freeholder in Cumberland or in Cornwall. They are only known to their sovereign by kissing his hand for the offices, pensions, and grants, into which they have deceived his benignity. May no storm ever come which will put the firmness of their attachment to the proof; and which, in the midst of confusions and terrors and sufferings may demonstrate the eternal difference between a true and severe friend to the monarchy and a slippery sycophant to the court! *Quantum infido scurrae distabit amicus.*

So far I have considered the effect of the court system, chiefly as it operates upon the executive government, on the temper of the people, and on the happiness of the sovereign. It remains that we should consider, with a little attention, its operation upon parliament.

Parliament was indeed the great object of all these politics, the end at which they aimed, as well as the instrument by which they were to operate. But, before parliament could be made subservient to a system, by which it was to be degraded from the dignity of a national council into a mere member of the court, it must be greatly changed from its original character.

In speaking of this body, I have my eye chiefly on the House of Commons. I hope I shall be indulged in a few observations on the nature and character of that assembly; not with regard to its *legal form and power*, but to its *spirit*, and to the purposes it is meant to answer in the constitution.

The House of Commons was supposed originally to be *no part of the standing government of this country*. It was considered as a *control*, issuing *immediately* from the people, and speedily to be resolved into the mass

from whence it arose. In this respect it was in the higher part of government what juries are in the lower. The capacity of a magistrate being transitory, and that of a citizen permanent, the latter capacity it was hoped would of course preponderate in all discussions, not only between the people and the standing authority of the crown, but between the people and the fleeting authority of the House of Commons itself. It was hoped that, being of a middle nature between subject and government, they would feel with a more tender and a nearer interest everything that concerned the people, than the other remoter and more permanent parts of legislature.

Whatever alterations time and the necessary accommodation of business may have introduced, this character can never be sustained, unless the House of Commons shall be made to bear some stamp of the actual disposition of the people at large. It would (among public misfortunes) be an evil more natural and tolerable that the House of Commons should be infected with every epidemical frenzy of the people, as this would indicate some consanguinity, some sympathy of nature with their constituents, than that they should in all cases be wholly untouched by the opinions and feelings of the people out of doors. By this want of sympathy they would cease to be a House of Commons. For it is not the derivation of the power of that House from the people, which makes it in a distinct sense their representative. The king is the representative of the people; so are the lords; so are the judges. They all are trustees for the people, as well as the commons; because no power is given for the sole sake of the holder; and although government certainly is an institution of divine authority, yet its forms, and the persons who administer it, all originate from the people.

A popular origin cannot therefore be the characteristic distinction of a popular representative. This belongs equally to all parts of government, and in all forms. The virtue, spirit, and essence of a House of Commons consists in its being the express image of

the feelings of the nation. It was not instituted to be a control *upon* the people, as of late it has been taught, by a doctrine of the most pernicious tendency. It was designed as a control *for* the people. Other institutions have been formed for the purpose of checking popular excesses; and they are, I apprehend, fully adequate to their object. If not, they ought to be made so. The House of Commons, as it was never intended for the support of peace and subordination, is miserably appointed for that service; having no stronger weapon than its mace, and no better officer than its serjeant-at-arms, which it can command of its own proper authority. A vigilant and jealous eye over executory and judicial magistracy; an anxious care of public money; an openness, approaching towards facility, to public complaint: these seem to be the true characteristics of a House of Commons. But an addressing House of Commons, and a petitioning nation; a House of Commons full of confidence, when the nation is plunged in despair; in the utmost harmony with ministers, whom the people regard with the utmost abhorrence; who vote thanks, when the public opinion calls upon them for impeachments; who are eager to grant, when the general voice demands account; who, in all disputes between the people and administration, presume against the people; who punish their disorders, but refuse even to inquire into the provocations to them; this is an unnatural, a monstrous state of things in this constitution. Such an assembly may be a great, wise, awful senate; but it is not, to any popular purpose, a House of Commons. This change from an immediate state of procuracy and delegation to a course of acting as from original power, is the way in which all the popular magistracies in the world have been perverted from their purposes. It is indeed their greatest and sometimes their incurable corruption. For there is a material distinction between that corruption by which particular points are carried against reason (this is a thing which cannot be prevented by human wisdom, and is of less consequence), and the corruption

of the principle itself. For then the evil is not accidental, but settled. The distemper becomes the natural habit.

For my part, I shall be compelled to conclude the principle of parliament to be totally corrupted, and therefore its ends entirely defeated, when I see two symptoms: first, a rule of indiscriminate support to all ministers; because this destroys the very end of parliament as a control, and is a general, previous sanction to misgovernment; and secondly, the setting up any claims adverse to the right of free election; for this tends to subvert the legal authority by which the House of Commons sits.

I know that, since the Revolution, along with many dangerous, many useful powers of government have been weakened. It is absolutely necessary to have frequent recourse to the legislature. Parliament must therefore sit every year, and for great part of the year. The dreadful disorders of frequent elections have also necessitated a septennial instead of a triennial duration. These circumstances, I mean the constant habit of authority, and the unfrequency of elections, have tended very much to draw the House of Commons towards the character of a standing senate. It is a disorder which has arisen from the cure of greater disorders; it has arisen from the extreme difficulty of reconciling liberty under a monarchical government with external strength and with internal tranquillity.

It is very clear that we cannot free ourselves entirely from this great inconvenience; but I would not increase an evil, because I was not able to remove it; and because it was not in my power to keep the House of Commons religiously true to its first principles, I would not argue for carrying it to a total oblivion of them. This has been the great scheme of power in our time. They who will not conform their conduct to the public good and cannot support it by the prerogative of the crown have adopted a new plan. They have totally abandoned the shattered and old-fashioned fortress of prerogative, and made a lodgment in the strong-

hold of parliament itself. If they have any evil design to which there is no ordinary legal power commensurate, they bring it into parliament. In parliament the whole is executed from the beginning to the end. In parliament the power of obtaining their object is absolute; and the safety in the proceeding perfect: no rules to confine, no after-reckonings to terrify. Parliament cannot, with any great propriety, punish others for things in which they themselves have been accomplices. Thus the control of parliament upon the executory power is lost; because parliament is made to partake in every considerable act of government. *Impeachment, that great guardian of the purity of the constitution, is in danger of being lost, even to the idea of it.*

By this plan several important ends are answered to the cabal. If the authority of parliament supports itself, the credit of every act of government, which they contrive, is saved: but if the act be so very odious that the whole strength of parliament is insufficient to recommend it, then parliament is itself discredited; and this discredit increases more and more that indifference to the constitution, which it is the constant aim of its enemies, by their abuse of parliamentary powers, to render general among the people. Whenever parliament is persuaded to assume the offices of executive government, it will lose all the confidence, love, and veneration, which it has ever enjoyed whilst it was supposed the *corrective and control* of the acting powers of the state. This would be the event, though its conduct in such a perversion of its functions should be tolerably just and moderate; but if it should be iniquitous, violent, full of passion, and full of faction, it would be considered as the most intolerable of all the modes of tyranny.

For a considerable time this separation of the representatives from their constituents went on with a silent progress; and had those who conducted the plan for their total separation been persons of temper and abilities any way equal to the magnitude of their

design, the success would have been infallible: but by their precipitancy they have laid it open in all its nakedness; the nation is alarmed at it: and the event may not be pleasant to the contrivers of the scheme. In the last session, the corps called the *king's friends* made a hardy attempt, all at once, to alter the right of election itself; to put it into the power of the House of Commons to disable any person disagreeable to them from sitting in parliament, without any other rule than their own pleasure; to make incapacities, either general for descriptions of men, or particular for individuals; and to take into their body, persons who avowedly had never been chosen by the majority of legal electors, nor agreeably to any known rule of law.

The arguments upon which this claim was founded and combated are not my business here. Never has a subject been more amply and more learnedly handled, nor upon one side, in my opinion, more satisfactorily; they who are not convinced by what is already written would not receive conviction *though one arose from the dead.*

I too have thought on this subject, but my purpose here is only to consider it as a part of the favourite project of government; to observe on the motives which led to it; and to trace its political consequences.

A violent rage for the punishment of Mr. Wilkes was the pretence of the whole. This gentleman, by setting himself strongly in opposition to the court cabal, had become at once an object of their persecution and of the popular favour. The hatred of the court party pursuing, and the countenance of the people protecting him, it very soon became not at all a question on the man but a trial of strength between the two parties. The advantage of the victory in this particular contest was the present, but not the only, nor by any means the principal, object. Its operation upon the character of the House of Commons was the great point in view. The point to be gained by the cabal was this; that a precedent should be established, tending to show, *That the favour of the people was not so sure a road as*

the favour of the court even to popular honours and popular trusts. A strenuous resistance to every appearance of lawless power ; a spirit of independence carried to some degree of enthusiasm ; an inquisitive character to discover, and a bold one to display, every corruption and every error of government ; these are the qualities which recommend a man to a seat in the House of Commons, in open and merely popular elections. An indolent and submissive disposition ; a disposition to think charitably of all the actions of men in power, and to live in a mutual intercourse of favours with them ; an inclination rather to countenance a strong use of authority, than to bear any sort of licentiousness on the part of the people ; these are unfavourable qualities in an open election for members of parliament.

The instinct which carries the people towards the choice of the former is justified by reason ; because a man of such character, even in its exorbitances, does not directly contradict the purposes of a trust, the end of which is a control on power. The latter character, even when it is not in its extreme, will execute this trust but very imperfectly ; and, if deviating to the least excess, will certainly frustrate instead of forwarding the purposes of a control on government. But when the House of Commons was to be new modelled, this principle was not only to be changed but reversed. Whilst any errors committed in support of power were left to the law, with every advantage of favourable construction, of mitigation, and finally of pardon ; all excesses on the side of liberty, or in pursuit of popular favour, or in defence of popular rights and privileges, were not only to be punished by the rigour of the known law, but by a *discretionary* proceeding, which brought on *the loss of the popular object itself.* Popularity was to be rendered, if not directly penal, at least highly dangerous. The favour of the people might lead even to a disqualification of representing them. Their odium might become, strained through the medium of two or three constructions, the means of sitting as the

trustee of all that was dear to them. This is punishing the offence in the offending part. Until this time, the opinion of the people, through the power of an assembly, still in some sort popular, led to the greatest honours and emoluments in the gift of the crown. Now the principle is reversed; and the favour of the court is the only sure way of obtaining and holding those honours which ought to be in the disposal of the people.

It signifies very little how this matter may be quibbled away. Example, the only argument of effect in civil life, demonstrates the truth of my proposition. Nothing can alter my opinion concerning the pernicious tendency of this example, until I see some man for his indiscretion in the support of power, for his violent and intemperate servility, rendered incapable of sitting in parliament. For as it now stands, the fault of overstraining popular qualities, and, irregularly if you please, asserting popular privileges, has led to disqualification; the opposite fault never has produced the slightest punishment. Resistance to power has shut the door of the House of Commons to one man; obsequiousness and servility, to none.

Not that I would encourage popular disorder or any disorder. But I would leave such offences to the law, to be punished in measure and proportion. The laws of this country are for the most part constituted, and wisely so, for the general ends of government, rather than for the preservation of our particular liberties. Whatever therefore is done in support of liberty, by persons not in public trust, or not acting merely in that trust, is liable to be more or less out of the ordinary course of the law; and the law itself is sufficient to animadvert upon it with great severity. Nothing indeed can hinder that severe letter from crushing us, except the temperaments it may receive from a trial by jury. But if the habit prevails of *going beyond the law*, and superseding this judicature, of carrying offences, real or supposed, into the legislative bodies, who shall establish themselves into *courts of criminal*

equity (so *the star chamber* has been called by Lord Bacon), all the evils of the *star chamber* are revived. A large and liberal construction in ascertaining offences, and a discretionary power in punishing them, is the idea of *criminal equity*; which is in truth a monster in jurisprudence. It signifies nothing whether a court for this purpose be a committee of council or a House of Commons, or a House of Lords; the liberty of the subject will be equally subverted by it. The true end and purpose of that house of parliament which entertains such a jurisdiction will be destroyed by it.

I will not believe, what no other man living believes, that Mr. Wilkes was punished for the indecency of his publications, or the impiety of his ransacked closet. If he had fallen in a common slaughter of libellers and blasphemers, I could well believe that nothing more was meant than was pretended. But when I see, that, for years together, full as impious, and perhaps more dangerous writings to religion, and virtue, and order, have not been punished, nor their virtues discountenanced; that the most audacious libels on royal majesty have passed without notice; that the most treasonable invectives against the laws, liberties, and constitution of the country, have not met with the slightest animadversion; I must consider this as a shocking and shameless pretence. Never did an envenomed scurrility against everything sacred and civil, public and private, rage through the kingdom with such a furious and unbridled licence. All this while the peace of the nation must be shaken, to ruin one libeller, and to tear from the populace a single favourite.

Nor is it that vice merely skulks in an obscure and contemptible impunity. Does not the public behold with indignation, persons not only generally scandalous in their lives, but the identical persons who, by their society, their instruction, their example, their encouragement, have drawn this man into the very faults which have furnished the cabal with a pretence for his persecution, loaded with every kind of favour, honour and

distinction, which a court can bestow ? Add but the crime of servility (the *foedum crimen servitutis*) to every other crime and the whole mass is immediately transmuted into virtue, and becomes the just subject of reward and honour. When therefore I reflect upon this method pursued by the cabal in distributing rewards and punishments, I must conclude that Mr. Wilkes is the object of persecution, not on account of what he has done in common with others who are the objects of reward, but for that in which he differs from many of them : that he is pursued for the spirited dispositions which are blended with his vices ; for his unconquerable firmness, for his resolute, indefatigable, strenuous resistance against oppression.

In this case, therefore, it was not the man that was to be punished, nor his faults that were to be discountenanced. Opposition to acts of power was to be marked by a kind of civil proscription. The popularity which should arise from such an opposition was to be shown unable to protect it. The qualities by which court is made to the people, were to render every fault inexpiable, and every error irretrievable. The qualities by which court is made to power, were to cover and to sanctify everything. He that will have a sure and honourable seat in the House of Commons must take care how he adventures to cultivate popular qualities ; otherwise he may remember the old maxim, *Breves et infaustos populi Romani amores*. If, therefore, a pursuit of popularity expose a man to greater dangers than a disposition to servility, the principle which is the life and soul of popular elections will perish out of the constitution.

It behoves the people of England to consider how the House of Commons, under the operation of these examples, must of necessity be constituted. On the side of the court will be, all honours, offices, emoluments ; every sort of personal gratification to avarice or vanity ; and, what is of more moment to most gentlemen, the means of growing, by innumerable petty services to individuals, into a spreading interest in their

country. On the other hand, let us suppose a person unconnected with the court, and in opposition to its system. For his own person, no office, or emolument, or title; no promotion ecclesiastical, or civil, or military, or naval, for children, or brothers, or kindred. In vain an expiring interest in a borough calls for offices, or small livings, for the children of mayors, and aldermen, and capital burgesses. His court rival has them all. He can do an infinite number of acts of generosity and kindness, and even of public spirit. He can procure indemnity from quarters. He can procure advantages in trade. He can get pardons for offences. He can obtain a thousand favours, and avert a thousand evils. He may, while he betrays every valuable interest of the kingdom, be a benefactor, a patron, a father, a guardian angel to his borough. The unfortunate independent member has nothing to offer, but harsh refusal, or pitiful excuse, or despondent representation of a hopeless interest. Except from his private fortune, in which he may be equalled, perhaps exceeded, by his court competitor, he has no way of showing any one good quality, or of making a single friend. In the House, he votes for ever in a dispirited minority. If he speaks, the doors are locked. A body of loquacious placemen go out to tell the world that all he aims at is to get into office. If he has not the talent of elocution, which is the case of many as wise and knowing men as any in the House, he is liable to all these inconveniences, without the *éclat* which attends upon any tolerably successful exertion of eloquence. Can we conceive a more discouraging post of duty than this? Strip it of the poor reward of popularity; suffer even the excesses committed in defence of the popular interest to become a ground for the majority of that House to form a disqualification out of the line of the law, and at their pleasure, attended not only with the loss of the franchise, but with every kind of personal disgrace.—If this shall happen, the people of this kingdom may be assured that they cannot be firmly or faithfully served by any man. It is out of

the nature of men and things that they should ; and their presumption will be equal to their folly if they expect it. The power of the people, within the laws, must show itself sufficient to protect every representative in the animated performance of his duty, or that duty cannot be performed. The House of Commons can never be a control on other parts of government, unless they are controlled themselves by their constituents ; and unless these constituents possess some right in the choice of that House, which it is not in the power of that House to take away. If they suffer this power of arbitrary incapacitation to stand, they have utterly perverted every other power of the House of Commons. The late proceeding I will not say is contrary to law ; it *must* be so ; for the power which is claimed cannot, by any possibility, be a legal power in any limited member of government.

The power which they claim, of declaring incapacities, would not be above the just claims of a final judicature, if they had not laid it down as a leading principle, that they had no rule in the exercise of this claim, but their own *discretion*. Not one of their abettors has ever undertaken to assign the principle of unfitness, the species or degree of delinquency, on which the House of Commons will expel, nor the mode of proceeding upon it, nor the evidence upon which it is established. The direct consequence of which is, that the first franchise of an Englishman, and that on which all the rest vitally depend, is to be forfeited for some offence which no man knows, and which is to be proved by no known rule whatsoever of legal evidence. This is so anomalous to our whole constitution, that I will venture to say, the most trivial right, which the subject claims, never was, nor can be, forfeited in such a manner.

The whole of their usurpation is established upon this method of arguing. We do not *make* laws. No ; we do not contend for this power. We only *declare* law ; and, as we are a tribunal both competent and supreme, what we declare to be law becomes law, although it should not have been so before. Thus the

circumstance of having no *appeal* from their jurisdiction is made to imply that they have no *rule* in the exercise of it: the judgment does not derive its validity from its conformity to the law; but preposterously the law is made to attend on the judgment; and the rule of the judgment is no other than the *occasional will of the House*. An arbitrary discretion leads, legality follows; which is just the very nature and description of a legislative act.

This claim in their hands was no barren theory. It was pursued into its utmost consequences; and a dangerous principle has begot a correspondent practice. A systematic spirit has been shown upon both sides. The electors of Middlesex chose a person whom the House of Commons had voted incapable; and the House of Commons has taken in a member whom the elector of Middlesex had not chosen. By a construction on that legislative power which had been assumed, they declared that the true legal sense of the country was contained in the minority, on that occasion; and might, on a resistance to a vote of incapacity, be contained in any minority.

When any construction of law goes against the spirit of the privilege it was meant to support, it is a vicious construction. It is material to us to be represented really and *bonâ fide*, and not in forms, in types, and shadows, and fictions of law. The right of election was not established merely as a *matter of form*, to satisfy some method and rule of technical reasoning; it was not a principle which might substitute a *Titius* or a *Maevius*, a *John Doe* or *Richard Roe*, in the place of a man specially chosen; not a principle which was just as well satisfied with one man as with another. It is a right, the effect of which is to give to the people that man, and *that man only*, whom, by their voices actually, not constructively given, they declare that they know, esteem, love, and trust. This right is a matter within their own power of judging and feeling; not an *ens rationis* and creature of law: nor can those devices, by which anything else is substituted in the

place of such an actual choice, answer in the least degree the end of representation.

I know that the courts of law have made as strained constructions in other cases. Such is the construction in common recoveries. The method of construction which in that case gives to the persons in remainder, for their security and representative, the door-keeper, crier, or sweeper of the court, or some other shadowy being without substance or effect, is a fiction of a very coarse texture. This was however suffered, by the acquiescence of the whole kingdom, for ages ; because the evasion of the old statute of Westminster, which authorized perpetuities, had more sense and utility than the law which was evaded. But an attempt to turn the right of election into such a farce and mockery as a fictitious fine and recovery, will, I hope, have another fate ; because the laws which give it are infinitely dear to us, and the evasion is infinitely contemptible.

The people indeed have been told that this power of discretionary disqualification is vested in hands that they may trust and who will be sure not to abuse it to their prejudice. Until I find something in this argument differing from that on which every mode of despotism has been defended, I shall not be inclined to pay it any great compliment. The people are satisfied to trust themselves with the exercise of their own privileges, and do not desire this kind intervention of the House of Commons to free them from the burden. They are certainly in the right. They ought not to trust the House of Commons with a power over their franchises ; because the constitution, which placed two other co-ordinate powers to control it, reposed no such confidence in that body. It were a folly well deserving servitude for its punishment, to be full of confidence where the laws are full of distrust ; and to give to a House of Commons, arrogating to its sole resolution the most harsh and odious part of legislative authority, that degree of submission which is due only to the legislature itself.

When the House of Commons, in an endeavour to obtain new advantages at the expense of the other orders of the state, for the benefit of the *commons at large*, have pursued strong measures; if it were not just, it was at least natural, that the constituents should connive at all their proceedings; because we were ourselves ultimately to profit. But when this submission is urged to us, in a contest between the representatives and ourselves, and where nothing can be put into their scale which is not taken from ours, they fancy us to be children when they tell us they are our representatives, our own flesh and blood, and that all the stripes they give us are for our good. The very desire of that body to have such a trust contrary to law reposed in them shows that they are not worthy of it. They certainly will abuse it; because all men possessed of an uncontrolled discretionary power leading to the aggrandizement and profit of their own body have always abused it: and I see no particular sanctity in our times, that is at all likely, by a miraculous operation, to overrule the course of nature.

But we must purposely shut our eyes, if we consider this matter merely as a contest between the House of Commons and the electors. The true contest is between the electors of the kingdom and the crown, the crown acting by an instrumental House of Commons. It is precisely the same whether the ministers of the crown can disqualify by a dependent House of Commons, or by a dependent court of *star chamber*, or by a dependent court of king's bench. If once members of parliament can be practically convinced that they do not depend on the affection or opinion of the people for their political being, they will give themselves over, without even an appearance of reserve, to the influence of the court.

Indeed, a parliament unconnected with the people is essential to a ministry unconnected with the people; and therefore those who saw through what mighty difficulties the interior ministry waded, and the exterior were dragged, in this business, will conceive of what prodigious importance, the new corps of *king's men* held

this principle of occasional and personal incapacitation, to the whole body of their design.

When the House of Commons was thus made to consider itself as the master of its constituents, there wanted but one thing to secure that House against all possible future deviation towards popularity; an *unlimited* fund of money to be laid out according to the pleasure of the court.

To complete the scheme of bringing our court to a resemblance to the neighbouring monarchies, it was necessary, in effect, to destroy those appropriations of revenue, which seem to limit the property, as the other laws had done the powers, of the crown. An opportunity for this purpose was taken, upon an application to parliament for payment of the debts of the civil list; which in 1769 had amounted to £513,000. Such application had been made upon former occasions; but to do it in the former manner would by no means answer the present purpose.

Whenever the crown had come to the commons to desire a supply for the discharging of debts due on the civil list, it was always asked and granted with one of the three following qualifications; sometimes with all of them. Either it was stated that the revenue had been diverted from its purposes by parliament; or that those duties had fallen short of the sum for which they were given by parliament, and that the intention of the legislature had not been fulfilled; or that the money required to discharge the civil list debt was to be raised chargeable on the civil list duties. In the reign of Queen Anne, the crown was found in debt. The lessening and granting away some part of her revenue by parliament was alleged as the cause of that debt and pleaded as an equitable ground, such it certainly was, for discharging it. It does not appear that the duties which were then applied to the ordinary government produced clear above £580,000 a year; because, when they were afterwards granted to George I, £120,000 was added to complete the whole to £700,000 a year. Indeed it was then asserted, and, I have no doubt,

truly, that for many years the net produce did not amount to above £550,000. The queen's extraordinary charges were besides very considerable; equal, at least, to any we have known in our time. The application to parliament was not for an absolute grant of money; but to empower the queen to raise it by borrowing upon the civil list funds.

The civil list debt was twice paid in the reign of George I. The money was granted upon the same plan which had been followed in the reign of Queen Anne. The civil list revenues were then mortgaged for the sum to be raised, and stood charged with the ransom of their own deliverance.

George II received an addition to his civil list. Duties were granted for the purpose of raising £800,000 a year. It was not until he had reigned nineteen years, and after the last rebellion, that he called upon parliament for a discharge of the civil list debt. The extraordinary charges brought on by the rebellion account fully for the necessities of the crown. However, the extraordinary charges of government were not thought a ground fit to be relied on.

A deficiency of the civil list duties for several years before was stated as the principal, if not the sole ground on which an application to parliament could be justified. About this time the produce of these duties had fallen pretty low; and even upon an average of the whole reign they never produced £800,000 a year clear to the treasury.

That prince reigned fourteen years afterwards: not only no new demands were made; but with so much good order were his revenues and expenses regulated, that, although many parts of the establishment of the court were upon a larger and more liberal scale than they have been since, there was a considerable sum in hand, on his decease, amounting to about £170,000 applicable to the service of the civil list of his present majesty. So that, if this reign commenced with a greater charge than usual, there was enough and more than enough abundantly to supply all the extraordinary

expense. That the civil list should have been exceeded in the two former reigns, especially in the reign of George I, was not at all surprising. His revenue was but £700,000 annually; if it ever produced so much clear. The prodigious and dangerous disaffection to the very being of the establishment, and the cause of a pretender then powerfully abetted from abroad, produced many demands of an extraordinary nature both abroad and at home. Much management and great expenses were necessary. But the throne of no prince has stood upon more unshaken foundations than that of his present majesty.

To have exceeded the sum given for the civil list and to have incurred a debt without special authority of parliament was *prima facie* a criminal act; as such, ministers ought naturally rather to have withdrawn it from the inspection, than to have exposed it to the scrutiny, of parliament. Certainly they ought, of themselves, officially to have come armed with every sort of argument, which, by explaining, could excuse, a matter in itself of presumptive guilt. But the terrors of the House of Commons are no longer for ministers.

On the other hand, the peculiar character of the House of Commons, as trustee of the public purse, would have led them to call with a punctilious solicitude for every public account, and to have examined into them with the most rigorous accuracy.

The capital use of an account is that the reality of the charge, the reason of incurring it, and the justice and necessity of discharging it, should all appear antecedent to the payment. No man ever pays first, and calls for his account afterwards; because he would thereby let out of his hands the principal, and indeed only effectual, means of compelling a full and fair one. But, in national business, there is an additional reason for a previous production of every account. It is a check, perhaps the only one, upon a corrupt and prodigal use of public money. An account after payment is to no rational purpose an account. However,

the House of Commons, thought all these to be antiquated principles: they were of opinion, that the most parliamentary way of proceeding was to pay first what the court thought proper to demand and to take its chance for an examination into accounts at some time of greater leisure.

The nation had settled £800,000 a year on the crown, as sufficient for the support of its dignity, upon the estimate of its own ministers. When ministers came to parliament, and said that this allowance had not been sufficient for the purpose, and that they had incurred a debt of £500,000, would it not have been natural for parliament first to have asked how, and by what means, their appropriated allowance came to be insufficient? Would it not have savoured of some attention to justice, to have seen in what periods of administration this debt had been originally incurred; that they might discover and, if need were, animadvert on the persons who were found the most culpable? To put their hands upon such articles of expenditure as they thought improper or excessive and to secure, in future, against such misapplication or exceeding? Accounts for any other purposes are but a matter of curiosity, and no genuine parliamentary object. All the accounts which could answer any parliamentary end were refused, or postponed by previous questions. Every idea of prevention was rejected, as conveying an improper suspicion of the ministers of the crown.

When every leading account had been refused, many others were granted with sufficient facility.

But with great candour also, the House was informed that hardly any of them could be ready until the next session; some of them perhaps not so soon. But, in order firmly to establish the precedent of *payment previous to account*, and to form it into a settled, rule of the House, the god in the machine was brought down, nothing less than the wonder-working *law of parliament*. It was alleged, that it is the law of parliament, when any demand comes from the crown, that the House must go immediately into the committee of

supply; in which committee it was allowed that the production and examination of accounts would be quite proper and regular. It was therefore carried, that they should go into the committee without delay, and without accounts, in order to examine with great order and regularity things that could not possibly come before them. After this stroke of orderly and parliamentary wit and humour, they went into the committee; and very generously voted the payment.

There was a circumstance in that debate too remarkable to be overlooked. This debt of the civil list was all along argued upon the same footing as a debt of the state, contracted upon national authority. Its payment was urged as equally pressing upon the public faith and honour; and when the whole year's account was stated, in what is called *the budget*, the ministry valued themselves on the payment of so much public debt, just as if they had discharged £500,000 of navy or exchequer bills. Though, in truth, their payment, from the sinking fund, of debt which was never contracted by parliamentary authority, was, to all intents and purposes, so much debt incurred. But such is the present notion of public credit and payment of debt. No wonder that it produces such effects.

Nor was the House at all more attentive to a provident security against future, than it had been to a vindictive retrospect to past mismanagements. I should have thought indeed that a ministerial promise, during their own continuance in office, might have been given; though this would have been but a poor security for the public. Mr. Pelham gave such an assurance, and he kept his word. But nothing was capable of extorting from our ministers anything which had the least resemblance to a promise of confining the expenses of the civil list within the limits which had been settled by parliament. This reserve of theirs I look upon to be equivalent to the clearest declaration, that they were resolved upon a contrary course.

However, to put the matter beyond all doubt, in the speech from the throne, after thanking parliament for

the relief so liberally granted, the ministers inform the two Houses, that they will *endeavour* to confine the expenses of the civil government—within what limits, think you ? those which the law had prescribed ! Not in the least—‘such limits as the *honour of the crown* can possibly admit.’

Thus they established an *arbitrary* standard for that dignity which parliament had defined and limited to a *legal* standard. They gave themselves, under the lax and indeterminate idea of the *honour of the crown*, a full loose for all manner of dissipation and all manner of corruption. This arbitrary standard they were not afraid to hold out to both Houses ; while an idle and unoperative act of parliament, estimating the dignity of the crown at £800,000 and confining it to that sum, adds to the number of obsolete statutes which load the shelves of libraries, without any sort of advantage to the people.

After this proceeding, I suppose that no man can be so weak as to think that the crown is limited to any settled allowance whatsoever. For if the ministry has £800,000 a year by the law of the land ; and if by the law of parliament all the debts which exceed it are to be paid previously to the production of any account ; I presume that this is equivalent to an income with no other limits than the abilities of the subject and the moderation of the court ; that is to say, it is such an income as is possessed by every absolute monarch in Europe. It amounts, as a person of great ability said in the debate, to an unlimited power of drawing upon the sinking fund. Its effect on the public credit of this kingdom must be obvious ; for in vain is the sinking fund the great buttress of all the rest, if it be in the power of the ministry to resort to it for the payment of any debts which they may choose to incur, under the name of the civil list, and through the medium of a committee which thinks itself obliged by law to vote supplies without any other account than that of the mere existence of the debt.

Five hundred thousand pounds is a serious sum. But

it is nothing to the prolific principle upon which the sum was voted : a principle that may be well called, *the fruitful mother of an hundred more*. Neither is the damage to public credit of very great consequence, when compared with that which results to public morals and to the safety of the constitution, from the exhaustless mine of corruption opened by the precedent, and to be wrought by the principle, of the late payment of the debts of the civil list. The power of discretionary disqualification by one law of parliament, and the necessity of paying every debt of the civil list by another law of parliament, if suffered to pass unnoticed, must establish such a fund of rewards and terrors as will make parliament the best appendage and support of arbitrary power that ever was invented by the wit of man. This is felt. The quarrel is begun between the representatives and the people. The court faction have at length committed them.

In such a strait the wisest may well be perplexed, and the boldest staggered. The circumstances are in a great measure new. We have hardly any landmarks from the wisdom of our ancestors to guide us. At best we can only follow the spirit of their proceeding in other cases. I know the diligence with which my observations on our public disorders have been made ; I am very sure of the integrity of the motives on which they are published : I cannot be equally confident in any plan for the absolute cure of those disorders, or for their certain future prevention. My aim is to bring this matter into more public discussion. Let the sagacity of others work upon it. It is not uncommon for medical writers to describe histories of diseases very accurately, on whose cure they can say but very little.

The first ideas which generally suggest themselves, for the cure of parliamentary disorders, are, to shorten the duration of parliaments ; and to disqualify all, or a great number of placemen, from a seat in the House of Commons. Whatever efficacy there may be in those remedies, I am sure in the present state of

things it is impossible to apply them. A restoration of the right of free election is a preliminary indispensable to every other reformation. What alterations ought afterwards to be made in the constitution, is a matter of deep and difficult research.

If I wrote merely to please the popular palate, it would indeed be as little troublesome to me as to another to extol these remedies, so famous in speculation, but to which their greatest admirers have never attempted seriously to resort in practice. I confess then, that I have no sort of reliance upon either a triennial parliament or a place-bill. With regard to the former, perhaps it might rather serve to counteract, than to promote the ends that are proposed by it. To say nothing of the horrible disorders among the people attending frequent elections, I should be fearful of committing, every three years, the independent gentlemen of the country into a contest with the treasury. It is easy to see which of the contending parties would be ruined first. Whoever has taken a careful view of public proceedings, so as to endeavour to ground his speculations on his experience, must have observed how prodigiously greater the power of ministry is in the first and last session of a parliament, than it is in the intermediate periods, when members sit a little firm on their seats. The persons of the greatest parliamentary experience, with whom I have conversed, did constantly, in canvassing the fate of questions, allow something to the court side, upon account of the elections depending or imminent. The evil complained of, if it exists in the present state of things, would hardly be removed by a triennial parliament: for, unless the influence of government in elections can entirely be taken away, the more frequently they return, the more they will harass private independence; the more generally men will be compelled to fly to the settled systematic interest of government, and to the resources of a boundless civil list. Certainly something may be done, and ought to be done, towards lessening that influence in elections; and this will be

necessary upon a plan either of longer or shorter duration of parliament. But nothing can so perfectly remove the evil, as not to render such contentions, too frequently repeated, utterly ruinous, first to independence of fortune, and then to independence of spirit. As I am only giving an opinion on this point, and not at all debating it in an adverse line, I hope I may be excused in another observation. With great truth I may aver that I never remember to have talked on this subject with any man much conversant with public business, who considered short parliaments as a real improvement of the constitution. Gentlemen, warm in a popular cause, are ready enough to attribute all the declarations of such persons to corrupt motives. But the habit of affairs, if, on one hand, it tends to corrupt the mind, furnishes it, on the other, with the means of better information. The authority of such persons will always have some weight. It may stand upon a par with the speculations of those who are less practised in business; and who, with perhaps purer intentions, have not so effectual means of judging. It is besides an effect of vulgar and puerile malignity to imagine, that every statesman is of course corrupt; and that his opinion, upon every constitutional point, is solely formed upon some sinister interest.

The next favourite remedy is a place bill. The same principle guides in both; I mean, the opinion which is entertained by many, of the infallibility of laws and regulations, in the cure of public distempers. Without being as unreasonably doubtful as many are unwisely confident, I will only say that this also is a matter very well worthy of serious and mature reflection. It is not easy to foresee what the effect would be of disconnecting with parliament the greatest part of those who hold civil employments, and of such mighty and important bodies as the military and naval establishments. It were better, perhaps, that they should have a corrupt interest in the forms of the constitution than that they should have none at all. This is a question altogether different from the disqualification of a particular

description of revenue-officers from seats in parliament ; or, perhaps, of all the lower sorts of them from votes in elections. In the former case, only the few are affected ; in the latter, only the inconsiderable. But a great official, a great professional, a great military and naval interest, all necessarily comprehending many people of the first weight, ability, wealth, and spirit, has been gradually formed in the kingdom. These new interests must be let into the share of representation, else possibly they may be inclined to destroy those institutions of which they are not permitted to partake. This is not a thing to be trifled with ; nor is it every well-meaning man that is fit to put his hands to it. Many other serious considerations occur. I do not open them here, because they are not directly to my purpose ; proposing only to give the reader some taste of the difficulties that attend all capital changes in the constitution ; just to hint the uncertainty, to say no worse, of being able to prevent the court, as long as it has the means of influence abundantly in its power, of applying that influence to parliament ; and perhaps, if the public method were precluded, of doing it in some worse and more dangerous method. Underhand and oblique ways would be studied. The science of evasion, already tolerably understood, would then be brought to the greatest perfection. It is no inconsiderable part of wisdom, to know how much of an evil ought to be tolerated ; lest, by attempting a degree of purity impracticable in degenerate times and manners, instead of cutting off the subsisting ill-practices, new corruptions might be produced for the concealment and security of the old. It were better, undoubtedly, that no influence at all could affect the mind of a member of parliament. But of all modes of influence, in my opinion, a place under the government is the least disgraceful to the man who holds it, and by far the most safe to the country. I would not shut out that sort of influence which is open and visible, which is connected with the dignity and the service of the state, when it is not in my power to prevent the in-

fluence of contracts, of subscriptions, of direct bribery, and those innumerable methods of clandestine corruption, which are abundantly in the hands of the court, and which will be applied as long as these means of corruption, and the disposition to be corrupted, have existence amongst us. Our constitution stands on a nice equipoise, with steep precipices and deep waters upon all sides of it. In removing it from a dangerous leaning towards one side, there may be a risk of over-setting it on the other. Every project of a material change in a government so complicated as ours, combined at the same time with external circumstances still more complicated, is a matter full of difficulties : in which a considerate man will not be too ready to decide ; a prudent man too ready to undertake ; or an honest man too ready to promise. They do not respect the public nor themselves, who engage for more than they are sure that they ought to attempt, or that they are able to perform. These are my sentiments, weak perhaps, but honest and unbiassed ; and submitted entirely to the opinion of grave men, well-affected to the constitution of their country, and of experience in what may best promote or hurt it.

Indeed, in the situation in which we stand, with an immense revenue, an enormous debt, mighty establishments, government itself a great banker and a great merchant, I see no other way for the preservation of a decent attention to public interest in the representatives, but *the interposition of the body of the people itself*, whenever it shall appear, by some flagrant and notorious act, by some capital innovation, that these representatives are going to overleap the fences of the law, and to introduce an arbitrary power. This interposition is a most unpleasant remedy. But, if it be a legal remedy, it is intended on some occasion to be used ; to be used then only, when it is evident that nothing else can hold the constitution to its true principles.

The distempers of monarchy were the great subjects of apprehension and redress, in the last century ; in

this, the distempers of parliament. It is not in parliament alone that the remedy for parliamentary disorders can be completed; hardly indeed can it begin there. Until a confidence in government is re-established, the people ought to be excited to a more strict and detailed attention to the conduct of their representatives. Standards for judging more systematically upon their conduct ought to be settled in the meetings of counties and corporations. Frequent and correct lists of the voters in all important questions ought to be procured.

By such means something may be done. By such means it may appear who those are that, by an indiscriminate support of all administrations, have totally banished all integrity and confidence out of public proceedings; have confounded the best men with the worst; and weakened and dissolved, instead of strengthening and compacting, the general frame of government. If any person is more concerned for government and order, than for the liberties of his country; even he is equally concerned to put an end to this course of indiscriminate support. It is this blind and undistinguishing support that feeds the spring of those very disorders, by which he is frightened into the arms of the faction which contains in itself the source of all disorders, by enfeebling all the visible and regular authority of the state. The distemper is increased by his injudicious and preposterous endeavours, or pretences, for the cure of it.

An exterior administration, chosen for its impotency or after it is chosen purposely rendered impotent, in order to be rendered subservient, will not be obeyed. The laws themselves will not be respected when those who execute them are despised: and they will be despised when their power is not immediate from the crown or natural in the kingdom. Never were ministers better supported in parliament. Parliamentary support comes and goes with office, totally regardless of the man, or the merit. Is government strengthened? It grows weaker and weaker. The popular torrent gains

upon it every hour. Let us learn from our experience. It is not support that is wanting to government, but reformation. When ministry rests upon public opinion, it is not indeed built upon a rock of adamant; it has however, some stability. But when it stands upon private humour, its structure is of stubble, and its foundation is on quicksand. I repeat it again—He that supports every administration subverts all government. The reason is this: The whole business in which a court usually takes an interest goes on at present equally well, in whatever hands, whether high or low, wise or foolish, scandalous or reputable; there is nothing therefore to hold it firm to any one body of men, or to any one consistent scheme of politics. Nothing interposes, to prevent the full operation of all the caprices and all the passions of a court upon the servants of the public. The system of administration is open to continual shocks and changes, upon the principles of the meanest cabal and the most contemptible intrigue. Nothing can be solid and permanent. All good men at length fly with horror from such a service. Men of rank and ability, with the spirit which ought to animate such men in a free state, while they decline the jurisdiction of dark cabal on their actions and their fortunes, will, for both, cheerfully put themselves upon their country. They will trust an inquisitive and distinguishing parliament; because it does inquire and does distinguish. If they act well, they know that, in such a parliament, they will be supported against any intrigue; if they act ill, they know that no intrigue can protect them. This situation, however awful, is honourable. But in one hour, and in the self-same assembly, without any assigned or assignable cause, to be precipitated from the highest authority to the most marked neglect, possibly into the greatest peril of life and reputation, is a situation full of danger, and destitute of honour. It will be shunned equally by every man of prudence, and every man of spirit.

Such are the consequences of the division of court

from the administration and of the division of public men among themselves. By the former of these, lawful government is undone ; by the latter, all opposition to lawless power is rendered impotent. Government may in a great measure be restored, if any considerable bodies of men have honesty and resolution enough never to accept administration, unless this garrison of *king's men*, which is stationed, as in a citadel, to control and enslave it, be entirely broken and disbanded, and every work they have thrown up be levelled with the ground. The disposition of public men to keep this corps together, and to act under it, or to co-operate with it, is a touchstone by which every administration ought in future to be tried. There has not been one which has not sufficiently experienced the utter incompatibility of that faction with the public peace, and with all the ends of good government : since, if they opposed it, they soon lost every power of serving the crown ; if they submitted to it, they lost all the esteem of their country. Until ministers give to the public a full proof of their entire alienation from that system, however plausible their pretences, we may be sure they are more intent on the emoluments than the duties of office. If they refuse to give this proof, we know of what stuff they are made. In this particular, it ought to be the electors' business to look to their representatives. The electors ought to esteem it no less culpable in their member to give a single vote in parliament to such an administration, than to take an office under it ; to endure it, than to act in it. The notorious infidelity and versatility of members of parliament, in their opinions of men and things, ought in a particular manner to be considered by the electors in the inquiry which is recommended to them. This is one of the principal holdings of that destructive system, which has endeavoured to unhinge all the virtuous, honourable, and useful connexions in the kingdom.

This cabal has, with great success, propagated a doctrine which serves for a colour to those acts of

treachery ; and whilst it receives any degree of countenance, it will be utterly senseless to look for a vigorous opposition to the court party. The doctrine is this : That all political connexions are in their nature factious, and as such ought to be dissipated and destroyed ; and that the rule for forming administrations is mere personal ability, rated by the judgment of this cabal upon it, and taken by draughts from every division and denomination of public men. This decree was solemnly promulgated by the head of the court corps, the Earl of Bute himself, in a speech which he made, in the year 1766, against the then administration, the only administration which he has ever been known directly and publicly to oppose.

It is indeed no way wonderful that such persons should make such declarations. That connexion and faction are equivalent terms is an opinion which has been carefully inculcated at all times by unconstitutional statesmen. The reason is evident. Whilst men are linked together, they easily and speedily communicate the alarm of any evil design. They are enabled to fathom it with common counsel, and to oppose it with united strength. Whereas, when they lie dispersed, without concert, order, or discipline, communication is uncertain, counsel difficult, and resistance impracticable. Where men are not acquainted with each other's principles, nor experienced in each other's talents, nor at all practised in their mutual habitudes and dispositions by joint efforts in business ; no personal confidence, no friendship, no common interest, subsisting among them ; it is evidently impossible that they can act a public part with uniformity, perseverance, or efficacy. In a connexion, the most inconsiderable man, by adding to the weight of the whole, has his value, and his use ; out of it, the greatest talents are wholly unserviceable to the public. No man, who is not inflamed by vain-glory into enthusiasm, can flatter himself that his single, unsupported, desultory, unsystematic endeavours are of power to defeat the subtle designs and united cabals of ambitious

citizens. When bad men combine, the good must associate; else they will fall, one by one, an unpitied sacrifice in a contemptible struggle.

It is not enough in a situation of trust in the commonwealth, that a man means well to his country; it is not enough that in his single person he never did an evil act, but always voted according to his conscience, and even harangued against every design which he apprehended to be prejudicial to the interests of his country. This innoxious and ineffectual character that seems formed upon a plan of apology and disculpation falls miserably short of the mark of public duty. That duty demands and requires that what is right should not only be made known, but made prevalent; that what is evil should not only be detected, but defeated. When the public man omits to put himself in a situation of doing his duty with effect, it is an omission that frustrates the purposes of his trust almost as much as if he had formally betrayed it. It is surely no very rational account of a man's life, that he has always acted right; but has taken special care to act in such a manner that his endeavours could not possibly be productive of any consequence.

I do not wonder that the behaviour of many parties should have made persons of tender and scrupulous virtue somewhat out of humour with all sorts of connexion in politics. I admit that people frequently acquire in such confederacies a narrow, bigoted, and proscriptive spirit; that they are apt to sink the idea of the general good in this circumscribed and partial interest. But, where duty renders a critical situation a necessary one, it is our business to keep free from the evils attendant upon it; and not to fly from the situation itself. If a fortress is seated in an unwholesome air, an officer of the garrison is obliged to be attentive to his health, but he must not desert his station. Every profession, not excepting the glorious one of a soldier, or the sacred one of a priest, is liable to its own particular vices; which, however, form no argument against those ways of life; nor are the vices

themselves inevitable to every individual in those professions. Of such a nature are connexions in politics ; essentially necessary for the full performance of our public duty, accidentally liable to degenerate into faction. Commonwealths are made of families, free commonwealths of parties also ; and we may as well affirm, that our natural regards and ties of blood tend inevitably to make men bad citizens, as that the bonds of our party weaken those by which we are held to our country.

Some legislators went so far as to make neutrality in party a crime against the state. I do not know whether this might not have been rather to overstrain the principle. Certain it is, the best patriots in the greatest commonwealths have always commended and promoted such connexions. *Idem sentire de republica*, was with them a principal ground of friendship and attachment ; nor do I know any other capable of forming firmer, dearer, more pleasing, more honourable, and more virtuous habitudes. The Romans carried this principle a great way. Even the holding of offices together, the disposition of which arose from chance, not selection, gave rise to a relation which continued for life. It was called *necessitudo sortis* ; and it was looked upon with a sacred reverence. Breaches of any of these kinds of civil relation were considered as acts of the most distinguished turpitude. The whole people was distributed into political societies, in which they acted in support of such interests in the state as they severally affected. For it was then thought no crime to endeavour by every honest means to advance to superiority and power those of your own sentiments and opinions. This wise people was far from imagining that those connexions had no tie and obliged to no duty ; but that men might quit them without shame, upon every call of interest. They believed private honour to be the great foundation of public trust ; that friendship was no mean step towards patriotism ; that he who, in the common intercourse of life, showed he regarded somebody besides himself, when he came to

act in a public situation might probably consult some other interest than his own. Never may we become *plus sages que les sages*, as the French comedian has happily expressed it, wiser than all the wise and good men who had lived before us. It was their wish, to see public and private virtues, not dissonant and jarring and mutually destructive, but harmoniously combined, growing out of one another in a noble and orderly gradation, reciprocally supporting and supported. In one of the most fortunate periods of our history this country was governed by a *connexion*; I mean the great connexion of Whigs in the reign of Queen Anne. They were complimented upon the principle of this connexion by a poet who was in high esteem with them. Addison, who knew their sentiments, could not praise them for what they considered as no proper subject of commendation. As a poet who knew his business, he could not applaud them for a thing which in general estimation was not highly reputable. Addressing himself to Britain,

Thy favourites grow not up by fortune's sport,
Or from the crimes or follies of a court.
On the firm basis of desert they rise,
From long-tried faith, and friendship's holy ties.

The Whigs of those days believed that the only proper method of rising into power was through hard essays of practised friendship and experimented fidelity. At that time it was not imagined, that patriotism was a bloody idol, which required the sacrifice of children and parents, or dearest connexions in private life, and of all the virtues that rise from those relations. They were not of that ingenious paradoxical morality, to imagine that a spirit of moderation was properly shown in patiently bearing the sufferings of your friends, or that disinterestedness was clearly manifested at the expense of other people's fortune. They believed that no man could act with effect, who did not act in concert; that no man could act in concert, who did not act with confidence; that no men could act with confidence,

who were not bound together by common opinions, common affections, and common interests.

These wise men, for such I must call Lord Sunderland, Lord Godolphin, Lord Somers, and Lord Marlborough, were too well principled in these maxims upon which the whole fabric of public strength is built, to be blown off their ground by the breath of every childish talker. They were not afraid that they should be called an ambitious junto ; or that their resolution to stand or fall together should, by placemen, be interpreted into a scuffle for places.

Party is a body of men united for promoting by their joint endeavours the national interest upon some particular principle in which they are all agreed. For my part, I find it impossible to conceive, that any one believes in his own politics, or thinks them to be of any weight, who refuses to adopt the means of having them reduced into practice. It is the business of the speculative philosopher to mark the proper ends of government. It is the business of the politician, who is the philosopher in action, to find out proper means towards those ends, and to employ them with effect. Therefore every honourable connexion will avow it is their first purpose, to pursue every just method to put the men who hold their opinions into such a condition as may enable them to carry their common plans into execution, with all the power and authority of the state. As this power is attached to certain situations, it is their duty to contend for these situations. Without a proscription of others, they are bound to give to their own party the preference in all things ; and by no means, for private considerations, to accept any offers of power in which the whole body is not included ; nor to suffer themselves to be led, or to be controlled, or to be overbalanced, in office or in council, by those who contradict the very fundamental principles on which their party is formed, and even those upon which every fair connexion must stand. Such a generous contention for power, on such manly and honourable maxims, will easily be distinguished from the mean and

interested struggle for place and emolument. The very style of such persons will serve to discriminate them from those numberless impostors, who have deluded the ignorant with professions incompatible with human practice, and have afterwards incensed them by practices below the level of vulgar rectitude.

It is an advantage to all narrow wisdom and narrow morals that their maxims have a plausible air; and, on a cursory view, appear equal to first principles. They are light and portable. They are as current as copper coin; and about as valuable. They serve equally the first capacities and the lowest; and they are, at least, as useful to the worst men as to the best.

~~Of this stamp is the cant of *Not men, but measures*; a sort of charm by which many people get loose from every honourable engagement. When I see a man acting this desultory and disconnected part, with as much detriment to his own fortune as prejudice to the cause of any party, I am not persuaded that he is right; but I am ready to believe he is in earnest. I respect virtue in all its situations; even when it is found in the unsuitable company of weakness. I lament to see qualities, rare and valuable, squandered away without any public utility. But when a gentleman with great visible emoluments abandons the party in which he has long acted, and tells you, it is because he proceeds upon his own judgment; that he acts on the merits of the several measures as they arise; and that he is obliged to follow his own conscience, and not that of others; he gives reasons which it is impossible to controvert, and discovers a character which it is impossible to mistake. What shall we think of him who never differed from a certain set of men until the moment they lost their power, and who never agreed with them in a single instance afterwards? Would not such a coincidence of interest and opinion be rather fortunate? Would it not be an extraordinary cast upon the dice, that a man's connexions should degenerate into faction, precisely at the critical moment when they lose their power, or he accepts a place? When~~

people desert their connexions, the desertion is a manifest *fact*, upon which a direct simple issue lies, triable by plain men. Whether a *measure* of government be right or wrong, *is no matter of fact*, but a mere affair of opinion, on which men may, as they do, dispute and wrangle without end. But whether the individual *thinks* the measure right or wrong, is a point at still a greater distance from the reach of all human decision. It is therefore very convenient to politicians, not to put the judgment of their conduct on overt-acts, cognizable in any ordinary court, but upon such matter as can be triable only in that secret tribunal, where they are sure of being heard with favour, or where at worst the sentence will be only private whipping.

I believe the reader would wish to find no substance in a doctrine which has a tendency to destroy all test of character as deduced from conduct. He will therefore excuse my adding something more, towards the further clearing up a point, which the great convenience of obscurity to dishonesty has been able to cover with some degree of darkness and doubt.

In order to throw an odium on political connexion, these politicians suppose it a necessary incident to it that you are blindly to follow the opinions of your party, when in direct opposition to your own clear ideas; a degree of servitude that no worthy man could bear the thought of submitting to; and such as, I believe, no connexions (except some court factions) ever could be so senselessly tyrannical as to impose. Men thinking freely will, in particular instances, think differently. But still as the greater part of the measures which arise in the course of public business are related to, or dependent on, some great, *leading general principles in government*, a man must be peculiarly unfortunate in the choice of his political company, if he does not agree with them at least nine times in ten. If he does not concur in these general principles upon which the party is founded, and which necessarily draw on a concurrence in their application, he ought from the beginning to have chosen some other, more conformable to

his opinions. When the question is in its nature doubtful, or not very material, the modesty which becomes an individual, and (in spite of our court moralists) that partiality which becomes a well-chosen friendship, will frequently bring on an acquiescence in the general sentiment. Thus the disagreement will naturally be rare; it will be only enough to indulge freedom, without violating concord, or disturbing arrangement. And this is all that ever was required for a character of the greatest uniformity and steadiness in connexion. How men can proceed without any connexion at all, is to me utterly incomprehensible. Of what sort of materials must that man be made, how must he be tempered and put together, who can sit whole years in parliament, with five hundred and fifty of his fellow-citizens, amidst the storm of such tempestuous passions, in the sharp conflict of so many wits and tempers and characters, in the agitation of such mighty questions, in the discussion of such vast and ponderous interests, without seeing any one sort of men, whose character, conduct, or disposition, would lead him to associate himself with them, to aid and be aided, in any one system of public utility?

I remember an old scholastic aphorism, which says, 'that the man who lives wholly detached from others must be either an angel or a devil.' When I see in any of these detached gentlemen of our times the angelic purity, power, and beneficence, I shall admit them to be angels. In the meantime we are born only to be men. We shall do enough if we form ourselves to be good ones. It is therefore our business carefully to cultivate in our minds, to rear to the most perfect vigour and maturity, every sort of generous and honest feeling, that belongs to our nature. To bring the dispositions that are lovely in private life into the service and conduct of the commonwealth; so to be patriots, as not to forget we are gentlemen. To cultivate friendships, and to incur enmities. To have both strong, but both selected; in the one, to be placable; in the other immovable. To model our principles to our

duties and our situation. To be fully persuaded that all virtue which is impracticable is spurious; and rather to run the risk of falling into faults in a course which leads us to act with effect and energy, than to loiter out our days without blame and without use. Public life is a situation of power and energy; he trespasses against his duty who sleeps upon his watch, as well as he that goes over to the enemy.

There is, however, a time for all things. It is not every conjuncture which calls with equal force upon the activity of honest men; but critical exigencies now and then arise; and I am mistaken, if this be not one of them. Men will see the necessity of honest combination; but they may see it when it is too late. They may embody, when it will be ruinous to themselves, and of no advantage to the country; when, for want of such a timely union as may enable them to oppose in favour of the laws, with the laws on their side, they may at length find themselves under the necessity of conspiring, instead of consulting. The law, for which they stand, may become a weapon in the hands of its bitterest enemies; and they will be cast, at length, into that miserable alternative between slavery and civil confusion, which no good man can look upon without horror; an alternative in which it is impossible he should take either part, with a conscience perfectly at repose. To keep that situation of guilt and remorse at the utmost distance is, therefore, our first obligation. Early activity may prevent late and fruitless violence. As yet we work in the light. The scheme of the enemies of public tranquillity has disarranged, it has not destroyed us.

If the reader believes that there really exists such a faction as I have described; a faction ruling by the private inclinations of a court, against the general sense of the people; and that this faction, whilst it pursues a scheme for undermining all the foundations of our freedom, weakens (for the present at least) all the powers of executory government, rendering us abroad contemptible, and at home distracted; he will believe

also that nothing but a firm combination of public men against this body, and that, too, supported by the hearty concurrence of the people at large, can possibly get the better of it. The people will see the necessity of restoring public men to an attention to the public opinion, and of restoring the constitution to its original principles. Above all, they will endeavour to keep the House of Commons from assuming a character which does not belong to it. They will endeavour to keep that House, for its existence, for its powers, and its privileges, as independent of every other, and as dependent upon themselves, as possible. This servitude is to a House of Commons (like obedience to the divine law) 'perfect freedom.' For if they once quit this natural, rational, and liberal obedience, having deserted the only proper foundation of their power, they must seek a support in an abject and unnatural dependence somewhere else. When, through the medium of this just connexion with their constituents, the genuine dignity of the House of Commons is restored, it will begin to think of casting from it, with scorn, as badges of servility, all the false ornaments of illegal power, with which it has been, for some time, disgraced. It will begin to think of its old office of CONTROL. It will not suffer that last of evils to predominate in the country: men without popular confidence, public opinion, natural connexion, or mutual trust, invested with all the powers of government.

When they have learned this lesson themselves, they will be willing and able to teach the court that it is the true interest of the prince to have but one administration; and that one composed of those who recommend themselves to their sovereign through the opinion of their country, and not by their obsequiousness to a favourite. Such men will serve their sovereign with affection and fidelity; because his choice of them, upon such principles, is a compliment to their virtue. They will be able to serve him effectually; because they will add the weight of the country to the force of the executory power. They will be able to serve their

king with dignity ; because they will never abuse his name to the gratification of their private spleen or avarice. This, with allowances for human frailty, may probably be the general character of a ministry, which thinks itself accountable to the House of Commons ; when the House of Commons thinks itself accountable to its constituents. If other ideas should prevail, things must remain in their present confusion, until they are hurried into all the rage of civil violence or until they sink into the dead repose of despotism.

SPEECH ON
AMERICAN TAXATION.

1774.

PREFACE.

THE following speech has been much the subject of conversation and the desire of having it printed was last summer very general. The means of gratifying the public curiosity were obligingly furnished from the notes of some gentlemen, members of the last parliament.

This piece has been for some months ready for the press. But a delicacy, possibly over scrupulous, has delayed the publication to this time. The friends of administration have been used to attribute a great deal of the opposition to their measures in America to the writings published in England. The editor of this speech kept it back, until all the measures of government have had their full operation and can be no longer affected, if ever they could have been affected, by any publication.

Most readers will recollect the uncommon pains taken at the beginning of the last session of the last parliament, and indeed during the whole course of it, to asperse the characters, and decry the measures, of those who were supposed to be friends to America ; in order to weaken the effect of their opposition to the acts of rigour then preparing against the colonies. The speech contains a full refutation of the charges against that party with which Mr. Burke has all along acted. In doing this, he has taken a review of the effects of all the schemes which have been successively adopted in the government of the plantations. The subject is interesting ; the matters of information various and important ; and the publication at this time, the editor hopes, will not be thought unseasonable.

SPEECH, &c. •

DURING the last session of the last parliament, on April 19, 1774, Mr. Rose Fuller, member for Rye, made the following motion : That an act made in the seventh year of the reign of his present majesty, intituled, ' An act for granting certain duties in the British colonies and plantations in America ; for allowing a drawback of the duties of customs upon the exportation from this kingdom of coffee and cocoa nuts, of the produce of the said colonies or plantations ; for discontinuing the drawbacks payable on china earthenware exported to America ; and for more effectually preventing the clandestine running of goods in the said colonies and plantations ' ; might be read.

And the same being read accordingly ; he moved ' That this House will, upon this day sevensnight, resolve itself into a committee of the whole House, to take into consideration the duty of 3*d.* per pound weight upon tea, payable in all his majesty's dominions in America, imposed by the said act ; and also the appropriation of the said duty.'

On this latter motion a warm and interesting debate arose, in which Mr. Burke spoke as follows :

SIR,

I agree with the honourable gentleman¹ who spoke last that this subject is not new in this House. Very disagreeably to this House, very unfortunately to this nation, and to the peace and prosperity of this whole

¹ Charles Wolfran Cornwall, Esq., lately appointed one of the lords of the treasury.

empire, no topic has been more familiar to us. For nine long years, session after session, we have been lashed round and round this miserable circle of occasional arguments and temporary expedients. I am sure our heads must turn, and our stomachs nauseate with them. We have had them in every shape; we have looked at them in every point of view. Invention is exhausted; reason is fatigued; experience has given judgment; but obstinacy is not yet conquered.

The honourable gentleman has made one endeavour more to diversify the form of this disgusting argument. He has thrown out a speech composed almost entirely of challenges. Challenges are serious things; and as he is a man of prudence as well as resolution, I dare say he has very well weighed those challenges before he delivered them. I had long the happiness to sit at the same side of the House, and to agree with the honourable gentleman on all the American questions. My sentiments, I am sure, are well known to him; and I thought I had been perfectly acquainted with his. Though I find myself mistaken, he will still permit me to use the privilege of an old friendship; he will permit me to apply myself to the House under the sanction of his authority; and, on the various grounds he has measured out, to submit to you the poor opinions which I have formed upon a matter of importance enough to demand the fullest consideration I could bestow upon it.

He has stated to the House two grounds of deliberation; one narrow and simple, and merely confined to the question on your paper; the other more large and more complicated; comprehending the whole series of the parliamentary proceedings with regard to America, their causes, and their consequences. With regard to the latter ground, he states it as useless, and thinks it may be even dangerous, to enter into so extensive a field of inquiry. Yet, to my surprise, he had hardly laid down this restrictive proposition, to which his authority would have given so much weight, when directly, and with the same authority, he condemns it;

and declares it absolutely necessary to enter into the most ample historical detail. His zeal has thrown him a little out of his usual accuracy. In this perplexity what shall we do, sir, who are willing to submit to the law he gives us? He has reprobated in one part of his speech the rule he has laid down for debate in the other; and, after narrowing the ground for all those who are to speak after him, he takes an excursion himself, as unbounded as the subject and the extent of his great abilities.

Sir, when I cannot obey all his laws, I will do the best I can. I will endeavour to obey such of them as have the sanction of his example; and to stick to that rule, which, though not consistent with the other, is the most rational. He was certainly in the right when he took the matter largely. I cannot prevail on myself to agree with him in his censure of his own conduct. It is not, he will give me leave to say, either useless or dangerous. He asserts that retrospect is not wise; and the proper, the only proper, subject of inquiry, is 'not how we got into this difficulty, but how we are to get out of it.' In other words, we are, according to him, to consult out invention, and to reject our experience. The mode of deliberation he recommends is diametrically opposite to every rule of reason, and every principle of good sense established amongst mankind. For that sense and that reason, I have always understood, absolutely to prescribe, whenever we are involved in difficulties from the measures we have pursued, that we should take a strict review of those measures, in order to correct our errors, if they should be corrigible; or at least to avoid a dull uniformity in mischief, and the unpitied calamity of being repeatedly caught in the same snare.

Sir, I will freely follow the honourable gentleman in his historical discussion, without the least management for men or measures, further than as they shall seem to me to deserve it. But before I go into that large consideration, because I would omit nothing that can give the House satisfaction, I wish to tread the narrow

ground to which alone the honourable gentleman, in one part of his speech, has so strictly confined us.

He desires to know, whether, if we were to repeal this tax, agreeably to the proposition of the honourable gentleman who made the motion, the Americans would not take post on this concession, in order to make a new attack on the next body of taxes; and whether they would not call for a repeal of the duty on wine as loudly as they do now for the repeal of the duty on tea? Sir, I can give no security on this subject. But I will do all that I can, and all that can be fairly demanded. To the *experience* which the honourable gentleman reprobates in one instant and reverts to in the next; to that experience, without the least wavering or hesitation on my part, I steadily appeal; and would to God there was no other arbiter to decide on the vote with which the House is to conclude this day!

When parliament repealed the Stamp Act in the year 1766, I affirm, first, that the Americans did *not* in consequence of this measure call upon you to give up the former parliamentary revenue which subsisted in that country; or even any one of the articles which compose it. I affirm also that when, departing from the maxims of that repeal, you revived the scheme of taxation, and thereby filled the minds of the colonists with new jealousy and all sorts of apprehensions, then it was that they quarrelled with the old taxes, as well as the new; then it was, and not till then, that they questioned all the parts of your legislative power; and, by the battery of such questions, have shaken the solid structure of this empire to its deepest foundations.

Of those two propositions I shall, before I have done, give such convincing, such damning proof that, however the contrary may be whispered in circles, or bawled in newspapers, they never more will dare to raise their voices in this House. I speak with great confidence. I have reasons for it. The ministers are with me. *They* at least are convinced that the repeal of the Stamp Act had not, and that no repeal can have, the consequences which the honourable gentleman who

defends their measures is so much alarmed at. To their conduct, I refer him for a conclusive answer to this objection. I carry my proof irresistibly into the very body of both ministry and parliament; not on any general reasoning growing out of collateral matter, but on the conduct of the honourable gentleman's ministerial friends on the new revenue itself.

The act of 1767, which grants this tea-duty, sets forth in its preamble, that it was expedient to raise a revenue in America, for the support of the civil government there, as well as for purposes still more extensive. To this support the act assigns six branches of duties. About two years after this act passed, the ministry, I mean the present ministry, thought it expedient to repeal five of the duties, and to leave (for reasons best known to themselves) only the sixth standing. Suppose any person, at the time of that repeal, had thus addressed the minister¹, 'Condemning, as you do, the repeal of the Stamp Act, why do you venture to repeal the duties upon glass, paper, and painters' colours? Let your pretence for the repeal be what it will, are you not thoroughly convinced that your concessions will produce, not satisfaction, but insolence in the Americans; and that the giving up these taxes will necessitate the giving up of all the rest?' This objection was as palpable then as it is now; and it was as good for preserving the five duties as for retaining the sixth. Besides, the minister will recollect, that the repeal of the Stamp Act had but just preceded his repeal; and the ill policy of that measure (had it been so impolitic as it has been represented), and the mischiefs it produced, were quite recent. Upon the principles therefore of the honourable gentleman, upon the principles of the minister himself, the minister has nothing at all to answer. He stands condemned by himself, and by all his associates old and new, as a destroyer, in the first trust of finance, of the revenues: and in the first rank of honour, as a betrayer of the dignity of his country.

¹ Lord North, then chancellor of the exchequer.

Most men, especially great men, do not always know their well-wishers. I come to rescue that noble lord out of the hands of those he calls his friends ; and even out of his own. I will do him the justice he is denied at home. He has not been this wicked or imprudent man. He knew that a repeal had no tendency to produce the mischiefs which give so much alarm to his honourable friend. His work was not bad in its principle, but imperfect in its execution ; and the motion on your paper presses him only to complete a proper plan, which, by some unfortunate and unaccountable error, he had left unfinished.

I hope, sir, the honourable gentleman who spoke last, is thoroughly satisfied, and satisfied out of the proceedings of ministry on their own favourite act, that his fears from a repeal are groundless. If he is not, I leave him, and the noble lord who sits by him, to settle the matter, as well as they can, together ; for if the repeal of American taxes destroys all our government in America—He is the man !—and he is the worst of all the repealers, because he is the last.

But I hear it rung continually in my ears, now and formerly,—‘ the preamble ! what will become of the preamble, if you repeal this tax ? ’—I am sorry to be compelled so often to expose the calamities and disgraces of parliament. The preamble of this law, standing as it now stands, has the lie direct given to it by the provisionary part of the act ; if that can be called provisionary which makes no provision. I should be afraid to express myself in this manner, especially in the face of such a formidable array of ability as is now drawn up before me, composed of the ancient household troops of that side of the House, and the new recruits from this, if the matter were not clear and indisputable. Nothing but truth could give me this firmness ; but plain truth and clear evidence can be beat down by the act, and to read this favourite preamble :

Whereas it is expedient that a revenue should be raised in your majesty's dominions in America, for making a more certain and adequate provision for defraying the

charge of the administration of justice, and support of civil government, in such provinces where it shall be found necessary; and towards further defraying the expenses of defending, protecting, and securing the said dominions.

You have heard this pompous performance. Now where is this revenue which is to do all these mighty things? Five-sixths repealed—abandoned—sunk—gone—lost for ever. Does the poor solitary tea-duty support the purposes of this preamble? Is not the supply there stated as effectually abandoned as if the tea-duty had perished in the general wreck? Here, Mr. Speaker, is a precious mockery—a preamble without an act—taxes granted in order to be repealed—and the reasons of the grant still carefully kept up! This is raising a revenue in America! This is preserving dignity in England! If you repeal this tax in compliance with the motion, I readily admit that you lose this fair preamble. Estimate your loss in it. The object of the act is gone already; and all you suffer is the purging the statute-book of the opprobrium of an empty, absurd, and false recital.

It has been said again and again that the five taxes were repealed on commercial principles. It is so said in the paper in my hand¹; a paper which I constantly carry about; which I have often used, and shall often use again. What is got by this paltry pretence of commercial principles I know not; for, if your government in America is destroyed by the *repeal of taxes*, it is of no consequence upon what ideas the repeal is grounded. Repeal this tax too upon commercial principles if you please. These principles will serve as well now as they did formerly. But you know that, either your objection to a repeal from these supposed consequences has no validity, or that this pretence never could remove it. This commercial motive never was believed by any man, either in America, which

¹ Lord Hillsborough's circular letter to the governors of the colonies, concerning the repeal of some of the duties laid in the act of 1767.

this letter is meant to soothe, or in England, which it is meant to deceive. It was impossible it should. Because every man, in the least acquainted with the detail of commerce, must know that several of the articles, on which the tax was repealed, were fitter objects of duties than almost any other articles that could possibly be chosen; without comparison more so than the tea that was left taxed; as infinitely less liable to be eluded by contraband. The tax upon red and white lead was of this nature. You have, in this kingdom, an advantage in lead that amounts to a monopoly. When you find yourself in this situation of advantage, you sometimes venture to tax even your own export. You did so, soon after the last war; when, upon this principle, you ventured to impose a duty on coals. In all the articles of American contraband trade, who ever heard of the smuggling of red lead, and white lead? You might, therefore, well enough, without danger of contraband, and without injury to commerce (if this were the whole consideration) have taxed these commodities. The same may be said of glass. Besides, some of the things taxed were so trivial that the loss of the objects themselves, and their utter annihilation out of American commerce, would have been comparatively as nothing. But is the article of tea such an object in the trade of England, as not to be felt, or felt but slightly, like white lead and red lead, and painters' colours? Tea is an object of far other importance. Tea is perhaps the most important object, taking it with its necessary connexions, of any in the mighty circle of our commerce. If commercial principles had been the true motives of the repeal, or had they been at all attended to, tea would have been the last article we should have left taxed for a subject of controversy.

Sir, it is not a pleasant consideration; but nothing in the world can read so awful and so instructive a lesson, as the conduct of ministry in this business, upon the mischief of not having large and liberal ideas in the management of great affairs. Never have the

servants of the state looked at the whole of your complicated interests in one connected view. They have taken things by bits and scraps, some at one time and one pretence, and some at another, just as they pressed, without any sort of regard to their relation or dependencies. They never had any kind of system, right or wrong; but only invented occasionally some miserable tale for the day, in order meanly to sneak out of difficulties, into which they had proudly strutted. And they were put to all these shifts and devices, full of meanness and full of mischief, in order to pilfer piecemeal a repeal of an act, which they had not the generous courage, when they found and felt their error, honourably and fairly to disclaim. By such management, by the irresistible operation of feeble councils, so paltry a sum as three-pence in the eyes of a financier, so insignificant an article as tea in the eyes of a philosopher, have shaken the pillars of a commercial empire that circled the whole globe.

Do you forget that, in the very last year, you stood on the precipice of general bankruptcy? Your danger was indeed great. You were distressed in the affairs of the East India Company; and you well know what sort of things are involved in the comprehensive energy of that significant appellation. I am not called upon to enlarge to you on that danger, which you thought proper yourselves to aggravate, and to display to the world with all the parade of indiscreet declamation. The monopoly of the most lucrative trades, and the possession of imperial revenues, had brought you to the verge of beggary and ruin. Such was your representation—such, in some measure, was your case. The vent of ten millions of pounds of this commodity, now locked up by the operation of an injudicious tax, and rotting in the warehouses of the company, would have prevented all this distress, and all that series of desperate measures which you thought yourselves obliged to take in consequence of it. America would have furnished that vent, which no other part of the world can furnish but America; where tea is next to a necessary of life;

and where the demand grows upon the supply. I hope our dear-bought East India committees have done us at least so much good, as to let us know, that, without a more extensive sale of that article, our East India revenues and acquisitions can have no certain connexion with this country. It is through the American trade of tea that your East India conquests are to be prevented from crushing you with their burden. They are ponderous indeed ; and they must have that great country to lean upon, or they tumble upon your head. It is the same folly that has lost you at once the benefit of the west and of the east. This folly has thrown open folding-doors to contraband ; and will be the means of giving the profits of the trade of your colonies to every nation but yourselves. Never did a people suffer so much for the empty words of a preamble. It must be given up. For on what principle does it stand ? This famous revenue stands, at this hour, on all the debate, as a description of revenue not as yet known in all the comprehensive (but too comprehensive) vocabulary of finance—a *preambulary tax*. It is indeed a tax of sophistry, a tax of pedantry, a tax of disputation, a tax of war and rebellion, a tax for anything but benefit to the imposers, or satisfaction to the subject.

Well ! but whatever it is, gentlemen will force the colonists to take the teas. You will force them ? Has seven years' struggle been yet able to force them ? Oh, but it seems 'we are in the right.—The tax is trifling—in effect it is rather an exoneration than an imposition ; three-fourths of the duty formerly payable on teas exported to America is taken off ; the place of collection is only shifted ; instead of the retention of a shilling from the drawback here, it is three-pence custom paid in America.' All this, sir, is very true. But this is the very folly and mischief of the act. Incredible as it may seem, you know that you have deliberately thrown away a large duty which you held secure and quiet in your hands, for the vain hope of getting one three-fourths less, through every hazard, through certain litigation, and possibly through war.

The manner of proceeding in the duties on paper and glass, imposed by the same act, was exactly in the same spirit. There are heavy excises on those articles when used in England. On export, these excises are drawn back. But instead of withholding the drawback, which might have been done with ease, without charge, without possibility of smuggling; and instead of applying the money (money already in your hands) according to your pleasure, you began your operations in finance by flinging away your revenue; you allowed the whole drawback on export, and then you charged the duty (which you had before discharged) payable in the colonies; where it was certain the collection would devour it to the bone; if any revenue were ever suffered to be collected at all. One spirit pervades and animates the whole mass.

Could anything be a subject of more just alarm to America, than to see you go out of the plain high road of finance and give up your most certain revenues and your clearest interest, merely for the sake of insulting your colonies? No man ever doubted that the commodity of tea could bear an imposition of three-pence. But no commodity will bear three-pence, or will bear a penny, when the general feelings of men are irritated, and two millions of people are resolved not to pay. The feeling of the colonies were formerly the feelings of Great Britain. Theirs were formerly the feelings of Mr. Hampden when called upon for the payment of twenty shillings. Would twenty shillings have ruined Mr. Hampden's fortune? No! but the payment of half twenty shillings, on the principle it was demanded, would have made him a slave. It is the weight of that preamble, of which you are so fond, and not the weight of the duty, that the Americans are unable and unwilling to bear.

It is then, sir, upon the *principle* of this measure, and nothing else, that we are at issue. It is a principle of political expediency. Your act of 1767 asserts that it is expedient to raise a revenue in America; your act of 1769, which takes away that revenue, contradicts

the act of 1767 ; and, by something much stronger than words, asserts that it is not expedient. It is a reflection upon your wisdom to persist in a solemn parliamentary declaration of the expediency of any object, for which, at the same time, you make no sort of provision. And pray, sir, let not this circumstance escape you ; it is very material ; that the preamble of this act, which we wish to repeal, is not *declaratory of right*, as some gentlemen seem to argue it ; it is only a recital of the *expediency* of a certain exercise of a right supposed already to have been asserted ; an exercise you are now contending for by ways and means, which you confess, though they were obeyed, to be utterly insufficient for their purpose. You are therefore at this moment in the awkward situation of fighting for a phantom ; a quiddity ; a thing that wants, not only a substance, but even a name ; for a thing, which is neither abstract right, nor profitable enjoyment.

They tell you, sir, that your dignity is tied to it. I know not how it happens, but this dignity of yours is a terrible incumbrance to you ; for it has of late been ever at war with your interest, your equity, and every idea of your policy. Show the thing you contend for to be reason ; show it to be common sense ; show it to be the means of attaining some useful end ; and then I am content to allow it what dignity you please. But what dignity is derived from the perseverance in absurdity, is more than I ever could discern. The honourable gentleman has said well—indeed, in most of his *general* observations I agree with him—he says, that this subject does not stand as it did formerly. Oh, certainly not ! Every hour you continue on this ill-chosen ground, your difficulties thicken on you ; and therefore my conclusion is, remove from a bad position as quickly as you can. The disgrace, and the necessity of yielding, both of them, grow upon you every hour of your delay.

But will you repeal the act, says the honourable gentleman, at this instant when America is in open

resistance to your authority, and that you have just revived your system of taxation? He thinks he has driven us into a corner. But thus pent up, I am content to meet him; because I enter the lists supported by my old authority, his new friends, the ministers themselves. The honourable gentleman remembers, that about five years ago as great disturbances as the present prevailed in America on account of the new taxes. The ministers represented these disturbances as treasonable; and this House thought proper, on that representation, to make a famous address for a revival, and for a new application of a statute of Henry VIII. We besought the king, in that well-considered address, to inquire into treasons, and to bring the supposed traitors from America to Great Britain for trial. His majesty was pleased graciously to promise a compliance with our request. All the attempts from this side of the House to resist these violences, and to bring about a repeal, were treated with the utmost scorn. An apprehension of the very consequences now stated by the honourable gentleman, was then given as a reason for shutting the door against all hope of such an alteration. And so strong was the spirit for supporting the new taxes that the session concluded with the following remarkable declaration. After stating the vigorous measures which had been pursued, the speech from the throne proceeds:

You have assured me of your firm support in the prosecution of them. Nothing, in my opinion, could be more likely to enable the well-disposed among my subjects in that part of the world, effectually to discourage and defeat the designs of the factious and seditious, than the hearty concurrence of every branch of the legislature, in maintaining the execution of the laws in every part of my dominions.

After this, no man dreamt that a repeal under this ministry could possibly take place. The honourable gentleman knows as well as I, that the idea was utterly exploded by those who sway the House. This speech was made on the ninth day of May, 1769. Five days

after this speech, that is, on the thirteenth of the same month, the public circular letter, a part of which I am going to read to you, was written by Lord Hillsborough, secretary of state for the colonies. After reciting the substance of the king's speech, he goes on thus :

'I can take upon me to assure you, notwithstanding insinuations to the contrary, from men with factious and seditious views, that his majesty's present administration have at no time entertained a design to propose to parliament to lay any further taxes upon America, for the purpose of RAISING A REVENUE ; and that it is at present their intention to propose, the next session of parliament, to take off the duties upon glass, paper, and colours, upon consideration of such duties having been laid contrary to the true principles of commerce.

'These have always been, and still are, the sentiments of his majesty's present servants ; and by which their conduct in respect to America has been governed. And his majesty relies upon your prudence and fidelity for such an explanation of his measures, as may tend to remove the prejudices which have been excited by the misrepresentations of those who are enemies to the peace and prosperity of Great Britain and her colonies ; and to re-establish that mutual confidence and affection, upon which the glory and safety of the British empire depend.'

Here, sir, is a canonical book of ministerial scripture ; the general epistle to the Americans. What does the gentleman say to it ? Here a repeal is promised ; promised without condition ; and while your authority was actually resisted. I pass by the public promise of a peer relative to the repeal of taxes by this House. I pass by the use of the king's name in a matter of supply, that sacred and reserved right of the Commons. I conceal the ridiculous figure of parliament, hurling its thunders at the gigantic rebellion of America ; and then five days after, prostrate at the feet of those assemblies we affected to despise ; begging them, by the intervention of our ministerial sureties,

to receive our submission, and heartily promising amendment. These might have been serious matters formerly ; but we are grown wiser than our fathers. Passing, therefore, from the constitutional consideration to the mere policy, does not this letter imply that the idea of taxing America for the purpose of revenue is an abominable project ; when the ministry suppose that none but *factious* men, and with seditious views, could charge them with it ? does not this letter adopt and sanctify the American distinction of *taxing for a revenue* ? does it not formally reject all future taxation on that principle ? does it not state the ministerial rejection of such principle of taxation, not as the occasional, but the constant opinion of the king's servants ? does it not say (I care not how consistently), but does it not say, that their conduct with regard to America has been *always* governed by this policy ? It goes a great deal further. These excellent and trusty servants of the king, justly fearful lest they themselves should have lost all credit with the world, bring out the image of their gracious sovereign from the inmost and most sacred shrine, and they pawn him as a security for their promises.—‘*His majesty* relies on your prudence and fidelity for such an explanation of *his* measures.’ These sentiments of the minister, and these measures of his majesty, can only relate to the principle and practice of taxing for a revenue ; and accordingly Lord Botetourt, stating it as such, did, with great propriety, and in the exact spirit of his instructions, endeavour to remove the fears of the Virginian assembly, lest the sentiments which it seems (unknown to the world) had *always* been those of the ministers, and by which *their* conduct in respect to America had been governed, should by some possible revolution, favourable to wicked American taxes, be hereafter counteracted. He addresses them in this manner :

It may possibly be objected, that as his majesty's present administration are not immortal, their successors may be inclined to attempt to undo what the present ministers shall have attempted to perform ; and to that

*objection I can give but this answer ; that it is my firm opinion, that the plan I have stated to you will certainly take place, and that it will never be departed from ; and so determined am I for ever to abide by it, that I will be content to be declared infamous, if I do not, to the last hour of my life, at all times, in all places, and upon all occasions, exert every power with which I either am, or ever shall be legally invested, in order to obtain and maintain for the continent of America that satisfaction which I have been authorised to promise this day, by the confidential servants of our gracious sovereign, who to my certain knowledge rates his honour so high, that he would rather part with his crown, than preserve it by deceit*¹.

A glorious and true character! which (since we suffer his ministers with impunity to answer for his ideas of taxation) we ought to make it our business to enable his majesty to preserve in all its lustre. Let him have character, since ours is no more! Let some part of government be kept in respect!

This epistle was not the letter of Lord Hillsborough solely; though he held the official pen. It was the letter of the noble lord upon the floor², and of all the king's then ministers, who (with I think the exception

¹ A material point is omitted by Mr. Burke in this speech, viz., *the manner in which the continent received this royal assurance*. The assembly of Virginia, in their address in answer to Lord Botetourt's speech, express themselves thus: 'We will not suffer our present hopes, arising from the pleasing prospect your lordship hath so kindly opened and displayed to us, to be dashed by the bitter reflection that any *future* administration will entertain a wish to depart from that *plan* which affords the surest and most permanent foundation of public tranquillity and happiness. No, my lord, we are sure *our most gracious sovereign*, under whatever changes may happen in his confidential servants, will remain immutable in the ways of truth and justice, and that he is *incapable of deceiving his faithful subjects*; and we esteem your lordship's information not only as warranted, but even sanctified *by the royal word*.'

² Lord North.

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of two only) are his ministers at this hour. The very first news that a British government heard of what it was to do with the duties which it had given and granted to the king was by the publication of the votes of American assemblies. It was in America that your resolutions were pre-declared. It was from thence that we knew to a certainty, how much exactly, and not a scruple more or less, we were to repeal. We were unworthy to be let into the secret of our own conduct. The assemblies had *confidential* communication from his majesty's *confidential* servants. We were nothing but instruments. Do you, after this, wonder, that you have no weight and no respect in the colonies? After this, are you surprised, that parliament is every day and everywhere losing (I feel it with sorrow, I utter it with reluctance) that reverential affection, which so endearing a name of authority ought ever to carry with it; that you are obeyed solely from respect to the bayonet; and that this House, the ground and pillar of freedom, is itself held up only by the treacherous under-pinning and clumsy buttresses of arbitrary power?

If this dignity, which is to stand in the place of just policy and common sense, had been consulted, there was a time for preserving it and for reconciling it with any concession. If in the session of 1768, that session of idle terror and empty menaces, you had, as you were often pressed to do, repealed these taxes; then your strong operations would have come justified and enforced, in case your concessions had been returned by outrages. But, preposterously, you began with violence; and before terrors could have any effect, either good or bad, your ministers immediately begged pardon, and promised that repeal to the obstinate Americans, which they had refused in an easy, good-natured, complying British parliament. The assemblies, which had been publicly and avowedly dissolved for *their* contumacy, are called together to receive *your* submission. Your ministerial directors blustered like tragic tyrants here; and then went mumping with

a sore leg in America, canting and whining and complaining of faction, which represented them as friends to a revenue from the colonies. I hope nobody in this House will hereafter have the impudence to defend American taxes in the name of ministry. The moment they do, with this letter of attorney in my hand, I will tell them, in the authorized terms, they are wretches, 'with factious and seditious views; enemies to the peace and prosperity of the mother country and the colonies,' and subverters 'of the mutual affection and confidence on which the glory and safety of the British empire depend.'

After this letter, the question is no more on propriety or dignity. They are gone already. The faith of your sovereign is pledged for the political principle. The general declaration in the letter goes to the whole of it. You must therefore either abandon the scheme of taxing; or you must send the ministers tarred and feathered to America, who dared to hold out the royal faith for a renunciation for all taxes for revenue. Them you must punish, or this faith you must preserve. The preservation of this faith is of more consequence than the duties on *red lead*, or *white lead*, or on broken *glass*, or *atlas-ordinary*, or *demy-fine*, or *blue-royal*, or *bastard*, or *foolscap*, which you have given up; or the three-pence on tea which you retained. The letter went stamped with the public authority of this kingdom. The instructions for the colony government go under no other sanction; and America cannot believe, and will not obey you, if you do not preserve this channel of communication sacred. You are now punishing the colonies for acting on distinctions, held out by that very ministry which is here shining in riches, in favour, and in power; and urging the punishment of the very offence to which they had themselves been the tempters.

Sir, if reasons respecting simply your own commerce, which is your own convenience, were the sole ground of the repeal of the five duties; why does Lord Hillsborough, in disclaiming in the name of the king and ministry their ever having had an intent to

tax for revenue, mention it as the means 'of re-establishing the confidence and affection of the colonies?' Is it a way of soothing *others*, to assure them that you will take good care of *yourself*? The medium, the only medium, for regaining their affection and confidence, is, that you will take off something oppressive to their minds. Sir, the letter strongly enforces that idea: for though the repeal of the taxes is promised on commercial principles, yet the means of counteracting 'the insinuations of men with factious and seditious views,' is, by a disclaimer of the intention of taxing for revenue, as a constant invariable sentiment and rule of conduct in the government of America.

I remember that the noble lord on the floor, not in a former debate to be sure (it would be disorderly to refer to it, I suppose I read it somewhere), but the noble lord was pleased to say, that he did not conceive how it could enter into the head of man to impose such taxes as those of 1767; I mean those taxes which he voted for imposing, and voted for repealing; as being taxes contrary to all the principles of commerce, laid on *British manufactures*.

I dare say the noble lord is perfectly well read, because the duty of his particular office requires he should be so, in all our revenue laws; and in the policy which is to be collected out of them. Now, sir, when he had read this act of American revenue, and a little recovered from his astonishment, I suppose he made one step retrograde (it is but one) and looked at the act which stands just before in the statute-book. The American revenue act is the forty-fifth chapter; the other to which I refer is the forty-fourth of the same session. These two acts are both to the same purpose; both revenue acts; both taxing out of the kingdom; and both taxing English manufactures exported. As the forty-fifth is an act for raising a revenue in America, the forty-fourth is an act for raising a revenue in the Isle of Man. The two acts perfectly agree in all respects, except one. In the act for taxing the Isle of Man, the noble lord will find (not, as in the

American act, four or five articles) but almost the *whole body* of British manufactures, taxed from two and a half to fifteen per cent., and some articles, such as that of spirits, a great deal higher. You did not think it uncommercial to tax the whole mass of your manufactures, and, let me add, your agriculture too; for, I now recollect, British corn is there also taxed up to ten per cent., and this too in the very headquarters, the very citadel of smuggling, the Isle of Man. Now will the noble lord condescend to tell me why he repealed the taxes on your manufactures sent out to America, and not the taxes on the manufactures exported to the Isle of Man? The principle was exactly the same, the objects charged infinitely more extensive, the duties, without comparison, higher. Why? Why, notwithstanding all his childish pretexts, because the taxes were quietly submitted to in the Isle of Man; and because they raised a flame in America. Your reasons were political, not commercial. The repeal was made, as Lord Hillsborough's letter well expresses it, to regain 'the confidence and affection of the colonies, on which the glory and safety of the British empire depend.' A wise and just motive surely, if ever there was such. But the mischief and dishonour is that you have not done what you had given the colonies just cause to expect, when your ministers disclaimed the idea of taxes for a revenue. There is nothing simple, nothing manly, nothing ingenuous, open, decisive, or steady, in the proceeding, with regard either to the continuance or the repeal of the taxes. The whole has an air of littleness and fraud. The article of tea is slurred over in the circular letter, as it were by accident—nothing is said of a resolution either to keep that tax, or to give it up. There is no fair dealing in any part of the transaction.

If you mean to follow your true motive and your public faith, give up your tax on tea for raising a revenue, the principle of which has, in effect, been disclaimed in your name; and which produces you no advantage; no, not a penny. Or, if you choose

to go on with a poor pretence instead of a solid reason, and will still adhere to your cant of commerce, you have ten thousand times more strong commercial reasons for giving up this duty on tea, than for abandoning the five others that you have already renounced.

The American consumption of teas is annually, I believe, worth £300,000 at the least farthing. If you urge the American violence as a justification of your perseverance in enforcing this tax, you know that you can never answer this plain question—Why did you repeal the others given in the same act, whilst the very same violence subsisted?—But you did not find the violence cease upon that concession.—No! because the concession was far short of satisfying the principle which Lord Hillsborough had abjured! or even the pretence on which the repeal of the other taxes was announced; and because, by enabling the East India Company to open a shop for defeating the American resolution not to pay that specific tax, you manifestly showed a hankering after the principle of the act which you formerly had renounced. Whatever road you take leads to a compliance with this motion. It opens to you at the end of every vista. Your commerce, your policy, your promises, your reasons, your pretences, your consistency, your inconsistency—all jointly oblige you to this repeal.

But still it sticks in our throats, if we go so far, the Americans will go farther.—We do not know that. We ought, from experience, rather to presume the contrary. Do we not know for certain that the Americans are going on as fast as possible, whilst we refuse to gratify them? Can they do more, or can they do worse, if we yield this point? I think this concession will rather fix a turnpike to prevent a further progress. It is impossible to answer for bodies of men. But I am sure the natural effect of fidelity, clemency, kindness in governors is peace, good-will, order, and esteem, on the part of the governed. I would certainly, at least, give these fair principles a fair trial; which, since the making of this act to this hour, they never have had.

Sir, the honourable gentleman having spoken what he thought necessary upon the narrow part of the subject, I have given him, I hope, a satisfactory answer. He next presses me by a variety of direct challenges and oblique reflections to say something on the historical part. I shall, therefore, sir, open myself fully on that important and delicate subject; not for the sake of telling you a long story (which, I know, Mr. Speaker, you are not particularly fond of), but for the sake of the weighty instruction that, I flatter myself, will necessarily result from it. It shall not be longer, if I can help it, than so serious a matter requires.

Permit me then, sir, to lead your attention very far back; back to the act of navigation; the corner-stone of the policy of this country with regard to its colonies. Sir, that policy was, from the beginning, purely commercial and the commercial was wholly restrictive. It was the system of a monopoly. No trade was let loose from that restraint, but merely to enable the colonists to dispose of what, in the course of your trade, you could not take; or to enable them to dispose of such articles as we forced upon them, and for which, without some degree of liberty, they could not pay. Hence all your specific and detailed enumerations: hence the innumerable checks and counterchecks: hence that infinite variety of paper chains by which you bind together this complicated system of the colonies. This principle of commercial monopoly runs through no less than twenty-nine acts of parliament, from the year 1660 to the unfortunate period of 1764.

In all those acts the system of commerce is established, as that, from whence alone you proposed to make the colonies contribute (I mean directly and by the operation of your superintending legislative power) to the strength of the empire. I venture to say, that during that whole period a parliamentary revenue from thence was never once in contemplation. Accordingly, in all the number of laws passed with regard to the plantations, the words which distinguish revenue laws, specifically as such, were, I think, premeditatedly

avoided. I do not say, sir, that a form of words alters the nature of the law, or abridges the power of the law-giver. It certainly does not. However, titles and formal preambles are not always idle words; and the lawyers frequently argue from them. I state these facts to show, not what was your right, but what has been your settled policy. Our revenue laws have usually a *title*, purporting their being *grants*; and the words *give* and *grant* usually precede the enacting parts. Although duties were imposed on America in acts of King Charles II, and in acts of King William, no one of title of giving 'an aid to his majesty,' or any other of the usual titles to revenue acts, was to be found in any of them till 1764; nor were the words 'give and grant' in any preamble until the sixth of George II. However the title of this act of George II, notwithstanding the words of donation, considers it merely as a regulation of trade, 'An Act for the better securing of the trade of his majesty's sugar colonies in America.' This act was made on a compromise of all, and at the express desire of a part, of the colonies themselves. It was therefore in some measure with their consent; and having a title directly purporting only a *commercial regulation*, and being in truth nothing more, the words were passed by, at a time when no jealousy was entertained, and things were little scrutinized. Even Governor Bernard, in his second printed letter, dated in 1763, gives it as his opinion, that 'it was an act of *prohibition*, not of revenue.' This is certainly true, that no act avowedly for the purpose of revenue, and with the ordinary title and recital taken together, is found in the statute book until the year I have mentioned; that is the year 1764. All before this period stood on commercial regulation and restraint. The scheme of a colony revenue by British authority appeared therefore to the Americans in the light of a great innovation; the words of Governor Bernard's ninth letter, written in November, 1765, state this idea very strongly: 'It must,' says he, 'have been supposed, *such an innovation as a parliamentary taxation*

would cause a great *alarm*, and meet with much *opposition* in most parts of America ; it was *quite new* to the people, and had no *visible bounds* set to it.' After stating the weakness of government there, he says, 'Was this a time to introduce *so great a novelty* as a parliamentary inland taxation in America ?' Whatever the right might have been, this mode of using it was absolutely new in policy and practice.

Sir, they who are friends to the schemes of American revenue say, that the commercial restraint is full as hard a law for America to live under. I think so too. I think it, if uncompensated, to be a condition of as rigorous servitude as men can be subject to. But America bore it from the fundamental act of navigation until 1764.--Why ? because men do bear the inevitable constitution of their original nature with all its infirmities. The act of navigation attended the colonies from their infancy, grew with their growth, and strengthened with their strength. They were confirmed in obedience to it, even more by usage than by law. They scarcely had remembered a time when they were not subject to such restraint. Besides, they were indemnified for it by a pecuniary compensation. Their monopolist happened to be one of the richest men in the world. By his immense capital (primarily employed, not for their benefit, but his own) they were enabled to proceed with their fisheries, their agriculture, their shipbuilding (and their trade too within the limits), in such a manner as got far the start of the slow, languid operations of unassisted nature. This capital was a hot-bed to them. Nothing in the history of mankind is like their progress. For my part, I never cast an eye on their flourishing commerce, and their cultivated and commodious life, but they seem to me rather ancient nations grown to perfection through a long series of fortunate events, and a train of successful industry, accumulating wealth in many centuries, than the colonies of yesterday ; than a set of miserable outcasts, a few years ago, not so much sent as thrown out, on the bleak and barren shore of a desolate wilder-

ness, three thousand miles from all civilized intercourse.

All this was done by England, whilst England pursued trade, and forgot revenue. You not only acquired commerce, but you actually created the very objects of trade in America; and by that creation you raised the trade of this kingdom at least fourfold. America had the compensation of your capital, which made her bear her servitude. She had another compensation, which you are now going to take away from her. She had, except the commercial restraint, every characteristic mark of a free people in all her internal concerns. She had the image of the British constitution. She had the substance. She was taxed by her own representatives. She chose most of her own magistrates. She paid them all. She had in effect the sole disposal of her own internal government. This whole state of commercial servitude and civil liberty, taken together, is certainly not perfect freedom; but comparing it with the ordinary circumstances of human nature, it was a happy and a liberal condition.

I know, sir, that great and not unsuccessful pains have been taken to inflame our minds by an outcry, in this House, and out of it, that in America the act of navigation neither is, or never was, obeyed. But if you take the colonies through, I affirm, that its authority never was disputed; that it was nowhere disputed for any length of time; and, on the whole, that it was well observed. Wherever the act pressed hard, many individuals indeed evaded it. This is nothing. These scattered individuals never denied the law, and never obeyed it. Just as it happens whenever the laws of trade, whenever the laws of revenue, press hard upon the people of England; in that case all your shores are full of contraband. Your right to give a monopoly to the East India Company, your right to lay immense duties on French brandy, are not disputed in England. You do not make this charge on any man. But you know that there is not a creek from Pentland Frith to the Isle of Wight, in which they do not smuggle immense

quantities of teas, East India goods, and brandies. I take it for granted, that the authority of Governor Bernard in this point is indisputable. Speaking of these laws as they regarded that part of America now in so unhappy a condition, he says, 'I believe they are nowhere better supported than in this province; I do not pretend that it is entirely free from a breach of these laws; but that such a breach, if discovered, is justly punished.' What more can you say of the obedience to any laws in any country? An obedience to these laws formed the acknowledgment, instituted by yourselves, for your superiority; and was the payment you originally imposed for your protection.

Whether you were right or wrong in establishing the colonies on the principles of commercial monopoly, rather than on that of revenue, is at this day a problem of mere speculation. You cannot have both by the same authority. To join together the restraints of an universal internal and external monopoly, with an universal internal and external taxation, is an unnatural union; perfect, uncompensated slavery. You have long since decided for yourself and them; and you and they have prospered exceedingly under that decision.

This nation, sir, never thought of departing from that choice until the period immediately on the close of the last war. Then a scheme of government new in many things seemed to have been adopted. I saw, or thought I saw, several symptoms of a great change, whilst I sat in your gallery, a good while before I had the honour of a seat in this House. At that period the necessity was established of keeping up no less than twenty new regiments, with twenty colonels capable of seats in this house. This scheme was adopted with very general applause from all sides, at the very time that, by your conquests in America, your danger from foreign attempts in that part of the world was much lessened, or indeed rather quite over. When this huge increase of military establishment was resolved on, a revenue was to be found to support so great a burden.

Country gentlemen, the great patrons of economy, and the great resisters of a standing armed force, would not have entered with much alacrity into the vote for so large and so expensive an army, if they had been very sure that they were to continue to pay for it. But hopes of another kind were held out to them ; and in particular, I well remember, that Mr. Townshend, in a brilliant harangue on this subject, did dazzle them by playing before their eyes the image of a revenue to be raised in America.

Here began to dawn the first glimmerings of this new colony system. It appeared more distinctly afterwards, when it was devolved upon a person to whom, on other accounts, this country owes very great obligations. I do believe that he had a very serious desire to benefit the public. But with no small study of the detail, he did not seem to have his view, at least equally, carried to the total circuit of our affairs. He generally considered his objects in lights that were rather too detached. Whether the business of an American revenue was imposed upon him altogether ; whether it was entirely the result of his own speculation ; or, what is more probable, that his own ideas rather coincided with the instructions he had received ; certain it is, that with the best intentions in the world, he first brought this fatal scheme into form, and established it by act of parliament.

No man can believe that at this time of day I mean to lean on the venerable memory of a great man, whose loss we deplore in common. Our little party differences have been long ago composed ; and I have acted more with him, and certainly with more pleasure, with him, than ever I acted against him. Undoubtedly Mr. Grenville was a first-rate figure in this country. With a masculine understanding, and a stout and resolute heart, he had an application undissipated and unwearied. He took public business not as a duty which he was to fulfil, but as a pleasure he was to enjoy ; and he seemed to have no delight out of this House, except in such things as some way related to

the business that was to be done within it. If he was ambitious, I will say this for him, his ambition was of a noble and generous strain. It was to raise himself, not by the low, pimping politics of a court, but to win his way to power, through the laborious gradations of public service; and to secure himself a well-earned rank in parliament, by a thorough knowledge of its constitution, and a perfect practice in all its business.

Sir, if such a man fell into errors, it must be from defects not intrinsic; they must be rather sought in the particular habits of his life; which, though they do not alter the groundwork of character, yet tinge it with their own hue. He was bred in a profession. He was bred to the law, which is, in my opinion, one of the first and noblest of human sciences; a science which does more to quicken and invigorate the understanding, than all the other kinds of learning put together; but it is not apt, except in persons very happily born, to open and to liberalize the mind exactly in the same proportion. Passing from that study he did not go very largely into the world, but plunged into business; I mean into the business of office; and the limited and fixed methods and forms established there. Much knowledge is to be had undoubtedly in that line; and there is no knowledge which is not valuable. But it may be truly said, that men too much conversant in office are rarely minds of remarkable enlargement. Their habits of office are apt to give them a turn to think the substance of business not to be much more important than the forms in which it is conducted. These forms are adapted to ordinary occasions; and therefore persons who are nurtured in office do admirably well as long as things go on in their common order; but when the high roads are broken up, and the waters out, when a new and troubled scene is opened, and the file affords no precedent, then it is that a greater knowledge of mankind and far more extensive comprehension of things is requisite, than ever office gave, or than office can ever give. Mr. Grenville thought better of the wisdom and power of human legislation than in

truth it deserves. He conceived, and many conceived along with him, that the flourishing trade of this country was greatly owing to law and institution, and not quite so much to liberty; for but too many are apt to believe regulation to be commerce, and taxes to be revenue. Among regulations, that which stood first in reputation was his idol. I mean the act of navigation. He has often professed it to be so. The policy of that act is, I readily admit, in many respects well understood. But I do say that, if the act be suffered to run the full length of its principle, and is not changed and modified according to the change of times and the fluctuation of circumstances, it must do great mischief, and frequently even defeat its own purpose.

After the war, and in the last years of it, the trade of America had increased far beyond the speculations of the most sanguine imaginations. It swelled out on every side. It filled all its proper channels to the brim. It overflowed with a rich redundance and, breaking its banks on the right and on the left, it spread out upon some places, where it was indeed improper, upon others where it was only irregular. It is the nature of all greatness not to be exact, and great trade will always be attended with considerable abuses. The contraband will always keep pace in some measure with the fair trade. It should stand as a fundamental maxim, that no vulgar precaution ought to be employed in the cure of evils, which are closely connected with the cause of our prosperity. Perhaps this great person turned his eyes somewhat less than was just, towards the incredible increase of the fair trade; and looked with something of too exquisite a jealousy towards the contraband. He certainly felt a singular degree of anxiety on the subject; and even began to act from that passion earlier than is commonly imagined. For whilst he was first lord of the admiralty, though not strictly called upon in his official line, he presented a very strong memorial to the lords of the treasury (my Lord Bute was then at the head of the board) heavily complaining of the growth of the illicit commerce in America. Some

mischiefs happened even at that time from this over-earnest zeal. Much greater happened afterwards, when it operated with greater power in the highest department of the finances. The bonds of the act of navigation were straitened so much, that America was on the point of having no trade, either contraband or legitimate. They found, under the construction and execution then used, the act no longer tying but actually strangling them. All this coming with new enumerations of commodities; with regulations which in a manner put a stop to the mutual coasting intercourse of the colonies; with the appointment of courts of admiralty under various improper circumstances; with a sudden extinction of the paper currencies; with a compulsory provision for the quartering of soldiers; the people of America thought themselves proceeded against as delinquents, or, at best, as people under suspicion of delinquency; and in such a manner, as they imagined, their recent services in the war did not at all merit. Any of these innumerable regulations, perhaps, would not have alarmed alone; some might be thought reasonable; the multitude struck them with terror.

But the grand manœuvre in that business of new regulating the colonies, was the 15th act of the fourth of George III; which, besides containing several of the matters to which I have just alluded, opened a new principle: and here properly began the second period of the policy of this country with regard to the colonies; by which the scheme of a regular plantation parliamentary revenue was adopted in theory, and settled in practice. A revenue not substituted in the place of, but superadded to, a monopoly: which monopoly was enforced at the same time with additional strictness, and the execution put into military hands.

This act, sir, had for the first time the title of 'granting duties in the colonies and plantations of America'; and for the first time it was asserted in the preamble, 'that it was *just* and *necessary* that a revenue should be raised there.' Then came the technical words of

'giving and granting,' and thus a complete American revenue act was made in all the forms, and with a full avowal of the right, equity, policy, and even necessity of taxing the colonies, without any formal consent of theirs. There are contained also in the preamble to that act these very remarkable words—the commons, &c.—'being desirous to make *some* provision in the *present* session of parliament *towards* raising the said revenue.' By these words it appeared to the colonies that this act was but a beginning of sorrows; that every session was to produce something of the same kind; that we were to go on, from day to day, in charging them with such taxes as we pleased, for such a military force as we should think proper. Had this plan been pursued, it was evident that the provincial assemblies, in which the Americans felt all their portion of importance and beheld their sole image of freedom, were *ipso facto* annihilated. This ill prospect before them seemed to be boundless in extent, and endless in duration. Sir, they were not mistaken. The ministry valued themselves when this act passed, and when they gave notice of the Stamp Act, that both of the duties came very short of their ideas of American taxation. Great was the applause of this measure here. In England we cried out for new taxes on America, whilst they cried out that they were nearly crushed with those which the war and their own grants had brought upon them.

Sir, it has been said in the debate that, when the first American revenue act (the act in 1764, imposing the port-duties, passed, the Americans did not object to the principle. It is true they touched it but very tenderly. It was not a direct attack. They were, it is true, as yet novices; as yet unaccustomed to direct attacks upon any of the rights of parliament. The duties were port-duties, like those they had been accustomed to bear; with this difference, that the title was not the same, the preamble not the same, and the spirit altogether unlike. But of what service is this observation to the cause of those that make it? It is a full refuta-

tion of the pretence for their present cruelty to America; for it shows, out of their own mouths, that our colonies were backward to enter into the present vexatious and ruinous controversy.

There is also another circulation abroad (spread with a malignant intention, which I cannot attribute to those who say the same thing in this House), that Mr. Grenville gave the colony agents an option for their assemblies to tax themselves, which they had refused. I find that much stress is laid on this, as a fact. However, it happens neither to be true nor possible. I will observe first, that Mr. Grenville never thought fit to make this apology for himself in the innumerable debates that were had upon the subject. He might have proposed to the colony agents, that they should agree in some mode of taxation as the ground of an act of parliament. But he never could have proposed that they should tax themselves on requisition, which is the assertion of the day. Indeed Mr. Grenville well knew, that the colony agents could have no general powers to consent to it; and they had no time to consult their assemblies for particular powers, before he passed his first revenue act. If you compare dates, you will find it impossible. Burdened as the agents knew the colonies were at that time, they could not give the least hope of such grants. His own favourite governor was of opinion that the Americans were not then taxable objects:

'Nor was the time less favourable to the equity of such a taxation. I don't mean to dispute the reasonableness of America contributing to the charges of Great Britain when she is able; nor, I believe, would the Americans themselves have disputed it, at a proper time and season. But it should be considered, that the American governments themselves have, in the prosecution of the late war, contracted very large debts; which it will take some years to pay off, and in the meantime occasion very burdensome taxes for that purpose only. For instance, this government, which is as much beforehand as any, raises every year £37,500 sterling for sinking their debt, and

must continue it for four years longer at least before it will be clear.'

These are the words of Governor Bernard's letter to a member of the old ministry, and which he has since printed. Mr. Grenville could not have made this proposition to the agents, for another reason. He was of opinion, as he has declared in this House an hundred times, that the colonies could not legally grant any revenue to the crown; and that infinite mischiefs would be the consequence of such a power. When Mr. Grenville had passed the first revenue act, and in the same session had made this House come to a resolution for laying a stamp-duty on America, between that time and the passing the Stamp Act into a law, he told a considerable and most respectable merchant, a member of this House, whom I am truly sorry I do not now see in his place, when he represented against this proceeding, that if the stamp-duty was disliked, he was willing to exchange it for any other equally productive; but that, if he objected to the Americans being taxed by parliament, he might save himself the trouble of the discussion, as he was determined on the measure. This is the fact, and, if you please, I will mention a very unquestionable authority for it.

Thus, sir, I have disposed of this falsehood. But falsehood has a perennial spring. It is said, that no conjecture could be made of the dislike of the colonies to the principle. This is as untrue as the other. After the resolution of the House, and before the passing of the Stamp Act, the colonies of Massachusetts Bay and New York did send remonstrances, objecting to this mode of parliamentary taxation. What was the consequence? They were suppressed; they were put under the table, notwithstanding an order of council to the contrary, by the ministry which composed the very council that had made the order: and thus the House proceeded to its business of taxing without the least regular knowledge of the objections which were made to it. But to give that House its due, it was not over-desirous to receive information, or

to hear remonstrance. On the fifteenth of February, 1765, whilst the Stamp Act was under deliberation, they refused with scorn even so much as to receive four petitions presented from so respectable colonies as Connecticut, Rhode Island, Virginia, and Carolina; besides one from the traders of Jamaica. As to the colonies, they had no alternative left to them, but to disobey; or to pay the taxes imposed by that parliament which was not suffered, or did not suffer itself, even to hear them remonstrate upon the subject.

This was the state of the colonies before his majesty thought fit to change his ministers. It stands upon no authority of mine. It is proved by uncontroversial records. The honourable gentleman has desired some of us to lay our hands upon our hearts, and answer to his queries upon the historical part of this consideration; and by his manner (as well as my eyes could discern it) he seemed to address himself to me.

Sir, I will answer him as clearly as I am able, and with great openness; I have nothing to conceal. In the year 'sixty-five, being in a very private station, far enough from any line of business, and not having the honour of a seat in this House, it was my fortune, unknowing and unknown to the then ministry, by the intervention of a common friend, to become connected with a very noble person, and at the head of the treasury department. It was indeed in a situation of little rank and no consequence, suitable to the mediocrity of my talents and pretensions. But a situation near enough to enable me to see, as well as others, what was going on; and I did see in that noble person such sound principles, such an enlargement of mind, such clear and sagacious sense, and such unshaken fortitude, as have bound me, as well as others much better than me, by an inviolable attachment to him from that time forward. Sir, Lord Rockingham very early in that summer received a strong representation from many weighty English merchants and manufacturers, from governors of provinces and commanders of men-of-war, against almost the whole of the American com-

mercial regulations: and particularly with regard to the total ruin which was threatened to the Spanish trade. I believe, sir, the noble lord soon saw his way in this business. But he did not rashly determine against acts which it might be supposed were the result of much deliberation. However, sir, he scarcely began to open the ground, when the whole veteran body of office took the alarm. A violent outcry of all (except those who knew and felt the mischief) was raised against any alteration. On one hand, his attempt was a direct violation of treaties and public law; on the other, the act of navigation and all the corps of trade laws were drawn up in array against it.

The first step the noble lord took, was to have the opinion of his excellent, learned, and ever-lamented friend the late Mr. Yorke, then attorney-general, on the point of law. When he knew that formally and officially, which in substance he had known before, he immediately dispatched orders to redress the grievance. But I will say it for the then minister, he is of that constitution of mind, that I know he would have issued, on the same critical occasion, the very same orders, if the acts of trade had been, as they were not, directly against him; and would have cheerfully submitted to the equity of parliament for his indemnity.

On the conclusion of this business of the Spanish trade, the news of the troubles, on account of the Stamp Act, arrived in England. It was not until the end of October that these accounts were received. No sooner had the sound of that mighty tempest reached us in England, than the whole of the then opposition, instead of feeling humbled by the unhappy issue of their measures, seemed to be infinitely elated, and cried out that the ministry, from envy to the glory of their predecessors, were prepared to repeal the Stamp Act. Near nine years after, the honourable gentleman takes quite opposite ground, and now challenges me to put my hand to my heart and say whether the ministry had resolved on the repeal till a considerable time after the meeting of parliament. Though I do not very

well know what the honourable gentleman wishes to infer from the admission, or from the denial, of this fact, on which he so earnestly adjures me ; I do put my hand on my heart and assure him that they did *not* come to a resolution directly to repeal. They weighed this matter as its difficulty and importance required. They considered maturely among themselves. They consulted with all who could give advice or information. It was not determined until a little before the meeting of parliament ; but it was determined, and the main lines of their own plan marked out, before that meeting. Two questions arose (I hope I am not going into a narrative troublesome to the House).

[A cry of 'Go on, go on.']

The first of the two considerations was, whether the repeal should be total, or whether only partial ; taking out everything burthensome and productive, and reserving only an empty acknowledgment, such as a stamp on cards or dice. The other question was, on what principle the act should be repealed ? On this head also two principles were started. One, that the legislative rights of this country, with regard to America, were not entire, but had certain restrictions and limitations. The other principle was, that taxes of this kind were contrary to the fundamental principles of commerce on which the colonies were founded ; and contrary to every idea of political equity ; by which equity we are bound, as much as possible, to extend the spirit and benefit of the British constitution to every part of the British dominions. The option, both of the measure, and of the principle of repeal, was made before the session ; and I wonder how any one can read the king's speech at the opening of that session, without seeing in that speech both the repeal and the declaratory act very sufficiently crayoned out. Those who cannot see this can see nothing.

Surely the honourable gentleman will not think that a great deal less time than was then employed ought to have been spent in deliberation, when he considers that the news of the troubles did not arrive till towards the

end of October. The parliament sat to fill the vacancies on the fourteenth day of December and on business the fourteenth of the following January.

Sir, a partial repeal, or, as the *bon ton* of the court then was, a *modification*, would have satisfied a timid, unsystematic, procrastinating ministry, as such a measure has since done such a ministry. A modification is the constant resource of weak, undeciding minds. To repeal by a denial of our right to tax in the preamble (and this too did not want advisers), would have cut, in the heroic style, the Gordian knot with a sword. Either measure would have cost no more than a day's debate. But when the total repeal was adopted; and adopted on principles of policy, of equity, and of commerce; this plan made it necessary to enter into many and difficult measures. It became necessary to open a very large field of evidence commensurate to these extensive views. But then this labour did knights' service. It opened the eyes of several to the true state of the American affairs; it enlarged their ideas; it removed prejudices; and it conciliated the opinions and affections of men. The noble lord, who then took the lead in administration, my honourable friend¹ under me, and a right honourable gentleman² (if he will not reject his share, and it was a large one, of this business), exerted the most laudable industry in bringing before you the fullest, most impartial, and least-garbled body of evidence that ever was produced to this House. I think the inquiry lasted in the committee for six weeks; and, at its conclusion, this House, by an independent, noble, spirited, and unexpected majority; by a majority that will redeem all the acts ever done by majorities in parliament; in the teeth of all the old mercenary Swiss of state, in despite of all the speculators and augurs of political events, in defiance of the whole embattled legion of veteran pensioners and practised instruments of a court, gave a total repeal to the Stamp Act, and (if it had been so permitted) a lasting peace to this whole empire.

¹ Mr. Dowdeswell.

² General Conway.

I state, sir, these particulars, because this act of spirit and fortitude has lately been, in the circulation of the season, and in some hazarded declamations in this House, attributed to timidity. If, sir, the conduct of ministry, in proposing the repeal, had arisen from timidity with regard to themselves, it would have been greatly to be condemned. Interested timidity disgraces as much in the cabinet, as personal timidity does in the field. But timidity, with regard to the well-being of our country, is heroic virtue. The noble lord who then conducted affairs and his worthy colleagues, whilst they trembled at the prospect of such distresses as you have since brought upon yourselves, were not afraid steadily to look in the face that glaring and dazzling influence at which the eyes of eagles have blanched. He looked in the face one of the ablest, and, let me say, not the most scrupulous oppositions, that perhaps ever was in this House; and withstood it, unaided by even one of the usual supports of administration. He did this when he repealed the Stamp Act. He looked in the face a person he had long respected and regarded, and whose aid was then particularly wanting; I mean Lord Chatham. He did this when he passed the Declaratory Act.

It is now given out for the usual purposes, by the usual emissaries, that Lord Rockingham did not consent to the repeal of this act until he was bullied into it by Lord Chatham; and the reporters have gone so far as publicly to assert, in a hundred companies, that the honourable gentleman under the gallery¹, who proposed the repeal in the American committee, had another set of resolutions in his pocket directly the reverse of those he moved. These artifices of a desperate cause are at this time spread abroad, with incredible care, in every part of the town, from the highest to the lowest companies; as if the industry of the circulation were to make amends for the absurdity of the report.

Sir, whether the noble lord is of a complexion to be

¹ General Conway.

bullied by Lord Chatham, or by any man, I must submit to those who know him. I confess, when I look back to that time, I consider him as placed in one of the most trying situations in which, perhaps, any man ever stood. In the House of Peers there were very few of the ministry, out of the noble lord's own particular connexion (except Lord Egmont, who acted, as far as I could discern, an honourable and manly part), that did not look to some other future arrangement, which warped his politics. There were in both Houses new and menacing appearances, that might very naturally drive any other, than a most resolute minister, from his measure or from his station. The household troops openly revolted. The allies of ministry (those, I mean, who supported some of their measures, but refused responsibility for any) endeavoured to undermine their credit, and to take ground that must be fatal to the success of the very cause which they would be thought to countenance. The question of the repeal was brought on by ministry in the committee of this House, in the very instant when it was known that more than one court negotiation was carrying on with the heads of the opposition. Everything, upon every side, was full of traps and mines. Earth below shook; heaven above menaced; all the elements of ministerial safety were dissolved. It was in the midst of this chaos of plots and counterplots; it was in the midst of this complicated warfare against public opposition and private treachery, that the firmness of that noble person was put to the proof. He never stirred from his ground; no, not an inch. He remained fixed and determined, in principle, in measure, and in conduct. He practised no managements. He secured no retreat. He sought no apology.

I will likewise do justice, I ought to do it, to the honourable gentleman who led us in this House¹. Far from the duplicity wickedly charged on him, he acted his part with alacrity and resolution. We all felt

¹ General Conway.

inspired by the example he gave us, down even to myself, the weakest in that phalanx. I declare for one, I knew well enough (it could not be concealed from anybody) the true state of things ; but, in my life, I never came with so much spirits into this House. It was a time for a *man* to act in. We had powerful enemies ; but we had faithful and determined friends ; and a glorious cause. We had a great battle to fight ; but we had the means of fighting ; not as now, when our arms are tied behind us. We did fight that day and conquer.

I remember, sir, with a melancholy pleasure, the situation of the honourable gentleman¹ who made the motion for the repeal ; in that crisis, when the whole trading interest of this empire, crammed into your lobbies, with a trembling and anxious expectation, waited, almost to a winter's return of light, their fate from your resolutions. When, at length, you had determined in their favour, and your doors, thrown open, showed them the figure of their deliverer in the well-earned triumph of his important victory, from the whole of that grave multitude there arose an involuntary burst of gratitude and transport. They jumped upon him like children on a long absent father. They clung about him as captives about their redeemer. All England, all America, joined to his applause. Nor did he seem insensible to the best of all earthly rewards, the love and admiration of his fellow-citizens. *Hope elevated and joy brightened his crest.* I stood near him ; and his face, to use the expression of the Scripture of the first martyr, ' his face was as if it had been the face of an angel.' I do not know how others feel ; but if I had stood in that situation, I never would have exchanged it for all that kings in their profusion could bestow. I did hope that that day's danger and honour would have been a bond to hold us all together for ever. But, alas ! that, with other pleasing visions, is long since vanished.

Sir, this act of supreme magnanimity has been repre-

¹ General Conway.

sented, as if it had been a measure of an administration, that having no scheme of their own, took a middle line, pilfered a bit from one side and a bit from the other. Sir, they took *no* middle lines. They differed fundamentally from the schemes of both parties; but they preserved the objects of both. They preserved the authority of Great Britain. They preserved the equity of Great Britain. They made the Declaratory Act; they repealed the Stamp Act. They did both *fully*; because the Declaratory Act was without *qualification*; and the repeal of the Stamp Act *total*. This they did in the situation I have described.

Now, sir, what will the adversary say to both these acts? If the principle of the Declaratory Act was not good, the principle we are contending for this day is monstrous. If the principle of the repeal was not good, why are we not at war for a real, substantial, effective revenue? If both were bad, why has this ministry incurred all the inconveniences of both and of all schemes? Why have they enacted, repealed, enforced, yielded, and now attempt to enforce again?

Sir, I think I may as well now, as at any other time, speak to a certain matter of fact, not wholly unrelated to the question under your consideration. We, who would persuade you to revert to the ancient policy of this kingdom, labour under the effect of this short current phrase, which the court leaders have given out to all their corps, in order to take away the credit of those who would prevent you from that frantic war you are going to wage upon your colonies. Their cant is this; 'All the disturbances in America have been created by the repeal of the Stamp Act.' I suppress for a moment my indignation at the falsehood, baseness, and absurdity of this most audacious assertion. Instead of remarking on the motives and character of those who have issued it for circulation, I will clearly lay before you the state of America, antecedently to that repeal; after the repeal; and since the renewal of the schemes of American taxation.

It is said, that the disturbances, if there were any

before the repeal, were slight ; and without difficulty or inconvenience might have been suppressed. For an answer to this assertion I will send you to the great author and patron of the Stamp Act, who certainly meaning well to the authority of this country, and fully apprised of the state of that, made, before a repeal was so much as agitated in this House, the motion which is on your journals ; and which, to save the clerk the trouble of turning to it, I will now read to you. It was for an amendment to the address of the 17th of December, 1765 :

' To express our just resentment and indignation at the outrageous tumults and insurrections which have been excited and carried on in North America ; and at the resistance given, by open and rebellious force, to the execution of the laws in that part of his majesty's dominions. And to assure his majesty, that his faithful commons, animated with the warmest duty and attachment to his royal person and government, will firmly and effectually support his majesty in all such measures as shall be necessary for preserving and supporting the legal dependence of the colonies on the mother country, &c., &c.'

Here was certainly a disturbance preceding the repeal ; such a disturbance as Mr. Grenville thought necessary to qualify by the name of an *insurrection*, and the epithet of a *rebellious* force : terms much stronger than any by which those, who then supported his motion, have ever since thought proper to distinguish the subsequent disturbances in America. They were disturbances which seemed to him and his friends to justify as strong a promise of support, as hath been usual to give in the beginning of a war with the most powerful and declared enemies. When the accounts of the American governors came before the House, they appeared stronger even than the warmth of public imagination had painted them ; so much stronger, that the papers on your table bear me out in saying, that all the late disturbances, which have been at one time the minister's motives for the repeal of five out of six of the new court taxes, and are now his pretences

for refusing to repeal that sixth, did not amount—why do I compare them?—no, not to a tenth part of the tumults and violence which prevailed long before the repeal of that act.

Ministry cannot refuse the authority of the commander-in-chief, General Gage, who, in his letter of the 4th of November from New York, thus represents the state of things:—

‘It is difficult to say, from the highest to the lowest, who has not been accessory to this insurrection, either by writing or mutual agreements to oppose the act, by what they are pleased to term all legal opposition to it. Nothing effectual has been proposed, either to prevent or quell the tumult. The rest of the provinces are in the same situation as to a positive refusal to take the stamps; and threatening those who shall take them, to plunder and murder them; and this affair stands in all the provinces, that unless the act, from its own nature, enforce itself, nothing but a very considerable military force can do it.’

It is remarkable, sir, that the persons who formerly trumpeted forth the most loudly the violent resolutions of assemblies; the universal insurrections; the seizing and burning the stamped papers; the forcing stamp officers to resign their commissions under the gallows; the rifling and pulling down of the houses of magistrates; and the expulsion from their country of all who dared to write and speak a single word in defence of the powers of parliament; these very trumpeters are now the men that represent the whole as a mere trifle, and choose to date all the disturbances from the repeal of the Stamp Act, which put an end to them. Hear your officers abroad, and let them refute this shameless falsehood, who, in all their correspondence, state the disturbances as owing to their true causes, the discontent of the people, from the taxes. You have this evidence in your own archives, and it will give you complete satisfaction, if you are not so far lost to all parliamentary ideas of information, as rather to credit the lie of the day, than the records of your own House

Sir, this vermin of court reporters, when they are forced into day upon one point, are sure to burrow in another ; but they shall have no refuge ; I will make them bolt out of all their holes. Conscious that they must be baffled, when they attribute a precedent disturbance to a subsequent measure, they take other ground, almost as absurd, but very common in modern practice, and very wicked ; which is, to attribute the ill-effect of ill-judged conduct to the arguments which had been used to dissuade us from it. They say, that the opposition made in parliament to the Stamp Act at the time of its passing, encouraged the Americans to their resistance. This has even formally appeared in print in a regular volume from an advocate of that faction, a Dr. Tucker. This Dr. Tucker is already a dean, and his earnest labours in this vineyard, will, I suppose, raise him to a bishopric. But this assertion, too, just like the rest, is false. In all the papers which have loaded your table ; in all the vast crowd of verbal witnesses that appeared at your bar, witnesses which were indiscriminately produced from both sides of the House ; not the least hint of such a cause of disturbance has ever appeared. As to the fact of a strenuous opposition to the Stamp Act, I sat as a stranger in your gallery when the act was under consideration. Far from anything inflammatory, I never heard a more languid debate in this House. No more than two or three gentlemen, as I remember, spoke against the act, and that with great reserve, and remarkable temper. There was but one division in the whole progress of the bill ; and the minority did not reach to more than thirty-nine or forty. In the House of Lords I do not recollect that there was any debate or division at all. I am sure there was no protest. In fact, the affair passed with so very, very little noise, that in town they scarcely knew the nature of what you were doing. The opposition to the bill in England never could have done this mischief, because there scarcely ever was less of opposition to a bill of consequence.

Sir, the agents and distributors of falsehoods have,

with their usual industry, circulated another lie of the same nature with the former. It is this, that the disturbances arose from the account which had been received in America of the change in the ministry. No longer awed, it seems, with the spirit of the former rulers, they thought themselves a match for what our calumniators choose to qualify by the name of so feeble a ministry as succeeded. Feeble in one sense these men certainly may be called ; for, with all their efforts, and they have made many, they have not been able to resist the distempered vigour, and insane alacrity, with which you are rushing to your ruin. But it does so happen, that the falsity of this circulation is (like the rest) demonstrated by indisputable dates and records.

So little was the change known in America, that the letters of your governors, giving an account of these disturbances long after they had arrived at their highest pitch, were all directed to the *old ministry*, and particularly to the *Earl of Halifax*, the secretary of state corresponding with the colonies, without once in the smallest degree intimating the slightest suspicion of any ministerial revolution whatsoever. The ministry was not changed in England until the 10th day of July, 1765. On the fourteenth of the preceding June, Governor Fauquier from Virginia, writes thus ; and writes thus to the Earl of Halifax : *'Government is set at defiance, not having strength enough in her hands to enforce obedience to the laws of the community. The private distress, which every man feels, increases the general dissatisfaction at the duties laid by the Stamp Act, which breaks out, and shows itself upon every trifling occasion.'* The general dissatisfaction had produced some time before, that is, on the 29th of May, several strong public resolves against the Stamp Act ; and these resolves are assigned by Governor Bernard as the cause of the *insurrections* in Massachusetts's Bay, in his letter of the 15th of August, still addressed to the Earl of Halifax ; and he continued to address such accounts to that minister quite to the 7th of September of the same year. Similar accounts, and of as late a date, were sent from

other governors, and all directed to Lord Halifax. Not one of these letters indicates the slightest idea of a change, either known or even apprehended.

Thus are blown away the insect race of courtly falsehoods! Thus perish the miserable inventions of the wretched runners for a wretched cause, which they have fly-blown into every weak and rotten part of the country, in vain hopes that when their maggots had taken wing their importunate buzzing might sound something like the public voice!

Sir, I have troubled you sufficiently with the state of America before the repeal. Now I turn to the honourable gentleman who so stoutly challenges us to tell whether, after the repeal, the provinces were quiet. This is coming home to the point. Here I meet him directly; and answer most readily, *They were quiet*. And I, in my turn, challenge him to prove when, and where, and by whom, and in what numbers, and with what violence, the other laws of trade, as gentlemen assert, were violated in consequence of your concession? or that even your other revenue laws were attacked? But I quit the vantage ground on which I stand, and where I might leave the burden of the proof upon him: I walk down upon the open plain, and undertake to show that they were not only quiet, but showed many unequivocal marks of acknowledgment and gratitude. And to give him every advantage, I select the obnoxious colony of Massachusetts's Bay, which at this time (but without hearing her) is so heavily a culprit before parliament; I will select their proceedings even under circumstances of no small irritation. For, a little imprudently, I must say, Governor Bernard mixed in the administration of the lenitive of the repeal no small acrimony arising from matters of a separate nature. Yet see, sir, the effect of that lenitive, though mixed with these bitter ingredients; and how this rugged people can express themselves on a measure of concession.

'*If it is not in our power*' (say they in their address to Governor Bernard), '*in so full a manner as will be*

expected, to show our respectful gratitude to the mother country, or to make a dutiful and affectionate return to the indulgence of the king and parliament, it shall be no fault of ours; for this we intend, and hope we shall be able fully to effect.'

Would to God that this temper had been cultivated, managed, and set in action! Other effects than those which we have since felt would have resulted from it. On the requisition for compensation to those who had suffered from the violence of the populace, in the same address they say, '*The recommendation enjoined by Mr. Secretary Conway's letter, and in consequence thereof made to us, we will embrace the first convenient opportunity to consider and act upon.*' They did consider; they did act upon it. They obeyed the requisition. I know the mode has been chicaned upon; but it was substantially obeyed, and much better obeyed than I fear the parliamentary requisition of this session will be, though enforced by all your rigour and backed with all your power. In a word, the damages of popular fury were compensated by legislative gravity. Almost every other part of America in various ways demonstrated their gratitude. I am bold to say, that so sudden a calm recovered after so violent a storm is without parallel in history. To say that no other disturbance should happen from any other cause, is folly. But as far as appearances went, by the judicious sacrifice of one law, you procured an acquiescence in all that remained. After this experience, nobody shall persuade me, when a whole people are concerned, that acts of lenity are not means of conciliation.

I hope the honourable gentleman has received a fair and full answer to his question.

I have done with the third period of your policy: that of your repeal; and the return of your ancient system, and your ancient tranquillity and concord. Sir, this period was not as long as it was happy. Another scene was opened, and other actors appeared on the stage. The state, in the condition I have described it, was delivered into the hands of Lord Chatham, a great

and celebrated name—a name that keeps the name of this country respectable in every other on the globe. It may be truly called,

Clarum et venerabile nomen
Gentibus, et multum nostræ quod proderat urbi.

Sir, the venerable age of this great man, his merited rank, his superior eloquence, his splendid qualities, his eminent services, the vast space he fills in the eye of mankind, and, more than all the rest, his fall from power, which, like death, canonizes and sanctifies a great character, will not suffer me to censure any part of his conduct. I am afraid to flatter him; I am sure I am not disposed to blame him. Let those who have betrayed him by their adulation insult him with their malevolence. But what I do not presume to censure I may have leave to lament. For a wise man, he seemed to me at that time to be governed too much by general maxims. I speak with the freedom of history, and I hope without offence. One or two of these maxims, flowing from an opinion not the most indulgent to our unhappy species, and surely a little too general, led him into measures that were generally mischievous to himself, and for that reason, among others, perhaps fatal to his country;—measures, the effect of which, I am afraid, are for ever incurable. He made an administration, so checkered and speckled; he put together a piece of joinery, so crossly indented and whimsically dove-tailed; a cabinet so variously inlaid; such a piece of diversified mosaic; such a tessellated pavement without cement; here a bit of black stone, and there a bit of white; patriots and courtiers, king's friends and republicans; Whigs and Tories; treacherous friends and open enemies;—that it was, indeed, a very curious show; but utterly unsafe to touch, and unsure to stand on. The colleagues whom he had assorted at the same boards stared at each other, and were obliged to ask, 'Sir, your name?—Sir, you have the advantage of me—Mr. Such-a-one—I beg a thousand pardons——' I venture to say, it

did so happen that persons had a single office divided between them, who had never spoken to each other in their lives; until they found themselves, they knew not how, pigging together, heads and points, in the same truckle-bed¹.

Sir, in consequence of this arrangement, having put so much the larger part of his enemies and opposers into power, the confusion was such, that his own principles could not possibly have any effect or influence in the conduct of affairs. If ever he fell into a fit of the gout, or if any other cause withdrew him from public cares, principles directly the contrary were sure to predominate. When he had executed his plan, he had not an inch of ground to stand upon. When he had accomplished his scheme of administration, he was no longer a minister.

When his face was hid but for a moment, his whole system was on a wide sea, without chart or compass. The gentlemen, his particular friends, who, with the names of various departments of ministry, were admitted to seem as if they acted a part under him, with a modesty that becomes all men, and with a confidence in him which was justified even in its extravagance by his superior abilities, had never in any instance presumed upon any opinion of their own. Deprived of his guiding influence, they were whirled about, the sport of every gust, and easily driven into any port; and as those who joined with them in manning the vessel were the most directly opposite to his opinions, measures, and character, and far the most artful and most powerful of the set, they easily prevailed, so as to seize upon the vacant, unoccupied, and derelict minds of his friends, and instantly they turned the vessel wholly out of the course of his policy. As if it were to insult as well as to betray him, even long before the close of the first session of his administration, when

¹ Supposed to allude to the Right Honourable Lord North, and George Cooke, Esq., who were made joint paymasters in the summer of 1766, on the removal of the Rockingham administration.

everything was publicly transacted, and with great parade, in his name, they made an act, declaring it highly just and expedient to raise a revenue in America. For even then, sir, even before this splendid orb was entirely set, and while the western horizon was in a blaze with his descending glory, on the opposite quarter of the heavens arose another luminary, and, for his hour, became lord of the ascendant.

This light, too, is passed and set for ever. You understand, to be sure, that I speak of Charles Townshend, officially the reproducer of this fatal scheme, whom I cannot even now remember without some degree of sensibility. In truth, sir, he was the delight and ornament of this House, and the charm of every private society which he honoured with his presence. Perhaps there never arose in this country, nor in any country, a man of a more pointed and finished wit, and (where his passions were not concerned) of a more refined, exquisite, and penetrating judgment. If he had not so great a stock, as some have had who flourished formerly, of knowledge long treasured up, he knew, better by far than any man I ever was acquainted with, how to bring together within a short time all that was necessary to establish, to illustrate, and to decorate that side of the question he supported. He stated his matter skilfully and powerfully. He particularly excelled in a most luminous explanation, and display of his subject. His style of argument was neither trite and vulgar, nor subtle and abstruse. He hit the House just between wind and water; and, not being troubled with too anxious a zeal for any matter in question, he was never more tedious or more earnest than the preconceived opinions and present temper of his hearers required, to whom he was always in perfect unison. He conformed exactly to the temper of the House; and he seemed to guide, because he was always sure to follow it.

I beg pardon, sir, if when I speak of this and of other great men, I appear to digress in saying something of their characters. In this eventful history of the

revolutions of America, the characters of such men are of much importance. Great men are the guide-posts and landmarks in the state. The credit of such men at court, or in the nation, is the sole cause of all the public measures. It would be an invidious thing (most foreign, I trust, to what you think my disposition) to remark the errors into which the authority of great names has brought the nation, without doing justice at the same time to the great qualities whence that authority arose. The subject is instructive to those who wish to form themselves on whatever of excellence has gone before them. There are many young members in the House (such of late has been the rapid succession of public men) who never saw that prodigy, Charles Townshend; nor of course know what a ferment he was able to excite in everything by the violent ebullition of his mixed virtues and failings. For failings he had undoubtedly—many of us remember them; we are this day considering the effect of them. But he had no failings which were not owing to a noble cause; to an ardent, generous, perhaps an immoderate passion for fame; a passion which is the instinct of all great souls. He worshipped that goddess wheresoever she appeared; but he paid his particular devotions to her in her favourite habitation, in her chosen temple, the House of Commons. Besides the characters of the individuals that compose our body, it is impossible, Mr. Speaker, not to observe, that this House has a collective character of its own. That character too, however imperfect, is not unamiable. Like all great public collections of men, you possess a marked love of virtue, and an abhorrence of vice. But among vices there is none, which the House abhors in the same degree with *obstinacy*. Obstinacy, sir, is certainly a great vice; and in the changeful state of political affairs it is frequently the cause of great mischief. It happens, however, very unfortunately, that almost the whole line of the great and masculine virtues, constancy, gravity, magnanimity, fortitude, fidelity, and firmness, are closely allied to this disagreeable quality, of which

you have so just an abhorrence ; and, in their excess, all these virtues very easily fall into it. He, who paid such a punctilious attention to all your feelings, certainly took care not to shock them by that vice which is the most disgusting to you.

That fear of displeasing those who ought most to be pleased betrayed him sometimes into the other extreme. He had voted, and, in the year 1765, had been an advocate for the Stamp Act. Things and the disposition of men's minds were changed. In short, the Stamp Act began to be no favourite in this House. He therefore attended at the private meeting, in which the resolutions moved by a right honourable gentleman were settled ; resolutions leading to the repeal. The next day he voted for that repeal ; and he would have spoken for it too, if an illness (not as was then given out, a political, but to my knowledge, a very real illness) had not prevented it.

The very next session, as the fashion of this world passeth away, the repeal began to be in as bad an odour in this House as the Stamp Act had been in the session before. To conform to the temper which began to prevail, and to prevail mostly amongst those most in power, he declared, very early in the winter, that a revenue must be had out of America. Instantly he was tied down to his engagements by some, who had no objection to such experiments, when made at the cost of persons for whom they had no particular regard. The whole body of courtiers drove him onward. They always talked as if the king stood in a sort of humiliated state, until something of the kind should be done.

Here this extraordinary man, then chancellor of the exchequer, found himself in great straits. To please universally was the object of his life ; but to tax and to please, no more than to love and to be wise, is not given to men. However he attempted it. To render the tax palatable to the partisans of American revenue, he made a preamble stating the necessity of such a revenue. To close with the American distinction, this

revenue was *external* or port-duty ; but again, to soften it to the other party, it was a duty of *supply*. To gratify the *colonists*, it was laid on British manufactures ; to satisfy the *merchants of Britain*, the duty was trivial, and (except that on tea, which touched only the devoted East India Company) on none of the grand objects of commerce. To counterwork the American contraband, the duty on tea was reduced from a shilling to three-pence. But to secure the favour of those who would tax America, the scene of collection was changed, and, with the rest, it was levied in the colonies. What need I say more ? This fine-spun scheme had the usual fate of all exquisite policy. But the original plan of the duties, and the mode of executing that plan, both arose singly and-solely from a love of our applause. He was truly the child of the House. He never thought, did, or said anything, but with a view to you. He every day adapted himself to your disposition ; and adjusted himself before it as at a looking-glass.

He had observed (indeed it could not escape him) that several persons, infinitely his inferiors in all respects, had formerly rendered themselves considerable in this House by one method alone. They were a race of men (I hope in God the species is extinct) who, when they rose in their place, no man living could divine, from any known adherence to parties, to opinions, or to principles, from any order or system in their politics, or from any sequel or connexion in their ideas, what part they were going to take in any debate. It is astonishing how much this uncertainty, especially at critical times, called the attention of all parties on such men. All eyes were fixed on them, all ears open to hear them ; each party gaped and looked alternately for their vote, almost to the end of their speeches. While the House hung in this uncertainty, now the *hear him*s rose from this side—now they rebelled from the other ; and that party, to whom they fell at length from their tremulous and dancing balance, always received them in a tempest of applause. The fortune of such men was a temptation too great to be resisted

by one, to whom a single whiff of incense withheld gave much greater pain, than he received delight, in the clouds of it, which daily rose about him from the prodigal superstition of innumerable admirers. He was a candidate for contradictory honours; and his great aim was to make those agree in admiration of him who never agreed in anything else.

Hence arose this unfortunate act, the subject of this day's debate; from a disposition which, after making an American revenue to please one, repealed it to please others, and again revived it in hopes of pleasing a third, and of catching something in the ideas of all.

This revenue act of 1767 formed the fourth period of American policy. How we have fared since then—what woeful variety of schemes have been adopted; what enforcing, and what repealing; what bullying, and what submitting; what doing, and undoing; what straining, and what relaxing; what assemblies dissolved for not obeying, and called again without obedience; what troops sent out to quell resistance, and, on meeting that resistance, recalled; what shiftings, and changes, and jumbings of all kinds of men at home, which left no possibility of order, consistency, vigour, or even so much as a decent unity of colour in any one public measure. It is a tedious, irksome task. My duty may call me to open it out some other time¹; on a former occasion I tried your temper on a part of it; for the present I shall forbear.

After all these changes and agitations, your immediate situation upon the question on your paper is at length brought to this. You have an act of parliament, stating, that 'it is *expedient* to raise a revenue in America.' By a partial repeal you annihilated the greatest part of that revenue, which this preamble declares to be so expedient. You have substituted no other in the place of it. A secretary of state has disclaimed, in the king's name, all thoughts of such a substitution in future. The principle of this disclaimer goes to what has been left, as well as what has

¹ Resolutions in May, 1770.

been repealed. The tax which lingers after its companions (under a preamble declaring an American revenue expedient, and for the sole purpose of supporting the theory of that preamble) militates with the assurance authentically conveyed to the colonies; and is an exhaustless source of jealousy and animosity. On this state, which I take to be a fair one; not being able to discern any grounds of honour, advantage, peace or power, for adhering, either to the act or to the preamble, I shall vote for the question which leads to the repeal of both.

If you do not fall in with this motion, then secure something to fight for, consistent in theory and valuable in practice. If you must employ your strength, employ it to uphold you in some honourable right, or some profitable wrong. If you are apprehensive that the concession recommended to you, though proper, should be a means of drawing on you further but unreasonable claims—why then employ your force in supporting that reasonable concession against those unreasonable demands. You will employ it with more grace; with better effect; and with great probable concurrence of all the quiet and rational people in the provinces; who are now united with, and hurried away by, the violent; having indeed different dispositions, but a common interest. If you apprehend that on a concession you shall be pushed by metaphysical process to the extreme lines, and argued out of your whole authority, my advice is this; when you have recovered your old, your strong, your tenable position, then face about—stop short—do nothing more—reason not at all—oppose the ancient policy and practice of the empire as ramparts against the speculations of innovators on both sides of the question; and you will stand on great, manly, and sure ground. On this solid basis fix your machines, and they will draw worlds towards you.

Your ministers, in their own and his majesty's name, have already adopted the American distinction of internal and external duties. It is a distinction, whatever

merit it may have, that was originally moved by the Americans themselves ; and I think they will acquiesce in it, if they are not pushed with too much logic and too little sense, in all the consequences. That is, if external taxation be understood, as they and you understand it, when you please, to be not a distinction of geography, but of policy ; that it is a power for regulating trade, and not for supporting establishments. The distinction, which is as nothing with regard to right, is of most weighty consideration in practice. Recover your old ground, and your old tranquillity—try it—I am persuaded the Americans will compromise with you. When confidence is once restored, the odious and suspicious *summum jus* will perish of course. The spirit of practicability, of moderation, and mutual convenience, will never call in geometrical exactness as the arbitrator of an amicable settlement. Consult and follow your experience. Let not the long story, with which I have exercised your patience, prove fruitless to your interests.

For my part, I should choose (if I could have my wish) that the proposition of the honourable gentleman¹ for the repeal could go to America without the attendance of the penal bills. Alone I could almost answer for its success. I cannot be certain of its reception in the bad company it may keep. In such heterogeneous assortments, the most innocent person will lose the effect of his innocency. Though you should send out this angel of peace, yet you are sending out a destroying angel too ; and what would be the effect of the conflict of these two adverse spirits, or which would predominate in the end, is what I dare not say : whether the lenient measures would cause American passion to subside, or the severe would increase its fury—all this is in the hand of Providence. Yet now, even now, I should confide in the prevailing virtue, and efficacious operation of lenity, though working in darkness, and in chaos, in the midst of all this unnatural

¹ Mr. Fuller.

and turbid combination : I should hope it might produce order and beauty in the end.

Let us, sir, embrace some system or other before we end this session. Do you mean to tax America, and to draw a productive revenue from thence ? If you do, speak out ; name, fix, ascertain, this revenue ; settle its quantity ; define its objects ; provide for its collection ; and then fight when you have something to fight for. If you murder—rob ; if you kill, take possession ; and do not appear in the character of madmen, as well as assassins, violent, vindictive, bloody, and tyrannical without an object. But may better counsels guide you !

Again, and again, revert to your old principles—seek peace and ensue it—leave America, if she has taxable matter in her, to tax herself. I am not here going into the distinctions of rights, not attempting to mark their boundaries. I do not enter into these metaphysical distinctions ; I hate the very sound of them. Leave the Americans as they anciently stood, and these distinctions, born of our unhappy contest, will die along with it. They and we, and their and our ancestors, have been happy under that system. Let the memory of all actions, in contradiction to that good old mode, on both sides, be extinguished for ever. Be content to bind America by laws of trade ; you have always done it. Let this be your reason for binding their trade. Do not burden them by taxes ; you were not used to do so from the beginning. Let this be your reason for not taxing. These are the arguments of states and kingdoms. Leave the rest to the schools ; for there only they may be discussed with safety. But if, intemperately, unwisely, fatally, you sophisticate and poison the very source of government, by urging subtle deductions, and consequences odious to those who govern, from the unlimited and illimitable nature of supreme sovereignty, you will teach them by these means to call that sovereignty itself in question. When you drive him hard, the boar will surely turn upon the hunters. If that sovereignty and their freedom cannot be re-

conciled, which will they take ? They will cast your sovereignty in your face. Nobody will be argued into slavery. Sir, let the gentlemen on the other side call forth all their ability ; let the best of them get up, and tell me, what one character of liberty the Americans have, and what one brand of slavery they are free from, if they are bound in their poverty and industry, by all the restraints you can imagine on commerce, and at the same time are made pack-horses of every tax you choose to impose, without the least share in granting them. When they bear the burdens of unlimited monopoly, will you bring them to bear the burdens of unlimited revenue too ? The Englishman in America will feel that this is slavery—that it is *legal* slavery will be no compensation, either to his feelings or his understanding.

A noble lord ¹, who spoke some time ago, is full of the fire of ingenious youth ; and when he has modelled the ideas of a lively imagination by further experience, he will be an ornament to his country in either House. He has said that the Americans are our children, and how can they revolt against their parent ? He says, that if they are not free in their present state, England is not free ; because Manchester, and other considerable places, are not represented. So then, because some towns in England are not represented, America is to have no representative at all. They are 'our children' ; but when children ask for bread we are not to give a stone. Is it because the natural resistance of things, and the various mutations of time, hinders our government, or any scheme of government, from being any more than a sort of approximation to the right, is it therefore that the colonies are to recede from it infinitely ? When this child of ours wishes to assimilate to its parent, and to reflect with a true filial resemblance the beauteous countenance of British liberty ; are we to turn to them the shameful parts of our constitution ? are we to give them our weakness for their strength ? our opprobrium for their glory ; and

¹ Lord Carmarthen.

the slough of slavery, which we are not able to work off, to serve them for their freedom ?

If this be the case, ask yourselves this question, will they be content in such a state of slavery ? If not, look to the consequences. Reflect how you are to govern a people, who think they ought to be free and think they are not. Your scheme yields no revenue ; it yields nothing but discontent, disorder, disobedience ; and such is the state of America, that after wading up to your eyes in blood, you could only end just where you begun ; that is, to tax where no revenue is to be found, to—my voice fails me ; my inclination indeed carries me no farther—all is confusion beyond it.

Well, sir, I have recovered a little, and before I sit down I must say something to another point with which gentlemen urge us. What is to become of the Declaratory Act asserting the entireness of British legislative authority, if we abandon the practice of taxation ?

For my part I look upon the rights stated in that act, exactly in the manner in which I viewed them on its very first proposition, and which I have often taken the liberty, with great humility, to lay before you. I look, I say, on the imperial rights of Great Britain, and the privileges which the colonists ought to enjoy under these rights, to be just the most reconcilable things in the world. The parliament of Great Britain sits at the head of her extensive empire in two capacities : one as the local legislature of this island, providing for all things at home, immediately, and by no other instrument than the executive power. The other, and I think her nobler capacity, is what I call her *imperial character* ; in which, as from the throne of heaven, she superintends all the several inferior legislatures, and guides and controls them all, without annihilating any. As all these provincial legislatures are only co-ordinate with each other, they ought all to be subordinate to her ; else they can neither preserve mutual peace, nor hope for mutual justice, nor effectually afford mutual assistance. It is necessary to coerce

the negligent, to restrain the violent, and to aid the weak and deficient, by the overruling plenitude of her power. She is never to intrude into the place of the others, whilst they are equal to the common ends of their institution. But in order to enable parliament to answer all these ends of provident and beneficent superintendence, her powers must be boundless. The gentlemen who think the powers of parliament limited, may please themselves to talk of requisitions. But suppose the requisitions are not obeyed? What! Shall there be no reserved power in the empire, to supply a deficiency which may weaken, divide, and dissipate the whole? We are engaged in war—the secretary of state calls upon the colonies to contribute—some would do it, I think most would cheerfully furnish whatever is demanded—one or two, suppose, hang back, and, easing themselves, let the stress of the draft lie on the others—surely it is proper that some authority might legally say—‘Tax yourselves for the common supply, or parliament will do it for you.’ This backwardness was, as I am told, the case of Pennsylvania for some short time towards the beginning of the last war, owing to some internal dissensions in the colony. But whether the fact were so or otherwise, the case is equally to be provided for by a competent sovereign power. But then this ought to be no ordinary power; nor ever used in the first instance. This is what I meant, when I have said at various times, that I consider the power of taxing in parliament as an instrument of empire, and not as a means of supply.

Such, sir, is my idea of the constitution of the British empire, as distinguished from the constitution of Britain; and on these grounds I think subordination and liberty may be sufficiently reconciled through the whole; whether to serve a refining speculatist, or a factious demagogue, I know not; but enough surely for the ease and happiness of man.

Sir, whilst we held this happy course, we drew more from the colonies than all the impotent violence of despotism ever could extort from them. We did this

abundantly in the last war. It has never been once denied—and what reason have we to imagine that the colonies would not have proceeded in supplying government as liberally, if you had not stepped in and hindered them from contributing, by interrupting the channel in which their liberality flowed with so strong a course; by attempting to take, instead of being satisfied to receive? Sir William Temple says that Holland has loaded itself with ten times the impositions which it revolted from Spain rather than submit to.

He says true. Tyranny is a poor provider. It knows neither how to accumulate, nor how to extract.

I charge therefore to this new and unfortunate system the loss not only of peace, of union, and of commerce, but even of revenue, which its friends are contending for. It is morally certain, that we have lost at least a million of free grants since the peace. I think we have lost a great deal more; and that those, who look for a revenue from the provinces, never could have pursued, even in that light, a course more directly repugnant to their purposes.

Now, sir, I trust I have shown, first on that narrow ground which the honourable gentleman measured, that you are likely to lose nothing by complying with the motion, except what you have lost already. I have shown afterwards that in time of peace you flourished in commerce and, when war required it, had sufficient aid from the colonies, while you pursued your ancient policy; that you threw everything into confusion when you made the Stamp Act; and that you restored everything to peace and order when you repealed it. I have shown that the revival of the system of taxation has produced the very worst effects; and that the partial repeal has produced, not partial good, but universal evil. Let these considerations, founded on facts, not one of which can be denied, bring us back to our reason by the road of our experience.

I cannot, as I have said, answer for mixed measures: but surely this mixture of lenity would give the whole a better chance of success. When you once regain

confidence, the way will be clear before you. Then you may enforce the act of navigation when it ought to be enforced. You will yourselves open it where it ought still further to be opened. Proceed in what you do, whatever you do, from policy, and not from rancour. Let us act like men, let us act like statesmen. Let us hold some sort of consistent conduct.—It is agreed that a revenue is not to be had in America. If we lose the profit, let us get rid of the odium.

On this business of America, I confess I am serious, even to sadness. I have had but one opinion concerning it since I sat, and before I sat, in parliament. The noble lord ¹ will, as usual, probably, attribute the part taken by me and my friends in this business to a desire of getting his places. Let him enjoy this happy and original idea. If I deprived him of it, I should take away most of his wit and all his argument. But I had rather bear the brunt of all his wit, and indeed blows much heavier, than stand answerable to God for embracing a system that tends to the destruction of some of the very best and fairest of his works. But I know the map of England, as well as the noble lord, or as any other person; and I know that the way I take is not the road to preferment. My excellent and honourable friend under me on the floor ² has trod that road with great toil for upwards of twenty years together. He is not yet arrived at the noble lord's destination. However, the tracks of my worthy friend are those I have ever wished to follow; because I know they lead to honour. Long may we tread the same road together; whoever may accompany us, or whoever may laugh at us on our journey! I honestly and solemnly declare, I have in all seasons adhered to the system of 1766, for no other reason, than that I think it laid deep in your truest interests—and that, by limiting the exercise, it fixes, on the firmest foundations, a real, consistent, well-grounded authority in parliament. Until you come back to that system, there will be no peace for England.

¹ Lord North.

² Mr. Dowdeswell.

SPEECHES,
AT HIS
ARRIVAL AT BRISTOL,
AND AT THE
CONCLUSION OF THE POLL.
1774.

EXTRACT FROM THE ORIGINAL ADVERTISEMENT

It may be necessary to premise that at the opening of the poll the candidates were Lord Clare, Mr. Brickdale, the two last members, and Mr. Cruger, a considerable merchant of Bristol. On the second day of the poll, Lord Clare declined; and a considerable body of gentlemen, who had wished that the city of Bristol should, at this critical season, be represented by some gentleman of tried abilities and known commercial knowledge, immediately put Mr. Burke in nomination. Some of them set off express for London to apprise that gentleman of this event; but he was gone to Malton in Yorkshire. The spirit and active zeal of these gentlemen followed him to Malton. They arrived there just after Mr. Burke's election for that place, and invited him to Bristol.

SPEECH

AT

HIS ARRIVAL AT BRISTOL.

GENTLEMEN,

I am come hither to solicit in person that favour which my friends have hitherto endeavoured to procure for me, by the most obliging, and to me the most honourable, exertions.

I have so high an opinion of the great trust which you have to confer on this occasion; and, by long experience, so just a diffidence in my abilities to fill it in a manner adequate even to my own ideas, that I should never have ventured of myself to intrude into that awful situation. But since I am called upon by the desire of several respectable fellow-subjects, as I have done at other times, I give up my fears to their wishes. Whatever my other deficiencies may be, I do not know what it is to be wanting to my friends.

I am not fond of attempting to raise public expectations by great promises. At this time, there is much cause to consider, and very little to presume. We seem to be approaching to a great crisis in our affairs, which calls for the whole wisdom of the wisest among us, without being able to assure ourselves that any wisdom can preserve us from many and great inconveniences. You know I speak of our unhappy contest with America. I confess, it is a matter on which I look down as from a precipice. It is difficult in itself, and it is rendered more intricate by a great

variety of plans of conduct. I do not mean to enter into them. I will not suspect a want of good attention in framing them. But however pure the intentions of their authors may have been, we all know that the event has been unfortunate. The means of recovering our affairs are not obvious. So many great questions of commerce, of finance, of constitution, and of policy, are involved in this American deliberation, that I dare engage for nothing, but that I shall give it, without any predilection to former opinions, or any sinister bias whatsoever, the most honest and impartial consideration of which I am capable. The public has a full right to it; and this great city, a main pillar in the commercial interest of Great Britain, must totter on its base by the slightest mistake with regard to our American measures.

Thus much, however, I think it not amiss to lay before you; that I am not, I hope, apt to take up or lay down my opinions lightly. I have held, and ever shall maintain, to the best of my power, unimpaired, and undiminished, the just, wise, and necessary constitutional superiority of Great Britain. This is necessary for America as well as for us. I never mean to depart from it. Whatever may be lost by it, I avow it. The forfeiture even of your favour, if by such a declaration I could forfeit it, though the first object of my ambition, never will make me disguise my sentiments on this subject.

But,—I have ever had a clear opinion, and have ever held a constant correspondent conduct, that this superiority is consistent with all the liberties a sober and spirited American ought to desire. I never meant to put any colonist, or any human creature, in a situation not becoming a free man. To reconcile British superiority with American liberty shall be my great object, as far as my little faculties extend. I am far from thinking that both, even yet, may not be preserved.

When I first devoted myself to the public service, I considered how I should render myself fit for it; and

this I did by endeavouring to discover what it was that gave this country the rank it holds in the world. I found that our prosperity and dignity arose principally, if not solely, from two sources ; our constitution and commerce. Both these I have spared no study to understand, and no endeavour to support.

The distinguishing part of our constitution is its liberty. To preserve that liberty inviolate seems the particular duty and proper trust of a member of the House of Commons. But the liberty, the only liberty I mean, is a liberty connected with order ; that not only exists along with order and virtue, but which cannot exist at all without them. It inheres in good and steady government, as in its substance and vital principle.

The other source of our power is commerce, of which you are so large a part, and which cannot exist, no more than your liberty, without a connexion with many virtues. It has ever been a very particular and a very favourite object of my study, in its principles, and in its details. I think many here are acquainted with the truth of what I say. This I know, that I have ever had my house open and my poor services ready, for traders and manufacturers of every denomination. My favourite ambition is to have those services acknowledged. I now appear before you to make trial, whether my earnest endeavours have been so wholly oppressed by the weakness of my abilities, as to be rendered insignificant in the eyes of a great trading city ; or whether you choose to give a weight to humble abilities, for the sake of the honest exertions with which they are accompanied. This is my trial to-day. My industry is not on trial. Of my industry I am sure, as far as my constitution of mind and body admitted.

When I was invited by many respectable merchants, freeholders, and freemen of this city, to offer them my services, I had just received the honour of an election at another place, at a very great distance from this. I immediately opened the matter to those of my worthy constituents who were with me, and they unanimously

advised me not to decline it. They told me, that they had elected me with a view to the public service ; and as great questions relative to our commerce and colonies were imminent, that in such matters I might derive authority and support from the representation of this great commercial city : they desired me therefore to set off without delay, very well persuaded that I never could forget my obligations to them or to my friends, for the choice they had made of me. From that time to this instant I have not slept : and if I should have the honour of being freely chosen by you, I hope I shall be as far from slumbering or sleeping when your service requires me to be awake, as I have been in coming to offer myself a candidate for your favour.

SPEECH

TO THE

ELECTORS OF BRISTOL,

*On his being declared by the Sheriffs, duly elected
one of the Representatives in Parliament for
that city,*

On Thursday, the 3rd of November, 1774.

GENTLEMEN,

I cannot avoid sympathising strongly with the feelings of the gentleman who has received the same honour that you have conferred on me. If he, who was bred and passed his whole life amongst you; if he, who through the easy gradations of acquaintance, friendship and esteem, has obtained the honour, which seems of itself, naturally and almost insensibly, to meet with those who, by the even tenor of pleasing manners and social virtues, slide into the love and confidence of their fellow-citizens;—if he cannot speak but with great emotion on this subject, surrounded as he is on all sides with his old friends; you will have the goodness to excuse me, if my real, unaffected embarrassment prevents me from expressing my gratitude to you as I ought.

I was brought hither under the disadvantage of being unknown, even by sight, to any of you. No previous canvass was made for me. I was put in nomination after the poll was opened. I did not appear until it

was far advanced. If, under all these accumulated disadvantages, your good opinion has carried me to this happy point of success ; you will pardon me, if I can only say to you collectively, as I said to you individually, simply and plainly, I thank you—I am obliged to you—I am not insensible of your kindness.

This is all that I am able to say for the inestimable favour you have conferred upon me. But I cannot be satisfied, without saying a little more in defence of the right you have to confer such a favour. The person that appeared here as counsel for the candidate, who so long and so earnestly solicited your votes, thinks proper to deny that a very great part of you have any votes to give. He gives a standard period of time in his own imagination, not what the law defines, but merely what the convenience of his client suggests, by which he would cut off, at one stroke, all those freedoms, which are the dearest privileges of your corporation ; which the common law authorizes ; which your magistrates are compelled to grant ; which come duly authenticated into this court ; and are saved in the clearest words, and with the most religious care and tenderness, in that very act of parliament, which was made to regulate the elections by freemen, and to prevent all possible abuses in making them.

I do not intend to argue the matter here. My learned counsel has supported your cause with his usual ability ; the worthy sheriffs have acted with their usual equity, and I have no doubt that the same equity, which dictates the return, will guide the final determination. I had the honour, in conjunction with many far wiser men, to contribute a very small assistance, but, however, some assistance, to the forming the judicature which is to try such questions. It would be unnatural in me to doubt the justice of that court, in the trial of my own cause, to which I have been so active to give jurisdiction over every other.

I assure the worthy freemen and this corporation that, if the gentleman perseveres in the intentions

which his present warmth dictates to him, I will attend their cause with diligence, and I hope with effect. For, if I know anything of myself, it is not my own interest in it, but my full conviction, that induces me to tell you—*I think there is not a shadow of doubt in the case.*

I do not imagine that you find me rash in declaring myself, or very forward in troubling you. From the beginning to the end of the election, I have kept silence in all matters of discussion. I have never asked a question of a voter on the other side, or supported a doubtful vote on my own. I respected the abilities of my managers; I relied on the candour of the court. I think the worthy sheriffs will bear me witness that I have never once made an attempt to impose upon their reason, to surprise their justice, or to ruffle their temper. I stood on the hustings (except when I gave my thanks to those who favoured me with their votes) less like a candidate, than an unconcerned spectator of a public proceeding. But here the face of things is altered. Here is an attempt for a general *massacre* of suffrages; an attempt, by a promiscuous carnage of *friends* and *foes*, to exterminate above two thousand votes, including *seven hundred polled for the gentleman himself, who now complains*, and who would destroy the friends whom he has obtained, only because he cannot obtain as many of them as he wishes.

How he will be permitted, in another place, to stultify and disable himself, and to plead against his own acts, is another question. The law will decide it. I shall only speak of it as it concerns the propriety of public conduct in this city. I do not pretend to lay down rules of decorum for other gentlemen. They are best judges of the mode of proceeding that will recommend them to the favour of their fellow-citizens. But I confess I should look rather awkward, if I had been the *very first to produce the new copies of freedom*, if I had persisted in producing them to the last; if I had ransacked, with the most unremitting industry and the

most penetrating research, the remotest corners of the kingdom to discover them ; if I were then, all at once, to turn short and declare that I had been sporting all this while with the right of election ; and that I had been drawing out a poll, upon no sort of rational grounds, which disturbed the peace of my fellow-citizens for a month together—I really, for my part, should appear awkward under such circumstances.

It would be still more awkward in me, if I were gravely to look the sheriffs in the face and to tell them, they were not to determine my cause on my own principles ; nor to make the return upon those votes upon which I had rested my election. Such would be my appearance to the court and magistrates.

But how should I appear to the *voters* themselves ? if I had gone round to the citizens entitled to freedom, and squeezed them by the hand—‘ Sir, I humbly beg your vote—I shall be eternally thankful—may I hope for the honour of your support ?—Well !—come—we shall see you at the council-house.’—If I were then to deliver them to my managers, pack them into tallies, vote them off in court, and when I heard from the bar—‘ Such a one only ! and such a one for ever !—he’s my man !’—‘ Thank you, good sir—Hah ! my worthy friend ! thank you kindly—that’s an honest fellow—how is your good family ?’ Whilst these words are hardly out of my mouth, if I should have wheeled round at once and told them—‘ Get you gone, you pack of worthless fellows ! you have no votes—you are usurpers ! you are intruders on the rights of real freemen ! I will have nothing to do with you ! you ought never to have been produced at this election, and the sheriffs ought not to have admitted you to poll.’

Gentlemen, I should make a strange figure if my conduct had been of this sort. I am not so old an acquaintance of yours as the worthy gentleman. Indeed I could not have ventured on such kind of freedoms with you. But I am bound, and I will endeavour, to have justice done to the rights of freemen ; even though I should at the same time be obliged to vindi-

cate the former¹ part of my antagonist's conduct against his own present inclinations.

I owe myself, in all things, to *all* the freemen of this city. My particular friends have a demand on me that I should not deceive their expectations. Never was cause or man supported with more constancy, more activity, more spirit. I have been supported with a zeal indeed and heartiness in my friends, which (if their object had been at all proportioned to their endeavours) could never be sufficiently commended. They supported me upon the most liberal principles. They wished that the members for Bristol should be chosen for the city, and for their country at large, and not for themselves.

So far they are not disappointed. If I possess nothing else, I am sure I possess the temper that is fit for your service. I know nothing of Bristol but by the favours I have received and the virtues I have seen exerted in it.

I shall ever retain, what I now feel, the most perfect and grateful attachment to my friends—and I have no enmities; no resentment. I never can consider fidelity to engagements, and constancy in friendships, but with the highest approbation; even when those noble qualities are employed against my own pretensions. The gentleman who is not so fortunate as I have been in this contest enjoys, in this respect, a consolation full of honour both to himself and to his friends. They have certainly left nothing undone for his service.

As for the trifling petulance, which the rage of party stirs up in little minds, though it should show itself even in this court, it has not made the slightest impression on me. The highest flight of such clamorous birds is winged in an inferior region of the air. We hear them, and we look upon them, just as you, gentlemen, when you enjoy the serene air on your lofty

¹ Mr. Brickdale opened his poll, it seems, with a tally of those very kind of freemen, and voted many hundreds of them.

rocks, look down upon the gulls that skim the mud of your river, when it is exhausted of its tide.

I am sorry I cannot conclude without saying a word on a topic touched upon by my worthy colleague. I wish that topic had been passed by at a time when I have so little leisure to discuss it. But since he has thought proper to throw it out, I owe you a clear explanation of my poor sentiments on that subject.

He tells you that 'the topic of instructions has occasioned much altercation and uneasiness in this city'; and he expresses himself (if I understand him rightly) in favour of the coercive authority of such instructions.

Certainly, gentlemen, it ought to be the happiness and glory of a representative to live in the strictest union, the closest correspondence, and the most unreserved communication with his constituents. Their wishes ought to have great weight with him; their opinion high respect; their business unremitting attention. It is his duty to sacrifice his repose, his pleasures, his satisfactions, to theirs; and above all, ever, and in all cases, to prefer their interest to his own. But his unbiassed opinion, his mature judgment, his enlightened conscience, he ought not to sacrifice to you; to any man, or to any set of men living. These he does not derive from your pleasure; no, nor from the law and the constitution. They are a trust from Providence, for the abuse of which he is deeply answerable. Your representative owes you, not his industry only, but his judgment; and he betrays, instead of serving you, if he sacrifices it to your opinion.

My worthy colleague says, his will ought to be subservient to yours. If that be all, the thing is innocent. If government were a matter of will upon any side, yours, without question, ought to be superior. But government and legislation are matters of reason and judgment, and not of inclination; and what sort of reason is that, in which the determination precedes the discussion; in which one set of men deliberate, and another decide; and where those who form the

conclusion are perhaps three hundred miles distant from those who hear the arguments ?

To deliver an opinion is the right of all men ; that of constituents is a weighty and respectable opinion, which a representative ought always to rejoice to hear ; and which he ought always most seriously to consider. But authoritative instructions, mandates issued, which the member is bound blindly and implicitly to obey, to vote, and to argue for, though contrary to the clearest conviction of his judgment and conscience,—these are things utterly unknown to the laws of this land, and which arise from a fundamental mistake of the whole order and tenor of our constitution.

Parliament is not a congress of ambassadors from different and hostile interests ; which interests each must maintain, as an agent and advocate, against other agents and advocates ; but parliament is a deliberative assembly of one nation, with one interest, that of the whole ; where, not local purposes, not local prejudices ought to guide, but the general good, resulting from the general reason of the whole. You choose a member indeed ; but when you have chosen him, he is not member of Bristol, but he is a member of parliament. If the local constituent should have an interest, or should form an hasty opinion, evidently opposite to the real good of the rest of the community, the member for that place ought to be as far, as any other, from any endeavour to give it effect. I beg pardon for saying so much on this subject. I have been unwillingly drawn into it ; but I shall ever use a respectful frankness of communication with you. Your faithful friend, your devoted servant, I shall be to the end of my life : a flatterer you do not wish for. On this point of instructions, however, I think it scarcely possible we ever can have any sort of difference. Perhaps I may give you too much, rather than too little trouble.

From the first hour I was encouraged to court your favour, to this happy day of obtaining it, I have never promised you anything but humble and persevering endeavours to do my duty. The weight of that duty,

I confess, makes me tremble ; and whoever well considers what it is, of all things in the world, will fly from what has the least likeness to a positive and precipitate engagement. To be a good member of parliament, is, let me tell you, no easy task ; especially at this time, when there is so strong a disposition to run into the perilous extremes of servile compliance or wild popularity. To unite circumspection with vigour, is absolutely necessary ; but it is extremely difficult. We are now members for a rich commercial *city* ; this city, however, is but a part of a rich commercial *nation*, the interests of which are various, multiform, and intricate. We are members for that great nation, which however, is itself but part of a great *empire*, extended by our virtue and our fortune to the farthest limits of the east and of the west. All these widespread interests must be considered ; must be compared ; must be reconciled if possible. We are members for a *free* country ; and surely we all know, that the machine of a free constitution is no simple thing ; but as intricate and as delicate as it is valuable. We are members in a great and ancient *monarchy* ; and we must preserve religiously the true legal rights of the sovereign, which form the key-stone that binds together the noble and well-constructed arch of our empire and our constitution. A constitution made up of balanced powers must ever be a critical thing. As such I mean to touch that part of it which comes within my reach. I know my inability, and I wish for support from every quarter. In particular I shall aim at the friendship, and shall cultivate the best correspondence, of the worthy colleague you have given me.

I trouble you no farther than once more to thank you all ; you, gentlemen, for your favours ; the candidates, for their temperate and polite behaviour ; and the sheriffs, for a conduct which may give a model for all who are in public stations.

SPEECH

ON

MOVING THE RESOLUTIONS

FOR

CONCILIATION WITH THE COLONIES,

MARCH 22, 1775.

SPEECH

I HOPE, sir, that notwithstanding the austerity of the Chair, your good-nature will incline you to some degree of indulgence towards human frailty. You will not think it unnatural that those who have an object depending, which strongly engages their hopes and fears, should be somewhat inclined to superstition. As I came into the House full of anxiety about the event of my motion, I found to my infinite surprise, that the grand penal bill, by which we had passed sentence on the trade and sustenance of America, is to be returned to us from the other House ¹. I do confess, I could not help looking on this event as a fortunate omen. I look upon it as a sort of providential favour, by which we are put once more in possession of our deliberative capacity, upon a business so very questionable in its nature, so very uncertain in its issue. By the return of this bill, which seemed to have taken its flight for ever, we are at this very instant nearly as free to choose a plan for our American government as we were on the first day of the session. If, sir, we incline to the side of conciliation, we are not at all embarrassed (unless we please to make ourselves so)

We are therefore called upon, as it were by a superior warning voice, again to attend to America ; to attend to the whole of it together ; and to review the subject with an unusual degree of care and calmness.

Surely it is an awful subject ; or there is none so on this side of the grave. When I first had the honour of a seat in this House, the affairs of that continent pressed themselves upon us as the most important and most delicate object of parliamentary attention.

My little share in this great deliberation oppressed me. I found myself a partaker in a very high trust ; and, having no sort of reason to rely on the strength of my natural abilities for the proper execution of that trust, I was obliged to take more than common pains to instruct myself in everything which relates to our colonies. I was not less under the necessity of forming some fixed ideas concerning the general policy of the British empire. Something of this sort seemed to be indispensable ; in order, amidst so vast a fluctuation of passions and opinions, to concentrate my thoughts ; to ballast my conduct ; to preserve me from being blown about by every wind of fashionable doctrine. I really did not think it safe, or manly, to have fresh principles to seek upon every fresh mail which should arrive from America.

At that period I had the fortune to find myself in perfect concurrence with a large majority in this

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of former parliaments to all those alterations, one fact is undoubted,—that under them the state of America has been kept in continual agitation. Everything administered as remedy to the public complaint, if it did not produce, was at least followed by, an heightening of the distemper; until, by a variety of experiments, that important country has been brought into her present situation;—a situation which I will not miscall, which I dare not name; which I scarcely know how to comprehend in the terms of any description.

In this posture, sir, things stood at the beginning of the session. About that time, a worthy member¹ of great parliamentary experience who, in the year 1766, filled the chair of the American committee with much ability, took me aside; and, lamenting the present aspect of our politics, told me, things were come to such a pass that our former methods of proceeding in the House would be no longer tolerated. That the public tribunal (never too indulgent to a long and unsuccessful opposition) would now scrutinize our conduct with unusual severity. That the very vicissitudes and shiftings of ministerial measures, instead of convicting their authors of inconstancy and want of system, would be taken as an occasion of charging us with a predetermined discontent, which nothing could satisfy; whilst we accused every measure of vigour as cruel and every proposal of lenity as weak and irresolute. The public, he said, would not have patience to see us play the game out with our adversaries: we must produce our hand. It would be expected that those who for many years had been active in such affairs should show that they had formed some clear and decided idea of the principles of colony government; and were capable of drawing out something like a platform of the ground which might be laid for future and permanent tranquillity.

I felt the truth of what my hon. friend represented;

¹ Mr. Rose Fuller.

but I felt my situation too. His application might have been made with far greater propriety to many other gentlemen. No man was indeed ever better disposed, or worse qualified, for such an undertaking, than myself. Though I gave so far into his opinion that I immediately threw my thoughts into a sort of parliamentary form, I was by no means equally ready to produce them. It generally argues some degree of natural impotence of mind, or some want of knowledge of the world, to hazard plans of government except from a seat of authority. Propositions are made, not only ineffectually, but somewhat disreputably, when the minds of men are not properly disposed for their reception; and for my part, I am not ambitious of ridicule; not absolutely a candidate for disgrace.

Besides, sir, to speak the plain truth, I have in general no very exalted opinion of the virtue of paper government; nor of any politics in which the plan is to be wholly separated from the execution. But when I saw that anger and violence prevailed every day more and more; and that things were hastening towards an incurable alienation of our colonies; I confess my caution gave way. I felt this, as one of those few moments in which decorum yields to a higher duty. Public calamity is a mighty leveller; and there are occasions when any, even the slightest, chance of doing good must be laid hold on, even by the most inconsiderable person.

To restore order and repose to an empire so great and so distracted as ours is, merely in the attempt, an undertaking that would ennoble the flights of the highest genius, and obtain pardon for the efforts of the meanest understanding. Struggling a good while with these thoughts, by degrees I felt myself more firm. I derived, at length, some confidence from what in other circumstances usually produces timidity. I grew less anxious, even from the idea of my own insignificance. For, judging of what you are, by what you ought to be, I persuaded myself that you would

not reject a reasonable proposition because it had nothing but its reason to recommend it. On the other hand, being totally destitute of all shadow of influence, natural or adventitious, I was very sure that, if my proposition were futile or dangerous,—if it were weakly conceived, or improperly timed, there was nothing exterior to it, of power to awe, dazzle, or delude you. You will see it just as it is ; and you will treat it just as it deserves.

R The proposition is peace. Not peace through the medium of war ; not peace to be hunted through the labyrinth of intricate and endless negotiations ; not peace to arise out of universal discord, fomented from principle, in all parts of the empire ; not peace to depend on the juridical determination of perplexing questions ; or the precise marking the shadowy boundaries of a complex government. It is simple peace ; sought in its natural course, and in its ordinary haunts. —It is peace sought in the spirit of peace ; and laid in principles purely pacific. — I propose, by removing the ground of the difference, and by restoring the former unsuspecting confidence of the colonies in the mother country, to give permanent satisfaction to your people ; and (far from a scheme of ruling by discord) to reconcile them to each other in the same act, and by the bond of the very same interest, which reconciles them to British government.

My idea is nothing more. Refined policy ever has been the parent of confusion ; and ever will be so, as long as the world endures. Plain good intention, which is as easily discovered at the first view, as fraud is surely detected at last, is, let me say, of no mean force in the government of mankind. Genuine simplicity of heart is an healing and cementing principle. — My plan, therefore, being formed upon the most simple grounds imaginable, may disappoint some people, when they hear it. It has nothing to recommend it to the pruriency of curious ears. There is nothing at all new and captivating in it. It has nothing of the splendour of the project, which has been lately laid upon your

table by the noble lord in the blue riband ¹. It does not propose to fill your lobby with squabbling colony agents, who will require the interposition of your mace, at every instant, to keep the peace amongst them. It does not institute a magnificent auction of finance, where captivated provinces come to the general ransom by bidding against each other, until you knock down the hammer, and determine a proportion of payments beyond all the powers of algebra to equalise and settle.

The plan, which I shall presume to suggest, derives, however, one great advantage from the proposition and registry of that noble lord's project. The idea of conciliation is admissible. First, the House, in accepting the resolution moved by the noble lord, has admitted, notwithstanding the menacing front of our address, notwithstanding our heavy bill of pains and penalties—that we do not think ourselves precluded from all ideas of free grace and bounty.

The House has gone farther; it has declared con-

¹ 'That when the governor, council, or assembly, or general court, of any of his majesty's provinces or colonies in America, shall *propose* to make provision, *according to the condition, circumstances, and situation*, of such province or colony, for contributing their *proportion to the common defence* (such *proportion* to be raised under the authority of the general court, or general assembly, of such province or colony, and disposable by parliament), and shall engage to make provision also for the support of the civil government, and the administration of justice, in such province or colony, it will be proper, *if such proposal shall be approved by his majesty, and the two Houses of Parliament*, and for so long as such provision shall be made accordingly, to forbear, *in respect of such province or colony*, to levy any duty, tax, or assessment, or to impose any farther duty, tax, or assessment, except such duties as it may be expedient to continue to levy or impose, for the regulation of commerce; the net produce of the duties last mentioned to be carried to the account of such province or colony respectively.'—Resolution moved by Lord North in the committee; and agreed to by the House, 27th Feb. 1775.

ciliation admissible, *previous* to any submission on the part of America. It has even shot a good deal beyond that mark, and has admitted, that the complaints of our former mode of exerting the right of taxation were not wholly unfounded. That right thus exerted is allowed to have had something reprehensible in it; something unwise, or something grievous; since, 'in the midst of our heat and resentment, we, of ourselves, have proposed a capital alteration; and, in order to get rid of what seemed so very exceptionable, have instituted a mode that is altogether new; one that is, indeed, wholly alien from all the ancient methods and forms of parliament.

The *principle* of this proceeding is large enough for my purpose. The means proposed by the noble lord for carrying his ideas into execution, I think, indeed, are very indifferently suited to the end; and this I shall endeavour to show you before I sit down. But, for the present, I take my ground on the admitted

R principle. I mean to give peace. Peace implies reconciliation; and, where there has been a material dispute, reconciliation does in a manner always imply concession on the one part or the other. In this state of things I make no difficulty in affirming that the proposal ought to originate from us. Great and acknowledged force is not impaired, either in effect or in opinion, by an unwillingness to exert itself. The superior power may offer peace with honour and with safety. Such an offer from such a power will be attributed to magnanimity. But the concessions of the weak are the concessions of fear. When such a one is disarmed he is wholly at the mercy of his superior; and he loses for ever that time and those chances, which, as they happen to all men, are the strength and resources of all inferior power.

The capital leading questions on which you must this day decide, are these two: First, whether you ought to concede; and, secondly, what your concession ought to be. On the first of these questions we have gained (as I have just taken the liberty of observ-

ing to you) some ground. But I am sensible that a good deal more is still to be done. Indeed, sir, to enable us to determine both on the one and the other of these great questions with a firm and precise judgment, I think it may be necessary to consider distinctly the true nature and the peculiar circumstances of the object which we have before us. Because after all our struggle, whether we will or not, we must govern America according to that nature and to those circumstances; and not according to our own imaginations; not according to abstract ideas of right; by no means according to mere general theories of government, the resort to which appears to me, in our present situation, no better than arrant trifling. I shall therefore endeavour, with your leave, to lay before you some of the most material of these circumstances in as full and as clear a manner as I am able to state them.

The first thing that we have to consider with regard to the nature of the object is—the number of people in the colonies. I have taken for some years a good deal of pains on that point. I can by no calculation justify myself in placing the number below two millions of inhabitants of our own European blood and colour; besides at least 500,000 others, who form no inconsiderable part of the strength and opulence of the whole. This, sir, is, I believe, about the true number. There is no occasion to exaggerate, where plain truth is of so much weight and importance. But whether I put the present numbers too high or too low is a matter of little moment. Such is the strength with which population shoots in that part of the world that, state the numbers as high as we will, whilst the dispute continues, the exaggeration ends. Whilst we are discussing any given magnitude, they are grown to it. Whilst we spend our time in deliberating on the mode of governing two millions, we shall find we have millions more to manage. Your children do not grow faster from infancy to manhood, than they spread from families to communities, and from villages to nations.

I put this consideration of the present and the growing numbers in the front of our deliberation, because, sir, this consideration will make it evident to a blunter discernment than yours, that no partial, narrow, contracted, pinched, occasional system will be at all suitable to such an object. It will show you that it is not to be considered as one of those *minima* which are out of the eye and consideration of the law; not a paltry excrescence of the state; not a mean dependent, who may be neglected with little damage, and provoked with little danger. It will prove that some degree of care and caution is required in the handling such an object; it will show that you ought not, in reason, to trifle with so large a mass of the interests and feelings of the human race. You could at no time do so without guilt; and be assured you will not be able to do it long with impunity.

But the population of this country, the great and growing population, though a very important consideration, will lose much of its weight, if not combined with other circumstances. The commerce of your colonies is out of all proportion beyond the numbers of the people. This ground of their commerce indeed has been trod some days ago, and with great ability, by a distinguished person¹, at your bar. This gentleman, after thirty-five years—it is so long since he first appeared at the same place to plead for the commerce of Great Britain—has come again before you to plead the same cause, without any other effect of time, than, that to the fire of imagination and extent of erudition, which even then marked him as one of the first literary characters of his age, he has added a consummate knowledge in the commercial interest of his country, formed by a long course of enlightened and discriminating experience.

Sir, I should be inexcusable in coming after such a person with any detail; if a great part of the members who now fill the House had not the misfortune to

¹ Mr. Glover.

be absent when he appeared at your bar. Besides, sir, I propose to take the matter at periods of time somewhat different from his. There is, if I mistake not, a point of view, from whence if you will look at this subject, it is impossible that it should not make an impression upon you.

I have in my hand two accounts ; one a comparative state of the export trade of England to its colonies, as it stood in the year 1704, and as it stood in the year 1772. The other a state of the export trade of this country to its colonies alone, as it stood in 1772, compared with the whole trade of England to all parts of the world (the colonies included) in the year 1704. They are from good vouchers ; the latter period from the accounts on your table, the earlier from an original manuscript of Davenant, who first established the inspector-general's office, which has been ever since his time so abundant a source of parliamentary information.

The export trade to the colonies consists of three great branches. The African which, terminating almost wholly in the colonies, must be put to the account of their commerce ; the West Indian ; and the North American. All these are so interwoven, that the attempt to separate them would tear to pieces the texture of the whole ; and, if not entirely destroy, would very much depreciate the value of all the parts. I therefore consider these three denominations to be, what in effect they are, one trade.

The trade to the colonies, taken on the export side, at the beginning of this century, that is, in the year 1704, stood thus :

Exports to North America, and the West	
Indies	£483,265
To Africa	86,665
	<hr/>
	£569,930
	<hr/>

In the year 1772, which I take as a middle year

between the highest and lowest of those lately laid on your table, the account was as follows :

To North America, and the West Indies . . .	£4,791,734
To Africa	866,398
To which if you add the export trade from Scotland, which had in 1704 no existence	364,000
	<hr/>
	£6,022,132

From five hundred and odd thousand, it has grown to six millions. It has increased no less than twelve-fold. This is the state of the colony trade, as compared with itself at these two periods, within this country ;— and this is matter for meditation. But this is not all. Examine my second account. See how the export trade to the colonies alone in 1772 stood in the other point of view, that is, as compared to the whole trade of England in 1704.

The whole export trade of England, including that to the colonies, in 1704 . . .	£6,509,000
Export to the colonies alone, in 1772 . . .	6,024,000
	<hr/>
Difference . . .	£485,000

The trade with America alone is now within less than £500,000 of being equal to what this great commercial nation, England, carried on at the beginning of this century with the whole world ! If I had taken the largest year of those on your table, it would rather have exceeded. But, it will be said, is not this American trade an unnatural protuberance, that has drawn the juices from the rest of the body ? The reverse. It is the very food that has nourished every other part into its present magnitude. Our general trade has been greatly augmented ; and augmented more or less in almost every part to which it ever extended ; but with this material difference ; that of the six millions which in the beginning of the century constituted the whole mass of our export commerce, the colony trade was but

one-twelfth part; it is now (as a part of sixteen millions) considerably more than a third of the whole. This is the relative proportion of the importance of the colonies at these two periods: and all reasoning concerning our mode of treating them must have this proportion as its basis, or it is a reasoning weak, rotten, and sophistical.

Mr. Speaker, I cannot prevail on myself to hurry over this great consideration. It is good for us to be here. We stand where we have an immense view of what is and what is past. Clouds indeed, and darkness, rest upon the future. Let us, however, before we descend from this noble eminence, reflect that this growth of our national prosperity has happened within the short period of the life of man. It has happened within sixty-eight years. There are those alive whose memory might touch the two extremities. For instance, my Lord Bathurst might remember all the stages of the progress. He was in 1704 of an age at least to be made to comprehend such things. He was then old enough *acta parentum jam legere, et quae sit poterit cognoscere virtus*—Suppose, sir, that the angel of this auspicious youth, foreseeing the many virtues, which made him one of the most amiable, as he is one of the most fortunate men of his age, had opened to him in vision that when, in the fourth generation, the third prince of the house of Brunswick had sat twelve years on the throne of that nation, which (by the happy issue of moderate and healing councils) was to be made Great Britain, he should see his son, Lord Chancellor of England, turn back the current of hereditary dignity to its fountain, and raise him to an higher rank of peerage, whilst he enriched the family with a new one—If amidst these bright and happy scenes of domestic honour and prosperity, that angel should have drawn up the curtain, and unfolded the rising glories of his country and, whilst he was gazing with admiration on the then commercial grandeur of England, the genius should point out to him a little speck, scarce visible in the mass of the national interest, a small seminal prin-

ciple, rather than a formed body, and should tell him — ‘Young man, there is America—which at this day serves for little more than to amuse you with stories of savage men, and uncouth manners; yet shall, before you taste of death, show itself equal to the whole of that commerce which now attracts the envy of the world. Whatever England has been growing to by a progressive increase of improvement, brought in by varieties of people, by succession of civilizing conquests and civilizing settlements in a series of seventeen hundred years, you shall see as much added to her by America in the course of a single life!’ If this state of his country had been foretold to him, would it not require all the sanguine credulity of youth, and all the fervid glow of enthusiasm, to make him believe it? Fortunate man, he has lived to see it! Fortunate indeed, if he lives to see nothing that shall vary the prospect, and cloud the setting of his day!

Excuse me, sir, if, turning from such thoughts, I resume this comparative view once more. You have seen it on a large scale; look at it on a small one. I will point out to your attention a particular instance of it in the single province of Pennsylvania. In the year 1704, that province called for £11,459 in value of your commodities, native and foreign. This was the whole. What did it demand in 1772? Why, nearly fifty times as much; for in that year the export to Pennsylvania was £507,909, nearly equal to the export to all the colonies together in the first period.

I choose, sir, to enter into these minute and particular details; because generalities, which, in all other cases are apt to heighten and raise the subject, have here a tendency to sink it. When we speak of the commerce with our colonies, fiction lags after truth; invention is unfruitful, and imagination cold and barren.

So far, sir, as to the importance of the object in the view of its commerce, as concerned in the exports from England. If I were to detail the imports, I could show how many enjoyments they procure, which deceive the burden of life; how many materials which invigorate

the springs of national industry, and extend and animate every part of our foreign and domestic commerce. This would be a curious subject indeed—but I must prescribe bounds to myself in a matter so vast and various.

I pass therefore to the colonies in another point of view, their agriculture. This they have prosecuted with such a spirit, that, besides feeding plentifully their own growing multitude, their annual export of grain, comprehending rice, has some years ago exceeded a million in value. Of their late harvest, I am persuaded, they will export much more. At the beginning of the century some of those colonies imported corn from the mother country. For some time past, the old world has been fed from the new. The scarcity which you have felt would have been a desolating famine, if this child of your old age, with a true filial piety, with a Roman charity, had not put the full breast of its youthful exuberance to the mouth of its exhausted parent.

As to the wealth which the colonies have drawn from the sea by your fisheries, you had all that matter fully opened at your bar. You surely thought those acquisitions of value, for they seemed even to excite your envy; and yet the spirit by which that enterprising employment has been exercised ought rather, in my opinion, to have raised your esteem and admiration. And pray, sir, what in the world is equal to it? Pass by the other parts, and look at the manner in which the people of New England have of late carried on the whale fishery. Whilst we follow them among the tumbling mountains of ice, and behold them penetrating into the deepest frozen recesses of Hudson's Bay and Davis's Straits, whilst we are looking for them beneath the arctic circle, we hear that they have pierced into the opposite region of polar cold, that they are at the antipodes, and engaged under the frozen serpent of the south. Falkland Island, which seemed too remote and romantic an object for the grasp of national ambition, is but a stage and resting-place in

the progress of their victorious industry. Nor is the equinoctial heat more discouraging to them than the accumulated winter of both the poles. We know that whilst some of them draw the line and strike the harpoon on the coast of Africa, others run the longitude and pursue their gigantic game along the coast of Brazil. No sea but what is vexed by their fisheries. No climate that is not witness to their toils. Neither the perseverance of Holland, nor the activity of France, nor the dexterous and firm sagacity of English enterprise, ever carried this most perilous mode of hard industry to the extent to which it has been pushed by this recent people; a people who are still, as it were, but in the gristle and not yet hardened into the bone of manhood. When I contemplate these things; when I know that the colonies in general owe little or nothing to any care of ours, and that they are not squeezed into this happy form by the constraints of watchful and suspicious government, but that, through a wise and salutary neglect, a generous nature has been suffered to take her own way to perfection; when I reflect upon these effects, when I see how profitable they have been to us, I feel all the pride of power sink and all presumption in the wisdom of human contrivances melt and die away within me. My rigour relents. I pardon something to the spirit of liberty.

I am sensible, sir, that all which I have asserted in my detail is admitted in the gross; but that quite a different conclusion is drawn from it. America, gentlemen say, is a noble object. It is an object well worth fighting for. Certainly it is, if fighting a people be the best way of gaining them. Gentlemen in this respect will be led to their choice of means by their complexions and their habits. Those who understand the military art will of course have some predilection for it. Those who wield the thunder of the state may have more confidence in the efficacy of arms. But I confess, possibly for want of this knowledge, my opinion is much more in favour of prudent management, than of force; considering force not as an

odious, but a feeble instrument for preserving a people so numerous, so active, so growing, so spirited as this, in a profitable and subordinate connexion with us.

First, sir, permit me to observe that the use of force alone is but *temporary*. It may subdue for a moment ; but it does not remove the necessity of subduing again ; and a nation is not governed, which is perpetually to be conquered.

My next objection is its *uncertainty*. Terror is not always the effect of force ; and an armament is not a victory. If you do not succeed, you are without resource ; for, conciliation failing, force remains ; but, force failing, no further hope of reconciliation is left. Power and authority are sometimes bought by kindness ; but they can never be begged as alms by an impoverished and defeated violence.

A further objection to force is, that you *impair the object* by your very endeavours to preserve it. The thing you fought for is not the thing which you recover ; but depreciated, sunk, wasted, and consumed in the contest. Nothing less will content me, than *whole America*. I do not choose to consume its strength along with our own ; because in all parts it is the British strength that I consume. I do not choose to be caught by a foreign enemy at the end of this exhausting conflict ; and still less in the midst of it. I may escape ; but I can make no insurance against such an event. Let me add that I do not choose wholly to break the American spirit ; because it is the spirit that has made the country.

Lastly, we have no sort of *experience* in favour of force as an instrument in the rule of our colonies. Their growth and their utility has been owing to method altogether different. Our ancient indulgence has been said to be pursued to a fault. It may be so. But we know, if feeling is evidence, that our fault was more tolerable than our attempt to mend it ; and our sin far more salutary than our penitence.

These, sir, are my reasons for not entertaining that high opinion of untried force, by which many gentle-

men, for whose sentiments in other particulars I have great respect, seem to be so greatly captivated. But there is still behind a third consideration concerning this object, which serves to determine my opinion on the sort of policy which ought to be pursued in the management of America, even more than its population and its commerce, I mean its *temper and character*.

In this character of the Americans, a love of freedom is the predominating feature which marks and distinguishes the whole: and as an ardent is always a jealous affection, your colonies become suspicious, restive, and untractable, whenever they see the least attempt to wrest from them by force, or shuffle from them by chicane, what they think the only advantage worth living for. This fierce spirit of liberty is stronger in the English colonies probably than in any other people of the earth; and this from a great variety of powerful causes; which, to understand the true temper of their minds, and the direction which this spirit takes, it will not be amiss to lay open somewhat more largely.

First, the people of the colonies are descendants of Englishmen. England, sir, is a nation, which still I hope respects, and formerly adored, her freedom. The colonists emigrated from you when this part of your character was most predominant; and they took this bias and direction the moment they parted from your hands. They are therefore not only devoted to liberty, but to liberty according to English ideas, and on English principles. Abstract liberty, like other mere abstractions, is not to be found. Liberty inheres in some sensible object; and every nation has formed to itself some favourite point, which by way of eminence becomes the criterion of their happiness. It happened, you know, sir, that the great contests for freedom in this country were from the earliest times chiefly upon the question of taxing. Most of the contests in the ancient commonwealths turned primarily on the right of election of magistrates; or on the balance among the several orders of the state. The question of money

was not with them so immediate. But in England it was otherwise. On this point of taxes the ablest pens, and most eloquent tongues, have been exercised; the greatest spirits have acted and suffered. In order to give the fullest satisfaction concerning the importance of this point, it was not only necessary for those who in argument defended the excellence of the English constitution, to insist on this privilege of granting money as a dry point of fact, and to prove that the right had been acknowledged in ancient parchments, and blind usages, to reside in a certain body called a House of Commons. They went much farther; they attempted to prove, and they succeeded, that in theory it ought to be so, from the particular nature of a House of Commons, as an immediate representative of the people; whether the old records had delivered this oracle or not. They took infinite pains to inculcate, as a fundamental principle that in all monarchies the people must in effect themselves, mediately or immediately, possess the power of granting their own money, or no shadow of liberty could subsist. The colonies draw from you, as with their life-blood, these ideas and principles. Their love of liberty, as with you, fixed and attached on this specific point of taxing. Liberty might be safe, or might be endangered in twenty other particulars, without their being much pleased or alarmed. Here they felt its pulse; and as they found that beat, they thought themselves sick or sound. I do not say whether they were right or wrong in applying your general arguments to their own case. It is not easy indeed to make a monopoly of theorems and corollaries. The fact is, that they did thus apply those general arguments; and your mode of governing them, whether through lenity or indolence, through wisdom or mistake, confirmed them in the imagination, that they, as well as you, had an interest in these common principles.

They were further confirmed in this pleasing error by the form of their provincial legislative assemblies. Their governments are popular in an high degree:

some are merely popular ; in all, the popular representative is the most weighty ; and this share of the people in their ordinary government never fails to inspire them with lofty sentiments, and with a strong aversion from whatever tends to deprive them of their chief importance.

If anything were wanting to this necessary operation of the form of government, religion would have given it a complete effect. Religion, always a principle of energy, in this new people is no way worn out or impaired ; and their mode of professing it is also one main cause of this free spirit. The people are Protestants, and of that kind which is the most adverse to all implicit submission of mind and opinion. This is a persuasion not only favourable to liberty, but built upon it. I do not think, sir, that the reason of this averseness in the dissenting churches, from all that looks like absolute government, is so much to be sought in their religious tenets, as in their history. Everyone knows that the Roman Catholic religion is at least coeval with most of the governments where it prevails ; that it has generally gone hand in hand with them, and received great favour and every kind of support from authority. The Church of England too was formed from her cradle under the nursing care of regular government. But the dissenting interests have sprung up in direct opposition to all the ordinary powers of the world, and could justify that opposition only on a strong claim to natural liberty. Their very existence depended on the powerful and unremitted assertion of that claim. All protestantism, even the most cold and passive, is a sort of dissent. But the religion most prevalent in our northern colonies is a refinement on the principle of resistance : it is the dissidence of dissent, and the protestantism of the Protestant religion. This religion, under a variety of denominations agreeing in nothing but in the communion of the spirit of liberty, is predominant in most of the northern provinces, where the Church of England, notwithstanding its legal rights, is in reality no

more than a sort of private sect, not composing, most probably, the tenth of the people. The colonists left England when this spirit was high, and in the emigrants was the highest of all; and even that stream of foreigners which has been constantly flowing into these colonies, has, for the greatest part, been composed of dissenters from the establishments of their several countries, and have brought with them a temper and character far from alien to that of the people with whom they mixed.

Sir, I can perceive, by their manner, that some gentlemen object to the latitude of this description, because in the southern colonies the Church of England forms a large body, and has a regular establishment. It is certainly true. There is, however, a circumstance attending these colonies, which, in my opinion, fully counterbalances this difference, and makes the spirit of liberty still more high and haughty than in those to the northward. It is, that in Virginia and the Carolinas they have a vast multitude of slaves. Where this is the case in any part of the world, those who are free are by far the most proud and jealous of their freedom. Freedom to them is not only an enjoyment, but a kind of rank and privilege. Not seeing there that freedom as in countries where it is a common blessing, and as broad and general as the air, may be united with much abject toil, with great misery, with all the exterior of servitude, liberty looks, amongst them, like something that is more noble and liberal. I do not mean, sir, to commend the superior morality of this sentiment, which has at least as much pride as virtue in it; but I cannot alter the nature of man. The fact is so; and these people of the southern colonies are much more strongly, and with an higher and more stubborn spirit, attached to liberty, than those to the northward. Such were all the ancient commonwealths; such were our Gothic ancestors; such in our days were the Poles; and such will be all masters of slaves, who are not slaves themselves. In such a people, the haughtiness of domination com-

binés with the spirit of freedom, fortifies it, and renders it invincible.

Permit me, sir, to add another circumstance in our colonies, which contributes no mean part toward the growth and effect of this untractable spirit. I mean their education. In no country perhaps in the world is the law so general a study. The profession itself is numerous and powerful, and in most provinces it takes the lead. The greater number of the deputies sent to the congress were lawyers. But all who read, and most do read, endeavour to obtain some smattering in that science. I have been told by an eminent bookseller, that in no branch of his business, after tracts of popular devotion, were so many books as those on the law exported to the plantations. The colonists have now fallen into the way of printing them for their own use. I hear that they have sold nearly as many of 'Blackstone's Commentaries' in America as in England. General Gage marks out this disposition very particularly in a letter on your table. He states, that all the people in his government are lawyers, or smatterers in law; and that in Boston they have been enabled, by successful chicane, wholly to evade many parts of one of your capital penal constitutions. The smartness of debate will say, that this knowledge ought to teach them more clearly the rights of legislature, their obligations to obedience, and the penalties of rebellion! All this is mighty well. But my honourable and learned friend¹ on the floor, who condescends to mark out what I say for animadversion, will disdain that ground. He has heard, as well as I, that when great honours and great emoluments do not win over this knowledge to the service of the state, it is a formidable adversary to government. If the spirit be not tamed and broken by these happy methods, it is stubborn and litigious.

R Abeunt studia in mores. This study renders men acute, inquisitive, dexterous, prompt in attack, ready in defence, full of resources. In other countries, the people, more simple, and of a less mercurial cast, judge

¹ The Attorney-general.

of an ill principle in government only by an actual grievance ; here they anticipate the evil, and judge of the pressure of the grievance by the badness of the principle. They augur misgovernment at a distance, and snuff the approach of tyranny in every tainted breeze.

The last cause of this disobedient spirit in the colonies is hardly less powerful than the rest, as it is not merely moral, but laid deep in the natural constitution of things. Three thousand miles of ocean lie between you and them. No contrivance can prevent the effect of this distance in weakening government. Seas roll, and months pass, between the order and the execution ; and the want of a speedy explanation of a single point is enough to defeat a whole system. You have, indeed, winged ministers of vengeance, who carry your bolts in their pounces to the remotest verge of the sea : but there a power steps in, that limits the arrogance of raging passions and furious elements, and says, ' So far shalt thou go, and no farther.' Who are you, that should fret and rage and bite the chains of nature ? Nothing worse happens to you than does to all nations who have extensive empire, and it happens in all the forms into which empire can be thrown. In large bodies, the circulation of power must be less vigorous at the extremities. Nature has said it. The Turk cannot govern Egypt, and Arabia, and Curdistan, as he governs Thrace ; nor has he the same dominion in Crimea and Algiers, which he has at Brusa and Smyrna. Despotism itself is obliged to truck and huckster. The Sultan gets such obedience as he can. He governs with a loose rein, that he may govern at all ; and the whole of the force and vigour of his authority in his centre is derived from a prudent relaxation in all his borders. Spain, in her provinces, is perhaps not so well obeyed as you are in yours. She complies too : she submits ; she watches times. This is the immutable condition, the eternal law, of extensive and detached empire.

Then, sir, from these six capital sources ; of descent ; of form of government ; of religion in the northern

provinces ; of manners in the southern ; of education ; of the remoteness of situation from the first mover of government ; from all these causes a fierce spirit of liberty has grown up. It has grown with the growth of the people in your colonies, and increased with the increase of their wealth ; a spirit that, unhappily meeting with an exercise of power in England, which, however lawful, is not reconcilable to any ideas of liberty, much less with theirs, has kindled this flame that is ready to consume us.

I do not mean to commend either the spirit in this excess, or the moral causes which produce it. Perhaps a more smooth and accommodating spirit of freedom in them would be more acceptable to us. Perhaps ideas of liberty might be desired, more reconcilable with an arbitrary and boundless authority. Perhaps we might wish the colonists to be persuaded that their liberty is more secure when held in trust for them by us (as their guardians during a perpetual minority) than with any part of it in their own hands. The question is, not whether their spirit deserves praise or blame, but,—what, in the name of God, shall we do with it ? You have before you the object ; such as it is, with all its glories, with all its imperfections on its head. You see the magnitude ; the importance ; the temper ; the habits ; the disorders. By all these considerations we are strongly urged to determine something concerning it. We are called upon to fix some rule and line for our future conduct, which may give a little stability to our politics, and prevent the return of such unhappy deliberations as the present. Every such return will bring the matter before us in a still more untractable form. For what astonishing and incredible things have we not seen already ! What monsters have not been generated from this unnatural contention ! Whilst every principle of authority and resistance has been pushed, upon both sides, as far as it would go, there is nothing so solid and certain, either in reasoning or in practice, that has not been shaken. Until very lately, all authority in America seemed to be nothing but an

emanation from yours. Even the popular part of the colony constitution derived all its activity, and its first vital movement, from the pleasure of the crown. We thought, sir, that the utmost which the discontented colonists could do, was to disturb authority; we never dreamt they could of themselves supply it; knowing in general what an operose business it is to establish a government absolutely new. But having, for our purposes in this contention, resolved, that none but an obedient assembly should sit; the humours of the people there, finding all passage through the legal channel stopped, with great violence broke out another way. Some provinces have tried their experiment, as we have tried ours; and theirs has succeeded. They have formed a government sufficient for its purposes, without the bustle of a revolution, or the troublesome formality of an election. Evident necessity, and tacit consent, have done the business in an instant. So well they have done it, that Lord Dunmore (the account is among the fragments on your table) tells you, that the new institution is infinitely better obeyed than the ancient government ever was in its most fortunate periods. Obedience is what makes government, and not the names by which it is called; not the name of governor, as formerly, or committee, as at present. This new government has originated directly from the people; and was not transmitted through any of the ordinary artificial media of a positive constitution. It was not a manufacture ready formed, and transmitted to them in that condition from England. The evil arising from hence is this; that the colonists having once found the possibility of enjoying the advantages of order in the midst of a struggle for liberty, such struggles will not henceforward seem so terrible to the settled and sober part of mankind as they had appeared before the trial.

Pursuing the same plan of punishing by the denial of the exercise of government to still greater lengths, we wholly abrogated the ancient government of Massachusetts. We were confident that the first feeling, if

not the very prospect of anarchy, would instantly enforce a complete submission. The experiment was tried. A new, strange, unexpected face of things appeared. Anarchy is found tolerable. A vast province has now subsisted, and subsisted in a considerable degree of health and vigour, for near a twelvemonth; without governor, without public council, without judges, without executive magistrates. How long it will continue in this state, or what may arise out of this unheard-of situation, how can the wisest of us conjecture? Our late experience has taught us that many of those fundamental principles, formerly believed infallible, are either not of the importance they were imagined to be; or that we have not at all adverted to some other far more important, and far more powerful principles, which entirely overrule those we had considered as omnipotent. I am much against any further experiments which tend to put to the proof any more of these allowed opinions, which contribute so much to the public tranquillity. In effect, we suffer as much at home by this loosening of all ties, and this concussion of all established opinions, as we do abroad. For, in order to prove that the Americans have no right to their liberties, we are every day endeavouring to subvert the maxims which preserve the whole spirit of our own. To prove that the Americans ought not to be free, we are obliged to depreciate the value of freedom itself; and we never seem to gain a paltry advantage over them in debate, without attacking some of those principles, or deriding some of those feelings, for which our ancestors have shed their blood.

But, sir, in wishing to put an end to pernicious experiments, I do not mean to preclude the fullest inquiry. Far from it. Far from deciding on a sudden or partial view, I would patiently go round and round the subject, and survey it minutely in every possible aspect. Sir, if I were capable of engaging you to an equal attention, I would state that, as far as I am capable of discerning, there are but three ways of proceeding relative to this stubborn spirit, which prevails

in your colonies, and disturbs your government. These are—to change that spirit, as inconvenient, by removing the causes. To prosecute it as criminal. Or, to comply with it as necessary. I would not be guilty of an imperfect enumeration; I can think of but these three. Another has indeed been started, that of giving up the colonies; but it met so slight a reception, that I do not think myself obliged to dwell a great while upon it. It is nothing but a little sally of anger, like the frowardness of peevish children; who, when they cannot get all they would have, are resolved to take nothing.

The first of these plans, to change the spirit as inconvenient, by removing the causes, I think is the most systematic proceeding. It is radical in its principle; but it is attended with great difficulties; some of them little short, as I conceive, of impossibilities. This will appear by examining into the plans which have been proposed.

As the growing population of the colonies is evidently one cause of their resistance, it was last session mentioned in both Houses, by men of weight, and received not without applause, that, in order to check this evil, it would be proper for the crown to make no further grants of land. But to this scheme there are two objections. The first, that there is already so much unsettled land in private hands, as to afford room for an immense future population, although the crown not only withheld its grants, but annihilated its soil. If this be the case, then the only effect of this avarice of desolation, this hoarding of a royal wilderness, would be to raise the value of the possessions in the hands of the great private monopolists, without any adequate check to the growing and alarming mischief of population.

But if you stopped your grants, what would be the consequence? The people would occupy without grants. They have already so occupied in many places. You cannot station garrisons in every part of these deserts. If you drive the people from one place,

they will carry on their annual tillage, and remove with their flocks and herds to another. Many of the people in the back settlements are already little attached to particular situations. Already they have topped the Apalachian mountains. From thence they behold before them an immense plain, one vast, rich, level meadow: a square of five hundred miles. Over this they would wander without a possibility of restraint; they would change their manners with the habits of their life; would soon forget a government by which they were disowned; would become hordes of English Tartars; and, pouring down upon your unfortified frontiers a fierce and irresistible cavalry, become masters of your governors and your counsellors, your collectors and comptrollers, and of all the slaves that adhered to them. Such would, and, in no long time, must be, the effect of attempting to forbid as a crime, and to suppress as an evil, the command and blessing of Providence, 'Increase and multiply.' Such would be the happy result of an endeavour to keep as a lair of wild beasts, that earth, which God, by an express charter, has given to the children of men. Far different, and surely much wiser, has been our policy hitherto. Hitherto we have invited our people, by every kind of bounty, to fixed establishments. We have invited the husbandman to look to authority for his title. We have taught him piously to believe in the mysterious virtue of wax and parchment. We have thrown each tract of land, as it was peopled, into districts: that the ruling power should never be wholly out of sight. We have settled all we could; and we have carefully attended every settlement with government.

Adhering, sir, as I do, to this policy, as well as for the reasons I have just given, I think this new project of hedging-in population to be neither prudent nor practicable.

To impoverish the colonies in general, and in particular to arrest the noble course of their marine enterprises, would be a more easy task. I freely confess it. We have shown a disposition to a system

of this kind ; a disposition even to continue the restraint after the offence ; looking on ourselves as rivals to our colonies, and persuaded that of course we must gain all that they shall lose. Much mischief we may certainly do. The power inadequate to all other things is often more than sufficient for this. I do not look on the direct and immediate power of the colonies to resist our violence as very formidable. In this, however, I may be mistaken. But when I consider, that we have colonies for no purpose but to be serviceable to us, it seems to my poor understanding, a little preposterous, to make them unserviceable, in order to keep them obedient. It is, in truth, nothing more than the old, and, as I thought, exploded problem of tyranny, which proposes to beggar its subjects into submission. But remember, when you have completed your system of impoverishment, that nature still proceeds in her ordinary course ; that discontent will increase with misery ; and that there are critical moments in the fortune of all states, when they who are too weak to contribute to your prosperity, may be strong enough to complete your ruin. *Spoliatis arma supersunt.*

The temper and character which prevail in our colonies are, I am afraid, unalterable by any human art. We cannot, I fear, falsify the pedigree of this fierce people, and persuade them that they are not sprung from a nation in whose veins the blood of freedom circulates. The language in which they would hear you tell them this tale would detect the imposition ; your speech would betray you. An Englishman is the unfittest person on earth to argue another Englishman into slavery.

I think it is nearly as little in our power to change their republican religion, as their free descent ; or to substitute the Roman Catholic, as a penalty ; or the Church of England, as an improvement. The mode of inquisition and dragooning is going out of fashion in the old world ; and I should not confide much to their efficacy in the new. The education of the Americans is also on the same unalterable bottom with their

religion. You cannot persuade them to burn their books of curious science ; to banish their lawyers from the courts of law ; or to quench the lights of their assemblies, by refusing to choose those persons who are best read in their privileges. It would be no less impracticable to think of wholly annihilating the popular assemblies, in which these lawyers sit. The army, by which we must govern in their place, would be far more chargeable to us ; not quite so effectual ; and perhaps, in the end, full as difficult to be kept in obedience.

With regard to the high aristocratic spirit of Virginia and the southern colonies, it has been proposed, I know, to reduce it, by declaring a general enfranchisement of their slaves. This project has had its advocates and panegyrists ; yet I never could argue myself into any opinion of it. Slaves are often much attached to their masters. A general wild offer of liberty would not always be accepted. History furnishes few instances of it. It is sometimes as hard to persuade slaves to be free, as it is to compel freemen to be slaves ; and in this auspicious scheme, we should have both these pleasing tasks on our hands at once. But when we talk of enfranchisement, do we not perceive that the American master may enfranchise too, and arm servile hands in defence of freedom ? A measure to which other people have had recourse more than once, and not without success, in a desperate situation of their affairs.

Slaves as these unfortunate black people are, and dull as all men are from slavery, must they not a little suspect the offer of freedom from that very nation which has sold them to their present masters ? From that nation, one of whose causes of quarrel with those masters is their refusal to deal any more in that inhuman traffic ? An offer of freedom from England would come rather oddly shipped to them in an African vessel, which is refused an entry into the ports of Virginia or Carolina, with a cargo of three hundred Angola negroes. It would be curious to see the Guinea captain attempting at the same instant to publish his

proclamation of liberty, and to advertise his sale of slaves.

But let us suppose all these moral difficulties got over. The ocean remains. You cannot pump this dry; and as long as it continues in its present bed, so long all the causes which weaken authority by distance will continue. 'Ye gods, annihilate but space and time, and make two lovers happy!'—was a pious and passionate prayer;—but just as reasonable as many of the serious wishes of very grave and solemn politicians.

If then, sir, it seems almost desperate to think of any alterative course, for changing the moral causes (and not quite easy to remove the natural) which produce prejudices irreconcilable to the late exercise of our authority; but that the spirit infallibly will continue; and, continuing, will produce such effects, as now embarrass us; the second mode under consideration is, to prosecute that spirit in its overt acts, as *criminal*.

At this proposition I must pause a moment. The thing seems a great deal too big for my ideas of jurisprudence. It should seem, to my way of conceiving such matters, that there is a very wide difference in reason and policy, between the mode of proceeding on the irregular conduct of scattered individuals, or even of bands of men, who disturb order within the state, and the civil dissensions which may, from time to time, on great questions, agitate the several communities which compose a great empire. It looks to me to be narrow and pedantic, to apply the ordinary ideas of criminal justice to this great public contest. I do not know the method of drawing up an indictment against an whole people. I cannot insult and ridicule the feelings of millions of my fellow-creatures, as Sir Edward Coke insulted one excellent individual (Sir Walter Raleigh) at the bar. I am not ripe to pass sentence on the gravest public bodies, entrusted with magistracies of great authority and dignity, and charged with the safety of their fellow-citizens, upon the very same title that I am. I really think, that for wise men this is not

judicious; for sober men, not decent; for minds tinctured with humanity, not mild and merciful.

Perhaps, sir, I am mistaken in my idea of an empire, as distinguished from a single state or kingdom. But my idea of it is this; that an empire is the aggregate of many states under one common head; whether this head be a monarch, or a presiding republic. It does, in such constitutions, frequently happen (and nothing but the dismal, cold, dead uniformity of servitude can prevent its happening) that the subordinate parts have many local privileges and immunities. Between these privileges and the supreme common authority the line may be extremely nice. Of course disputes, often too, very bitter disputes, and much ill blood, will arise. But though every privilege is an exemption (in the case) from the ordinary exercise of the supreme authority, it is no denial of it. The claim of a privilege seems rather, *ex vi termini*, to imply a superior power. For to talk of the privileges of a state, or of a person, who has no superior, is hardly any better than speaking nonsense. Now, in such unfortunate quarrels among the component parts of a great political union of communities, I can scarcely conceive anything more completely imprudent, than for the head of the empire to insist that, if any privilege is pleaded against his will, or his acts, his whole authority is denied; instantly to proclaim rebellion, to beat to arms, and to ~~put the offending provinces under the ban.~~ Will not this, sir, very soon teach the provinces to make no distinctions on their part? Will it not teach them that the government, against which a claim of liberty is tantamount to high treason, is a government to which submission is equivalent to slavery? It may not always be quite convenient to impress dependent communities with such an idea.

We are, indeed, in all disputes with the colonies, by the necessity of things, the judge. It is true, sir. But I confess, that the character of judge in my own cause is a thing that frightens me. Instead of filling me with pride, I am exceedingly humbled by it. I cannot pro-

ceed with a stern, assured, judicial confidence, until I find myself in something more like a judicial character. I must have these hesitations as long as I am compelled to recollect, that, in my little reading upon such contests as these, the sense of mankind has, at least, as often decided against the superior as the subordinate power. Sir, let me add too, that the opinion of my having some abstract right in my favour would not put me much at my ease in passing sentence ; unless I could be sure, that there were no rights which, in their exercise under certain circumstances, were not the most odious of all wrongs, and the most vexatious of all injustice. Sir, these considerations have great weight with me, when I find things so circumstanced, that I see the same party, at once a civil litigant against me in point of right, and a culprit before me ; while I sit as criminal judge, on acts of his, whose moral quality is to be decided upon the merits of that very litigation. Men are every now and then put, by the complexity of human affairs, into strange situations ; but justice is the same, let the judge be in what situation he will.

There is, sir, also a circumstance which convinces me that this mode of criminal proceeding is not (at least in the present stage of our contest) altogether expedient ; which is nothing less than the conduct of those very persons who have seemed to adopt that mode, by lately declaring a rebellion in Massachusetts Bay, as they had formerly addressed to have traitors brought hither, under an act of Henry VIII, for trial. For though rebellion is declared, it is not proceeded against as such ; nor have any steps been taken towards the apprehension or conviction of any individual offender, either on our late or our former address ; but modes of public coercion have been adopted, and such as have much more resemblance to a sort of qualified hostility towards an independent power than the punishment of rebellious subjects. All this seems rather inconsistent ; but it shows how difficult it is to apply these judicial ideas to our present case.

in this situation, let us seriously and coolly ponder. What is it we have got by all our menaces, which have been many and ferocious? What advantage have we derived from the penal laws we have passed, and which, for the time, have been severe and numerous? What advances have we made towards our object, by the sending of a force, which, by land and sea, is no contemptible strength? Has the disorder abated? Nothing less.—When I see things in this situation, after such confident hopes, bold promises, and active exertions, I cannot, for my life, avoid a suspicion, that the plan itself is not correctly right.

If then the removal of the causes of this spirit of American liberty be, for the greater part, or rather entirely, impracticable; if the ideas of criminal process be inapplicable, or if applicable, are in the highest degree inexpedient; what way yet remains? No way is open, but the third and last—to comply with the American spirit as necessary; or, if you please, to submit to it as a necessary evil.

If we adopt this mode; if we mean to conciliate and concede; let us see of what nature the concession ought to be: to ascertain the nature of our concession, we must look at their complaint. The colonies complain, that they have not the characteristic mark and seal of British freedom. They complain, that they are taxed in a parliament in which they are not represented. If you mean to satisfy them at all, you must satisfy them with regard to this complaint. If you mean to please any people, you must give them the boon which they ask; not what you may think better for them, but of a kind totally different. Such an act may be a wise regulation, but it is no concession; whereas our present theme is the mode of giving satisfaction.

Sir, I think you must perceive, that I am resolved this day to have nothing at all to do with the question of the right of taxation. Some gentlemen startle—but it is true; I put it totally out of the question. It is less than nothing in my consideration. I do not indeed

wonder, nor will you, sir, that gentlemen of profound learning are fond of displaying it on this profound subject. But my consideration is narrow, confined, and wholly limited to the policy of the question. I do not examine, whether the giving away a man's money be a power excepted and reserved out of the general trust of government ; and how far all mankind, in all forms of polity, are entitled to an exercise of that right by the charter of nature. Or whether, on the contrary a right of taxation is necessarily involved in the general principle of legislation, and inseparable from the ordinary supreme power. These are deep questions, where great names militate against each other ; where reason is perplexed ; and an appeal to authorities only thickens the confusion. For high and reverend authorities lift up their heads on both sides ; and there is no sure footing in the middle. This point is the *great Serbontian bog, betwixt Damiatra and Mount Casius old, where armies whole have sunk*. I do not intend to be overwhelmed in that bog, though in such respectable company. The question with me is, not whether you have a right to render your people miserable ; but whether it is not your interest to make them happy. It is not, what a lawyer tells me I *may* do ; but what humanity, reason, and justice, tell me I ought to do. Is a politic act the worse for being a generous one ? Is no concession proper, but that which is made from your want of right to keep what you grant ? Or does it lessen the grace or dignity of relaxing in the exercise of an odious claim, because you have your evidence-room full of titles and your magazines stuffed with arms to enforce them ? What signify all those titles, and all those arms ? Of what avail are they, when the reason of the thing tells me, that the assertion of my title is the loss of my suit ; and that I could do nothing but wound myself by the use of my own weapons ?

Such is steadfastly my opinion of the absolute necessity of keeping up the concord of this empire by a unity of spirit, though in a diversity of operations, that, if I were sure the colonists had, at their leaving

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this country, sealed a regular compact of servitude ; that they had solemnly abjured all the rights of citizens ; that they had made a vow to renounce all ideas of liberty for them and their posterity, to all generations ; yet I should hold myself obliged to conform to the temper I found universally prevalent in my own day, and to govern two millions of men, impatient of servitude, on the principles of freedom. I am not determining a point of law ; I am restoring tranquillity ; and the general character and situation of a people must determine what sort of government is fitted for them. That point nothing else can or ought to determine.

My idea, therefore, without considering whether we yield as matter of right, or grant as matter of favour, is to admit the people of our colonies into an interest in the constitution ; and, by recording that admission in the journals of parliament, to give them as strong an assurance as the nature of the thing will admit, that we mean for ever to adhere to that solemn declaration of systematic indulgence.

Some years ago, the repeal of a revenue act, upon its understood principle, might have served to show that we intended an unconditional abatement of the exercise of a taxing power. Such a measure was then sufficient to remove all suspicion, and to give perfect content. But unfortunate events, since that time, may make something further necessary ; and not more necessary for the satisfaction of the colonies, than for the dignity and consistency of our own future proceedings.

I have taken a very incorrect measure of the disposition of the House, if this proposal in itself would be received with dislike. I think, sir, we have few American financiers. But our misfortune is, we are too acute ; we are too exquisite in our conjectures of the future, for men oppressed with such great and present evils. The more moderate among the opposers of parliamentary concession freely confess that they hope no good from taxation ; but they apprehend the

colonists have further views ; and if this point were conceded, they would instantly attack the trade laws. These gentlemen are convinced that this was the intention from the beginning ; and the quarrel of the Americans with taxation was no more than a cloak and cover to this design. Such has been the language even of a gentleman¹ of real moderation and of a natural temper so well adjusted to fair and equal government. I am, however, sir, not a little surprised at this kind of discourse, whenever I hear it ; and I am the more surprised, on account of the arguments which I constantly find in company with it and which are often urged from the same mouths, and on the same day.

For instance, when we allege that it is against reason to tax a people under so many restraints in trade as the Americans, the noble lord² in the blue riband shall tell you, that the restraints on trade are futile and useless ; of no advantage to us, and of no burden to those on whom they are imposed ; that the trade to America is not secured by the acts of navigation, but by the natural and irresistible advantage of a commercial preference.

Such is the merit of the trade laws in this posture of the debate. But when strong internal circumstances are urged against the taxes ; when the scheme is dissected ; when experience and the nature of things are brought to prove, and do prove, the utter impossibility of obtaining an effective revenue from the colonies ; when these things are pressed, or rather press themselves, so as to drive the advocates of colony taxes to a clear admission of the futility of the scheme ; then, sir, the sleeping trade laws revive from their trance ; and this useless taxation is to be kept sacred, not for its own sake, but as a counter-guard and security of the laws of trade.

Then, sir, you keep up revenue laws which are mischievous, in order to preserve trade laws that are useless. Such is the wisdom of our plan in both its members. They are separately given up as of no

¹ Mr. Rice.

² Lord North.

value ; and yet one is always to be defended for the sake of the other. But I cannot agree with the noble lord, nor with the pamphlet from whence he seems to have borrowed these ideas, concerning the inutility of the trade laws. For, without idolizing them, I am sure they are still, in many ways, of great use to us ; and in former times, they have been of the greatest. They do confine, and they do greatly narrow, the market for the Americans. But my perfect conviction of this does not help me in the least to discern how the revenue laws form any security whatsoever to the commercial regulations ; or that these commercial regulations are the true ground of the quarrel ; or that the giving way, in any one instance of authority, is to lose all that may remain unconceded.

One fact is clear and indisputable. The public and avowed origin of this quarrel was on taxation. This quarrel has indeed brought on new disputes on new questions ; but certainly the least bitter, and the fewest of all, on the trade laws. To judge which of the two be the real, radical cause of quarrel, we have to see whether the commercial dispute did, in order of time, precede the dispute on taxation ? There is not a shadow of evidence for it. Next, to enable us to judge whether at this moment a dislike to the trade laws be the real cause of quarrel, it is absolutely necessary to put the taxes out of the question by a repeal. See how the Americans act in this position, and then you will be able to discern correctly what is the true object of the controversy, or whether any controversy at all will remain. Unless you consent to remove this cause of difference, it is impossible, with decency, to assert that the dispute is not upon what it is avowed to be. And I would, sir, recommend to your serious consideration, whether it be prudent to form a rule for punishing people, not on their own acts, but on your conjectures. Surely it is preposterous at the very best. It is not justifying your anger, by their misconduct ; but it is converting your ill-will into their delinquency.

But the colonies will go further.—Alas ! alas ! when will this speculating against fact and reason end ?—What will quiet these panic fears which we entertain of the hostile effect of a conciliatory conduct ? Is it true that no case can exist, in which it is proper for the sovereign to accede to the desires of his discontented subjects ? Is there anything peculiar in this case, to make a rule for itself ? Is all authority of course lost, when it is not pushed to the extreme ? Is it a certain maxim, that, the fewer causes of dissatisfaction are left by government, the more the subject will be inclined to resist and rebel ?

All these objections being in fact no more than suspicions, conjectures, divinations, formed in defiance of fact and experience ; they did not, sir, discourage me from entertaining the idea of a conciliatory concession, founded on the principles which I have just stated.

In forming a plan for this purpose, I endeavoured to put myself in that frame of mind which was the most natural, and the most reasonable ; and which was certainly the most probable means of securing me from all error. I set out with a perfect distrust of my own abilities ; a total renunciation of every speculation of my own ; and with a profound reverence for the wisdom of our ancestors, who have left us the inheritance of so happy a constitution, and so flourishing an empire, and what is a thousand times more valuable, the treasury of the maxims and principles which formed the one, and obtained the other.

During the reigns of the kings of Spain of the Austrian family, whenever they were at a loss in the Spanish councils, it was common for their statesmen to say, that they ought to consult the genius of Philip II. The genius of Philip II might mislead them ; and the issue of their affairs showed, that they had not chosen the most perfect standard. But, sir, I am sure that I shall not be misled, when, in a case of constitutional difficulty, I consult the genius of the English constitution. Consulting at that oracle (it was with all due

humility and piety) I found four capital examples in a similar case before me: those of Ireland, Wales, Chester, and Durham.

Ireland, before the English conquest, though never governed by a despotic power, had no parliament. How far the English parliament itself was at that time modelled according to the present form, is disputed among antiquaries. But we have all the reason in the world to be assured, that a form of parliament, such as England then enjoyed, she instantly communicated to Ireland; and we are equally sure that almost every successive improvement in constitutional liberty, as fast as it was made here, was transmitted thither. The feudal baronage, and the feudal knighthood, the roots of our primitive constitution, were early transplanted into that soil; and grew and flourished there. Magna Charta, if it did not give us originally the House of Commons, gave us at least a House of Commons of weight and consequence. But your ancestors did not churlishly sit down alone to the feast of Magna Charta. Ireland was made immediately a partaker. This benefit of English laws and liberties, I confess, was not at first extended to *all* Ireland. Mark the consequence. English authority and English liberty had exactly the same boundaries. Your standard could never be advanced an inch before your privileges. Sir John Davis shows beyond a doubt that the refusal of a general communication of these rights was the true cause why Ireland was five hundred years in subduing; and after the vain projects of a military government, attempted in the reign of Queen Elizabeth, it was soon discovered, that nothing could make that country English, in civility and allegiance, but your laws and your forms of legislature. It was not English arms, but the English constitution, that conquered Ireland. From that time, Ireland has ever had a general parliament, as she had before a partial parliament. You changed the people; you altered the religion; but you never touched the form or the vital substance of free government in that kingdom. You deposed kings;

you restored them ; you altered the succession to theirs, as well as to your own crown ; but you never altered their constitution ; the principle of which was respected by usurpation ; restored with the restoration of monarchy, and established, I trust, for ever, by the glorious Revolution. This has made Ireland the great and flourishing kingdom that it is ; and from a disgrace and a burden intolerable to this nation, has rendered her a principal part of our strength and ornament. This country cannot be said to have ever formally taxed her. The irregular things done in the confusion of mighty troubles, and on the hinge of great revolutions, even if all were done that is said to have been done, form no example. If they have any effect in argument, they make an exception to prove the rule. None of your own liberties could stand a moment if the casual deviations from them, at such times, were suffered to be used as proofs of their nullity. By the lucrative amount of such casual breaches in the constitution, judge what the stated and fixed rule of supply has been in that kingdom. Your Irish pensioners would starve if they had no other fund to live on than taxes granted by English authority. Turn your eyes to those popular grants from whence all your great supplies are come ; and learn to respect that only source of public wealth in the British empire.

My next example is Wales. This country was said to be reduced by Henry III. It was said more truly to be so by Edward I. But though then conquered, it was not looked upon as any part of the realm of England. Its old constitution, whatever that might have been, was destroyed ; and no good one was substituted in its place. The care of that tract was put into the hands of lords marchers—a form of government of a very singular kind ; a strange heterogeneous monster, something between hostility and government ; perhaps it has a sort of resemblance, according to the modes of those times, to that of commander-in-chief at present, to whom all civil power is granted as secondary. The manners of the Welsh nation followed the genius of

the government; the people were ferocious, restive, savage, and uncultivated; sometimes composed, never pacified. Wales, within itself, was in perpetual disorder; and it kept the frontier of England in perpetual alarm. Benefits from it to the state there were none. Wales was only known to England by incursion and invasion.

Sir, during that state of things, parliament was not idle. They attempted to subdue the fierce spirit of the Welsh by all sorts of rigorous laws. They prohibited by statute the sending all sorts of arms into Wales, as you prohibit by proclamation (with something more of doubt on the legality) the sending arms to America. They disarmed the Welsh by statute, as you attempted (but still with more question on the legality) to disarm New England by an instruction. They made an act to drag offenders from Wales into England for trial, as you have done (but with more hardship) with regard to America. By another act, where one of the parties was an Englishman, they ordained, that his trial should be always by English. They made acts to restrain trade, as you do; and they prevented the Welsh from the use of fairs and markets, as you do the Americans from fisheries and foreign ports. In short, when the statute-book was not quite so much swelled as it is now, you find no less than fifteen acts of penal regulation on the subject of Wales.

Here we rub our hands—A fine body of precedents for the authority of parliament and the use of it! I admit it fully; and pray add likewise to those precedents that all the while, Wales rid this kingdom like an *incubus*; that it was an unprofitable and oppressive burden; and that an Englishman travelling in that country could not go six yards from the high road without being murdered.

The march of the human mind is slow. Sir, it was not until after two hundred years discovered, that, by an eternal law, Providence had decreed vexation to violence; and poverty to rapine. Your ancestors did, however, at length open their eyes to the ill-husbandry

of injustice. They found that the tyranny of a free people could of all tyrannies the least be endured ; and that laws made against a whole nation were not the most effectual methods for securing its obedience. Accordingly, in the twenty-seventh year of Henry VIII the course was entirely altered. With a preamble stating the entire and perfect rights of the crown of England, it gave to the Welsh all the rights and privileges of English subjects. A political order was established ; the military power gave way to the civil ; the marches were turned into counties. But that a nation should have a right to English liberties, and yet no share at all in the fundamental security of these liberties—the grant of their own property—seemed a thing so incongruous that, eight years after, that is, in the thirty-fifth of that reign, a complete and not ill-proportioned representation by counties and boroughs was bestowed upon Wales, by act of parliament. From that moment, as by a charm, the tumults subsided ; obedience was restored ; peace, order, and civilization followed in the train of liberty. When the day-star of the English constitution had arisen in their hearts, all was harmony within and without—

. . . . Simul alba nautis
 Stella refulsit,
 Defluit saxis agitatus humor ;
 Concidunt venti, fugiuntque nubes,
 Et minax (quòd sic voluere) ponto
 Unda recumbit.

The very same year the county palatine of Chester received the same relief from its oppressions, and the same remedy to its disorders. Before this time Chester was little less distempered than Wales. The inhabitants, without rights themselves, were the fittest to destroy the rights of others ; and from thence Richard II drew the standing army of archers with which for a time he oppressed England. The people of Chester applied to parliament in a petition penned as I shall read to you :

'To the king our sovereign lord, in most humble wise shown unto your excellent majesty, the inhabitants of your grace's county palatine of Chester; That where the said county palatine of Chester is and hath been always hitherto exempt, excluded and separated out and from your high court of parliament, to have any knights and burgesses within the said court; by reason whereof the said inhabitants have hitherto sustained manifold disherisons, losses, and damages, as well in their lands, goods, and bodies, as in the good, civil, and politic governance and maintenance of the commonwealth of their said country: (2) And forasmuch as the said inhabitants have always hitherto been bound by the acts and statutes made and ordained by your said highness, and your most noble progenitors, by authority of the said court, as far forth as other counties, cities, and boroughs have been, that have had their knights and burgesses within your said court of parliament, and yet have had neither knight ne burgess there for the said county palatine; the said inhabitants, for lack thereof, have been oftentimes touched and grieved with acts and statutes made within the said court, as well derogatory unto the most ancient jurisdictions, liberties and privileges of your said county palatine, as prejudicial unto the commonwealth, quietness, rest, and peace of your grace's most bounden subjects inhabiting within the same.'

What did parliament with this audacious address?—Reject it as a libel? Treat it as an affront to government? Spurn it as a derogation from the rights of legislature? Did they toss it over the table? Did they burn it by the hands of the common hangman?—They took the petition of grievance, all rugged as it was, without softening or temperament, unpurged of the original bitterness and indignation of complaint; they made it the very preamble to their act of redress; and consecrated its principle to all ages in the sanctuary of legislation.

Here is my third example. It was attended with the success of the two former. Chester, civilized as well

as Wales, has demonstrated that freedom and not servitude is the cure of anarchy ; as religion, and not atheism, is the true remedy for superstition. Sir, this pattern of Chester was followed in the reign of Charles II with regard to the county palatine of Durham, which is my fourth example. This county had long lain out of the pale of free legislation. So scrupulously was the example of Chester followed, that the style of the preamble is nearly the same with that of the Chester act ; and, without affecting the abstract extent of the authority of parliament, it recognizes the equity of not suffering any considerable district, in which the British subjects may act as a body, to be taxed without their own voice in the grant.

Now if the doctrines of policy contained in these preambles, and the force of these examples in the acts of parliaments, avail anything, what can be said against applying them with regard to America ? Are not the people of America as much Englishmen as the Welsh ? The preamble of the act of Henry VIII says the Welsh speak a language no way resembling that of his majesty's English subjects. Are the Americans not as numerous ? If we may trust the learned and accurate Judge Barrington's account of North Wales, and take that as a standard to measure the rest, there is no comparison. The people cannot amount to above 200,000 ; not a tenth part of the number in the colonies. Is America in rebellion ? Wales was hardly ever free from it. Have you attempted to govern America by penal statutes ? You made fifteen for Wales. But your legislative authority is perfect with regard to America ; was it less perfect in Wales, Chester, and Durham ? But America is virtually represented. What ! does the electric force of virtual representation more easily pass over the Atlantic, than pervade Wales, which lies in your neighbourhood ; or than Chester and Durham, surrounded by abundance of representation that is actual and palpable ? But, sir, your ancestors thought this sort of virtual representation, however ample, to be totally insufficient for the freedom of the

inhabitants of territories that are so near, and comparatively so inconsiderable. How then can I think it sufficient for those which are infinitely greater, and infinitely more remote ?

You will now, sir, perhaps imagine, that I am on the point of proposing to you a scheme for a representation of the colonies in parliament. Perhaps I might be inclined to entertain some such thought ; but a great flood stops me in my course. *Opposuit natura*—I cannot remove the eternal barriers of the creation. The thing, in that mode, I do not know to be possible. As I meddle with no theory, I do not absolutely assert the impracticability of such a representation. But I do not see my way to it ; and those who have been more confident have not been more successful. However, the arm of public benevolence is not shortened ; and there are often several means to the same end. What nature has disjoined in one way, wisdom may unite in another. When we cannot give the benefit as we would wish, let us not refuse it altogether. If we cannot give the principal, let us find a substitute. But how ? Where ? What substitute ?

Fortunately I am not obliged for the ways and means of this substitute to tax my own unproductive invention. I am not even obliged to go to the rich treasury of the fertile framers of imaginary commonwealths ; not to the Republic of Plato, not to the Utopia of More ; not to the Oceana of Harrington. It is before me—it is at my feet, *and the rude swain treads daily on it with his clouted shoon*. I only wish you to recognize, for the theory, the ancient constitutional policy of this kingdom with regard to representation, as that policy has been declared in acts of parliament ; and, as to the practice, to return to that mode which an uniform experience has marked out to you, as best ; and in which you walked with security, advantage, and honour, until the year 1763.

My resolutions therefore mean to establish the equity and justice of a taxation of America, by *grant*, and not by *imposition*. To mark the *legal competency* of the

colony assemblies for the support of their government in peace, and for public aids in time of war. To acknowledge that this legal competency has had a *dutiful and beneficial exercise*; and that experience has shown the *benefit of their grants*, and the *futility of parliamentary taxation as a method of supply*.

These solid truths compose six fundamental propositions. There are three more resolutions corollary to these. If you admit the first set, you can hardly reject the others. But if you admit the first, I shall be far from solicitous whether you accept or refuse the last. I think these six massive pillars will be of strength sufficient to support the temple of British concord. I have no more doubt than I entertain of my existence that, if you admitted these, you would command an immediate peace; and, with but tolerable future management, a lasting obedience in America. I am not arrogant in this confident assurance. The propositions are all mere matters of fact; and if they are such facts as draw irresistible conclusions even in the stating, this is the power of truth and not any management of mine.

Sir, I shall open the whole plan to you together, with such observations on the motions as may tend to illustrate them where they may want explanation. The first is a resolution—‘That the colonies and plantations of Great Britain in North America, consisting of fourteen separate governments, and containing two millions and upwards of free inhabitants, have not had the liberty and privilege of electing and sending any knights and burgesses, or others, to represent them in the high court of parliament.’ This is a plain matter of fact, necessary to be laid down, and (excepting the description) it is laid down in the language of the constitution; it is taken nearly *verbatim* from acts of parliament.

The second is like unto the first—‘That the said colonies and plantations have been liable to, and bounded by, several subsidies, payments, rates, and taxes, given and granted by parliament, though the

said colonies and plantations have not their knights and burgesses in the said high court of parliament, of their own election, to represent the condition of their country; by lack whereof they have been oftentimes touched and grieved by subsidies given, granted, and assented to, in the said court, in a manner prejudicial to the commonwealth, quietness, rest, and peace of the subjects inhabiting within the same.'

Is this description too hot, or too cold, too strong, or too weak? Does it arrogate too much to the supreme legislature? Does it lean too much to the claims of the people? If it runs into any of these errors, the fault is not mine. It is the language of your own ancient acts of parliament.

Non meus hic sermo, sed quae praecepit Ofellus,
Rusticus, abnormis sapiens.

It is the genuine produce of the ancient, rustic, manly, home-bred sense of this country. I did not dare to rub off a particle of the venerable rust that rather adorns and preserves, than destroys, the metal. It would be a profanation to touch with a tool the stones which construct the sacred altar of peace. I would not violate with modern polish the ingenuous and noble roughness of these truly constitutional materials. Above all things, I was resolved not to be guilty of tampering: the odious vice of restless and unstable minds. I put my foot in the tracks of our forefathers; where I can neither wander nor stumble. Determining to fix articles of peace, I was resolved not to be wise beyond what was written; I was resolved to use nothing else than the form of sound words; to let others abound in their own sense; and carefully to abstain from all expressions of my own. What the law has said, I say. In all things else I am silent. I have no organ but for her words. This, if it be not ingenious, I am sure is safe.

There are indeed words expressive of grievance in this second resolution, which those who are resolved always to be in the right will deny to contain matter

of fact, as applied to the present case; although parliament thought them true, with regard to the counties of Chester and Durham. They will deny that the Americans were ever 'touched and grieved' with the taxes. If they consider nothing in taxes but their weight as pecuniary impositions, there might be some pretence for this denial. But men may be sorely touched and deeply grieved in their privileges, as well as in their purses. Men may lose little in property by the act which takes away their freedom. When a man is robbed of a trifle on the highway, it is not the two-pence lost that constitutes the capital outrage. This is not confined to privileges. Even ancient indulgences withdrawn, without offence on the part of those who enjoyed such favours, operate as grievances. But were the Americans then not touched and grieved by the taxes, in some measure, merely as taxes? If so, why were they almost all either wholly repealed or exceedingly reduced? Were they not touched and grieved even by the regulating duties of the sixth of George II? Else why were the duties first reduced to one-third in 1764, and afterwards to a third of that third in the year 1766? Were they not touched and grieved by the Stamp Act? I shall say they were, until that tax is revived. Were they not touched and grieved by the duties of 1767, which were likewise repealed, and which Lord Hillsborough tells you (for the ministry) were laid contrary to the true principle of commerce? Is not the assurance given by that noble person to the colonies of a resolution to lay no more taxes on them, an admission that taxes would touch and grieve them? Is not the resolution of the noble lord in the blue riband, now standing on your journals, the strongest of all proofs that parliamentary subsidies really touched and grieved them? Else why all these changes, modifications, repeals, assurances, and resolutions?

The next proposition is—'That, from the distance of the said colonies, and from other circumstances, no method hath hitherto been devised for procuring a representation in parliament for the said colonies.' This

is an assertion of a fact. I go no further on the paper ; though, in my private judgment, an useful representation is impossible ; I am sure it is not desired by them ; nor ought it perhaps by us ; but I abstain from opinions.

The fourth resolution is—‘ That each of the said colonies hath within itself a body, chosen in part, or in the whole, by the freemen, freeholders, or other free inhabitants thereof, commonly called the general assembly or general court ; with powers legally to raise, levy, and assess, according to the several usage of such colonies, duties and taxes towards defraying all sorts of public services.’

This competence in the colony assemblies is certain. It is proved by the whole tenor of their acts of supply in all the assemblies, in which the constant style of granting is, ‘ an aid to his majesty ’ ; and acts granting to the crown have regularly for near a century passed the public offices without dispute. Those who have been pleased paradoxically to deny this right, holding that none but the British parliament can grant to the crown, are wished to look to what is done, not only in the colonies, but in Ireland, in one uniform unbroken tenor every session. Sir, I am surprised that this doctrine should come from some of the law servants of the crown. I say, that if the crown could be responsible, his majesty—but certainly the ministers, and even these law officers themselves, through whose hands the acts pass biennially in Ireland, or annually in the colonies, are in an habitual course of committing impeachable offences. What habitual offenders have been all presidents of the council, all secretaries of state, all first lords of trade, all attornies and all solicitors general ! However, they are safe ; as no one impeaches them ; and there is no ground of charge against them, except in their own unfounded theories.

The fifth resolution is also a resolution of fact—‘ That the said general assemblies, general courts, or other bodies legally qualified as aforesaid, have at sundry times freely granted several large subsidies and public

aids for his majesty's service, according to their abilities, when required thereto by letter from one of his majesty's principal secretaries of state; and that their right to grant the same, and their cheerfulness and sufficiency in the said grants, have been at sundry times acknowledged by parliament.' To say nothing of their great expenses in the Indian wars; and not to take their exertion in foreign ones, so high as the supplies in the year 1695; not to go back to their public contributions in the year 1710; I shall begin to travel only where the journals give me light; resolving to deal in nothing but fact, authenticated by parliamentary record; and to build myself wholly on that solid basis.

On the 4th of April, 1748¹, a committee of this House came to the following resolution:

'Resolved,

'That it is the opinion of this committee, *That it is just and reasonable* that the several provinces and colonies of Massachusetts's Bay, New Hampshire, Connecticut, and Rhode Island, be reimbursed the expenses they have been at in taking and securing to the crown of Great Britain the island of Cape Breton and its dependencies.'

These expenses were immense for such colonies. They were above £200,000 sterling; money first raised and advanced on their public credit.

On the 28th of January, 1756², a message from the king came to us, to this effect—'His majesty, being sensible of the zeal and vigour with which his faithful subjects of certain colonies in North America have exerted themselves in defence of his majesty's just rights and possessions, recommends it to this House to take the same into their consideration, and to enable his majesty to give them such assistance as may be a *proper reward and encouragement*.'

On the 3rd of February, 1756³, the House came to

¹ Journals of the House, vol. xxv.

² Ibid. vol. xxvii. ³ Ibid.

a suitable resolution, expressed in words nearly the same as those of the message ; but with the further addition, that the money then voted was as an *encouragement* to the colonies to exert themselves with vigour. It will not be necessary to go through all the testimonies which your own records have given to the truth of my resolutions, I will only refer you to the places in the journals :—

Vol. xxvii.—16th and 19th May, 1757.

Vol. xxviii.—June 1st, 1758—April 26th and 30th,
1759—March 26th and 31st, and April
28th, 1760—Jan. 9th and 20th, 1761.

Vol. xxix.—Jan. 22nd and 26th, 1762—March 14th
and 17th, 1763.

Sir, here is the repeated acknowledgment of parliament, that the colonies not only gave, but gave to satiety. This nation has formally acknowledged two things ; first, that the colonies had gone beyond their abilities, parliament having thought it necessary to reimburse them ; secondly, that they had acted legally and laudably in their grants of money, and their maintenance of troops, since the compensation is expressly given as reward and encouragement. Reward is not bestowed for acts that are unlawful ; and encouragement is not held out to things that deserve reprehension. My resolution therefore does nothing more than collect into one proposition, what is scattered through your journals. I give you nothing but your own ; and you cannot refuse in the gross what you have so often acknowledged in detail. The admission of this, which will be so honourable to them and to you, will, indeed, be mortal to all the miserable stories, by which the passions of the misguided people have been engaged in an unhappy system. The people heard, indeed, from the beginning of these disputes, one thing continually dinned in their ears, that reason and justice demanded, that the Americans, who paid no taxes, should be compelled to contribute. How did that fact, of their paying nothing, stand, when the taxing system

began ? When Mr. Grenville began to form his system of American revenue, he stated in this House, that the colonies were then in debt two million six hundred thousand pounds sterling money ; and was of opinion they would discharge that debt in four years. On this state, those untaxed people were actually subject to the payment of taxes to the amount of six hundred and fifty thousand a year. In fact, however, Mr. Grenville was mistaken. The funds given for sinking the debt did not prove quite so ample as both the colonies and he expected. The calculation was too sanguine : the reduction was not completed till some years after, and at different times in different colonies. However, the taxes after the war continued too great to bear any addition, with prudence or propriety ; and when the burdens imposed in consequence of former requisitions were discharged, our tone became too high to resort again to requisition. No colony, since that time, ever has had any requisition whatsoever made to it.

We see the sense of the crown, and the sense of parliament, on the productive nature of a *revenue by grant*. Now search the same journals for the produce of the *revenue by imposition*—Where is it ?—let us know the volume and the page—what is the gross, what is the net produce ?—to what service is it applied ?—how have you appropriated its surplus ?—What, can none of the many skilful index-makers, that we are now employing, find any trace of it ?—Well, let them and that rest together.—But are the journals, which say nothing of the revenue, as silent on the discontent ?—Oh, no ! a child may find it. It is the melancholy burden and blot of every page.

I think, then, I am, from those journals, justified in the sixth and last resolution, which is—‘ That it hath been found by experience, that the manner of granting the said supplies and aids, by the said general assemblies, hath been more agreeable to the said colonies, and more beneficial, and conducive to the public service, than the mode of giving and granting aids in parliament, to be raised and paid in the said colonies.’ This

makes the whole of the fundamental part of the plan. The conclusion is irresistible. You cannot say, that you were driven by any necessity to an exercise of the utmost rights of legislature. You cannot assert, that you took on yourselves the task of imposing colony taxes, from the want of another legal body, that is, competent to the purpose of supplying the exigencies of the state without wounding the prejudices of the people. Neither is it true that the body so qualified, and having that competence, had neglected the duty.

The question now, on all this accumulated matter, is ;—whether you will choose to abide by a profitable experience, or a mischievous theory ? whether you choose to build on imagination or fact ? whether you prefer enjoyment or hope ? satisfaction in your subjects, or discontent ?

If these propositions are accepted, everything which has been made to enforce a contrary system, must, I take it for granted, fall along with it. On that ground, I have drawn the following resolution, which, when it comes to be moved, will naturally be divided in a proper manner : ‘ That it may be proper to repeal an act, made in the seventh year of the reign of his present majesty, intituled, An act for granting certain duties in the British colonies and plantations in America ; for allowing a drawback of the duties of customs upon the exportation from this kingdom of coffee and cocoa-nuts of the produce of the said colonies or plantations ; for discontinuing the drawbacks payable on China earthenware exported to America ; and for more effectually preventing the clandestine running of goods in the said colonies and plantations.—And that it may be proper to repeal an act, made in the fourteenth year of the reign of his present majesty, intituled, An act to discontinue, in such manner, and for such time, as are therein mentioned, the landing and discharging, lading or shipping, of goods, wares, and merchandise, at the town and within the harbour of Boston, in the province of Massachusetts Bay, in North America.—And that it may be proper to repeal

an act, made in the fourteenth year of the reign of his present majesty, intituled, An act for the impartial administration of justice, in the cases of persons questioned for any acts done by them, in the execution of the law, or for the suppression of riots and tumults, in the province of Massachusett's Bay, in New England. —And that it may be proper to repeal an act, made in the fourteenth year of the reign of his present majesty, intituled, An act for the better regulating the government of the province of Massachusett's Bay, in New England. —And, also, that it may be proper to explain and amend an act, made in the thirty-fifth year of the reign of King Henry VIII, intituled, An act for the trial of treasons committed out of the king's dominions.'

I wish, sir, to repeal the Boston Port Bill, because (independently of the dangerous precedent of suspending the rights of the subject during the king's pleasure) it was passed, as I apprehend, with less regularity, and on more partial principles, than it ought. The corporation of Boston was not heard before it was condemned. Other towns, full as guilty as she was, have not had their ports blocked up. Even the restraining bill of the present session does not go to the length of the Boston Port Act. The same ideas of prudence, which induced you not to extend equal punishment to equal guilt, even when you were punishing, induce me, who mean not to chastise, but to reconcile, to be satisfied with the punishment already partially inflicted.

Ideas of prudence and accommodation to circumstances prevent you from taking away the charters of Connecticut and Rhode Island, as you have taken away that of Massachusett's colony, though the crown has far less power in the two former provinces than it enjoyed in the latter; and though the abuses have been full as great, and as flagrant, in the exempted as in the punished. The same reasons of prudence and accommodation have weight with me in restoring the charter of Massachusett's Bay. Besides, sir, the act which changes the charter of Massachusett's is in many par-

ticulars so exceptionable, that if I did not wish absolutely to repeal, I would by all means desire to alter it ; as several of its provisions tend to the subversion of all public and private justice. Such, among others, is the power in the governor to change the sheriff at his pleasure ; and to make a new returning officer for every special cause. It is shameful to behold such a regulation standing among English laws.

The act for bringing persons accused of committing murder under the orders of government to England for trial is but temporary. That act has calculated the probable duration of our quarrel with the colonies ; and is accommodated to that supposed duration. I would hasten the happy moment of reconciliation ; and therefore must, on my principle, get rid of that most justly obnoxious act.

The act of Henry VIII, for the trial of treasons, I do not mean to take away, but to confine it to its proper bounds and original intention ; to make it expressly for trial of treasons (and the greatest treasons may be committed) in places where the jurisdiction of the crown does not extend.

Having guarded the privileges of local legislature, I would next secure to the colonies a fair and unbiassed judicature ; for which purpose, sir, I propose the following resolution : ' That, from the time when the general assembly or general court of any colony or plantation in North America, shall have appointed by act of assembly, duly confirmed, a settled salary to the offices of the chief justice and other judges of the superior court, it may be proper that the said chief justice and other judges of the superior courts of such colony, shall hold his and their office and offices during their good behaviour ; and shall not be removed therefrom, but when the said removal shall be adjudged by his majesty in council, upon a hearing on complaint from the general assembly, or on a complaint from the governor, or council, or the house of representation severally, of the colony in which the said chief justice and other judges have exercised the said offices.'

The next resolution relates to the courts of admiralty.

It is this :—‘ That it may be proper to regulate the courts of admiralty, or vice admiralty, authorized by the 15th chap. of the 4th of George III, in such a manner as to make the same more commodious to those who sue, or are sued, in the said courts, and to provide for the more decent maintenance of the judges in the same.’

These courts I do not wish to take away ; they are in themselves proper establishments. This court is one of the capital securities of the act of navigation. The extent of its jurisdiction, indeed, has been increased ; but this is altogether as proper, and is, indeed, on many accounts, more eligible, where new powers were wanted, than a court absolutely new. But courts incommodiously situated, in effect, deny justice ; and a court, partaking in the fruits of its own condemnation, is a robber. The congress complain, and complain justly, of this grievance ¹.

These are the three consequential propositions. I have thought of two or three more ; but they came rather too near detail, and to the province of executive government ; which I wish parliament always to superintend, never to assume. If the first six are granted, congruity will carry the latter three. If not, the things that remain unrepealed, will be, I hope, rather unseemly incumbrances on the building than very materially detrimental to its strength and stability.

Here, sir, I should close ; but that I plainly perceive some objections remain, which I ought, if possible, to remove. The first will be, that, in resorting to the doctrine of our ancestors, as contained in the preamble to the Chester act, I prove too much ; that the grievance from a want of representation stated in that preamble goes to the whole of legislation as well as to

¹ The solicitor-general informed Mr. B. when the resolutions were separately moved, that the grievance of the judges partaking of the profits of the seizure had been redressed by office ; accordingly the resolution was amended.

taxation. And that the colonies, grounding themselves upon that doctrine, will apply it to all parts of legislative authority.

To this objection, with all possible deference and humility, and wishing as little as any man living to impair the smallest particle of our supreme authority, I answer, that *the words are the words of parliament, and not mine*; and that all false and inconclusive inferences, drawn from them, are not mine; for I heartily disclaim any such inference. I have chosen the words of an act of parliament, which Mr. Grenville, surely a tolerably zealous and very judicious advocate for the sovereignty of parliament, formerly moved to have read at your table in confirmation of his tenets. It is true, that Lord Chatham considered these preambles as declaring strongly in favour of his opinions. He was a no less powerful advocate for the privileges of the Americans. Ought I not from hence to presume, that these preambles are as favourable as possible to both, when properly understood; favourable both to the rights of parliament, and to the privileges of the dependencies of this crown? But, sir, the object of grievance in my resolution I have not taken from the Chester, but from the Durham act, which confines the hardship of want of representation to the case of subsidies; and which therefore falls in exactly with the case of the colonies. But whether the unrepresented counties were *de jure*, or *de facto*, bound, the preambles do not accurately distinguish; nor indeed was it necessary; for, whether *de jure*, or *de facto*, the legislature thought the exercise of the power of taxing, as of right, or as of fact withoutright, equally a grievance, and equally oppressive.

I do not know that the colonies have, in any general way, or in any cool hour, gone much beyond the demand of immunity in relation to taxes. It is not fair to judge of the temper or dispositions of any man, or any set of men, when they are composed and at rest, from their conduct, or their expressions, in a state of disturbance and irritation. It is besides a very great mistake to imagine, that mankind follow up practically

any speculative principle, either of government or of freedom, as far as it will go in argument and logical illation. We Englishmen stop very short of the principles upon which we support any given part of our constitution ; or even the whole of it together. I could easily, if I had not already tired you, give you very striking and convincing instances of it. This is nothing but what is natural and proper. All government, indeed every human benefit and enjoyment, every virtue, and every prudent act, is founded on compromise and barter. We balance inconveniences ; we give and take ; we remit some rights, that we may enjoy others ; and we choose rather to be happy citizens, than subtle disputants. As we must give away some natural liberty, to enjoy civil advantages ; so we must sacrifice some civil liberties, for the advantages to be derived from the communion and fellowship of a great empire. But, in all fair dealings, the thing bought must bear some proportion to the purchase paid. None will barter away the immediate jewel of his soul. Though a great house is apt to make slaves haughty, yet it is purchasing a part of the artificial importance of a great empire too dear to pay for it all essential rights and all the intrinsic dignity of human nature. None of us who would not risk his life rather than fall under a government purely arbitrary. But although there are some amongst us who think our constitution wants many improvements, to make it a complete system of liberty ; perhaps none who are of that opinion would think it right to aim at such improvement, by disturbing his country, and risking everything that is dear to him. In every arduous enterprise, we consider what we are to lose, as well as what we are to gain ; and the more and better stake of liberty every people possess, the less they will hazard in a vain attempt to make it more. These are *the cords of man*. Man acts from adequate motives relative to his interest ; and not on metaphysical speculations. Aristotle, the great master of reasoning, cautions us, and with great weight and propriety, against this species of delusive geo-

metrical accuracy in moral arguments, as the most fallacious of all sophistry.

The Americans will have no interest contrary to the grandeur and glory of England, when they are not oppressed by the weight of it ; and they will rather be inclined to respect the acts of a superintending legislature, when they see them the acts of that power, which is itself the security, not the rival, of their secondary importance. In this assurance, my mind most perfectly acquiesces, and I confess, I feel not the least alarm from the discontents which are to arise from putting people at their ease ; nor do I apprehend the destruction of this empire, from giving, by an act of free grace and indulgence, to two millions of my fellow-citizens some share of those rights, upon which I have always been taught to value myself.

It is said, indeed, that this power of granting, vested in American assemblies, would dissolve the unity of the empire ; which was preserved, entire, although Wales, and Chester, and Durham, were added to it. Truly, Mr. Speaker, I do not know what this unity means ; nor has it ever been heard of, that I know, in the constitutional policy of this country. The very idea of subordination of parts, excludes this notion of simple and undivided unity. England is the head ; but she is not the head and the members too. Ireland has ever had from the beginning a separate, but not an independent, legislature ; which, far from distracting, promoted the union of the whole. Everything was sweetly and harmoniously disposed through both islands for the conservation of English dominion, and the communication of English liberties. I do not see that the same principles might not be carried into twenty islands, and with the same good effect. This is my model with regard to America, as far as the internal circumstances of the two countries are the same. I know no other unity of this empire, than I can draw from its example during these periods, when it seemed to my poor understanding more united than it is now, or than it is likely to be by the present methods.

But since I speak of these methods, I recollect, Mr. Speaker, almost too late, that I promised, before I finished, to say something of the proposition of the noble lord¹ on the floor, which has been so lately received, and stands on your journals. I must be deeply concerned, whenever it is my misfortune to continue a difference with the majority of this House. But, as the reasons for that difference are my apology for thus troubling you, suffer me to state them in a very few words. I shall compress them into as small a body as I possibly can, having already debated that matter at large, when the question was before the committee.

First, then, I cannot admit that proposition of a ransom by auction ;—because it is a mere project. It is a thing new ; unheard of ; supported by no experience ; justified by no analogy ; without example of our ancestors, or root in the constitution.

It is neither regular parliamentary taxation, nor colony grant. *Experimentum in corpore vili*, is a good rule, which will ever make me adverse to any trial of experiments on what is certainly the most valuable of all subjects ; the peace of this empire.

Secondly, it is an experiment which must be fatal in the end to our constitution. For what is it but a scheme for taxing the colonies in the ante-chamber of the noble lord and his successors ? To settle the quotas and proportions in this House, is clearly impossible. You, sir, may flatter yourself, you shall sit a state auctioneer, with your hammer in your hand, and knock down to each colony as it bids. But to settle (on the plan laid down by the noble lord) the true proportional payment for four or five and twenty governments, according to the absolute and the relative wealth of each, and according to the British proportion of wealth and burden, is a wild and chimerical notion. This new taxation must therefore come in by the back-door of the constitution. Each quota must be brought to this House ready formed ; you can neither add nor

¹ Lord North.

alter. You must register it. You can do nothing further. For on what grounds can you deliberate either before or after the proposition? You cannot hear the counsel for all these provinces, quarrelling each on its own quantity of payment, and its proportion to others. If you should attempt it, the committee of provincial ways and means, or by whatever other name it will delight to be called, must swallow up all the time of parliament.

Thirdly, it does not give satisfaction to the complaint of the colonies. They complain that they are taxed without their consent; you answer that you will fix the sum at which they shall be taxed. That is, you give them the very grievance for the remedy. You tell them indeed, that you will leave the mode to themselves. I really beg pardon: it gives me pain to mention it; but you must be sensible that you will not perform this part of the compact. For, suppose the colonies were to lay the duties, which furnished their contingent, upon the importation of your manufactures; you know you would never suffer such a tax to be laid. You know too, that you would not suffer many other modes of taxation. So that, when you come to explain yourself, it will be found, that you will neither leave to themselves the quantum nor the mode; nor indeed anything. The whole is delusion from one end to the other.

Fourthly, this method of ransom by auction, unless it be *universally* accepted, will plunge you into great and inextricable difficulties. In what year of our Lord are the proportions of payments to be settled? To say nothing of the impossibility that colony agents should have general powers of taxing the colonies at their discretion; consider, I implore you, that the communication by special messages, and orders between these agents and their constituents on each variation of the case, when the parties come to contend together, and to dispute on their relative proportions, will be a matter of delay, perplexity, and confusion that never can have an end.

If all the colonies do not appear at the outcry, what

is the condition of those assemblies, who offer by themselves or their agents, to tax themselves up to your ideas of their proportion ? The refractory colonies, who refuse all composition, will remain taxed only to your old impositions which, however grievous in principle, are trifling as to production. The obedient colonies in this scheme are heavily taxed ; the refractory remain unburdened. What will you do ? Will you lay new and heavier taxes by parliament on the disobedient ? Pray consider in what way you can do it. You are perfectly convinced, that, in the way of taxing, you can do nothing but at the ports. Now suppose it is Virginia that refuses to appear at your auction, while Maryland and North Carolina bid handsomely for their ransom, and are taxed to your quota, how will you put these colonies on a par ? Will you tax the tobacco of Virginia ? If you do, you give its death-wound to your English revenue at home, and to one of the very greatest articles of your own foreign trade. If you tax the import of that rebellious colony, what do you tax but your own manufactures, or the goods of some other obedient, and already well-taxed colony ? Who has said one word on this labyrinth of detail, which bewilders you more and more as you enter into it ? Who has presented, who can present you with a clue, to lead you out of it ? I think, sir, it is impossible that you should not recollect that the colony bounds are so implicated in one another (you know it by your other experiments in the bill for prohibiting the New-England fishery) that you can lay no possible restraint on almost any of them which may not be presently eluded, if you do not confound the innocent with the guilty, and burden those whom, upon every principle, you ought to exonerate. He must be grossly ignorant of America, who thinks that, without falling into this confusion of all rules of equity and policy, you can restrain any single colony, especially Virginia and Maryland, the central, and most important of them all.

Let it also be considered, that, either in the present confusion you settle a permanent contingent, which will and must be trifling ; and then you have no effectual

revenue : or you change the quota at every exigency ; and then on every new repartition you will have a new quarrel.

Reflect besides that, when you have fixed a quota for every colony, you have not provided for prompt and punctual payment. Suppose one, two, five, ten years' arrears. You cannot issue a treasury extent against the failing colony. You must make new Boston port bills, new restraining laws, new acts for dragging men to England for trial. You must send out new fleets, new armies. All is to begin again. From this day forward the empire is never to know an hour's tranquillity. An intestine fire will be kept alive in the bowels of the colonies, which one time or other must consume this whole empire. I allow indeed that the empire of Germany raises her revenue and her troops by quotas and contingents ; but the revenue of the empire, and the army of the empire, is the worst revenue, and the worst army in the world.

Instead of a standing revenue, you will therefore have a perpetual quarrel. Indeed the noble lord, who proposed this project of a ransom by auction, seemed himself to be of that opinion. His project was rather designed for breaking the union of the colonies than for establishing a revenue. He confessed he apprehended that his proposal would not be to *their taste*. I say this scheme of disunion seems to be at the bottom of the project ; for I will not suspect that the noble lord meant nothing but merely to delude the nation by an airy phantom which he never intended to realize. But whatever his views may be ; as I propose the peace and union of the colonies as the very foundation of my plan, it cannot accord with one whose foundation is perpetual discord.

Compare the two. This I offer to give you is plain and simple. The other full of perplexed and intricate mazes. This is mild : that harsh. This is found by experience effectual for its purposes ; the other is a new project. This is universal ; the other calculated for certain colonies only. This is immediate in its conciliatory opera-

tion ; the other remote, contingent, full of hazard. Mine is what becomes the dignity of a ruling people ; gratuitous, unconditional, and not held out as a matter of bargain and sale. I have done my duty in proposing it to you. I have indeed tired you by a long discourse ; but this is the misfortune of those to whose influence nothing will be conceded, and who must win every inch of their ground by argument. You have heard me with goodness. May you decide with wisdom ! For my part, I feel my mind greatly disburdened by what I have done to-day. I have been the less fearful of trying your patience, because on this subject I mean to spare it altogether in future. I have this comfort, that in every stage of the American affairs, I have steadily opposed the measures that have produced the confusion, and may bring on the destruction, of this empire. I now go so far as to risk a proposal of my own. If I cannot give peace to my country, I give it to my conscience.

But what (says the financier) is peace to us without money ? Your plan gives us no revenue. No ! But it does—For it secures to the subject the power of REFUSAL ; the first of all revenues. Experience is a cheat, and fact a liar, if this power in the subject of proportioning his grant, or of not granting at all, has not been found the richest mine of revenue ever discovered by the skill or by the fortune of man. It does not indeed vote you £152,752 : 11 : 2½ths, nor any other paltry limited sum.—But it gives the strong box itself, the fund, the bank, from whence only revenues can arise amongst a people sensible of freedom : *Posita luditur arca*. Cannot you in England ; cannot you at this time of day ; cannot you, a House of Commons, trust to the principle which has raised so mighty a revenue, and accumulated a debt of near 140 millions in this country ? Is this principle to be true in England and false everywhere else ? Is it not true in Ireland ? Has it not hitherto been true in the colonies ? Why should you presume that, in any country, a body duly constituted for any function will neglect to perform its

duty, and abdicate its trust? Such a presumption would go against all governments in all modes. But, in truth, this dread of penury of supply from a free assembly, has no foundation in nature. For first observe that, besides the desire which all men have naturally of supporting the honour of their own government, that sense of dignity, and that security to property, which ever attend freedom, have a tendency to increase the stock of the free community. Most may be taken where most is accumulated. And what is the soil or climate where experience has not uniformly proved that the voluntary flow of heaped-up plenty, bursting from the weight of its own rich luxuriance, has ever run with a more copious stream of revenue, than could be squeezed from the dry husks of oppressed indigence, by the straining of all the politic machinery in the world.

Next we know, that parties must ever exist in a free country. We know, too, that the emulations of such parties, their contradictions, their reciprocal necessities, their hopes, and their fears, must send them all in their turns to him that holds the balance of the state. The parties are the gamblers; but government keeps the table, and is sure to be the winner in the end. When this game is played, I really think it is more to be feared that the people will be exhausted than that government will not be supplied. Whereas, whatever is got by acts of absolute power ill obeyed, because odious, or by contracts ill kept, because constrained: will be narrow, feeble, uncertain, and precarious. *'Ease would retract vows made in pain, as violent and void.'*

I, for one, protest against compounding our demands: I declare against compounding for a poor limited sum, the immense, ever growing, eternal debt, which is due to generous government from protected freedom. And so may I speed in the great object I propose to you, as I think it would not only be an act of injustice, but would be the worst economy in the world, to compel the colonies to a sum certain, either in the way of ransom, or in the way of compulsory compact.

But to clear up my ideas on this subject— a revenue

from America transmitted hither—do not delude yourselves—you never can receive it—No, not a shilling. We have experience that from remote countries it is not to be expected. If, when you attempted to extract revenue from Bengal, you were obliged to return in loan what you had taken in imposition, what can you expect from North America ? For certainly, if ever there was a country qualified to produce wealth, it is India ; or an institution fit for the transmission, it is the East India Company. America has none of these amplitudes. If America gives you taxable objects, on which you lay your duties here, and gives you, at the same time, a surplus by a foreign sale of her commodities to pay the duties on these objects, which you tax at home, she has performed her part to the British revenue. But with regard to her own internal establishments ; she may, I doubt not she will, contribute in moderation. I say in moderation ; for she ought not to be permitted to exhaust herself. She ought to be reserved to a war ; the weight of which, with the enemies that we are most likely to have, must be considerable in her quarter of the globe. There she may serve you and serve you essentially.

For that service, for all service, whether of revenue, trade, or empire, my trust is in her interest in the British constitution. My hold of the colonies is in the close affection which grows from common names, from kindred blood, from similar privileges, and equal protection. These are ties, which, though light as air, are as strong as links of iron. Let the colonies always keep the idea of their civil rights associated with your government ; —they will cling and grapple to you ; and no force under heaven would be of power to tear them from their allegiance. But let it be once understood, that your government may be one thing, and their privileges another ; that these two things may exist without any mutual relation ; the cement is gone ; the cohesion is loosened ; and everything hastens to decay and dissolution. As long as you have the wisdom to keep the sovereign authority of this country as the sanctuary of

liberty, the sacred temple consecrated to our common faith, wherever the chosen race and sons of England worship freedom, they will turn their faces towards you. The more they multiply, the more friends you will have ; the more ardently they love liberty, the more perfect will be their obedience. Slavery they can have anywhere. It is a weed that grows in every soil. They may have it from Spain, they may have it from Prussia. But, until you become lost to all feeling of your true interest and your natural dignity, freedom they can have from none but you. This is the commodity of price, of which you have the monopoly. This is the true act of navigation which binds to you the commerce of the colonies, and through them secures to you the wealth of the world. Deny them this participation of freedom, and you break that sole bond, which originally made, and must still preserve the unity of the empire. Do not entertain so weak an imagination, as that your registers and your bonds, your affidavits and your sufferances, your cockets and your clearances, are what form the great securities of your commerce. Do not dream that your letters of office, and your instructions, and your suspending clauses, are the things that hold together the great contexture of this mysterious whole. These things do not make your government. Dead instruments, passive tools as they are, it is the spirit of the English communion that gives all their life and efficacy to them. It is the spirit of the English constitution, which, infused through the mighty mass, pervades, feeds, unites, invigorates, vivifies every part of the empire, even down to the minutest member.

Is it not the same virtue which does everything for us here in England ? Do you imagine, then, that it is the land tax act which raises your revenue ? that it is the annual vote in the committee of supply, which gives you your army ? or that it is the mutiny bill, which inspires it with bravery and discipline ? No ! surely not ! It is the love of the people ; it is their attachment to their government, from the sense of

the deep stake they have in such a glorious institution, which gives you your army and your navy, and infuses into both that liberal obedience, without which your army would be a base rabble, and your navy nothing but rotten timber.

All this, I know well enough, will sound wild and chimerical to the profane herd of those vulgar and mechanical politicians, who have no place among us; a sort of people who think that nothing exists but what is gross and material; and who therefore, far from being qualified to be directors of the great movement of empire, are not fit to turn a wheel in the machine. But to men truly initiated and rightly taught, these ruling and master principles, which, in the opinion of such men as I have mentioned, have no substantial existence, are in truth everything, and all in all. Magnanimity in politics is not seldom the truest wisdom; and a great empire and little minds go ill together. If we are conscious of our situation, and glow with zeal to fill our places as becomes our station and ourselves, we ought to auspicate all our public proceedings on America, with the old warning of the Church, *Sursum corda!* We ought to elevate our minds to the greatness of that trust to which the order of Providence has called us. By adverting to the dignity of this high calling, our ancestors have turned a savage wilderness into a glorious empire; and have made the most extensive, and the only honourable conquests, not by destroying, but by promoting the wealth, the number, the happiness of the human race. Let us get an American revenue as we have got an American empire. English privileges have made it all that it is; English privileges alone will make it all it can be.

In full confidence of this unalterable truth, I now (*quod felix faustumque sit*)—lay the first stone of the temple of peace; and I move you,

‘That the colonies and plantations of Great Britain in North America, consisting of fourteen separate governments, and containing two millions and upwards

of free inhabitants, have not had the liberty and privilege of electing and sending any knights and burgesses, or others, to represent them in the high court of parliament.'

Upon this resolution, the previous question was put, and carried; for the previous question 270, against it 78.

LETTER

TO

JOHN FARR AND JOHN HARRIS, ESQRS.,

Sheriffs of the City of Bristol;

ON THE

AFFAIRS OF AMERICA.

1777.

A LETTER, &c.

GENTLEMEN,

I have the honour of sending you the two last acts which have been passed with regard to the troubles in America. These acts are similar to all the rest which have been made on the same subject. They operate by the same principle and they are derived from the very same policy. I think they complete the number of that sort of statutes to nine. It affords no matter for very pleasing reflection to observe that our subjects diminish as our laws increase.

If I have the misfortune of differing with some of my fellow-citizens on this great and arduous subject, it is no small consolation to me that I do not differ from you. With you I am perfectly united. We are heartily agreed in our detestation of a civil war. We have ever expressed the most unqualified disapprobation of all the steps which have led to it, and of all those which tend to prolong it; and I have no doubt that we feel exactly the same emotions of grief and shame on all its miserable consequences, whether they appear, on the one side or the other, in the shape of victories or defeats, of captures made from the English on the continent, or from the English in these islands; of legislative regulations which subvert the liberties of our brethren, or which undermine our own.

Of the first of these statutes (that for the letter of marque) I shall say little. Exceptionable as it may be, and as I think it is in some particulars, it seems the natural, perhaps necessary, result of the measures we

have taken, and the situation we are in. The other (for a partial suspension of the *Habeas Corpus*) appears to be of a much deeper malignity. During its progress through the House of Commons, it has been amended, so as to express, more distinctly than at first it did, the avowed sentiments of those who framed it; and the main ground of my exception to it is, because it does express, and does carry into execution, purposes which appear to me so contradictory to all the principles, not only of the constitutional policy of Great Britain, but even of that species of hostile justice which no asperity of war wholly extinguishes in the minds of a civilized people.

It seems to have in view two capital objects: the first, to enable administration to confine, as long as it shall think proper, those whom that act is pleased to qualify by the name of *pirates*. Those so qualified I understand to be the commanders and mariners of such privateers and ships of war belonging to the colonies as in the course of this unhappy contest may fall into the hands of the crown. They are therefore to be detained in prison, under the criminal description of piracy, to a future trial and ignominious punishment, whenever circumstances shall make it convenient to execute vengeance on them, under the colour of that odious and infamous offence.

To this first purpose of the law I have no small dislike, because the act does not (as all laws and all equitable transactions ought to do) fairly describe its object. The persons who make a naval war upon us, in consequence of the present troubles, may be rebels; but to call and treat them as pirates, is confounding not only the natural distinction of things, but the order of crimes; which, whether by putting them from a higher part of the scale to the lower, or from the lower to the higher, is never done without dangerously disordering the whole frame of jurisprudence. Though piracy may be, in the eye of the law, a *less* offence than treason, yet as both are, in effect, punished with the same death, the same forfeiture, and the same corrup-

tion of blood, I never would take from any fellow-creature whatever any sort of advantage which he may derive to his safety from the pity of mankind, or to his reputation from their general feelings, by degrading his offence, when I cannot soften his punishment. The general sense of mankind tells me that those offences, which may possibly arise from mistaken virtue, are not in the class of infamous actions. Lord Coke, the oracle of the English law, conforms to that general sense where he says, that 'those things which are of the highest criminality may be of the least disgrace.' The act prepares a sort of masked proceeding, not honourable to the justice of the kingdom, and by no means necessary for its safety. I cannot enter into it. If Lord Balmerino, in the last rebellion, had driven off the cattle of twenty clans, I should have thought it would have been a scandalous and low juggle, utterly unworthy of the manliness of an English judicature, to have him tried for felony as a stealer of cows.

Besides, I must honestly tell you that I could not vote for, or countenance in any way, a statute which stigmatizes with the crime of piracy these men whom an act of parliament had previously put out of the protection of the law. When the legislature of this kingdom had ordered all their ships and goods, for the mere new-created offence of exercising trade, to be divided as a spoil among the seamen of the navy,—to consider the necessary reprisal of an unhappy, proscribed, interdicted people, as the crime of piracy, would have appeared, in any other legislature than ours, a strain of the most insulting and most unnatural cruelty and injustice. I assure you I never remember to have heard of anything like it in any time or country.

The second professed purpose of the act is to detain in England for trial those who shall commit high treason in America.

That you may be enabled to enter into the true spirit of the present law, it is necessary, gentlemen, to apprise you, that there is an act, made so long ago as in the reign of Henry VIII, before the existence or

thought of any English colonies in America, for the trial in this kingdom of treasons committed out of the realm. In the year 1769, parliament thought proper to acquaint the crown with their construction of that act in a formal address, wherein they intreated his majesty to cause persons, charged with high treason in America, to be brought into this kingdom for trial. By this act of Henry VIII, *so construed and so applied*, almost all that is substantial and beneficial in a trial by jury is taken away from the subject in the colonies. This is however saying too little; for to try a man under that act is, in effect, to condemn him unheard. A person is brought hither in the dungeon of a ship's hold; thence he is vomited into a dungeon on land; loaded with irons, unfurnished with money, unsupported by friends, three thousand miles from all means of calling upon or confronting evidence, where no one local circumstance that tends to detect perjury can possibly be judged of;—such a person may be executed according to form, but he can never be tried according to justice.

I therefore could never reconcile myself to the bill I send you; which is expressly provided to remove all inconveniences from the establishment of a mode of trial, which has ever appeared to me most unjust and most unconstitutional. Far from removing the difficulties which impede the execution of so mischievous a project, I would heap new difficulties upon it, if it were in my power. All the ancient, honest, juridical principles and institutions of England are so many clogs to check and retard the headlong course of violence and oppression. They were invented for this one good purpose, that what was not just should not be convenient. Convinced of this, I would leave things as I found them. The old, cool-headed, general law, is as good as any deviation dictated by present heat.

I could see no fair, justifiable expedience pleaded to favour this new suspension of the liberty of the subject. If the English in the colonies can support the independency, to which they have been unfortunately

driven, I suppose nobody has such a fanatical zeal for the criminal justice of Henry VIII, that he will contend for executions which must be retaliated tenfold on his own friends ; or who has conceived so strange an idea of English dignity, as to think the defeats in America compensated by the triumphs at Tyburn. If, on the contrary, the colonies are reduced to the obedience of the crown, there must be, under that authority, tribunals in the country itself, fully competent to administer justice on all offenders. But if there are not, and that we must suppose a thing so humiliating to our government, as that all this vast continent should unanimously concur in thinking, that no ill fortune can convert resistance to the royal authority into a criminal act, we may call the effect of our victory peace, or obedience, or what we will ; but the war is not ended ; the hostile mind continues in full vigour, and it continues under a worse form. If your peace be nothing more than a sullen pause from arms ; if their quiet be nothing but the meditation of revenge, where smitten pride smarting from its wounds, festers into new rancour, neither the act of Henry VIII, nor its handmaid of this reign, will answer any wise end of policy or justice. For if the bloody fields, which they saw and felt, are not sufficient to subdue the reason of America (to use the expressive phrase of a great lord in office), it is not the judicial slaughter which is made in another hemisphere against their universal sense of justice, that will ever reconcile them to the British government.

I take it for granted, gentlemen, that we sympathise in a proper horror of all punishment further than as it serves for an example. To whom then does the example of an execution in England for this American rebellion apply ? Remember, you are told every day that the present is a contest between the two countries ; and that we in England are at war for *our own* dignity against our rebellious children. Is this true ? If it be, it is surely among such rebellious children that examples for disobedience should be made, to be in any

degree instructive : for who ever thought of teaching parents their duty by an example from the punishment of an undutiful son ? As well might the execution of a fugitive negro in the plantations be considered as a lesson to teach masters humanity to their slaves. Such executions may indeed satiate our revenge ; they may harden our hearts, and puff us up with pride and arrogance. Alas ! this is not instruction !

If anything can be drawn from such examples by a parity of the case, it is to show how deep their crime and how heavy their punishment will be, who shall at any time dare to resist a distant power actually disposing of their property, without their voice or consent to the disposition ; and overturning their franchises without charge or hearing. God forbid that England should ever read this lesson written in the blood of any of her offspring !

War is at present carried on between the king's natural and foreign troops on one side, and the English in America on the other, upon the usual footing of other wars ; and accordingly an exchange of prisoners has been regularly made from the beginning. If notwithstanding this hitherto equal procedure, upon some prospect of ending the war with success (which however may be delusive) administration prepares to act against those as *traitors* who remain in their hands at the end of the troubles, in my opinion we shall exhibit to the world as indecent a piece of injustice as ever civil fury has produced. If the prisoners, who have been exchanged, have not by that exchange been *virtually pardoned*, the cartel (whether avowed or understood) is a cruel fraud ; for you have received the life of a man, and you ought to return a life for it, or there is no parity or fairness in the transaction.

If, on the other hand, we admit, that they who are actually exchanged are pardoned, but contend that you may justly reserve for vengeance those who remain unexchanged ; then this unpleasant and unhandsome consequence will follow ; that you judge of the delinquency of men merely by the time of their guilt, and

not by the heinousness of it ; and you make fortune and accidents, and not the moral qualities of human action, the rule of your justice.

These strange incongruities must ever perplex those who confound the unhappiness of civil dissensions with the crime of treason. Whenever a rebellion really and truly exists, which is as easily known in fact, as it is difficult to define in words, government has not entered into such military conventions ; but has ever declined all intermediate treaty, which should put rebels in possession of the law of nations with regard to war. Commanders would receive no benefits at their hands, because they could make no return for them. Who has ever heard of capitulation, and parole of honour, and exchange of prisoners in the late rebellions in this kingdom ? The answer to all demands of that sort was, ' we can engage for nothing ; you are at the king's pleasure.' We ought to remember, that if our present enemies be, in reality and truth, rebels, the king's generals have no right to release them upon any conditions whatsoever ; and they are themselves answerable to the law, and as much in want of a pardon for doing so, as the rebels whom they release.

Lawyers, I know, cannot make the distinction for which I contend ; because they have their strict rule to go by. But legislators ought to do what lawyers cannot ; for they have no other rules to bind them, but the great principles of reason and equity, and the general sense of mankind. These they are bound to obey and follow ; and rather to enlarge and enlighten law by the liberality of legislative reason, than to fetter and bind their higher capacity by the narrow constructions of subordinate, artificial justice. If we had adverted to this, we never could consider the convulsions of a great empire, not disturbed by a little disseminated faction, but divided by whole communities and provinces, and entire legal representatives of a people, as fit matter of discussion under a commission of Oyer and Terminer. It is as opposite to reason and prudence, as it is to humanity and justice.

This act, proceeding on these principles, that is, preparing to end the present troubles by a trial of one sort of hostility, under the name of piracy, and of another by the name of treason, and executing the act of Henry VIII according to a new and unconstitutional interpretation, I have thought evil and dangerous, even though the instruments of effecting such purposes had been merely of a neutral quality.

But it really appears to me that the means which this act employs are, at least, as exceptionable as the end. Permit me to open myself a little upon this subject, because it is of importance to me, when I am obliged to submit to the power without acquiescing in the reason of an act of legislature, that I should justify my dissent by such arguments as may be supposed to have weight with a sober man.

The main operative regulation of the act is to suspend the common law, and the statute *Habeas Corpus* (the sole securities either for liberty or justice) with regard to all those who have been out of the realm, or on the high seas, within a given time. The rest of the people, as I understand, are to continue as they stood before.

I confess, gentlemen, that this appears to me as bad in the principle, and far worse in its consequence, than an universal suspension of the *Habeas Corpus* Act; and the limiting qualification, instead of taking out the sting, does in my humble opinion sharpen and envenom it to a greater degree. Liberty, if I understand it at all, is a *general* principle, and the clear right of all the subjects within the realm, or of none. Partial freedom seems to me a most invidious mode of slavery. But, unfortunately, it is the kind of slavery the most easily admitted in times of civil discord; for parties are but too apt to forget their own future safety in their desire of sacrificing their enemies. People without much difficulty admit the entrance of that injustice of which they are not to be the immediate victims. In times of high proceeding it is never the faction of the predominant power that is in danger: for no tyranny chastises its own instruments. It is the obnoxious

and the suspected who want the protection of law; and there is nothing to bridle the partial violence of state factions, but this; 'that whenever an act is made for a cessation of law and justice, the whole people should be universally subjected to the same suspension of their franchises.' The alarm of such a proceeding would then be universal. It would operate as a sort of *Call of the nation*. It would become every man's immediate and instant concern to be made very sensible of *the absolute necessity* of this total eclipse of liberty. They would more carefully advert to every renewal, and more powerfully resist it. These great determined measures are not commonly so dangerous to freedom. They are marked with too strong lines to slide into use. No plea, nor pretence, of *inconvenience or evil example* (which must in their nature be daily and ordinary incidents) can be admitted as a reason for such mighty operations. But the true danger is, when liberty is nibbled away, for expedients, and by parts. The *Habeas Corpus* Act supposes, contrary to the genius of most other laws, that the lawful magistrate may see particular men with a malignant eye, and it provides for that identical case. But when men, in particular descriptions, marked out by the magistrate himself, are delivered over by parliament to this possible malignity, it is not the *Habeas Corpus* that is occasionally suspended, but its spirit that is mistaken, and its principle that is subverted. Indeed nothing is security to any individual but the common interest of all.

This act, therefore, has this distinguished evil in it, that it is the first *partial* suspension of the *Habeas Corpus* that has been made. The precedent, which is always of very great importance, is now established. For the first time a distinction is made among the people within this realm. Before this act, every man putting his foot on English ground, every stranger owing only a local and temporary allegiance, even negro slaves who have been sold in the colonies and under an act of parliament, became as free as every

other man who breathed the same air with them. Now a line is drawn, which may be advanced further and further at pleasure, on the same argument of mere expedience, on which it was first described. There is no equality among us ; we are not fellow-citizens, if the mariner, who lands on the quay, does not rest on as firm legal ground as the merchant who sits in his counting-house. Other laws may injure the community, this dissolves it. As things now stand, every man in the West Indies, every one inhabitant of three unoffending provinces on the continent, every person coming from the East Indies, every gentleman who has travelled for his health or education, every mariner who has navigated the seas, is, for no other offence, under a temporary proscription. Let any of these facts (now become presumptions of guilt) be proved against him, and the bare suspicion of the crown puts him out of the law. It is even by no means clear to me, whether the negative proof does not lie upon the person apprehended on suspicion, to the subversion of all justice.

I have not debated against this bill in its progress through the House ; because it would have been vain to oppose and impossible to correct it. It is some time since I have been clearly convinced that in the present state of things all opposition to any measures proposed by ministers, where the name of America appears, is vain and frivolous. You may be sure that I do not speak of my opposition, which in all circumstances must be so ; but that of men of the greatest wisdom and authority in the nation. Everything proposed against America is supposed of course to be in favour of Great Britain. Good and ill success are equally admitted as reasons for persevering in the present methods. Several very prudent and very well-intentioned persons were of opinion, that, during the prevalence of such dispositions, all struggle rather inflamed than lessened the distemper of the public counsels. Finding such resistance to be considered as factious by most within doors, and by very many

without, I cannot conscientiously support what is against my opinion, nor prudently contend with what I know is irresistible. Preserving my principles unshaken, I reserve my activity for rational endeavours; and I hope that my past conduct has given sufficient evidence that if I am a single day from my place, it is not owing to indolence or love of dissipation. The slightest hope of doing good is sufficient to recall me to what I quitted with regret. In declining for some time my usual strict attendance, I do not in the least condemn the spirit of those gentlemen, who, with a just confidence in their abilities (in which I claim a sort of share from my love and admiration of them), were of opinion that their exertions in this desperate case might be of some service. They thought that by contracting the sphere of its application, they might lessen the malignity of an evil principle. Perhaps they were in the right. But when my opinion was so very clearly to the contrary, for the reasons I have just stated, I am sure *my* attendance would have been ridiculous.

I must add in further explanation of my conduct, that, far from softening the features of such a principle, and thereby removing any part of the popular odium or natural terrors attending it, I should be sorry that anything framed in contradiction to the spirit of our constitution did not instantly produce, in fact, the grossest of the evils, with which it was pregnant in its nature. It is by lying dormant a long time, or being at first very rarely exercised, that arbitrary power steals upon a people. On the next unconstitutional act, all the fashionable world will be ready to say—Your prophecies are ridiculous, your fears are vain, you see how little of the mischiefs which you formerly foreboded are come to pass. Thus, by degrees, that artful softening of all arbitrary power, the alleged infrequency or narrow extent of its operation will be received as a sort of aphorism—and Mr. *Hume* will not be singular in telling us that the felicity of mankind is no more disturbed by it, than by earthquakes or thunder, or the other more unusual accidents of nature.

The act of which I speak is among the fruits of the American war; a war in my humble opinion productive of many mischiefs, of a kind which distinguish it from all others. Not only our policy is deranged, and our empire distracted, but our laws and our legislative spirit appear to have been totally perverted by it. We have made war on our colonies, not by arms only, but by laws. As hostility and law are not very concordant ideas, every step we have taken in this business has been made by trampling on some maxim of justice, or some capital principle of wise government. What precedents were established, and what principles overturned (I will not say of English privilege, but of general justice), in the Boston Port, the Massachusetts Charter, the Military Bill, and all that long array of hostile acts of parliament, by which the war with America has been begun and supported? Had the principles of any of these acts been first exerted on English ground, they would probably have expired as soon as they touched it. But by being removed from our persons, they have rooted in our laws, and the latest posterity will taste the fruits of them.

Nor is it the worst effect of this unnatural contention that our *laws* are corrupted. Whilst *manners* remain entire, they will correct the vices of law, and soften it at length to their own temper. But we have to lament, that in most of the late proceedings we see very few traces of that generosity, humanity, and dignity of mind, which formerly characterised this nation. War suspends the rules of moral obligation, and what is long suspended is in danger of being totally abrogated. Civil wars strike deepest of all into the manners of the people. They vitiate their politics; they corrupt their morals; they pervert even the natural taste and relish of equity and justice. By teaching us to consider our fellow-citizens in a hostile light, the whole body of our nation becomes gradually less dear to us. The very names of affection and kindred, which were the bond of charity whilst we agreed, become new incentives to hatred and rage, when the communion of

our country is dissolved. We may flatter ourselves that we shall not fall into this misfortune. But we have no charter of exemption that I know of, from the ordinary frailties of our nature.

What but that blindness of heart which arises from the frenzy of civil contention could have made any persons conceive the present situation of the British affairs as an object of triumph to themselves, or of congratulation to their sovereign? Nothing surely could be more lamentable to those who remember the flourishing days of this kingdom, than to see the insane joy of several unhappy people, amidst the sad spectacle which our affairs and conduct exhibit to the scorn of Europe. We behold (and it seems some people rejoice in beholding) our native land, which used to sit the envied arbiter of all her neighbours, reduced to a servile dependence on their mercy, acquiescing in assurances of friendship which she does not trust; complaining of hostilities which she dares not resent; deficient to her allies: lofty to her subjects, and submissive to her enemies; whilst the liberal government of this free nation is supported by the hireling sword of German boors and vassals; and three millions of the subjects of Great Britain are seeking for protection to English privileges in the arms of France!

These circumstances appear to me more like shocking prodigies, than natural changes in human affairs. Men of firmer minds may see them without staggering or astonishment.—Some may think them matters of congratulation and complimentary addresses; but I trust your candour will be so indulgent to my weakness, as not to have the worse opinion of me for my declining to participate in this joy; and my rejecting all share whatsoever in such a triumph. I am too old, too stiff in my inveterate partialities, to be ready at all the fashionable evolutions of opinion. I scarcely know how to adapt my mind to the feelings with which the court gazettes mean to impress the people. It is not instantly that I can be brought to rejoice, when I hear of the slaughter and captivity of long lists of

those names which have been familiar to my ears from my infancy, and to rejoice that they have fallen under the sword of strangers, whose barbarous appellations I scarcely know how to pronounce. The glory acquired at the White Plains by Colonel Rahl has no charms for me ; and I fairly acknowledge, that I have not yet learned to delight in finding Fort Kniphausen in the heart of the British dominions.

It might be some consolation for the loss of our old regards, if our reason were enlightened in proportion as our honest prejudices are removed. Wanting feelings for the honour of our country, we might then in cold blood be brought to think a little of our interests as individual citizens and our private conscience as moral agents.

Indeed our affairs are in a bad condition. I do assure those gentlemen who have prayed for war, and obtained the blessing they have sought, that they are at this instant in very great straits. The abused wealth of this country continues a little longer to feel its distemper. As yet they, and their German allies of twenty hireling states, have contended only with the unprepared strength of our own infant colonies. But America is not subdued. Not one unattacked village which was originally adverse throughout that vast continent has yet submitted from love or terror. You have the ground you encamp on ; and you have no more. The cantonments of your troops and your dominions are exactly of the same extent. You spread devastation, but you do not enlarge the sphere of authority.

The events of this war are of so much greater magnitude than those who either wished or feared it ever looked for, that this alone ought to fill every considerate mind with anxiety and diffidence. Wise men often tremble at the very things which fill the thoughtless with security. For many reasons I do not choose to expose to public view all the particulars of the state in which you stood with regard to foreign powers, during the whole course of the last year. Whether you

are yet wholly out of danger from them, is more than I know, or than your rulers can divine. But even if I were certain of my safety, I could not easily forgive those who had brought me into the most dreadful perils, because by accidents, unforeseen by them or me, I have escaped.

Believe me, gentlemen, the way still before you is intricate, dark, and full of perplexed and treacherous mazes. Those who think they have the clue may lead us out of this labyrinth. We may trust them as amply as we think proper; but as they have most certainly a call for all the reason which their stock can furnish, why should we think it proper to disturb its operation by inflaming their passions? I may be unable to lend an helping hand to those who direct the state; but I should be ashamed to make myself one of a noisy multitude to halloo and hearten them into doubtful and dangerous courses. A conscientious man would be cautious how he dealt in blood. He would feel some apprehension at being called to a tremendous account for engaging in so deep a play, without any sort of knowledge of the game. It is no excuse for presumptuous ignorance, that it is directed by insolent passion. The poorest being that crawls on earth, contending to save itself from injustice and oppression, is an object respectable in the eyes of God and man. But I cannot conceive any existence under heaven (which, in the depths of its wisdom, tolerates all sorts of things), that is more truly odious and disgusting, than an impotent helpless creature, without civil wisdom or military skill, without a consciousness of any other qualification for power but his servility to it, bloated with pride and arrogance, calling for battles which he is not to fight, contending for a violent dominion which he can never exercise, and satisfied to be himself mean and miserable, in order to render others contemptible and wretched.

If you and I find our talents not of the great and ruling kind, our conduct, at least, is conformable to our faculties. No man's life pays the forfeit of our

rashness. No desolate widow weeps tears of blood over our ignorance. Scrupulous and sober in a well-grounded distrust of ourselves, we would keep in the port of peace and security; and perhaps in recommending to others something of the same diffidence, we should show ourselves more charitable to their welfare, than injurious to their abilities.

There are many circumstances in the zeal shown for civil war, which seem to discover but little of real magnanimity. The addressers offer their own persons, and they are satisfied with hiring Germans. They promise their private fortunes, and they mortgage their country. They have all the merit of volunteers, without risk of person or charge of contribution; and when the unfeeling arm of a foreign soldiery pours out their kindred blood like water, they exult and triumph as if they themselves had performed some notable exploit. I am really ashamed of the fashionable language which has been held for some time past; which, to say the best of it, is full of levity. You know that I allude to the general cry against the cowardice of the Americans, as if we despised them for not making the king's soldiery purchase the advantage they have obtained, at a dearer rate. It is not, gentlemen, it is not to respect the dispensations of Providence, nor to provide any decent retreat in the mutability of human affairs. It leaves no medium between insolent victory and infamous defeat. It tends to alienate our minds further and further from our natural regards, and to make an eternal rent and schism in the British nation. Those, who do not wish for such a separation, would not dissolve that cement of reciprocal esteem and regard, which can alone bind together the parts of this great fabric. It ought to be our wish, as it is our duty, not only to forbear this style of outrage ourselves, but to make every one as sensible as we can of the impropriety and unworthiness of the tempers which give rise to it, and which designing men are labouring with such malignant industry to diffuse amongst us. It is our business to counteract them,

if possible; if possible to awake our natural regards; and to revive the old partiality to the English name. Without something of this kind I do not see how it is ever practicable really to reconcile with those, whose affection, after all, must be the surest hold of our government; and which is a thousand times more worth to us than the mercenary zeal of all the circles of Germany.

I can well conceive a country completely overrun, and miserably wasted, without approaching in the least to settlement. In my apprehension, as long as English government is attempted to be supported over Englishmen by the sword alone, things will thus continue. I anticipate in my mind the moment of the final triumph of foreign military force. When that hour arrives (for it may arrive), then it is, that all this mass of weakness and violence will appear in its full light. If we should be expelled from America, the delusion of the partisans of military government might still continue. They might still feed their imaginations with the possible good consequences which might have attended success. Nobody could prove the contrary by facts. But in case the sword should do all that the sword can do, the success of their arms and the defeat of their policy will be one and the same thing. You will never see any revenue from America. Some increase of the means of corruption, without ease of the public burdens, is the very best that can happen. Is it for this that we are at war; and in such a war?

As to the difficulties of laying once more the foundations of that government, which, for the sake of conquering what was our own, has been voluntarily and wantonly pulled down by a court faction here, I tremble to look at them. Has any of these gentlemen, who are so eager to govern all mankind, shown himself possessed of the first qualification towards government, some knowledge of the object, and of the difficulties which occur in the task they have undertaken?

I assure you that on the most prosperous issue of

your arms, you will not be where you stood, when you called in war to supply the defects of your political establishment. Nor would any disorder or disobedience to government which could arise from the most abject concession on our part, ever equal those which will be felt, after the most triumphant violence. You have got all the intermediate evils of war into the bargain.

I think I know America. If I do not, my ignorance is incurable, for I have spared no pains to understand it; and I do most solemnly assure those of my constituents who put any sort of confidence in my industry and integrity, that everything that has been done there has arisen from a total misconception of the object: that our means of originally holding America, that our means of reconciling with it after quarrel, of recovering it after separation, and keeping it after victory, did depend, and must depend in their several stages and periods, upon a total renunciation of that unconditional submission, which has taken such possession of the minds of violent men. The whole of those maxims, upon which we have made and continued this war, must be abandoned. Nothing indeed (for I would not deceive you) can place us in our former situation. That hope must be laid aside. But there is a difference between bad and the worst of all. Terms relative to the cause of the war ought to be offered by the authority of parliament. An arrangement at home promising some security for them ought to be made. By doing this, without the least impairing of our strength, we add to the credit of our moderation, which, in itself, is always strength more or less.

I know many have been taught to think, that moderation, in a case like this, is a sort of treason; and that all arguments for it are sufficiently answered by railing at rebels and rebellion, and by charging all the present, or future miseries, which we may suffer, on the resistance of our brethren. But I would wish them, in this grave matter, and if peace is not wholly removed from their hearts, to consider seriously, first,

that to criminate and recriminate never yet was the road to reconciliation, in any difference amongst men. In the next place, it would be right to reflect that the American English (whom they may abuse, if they think it honourable to revile the absent) can, as things now stand, neither be provoked at our railing, nor bettered by our instruction. All communication is cut off between us, but this we know with certainty that, though we cannot reclaim them, we may reform ourselves. If measures of peace are necessary, they must begin somewhere; and a conciliatory temper must precede and prepare every plan of reconciliation. Nor do I conceive that we suffer anything by thus regulating our own minds. We are not disarmed by being disencumbered of our passions. Declaiming on rebellion never added a bayonet, or a charge of powder, to your military force; but I am afraid that it has been the means of taking up many muskets against you.

This outrageous language, which has been encouraged and kept alive by every art, has already done incredible mischief. For a long time, even amidst the desolations of war, and the insults of hostile laws daily accumulated on one another, the American leaders seem to have had the greatest difficulty in bringing up their people to a declaration of total independence. But the court gazette accomplished what the abettors of independence had attempted in vain. When that disingenuous compilation, and strange medley of railing and flattery, was adduced as a proof of the united sentiments of the people of Great Britain, there was a great change throughout all America. The tide of popular affection, which had still set towards the parent country, began immediately to turn, and to flow with great rapidity in a contrary course. Far from concealing these wild declarations of enmity, the author of the celebrated pamphlet, which prepared the minds of the people for independence, insists largely on the multitude and the spirit of these addresses; and he draws an argument from them, which (if the fact were as he sup-

poses) must be irresistible. For I never knew a writer on the theory of government so partial to authority as not to allow that the hostile mind of the rulers to their people did fully justify a change of government: nor can any reason whatever be given why one people should voluntarily yield any degree of pre-eminence to another, but on a supposition of great affection and benevolence towards them. Unfortunately your rulers, trusting to other things, took no notice of this great principle of connexion. From the beginning of this affair, they have done all they could to alienate your minds from your own kindred; and if they could excite hatred enough in one of the parties towards the other, they seemed to be of opinion that they had gone half the way towards reconciling the quarrel.

I know it is said that your kindness is only alienated on account of their resistance; and therefore if the colonies surrender at discretion, all sort of regard, and even much indulgence, is meant towards them in future. But can those who are partisans for continuing a war to enforce such a surrender be responsible (after all that has passed) for such a future use of a power, that is bound by no compacts, and restrained by no terror? Will they tell us what they call indulgences? Do they not at this instant call the present war and all its horrors, a lenient and merciful proceeding?

No conqueror, that I ever heard of, has *professed* to make a cruel, harsh, and insolent use of his conquest. No! The man of the most declared pride scarcely dares to trust his own heart with this dreadful secret of ambition. But it will appear in its time; and no man who professes to reduce another to the insolent mercy of a foreign arm, ever had any sort of good will towards him. The profession of kindness with that sword in his hand and that demand of surrender, is one of the most provoking acts of his hostility. I shall be told that all this is lenient as against rebellious adversaries. But are the leaders of their faction more lenient to those who submit? Lord Howe and General

Howe have powers, under an act of parliament, to restore to the king's peace and to free trade any men, or district, which shall submit. Is this done? We have been over and over informed by the authorized gazette, that the city of New York, and the countries of Staten and Long Island have submitted voluntarily and cheerfully and that many are very full of zeal to the cause of administration. Were they instantly restored to trade? Are they yet restored to it? Is not the benignity of two commissioners, naturally most humane and generous men, some way fettered by instructions, equally against their dispositions and the spirit of parliamentary faith; when Mr. Tryon, vaunting of the fidelity of the city in which he is governor, is obliged to apply to ministry for leave to protect the king's loyal subjects, and to grant to them (not the disputed rights and privileges of freedom) but the common rights of men, by the name of *graces*? Why do not the commissioners restore them on the spot? Were they not named as commissioners for that express purpose? But we see well enough to what the whole leads. The trade of America is to be dealt out in *private indulgences and graces*; that is, in jobs to recompense the incendiaries of war. They will be informed of the proper time in which to send out their merchandise. From a national, the American trade is to be turned into a personal monopoly: and one set of merchants are to be rewarded for the pretended zeal, of which another set are the dupes; and thus, between craft and credulity, the voice of reason is stifled; and all the misconduct, all the calamities of the war are covered and continued.

If I had not lived long enough to be little surprised at anything, I should have been in some degree astonished at the continued rage of several gentlemen who, not satisfied with carrying fire and sword into America, are animated nearly with the same fury against those neighbours of theirs, whose only crime it is that they have charitably and humanely wished them to entertain more reasonable sentiments, and not always to

sacrifice their interest to their passion. All this rage against unresisting dissent convinces me that, at bottom, they are far from satisfied they are in the right. For what is it they would have? A war? They certainly have at this moment the blessing of something that is very like one; and if the war they enjoy at present be not sufficiently hot and extensive, they may shortly have it as warm and as spreading as their hearts can desire. Is it the force of the kingdom they call for? They have it already; and if they choose to fight their battles in their own person, nobody prevents their setting sail to America in the next transports. Do they think that the service is stinted for want of liberal supplies? Indeed they complain without reason. The table of the House of Commons will glut them, let their appetite for expense be never so keen. And I assure them further, that those who think with them in the House of Commons are full as easy in the control, as they are liberal in the vote, of these expenses. If this be not supply or confidence sufficient, let them open their own private purse-strings and give, from what is left to them, as largely and with as little care as they think proper.

Tolerated in their passions, let them learn not to persecute the moderation of their fellow-citizens. If all the world joined them in a full cry against rebellion and were as hotly inflamed against the whole theory and enjoyment of freedom, as those who are the most factious for servitude, it could not, in my opinion, answer any one end whatsoever in this contest. The leaders of this war could not hire (to gratify their friends) one German more than they do; or inspire him with less feeling for the persons, or less value for the privileges, of their revolted brethren. If we all adopted their sentiments to a man, their allies, the savage Indians, could not be more ferocious than they are: they could not murder one more helpless woman or child, or with more exquisite refinements of cruelty torment to death one more of their English flesh and blood than they do already. The public money is

given to purchase this alliance ;—and they have their bargain.

They are continually boasting of unanimity or calling for it. But before this unanimity can be matter either of wish or congratulation, we ought to be pretty sure that we are engaged in a rational pursuit. Frenzy does not become a slighter distemper on account of the number of those who may be infected with it. Delusion and weakness produce not one mischief the less because they are universal. I declare that I cannot discern the least advantage which could accrue to us, if we were able to persuade our colonies that they had not a single friend in Great Britain. On the contrary, if the affections and opinions of mankind be not exploded as principles of connexion, I conceive it would be happy for us, if they were taught to believe that there was even a formed American party in England, to whom they could always look for support ! Happy would it be for us, if, in all tempers, they might turn their eyes to the parent state ; so that their very turbulence and sedition should find vent in no other place than this. I believe there is not a man (except those who prefer the interest of some paltry faction to the very being of their country) who would not wish that the Americans should from time to time carry many points, and even some of them not quite reasonable, by the aid of any denomination of men here, rather than they should be driven to seek for protection against the fury of foreign mercenaries, and the waste of savages, in the arms of France.

When any community is subordinately connected with another, the great danger of the connexion is the extreme pride and self-complacency of the superior, which in all matters of controversy will probably decide in its own favour. It is a powerful corrective to such a very rational cause of fear if the inferior body can be made to believe that the party inclination, or political views, of several in the principal state will induce them in some degree to counteract this blind and tyrannical partiality. There is no danger that any

one acquiring consideration or power in the presiding state should carry this leaning to the inferior too far. The fault of human nature is not of that sort. Power, in whatever hands, is rarely guilty of too strict limitations on itself. But one great advantage to the support of authority attends such an amicable and protecting connexion, that those who have conferred favours obtain influence ; and from the foresight of future events can persuade men, who have received obligations, sometimes to return them. Thus by the mediation of those healing principles (call them good or evil), troublesome discussions are brought to some sort of adjustment ; and every hot controversy is not a civil war.

But, if the colonies (to bring the general matter home to us) could see that, in Great Britain, the mass of the people is melted into its government, and that every dispute with the ministry must of necessity be always a quarrel with the nation ; they can stand no longer in the equal and friendly relation of fellow-citizens to the subjects of this kingdom. Humble as this relation may appear to some, when it is once broken, a strong tie is dissolved. Other sort of connexions will be sought. For there are very few in the world who will not prefer an useful ally to an insolent master.

Such discord has been the effect of the unanimity into which so many have of late been seduced or bullied, or into the appearance of which they have sunk through mere despair. They have been told that their dissent from violent measures is an encouragement to rebellion. Men of great presumption and little knowledge will hold a language which is contradicted by the whole course of history. *General* rebellions and revolts of a whole people never were *encouraged*, now or at any time. They are always *provoked*. But if this unheard-of doctrine of the encouragement of rebellion were true, if it were true that an assurance of the friendship of numbers in this country towards the colonies could become an encouragement to them to break off all connexion with it, what is the inference ? Does any-

body seriously maintain that, charged with my share of the public councils, I am obliged not to resist projects which I think mischievous, lest men who suffer should be encouraged to resist? The very tendency of such projects to produce rebellion is one of the chief reasons against them. Shall that reason not be given? Is it then a rule, that no man in this nation shall open his mouth in favour of the colonies, shall defend their rights, or complain of their sufferings? Or when war finally breaks out, no man shall express his desires of peace? Has this been the law of our past, or is it to be the terms of our future connexion? Even looking no further than ourselves, can it be true loyalty to any government, or true patriotism towards any country, to degrade their solemn councils into servile drawing-rooms, to flatter their pride and passions, rather than to enlighten their reason, and to prevent them from being cautioned against violence lest others should be encouraged to resistance? By such acquiescence great kings and mighty nations have been undone; and if any are at this day in a perilous situation from rejecting truth and listening to flattery, it would rather become them to reform the errors under which they suffer, than to reproach those who forewarned them of their danger.

But the rebels looked for assistance from this country. They did so, in the beginning of this controversy, most certainly; and they sought it by earnest supplications to government, which dignity rejected, and by a suspension of commerce, which the wealth of this nation enabled you to despise. When they found that neither prayers nor menaces had any sort of weight, but that a firm resolution was taken to reduce them to unconditional obedience by a military force, they came to the last extremity. Despairing of us, they trusted in themselves. Not strong enough themselves, they sought succour in France. In proportion as all encouragement here lessened, their distance from this country increased. The encouragement is over; the alienation is complete.

In order to produce this favourite unanimity in delusion, and to prevent all possibility of a return to our ancient happy concord, arguments for our continuance in this course are drawn from the wretched situation itself into which we have been betrayed. It is said, that being at war with the colonies, whatever our sentiments might have been before, all ties between us are now dissolved ; and all the policy we have left is to strengthen the hands of government to reduce them. On the principle of this argument, the more mischiefs we suffer from any administration, the more our trust in it is to be confirmed. Let them but once get us into a war, and then their power is safe, and an act of oblivion is passed for all their misconduct.

But is it really true that government is always to be strengthened with the instruments of war, but never furnished with the means of peace ? In former times, ministers, I allow, have been sometimes driven by the popular voice to assert by arms the national honour against foreign powers. But the wisdom of the nation has been far more clear, when those ministers have been compelled to consult its interests by treaty. We all know that the sense of the nation obliged the court of Charles II to abandon the *Dutch war* ; a war, next to the present, the most impolitic which we ever carried on. The good people of England considered Holland as a sort of dependency on this kingdom ; they dreaded to drive it to the protection, or subject it to the power, of France, by their own inconsiderate hostility. They paid but little respect to the court jargon of that day ; nor were they inflamed by the pretended rivalry of the Dutch in trade ; by the massacre at Amboyna, acted on the stage to provoke the public vengeance ; nor by declamations against the ingratitude of the United Provinces for the benefits England had conferred upon them in their infant state. They were not moved from their evident interest by all these arts ; nor was it enough to tell them they were at war ; that they must go through with it ; and that the cause of the dispute was lost in the consequences. The people

of England were then, as they are now, called upon to make government strong. They thought it a great deal better to make it wise and honest.

When I was amongst my constituents at the last summer assizes, I remember that men of all descriptions did then express a very strong desire for peace, and no slight hopes of attaining it from the commission sent out by my Lord Howe. And it is not a little remarkable, that, in proportion as every person showed a zeal for the court measures, he was then earnest in circulating an opinion of the extent of the supposed powers of that commission. When I told them that Lord Howe had no powers to treat or to promise satisfaction on any point whatsoever of the controversy, I was hardly credited; so strong and general was the desire of terminating this war by the method of accommodation. As far as I could discover, this was the temper then prevalent through the kingdom. The king's forces, it must be observed, had at that time been obliged to evacuate Boston. The superiority of the former campaign rested wholly with the colonists. If such powers of treaty were to be wished, whilst success was very doubtful, how came they to be less so, since his majesty's arms have been crowned with many considerable advantages? Have these successes induced us to alter our mind; as thinking the season of victory not the time for treating with honour or advantage? Whatever changes have happened in the national character, it can scarcely be our wish that terms of accommodation never should be proposed to our enemy, except when they must be attributed solely to our fears. It has happened, let me say unfortunately, that we read of his majesty's commission for making peace, and his troops evacuating his last town in the thirteen colonies, at the same hour and in the same gazette. It was still more unfortunate that no commission went to America to settle the troubles there, until several months after an act had been passed to put the colonies out of the protection of this government, and to divide their trading property, without

a possibility of restitution, as spoil among the seamen of the navy. The most abject submission on the part of the colonies could not redeem them. There was no man on that whole continent, or within three thousand miles of it, qualified by law to follow allegiance with protection, or submission with pardon. A proceeding of this kind has no example in history. Independency, and independency with an enmity (which putting ourselves out of the question would be called natural and much provoked) was the inevitable consequence. How this came to pass, the nation may be one day in a humour to inquire.

All the attempts made this session to give fuller powers of peace to the commanders in America were stifled by the fatal confidence of victory and the wild hopes of unconditional submission. There was a moment favourable to the king's arms, when if any powers of concession had existed, on the other side of the Atlantic, even after all our errors, peace in all probability might have been restored. But calamity is unhappily the usual season of reflection; and the pride of men will not often suffer reason to have any scope until it can be no longer of service.

I have always wished that, as the dispute had its apparent origin from things done in parliament, and as the acts passed there had provoked the war, that the foundations of peace should be laid in parliament also. I have been astonished to find that those, whose zeal for the dignity of our body was so hot as to light up the flames of civil war, should even publicly declare that these delicate points ought to be wholly left to the crown. Poorly as I may be thought affected to the authority of parliament, I shall never admit that our constitutional rights can ever become a matter of ministerial negotiation.

I am charged with being an American. If warm affection towards those over whom I claim any share of authority be a crime, I am guilty of this charge. But I do assure you (and they who know me publicly and privately will bear witness to me) that if ever one

man lived more zealous than another for the supremacy of parliament, and the rights of this imperial crown, it was myself. Many others indeed might be more knowing in the extent of the foundation of these rights. I do not pretend to be an antiquary, a lawyer, or qualified for the chair of professor in metaphysics. I never ventured to put your solid interests upon speculative grounds. My having constantly declined to do so has been attributed to my incapacity for such disquisitions; and I am inclined to believe it is partly the cause. I never shall be ashamed to confess that where I am ignorant I am diffident. I am indeed not very solicitous to clear myself of this imputed incapacity; because men, even less conversant than I am in this kind of subtleties, and placed in stations to which I ought not to aspire, have, by the mere force of civil discretion, often conducted the affairs of great nations with distinguished felicity and glory.

When I first came into a public trust, I found your parliament in possession of an unlimited legislative power over the colonies. I could not open the statute book without seeing the actual exercise of it, more or less, in all cases whatsoever. This possession passed with me for a title. It does so in all human affairs. No man examines into the defects of his title to his paternal estate or to his established government. Indeed common sense taught me that a legislative authority, not actually limited by the express terms of its foundation, or by its own subsequent acts, cannot have its powers parcelled out by argumentative distinctions, so as to enable us to say that here they can, and there they cannot bind. Nobody was so obliging as to produce to me any record of such distinctions, by compact or otherwise, either at the successive formation of the several colonies, or during the existence of any of them. If any gentlemen were able to see how one power could be given up (merely on abstract reasoning), without giving up the rest, I can only say, that they saw further than I could; nor did I ever presume to condemn any one for being clear-sighted,

when I was blind. I praise their penetration and learning; and hope that their practice has been correspondent to their theory.

I had indeed very earnest wishes to keep the whole body of this authority perfect and entire as I found it: and to keep it so, not for our advantage solely; but principally for the sake of those, on whose account all just authority exists; I mean the people to be governed. For I thought I saw that many cases might well happen in which the exercise of every power comprehended in the broadest idea of legislature might become, in its time and circumstances, not a little expedient for the peace and union of the colonies amongst themselves, as well as for their perfect harmony with Great Britain. Thinking so (perhaps erroneously), but being honestly of that opinion, I was at the same time very sure that the authority, of which I was so jealous, could not under the actual circumstances of our plantations be at all preserved in any of its members but by the greatest reserve in its application, particularly in those delicate points, in which the feelings of mankind are the most irritable. They, who thought otherwise have found a few more difficulties in their work than (I hope) they were thoroughly aware of, when they undertook the present business. I must beg leave to observe that it is not only the invidious branch of taxation that will be resisted, but that no other given part of legislative rights can be exercised, without regard to the general opinion of those who are to be governed. That general opinion is the vehicle and organ of legislative omnipotence. Without this, it may be a theory to entertain the mind, but it is nothing in the direction of affairs. The completeness of the legislative authority of parliament *over this kingdom* is not questioned; and yet many things indubitably included in the abstract idea of that power, and which carry no absolute injustice in themselves, yet being contrary to the opinions and feelings of the people, can as little be exercised, as if parliament in that case had been possessed of no right at all.

I see no abstract reason which can be given, why the same power, which made and repealed the high commission court and the star-chamber, might not revive them again ; and these courts, warned by their former fate, might possibly exercise their powers with some degree of justice. But the madness would be as unquestionable, as the competence of that parliament, which should attempt such things. If anything can be supposed out of the power of human legislature, it is religion ; I admit, however, that the established religion of this country has been three or four times altered by act of parliament ; and therefore that a statute binds even in that case. But we may very safely affirm that, notwithstanding this apparent omnipotence, it would be now found as impossible for king and parliament, to alter the established religion of this country, as it was to King James alone when he attempted to make such an alteration without a parliament. In effect, to follow, not to force the public inclination ; to give a direction, a form, a technical dress, and a specific sanction, to the general sense of the community, is the true end of legislature.

It is so with regard to the exercise of all the powers which our constitution knows in any of its parts, and indeed to the substantial existence of any of the parts themselves. The king's negative to bills is one of the most indisputed of the royal prerogatives ; and it extends to all cases whatsoever. I am far from certain that if several laws, which I know, had fallen under the stroke of that sceptre, that the public would have had a very heavy loss. But it is not the *propriety* of the exercise which is in question. The exercise itself is wisely forborne. Its repose may be the preservation of its existence ; and its existence may be the means of saving the constitution itself, on an occasion worthy of bringing it forth. As the disputants, whose accurate and logical reasonings have brought us into our present condition, think it absurd that powers or members of any constitution should exist, rarely or never to be exercised, I hope I shall be

excused in mentioning another instance that is material. We know that the convocation of the clergy had formerly been called, and sat with nearly as much regularity to business, as parliament itself. It is now called for form only. It sits for the purpose of making some polite ecclesiastical compliments to the king; and, when that grace is said, retires and is heard of no more. It is however *a part of the constitution*, and may be called out into act and energy, whenever there is occasion; and whenever those, who conjure up that spirit, will choose to abide the consequences. It is wise to permit its legal existence; it is much wiser to continue it a legal existence only. So truly has prudence (constituted as the god of this lower world) the entire dominion over every exercise of power committed into its hands; and yet I have lived to see prudence and conformity to circumstances wholly set at nought in our late controversies, and treated as if they were the most contemptible and irrational of all things. I have heard it a hundred times very gravely alleged, that in order to keep power in wind, it was necessary, by preference, to exert it in those very points in which it was most likely to be resisted, and the least likely to be productive of any advantage.

These were the considerations, gentlemen, which led me early to think that, in the comprehensive dominion which the Divine Providence had put into our hands, instead of troubling our understandings with speculations concerning the unity of empire, and the identity or distinction of legislative powers, and inflaming our passions with the heat and pride of controversy, it was our duty, in all soberness, to conform our government to the character and circumstances of the several people who composed this mighty and strangely diversified mass. I never was wild enough to conceive, that one method would serve for the whole; that the natives of Hindostan and those of Virginia could be ordered in the same manner; or that the Cutchery court and the grand jury of Salem could be regulated on a similar plan. I was persuaded that government

was a practical thing, made for the happiness of mankind, and not to furnish out a spectacle of uniformity, to gratify the schemes of visionary politicians. Our business was to rule, not to wrangle; and it would have been a poor compensation that we had triumphed in a dispute, whilst we lost an empire.

If there be one fact in the world perfectly clear, it is this: 'That the disposition of the people of America is wholly averse to any other than a free government'; and this is indication enough to any honest statesman how he ought to adapt whatever power he finds in his hands to their case. If any ask me what a free government is, I answer, that for any practical purpose, it is what the people think so; and that they, and not I, are the natural, lawful, and competent judges of this matter. If they practically allow me a greater degree of authority over them than is consistent with any correct ideas of perfect freedom, I ought to thank them for so great a trust, and not to endeavour to prove from thence that they have reasoned amiss, and that, having gone so far, by analogy they must hereafter have no enjoyment but by my pleasure.

If we had seen this done by any others, we should have concluded them far gone in madness. It is melancholy as well as ridiculous to observe the kind of reasoning with which the public has been amused, in order to divert our minds from the common sense of our American policy. There are people who have split and anatomized the doctrine of free government, as if it were an abstract question concerning metaphysical liberty and necessity, and not a matter of moral prudence and natural feeling. They have disputed whether liberty be a positive or a negative idea; whether it does not consist in being governed by laws, without considering what are the laws, or who are the makers; whether man has any rights by nature; and whether all the property he enjoys be not the alms of his government, and his life itself their favour and indulgence. Others, corrupting religion as these

have perverted philosophy, contend that Christians are redeemed into captivity, and the blood of the Saviour of mankind has been shed to make them the slaves of a few proud and insolent sinners. These shocking extremes provoking to extremes of another kind, speculations are let loose as destructive to all authority as the former are to all freedom ; and every government is called tyranny and usurpation which is not formed on their fancies. In this manner the stirrers-up of this contention, not satisfied with distracting our dependencies and filling them with blood and slaughter, are corrupting our understandings : they are endeavouring to tear up, along with practical liberty, all the foundations of human society, all equity and justice, religion and order.

Civil freedom, gentlemen, is not, as many have endeavoured to persuade you, a thing that lies hid in the depth of abstruse science. It is a blessing and a benefit, not an abstract speculation ; and all the just reasoning that can be put upon it is of so coarse a texture as perfectly to suit the ordinary capacities of those who are to enjoy, and of those who are to defend it. Far from any resemblance to those propositions in geometry and metaphysics, which admit no medium, but must be true or false in all their latitude, social and civil freedom, like all other things in common life, are variously mixed and modified, enjoyed in very different degrees, and shaped into an infinite diversity of forms, according to the temper and circumstances of every community. The *extreme* of liberty (which is its abstract perfection, but its real fault) obtains nowhere, nor ought to obtain anywhere ; because extremes, as we all know, in every point which relates either to our duties or satisfactions in life, are destructive both to virtue and enjoyment. Liberty, too, must be limited in order to be possessed. The degree of restraint it is impossible in any case to settle precisely. But it ought to be the constant aim of every wise public council to find out by cautious experiments, and rational cool endeavours, with how little, not how

much, of this restraint the community can subsist ;
 for liberty is a good to be improved, and not an evil to be lessened. It is not only a private blessing of the first order, but the vital spring and energy of the state itself, which has just so much life and vigour as there is liberty in it. But whether liberty be advantageous or not (for I know it is a fashion to decry the very principle), none will dispute that peace is a blessing ; and peace must, in the course of human affairs, be frequently bought by some indulgence and toleration at least to liberty : for as the sabbath (though of divine institution) was made for man, not man for the sabbath, government, which can claim no higher origin or authority, in its exercise at least, ought to conform to the exigencies of the time, and the temper and character of the people, with whom it is concerned, and not always to attempt violently to bend the people to their theories of subjection. The bulk of mankind, on their part, are not excessively curious concerning any theories whilst they are really happy ; and one sure symptom of an ill-conducted state is the propensity of the people to resort to them.

But when subjects, by a long course of such ill conduct, are once thoroughly inflamed, and the state itself violently distempered, the people must have some satisfaction to their feelings more solid than a sophistical speculation on law and government. Such was our situation ; and such a satisfaction was necessary to prevent recourse to arms : it was necessary towards laying them down ; it will be necessary to prevent the taking them up again and again. Of what nature this satisfaction ought to be, I wish it had been the disposition of parliament seriously to consider. It was certainly a deliberation that called for the exertion of all their wisdom.

I am, and ever have been, deeply sensible of the difficulty of reconciling the strong presiding power that is so useful towards the conservation of a vast, disconnected, infinitely diversified empire, with that liberty and safety of the provinces which they must

enjoy (in opinion and practice at least), or they will not be provinces at all. I know, and have long felt, the difficulty of reconciling the unwieldy haughtiness of a great ruling nation, habituated to command, pampered by enormous wealth, and confident from a long course of prosperity and victory, to the high spirit of free dependencies, animated with the first glow and activity of juvenile heat, and assuming to themselves, as their birthright, some part of that very pride which oppresses them. They who perceive no difficulty in reconciling these tempers (which, however, to make peace, must some way or other be reconciled) are much above my capacity, or much below the magnitude of the business. Of one thing I am perfectly clear, that it is not by deciding the suit, but by compromising the difference, that peace can be restored or kept. They who would put an end to such quarrels, by declaring roundly in favour of the whole demands of either party, have mistaken, in my humble opinion, the office of a mediator.

The war is now of full two years' standing : the controversy of many more. In different periods of the dispute, different methods of reconciliation were to be pursued. I mean to trouble you with a short state of things at the most important of these periods, in order to give you a more distinct idea of our policy with regard to this most delicate of all objects. The colonies were from the beginning subject to the legislature of Great Britain on principles which they never examined ; and we permitted to them many local privileges, without asking how they agreed with that legislative authority. Modes of administration were formed in an insensible and very unsystematic manner. But they gradually adapted themselves to the varying condition of things : what was first a single kingdom stretched into an empire ; and an imperial superintendency, of some kind or other, became necessary. Parliament, from a mere representative of the people, and a guardian of popular privileges for its own immediate constituents, grew into a mighty sovereign. Instead

of being a control on the crown on its own behalf, it communicated a sort of strength to the royal authority, which was wanted for the conservation of a new object, but which could not be safely trusted to the crown alone. On the other hand, the colonies, advancing by equal steps, and governed by the same necessity, had formed within themselves, either by royal instruction or royal charter, assemblies so exceedingly resembling a parliament, in all their forms, functions, and powers, that it was impossible they should not imbibe some opinion of a similar authority.

At the first designation of these assemblies, they were probably not intended for anything more (nor perhaps did they think themselves much higher) than the municipal corporations within this island, to which some at present love to compare them. But nothing in progression can rest on its original plan. We may as well think of rocking a grown man in the cradle of an infant. Therefore as the colonies prospered and increased to a numerous and mighty people, spreading over a very great tract of the globe; it was natural that they should attribute to assemblies, so respectable in their formal constitution, some part of the dignity of the great nations which they represented. No longer tied to by-laws, these assemblies made acts of all sorts and in all cases whatsoever. They levied money, not for parochial purposes, but upon regular grants to the crown, following all the rules and principles of a parliament to which they approached every day more and more nearly. Those who think themselves wiser than Providence, and stronger than the course of nature, may complain of all this variation, on the one side or the other, as their several humours and prejudices may lead them. But things could not be otherwise; and English colonies must be had on these terms, or not had at all. In the meantime neither party felt any inconvenience from this double legislature, to which they had been formed by imperceptible habits, and old custom, the great support of all the governments in the world. Though these two legis-

latures were sometimes found perhaps performing the very same functions, they did not very grossly or systematically clash. In all likelihood this arose from mere neglect; possibly from the natural operation of things which, left to themselves, generally fall into their proper order. But whatever was the cause, it is certain that a regular revenue, by the authority of parliament, for the support of civil and military establishments, seems not to have been thought of until the colonies were too proud to submit, too strong to be forced, too enlightened not to see all the consequences which must arise from such a system.

If ever this scheme of taxation was to be pushed against the inclinations of the people, it was evident that discussions must arise which would let loose all the elements that composed this double constitution; would show how much each of their members had departed from its original principles; and would discover contradictions in each legislature, as well to its own first principles, as to its relation to the other, very difficult if not absolutely impossible to be reconciled.

Therefore at the first fatal opening of this contest, the wisest course seemed to be to put an end as soon as possible to the immediate causes of the dispute; and to quiet a discussion, not easily settled upon clear principles, and arising from claims which pride would permit neither party to abandon, by resorting as nearly as possible to the old, successful course. A mere repeal of the obnoxious tax, with a declaration of the legislative authority of this kingdom, was then fully sufficient to procure peace to *both sides*. Man is a creature of habit and, the first breach being of very short continuance, the colonies fell back exactly into their ancient state. The congress has used an expression with regard to this pacification, which appears to me truly significant. After the repeal of the Stamp Act, 'the colonies fell,' says this assembly, 'into their ancient state of *unsuspecting confidence in the mother country*.' This unsuspecting confidence is the true centre of gravity amongst mankind, about which all the parts are at

rest. It is this *unsuspecting confidence* that removes all difficulties, and reconciles all the contradictions which occur in the complexity of all ancient, puzzled, political establishments. Happy are the rulers which have the secret of preserving it!

The whole empire has reason to remember, with eternal gratitude, the wisdom and temper of that man and his excellent associates, who, to recover this confidence, formed a plan of pacification in 1766. That plan, being built upon the nature of man, and the circumstances and habits of the two countries, and not on any visionary speculations, perfectly answered its end, as long as it was thought proper to adhere to it. Without giving a rude shock to the dignity (well or ill understood) of this parliament, they gave perfect content to our dependencies. Had it not been for the mediatorial spirit and talents of that great man, between such clashing pretensions and passions, we should then have rushed headlong (I know what I say) into the calamities of that civil war, in which, by departing from his system, we are at length involved; and we should have been precipitated into that war at a time when circumstances both at home and abroad were far, very far, more unfavourable to us than they were at the breaking out of the present troubles.

I had the happiness of giving my first votes in parliament for that pacification. I was one of those almost unanimous members who, in the necessary concessions of parliament, would as much as possible have preserved its authority, and respected its honour. I could not at once tear from my heart prejudices which were dear to me and which bore a resemblance to virtue. I had then, and I have still my partialities. What parliament gave up, I wished to be given as of grace, and favour, and affection, and not as a restitution of stolen goods. High dignity relented as it was soothed; and a benignity from old acknowledged greatness had its full effect on our dependencies. Our unlimited declaration of legislative authority produced not a

single murmur. If this undefined power has become odious since that time, and full of horror to the colonies, it is because the *unsuspicious confidence* is lost, and the parental affection, in the bosom of whose boundless authority they reposed their privileges, is become estranged and hostile.

It will be asked, if such was then my opinion of the mode of pacification, how I came to be the very person who moved, not only for a repeal of all the late coercive statutes, but for mutilating, by a positive law, the entireness of the legislative power of parliament, and cutting off from it the whole right of taxation? I answer, because a different state of things requires a different conduct. When the dispute had gone to these last extremities (which no man laboured more to prevent than I did), the concessions which had satisfied in the beginning, could satisfy no longer; because the violation of tacit faith required explicit security. The same cause which has introduced all formal compacts and covenants among men made it necessary. I mean habits of soreness, jealousy, and distrust. I parted with it, as with a limb; but as a limb to save the body; and I would have parted with more, if more had been necessary; anything rather than a fruitless, hopeless, unnatural civil war. This mode of yielding would, it is said, give way to independency, without a war. I am persuaded from the nature of things, and from every information, that it would have had a directly contrary effect. But if it had this effect, I confess that I should prefer independency without war, to independency with it; and I have so much trust in the inclinations and prejudices of mankind, and so little in anything else, that I should expect ten times more benefit to this kingdom from the affection of America, though under a separate establishment, than from her perfect submission to the crown and parliament, accompanied with her terror, disgust, and abhorrence. Bodies tied together by so unnatural a bond of union as mutual hatred are only connected to their ruin.

One hundred and ten respectable members of parliament voted for that concession. Many not present, when the motion was made, were of the sentiments of those who voted. I knew it would then have made peace. I am not without hopes that it would do so at present if it were adopted. No benefit, no revenue could be lost by it; something might possibly be gained by its consequences. For be fully assured that, of all the phantoms that ever deluded the fond hopes of a credulous world, a parliamentary revenue in the colonies is the most perfectly chimerical. Your breaking them to any subjection, far from relieving your burdens (the pretext for this war), will never pay that military force which will be kept up to the destruction of their liberties and yours. I risk nothing in this prophecy.

Gentlemen, you have my opinions on the present state of public affairs. Mean as they may be in themselves, your partiality has made them of some importance. Without troubling myself to inquire whether I am under a formal obligation to it, I have a pleasure in accounting for my conduct to my constituents. I feel warmly on this subject, and I express myself as I feel. If I presume to blame any public proceeding, I cannot be supposed to be personal. Would to God I could be suspected of it! My fault might be greater, but the public calamity would be less extensive. If my conduct has not been able to make any impression on the warm part of that ancient and powerful party, with whose support I was not honoured at my election; on my side, my respect, regard, and duty to them is not at all lessened. I owe the gentlemen who compose it my most humble service in everything. I hope that whenever any of them were pleased to command me, they found me perfectly equal in my obedience. But flattery and friendship are very different things; and to mislead is not to serve them. I cannot purchase the favour of any man by concealing from him what I think his ruin. By the favour of my fellow-citizens, I am the

representative of an honest, well-ordered, virtuous city; of a people who preserve more of the original English simplicity and purity of manners than perhaps any other. You possess among you several men and magistrates of large and cultivated understandings; fit for any employment in any sphere. I do, to the best of my power, act so as to make myself worthy of so honourable a choice. If I were ready, on any call of my own vanity or interest, or to answer any election purpose, to forsake principles (whatever they are), which I had formed at a mature age, on full reflection, and which had been confirmed by long experience, I should forfeit the only thing which makes you pardon so many errors and imperfections in me. Not that I think it fit for any one to rely too much on his own understanding; or to be filled with a presumption, not becoming a Christian man, in his own personal stability and rectitude.

I hope I am far from that vain confidence which almost always fails in trial. I know my weakness in all respects, as much at least as any enemy I have; and I attempt to take security against it. The only method which has ever been found effectual to preserve any man against the corruption of nature and example, is a habit of life and communication of counsels with the most virtuous and public-spirited men of the age you live in. Such a society cannot be kept without advantage, or deserted without shame. For this rule of conduct I may be called in reproach a *party man*; but I am little affected with such aspersions. In the way which they call party, I worship the constitution of your fathers; and I shall never blush for my political company. All reverence to honour, all idea of what it is, will be lost out of the world before it can be imputed as a fault to any man, that he has been connected with those incomparable persons, living and dead, with whom for eleven years I have constantly thought and acted. If I have wandered out of the paths of rectitude into those of interested faction, it was in company with the Saviles, the Dowdeswells, the

Wentworths, the Bentincks; with the Lenoxes, the Manchesters, the Keppels, the Saunders's; with the temperate, permanent, hereditary virtue of the whole house of Cavendish; names, among which, some have extended your fame and empire in arms; and all have fought the battle of your liberties in fields not less glorious.—These and many more like these, grafting public principles on private honour, have redeemed the present age, and would have adorned the most splendid period in your history. Where could any man, conscious of his own inability to act alone, and willing to act as he ought to do, have arranged himself better? If any one thinks this kind of society to be taken up as the best method of gratifying low, personal pride, or ambitious interest, he is mistaken; and he knows nothing of the world.

Preferring this connexion, I do not mean to detract in the slightest degree from others. There are some of those, whom I admire at something of a greater distance, with whom I have had the happiness also perfectly to agree, in almost all the particulars in which I have differed with some successive administrations; and they are such, as it never can be reputable to any government to reckon among its enemies. I hope there are none of you corrupted with the doctrine taught by wicked men for the worst purposes, and received by the malignant credulity of envy and ignorance which is, that the men who act upon the public stage are all alike, all equally corrupt, all influenced by no other views than the sordid lure of salary and pension. The thing I know by experience to be false. Never expecting to find perfection in men, and not looking for divine attributes in created beings, in my commerce with my contemporaries, I have found much human virtue. I have seen not a little public spirit; a real subordination of interest to duty; and a decent and regulated sensibility to honest fame and reputation. The age unquestionably produces (whether in a greater or less number than former times, I know not) daring profligates, and

insidious hypocrites. What then? Am I not to avail myself of whatever good is to be found in the world, because of the mixture of evil that will always be in it? The smallness of the quantity in currency only heightens the value. They, who raise suspicions on the good on account of the behaviour of ill men, are of the party of the latter. The common cant is no justification for taking this party. I have been deceived, say they, by *Titius* and *Mævius*; I have been the dupe of this pretender or of that mountebank; and I can trust appearances no longer. But my credulity and want of discernment cannot, as I conceive, amount to a fair presumption against any man's integrity. A conscientious person would rather doubt his own judgment than condemn his species. He would say, I have observed without attention, or judged upon erroneous maxims; I trusted to profession, when I ought to have attended to conduct. Such a man will grow wise, not malignant, by his acquaintance with the world. But he that accuses all mankind of corruption ought to remember that he is sure to convict only one. In truth I should much rather admit those, whom at any time I have disrelished the most to be patterns of perfection, than seek a consolation to my own unworthiness in a general communion of depravity with all about me.

That this ill-natured doctrine should be preached by the missionaries of a court I do not wonder. It answers their purpose. But that it should be heard among those who pretend to be strong assertors of liberty, is not only surprising, but hardly natural. This moral levelling is a *servile principle*. It leads to practical passive obedience far better than all the doctrines which the pliant accommodation of theology to power has ever produced. It cuts up by the roots, not only all idea of forcible resistance, but even of civil opposition. It disposes men to an abject submission, not by opinion, which may be shaken by argument or altered by passion, but by the strong ties of public and private interest. For if all men who act in a public

situation are equally selfish, corrupt, and venal, what reason can be given for desiring any sort of change, which, besides the evils which must attend all changes can be productive of no possible advantage? The active men in the state are true samples of the mass. If they are universally depraved, the commonwealth itself is not sound. We may amuse ourselves with talking as much as we please of the virtue of middle or humble life; that is, we may place our confidence in the virtue of those who have never been tried. But if the persons, who are continually emerging out of that sphere, be no better than those whom birth has placed above it, what hopes are there in the remainder of the body, which is to furnish the perpetual succession of the state? All who have ever written on government are unanimous that, among a people generally corrupt, liberty cannot long exist. And indeed how is it possible? when those who are to make the laws, to guard, to enforce, or to obey them, are, by a tacit confederacy of manners, indisposed to the spirit of all generous and noble institutions.

I am aware that the age is not what we all wish. But I am sure that the only means of checking its precipitate degeneracy is heartily to concur with whatever is the best in our time; and to have some more correct standard of judging what that best is than the transient and uncertain favour of a court. If once we are able to find, and can prevail on ourselves to strengthen an union of such men, whatever accidentally becomes indisposed to ill-exercised power, even by the ordinary operation of human passions, must join with that society, and cannot long be joined without in some degree assimilating to it. Virtue will catch as well as vice by contact; and the public stock of honest, manly principle will daily accumulate. We are not too nicely to scrutinize motives as long as action is irreproachable. It is enough (and for a worthy man perhaps too much) to deal out its infamy to convicted guilt and declared apostacy.

This, gentlemen, has been from the beginning the rule of my conduct; and I mean to continue it, as long as such a body as I have described can by any possibility be kept together; for I should think it the most dreadful of all offences, not only towards the present generation but to all the future, if I were to do anything which could make the minutest breach in this great conservatory of free principles. Those who perhaps have the same intentions, but are separated by some little political animosities, will, I hope, discern at last, how little conducive it is to any rational purpose to lower its reputation. For my part, gentlemen, from much experience, from no little thinking, and from comparing a great variety of things, I am thoroughly persuaded that the last hopes of preserving the spirit of the English constitution, or of re-uniting the dissipated members of the English race upon a common plan of tranquillity and liberty, does entirely depend on their firm and lasting union; and above all, on their keeping themselves from that despair, which is so very apt to fall on those whom a violence of character and a mixture of ambitious views do not support through a long, painful, and unsuccessful struggle.

There never, gentlemen, was a period in which the steadfastness of some men has been put to so sore a trial. It is not very difficult for well-formed minds to abandon their interest; but the separation of fame and virtue is a harsh divorce. Liberty is in danger of being made unpopular to Englishmen. Contending for an imaginary power, we begin to acquire the spirit of domination, and to lose the relish of honest equality. The principles of our forefathers become suspected to us, because we see them animating the present opposition of our children. The faults which grow out of the luxuriance of freedom appear much more shocking to us than the base vices which are generated from the rankness of servitude. Accordingly the least resistance to power appears more inexcusable in our eyes than the greatest abuses of authority. All dread of a standing

military force is looked upon as a superstitious panic. All shame of calling in foreigners and savages in a civil contest is worn off. We grow indifferent to the consequences inevitable to ourselves from the plan of ruling half the empire by a mercenary sword. We are taught to believe that a desire of domineering over our countrymen is love to our country; that those who hate civil war abet rebellion, and that the amiable and conciliatory virtues of lenity, moderation, and tenderness to the privileges of those who depend on this kingdom, are a sort of treason to the state.

It is impossible that we should remain long in a situation, which breeds such notions and dispositions, without some great alteration in the national character. Those ingenuous and feeling minds who are so fortified against all other things, and so unarmed to whatever approaches in the shape of disgrace, finding these principles which they considered as sure means of honour, to be grown into disrepute, will retire disheartened and disgusted. Those of a more robust make, the bold, able, ambitious men, who pay some of their court to power through the people, and substitute the voice of transient opinion in the place of true glory, will give in to the general mode; and those superior understandings which ought to correct vulgar prejudice, will confirm and aggravate its errors. Many things have been long operating towards a gradual change in our principles. But this American war has done more in a very few years, than all the other causes could have effected in a century. It is therefore not on its own separate account, but because of its attendant circumstances, that I consider its continuance or its ending in any way but that of an honourable and liberal accommodation, as the greatest evils which can befall us. For that reason I have troubled you with this long letter. For that reason I intreat you again and again, neither to be persuaded, shamed, nor frightened out of the principles that have hitherto led so many of you to abhor the war, its cause,

and its consequences. Let us not be amongst the first who renounce the maxims of our forefathers.

I have the honour to be,

Gentlemen,

Your most obedient, and faithful humble
servant,

EDMUND BURKE.

Beaconsfield, April 3, 1777.

P.S. You may communicate this letter in any manner you think proper to my constituents.

TWO LETTERS

TO

GENTLEMEN IN THE CITY OF
BRISTOL;

ON THE

BILLS DEPENDING IN PARLIAMENT RELATIVE
TO THE TRADE OF IRELAND.

1778.

To Samuel Span, Esq., Master of the Society of Merchants Adventurers of Bristol.

SIR,

I am honoured with your letter of the 13th, in answer to mine, which accompanied the resolutions of the House relative to the trade of Ireland.

You will be so good as to present my best respects to the Society, and to assure them that it was altogether unnecessary to remind me of the interest of the constituents. I have never regarded anything else since I had a seat in parliament. Having frequently and maturely considered that interest, and stated it to myself in almost every point of view, I am persuaded, that, under the present circumstances, I cannot more effectually pursue it, than by giving all the support in my power to the propositions which I lately transmitted to the hall.

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The fault I find in the scheme is,—that it falls extremely short of that liberality in the commercial system which, I trust, will one day be adopted. If I had not considered the present resolutions merely as preparatory to better things, and as a means of showing, experimentally, that justice to others is not always folly to ourselves, I should have contented myself with receiving them in a cold and silent acquiescence. Separately considered, they are matters of no very great importance. But they aim, however imperfectly, at a right principle. I submit to the restraint to appease prejudice; I accept the enlargement, so far as it goes, as the result of reason and of sound policy.

We cannot be insensible of the calamities which have been brought upon this nation by an obstinate adherence to narrow and restrictive plans of government. I confess, I cannot prevail on myself to take them up, precisely at a time, when the most decisive experience has taught the rest of the world to lay them down. The propositions in question did not originate from me, or from my particular friends. But when things are so right in themselves, I hold it my duty not to inquire from what hands they come. I opposed the American measures upon the very same principle on which I support those that relate to Ireland. I was convinced, that the evils which have arisen from the adoption of the former would be infinitely aggravated by the rejection of the latter.

Perhaps gentlemen are not yet fully aware of the situation of their country, and what its exigencies absolutely require. I find that we are still disposed to talk at our ease, and as if all things were to be regulated by our good pleasure. I should consider it as a fatal symptom if, in our present distressed and adverse circumstances, we should persist in the errors which are natural only to prosperity. One cannot, indeed, sufficiently lament the continuance of that spirit of delusion by which, for a long time past, we have thought fit to measure our necessities by our

inclinations. Moderation, prudence, and equity are far more suitable to our condition, than loftiness, and confidence, and rigour. We are threatened by enemies of no small magnitude whom, if we think fit, we may despise, as we have despised others; but they are enemies who can only cease to be truly formidable by our entertaining a due respect for their power. Our danger will not be lessened by our shutting our eyes to it; nor will our force abroad be increased by rendering ourselves feeble and divided at home.

There is a dreadful schism in the British nation. Since we are not able to re-unite the empire, it is our business to give all possible vigour and soundness to those parts of it which are still content to be governed by our councils. Sir, it is proper to inform you that our measures *must be healing*. Such a degree of strength must be communicated to all the members of the state, as may enable them to defend themselves and to co-operate in the defence of the whole. Their temper too must be managed, and their good affections cultivated. They may then be disposed to bear the load with cheerfulness, as a contribution towards what may be called with truth and propriety, and not by an empty form of words, *a common cause*. Too little dependence cannot be had, at this time of day, on names and prejudices. The eyes of mankind are opened; and communities must be held together by an evident and solid interest. God forbid that our conduct should demonstrate to the world that Great Britain can, in no instance whatsoever, be brought to a sense of rational and equitable policy, but by coercion and force of arms!

I wish you to recollect with what powers of concession, relatively to commerce as well as to legislation, his majesty's commissioners to the united colonies have sailed from England within this week. Whether these powers are sufficient for their purposes, it is not now my business to examine. But we all know that our resolutions in favour of Ireland are trifling and insignificant; when compared with the concessions to the

Americans. At such a juncture, I would implore every man, who retains the least spark of regard to the yet remaining honor and security of this country, not to compel others to an imitation of their conduct ; or by passion and violence, to force them to seek, in the territories of the separation, that freedom, and those advantages which they are not to look for whilst they remain under the wings of their ancient government.

After all, what are the matters we dispute with so much warmth ? Do we in these resolutions *bestow* anything upon Ireland ? Not a shilling. We only consent to *leave* to them, in two or three instances, the use of the natural faculties which God has given to them, and to all mankind. Is Ireland united to the crown of Great Britain for no other purpose than that we should counteract the bounty of Providence in her favour ? And in proportion as that bounty has been liberal that we are to regard it as an evil, which is to be met with in every sort of corrective ? To say that Ireland interferes with us, and therefore must be checked, is, in my opinion, a very mistaken and a very dangerous principle. I must beg leave to repeat, what I took the liberty of suggesting to you in my last letter, that Ireland is a country, in the same climate, and of the same natural qualities and productions, with this ; and has consequently no other means of growing wealthy in herself or, in other words, of being useful to us, but by doing the very same things which we do, for the same purposes. I hope that in Great Britain we shall always pursue, without exception, *every* means of prosperity ; and of course, that Ireland *will* interfere with us in something or other ; for either, in order to *limit* her, we *must restrain* ourselves, or we must fall into that shocking conclusion that we are to keep our yet remaining dependency, under a general and indiscriminate restraint, for the mere purpose of oppression. Indeed, sir, England and Ireland may flourish together. The world is large enough for us both. Let it be our care not to make ourselves too little for it.

I know it is said that the people of Ireland do not pay the same taxes, and therefore ought not in equity to enjoy the same benefits with this. I had hopes that the unhappy phantom of a compulsory *equal taxation* had haunted us long enough. I do assure you that until it is entirely banished from our imaginations (where alone it has, or can have any existence), we shall never cease to do ourselves the most substantial injuries. To that argument of equal taxation, I can only say,—that Ireland pays as many taxes as those, who are the best judges of her powers, are of opinion she can bear. To bear more, she must have more ability; and, in the order of nature, the advantage must *precede* the charge. This disposition of things being the law of God, neither you nor I can alter it. So that if you will have more help from Ireland, you must *previously* supply her with more means. I believe it will be found, that if men are suffered freely to cultivate their natural advantages, a virtual equality of contribution will come in its own time and will flow by an easy descent through its own proper and natural channels. An attempt to disturb that course, and to force nature, will only bring on universal discontent, distress and confusion.

You tell me, sir, that you prefer an union with Ireland to the little regulations which are proposed in parliament. This union is a great question of state to which, when it comes properly before me in my parliamentary capacity, I shall give an honest and unprejudiced consideration. However, it is a settled rule with me to make the most of my *actual situation*; and not to refuse to do a proper thing, because there is something else more proper, which I am not able to do. This union is a business of difficulty; and, on the principles of your letter a business impracticable. Until it can be matured into a feasible and desirable scheme, I wish to have as close an union of interest and affection with Ireland as I can have; and that, I am sure, is a far better thing than any nominal union of government.

France, and indeed most extensive empires which by various designs and fortunes have grown into one great mass, contain many provinces that are very different from each other in privileges and modes of government; and they raise their supplies in different ways; in different proportions; and under different authorities; yet none of them are for this reason curtailed of their natural rights; but they carry on trade and manufactures with perfect equality. In some way or other the true balance is found; and all of them are properly poised and harmonized. How much have you lost by the participation of Scotland in all your commerce? The external trade of England has more than doubled since that period; and I believe your internal (which is the most advantageous) has been augmented at least fourfold. Such virtue there is in liberality of sentiment, that you have grown richer even by the partnership of poverty.

If you think that this participation was a loss, commercially considered, but that it has been compensated by the share which Scotland has taken in defraying the public charge—I believe you have not very carefully looked at the public accounts. Ireland, sir, pays a great deal more than Scotland; and is perhaps as much and as effectually united to England as Scotland is. But if Scotland, instead of paying little, had paid nothing at all, we should be gainers, not losers, by acquiring the hearty co-operation of an active, intelligent people, towards the increase of the common stock; instead of our being employed in watching and counteracting them, and their being employed in watching and counteracting us, with the peevish and churlish jealousy of rivals and enemies on both sides.

I am sure, sir, that the commercial experience of the merchants of Bristol will soon disabuse them of the prejudice that they can trade no longer, if countries more lightly taxed are permitted to deal in the same commodities at the same markets. You know that, in fact, you trade very largely where you are met by

the goods of all nations. You even pay high duties on the import of your goods, and afterwards undersell nations less taxed, at their own markets; and where goods of the same kind are not charged at all. If it were otherwise, you could trade very little. You know that the price of all sorts of manufacture is not a great deal enhanced (except to the domestic consumer) by any taxes paid in this country. This I might very easily prove.

The same consideration will relieve you from the apprehension you express with relation to sugars, and the difference of the duties paid here and in Ireland. Those duties affect the interior consumer only; and for obvious reasons, relative to the interest of revenue itself, they must be proportioned to his ability of payments; but in all cases in which sugar can be an *object of commerce*, and therefore (in this view) of rivalry, you are sensible that you are at least on a par with Ireland. As to your apprehensions concerning the more advantageous situation of Ireland, for some branches of commerce (for it is so but for some), I trust you will not find them more serious. Milford Haven, which is at your door, may serve to show you that the mere advantage of ports is not the thing which shifts the seat of commerce from one part of the world to the other. If I thought you inclined to take up this matter on local considerations, I should state to you that I do not know any part of the kingdom so well situated for an advantageous commerce with Ireland as Bristol; and that none would be so likely to profit of its prosperity as our city. But your profit and theirs must concur. Beggary and bankruptcy are not the circumstances which invite to an intercourse with that or with any country; and I believe it will be found invariably true, that the superfluities of a rich nation furnish a better object of trade than the necessities of a poor one. It is the interest of the commercial world that wealth should be found everywhere.

The true ground of fear, in my opinion, is this; that

Ireland, from the vicious system of its internal polity, will be a long time before it can derive any benefit from the liberty now granted, or from anything else. But, as I do not vote advantages in hopes that they may not be enjoyed, I will not lay any stress upon this consideration. I rather wish that the parliament of Ireland may, in its own wisdom, remove these impediments, and put their country in a condition to avail itself of its natural advantages. If they do not, the fault is with them, and not with us.

I have written this long letter, in order to give all possible satisfaction to my constituents, with regard to the part I have taken in this affair. It gave me inexpressible concern to find that my conduct had been a cause of uneasiness to any of them. Next to my honour and conscience, I have nothing so near and dear to me as their approbation. However, I had much rather run the risk of displeasing than of injuring them ;--if I am driven to make such an option. You obligingly lament that you are not to have me for your advocate ; but if I had been capable of acting as an advocate in opposition to a plan so perfectly consonant to my known principles, and to the opinions I had publicly declared on a hundred occasions, I should only disgrace myself, without supporting with the smallest degree of credit or effect the cause you wished me to undertake. I should have lost the only thing which can make such abilities as mine of any use to the world now or hereafter ; I mean that authority which is derived from an opinion that a member speaks the language of truth and sincerity ; and that he is not ready to take up or lay down a great political system for the convenience of the hour ; that he is in parliament to support his opinion of the public good, and does not form his opinion in order to get into parliament, or to continue in it. It is in a great measure for your sake, that I wish to preserve this character. Without it, I am sure, I should be ill able to discharge, by any service, the smallest part of that debt of gratitude and affection which I owe you for the

great and honourable trust you have reposed in me.
I am, with the highest regard and esteem,

Sir,

Your most obedient and humble servant,

E. B.

Beaconsfield, 23rd April, 1778.

*Copy of a Letter to Messrs. ***** and Co.,
Bristol.*

GENTLEMEN,

It gives me the most sensible concern to find, that my vote on the resolutions relative to the trade of Ireland has not been fortunate enough to meet with your approbation. I have explained at large the grounds of my conduct on that occasion in my letters to the Merchants' Hall; but my very sincere regard and esteem for you will not permit me to let the matter pass without an explanation, which is particular to yourselves, and which, I hope, will prove satisfactory to you.

You tell me that the conduct of your late member is not much wondered at; but you seem to be at a loss to account for mine; and you lament that I have taken so decided a part *against* my constituents.

This is rather a heavy imputation. Does it then really appear to you, that the propositions to which you refer are, on the face of them, so manifestly wrong, and so certainly injurious to the trade and manufactures of Great Britain, and particularly to yours, that no man could think of proposing or supporting them, except from resentment to you, or from some other oblique motive? If you suppose your late member, or if you suppose me, to act upon other reasons than we choose to avow, to what do you attribute the conduct of the *other* members, who in the beginning almost unanimously adopted those resolutions? To what do you attribute the strong part taken by the ministers, and along with the ministers, by several of their most declared opponents? This does not indicate a ministerial job; a party design;

or a provincial or local purpose. It is therefore not so absolutely clear that the measure is wrong, or likely to be injurious to the true interests of any place or any person.

The reason, gentlemen, for taking this step, at this time, is but too obvious and too urgent. I cannot imagine that you forget the great war, which has been carried on with so little success (and, as I thought, with so little policy) in America; or that you are not aware of the other great wars which are impending. Ireland has been called upon to repel the attacks of enemies of no small power, brought upon her by councils in which she has had no share. The very purpose and declared object of that original war, which has brought other wars and other enemies on Ireland, was not very flattering to her dignity, her interest, or to the very principle of her liberty. Yet she submitted patiently to the evils she suffered from an attempt to subdue to *your* obedience countries whose very commerce was not open to her. America was to be conquered, in order that Ireland should *not* trade thither; whilst the miserable trade which she is permitted to carry on to other places has been torn to pieces in the struggle. In this situation, are we neither to suffer her to have any real interest in our quarrel, or to be flattered with the hope of any future means of bearing the burdens which she is to incur in defending herself against enemies which we have brought upon her?

I cannot set my face against such arguments. Is it quite fair to suppose that I have no other motive for yielding to them, but a desire of acting *against* my constituents? It is for *you* and for *your* interest, as a dear, cherished, and respected part of a valuable whole, that I have taken my share in this question. You do not, you cannot suffer by it. If honesty be true policy with regard to the transient interest of individuals, it is much more certainly so with regard to the permanent interests of communities. I know that it is but too natural for us to see our own *certain* ruin in the *possible* prosperity of other people. It is

hard to persuade us that everything which is *got* by another is not *taken* from ourselves. But it is *fit* that we should get the better of these suggestions, which come from what is not the best and soundest part of our nature, and that we should form to ourselves a way of thinking, more rational, more just, and more religious. Trade is not a limited thing ; as if the objects of mutual demand and consumption could not stretch beyond the bounds of our jealousies. God has given the earth to the children of men, and he has undoubtedly, in giving it to them, given them what is abundantly sufficient for all their exigencies ; not a scanty, but a most liberal provision for them all. The author of our nature has written it strongly in that nature, and has promulgated the same law in his written word, that man shall eat his bread by his labour ; and I am persuaded that no man, and no combination of men, for their own ideas of their particular profit, can, without great impiety, undertake to say, that he *shall not* do so ; that they have no sort of right, either to prevent the labour, or to withhold the bread. Ireland having received no *compensation*, directly or indirectly, for any restraints on their trade ought not, in justice or common honesty, to be made subject to such restraints. I do not mean to impeach the right of the parliament of Great Britain to make laws for the trade of Ireland. I only speak of what laws it is right for parliament to make.

It is nothing to an oppressed people to say that in part they are protected at our charge. The military force which shall be kept up in order to cramp the natural faculties of a people, and to prevent their arrival to their utmost prosperity, is the instrument of their servitude, not the means of their protection. To protect men is to forward, and not to restrain, their improvement. Else, what is it more, than to avow to them, and to the world, that you guard them from others, only to make them a prey to yourself ? This fundamental nature of protection does not belong to free, but to all governments ; and is as valid in Turkey

as in Great Britain. No government ought to own that it exists for the purpose of checking the prosperity of its people, or that there is such a principle involved in its policy.

Under the impression of these sentiments (and not as wanting every attention to my constituents, which affection and gratitude could inspire), I voted for these bills which give you so much trouble. I voted for them, not as doing complete justice to Ireland, but as being something less unjust than the general prohibition which has hitherto prevailed. I hear some discourse, as if, in one or two paltry duties on materials, Ireland has a preference; and that those, who set themselves against this act of scanty justice, assert that they are only contending for an *equality*. What equality? Do they forget, that the whole woollen manufacture of Ireland, the most extensive and profitable of any and the natural staple of that kingdom, has been in a manner so destroyed by restrictive laws of ours, and (at our persuasion and on our promises) by restrictive laws of *their own*, that in a few years, it is probable, they will not be able to wear a coat of their own fabric? Is this equality? Do gentlemen forget, that the understood faith, upon which they were persuaded to such an unnatural act, has not been kept; and that a linen-manufacture has been set up, and highly encouraged, against them? Is this equality? Do they forget the state of the trade of Ireland in beer, so great an article of consumption, and which now stands in so mischievous a position with regard to their revenue, their manufacture, and their agriculture? Do they find any equality in all this? Yet if the least step is taken towards doing them common justice in the slightest article for the most limited markets, a cry is raised, as if we were going to be ruined by partiality to Ireland.

Gentlemen, I know that the deficiency in these arguments is made up (not by you, but by others) by the usual resource on such occasions, the confidence in military force and superior power. But that ground

of confidence, which at no time was perfectly just, or the avowal of it tolerably decent, is at this time very unseasonable. Late experience has shown that it cannot be altogether relied upon ; and many, if not all of our present difficulties, have arisen from putting our trust in what may very possibly fail ; and if it should fail, leaves those who are hurt by such a reliance, without pity. Whereas honesty and justice, reason and equity, go a very great way in securing prosperity to those who use them ; and, in case of failure, secure the best retreat and the most honourable consolations.

It is very unfortunate that we should consider those as rivals, whom we ought to regard as fellow-labourers in a common cause. Ireland has never made a single step in its progress towards prosperity by which you have not had a share, and perhaps the greatest share, in the benefit. That progress has been chiefly owing to her own natural advantages, and her own efforts, which, after a long time, and by slow degrees, have prevailed in some measure over the mischievous systems which have been adopted. Far enough she is still from having arrived even at an ordinary state of perfection ; and if our jealousies were to be converted into politics, as systematically as some would have them, the trade of Ireland would vanish out of the system of commerce. But believe me, if Ireland is beneficial to you, it is so not from the parts in which it is restrained, but from those in which it is left free, though not left unrivalled. The greater its freedom, the greater must be your advantage. If you should lose in one way, you will gain in twenty.

Whilst I remain under this unalterable and powerful conviction, you will not wonder at the *decided* part I take. It is my custom so to do, when I see my way clearly before me ; and when I know that I am not misled by any passion, or any personal interest ; as in this case, I am very sure I am not. I find that disagreeable things are circulated among my constituents ; and I wish my sentiments, which form my

justification, may be equally general with the circulation against me. I have the honour to be, with the greatest regard and esteem,

Gentlemen,

Your most obedient and humble servant,

E. B.

Westminster, May 2, 1778.

I send the bills

SPEECH
ON
PRESENTING TO THE HOUSE OF
COMMONS
(ON THE 11th FEBRUARY, 1780),
A PLAN
FOR THE
BETTER SECURITY OF THE
INDEPENDENCE OF PARLIAMENT,
AND THE
ECONOMICAL REFORMATION OF THE
CIVIL & OTHER ESTABLISHMENTS.

Special Form 1780
~~Special Form 1780~~

SPEECH

MR. SPEAKER,

I rise, in acquittal of my engagement to the House, in obedience to the strong and just requisition of my constituents, and, I am persuaded, in conformity to the unanimous wishes of the whole nation, to submit to the wisdom of parliament, 'A Plan of Reform in the Constitution of several Parts of the Public Economy.'

I have endeavoured that this plan should include in its execution a considerable reduction of improper expense; that it should effect a conversion of unprofitable titles into a productive estate; that it should lead to, and indeed almost compel, a provident administration of such sums of public money as must remain under discretionary trusts; that it should render the incurring debts on the civil establishment (which must ultimately affect national strength and national credit) so very difficult, as to become next to impracticable.

But what, I confess, was uppermost with me, what I bent the whole force of my mind to, was the reduction of that corrupt influence, which is itself the perennial spring of all prodigality, and of all disorder; which loads us more than millions of debt; which takes away vigour from our arms, wisdom from our councils, and every shadow of authority and credit from the most venerable parts of our constitution.

Sir, I assure you, very solemnly, and with a very clear conscience, that nothing in the world has led me to such an undertaking, but my zeal for the honour of this House, and the settled, habitual, systematic affection I bear to the cause, and to the principles of government.

I enter perfectly into the nature and consequences of my attempt; and I advance to it with a tremor that shakes me to the inmost fibre of my frame. I feel that I engage in a business, in itself most ungracious, totally wide of the course of prudent conduct; and, I really think, the most completely adverse that can be imagined to the natural turn and temper of my own mind. I know that all parsimony is of a quality approaching to unkindness; and that (on some person or other) every reform must operate as a sort of punishment. Indeed the whole class of the severe and restrictive virtues are at a market almost too high for humanity. What is worse, there are very few of those virtues which are not capable of being imitated, and even outdone, in many of their most striking effects, by the worst of vices. Malignity and envy will carve much more deeply, and finish much more sharply, in the work of retrenchment, than frugality and providence. I do not, therefore, wonder, that gentlemen have kept away from such a task, as well from good-nature as from prudence. Private feeling might, indeed, be overborne by legislative reason; and a man of a long-sighted and a strong-nerved humanity might bring himself, not so much to consider from whom he takes a superfluous enjoyment, as for whom in the end he may preserve the absolute necessities of life.

But it is much more easy to reconcile this measure to humanity, than to bring it to any agreement with prudence. I do not mean that little, selfish, pitiful, bastard thing, which sometimes goes by the name of a family in which it is not legitimate, and to which it is a disgrace;—I mean even that public and enlarged prudence, which, apprehensive of being disabled from rendering acceptable services to the world, withholds itself from those that are invidious. Gentlemen who are, with me, verging towards the decline of life, and are apt to form their ideas of kings from kings of former times, might dread the anger of a reigning prince;—they who are more provident of the future, or by being young are more interested in it, might

tremble at the resentment of the successor ; they might see a long, dull, dreary, unvaried vista of despair and exclusion, for half a century, before them. This is no pleasant prospect at the outset of a political journey.

Besides this, sir, the private enemies to be made in all attempts of this kind are innumerable ; and their enmity will be the more bitter, and the more dangerous too, because a sense of dignity will oblige them to conceal the cause of their resentment. Very few men of great families, and extensive connexions, but will feel the smart of a cutting reform, in some close relation, some bosom friend, some pleasant acquaintance, some dear, protected dependent. Emolument is taken from some ; patronage from others ; objects of pursuit from all. Men, forced into an involuntary independence, will abhor the authors of a blessing which in their eyes has so very near a resemblance to a curse. When officers are removed, and the offices remain, you may set the gratitude of some against the anger of others ; you may oppose the friends you oblige against the enemies you provoke. But services of the present sort create no attachments. The individual good felt in a public benefit is comparatively so small, comes round through such an involved labyrinth of intricate and tedious revolutions ; whilst a present, personal detriment is so heavy where it falls, and so instant in its operation, that the cold commendation of a public advantage never was, and never will be, a match for the quick sensibility of a private loss : and you may depend upon it, sir, that when many people have an interest in railing, sooner or later, they will bring a considerable degree of unpopularity upon any measure. So that, for the present at least, the reformation will operate against the reformers ; and revenge (as against them at the least) will produce all the effects of corruption.

This, sir, is almost always the case, where the plan has complete success. But how stands the matter in the mere attempt ? Nothing, you know, is more common than for men to wish, and call loudly too for

a reformation, who, when it arrives, do by no means like the severity of its aspect. Reformation is one of those pieces which must be put at some distance in order to please. Its greatest favourers love it better in the abstract than in the substance. When any old prejudice of their own, or any interest that they value, is touched, they become scrupulous, they become captious, and every man has his separate exception. Some pluck out the black hairs, some the grey; one point must be given up to one; another point must be yielded to another; nothing is suffered to prevail upon its own principle; the whole is so frittered down and disjointed, that scarcely a trace of the original scheme remains! Thus, between the resistance of power, and the unsystematical process of popularity, the undertaker and the undertaking are both exposed, and the poor reformer is hissed off the stage both by friends and foes.

Observe, sir, that the apology for my undertaking (an apology, which, though long, is no longer than necessary) is not grounded on my want of the fullest sense of the difficult and invidious nature of the task I undertake. I risk odium if I succeed, and contempt if I fail. My excuse must rest in my own and your conviction of the absolute, urgent *necessity* there is, that something of the kind should be done. If there is any sacrifice to be made, either of estimation or of fortune, the smallest is the best. Commanders-in-chief are not to be put upon the forlorn hope. But, indeed, it is necessary that the attempt should be made. It is necessary from our own political circumstances; it is necessary from the operations of the enemy; it is necessary from the demands of the people, whose desires, when they do not militate with the stable and eternal rules of justice and reason (rules which are above us and above them) ought to be as a law to a House of Commons.

As to our circumstances, I do not mean to aggravate the difficulties of them by the strength of any colouring whatsoever. On the contrary, I observe, and observe with pleasure, that our affairs rather wear a more

promising aspect than they did on the opening of this session. We have had some leading successes. But those who rate them at the highest (higher a great deal indeed than I dare to do) are of opinion that, upon the ground of such advantages, we cannot at this time hope to make any treaty of peace, which would not be ruinous and completely disgraceful. In such an anxious state of things, if dawns of success serve to animate our diligence, they are good; if they tend to increase our presumption, they are worse than defeats. The state of our affairs shall then be as promising as any one may choose to conceive it; it is, however, but promising. We must recollect, that, with but half of our natural strength, we are at war against confederated powers, who have singly threatened us with ruin; we must recollect, that, whilst we are left naked on one side, our other flank is uncovered by any alliance; that, whilst we are weighing and balancing our successes against our losses, we are accumulating debt to the amount of at least fourteen millions in the year. That loss is certain.

I have no wish to deny that our successes are as brilliant as any one chooses to make them; our resources too may, for me, be as unfathomable as they are represented. Indeed, they are just whatever the people possess, and will submit to pay. Taxing is an easy business. Any projector can contrive new impositions; any bungler can add to the old. But is it altogether wise to have no other bounds to your impositions, than the patience of those who are to bear them?

All I claim upon the subject of your resources is this, that they are not likely to be increased by wasting them. I think I shall be permitted to assume that a system of frugality will not lessen your riches, whatever they may be;—I believe it will not be hotly disputed that those resources which lie heavy on the subject, ought not to be objects of preference; that they ought not to be the *very first choice*, to an honest representative of the people.

This is all, sir, that I shall say upon our circumstances and our resources : I mean to say a little more on the operations of the enemy, because this matter seems to me very natural in our present deliberation. When I look to the other side of the water, I cannot help recollecting what Pyrrhus said on reconnoitring the Roman camp, 'These barbarians have nothing barbarous in their discipline.' When I look, as I have pretty carefully looked, into the proceedings of the French king, I am sorry to say it, I see nothing of the character and genius of arbitrary finance ; none of the bold frauds of bankrupt power ; none of the wild struggles, and plunges, of despotism in distress ;—no lopping off from the capital of debt ;—no suspension of interest ;—no robbery under the name of loan ;—no raising the value, no debasing the substance of the coin. I see neither Louis XIV nor Louis XV. On the contrary, I behold with astonishment, rising before me, by the very hands of arbitrary power, and in the very midst of war and confusion, a regular, methodical system of public credit : I behold a fabric laid on the natural and solid foundations of trust and confidence among men ; and rising, by fair gradations, order over order, according to the just rules of symmetry and art. What a reverse of things ! Principle, method, regularity, economy, frugality, justice to individuals, and care of the people, are the resources with which France makes war upon Great Britain. God avert the omen ! But if we should see any genius in war and politics arise in France to second what is done in the bureau !—I turn my eyes from the consequences.

The noble lord in the blue riband, last year, treated all this with contempt. He never could conceive it possible that the French minister of finance could go through that year with a loan of but seventeen hundred thousand pounds ; and that he should be able to fund that loan without any tax. The second year, however, opens the very same scene. A small loan, a loan of no more than two millions five hundred thousand pound is to carry our enemies through the service of this year

also. No tax is raised to fund that debt; no tax is raised for the current services. I am credibly informed that there is no anticipation whatsoever. Compensations are correctly made¹. Old debts continue to be sunk as in the time of profound peace. Even payments, which their treasury had been authorized to suspend during the time of war, are not suspended.

A general reform, executed through every *department of the revenue*, creates an annual income of more than half a million, whilst it facilitates and simplifies all the functions of administration. The king's *household*—at the remotest avenues to which all reformation has been hitherto stopped, that household, which has been the stronghold of prodigality, the virgin fortress which was never before attacked—has been not only not defended, but it has, even in the forms, been surrendered by the king to the ceremony of his minister. No capitulation; no reserve. Economy has entered in triumph into the public splendour of the monarch, into his private amusements, into the appointments of his nearest and highest relations. Economy and public spirit have made a beneficent and an honest spoil; they have plundered from extravagance and luxury, for the use of substantial service, a revenue of near four hundred thousand pounds. The reform of the finances, joined to this reform of the court, gives to the public nine hundred thousand pounds a year and upwards.

The minister who does these things is a great man—but the king who desires that they should be done is a far greater. We must do justice to our enemies—these are the acts of a patriot king. I am not in dread of the vast armies of France: I am not in dread of the gallant spirit of its brave and numerous nobility: I am not alarmed even at the great navy which has been so miraculously created. All these things Louis XIV had before. With all these things the French monarchy has more than once fallen prostrate at the feet of the

¹ This term comprehends various retributions made to persons whose offices are taken away, or who, in any other way, suffer by the new arrangements that are made.

public faith of Great Britain. It was the want of public credit which disabled France from recovering after her defeats, or recovering even from her victories and triumphs. It was a prodigal court, it was an ill-ordered revenue, that sapped the foundations of all her greatness. Credit cannot exist under the arm of necessity. Necessity strikes at credit, I allow, with a heavier and quicker blow under an arbitrary monarchy, than under a limited and balanced government : but still necessity and credit are natural enemies, and cannot be long reconciled in any situation. From necessity and corruption, a free state may lose the spirit of that complex constitution which is the foundation of confidence. On the other hand, I am far from being sure that a monarchy, when once it is properly regulated, may not for a long time furnish a foundation for credit upon the solidity of its maxims, though it affords no ground of trust in its institutions. I am afraid I see in England, and in France, something like a beginning of both these things. I wish I may be found in a mistake.

This very short, and very imperfect state of what is now going on in France (the last circumstance of which I received in about eight days after the registry of the edict ¹), I do not, sir, lay before you for any invidious purpose. It is in order to excite in us the spirit of a noble emulation. Let the nations make war upon each other (since we must make war), not with a low and vulgar malignity, but by a competition of virtues. This is the only way by which both parties can gain by war. The French have imitated us ; let us, through them, imitate ourselves ; ourselves in our better and happier days. If public frugality, under whatever men, or in whatever mode of government, is national strength, it is a strength which our enemies are in possession of before us.

Sir, I am well aware that the state and the result of the French economy which I have laid before you, are even now lightly treated by some, who ought never

¹ Edict, registered 29th January, 1780.

to speak but from information. Pains have not been spared to represent them as impositions on the public. Let me tell you, sir, that the creation of a navy, and a two years' war without taxing, are a very singular species of imposture. But be it so. For what end does Neckar carry on this delusion? Is it to lower the estimation of the crown he serves, and to render his own administration contemptible? No! No! He is conscious that the sense of mankind is so clear and decided in favour of economy, and of the weight and value of its resources, that he turns himself to every species of fraud and artifice to obtain the mere reputation of it. Men do not affect a conduct that tends to their discredit. Let us, then, get the better of Monsieur Neckar in his own way—let us do in reality what he does only in pretence—let us turn his French tinsel into English gold. Is then the mere opinion and appearance of frugality and good management of such use to France, and is the substance to be so mischievous to England? Is the very constitution of nature so altered by a sea of twenty miles, that economy should give power on the Continent, and that profusion should give it here? For God's sake let not this be the only fashion of France which we refuse to copy!

To the last kind of necessity, the desires of the people, I have but a very few words to say. The ministers seem to contest this point; and affect to doubt whether the people do really desire a plan of economy in the civil government. Sir, this is too ridiculous. It is impossible that they should not desire it. It is impossible that a prodigality, which draws its resources from their indigence, should be pleasing to them. Little factions of pensioners, and their dependents, may talk another language. But the voice of nature is against them; and it will be heard. The people of England will not, they cannot take it kindly, that representatives should refuse to their constituents, what an absolute sovereign voluntarily offers to his subjects. The expression of the petitions is, that '*before any new burdens are laid upon this country, effectual measures*

be taken by this House, to inquire into, and correct the gross abuses in the expenditure of public money.'

This has been treated by the noble lord in the blue riband, as a wild, factious language. It happens, however, that the people, in their address to us, use almost word for word the same terms as the King of France uses in addressing himself to his people; and it differs only, as it falls short of the French king's idea of what is due to his subjects. 'To convince,' says he, 'our faithful subjects of *the desire we entertain not to recur to new impositions*, until we have first exhausted all the resources which order and economy can possibly supply,' &c., &c.

These desires of the people of England, which come far short of the voluntary concessions of the King of France, are moderate indeed. They only contend that we should interweave some economy with the taxes with which we have chosen to begin the war. They request not that you should rely upon economy exclusively, but that you should give it rank and precedence, in the order of the ways and means of this single session.

But if it were possible that the desires of our constituents, desires which are at once so natural, and so very much tempered and subdued, should have no weight with a House of Commons, which has its eye elsewhere; I would turn my eyes to the very quarter to which theirs are directed. I would reason this matter with the House, on the mere policy of the question; and I would undertake to prove, that an early dereliction of abuse is the direct interest of government; of government taken abstractedly from its duties, and considered merely as a system intending its own conservation.

If there is any one eminent criterion, which above all the rest, distinguishes a wise government from an administration weak and improvident, it is this;— 'well to know the best time and manner of yielding what it is impossible to keep.' There have been, sir, and there are, many who choose to chicanery with their

situation, rather than be instructed by it. Those gentlemen argue against every desire of reformation, upon the principles of a criminal prosecution. It is enough for them to justify their adherence to a pernicious system, that it is not of their contrivance; that it is an inheritance of absurdity, derived to them from their ancestors; that they can make out a long and unbroken pedigree of mis-managers that have gone before them. They are proud of the antiquity of their house; and they defend their errors, as if they were defending their inheritance: afraid of derogating from their nobility; and carefully avoiding a sort of blot in their scutcheon, which they think would degrade them for ever.

It was thus that the unfortunate Charles I defended himself on the practice of the Stuart who went before him, and of all the Tudors; his partisans might have gone to the Plantagenets. They might have found bad examples enough, both abroad and at home, that could have shown an ancient and illustrious descent.

R But there is a time, when men will not suffer bad things because their ancestors have suffered worse. There is a time when the hoary head of inveterate abuse will neither draw reverence, nor obtain protection. If the noble lord in the blue riband pleads 'not guilty,' to the charges brought against the present system of public economy, it is not possible to give a fair verdict by which he will not stand acquitted. But pleading is not our present business. His plea or his traverse may be allowed as an answer to a charge, when a charge is made. But if he puts himself in the way to obstruct reformation, then the faults of his office instantly become his own. Instead of a public officer in an abusive department, whose province is an object to be regulated, he becomes a criminal who is to be punished. I do most seriously put it to administration, to consider the wisdom of a timely reform. Early reformations are amicable arrangements with a friend in power; late reformations are terms imposed upon a conquered enemy: early re-

formations are made in cool blood ; late reformations are made under a state of inflammation. In that state of things the people behold in government nothing that is respectable. They see the abuse, and they will see nothing else—they fall into the temper of a furious populace provoked at the disorder of a house of ill-fame ; they never attempt to correct or regulate ; they go to work by the shortest way--they abate the nuisance, they pull down the house.

This is my opinion with regard to the true interest of government. But as it is the interest of government that reformation should be early, it is the interest of the people that it should be temperate. It is their interest, because a temperate reform is permanent ; and because it has a principle of growth. Whenever we improve, it is right to leave room for a further improvement. It is right to consider, to look about us, to examine the effect of what we have done.—Then we can proceed with confidence, because we can proceed with intelligence. Whereas in hot reformations, in what men, more zealous than considerate, call *making clear work*, the whole is generally so crude, so harsh, so indigested ; mixed with so much imprudence, and so much injustice ; so contrary to the whole course of human nature, and human institutions, that the very people who are most eager for it are among the first to grow disgusted at what they have done. Then some part of the abdicated grievance is recalled from its exile in order to become a corrective of the correction. Then the abuse assumes all the credit and popularity of a reform. The very idea of purity and disinterestedness in politics falls into disrepute, and is considered as a vision of hot and inexperienced men ; and thus disorders become incurable, not by the virulence of their own quality, but by the unapt and violent nature of the remedies. A great part, therefore, of my idea of reform is meant to operate gradually ; some benefits will come at a nearer, some at a more remote period. We must no more make haste to be rich by parsimony, than by intemperate acquisition.

In my opinion, it is our duty, when we have the desires of the people before us, to pursue them, not in the spirit of literal obedience, which may militate with their very principle, much less to treat them with a peevish and contentious litigation, as if we were adverse parties in a suit. It would, sir, be most dishonourable for a faithful representative of the Commons to take advantage of any inartificial expression of the people's wishes, in order to frustrate their attainment of what they have an undoubted right to expect. We are under infinite obligations to our constituents, who have raised us to so distinguished a trust, and have imparted such a degree of sanctity to common characters. We ought to walk before them with purity, plainness, and integrity of heart; with filial love, and not with slavish fear, which is always a low and tricking thing. For my own part, in what I have meditated upon that subject, I cannot indeed take upon me to say I have the honour to follow the sense of the people. The truth is, *I met it on the way*, while I was pursuing their interest according to my own ideas. I am happy beyond expression to find that my intentions have so far coincided with theirs, that I have not had cause to be in the least scrupulous to sign their petition, conceiving it to express my own opinions, as nearly as general terms can express the object of particular arrangements.

I am therefore satisfied to act as a fair mediator between government and the people, endeavouring to form a plan which should have both an early and a temperate operation. I mean, that it should be substantial; that it should be systematic. That it should rather strike at the first cause of prodigality and corrupt influence, than attempt to follow them in all their effects.

It was to fulfil the first of these objects (the proposal of something substantial) that I found myself obliged, at the outset, to reject a plan proposed by an honourable and attentive member of parliament¹, with very

¹ Thomas Gilbert, Esq., member for Lichfield.

good intentions on his part, about a year or two ago. Sir, the plan I speak of was the tax of twenty-five per cent. moved upon places and pensions during the continuance of the American war.—Nothing, sir, could have met my ideas more than such a tax if it was considered as a practical satire on that war, and as a penalty upon those who led us into it; but in any other view it appeared to me very liable to objections. I considered the scheme as neither substantial, nor permanent, nor systematical, nor likely to be a corrective of evil influence. I have always thought employments a very proper subject of regulation, but a very ill-chosen subject for a tax. An equal tax upon property is reasonable; because the object is of the same quality throughout. The species is the same, it differs only in its quantity: but a tax upon salaries is totally of a different nature; there can be no equality, and consequently no justice, in taxing them by the hundred in the gross.

We have, sir, on our establishment, several offices which perform real service—we have also places that provide large rewards for no service at all. We have stations which are made for the public decorum; made for preserving the grace and majesty of a great people—we have likewise expensive formalities, which tend rather to the disgrace than the ornament of the state and the court. This, sir, is the real condition of our establishments. To fall with the same severity on objects so perfectly dissimilar, is the very reverse of a reformation. I mean a reformation framed, as all serious things ought to be, in number, weight, and measure.—Suppose, for instance, that two men receive a salary of £800 a year each.—In the office of one there is nothing at all to be done; in the other, the occupier is oppressed by its duties.—Strike off twenty-five per cent. from these two offices, you take from one man £200 which in justice he ought to have, and you give in effect to the other £600 which he ought not to receive. The public robs the former, and the latter robs the public; and this mode of mutual robbery is

the only way in which the office and the public can make up their accounts.

But the balance, in settling the account of this double injustice, is much against the state. The result is short. You purchase a saving of two hundred pounds, by a profusion of six. Besides, sir, whilst you leave a supply of unsecured money behind, wholly at the discretion of ministers, they make up the tax to such places as they wish to favour, or in such new places as they may choose to create. Thus the civil list becomes oppressed with debt; and the public is obliged to repay, and to repay with a heavy interest, what it has taken by an injudicious tax. Such has been the effect of the taxes hitherto laid on pensions and employments, and it is no encouragement to recur again to the same expedient.

In effect, such a scheme is not calculated to produce, but to prevent, reformation. It holds out a shadow of present gain to a greedy and necessitous public, to divert their attention from those abuses, which in reality are the great causes of their wants. It is a composition to stay inquiry; it is a fine paid by mismanagement, for the renewal of its lease. What is worse, it is a fine paid by industry and merit, for an indemnity to the idle and the worthless. But I shall say no more upon this topic, because (whatever may be given out to the contrary) I know that the noble lord in the blue riband perfectly agrees with me in these sentiments.

After all that I have said on this subject, I am so sensible that it is our duty to try every thing which may contribute to the relief of the nation, that I do not attempt wholly to reprobate the idea even of a tax. Whenever, sir, the incumbrance of useless office (which lies no less a dead weight upon the service of the state than upon its revenues) shall be removed;—when the remaining offices shall be classed according to the just proportion of their rewards and services, so as to admit the application of an equal rule to their taxation; when the discretionary power over the civil list cash

shall be so regulated, that a minister shall no longer have the means of repaying with a private what is taken by a public hand;—if, after all these preliminary regulations, it should be thought that a tax on places is an object worthy of the public attention, I shall be very ready to lend my hand to a reduction of their emoluments.

Having thus, sir, not so much absolutely rejected as postponed the plan of a taxation of office, my next business was to find something which might be really substantial and effectual. I am quite clear, that, if we do not go to the very origin and first ruling cause of grievances, we do nothing. What does it signify to turn abuses out of one door, if we are to let them in at another? What does it signify to promote economy upon a measure, and to suffer it to be subverted in the principle? Our ministers are far from being wholly to blame for the present ill order which prevails. Whilst institutions directly repugnant to good management are suffered to remain, no effectual or lasting reform *can* be introduced.

I therefore thought it necessary, as soon as I conceived thoughts of submitting to you some plan of reform, to take a comprehensive view of the state of this country; to make a sort of survey of its jurisdictions, its estates, and its establishments. Something in every one of them seemed to me to stand in the way of all economy in their administration, and prevented every possibility of methodizing the system. But being, as I ought to be, doubtful of myself, I was resolved not to proceed in an *arbitrary* manner in any particular which tended to change the settled state of things, or in any degree to affect the fortune or situation, the interest or the importance, of any individual. By an arbitrary proceeding, I mean one conducted by the private opinions, tastes, or feelings of the man who attempts to regulate. These private measures are not standards of the exchequer, nor balances of the sanctuary. General principles cannot be debauched or corrupted by interest or caprice; and by those principles I was resolved to work.

Sir, before I proceed further, I will lay these principles fairly before you, that afterwards you may be in a condition to judge whether every object of regulation, as I propose it, comes fairly under its rule. This will exceedingly shorten all discussion between us, if we are perfectly in earnest in establishing a system of good management. I therefore lay down to myself seven fundamental rules: they might, indeed, be reduced to two or three simple maxims; but they would be too general, and their application to the several heads of the business before us would not be so distinct and visible. I conceive, then,

First, That all jurisdictions which furnish more matter of expense, more temptation to oppression, or more means and instruments of corrupt influence, than advantage to justice or political administration, ought to be abolished.

Secondly, That all public estates which are more subservient to the purposes of vexing, overawing, and influencing those who hold under them, and to the expense of perception and management, than of benefit to the revenue, ought, upon every principle both of revenue and of freedom, to be disposed of.

Thirdly, That all offices which bring more charge than proportional advantage to the state; that all offices which may be engrafted on others, uniting and simplifying their duties, ought in the first case to be taken away, and, in the second, to be consolidated.

Fourthly, That all such offices ought to be abolished as obstruct the prospect of the general superintendent of finance, which destroy his superintendency, which disable him from foreseeing and providing for charges as they may occur, from preventing expense in its origin, checking it in its progress, or securing its application to its proper purposes. A minister, under whom expenses can be made without his knowledge, can never say what it is that he can spend, or what it is that he can save.

Fifthly, That it is proper to establish an invariable order in all payments, which will prevent partiality; which will give preference to services, not according to the importunity of the demandant, but the rank and order of their utility or their justice.

Sixthly, That it is right to reduce every establishment, and every part of an establishment (as nearly as possible), to certainty, the life of all order and good management.

Seventhly, That all subordinate treasuries, as the nurseries of mismanagement, and as naturally drawing to themselves as much money as they can, keeping it as long as they can, and accounting for it as late as they can, ought to be dissolved. They have a tendency to perplex and distract the public accounts, and to excite a suspicion of government even beyond the extent of their abuse.

Under the authority and with the guidance of those principles, I proceed; wishing that nothing in any establishment may be changed, where I am not able to make a strong, direct, and solid application of those principles, or of some one of them. An economical constitution is a necessary basis for an economical administration.

First, with regard to the sovereign jurisdictions, I must observe, sir, that whoever takes a view of this kingdom in a cursory manner will imagine that he beholds a solid, compacted, uniform system of monarchy; in which all inferior jurisdictions are but as rays diverging from one centre. But on examining it more nearly you find much *eccentricity and confusion*. It is not a monarchy in strictness. But, as in the Saxon times this country was an *heptarchy*, it is now a strange sort of *pentarchy*. It is divided into five several distinct principalities, besides the supreme. There is indeed this difference from the Saxon times, that as in the itinerant exhibitions of the stage, for want of a complete company, they are obliged to throw a variety of parts on their chief performer; so our sovereign condescends himself to act, not only the principal, but all

the subordinate parts in the play. He condescends to dissipate the royal character, and to trifle with those light, subordinate, lacquered sceptres in those hands that sustain the ball representing the world, or which wield the trident that commands the ocean. Cross a brook, and you lose the king of England; but you have some comfort in coming again under his majesty, though 'shorn of his beams,' and no more than prince of Wales. Go to the north, and you find him dwindled to a duke of Lancaster; turn to the west of that north, and he pops upon you in the humble character of earl of Chester. Travel a few miles on, the earl of Chester disappears; and the king surprises you again as count palatine of Lancaster. If you travel beyond Mount Edgecombe, you find him once more in his incognito, and he is duke of Cornwall. So that, quite fatigued and satiated with this dull variety, you are infinitely refreshed when you return to the sphere of his proper splendour, and behold your amiable sovereign in his true, simple, undisguised, native character of majesty.

In every one of these five principalities, duchies, palatinates, there is a regular establishment of considerable expense, and most domineering influence. As his majesty submits to appear in this state of subordination to himself, his loyal peers and faithful commons attend his royal transformations; and are not so nice as to refuse to nibble at those crumbs of emolument, which console their pretty metamorphoses. Thus every one of those principalities has the apparatus of a kingdom, for the jurisdiction over a few private estates; and the formality and charge of the exchequer of Great Britain, for collecting the rents of a country squire. Cornwall is the best of them; but, when you compare the charge with the receipt, you will find that it furnishes no exception to the general rule. The duchy and county palatine of Lancaster do not yield, as I have reason to believe, on an average of twenty years, four thousand pounds a year clear to the crown. As to Wales, and the county palatine of Chester, I have

my doubts, whether their productive exchequer yields any returns at all. Yet one may say that this revenue is more faithfully applied to its purposes than any of the rest ; as it exists for the sole purpose of multiplying offices, and extending influence.

An attempt was lately made to improve this branch of local influence, and to transfer it to the fund of general corruption. I have on the seat behind me, the constitution of Mr. John Probert ; a knight-errant dubbed by the noble lord in the blue ribband, and sent to search for revenues and adventures upon the mountains of Wales. The commission is remarkable ; and the event not less so. The commission sets forth, that ‘ Upon a report of the *deputy-auditor* (for there is a deputy-auditor) of the principality of Wales, it appeared, that his majesty’s land revenues in the said principality are *greatly diminished* ’ ;—‘ and that upon a report of the *surveyor-general* of his majesty’s land revenues, upon a *memorial* of the auditor of his majesty’s revenues, *within the said principality*, that his mines and forests have produced *very little profit either to the public revenue or to individuals* ’ ;—and therefore they appoint Mr. Probert, with a pension of three hundred pounds a year from the said principality, to try whether he can make anything more of that *very little* which is stated to be so *greatly* diminished. ‘ *A beggarly account of empty boxes.*’ And yet, sir, you will remark—that this diminution from littleness (which serves only to prove the infinite divisibility of matter) was not for want of the tender, and officious care (as we see) of surveyors general and surveyors particular ; of auditors and deputy-auditors ; not for want of memorials, and remonstrances, and reports, and commissions, and constitutions, and inquisitions, and pensions.

Probert, thus armed, and accoutred—and paid, proceeded on his adventure ; but he was no sooner on the confines of Wales, than all Wales was in arms to meet him. That nation is brave and full of spirit. Since the invasion of King Edward, and the massacre of the bards, there never was such a tumult, and alarm,

and uproar, through the region of *Prestatyn*. *Snowdon* shook to its base; *Cader Idris* was loosened from its foundations. The fury of litigious war blew her horn on the mountains. The rocks poured down their goatherds, and the deep caverns vomited out their miners. Everything above ground and everything under ground was in arms.

In short, sir, to alight from my Welsh Pegasus, and to come to level ground; the *preux chevalier* Probert went to look for revenues, like his masters upon other occasions; and, like his masters, he found rebellion. But we were grown cautious by experience. A civil war of paper might end in a more serious war; for now remonstrance met remonstrance, and memorial was opposed to memorial. The wise Britons thought it more reasonable that the poor, wasted, decrepid revenue of the principality should die a natural, than a violent death. In truth, sir, the attempt was no less an affront upon the understanding of that respectable people, than it was an attack on their property. They choose rather that their ancient, moss-grown castles should moulder into decay, under the silent touches of time, and the slow formality of an oblivious and drowsy exchequer, than that they should be battered down all at once, by the lively efforts of a pensioned engineer. As it is the fortune of the noble lord, to whom the auspices of this campaign belonged, frequently to provoke resistance, so it is his rule and nature to yield to that resistance *in all cases whatsoever*. He was true to himself on this occasion. He submitted with spirit to the spirited remonstrances of the Welsh. Mr. Probert gave up this adventure, and keeps his pension—and so ends ‘the famous history of the revenue adventures of the bold baron North, and the good knight Probert, upon the mountains of *Venodotia*.’

In such a state is the exchequer of Wales at present, that upon the report of the treasury itself, its *little* revenue is *greatly* diminished; and we see, by the whole of this strange transaction, that an attempt to

improve it produces resistance ; the resistance produces submission ; and the whole ends in pension ¹.

It is nearly the same with the revenues of the duchy of Lancaster. To do nothing with them is extinction ; to improve them is oppression. Indeed, the whole of the estates, which support these minor principalities, is made up, not of revenues, and rents, and profitable fines, but of claims, of pretensions, of vexations, of litigations. They are exchequers of unfrequent receipt, and constant charge ; a system of finances not fit for an economist who would be rich ; not fit for a prince who would govern his subjects with equity and justice.

It is not only between prince and subject that these mock jurisdictions, and mimic revenues, produce great mischief. They excite among the people a spirit of informing and debating ; a spirit of supplanting and undermining one another. So that many, in such circumstances, conceive it advantageous to them rather to continue subject to vexation themselves, than to give up the means and chance of vexing others. It is exceedingly common for men to contract their love to their country into an attachment to its petty subdivisions ; and they sometimes even cling to their provincial abuses, as if they were franchises and local privileges. Accordingly, in places where there is much of this kind of estate, persons will be always found, who would rather trust to their talents in recommending themselves to power for the renewal of their interests, than to encumber their purses, though never so lightly, in order to transmit independence to their posterity. It is a great mistake, that the desire for securing property is universal among mankind. Gaming is a principle inherent in human nature. It belongs

¹ Here Lord North shook his head, and told those who sat near him, that Mr. Probert's pension was to depend on his success. It may be so. Mr. Probert's pension was, however, no essential part of the question ; nor did Mr. B. care whether he still possessed it or not. His point was, to show the folly of attempting an improvement of the Welsh revenue under its present establishment.

to us all. I would therefore break those tables: I would furnish no evil occupation for that spirit. I would make every man look everywhere, except to the intrigue of a court, for the improvement of his circumstances, or the security of his fortune. I have in my eye a very strong case in the duchy of Lancaster (which lately occupied Westminster Hall, and the House of Lords) as my voucher for many of these reflections¹.

For what plausible reason are these principalities suffered to exist? When a government is rendered complex (which in itself is no desirable thing) it ought to be for some political end which cannot be answered otherwise. Subdivisions in government are only admissible in favour of the dignity of inferior princes, and high nobility; or for the support of an aristocratic confederacy under some head; or for the conservation of the franchises of the people in some privileged province. For the two former of these ends, such are the subdivisions in favour of the electoral and other princes in the empire; for the latter of these purposes are the jurisdiction of the imperial cities, and the Hanse towns. For the latter of these ends are also the countries of the States [*Pays d'États*] and certain cities, and orders in France. These are all regulations with an object, and some of them with a very good object. But how are the principles of any of these subdivisions applicable in the case before us?

Do they answer any purpose to the king? The principality of Wales was given by patent to Edward the Black Prince, on the ground on which it has since stood.—Lord Coke sagaciously observes upon it, ‘That in the charter of creating the Black Prince Edward Prince of Wales, there is a *great mystery*—for *less than* an estate of inheritance, so *great a prince could not* have, and an *absolute estate of inheritance* in so *great*

¹ Case of Richard Lee, Esq., appellant, *against* George Venables Lord Vernon, respondent, in the year 1776.

a principality as Wales (this principality being *so dear* to him) he *should* not have; and therefore it was made, *sibi et heredibus suis regibus Angliæ*, that by his decease, or attaining to the crown, it might be extinguished in the crown.'

For the sake of this foolish *mystery*, of what a great prince *could* not have *less*, and *should* not have *so much*, of a principality which was too *dear* to be given, and too *great* to be kept—and for no other cause that ever I could find—this form and shadow of a principality, without any substance, has been maintained. That you may judge in this instance (and it serves for the rest) of the difference between a great and a little economy, you will please to recollect, sir, that Wales may be about the tenth part of England in size and population; and certainly not an hundredth part in opulence. Twelve judges perform the whole of the business, both of the stationary and itinerant justice of this kingdom; but for Wales there are eight judges. There is in Wales an exchequer, as well as in all the duchies, according to the very best and most authentic absurdity of form. There are, in all of them, a hundred more difficult trifles and laborious fooleries, which serve no other purpose than to keep alive corrupt hope and servile dependence.

These principalities are so far from contributing to the ease of the king, to his wealth, or his dignity, that they render both his supreme and his subordinate authority perfectly ridiculous. It was but the other day, that that pert, factious fellow, the Duke of Lancaster, presumed to fly in the face of his liege lord, our gracious sovereign; and, *associating* with a parcel of lawyers as factious as himself, to the destruction of *all law and order*, and *in committees leading directly to rebellion*—presumed to go to law with the king. The object is neither your business nor mine. Which of the parties got the better, I really forget. I think it was (as it ought to be) the king. The material point is, that the suit cost about fifteen thousand pounds. But as the Duke of Lancaster is but a sort of *Duke*

Humphrey, and not worth a groat, our sovereign was obliged to pay the costs of both. Indeed this art of converting a great monarch into a little prince, this royal masquerading, is a very dangerous and expensive amusement; and one of the king's *menus plaisirs* which ought to be reformed. This duchy, which is not worth four thousand pounds a year at best to *revenue*, is worth forty or fifty thousand to *influence*.

The duchy of Lancaster and the county palatine of Lancaster answered, I admit, some purpose in their original creation. They tended to make a subject imitate a prince. When Henry IV from that stair ascended the throne, high-minded as he was, he was not willing to kick away the ladder. To prevent that principality from being extinguished in the crown, he severed it by act of parliament. He had a motive, such as it was: he thought his title to the crown unsound, and his possession insecure. He therefore managed a retreat in his duchy; which Lord Coke calls (I do not know why) *par multis regnis*. He flattered himself that it was practicable to make a projecting point half way down, to break his fall from the precipice of royalty; as if it were possible for one who had lost a kingdom to keep anything else. However, it is evident that he thought so. When Henry V united, by act of parliament, the estates of his mother to the duchy, he had the same predilection with his father to the root of his family honours, and the same policy in enlarging the sphere of a possible retreat from the slippery royalty of the two great crowns he held. All this was changed by Edward IV. He had no such family partialities, and his policy was the reverse of that of Henry IV and Henry V. He accordingly again united the duchy of Lancaster to the crown. But when Henry VII, who chose to consider himself as of the House of Lancaster, came to the throne, he brought with him the old pretensions, and the old politics of that house. A new act of parliament, a second time, dis severed the duchy of Lancaster from the crown; and in that line things continued until the subversion

of the monarchy, when principalities and powers fell along with the throne. The duchy of Lancaster must have been extinguished, if Cromwell, who began to form ideas of aggrandizing his house, and raising the several branches of it, had not caused the duchy to be again separated from the commonwealth, by an act of the parliament of those times.

What partiality, what objects of the politics of the House of Lancaster, or of Cromwell, has his present majesty, or his majesty's family? What power have they within any of these principalities, which they have not within their kingdom? In what manner is the dignity of the nobility concerned in these principalities? What rights have the subject there, which they have not at least equally in every other part of the nation? These distinctions exist for no good end to the king, to the nobility, or to the people. They ought not to exist at all. If the crown (contrary to its nature, but most conformably to the whole tenor of the advice that has been lately given) should so far forget its dignity as to contend that these jurisdictions and revenues are estates of private property, I am rather for acting as if that groundless claim were of some weight, than for giving up that essential part of the reform. I would value the clear income, and give a clear annuity to the crown, taken on the medium produce for twenty years.

If the crown has any favourite name or title, if the subject has any matter of local accommodation within any of these jurisdictions, it is meant to preserve them, and to improve them, if any improvement can be suggested. As to the crown, reversions or titles upon the property of the people there, it is proposed to convert them from a snare to their independence, into a relief from their burdens. I propose, therefore, to unite all the five principalities to the crown, and to its ordinary jurisdiction,—to abolish all those offices that produce an useless and chargeable separation from the body of the people,—to compensate those who do not hold their offices (if any such there are) at the pleasure

of the crown,—to extinguish vexatious titles by an act of short limitation,—to sell those unprofitable estates which support useless jurisdictions, and to turn the tenant-right into a fee, on such moderate terms as will be better for the state than its present right, and which it is impossible for any rational tenant to refuse.

As to the duchies, their judicial economy may be provided for without charge. They have only to fall of course into the common county administration. A commission, more or less made or omitted, settles the matter fully. As to Wales, it has been proposed to add a judge to the several courts of Westminster Hall ; and it has been considered as an improvement in itself. For my part, I cannot pretend to speak upon it with clearness or with decision ; but certainly this arrangement would be more than sufficient for Wales. My original thought was to suppress five of the eight judges ; and to leave the chief justice of Chester, with the two senior judges ; and, to facilitate the business, to throw the twelve counties into six districts, holding the sessions alternately in the counties of which each district shall be composed. But on this I shall be more clear, when I come to the particular bill.

Sir, the House will now see whether, in praying for judgment against the minor principalities, I do not act in conformity to the laws that I had laid to myself, of getting rid of every jurisdiction more subservient to oppression and expense, than to any end of justice or honest policy ; of abolishing offices more expensive than useful ; of combining duties improperly separated ; of changing revenues, more vexatious than productive, into ready money ; of suppressing offices which stand in the way of economy ; and of cutting off lurking subordinate treasuries. Dispute the rules ; controvert the application ; or give your hands to this salutary measure.

Most of the same rules will be found applicable to my second object—*the landed estate of the crown*. A landed estate is certainly the very worst which the

crown can possess. All minute and dispersed possessions, possessions that are often of indeterminate value, and which require a continued personal attendance, are of a nature more proper for private management, than public administration. They are fitter for the care of a frugal land steward, than of an office in the state. Whatever they may possibly have been in other times, or in other countries, they are not of magnitude enough with us to occupy a public department nor to provide for a public object. They are already given up to parliament, and the gift is not of great value. Common prudence dictates, even in the management of private affairs, that all dispersed and chargeable estates should be sacrificed to the relief of estates more compact and better circumstanced.

If it be objected, that these lands at present would sell at a low market ; this is answered, by showing that money is at a high price. The one balances the other. Lands sell at the current rate ; and nothing can sell for more. But be the price what it may, a great object is always answered, whenever any property is transferred from hands that are not fit for that property to those that are. The buyer and seller must mutually profit by such a bargain ; and, what rarely happens in matters of revenue, the relief of the subject will go hand in hand with the profit of the exchequer.

As to the *forest lands*, in which the crown has (where they are not granted or prescriptively held) the *dominion* of the *soil*, and the *vert* and *venison* ; that is to say, the timber and the game, and in which the people have a variety of rights, in common of herbage, and other commons, according to the usage of the several forests ; —I propose to have those rights of the crown valued as manorial rights are valued on an inclosure ; and a defined portion of land to be given for them ; which land is to be sold for the public benefit.

As to the timber, I propose a survey of the whole. What is useless for the naval purposes of the kingdom, I would condemn, and dispose of for the security of what may be useful ; and to inclose such other parts

as may be most fit to furnish a perpetual supply ; wholly extinguishing, for a very obvious reason, all right of *venison* in those parts.

The forest *rights* which extend over the lands and possessions of others, being of no profit to the crown, and a grievance, as far as it goes, to the subject ; these I propose to extinguish without charge to the proprietors. The several commons are to be allotted and compensated for, upon ideas which I shall hereafter explain. They are nearly the same with the principles upon which you have acted in private inclosures. I shall never quit precedents where I find them applicable. For those regulations and compensations, and for every other part of the detail, you will be so indulgent as to give me credit for the present.

The revenue to be obtained from the sale of the forest lands and right will not be so considerable, I believe, as many people have imagined ; and I conceive it would be unwise to screw it up to the utmost, or even to suffer bidders to enhance, according to their eagerness, the purchase of objects, wherein the expense of that purchase may weaken the capital to be employed in their cultivation. This, I am well aware, might give room for partiality in the disposal. In my opinion it would be the lesser evil of the two. But I really conceive, that a rule of fair preference might be established, which would take away all sort of unjust and corrupt partiality. The principal revenue which I propose to draw from these uncultivated wastes, is to spring from the improvement and population of the kingdom ; which never can happen without producing an improvement more advantageous to the revenues of the crown, than the rents of the best landed estates which it can hold. I believe, sir, it will hardly be necessary for me to add that in this sale I naturally except all the houses, gardens, and parks, belonging to the crown, and such one forest as shall be chosen by his majesty, as best accommodated to his pleasures.

By means of this sort of the reform will fall the expensive office of *surveyor-general*, with all the in-

fluence that attends it. By this will fall *two chief justices in Eyre*, with all their train of dependents. You need be under no apprehension, sir, that your office is to be touched in its emoluments; they are yours by law; and they are but a moderate part of the compensation which is given to you for the ability with which you execute an office of quite another sort of importance; it is far from overpaying your diligence; or more than sufficient for sustaining the high rank you stand in, as the first gentleman of England. As to the duties of your chief justiceship, they are very different from those for which you have received the office. Your dignity is too high for a jurisdiction over wild beasts; and your learning and talents too valuable to be wasted as chief justice of a desert. I cannot reconcile it to myself, that you, sir, should be stuck up as a useless piece of antiquity.

I have now disposed of the unprofitable landed estates of the crown, and thrown them into the mass of private property; by which they will come, through the course of circulation, and through the political secretions of the state, into our better understood and better ordered revenues.

I come next to the great supreme body of the civil government itself. I approach it with that awe and reverence with which a young physician approaches to the cure of the disorders of his parent. Disorders, sir, and infirmities, there are—such disorders, that all attempts towards method, prudence, and frugality, will be perfectly vain, whilst a system of confusion remains, which is not only alien, but adverse to all economy; a system, which is not only prodigal in its very essence, but causes everything else which belongs to it to be prodigally conducted.

It is impossible, sir, for any person to be an economist, where no order in payments is established; it is impossible for a man to be an economist, who is not able to take a comparative view of his means, and of his expenses, for the year which lies before him; it is impossible for a man to be an economist, under whom

various officers in their several departments may spend, —even just what they please,—and often with an emulation of expense, as contributing to the importance if not profit, of their several departments. Thus much is certain ; that neither the present, nor any other first lord of the treasury, has been ever able to take a survey, or to make even a tolerable guess, of the expenses of government for any one year ; so as to enable him with the least degree of certainty, or even probability, to bring his affairs within compass. Whatever scheme may be forced upon them must be made on a calculation of chances. As things are circumstanced, the first lord of the treasury cannot make an estimate. I am sure I serve the king, and I am sure I assist administration, by putting economy at least in their power. We must *class services* ; we must (as far as their nature admits) *appropriate* funds ; or everything, however reformed, will fall again into the old confusion.

Coming upon this ground of the civil list, the first thing in dignity and charge that attracts our notice, is the *royal household*. This establishment, in my opinion, is exceedingly abusive in its constitution. It is formed upon manners and customs that have long since expired. In the first place, it is formed, in many respects, upon *feudal principles*.⁶ In the feudal times, it was not uncommon, even among subjects, for the lowest offices to be held by considerable persons ; persons as unfit by their incapacity, as improper from their rank, to occupy such employments. They were held by patent, sometimes for life, and sometimes by inheritance. If my memory does not deceive me, a person of no slight consideration held the office of patent hereditary cook to an Earl of Warwick—The Earl of Warwick's soups, I fear, were not the better for the dignity of his kitchen. I think it was an Earl of Gloucester, who officiated as steward of the household to the Archbishops of Canterbury. Instances of the same kind may in some degree be found in the Northumberland house-book, and other family records. There was some reason in ancient necessities for these

ancient customs. Protection was wanted; and the domestic tie, though not the highest, was the closest.

The king's household has not only several strong traces of this *feudality*, but it is formed also upon the principles of a *body corporate*; it has its own magistrates, courts, and by-laws. This might be necessary in the ancient times, in order to have a government within itself, capable of regulating the vast and often unruly multitude which composed and attended it. This was the origin of the ancient court called the *Green Cloth*—composed of the marshal, treasurer, and other great officers of the household, with certain clerks. The rich subjects of the kingdom, who had formerly the same establishments (only on a reduced scale) have since altered their economy; and turned the course of their expense from the maintenance of vast establishments within their walls, to the employment of a great variety of independent trades abroad. Their influence is lessened; but a mode of accommodation, and a style of splendour, suited to the manners of the times, has been increased. Royalty itself has insensibly followed; and the royal household has been carried away by the resistless tide of manners: but with this very material difference;—private men have got rid of the establishments along with the reasons of them; whereas the royal household has lost all that was stately and venerable in the antique manners, without retrenching anything of the cumbrous charge of a Gothic establishment. It is shrunk into the polished littleness of modern elegance and personal accommodation; it has evaporated from the gross concrete into an essence and rectified spirit of expense, where you have tuns of ancient pomp in a vial of modern luxury.

But when the reason of old establishments is gone, it is absurd to preserve nothing but the burden of them. This is superstitiously to embalm a carcass not worth an ounce of the gums that are used to preserve it. It is to burn precious oils in the tomb; it is to offer meat and drink to the dead,—not so much an honour

to the deceased, as a disgrace to the survivors. Our palaces are vast inhospitable halls. There the bleak winds, there 'Boreas, and Eurus, and Caurus, and Argestes loud,' howling through the vacant lobbies, and clattering the doors of deserted guard-rooms, appal the imagination, and conjure up the grim spectres of departed tyrants—the Saxon, the Norman, and the Dane; the stern Edwards and fierce Henries—who stalk from desolation to desolation, through the dreary vacuity, and melancholy succession of chill and comfortless chambers. When this tumult subsides, a dead, and still more frightful silence would reign in this desert, if every now and then the tacking of hammers did not announce that those constant attendants upon all courts in all ages, jobs, were still alive; for whose sake alone it is that any trace of ancient grandeur is suffered to remain. These palaces are a true emblem of some governments; the inhabitants are decayed, but the governors and magistrates still flourish. They put me in mind of *Old Sarum*, where the representatives, more in number than the constituents, only serve to inform us, that this was once a place of trade, and sounding with 'the busy hum of men,' though now you can only trace the streets by the colour of the corn; and its sole manufacture is in members of parliament.

These old establishments were formed also on a third principle, still more adverse to the living economy of the age. They were formed, sir, on the principle of *purveyance* and *receipt in kind*. In former days, when the household was vast, and the supply scanty and precarious, the royal purveyors, sallying forth from under the Gothic portcullis to purchase provision with power and prerogative instead of money, brought home the plunder of a hundred markets, and all that could be seized from a flying and hiding country, and deposited their spoil in a hundred caverns, with each its keeper. There, every commodity, received in its rawest condition, went through all the process which fitted it for use. This inconvenient receipt produced an economy suited only to itself. It multiplied offices

beyond all measure ; buttry, pantry, and all that rabble of places which, though profitable to the holders and expensive to the state, are almost too mean to mention.

All this might be, and I believe was, necessary at first ; for it is remarkable that *purveyance*, after its regulation had been the subject of a long line of statutes (not fewer, I think, than twenty-six), was wholly taken away by the twelfth of Charles II ; yet in the next year of the same reign, it was found necessary to revive it by a special act of parliament, for the sake of the king's journeys. This, sir, is curious ; and what would hardly be expected in so reduced a court as that of Charles II, and so improved a country as England might then be thought. But so it was. In our time, one well filled and well covered stage-coach requires more accommodation than a royal progress ; and every district, at an hour's warning, can supply an army.

I do not say, sir, that all these establishments, whose principle is gone, have been systematically kept up for influence solely ; neglect had its share. But this I am sure of that a consideration of influence has hindered any one from attempting to pull them down. For the purposes of influence, and for those purposes only, are retained half at least of the household establishments. No revenue, no not a royal revenue, can exist under the accumulated charge of ancient establishment, modern luxury, and parliamentary political corruption.

If therefore we aim at regulating this household, the question will be, whether we ought to economize by *detail* or by *principle* ? The example we have had of the success of an attempt to economize by detail, and under establishments adverse to the attempt, may tend to decide this question.

At the beginning of his majesty's reign, Lord Talbot came to the administration of a great department in the household. I believe no man ever entered into his majesty's service, or into the service of any prince,

with a more clear integrity, or with more zeal and affection for the interest of his master ; and, I must add, with abilities for a still higher service. Economy was then announced as a maxim of the reign. This noble lord therefore made several attempts towards a reform. In the year 1777, when the king's civil list debts came last to be paid, he explained very fully the success of his undertaking. He told the House of Lords, that he had attempted to reduce the charges of the king's tables, and his kitchen.—The thing, sir, was not below him. He knew that there is nothing interesting in the concerns of men, whom we love and honour, that is beneath our attention.—‘Love,’ says one of our old poets, ‘esteems no office mean’; and with still more spirit, ‘entire affection scorneth nicer hands.’ Frugality, sir, is founded on the principle that all riches have limits. A royal household, grown enormous, even in the meanest departments, may weaken and perhaps destroy all energy in the highest offices of the state. The gorging a royal kitchen may stint and famish the negotiations of a kingdom. Therefore the object was worthy of his, was worthy of any man's attention.

In consequence of this noble lord's resolution (as he told the other House), he reduced several tables, and put the persons entitled to them upon board wages, much to their own satisfaction. But unluckily subsequent duties requiring constant attendance, it was not possible to prevent their being fed where they were employed—and thus this first step towards economy doubled the expense.

There was another disaster far more doleful than this. I shall state it, as the cause of that misfortune lies at the bottom of almost all our prodigality. Lord Talbot attempted to reform the kitchen ; but such, as he well observed, is the consequence of having duty done by one person, whilst another enjoys the emoluments, that he found himself frustrated in all his designs. On that rock his whole adventure split—his whole scheme of economy was dashed to pieces ;

his department became more expensive than ever ;— the civil list debt accumulated—Why ? It was truly from a cause, which, though perfectly adequate to the effect, one would not have instantly guessed ;—It was because the *turnspit in the king's kitchen was a member of parliament* ¹ ! The king's domestic servants were all undone ; his tradesmen remained unpaid, and became bankrupt—*because the turnspit of the king's kitchen was a member of parliament*. His majesty's slumbers were interrupted, his pillow was stuffed with thorns, and his peace of mind entirely broken—*because the king's turnspit was a member of parliament*. The judges were unpaid ; the justice of the kingdom bent and gave way ; the foreign ministers remained inactive and unprovided ; the system of Europe was dissolved ; the chain of our alliances was broken ; all the wheels of government at home and abroad were stopped—*because the king's turnspit was a member of parliament* !

Such, sir, was the situation of affairs, and such the cause of that situation, when his majesty came a second time to parliament, to desire the payment of those debts which the employment of its members in various offices, visible and invisible, had occasioned. I believe that a like fate will attend every attempt at economy by detail, under similar circumstances, and in every department. A complex, operose office of account and control is, in itself, and even if members of parliament had nothing to do with it, the most prodigal of all things. The most audacious robberies, or the most subtle frauds, would never venture upon such a waste as an over-careful, detailed guard against them would infallibly produce. In our establishments, we frequently see an office of account, of a hundred pounds a year expense, and another office of an equal expense, to control that office ; and the whole upon a matter that is not worth twenty shillings.

¹ Vide Lord Talbot's speech in Almond's Parliamentary Register, vol. vii. p. 79, of the proceedings of the Lords.

To avoid, therefore, this minute care, which produces the consequences of the most extensive neglect, and to oblige members of parliament to attend to public cares, and not to the servile offices of domestic management, I propose, sir, to *economize by principle*, that is, I propose to put affairs into that train which experience points out as the most effectual, from the nature of things, and from the constitution of the human mind. In all dealings where it is possible, the principles of radical economy prescribe three things; first, undertaking by the great; secondly, engaging with persons of skill in the subject matter; thirdly, engaging with those who shall have an immediate and direct interest in the proper execution of the business.

To avoid frittering and crumbling down the attention by a blind, unsystematic observance of every trifle, it has ever been found the best way to do all things which are great in the total amount, and minute in the component parts, by a *general contract*. The principles of trade have so pervaded every species of dealing, from the highest to the lowest objects; all transactions are got so much into system that we may, at a moment's warning, and to a farthing value, be informed at what rate any service may be supplied. No dealing is exempt from the possibility of fraud. But by a contract on a matter certain, you have this advantage—you are sure to know the utmost *extent* of the fraud to which you are subject. By a contract with a person in *his own trade*, you are sure you shall not suffer by *want of skill*. By a *short contract* you are sure of making it the *interest* of the contractor to exert that skill for the satisfaction of his employers.

I mean to derogate nothing from the diligence or integrity of the present, or of any former board of Green Cloth. But what skill can members of parliament obtain in that low kind of province? What pleasure can they have in the execution of that kind of duty? And, if they should neglect it, how does it affect their interest, when you know that it is their vote in parliament, and not their diligence in cookery

or catering, that recommends them to their office, or keeps them in it ?

I therefore propose that the king's tables (to whatever number of tables, or covers to each he shall think proper to command) should be classed by the steward of the household and should be contracted for, according to their rank, by the head or cover ;—that the estimate and circumstance of the contract should be carried to the treasury to be approved ; and that its faithful and satisfactory performance should be reported there previously to any payment ; that there, and there only, should the payment be made. I propose that men should be contracted with only in their proper trade ; and that no member of parliament should be capable of such contract. By this plan, almost all the infinite offices under the lord steward may be spared ; to the extreme simplification, and to the far better execution, of every one of his functions. The King of Prussia is so served. He is a great and eminent (though indeed a very rare) instance of the possibility of uniting, in a mind of vigour and compass, an attention to minute objects with the largest views, and the most complicated plans. His tables are served by contract, and by the head. Let me say, that no prince can be ashamed to imitate the King of Prussia ; and particularly to learn in his school, when the problem is—‘ the best manner of reconciling the state of a court with the support of war ? ’ Other courts, I understand, have followed him with effect, and to their satisfaction.

The same clue of principle leads us through the labyrinth of the other departments. What, sir, is there in the office of the *great wardrobe* (which has the care of the king's furniture) that may not be executed by the *lord chamberlain himself* ? He has an honourable appointment ; he has time sufficient to attend to the duty ; and he has the vice-chamberlain to assist him. Why should not he deal also by contract for all things belonging to this office, and carry his estimates first, and his report of the execution in its proper

time for payment directly to the board of treasury itself? By a simple operation (containing in it a treble control) the expenses of a department, which for naked walls, or walls hung with cobwebs, has in a few years cost the crown £150,000, may at length hope for regulation. But, sir, the office and its business are at variance. As it stands, it serves not to furnish the palace with its hangings, but the parliament with its dependent members.

To what end, sir, does the office of *removing wardrobe* serve at all? Why should a *jewel office* exist for the sole purpose of taxing the king's gifts of plate? Its object falls naturally within the *chamberlain's* province; and ought to be under his care and inspection without any fee. Why should an office of the *robes* exist, when that of *groom of the stole* is a sinecure, and that this is a proper object of his department?

All these incumbrances, which are themselves nuisances, produce other incumbrances and other nuisances. For the payment of these useless establishments, there are no less than *three useless treasurers*; two to hold a purse, and one to play with a stick. The treasurer of the household is a mere name. The cofferer and the treasurer of the chamber receive and pay great sums, which it is not at all necessary *they* should either receive or pay. All the proper officers, servants, and tradesmen, may be enrolled in their several departments, and paid in proper classes and times with great simplicity and order, at the exchequer, and by direction from the treasury.

The *board of works*, which in the seven years preceding 1777, has cost towards £400,000¹; and (if I recollect rightly) has not cost less in proportion from the beginning of the reign, is under the very same description of all the other ill-contrived establishments, and calls for the very same reform. We are to seek for the visible signs of all this expense.—For all this expense, we do not see a building of the size and importance of a pigeon-house. Buckingham House

¹ More exactly £378,616 10s. 1½d.

was reprised by a bargain with the public for one hundred thousand pounds ;-- and the small house at Windsor has been, if I mistake not, undertaken since that account was brought before us. The good works of that board of works are as carefully concealed as other good works ought to be ; they are perfectly invisible. But though it is the perfection of charity to be concealed, it is, sir, the property and glory of magnificence, to appear and stand forward to the eye.

That board, which ought to be a concern of builders, and such like, and of none else, is turned into a junta of members of parliament. That office too has a *treasury*, and a paymaster of its own ; and, lest the arduous affairs of that important exchequer should be too fatiguing, that paymaster has a deputy to partake his profits, and relieve his cares. I do not believe, that, either now or in former times, the chief managers of that board have made any profit of its abuse. It is, however, no good reason that an abusive establishment should subsist because it is of as little private as of public advantage. But this establishment has the grand radical fault, the original sin, that pervades and perverts all our establishments ;--the apparatus is not fitted to the object nor the workmen to the work. Expenses are incurred on the private opinion of an inferior establishment, without consulting the principal ; who can alone determine the proportion which it ought to bear to the other establishments of the state, in the order of their relative importance.

I propose, therefore, along with the rest, to pull down this whole ill-contrived scaffolding, which obstructs, rather than forwards, our public works ; to take away its treasury ; to put the whole into the hands of a real builder, who shall not be a member of parliament, and to oblige him, by a previous estimate and final payment, to appear twice at the treasury before the public can be loaded. The king's gardens are to come under a similar regulation.

The *mint*, though not a department of the household, has the same vices. It is a great expense to the nation,

chiefly for the sake of members of parliament. It has its officers of parade and dignity. It has its treasury too. It is a sort of corporate body; and formerly was a body of great importance; as much so on the then scale of things and the then order of business, as the Bank is at this day. It was the great centre of money transactions and remittances for our own, and for other nations; until King Charles I, among other arbitrary projects, dictated by despotic necessity, made it withhold the money that lay there for remittance. That blow (and happily too) the mint never recovered. Now it is no bank; no remittance-shop. The mint, sir, is a *manufacture*, and it is nothing else; and it ought to be undertaken upon the principles of a manufacture; that is, for the best and cheapest execution, by a contract upon proper securities, and under proper regulations.

The *artillery* is a far greater object; it is a military concern; but having an affinity and kindred in its defects with the establishments I am now speaking of, I think it best to speak of it along with them. It is, I conceive, an establishment, not well suited to its martial, though exceedingly well calculated for its parliamentary purposes.—Here there is a *treasury*, as in all the other inferior departments of government. Here the military is subordinate to the civil and the naval, confounded with the land service. The object indeed is much the same in both. But, when the detail is examined, it will be found that they had better be separated. For a reform of this office, I propose to restore things to what (all considerations taken together) is their natural order; to restore them to their just proportion, and to their just distribution. I propose, in this military concern, to render the civil subordinate to the military; and this will annihilate the greatest part of the expense and all the influence belonging to the office. I propose to send the military branch to the army, and the naval to the admiralty: and I intend to perfect and accomplish the whole detail (where it becomes too minute and complicated for

legislature, and requires exact, official, military, and mechanical knowledge) by a commission of competent officers in both departments. I propose to execute by contract what by contract can be executed; and to bring, as much as possible, all estimates to be previously approved and finally to be paid by the treasury.

Thus, by following the course of nature, and not the purposes of politics, or the accumulated patchwork of occasional accommodation, this vast expensive department may be methodized; its service proportioned to its necessities, and its payments subjected to the inspection of the superior minister of finance; who is to judge of it on the result of the total collected exigencies of the state. This last is a reigning principle through my whole plan; and it is a principle which I hope may hereafter be applied to other plans.

By these regulations taken together—besides the three subordinate treasuries in the lesser principalities, five other subordinate treasuries are suppressed. There is taken away the whole *establishment of detail* in the household;—the *treasurer*; the *comptroller* (for a comptroller is hardly necessary where there is no treasurer); the *cofferer of the household*; the *treasurer of the chamber*; the *master of the household*; the whole *board of green cloth*;—and a vast number of subordinate offices in the department of the *steward of the household*;—the whole establishment of the *great wardrobe*;—the *removing wardrobe*;—the *jewel office*;—the *robes*;—the *board of works*; almost the whole charge of the *civil branch of the board of ordnance* are taken away. All these arrangements together will be found to relieve the nation from a vast weight of influence, without distressing, but rather by forwarding every public service. When something of this kind is done, then the public may begin to breathe. Under other governments, a question of expense is only a question of economy, and it is nothing more; with us, in every question of expense, there is always a mixture of constitutional considerations.

It is, sir, because I wish to keep this business of subordinate treasuries as much as I can together, that I brought the *ordnance-office* before you, though it is properly a military department. For the same reason I will now trouble you with my thoughts and propositions upon two of the greatest *under treasuries*, I mean the office of *paymaster of the land forces*, or *treasurer of the army*, and that of the *treasurer of the navy*. The former of these has long been a great object of public suspicion and uneasiness. Envy too has had its share in the obloquy which is cast upon this office. But I am sure that it has no share at all in the reflections I shall make upon it, or in the reformations that I shall propose. I do not grudge to the honourable gentleman, who at present holds the office, any of the effects of his talents, his merit, or his fortune. He is respectable in all these particulars. I follow the constitution of the office without persecuting its holder. It is necessary in all matters of public complaint, where men frequently feel right and argue wrong, to separate prejudice from reason ; and to be very sure, in attempting the redress of a grievance that we hit upon its real seat, and its true nature. Where there is an abuse of office, the first thing that occurs in heat is to censure the officer. Our natural disposition leads all our inquiries rather to persons than to things. But this prejudice is to be corrected by maturer thinking.

Sir, the profits of the *pay-office* (as an office) are not too great, in my opinion for its duties and for the rank of the person who has generally held it. He has been generally a person of the highest rank ; that is to say, a person of eminence and consideration in this House. The great and the invidious profits of the pay-office are from the *bank* that is held in it. According to the present course of the office, and according to the present mode of accounting there, this bank must necessarily exist somewhere. Money is a productive thing ; and when the usual time of its demand can be tolerably calculated, it may, with prudence, be safely laid out to the profit of the holder. It is on this calculation

that the business of banking proceeds. But no profit can be derived from the use of money, which does not make it the interest of the holder to delay his account. The process of the exchequer colludes with this interest. Is this collusion from its want of rigour and strictness and great regularity of form? The reverse is true. They have in the exchequer brought rigour and formalism to their ultimate perfection. The process against accountants is so rigorous and in a manner so unjust, that correctives must, from time to time, be applied to it. These correctives being discretionary, upon the case, and generally remitted by the barons to the lords of the treasury, as the best judges of the reasons for respite, hearings are had; delays are produced; and thus the extreme of rigour in office (as usual in all human affairs) leads to the extreme of laxity. What with the interested delay of the officer; the ill-conceived exactness of the court; the applications for dispensations from that exactness; the revival of rigorous process, after the expiration of the time; and the new rigours producing new applications, and new enlargements of time, such delays happen in the public accounts, that they can scarcely ever be closed.

Besides, sir, they have a rule in the exchequer which, I believe, they have founded upon a very ancient statute, that of the 51st of Henry III, by which it is provided, 'That when a sheriff or bailiff hath began his account, none other shall be received to account until he that was first appointed hath clearly accounted, and that the sum has been received ¹.' Whether this clause of that statute be the ground of that absurd practice, I am not quite able to ascertain. But it has very generally prevailed, though I am told that of late they have begun to relax from it. In consequence of forms adverse to substantial account,

¹ Et quant viscount ou bailiff ait commence de ac-compter, nul autre ne seit resceu de acconter tanque le primer qe soit assis eit peracompte, et que la somme soit resceu. Stat. 5. ann. dom. 1266.

we have a long succession of paymasters and their representatives, who have never been admitted to account, although perfectly ready to do so.

As the extent of our wars has scattered the accountants under the paymaster into every part of the globe, the grand and sure paymaster, Death, in all his shapes, calls these accountants to another reckoning. Death, indeed, domineers over everything but the forms of the exchequer. Over these he has no power. They are impassive and immortal. The audit of the exchequer, more severe than the audit to which the accountants are gone, demands proofs which in the nature of things are difficult, sometimes impossible, to be had. In this respect too, rigour, as usual, defeats itself. Then, the exchequer never gives a particular receipt or clears a man of his account as far as it goes. A final acquittance (or a *quietus*, as they term it) is scarcely ever to be obtained. Terrors and ghosts of unlaid accountants haunt the houses of their children from generation to generation. Families, in the course of succession, fall into minorities; the inheritance comes into the hands of females; and very perplexed affairs are often delivered over into the hands of negligent guardians and faithless stewards. So that the demand remains, when the advantage of the money is gone; if ever any advantage at all has been made of it. This is a cause of infinite distress to families; and becomes a source of influence to an extent that can scarcely be imagined, but by those who have taken some pains to trace it. The mildness of government, in the employment of useless and dangerous powers, furnishes no reason for their continuance.

As things stand, can you in justice (except perhaps in that over-perfect kind of justice which has obtained, by its merits, the title of the opposite vice ¹) insist that any man should, by the course of his office, keep a *bank* from whence he is to derive no advantage? That a man should be subject to demands below, and be in a manner refused an acquittance above; that he

¹ Summum jus summa injuria.

should transmit an original sin, an inheritance of vexation to his posterity, without a power of compensating himself in some way or other, for so perilous a situation? We know, that if the paymaster should deny himself the advantages of his bank, the public, as things stand, is not the richer for it by a single shilling. This I thought it necessary to say, as to the offensive magnitude of the profits of this office; that we may proceed in reformation on the principles of reason and not on the feelings of envy.

The treasurer of the navy is, *mutatis mutandis*, in the same circumstances. Indeed all accountants are. Instead of the present mode, which is troublesome to the officer, and unprofitable to the public, I propose to substitute something more effectual than rigour, which is the worst exactor in the world. I mean to remove the very temptations to delay; to facilitate the account; and to transfer this bank, now of private emolument, to the public. The crown will suffer no wrong at least from the pay-offices; and its terrors will no longer reign over the families of those who hold, or have held them. I propose that these offices should be no longer *banks* or *treasuries*, but mere *offices of administration*.—I propose, first, that the present paymaster and the treasurer of the navy, should carry into the exchequer the whole body of the vouchers for what they have paid over to the deputy-paymasters, to regimental agents, or to any of those to whom they have and ought to have paid money. I propose that those vouchers shall be admitted as actual payments in their accounts; and that the persons to whom the money has been paid shall then stand charged in the exchequer in their place. After this process, they shall be debited or charged for nothing but the money-balance that remains in their hands.

I am conscious, sir, that if this balance (which they could not expect to be so suddenly demanded by any usual process of the exchequer) shall now be exacted all at once, not only their ruin, but a ruin of others to an extent which I do not like to think of, but which

I can well conceive, and which you may well conceive, might be the consequence. I told you, sir, when I promised before the holidays to bring in this plan, that I never would suffer any man, or description of men, to suffer from errors that naturally have grown out of the abusive constitution of those offices which I propose to regulate. If I cannot reform with equity I will not reform at all.

For the regulation of past accounts, I shall therefore propose such a mode as men, temperate and prudent, make use of in the management of their private affairs, when their accounts are various, perplexed, and of long standing. I would therefore, after their example, divide the public debts into three sorts,—good, bad, and doubtful. In looking over the public accounts, I should never dream of the blind mode of the exchequer, which regards things in the abstract, and knows no difference in the quality of its debts, or the circumstances of its debtors. By this means, it fatigues itself; it vexes others; it often crushes the poor; it lets the rich escape; or, in a fit of mercy or carelessness, declines all means of recovering its just demands. Content with the eternity of its claims, it enjoys its epicurean divinity with epicurean languor. But it is proper that all sorts of accounts should be closed some time or other—by payment, by composition, or by oblivion. *Expedit reipublicae ut sit finis litium.* Constantly taking along with me that an extreme rigour is sure to arm everything against it and at length to relax into a supine neglect, I propose, sir, that even the best, soundest, and the most recent debts, should be put into instalments, for the mutual benefit of the accountant and the public.

In proportion, however, as I am tender of the past, I would be provident of the future. All money that was formerly imprested to the two great *pay-offices*, I would have imprested in future to the *bank of England*. These offices should in future receive no more than cash sufficient for small payments. Their other payments ought to be made by drafts on the bank,

expressing the service. A cheque account from both offices, of drafts and receipts, should be annually made up in the exchequer ; charging the bank in the account, with the cash-balance, but not demanding the payment until there is an order from the treasury, in consequence of a vote of parliament.

As I did not, sir, deny to the paymaster the natural profits of the bank that was in his hands ; so neither would I to the bank of England. A share of that profit might be derived to the public in various ways. My favourite mode is this ; that, in compensation for the use of this money, the bank may take upon themselves, first *the charge of the mint* ; to which they are already, by their charter, obliged to bring in a great deal of bullion annually to be coined.

In the next place, I mean that they should take upon themselves the charge of *remittances to our troops abroad*. This is a species of dealing from which, by the same charter, they are not debarred. One and a quarter per cent. will be saved instantly thereby to the public on very large sums of money. This will be at once a matter of economy, and a considerable reduction of influence, by taking away a private contract of an expensive nature. If the bank, which is a great corporation, and of course receives the least profits from the money in their custody, should of itself refuse, or be persuaded to refuse this offer upon those terms, I can speak with some confidence, that one at least, if not both parts of the condition would be received, and gratefully received, by several bankers of eminence. There is no banker who will not be at least as good security as any paymaster of the forces, or any treasurer of the navy, that have ever been bankers to the public : as rich at least as my Lord Chatham, or my Lord Holland, or either of the honourable gentlemen who now hold the offices, were at the time that they entered into them ; or as ever the whole establishment of the *mint* has been at any period.

These, sir, are the outlines of the plan I mean to follow in suppressing these two large subordinate

treasuries. I now come to another subordinate treasury: I mean, that of the *paymaster of the pensions*; for which purpose I re-enter the limits of the civil establishment—I departed from those limits in pursuit of a principle; and, following the same game in its doubles, I am brought into those limits again. That treasury and that office I mean to take away; and to transfer the payment of every name, mode, and denomination of pensions to the *exchequer*. The present course of diversifying the same object can answer no good purpose, whatever its use may be to purposes of another kind. There are also other lists of pensions; and I mean that they should all be hereafter paid at one and the same place. The whole of the new consolidated list I mean to reduce to £60,000 a year, which sum I intend it shall never exceed. I think that sum will fully answer as a reward for all real merit, and a provision for all real, public charity that is ever like to be placed upon the list. If any merit of an extraordinary nature should emerge, before that reduction is completed, I have left it open for an address of either House of Parliament to provide for the case. To all other demands, it must be answered, with regret, but with firmness, ‘the public is poor.’

I do not propose, as I told you before Christmas, to take away any pension. I know that the public seem to call for a reduction of such of them as shall appear unmerited. As a censorial act, and punishment of an abuse, it might answer some purpose. But this can make no part of *my* plan. I mean to proceed by bill; and I cannot stop for such an inquiry. I know some gentlemen may blame me. It is with great submission to better judgments that I recommend it to consideration; that a critical retrospective examination of the pension list, upon the principle of merit, can never serve for *my* basis. It cannot answer, according to *my* plan, any effectual purpose of economy, or of future, permanent reformation. The process in any way will be entangled and difficult, and it will be infinitely slow: there is a danger that if we turn our line of march,

now directed towards the grand object, into this more laborious than useful detail of operations we shall never arrive at our end.

The king, sir, has been by the constitution appointed sole judge of the merit for which a pension is to be given. We have a right undoubtedly to canvass this as we have to canvass every act of government. But there is a material difference between an office to be reformed and a pension taken away for demerit. In the former case, no charge is implied against the holder ; in the latter, his character is slurred, as well as his lawful emolument affected. The former process is against the king ; the second against the person. The pensioner certainly, if he pleases, has a right to stand on his own defence ; to plead his possession, and to bottom his title in the competency of the crown to give him what he holds. Possessed, and on the defensive as he is, he will not be obliged to prove his special merit in order to justify the act of legal discretion, now turned into his property, according to his tenure. The very act, he will contend, is a legal presumption, and an implication of his merit. If this be so, from the natural force of all legal presumption, he would put us to the difficult proof that he has no merit at all. But other questions would arise in the course of such an inquiry ; that is, questions of the merit when weighed against the proportion of the reward ; then the difficulty will be much greater.

The difficulty will not, sir, I am afraid, be much less if we pass to the person really guilty in the question of an unmerited pension : the minister himself. I admit that, when called to account for the execution of a trust, he might fairly be obliged to prove the affirmative, and to state the merit for which the pension is given, though on the pensioner himself such a process would be hard. If in this examination we proceed methodically, and so as to avoid all suspicion of partiality and prejudice, we must take the pensions in order of time, or merely alphabetically. The very first pension to which we come, in either of these ways,

may appear the most grossly unmerited of any. But the minister may very possibly show that he knows nothing of the putting on this pension; that it was prior in time to his administration; that the minister who laid it on is dead: and then we are thrown back upon the pensioner himself, and plunged into all our former difficulties. Abuses, and gross ones, I doubt not, would appear, and to the correction of which I would readily give my hand; but when I consider that pensions have not generally been affected by the revolutions of ministry; as I know not where such inquiries would stop; and as an absence of merit is a negative and loose thing;—one might be led to derange the order of families founded on the probable continuance of their kind of income. I might hurt children; I might injure creditors. I really think it the more prudent course not to follow the letter of the petitions. If we fix this mode of inquiry as a basis, we shall, I fear, end as parliament has often ended under similar circumstances. There will be great delay, much confusion, much inequality in our proceeding. But what presses me most of all is this: that, though we should strike off all the unmerited pensions, while the power of the crown remains unlimited, the very same undeserving persons might afterwards return to the very same list; or, if they did not, other persons, meriting as little as they do, might be put upon it to an undefinable amount. This, I think, is the pinch of the grievance.

For these reasons, sir, I am obliged to waive this mode of proceeding as any part of my plan. In a plan of reformation, it would be one of my maxims, that, when I know of an establishment which may be subservient to useful purposes, and which at the same time, from its discretionary nature, is liable to a very great perversion from those purposes, *I would limit the quantity of the power that might be so abused.* For I am sure that in all such cases the rewards of merit will have very narrow bounds, and that partial or corrupt favour will be infinite. This principle is not

arbitrary, but the limitation of the specific quantity must be so in some measure. I therefore state £60,000, leaving it open to the House to enlarge or contract the sum as they shall see, on examination, that the discretion I use is scanty or liberal. The whole amount of the pensions of all denominations which have been laid before us amount, for a period of seven years, to considerably more than £100,000 a year. To what the other lists amount I know not. That will be seen hereafter. But from those that do appear, a saving will accrue to the public, at one time or other, of £40,000 a year; and we had better, in my opinion, let it fall in naturally, than tear it crude and unripe from the stalk ¹.

There is a great deal of uneasiness among the people upon an article which I must class under the head of pensions. I mean the *great patent offices in the exchequer*. They are in reality and substance no other than pensions, and in no other light shall I consider them. They are sinecures: they are always executed by deputy; the duty of the principal is as nothing. They differ, however, from the pensions on the list, in some particulars. They are held for life. I think, with the public, that the profits of those places are grown enormous; the magnitude of those profits, and the nature of them, both call for reformation. The nature of their profits, which grow out of the public distress, is itself invidious and grievous. But I fear that reform cannot be immediate. I find myself under a restriction. These places, and others of the same kind, which are held for life, have been considered as

¹ It was supposed by the lord advocate, in a subsequent debate, that Mr. Burke, because he objected to an inquiry into the pension list for the purpose of economy and relief of the public, would have it withheld from the judgment of parliament for all purposes whatsoever. This learned gentleman certainly misunderstood him. His plan shows that he wished the whole list to be easily accessible; and he knows that the public eye is of itself a great guard against abuse.

property. They have been given as a provision for children ; they have been the subject of family settlements ; they have been the security of creditors. What the law respects shall be sacred to me. If the barriers of law should be broken down, upon ideas of convenience, even of public convenience, we shall have no longer anything among us. If the discretion of power is once let loose upon property, we can be at no loss to determine whose power and what discretion it is that will prevail at last. It would be wise to attend upon the order of things, and not to attempt to outrun the slow but smooth and even course of nature. There are occasions, I admit, of public necessity, so vast, so clear, so evident, that they supersede all laws. Law, being only made for the benefit of the community, cannot in any one of its parts resist a demand which may comprehend the total of the public interest. To be sure, no law can set itself up against the cause and reason of all law : but such a case very rarely happens, and this most certainly is not such a case. The mere time of the reform is by no means worth the sacrifice of a principle of law. Individuals pass like shadows ; but the commonwealth is fixed and stable. The difference, therefore, of to-day and to-morrow, which to private people is immense, to the state is nothing. At any rate, it is better, if possible, to reconcile our economy with our laws, than to set them at variance,—a quarrel which in the end must be destructive to both.

My idea, therefore, is to reduce those officers to fixed salaries, as the present lives and reversions shall successively fall. I mean, that the office of the great auditor (the auditor of the receipt) shall be reduced to £3,000 a year ; and the auditors of the imprest, and the rest of the principal officers to fixed appointments of £1,500 a year each. It will not be difficult to calculate the value of this fall of lives to the public when we shall have obtained a just account of the present income of those places ; and we shall obtain that account with great facility if the present possessors

are not alarmed with any apprehension of danger to their freehold office.

I know too that it will be demanded of me, how it comes that, since I admit these offices to be no better than pensions, I chose, after the principle of law had been satisfied, to retain them at all? To this, sir, I answer, that conceiving it to be a fundamental part of the constitution of this country, and of the reason of state in every country, that there must be means of rewarding public service, those means will be incomplete, and indeed wholly insufficient for that purpose, if there should be no further reward for that service than the daily wages it receives during the pleasure of the crown.

Whoever seriously considers the excellent argument of Lord Somers, in the banker's case, will see he bottoms himself upon the very same maxim which I do; and one of his principal grounds of doctrine for the alienability of the domain in England¹, contrary to the maxim of the law in France, he lays in the constitutional policy of furnishing a permanent reward to public service, of making that reward the origin of families, and the foundation of wealth as well as of honours. It is indeed the only genuine, unadulterated origin of nobility. It is a great principle in government; a principle at the very foundation of the whole structure. The other judges who held the same doctrine went beyond Lord Somers with regard to the remedy which they thought was given by law against the crown upon the grant of pensions. Indeed no man knows, when he cuts off the incitements to a virtuous ambition and the just rewards of public service, what infinite mischief he may do his country through all generations. Such saving to the public may prove the worst mode of robbing it. The crown, which has in its hands the trust of the daily pay for national service, ought to have in its hands also the means for the repose of public labour, and the fixed

¹ Before the statute of Queen Anne, which limited the alienation of land.

settlement of acknowledged merit. There is a time, when the weather-beaten vessels of the state ought to come into harbour. They must at length have a retreat from the malice of rivals, from the perfidy of political friends, and the inconstancy of the people. Many of the persons, who in all times have filled the great offices of state, have been younger brothers, who had originally little, if any fortune. These offices do not furnish the means of amassing wealth. There ought to be some power in the crown of granting pensions out of the reach of its own caprices. An entail of dependence is a bad reward of merit.

I would, therefore, leave to the crown the possibility of conferring some favours, which, whilst they are received as a reward, do not operate as corruption. When men receive obligations from the crown, through the pious hands of fathers, or of connexions as venerable as the paternal, the dependencies which arise from thence are the obligations of gratitude and not the fetters of servility. Such ties originate in virtue and they promote it. They continue men in those habitudes of friendship, those political connexions, and those political principles, in which they began life. They are antidotes against a corrupt levity, instead of causes of it. What an unseemly spectacle would it afford, what a disgrace would it be to the commonwealth that suffered such things, to see the hopeful son of a meritorious minister begging his bread at the door of that treasury, from whence his father dispensed the economy of an empire and promoted the happiness and glory of his country! Why should he be obliged to prostrate his honour and to submit his principles at the levee of some proud favourite, shouldered and thrust aside by every impudent pretender, on the very spot where a few days before he saw himself adored?—obliged to cringe to the author of the calamities of his house, and to kiss the hands that are red with his father's blood:—No, sir, these things are unfit—they are intolerable.

Sir, I shall be asked, why I do not choose to destroy

those offices which are pensions and appoint pensions under the direct title in their stead? I allow that in some cases it leads to abuse, to have things appointed for one purpose and applied to another. I have no great objections to such a change: but I do not think it quite prudent for me to propose it. If I should take away the present establishment, the burden of proof rests upon me that so many pensions, and no more, and to such an amount each, and no more, are necessary for the public service. This is what I can never prove, for it is a thing incapable of definition. I do not like to take away an object that I think answers my purpose, in hopes of getting it back again in a better shape. People will bear an old establishment when its excess is corrected, who will revolt at a new one. I do not think these office-pensions to be more in number than sufficient: but on that point the House will exercise its discretion. As to abuse, I am convinced that very few trusts in the ordinary course of administration have admitted less abuse than this. Efficient ministers have been their own paymasters. It is true. But their very partiality has operated as a kind of justice; and still it was service that was paid. When we look over this exchequer list, we find it filled with the descendants of the Walpoles, of the Pelhams, of the Townshends, names to whom this country owes its liberties, and to whom his majesty owes his crown. It was in one of these lines, that the immense and envied employment he now holds came to a certain duke¹, who is now probably sitting quietly at a very good dinner directly under us, and acting *high life below stairs*, whilst we, his masters, are filling our mouths with unsubstantial sound and talking of hungry economy over his head. But he is the elder branch of an ancient and decayed house, joined to, and repaired by the reward of services done by another. I respect the original title and the first purchase of merited wealth and honour through all its descents, through all its transfers, and all its assignments.

¹ Duke of Newcastle, whose dining-room was under the House of Commons.

May such fountains never be dried up ! May they ever flow with their original purity, and refresh and fructify the commonwealth for ages !

Sir, I think myself bound to give you my reasons as clearly, and as fully, for stopping in the course of reformation, as for proceeding in it. My limits are the rules of law, the rules of policy and the service of the state. This is the reason why I am not able to intermeddle with another article which seems to be a specific object in several of the petitions ; I mean the reduction of exorbitant emoluments to efficient offices. If I knew of any real, efficient office, which did possess exorbitant emoluments, I should be extremely desirous of reducing them. Others may know of them : I do not. I am not possessed of an exact common measure between real service and its reward. I am very sure that states do sometimes receive services which it is hardly in their power to reward according to their worth. If I were to give my judgment with regard to this country, I do not think the great efficient offices of the state to be overpaid. The service of the public is a thing which cannot be put to auction and struck down to those who will agree to execute it the cheapest. When the proportion between reward and service is our object we must always consider of what nature the service is and what sort of men they are that must perform it. What is just payment for one kind of labour and full encouragement for one kind of talents, is fraud and discouragement to others. Many of the great offices have much duty to do and much expense of representation to maintain. A secretary of state, for instance, must not appear sordid in the eyes of the ministers of other nations ; neither ought our ministers abroad to appear contemptible in the courts where they reside. In all offices of duty there is, almost necessarily, a great neglect of all domestic affairs. A person in high office can rarely take a view of his family-house. If he sees that the state takes no detriment, the state must see that his affairs should take as little.

I will even go so far as to affirm that, if men were

willing to serve in such situations without salary, they ought not to be permitted to do it. Ordinary service must be secured by the motives to ordinary integrity. I do not hesitate to say that that state which lays its foundation in rare and heroic virtues will be sure to have its superstructure in the basest profligacy and corruption. An honourable and fair profit is the best security against avarice and rapacity; as in all things else, a lawful and regulated enjoyment is the best security against debauchery and excess. For as wealth is power, so all power will infallibly draw wealth to itself by some means or other: and when men are left no way of ascertaining their profits but by their means of obtaining them, those means will be increased to infinity. This is true in all the parts of the administration, as well as in the whole. If any individual were to decline his appointments, it might give an unfair advantage to ostentatious ambition over unpretending service; it might breed invidious comparisons; it might tend to destroy whatever little unity and agreement may be found among ministers. And, after all, when an ambitious man had run down his competitors by a fallacious show of disinterestedness and fixed himself in power by that means, what security is there that he would not change his course, and claim as an indemnity ten times more than he has given up?

This rule, like every other, may admit its exceptions. When a great man has some one great object in view to be achieved in a given time, it may be absolutely necessary for him to walk out of all the common roads and, if his fortune permits it, to hold himself out as a splendid example. I am told that something of this kind is now doing in a country near us. But this is for a short race; the training for a heat or two, and not the proper preparation for the regular stages of a methodical journey. I am speaking of establishments, and not of men.

It may be expected, sir, that when I am giving my reasons why I limit myself in the reduction of employments, or of their profits, I should say something of those which seem of eminent inutility in the state; I mean

the number of officers who, by their places, are attendant on the person of the king. Considering the common wealth merely as such, and considering those officers only as relative to the direct purposes of the state, I admit that they are of no use at all. But there are many things in the constitution of establishments which appear of little value on the first view, which, in a secondary and oblique manner, produce very material advantages. It was on full consideration that I determined not to lessen any of the offices of honour about the crown in their number or their emoluments. These emoluments, except in one or two cases, do not much more than answer the charge of attendance. Men of condition naturally love to be about a court; and women of condition love it much more. But there is in all regular attendance so much of constraint that, if it were a mere charge without any compensation, you would soon have the court deserted by all the nobility of the kingdom.

Sir, the most serious mischief would follow from such a desertion. Kings are naturally lovers of low company. They are so elevated above all the rest of mankind that they must look upon all their subjects as on a level. They are rather apt to hate than to love their nobility, on account of the occasional resistance to their will, which will be made by their virtue, their petulance, or their pride. It must indeed be admitted that many of the nobility are as perfectly willing to act the part of flatterers, tale-bearers, parasites, pimps, and buffoons as any of the lowest and vilest of mankind can possibly be. But they are not properly qualified for this object of their ambition. The want of a regular education, and early habits, and some lurking remains of their dignity, will never permit them to become a match for an Italian eunuch, a mountebank, a fiddler, a player, or any regular practitioner of that tribe. The Roman emperors, almost from the beginning, threw themselves into such hands, and the mischief increased every day till the decline and final ruin of the empire. It is therefore of very great importance (provided the thing is not over-

done) to contrive such an establishment as must, almost whether a prince will or not, bring into daily and hourly offices about his person a great number of his first nobility, and it is rather an useful prejudice that gives them a pride in such a servitude. Though they are not much the better for a court, a court will be much the better for them. I have therefore not attempted to reform any of the offices of honour about the king's person.

There are, indeed, two offices in his stables which are sinecures. By the change of manners and, indeed, by the nature of the thing, they must be so ; I mean the several keepers of buck-hounds, stag-hounds, fox-hounds, and harriers. They answer no purpose of utility or of splendour. These I propose to abolish. It is not proper that great noblemen should be keepers of dogs, though they were the king's dogs. In every part of the scheme, I have endeavoured that no primary and that even no secondary service of the state should suffer by its frugality. I mean to touch no offices but such as I am perfectly sure are either of no use at all, or not of any use in the least assignable proportion to the burden with which they load the revenues of the kingdom and to the influence with which they oppress the freedom of parliamentary deliberation ; for which reason there are but two offices which are properly state offices that I have a desire to reform.

The first of them is the new office of *third secretary of state*, which is commonly called *secretary of state for the colonies*.

We know that all the correspondence of the colonies had been, until within a few years, carried on by the southern secretary of state, and that this department has not been shunned upon account of the weight of its duties, but, on the contrary, much sought on account of its patronage. Indeed he must be poorly acquainted with the history of office, who does not know how very lightly the American functions have always leaned on the shoulders of the ministerial *Atlas*, who has upheld that side of the sphere. Undoubtedly, great temper

and judgment were requisite in the management of the colony politics, but the official detail was a trifle. Since the new appointment, a train of unfortunate accidents has brought before us almost the whole correspondence of this favourite secretary's office, since the first day of its establishment. I will say nothing of its auspicious foundation, of the quality of its correspondence, or of the effects that have ensued from it. I speak merely of its *quantity*; which we know would have been little or no addition to the trouble of whatever office had its hands the fullest. But what has been the real condition of the old office of secretary of state? Have their velvet bags, and their red boxes, been so full that nothing more could possibly be crammed into them?

A correspondence of a curious nature has been lately published¹. In that correspondence, sir, we find the opinion of a noble person, who is thought to be the grand manufacturer of administrations, and therefore the best judge of the quality of his work. He was of opinion that there was but one man of diligence and industry in the whole administration—it was the late Earl of Suffolk. The noble lord lamented very justly that this statesman, of so much mental vigour, was almost wholly disabled from the exertion of it, by his bodily infirmities. Lord Suffolk, dead to the state, long before he was dead to nature, at last paid his tribute to the common treasury to which we must all be taxed. But so little want was found even of his intentional industry that the office, vacant in reality to its duties long before, continued vacant even in nomination and appointment for a year after his death. The whole of the laborious and arduous correspondence of this empire rested solely upon the activity and energy of Lord Weymouth.

It is therefore demonstrable, since one diligent man was fully equal to the duties of the two offices, that two diligent men will be equal to the duty of three. The business of the new office, which I shall propose to you to suppress, is by no means too much to be returned to either of the secretaries which remain. If this dust in

¹ Letters between Dr. Addington and Sir James Wright.

the balance should be thought too heavy, it may be divided between them both; North America (whether free or reduced) to the northern secretary, the West Indies to the southern. It is not necessary that I should say more upon the inutility of this office. It is burning daylight. But before I have done, I shall just remark, that the history of this office is too recent to suffer us to forget that it was made for the mere convenience of the arrangements of political intrigue, and not for the service of the state, that it was made in order to give a colour to an exorbitant increase of the civil list, and in the same act to bring a new accession to the loaded compost heap of corrupt influence.

There is, sir, another office which was not long since closely connected with this of the American secretary; but has been lately separated from it for the very same purpose for which it had been conjoined; I mean the sole purpose of all the separations and all the conjunctions that have been lately made—a job. I speak, sir, of the *board of trade and plantations*. This board is a sort of temperate bed of influence; a sort of gently ripening hothouse, where eight members of parliament receive salaries of a thousand a year, for a certain given time, in order to mature, at a proper season, a claim to two thousand, granted for doing less and on the credit of having toiled so long in that inferior, laborious department.

I have known that board, off and on, for a great number of years. Both of its pretended objects have been much the objects of my study, if I have a right to call any pursuits of mine by so respectable a name. I can assure the House, and I hope they will not think that I risk my little credit lightly, that, without meaning to convey the least reflection upon any one of its members past or present,—it is a board which, if not mischievous, is of no use at all.

You will be convinced, sir, that I am not mistaken, if you reflect how generally it is true that commerce, the principal object of that office, flourishes most when it is left to itself. Interest, the great guide of commerce,

is not a blind one. It is very well able to find its own way, and its necessities are its best laws. But if it were possible, in the nature of things, that the young should direct the old, and the inexperienced instruct the knowing; if a board in the state was the best tutor for the counting-house; if the desk ought to read lectures to the anvil, and the pen to usurp the place of the shuttle—yet in any matter of regulation, we know that board must act with as little authority as skill. The prerogative of the crown is utterly inadequate to the object; because all regulations are, in their nature, restrictive of some liberty. In the reign, indeed, of *Charles I*, the council, or committees of council, were never a moment unoccupied with affairs of trade. But even where they had no ill intention (which was sometimes the case) trade and manufacture suffered infinitely from their injudicious tamperings. But since that period, whenever regulation is wanting (for I do not deny that sometimes it may be wanting) parliament constantly sits; and parliament alone is competent to such regulation. We want no instructions from boards of trades, or from any other board; and God forbid we should give the least attention to their reports! Parliamentary inquiry is the only mode of obtaining parliamentary information. There is more real knowledge to be obtained, by attending the detail of business in the committees above stairs than ever did come, or ever will come, from any board in this kingdom, or from all of them together. An assiduous member of parliament will not be the worse instructed there for not being paid a thousand a year for learning his lesson. And now that I speak of the committees above stairs, I must say, that having till lately attended them a good deal, I have observed that no description of members give so little attendance, either to communicate or to obtain instruction upon matters of commerce, as the honourable members of the grave board of trade. I really do not recollect that I have ever seen one of them in that sort of business. Possibly some members may have better memories; and may call to mind some job that may have accidentally

brought one or other of them, at one time or other, to attend a matter of commerce.

This board, sir, has had both its original formation, and its regeneration, in a job. In a job it was conceived and in a job its mother brought it forth. It made one among those showy and specious impositions, which one of the experiment-making administrations of *Charles II* held out to delude the people, and to be substituted in the place of the real service which they might expect from a parliament annually sitting. It was intended, also, to corrupt that body whenever it should be permitted to sit. It was projected in the year 1668, and it continued in a tottering and ricketty childhood for about three or four years ; for it died in the year 1673, a babe of as little hopes as ever swelled the bills of mortality in the article of convulsed or over-laid children, who have hardly stepped over the threshold of life.

It was buried with little ceremony ; and never more thought of until the reign of *King William* when, in the strange vicissitudes of neglect and vigour, of good and ill success that attended his wars, in the year 1695, the trade was distressed beyond all example of former sufferings, by the piracies of the French cruisers. This suffering incensed and, as it should seem, very justly incensed the House of Commons. In this ferment they struck, not only at the administration but at the very constitution of the executive government. They attempted to form in parliament a board for the protection of trade ; which, as they planned it, was to draw to itself a great part, if not the whole, of the functions and powers, both of the admiralty, and of the treasury ; and thus, by a parliamentary delegation of office and officers, they threatened absolutely to separate these departments from the whole system of the executive government and of course to vest the most healing and essential of its attributes in this board. As the executive government was in a manner convicted of a dereliction of its functions, it was with infinite difficulty that this blow was warded off in that session. There was a threat to renew the same in the next. To

prevent the effect of this manœuvre, the court opposed another manœuvre to it ; and, in the year 1696, called into life this board of trade which had slept since 1673.

This, in a few words, is the history of the regeneration of the board of trade. It has perfectly answered its purposes. It was intended to quiet the minds of the people, and to compose the ferment that was then strongly working in parliament. The courtiers were too happy to be able to substitute a board which they knew would be useless in the place of one that they feared would be dangerous. Thus the board of trade was reproduced in a job ; and perhaps it is the only instance of a public body, which has never degenerated ; but to this hour preserves all the health and vigour of its primitive institution.

This board of trade and plantations has not been of any use to the colonies, as colonies ; so little of use, that the flourishing settlements of New England, of Virginia, and of Maryland, and all our wealthy colonies in the West Indies, were of a date prior to the first board of Charles II. Pennsylvania and Carolina were settled during its dark quarter, in the interval between the extinction of the first and the formation of the second board. Two colonies alone owe their origin to that board. Georgia, which, till lately, has made a very slow progress, and never did make any progress at all, until it wholly got rid of all the regulations which the board of trade had moulded into its original constitution. That colony has cost the nation very great sums of money, whereas the colonies which have had the fortune of not being godfathered by the board of trade never cost the nation a shilling, except what has been so properly spent in losing them. But the colony of Georgia, weak as it was, carried with it to the last hour and carries, even in its present dead, pallid visage, the perfect resemblance of its parents. It always had, and it now has, an *establishment* paid by the public of England for the sake of the influence of the crown ; that colony having never been able or willing to take upon

itself the expense of its proper government or its own appropriated jobs.

The province of Nova Scotia was the youngest and the favourite child of the board. Good God ! what sum the nursing of that ill-thriven, hard-visaged, and ill-favoured brat, has cost to this wittol nation ! Sir, this colony has stood us in a sum of not less than seven hundred thousand pounds. To this day it has made no repayment—it does not even support those offices of expense, which are miscalled its government ; the whole of that job still lies upon the patient, callous shoulders of the people of England.

Sir, I am going to state a fact to you, that will serye to set in full sunshine the real value of formality and official superintendence. There was in the province of Nova Scotia one little neglected corner, the country of the *neutral French* ; which having the good fortune to escape the fostering care of both France and England, and to have been shut out from the protection and regulation of councils of commerce, and of boards of trade, did in silence, without notice, and without assistance, increase to a considerable degree. But it seems our nation had more skill and ability in destroying than in settling a colony. In the last war we did, in my opinion most inhumanly, and upon pretences that in the eye of an honest man are not worth a farthing, root out this poor, innocent, deserving people, whom our utter inability to govern, or to reconcile, gave us no sort of right to extirpate. Whatever the merits of that extirpation might have been, it was on the footsteps of a neglected people, it was on the fund of unconstrained poverty, it was on the acquisitions of unregulated industry, that anything which deserves the name of a colony in that province has been formed. It has been formed by overflowings from the exuberant population of New England, and by emigration from other parts of Nova Scotia of fugitives from the protection of the board of trade.

But if all of these things were not more than sufficient to prove to you the inutility of that expensive establishment, I will desire you to recollect, sir, that those who

may be very ready to defend it are very cautious how they employ it, cautious how they employ it even in appearance and pretence. They are afraid they should lose the benefit of its influence in parliament, if they seemed to keep it up for any other purpose. If ever there were commercial points of great weight, and most closely connected with our dependencies, they are those which have been agitated and decided in parliament since I came into it. Which of the innumerable regulations since made had their origin or their improvement in the board of trade ? Did any of the several East India bills, which have been successively produced since 1767, originate there ? Did any one dream of referring them or any part of them thither ? Was any body so ridiculous as even to think of it ? If ever there was an occasion on which the board was fit to be consulted, it was with regard to the acts that were preludes to the American war, or attendant on its commencement : those acts were full of commercial regulations, such as they were—the intercourse bill ; the prohibitory bill ; the fishery bill. If the board was not concerned in such things, in what particular was it thought fit that it should be concerned ? In the course of all these bills through the House, I observed the members of that board to be remarkably cautious of intermeddling. They understood decorum better ; they know that matters of trade and plantations are no business of theirs.

There were two very recent occasions which, if the idea of any use for the board had not been extinguished by prescription, appeared loudly to call for their interference.

When commissioners were sent to pay his majesty's and our dutiful respects to the congress of the United States a part of their powers under the commission were, it seems, of a commercial nature. They were authorised, in the most ample and undefined manner, to form a commercial treaty with America on the spot. This was no trivial object. As the formation of such a treaty would necessarily have been no less than the breaking up our whole commercial system and the giving it an

entirely new form ; one would imagine that the board of trade would have sat day and night to model propositions which, on our side, might serve as a basis to that treaty. No such thing. Their learned leisure was not in the least interrupted, though one of the members of the board was a commissioner, and might, in mere compliment to his office, have been supposed to make a show of deliberation on the subject. But he knew that his colleagues would have thought he laughed in their faces, had he attempted to bring anything the most distantly relating to commerce or colonies before *them*. A noble person, engaged in the same commission, and sent to learn his commercial rudiments in New York (then under the operation of an act for the universal prohibition of trade), was soon after put at the head of that board. This contempt from the present ministers of all the pretended functions of that board and their manner of breathing into its very soul, of inspiring it with its animating and presiding principle, puts an end to all dispute concerning their opinion of the clay it was made of. But I will give them heaped measure.

It was but the other day that the noble lord in the blue riband carried up to the House of Peers two acts, altering I think much for the better, but altering in a great degree, our whole commercial system. Those acts, I mean, for giving a free trade to Ireland in woollens and in all things else, with independent nations, and giving them an equal trade to our own colonies. Here, too, the novelty of this great, but arduous and critical improvement of system would make you conceive that the anxious solicitude of the noble lord in the blue riband would have wholly destroyed the plan of summer recreation of that board by references to examine, compare, and digest matters for parliament—you would imagine that Irish commissioners of customs, and English commissioners of customs and commissioners of excise, that merchants and manufacturers of every denomination, had daily crowded their outer rooms. *Nil horum*. The perpetual virtual adjournment and the unbroken sitting vacation of that board was no more disturbed by the

Irish than by the plantation commerce or any other commerce. The same matter made a large part of the business which occupied the House for two sessions before ; and as our ministers were not then mellowed by the mild, emollient, and engaging blandishments of our dear sister into all the tenderness of unqualified surrender, the bounds and limits of a restrained benefit naturally required much detailed management and positive regulation. But neither the qualified propositions which were received nor those other qualified propositions which were rejected by ministers were the least concern of theirs, nor were they ever thought of in the business.

It is therefore, sir, on the opinion of parliament, on the opinion of the ministers, and even on their own opinion of their inutility, that I shall propose to you to *suppress the board of trade and plantations* ; and to recommit all its business to the council from whence it was very improvidently taken ; and which business (whatever it might be) was much better done, and without any expense ; and indeed where in effect it may all come at last. Almost all that deserves the name of business there is the reference of the plantation acts to the opinion of gentlemen of the law. But all this may be done, as the Irish business of the same nature has always been done, by the council and with a reference to the attorney and solicitor general .

There are some regulations in the household, relative to the officers of the yeomen of the guards and the officers and band of gentlemen pensioners, which I shall likewise submit to your consideration, for the purpose of regulating establishments which at present are much abused.

I have now finished all that for the present I shall trouble you with on the *plan of reduction*. I mean next to propose to you the *plan of arrangement*, by which I mean to appropriate and fix the civil list money to its several services according to their nature ; for I am thoroughly sensible, that if a discretion, wholly arbitrary, can be exercised over the civil list revenue, although the

most effectual methods may be taken to prevent the inferior departments from exceeding their bounds, the plan of reformation will still be left very imperfect. It will not, in my opinion, be safe to permit an entirely arbitrary discretion even in the first lord of the treasury himself ; it will not be safe to leave with him a power of diverting the public money from its proper objects, of paying it in an irregular course, or of inverting perhaps the order of time, dictated by the proportion of value, which ought to regulate his application of payment to service.

I am sensible, too, that the very operation of a plan of economy which tends to exonerate the civil list of expensive establishments, may in some sort defeat the capital end we have in view,—the independence of parliament ; and that, in removing the public and ostensible means of influence, we may increase the fund of private corruption. I have thought of some methods to prevent an abuse of surplus cash under discretionary application ; I mean the heads of *secret service*, *special service*, *various payments*, and the like ; which I hope will answer, and which in due time I shall lay before you. Where I am unable to limit the quantity of the sums to be applied, by reason of the uncertain quantity of the service, I endeavour to confine it to its *line* ; to secure an indefinite application to the definite service to which it belongs ; not to stop the progress of expense in its line, but to confine it to that line in which it professes to move.

But that part of my plan, sir, upon which I principally rest, that on which I rely for the purpose of binding up, and securing the whole, is to establish a fixed and invariable order in all its payments which it shall not be permitted to the first lord of the treasury, upon any pretence whatsoever, to depart from. I therefore divide the civil list payment into nine classes, putting each class forward according to the importance or justice of the demand, and to the inability of the persons entitled to enforce their pretensions ; that is, to put those first who have the most efficient offices, or claim the justest debts ;

and, at the same time, from the character of that description of men, from the retiredness or the remoteness of their situation, or from their want of weight and power to enforce their pretensions, or from their being entirely subject to the power of a minister, without any reciprocal power of awing, ought to be the most considered and are the most likely to be neglected ; all these I place in the highest classes : I place in the lowest those whose functions are of the least importance, but whose persons or rank are often of the greatest power and influence.

In the first class I place the *judges*, as of the first importance. It is the public justice that holds the community together ; the ease, therefore, and independence of the judges ought to supersede all other considerations, and they ought to be the very last to feel the necessities of the state, or be obliged either to court or bully a minister for their right ; they ought to be as *weak solicitors on their own demands*, as strenuous assertors of the rights and liberties of others. The judges are, or ought to be, of a *reserved* and retired character, and wholly unconnected with the political world.

In the second class I place the foreign ministers. The judges are the links of our connexions with one another ; the foreign ministers are the links of our connexion with other nations. They are not upon the spot to demand payment, and are therefore the most likely to be, as in fact they have sometimes been, entirely neglected, to the great disgrace, and perhaps the great detriment of the nation.

In the third class, I would bring all the tradesmen who supply the crown by contract, or otherwise.

In the fourth class, I place all the domestic servants of the king, and all persons in efficient offices, whose salaries do not exceed two hundred pounds a year.

In the fifth, upon account of honour, which ought to give place to nothing but charity and rigid justice, I would place the pensions and allowances of his majesty's royal family, comprehending of course the queen, together with the stated allowance of the privy purse.

In the sixth class, I place those efficient offices of duty, whose salaries may exceed the sum of two hundred pounds a year.

In the seventh class, that mixed mass, the whole pension list.

In the eighth, the offices of honour about the king.

In the ninth, and the last of all, the salaries and pensions of the first lord of the treasury himself, the chancellor of the exchequer, and the other commissioners of the treasury.

If by any possible mismanagement of that part of the revenue which is left at discretion, or by any other mode of prodigality, cash should be deficient for the payment of the lowest classes, I propose that the amount of those salaries, where the deficiency may happen to fall, shall not be carried as debt to the account of the succeeding year, but that it shall be entirely lapsed, sunk, and lost; so that government will be enabled to start in the race of every new year wholly unloaded, fresh in wind and in vigour. Hereafter, no civil list debt can ever come upon the public. And those who do not consider this as saving because it is not a certain sum do not ground their calculations of the future on their experience of the past.

I know of no mode of preserving the effectual execution of any duty, but to make it the direct interest of the executive officer that it shall be faithfully performed. Assuming, then, that the present vast allowance to the civil list is perfectly adequate to all its purposes, if there should be any failure, it must be from this mismanagement or neglect of the first commissioner of the treasury; since, upon the proposed plan, there can be no expense of any consequence, which he is not himself previously to authorise and finally to control. It is therefore just, as well as politic, that the loss should attach upon the delinquency.

If the failure from the delinquency should be very considerable, it will fall on the class directly above the first lord of the treasury, as well as upon himself and his board. It will fall, as it ought to fall, upon offices of no

primary importance in the state ; but then it will fall upon persons, whom it will be a matter of no slight importance for a minister to provoke—it will fall upon persons of the first rank and consequence in the kingdom ; upon those who are nearest to the king, and frequently have a more interior credit with him than the minister himself. It will fall upon masters of the horse, upon lord chamberlains, upon stewards, upon grooms of the stole, and lords of the bedchamber. The household troops form an army, who will be ready to mutiny for want of pay, and whose mutiny will be *really* dreadful to a commander-in-chief. A rebellion of the thirteen lords of the bedchamber would be far more terrible to a minister and would probably affect his power more to the quick, than a revolt of thirteen colonies. What an uproar such an event would create at court. What *petitions*, and *committees*, and *associations* would it not produce ! Bless me ! what a chattering of white sticks and yellow sticks would be about his head—what a storm of gold keys would fly about the ears of the minister—what a shower of Georges, and Thistles, and medals, and collars of SS. would assail him at his first entrance into the ante-chamber, after an insolvent Christmas quarter ! A tumult which could not be appeased by all the harmony of the new year's ode. Rebellion it is certain there would be ; and rebellion may not now indeed be so critical an event to those who engage in it, since its price is so correctly ascertained at just a thousand pounds.

Sir, this classing, in my opinion, is a serious and solid security for the performance of a minister's duty. Lord Coke says that the staff was put into the treasurer's hand to enable him to support himself when there was no money in the exchequer and to beat away importunate solicitors. The method which I propose would hinder him from the necessity of such a broken staff to lean on, or such a miserable weapon for repulsing the demands of the worthless suitors who, the noble lord in the blue riband knows, will bear many hard blows on the head and many other indignities, before they are driven from the treasury. In this plan, he is furnished

with an answer to all their importunity, an answer far more conclusive, than if he had knocked them down with his staff—‘ Sir (or my Lord), you are calling for my own salary—Sir, you are calling for the appointments of my colleagues who sit about me in office—Sir, you are going to excite a mutiny at court against me—you are going to estrange his majesty’s confidence from me, through the chamberlain, or the master of the horse, or the groom of the stole.’

As things now stand, every man, in proportion to his consequence at court, tends to add to the expense of the civil list, by all manner of jobs, if not for himself, yet for his dependants. When the new plan is established, those, who are now suitors for jobs, will become the most strenuous opposers of them. They will have a common interest with the minister in public economy. Every class, as it now stands low, will become security for the payment of the preceding class ; and thus the persons, whose insignificant services defraud those that are useful, would then become interested in their payment. Then the powerful, instead of oppressing, would be obliged to support the weak ; and idleness would become concerned in the reward of industry. The whole fabric of the civil economy would become compact and connected in all its parts ; it would be formed into a well-organized body, where every member contributes to the support of the whole ; and where even the lazy stomach secures the vigour of the active arm.

This plan, I really flatter myself, is laid, not in official formality, nor in airy speculation, but in real life and in human nature, in what ‘ comes home ’ (as Bacon says) ‘ to the business and bosoms of men.’ You have now, sir, before you the whole of my scheme as far as I have digested it into a form, that might be in any respect worthy of your consideration.—I intend to lay it before you in five bills¹. The plan consists, indeed, of many parts ; but they stand upon a few plain principles. It is a plan which takes nothing from the civil list without discharging it of a burden equal to the sum carried to

¹ Titles of the bills read.

the public service. It weakens no one function necessary to government; but on the contrary, by appropriating supply to service, it gives it greater vigour. It provides the means of order and foresight to a minister of finance, which may always keep all the objects of his office, and their state, condition, and relations, distinctly before him. It brings forward accounts without hurrying and distressing the accountants: whilst it provides for the public convenience, it regards private rights. It extinguishes secret corruption almost to the possibility of its existence. It destroys direct and visible influence to the offices of at least fifty members of parliament. Lastly, it prevents the provision for his majesty's children from being diverted to the political purposes of his minister.

These are the points, on which I rely for the merit of the plan: I pursue economy in a secondary view, and only as it is connected with these great objects. I am persuaded that even for supply this scheme will be far from unfruitful, if it be executed to the extent I propose it. I think it will give to the public, at its periods, two or three hundred thousand pounds a year; if not, it will give them a system of economy, which is itself a great revenue. It gives me no little pride and satisfaction, to find that the principles of my proceedings are, in many respects, the very same with those which are now pursued in the plans of the French minister of finance. I am sure that I lay before you a scheme easy and practicable in all its parts. I know it is common at once to applaud and to reject all attempts of this nature. I know it is common for men to say that such and such things are perfectly right—very desirable; but that, unfortunately, they are not practicable. Oh! no, sir, no. Those things, which are not practicable, are not desirable. There is nothing in the world really beneficial that does not lie within the reach of informed understanding and a well-directed pursuit. There is nothing that God has judged good for us, that he has not given us the means to accomplish, both in the natural and the moral world. If we cry, like children, for the moon, like children, we must cry on.

We must follow the nature of our affairs, and conform ourselves to our situation. If we do, our objects are plain and compassable. Why should we resolve to do nothing, because what I propose to you may not be the exact demand of the petition; when we are far from resolved to comply even with what evidently is so? Does this sort of chicanery become us? The people are the masters. They have only to express their wants at large and in gross. We are the expert artists: we are the skilful workmen, to shape their desires into perfect form, and to fit the utensil to the use. They are the sufferers, they tell the symptoms of the complaint; but we know the exact seat of the disease, and how to apply the remedy according to the rules of art. How shocking would it be to see us pervert our skill into a sinister and servile dexterity, for the purpose of evading our duty, and defrauding our employers, who are our natural lords, of the object of their just expectations. I think the whole not only practicable, but practicable in a very short time. If we are in earnest about it, and if we exert that industry, and those talents, in forwarding the work, which, I am afraid, may be exerted in impeding it—I engage that the whole may be put in complete execution within a year. For my own part, I have very little to recommend me for this or for any task, but a kind of earnest and anxious perseverance of mind, which with all its good and evil effects, is moulded into my constitution. I faithfully engage to the House, if they choose to appoint me to any part in the execution of this work (which when they have made it theirs by the improvements of their wisdom, will be worthy of the able assistance they may give me), that by night and by day, in town, or in country, at the desk, or in the forest, I will without regard to convenience, ease, or pleasure, devote myself to their service, not expecting or admitting any reward whatsoever. I owe to this country my labour, which is my all; and I owe to it ten times more industry, if ten times more I could exert. After all I shall be an unprofitable servant.

At the same time, if I am able, and if I shall be per-

mitted, I will lend an humble, helping hand to any other good work which is going on. I have not, sir, the frantic presumption to suppose, that this plan contains in it the whole of what the public has a right to expect, in the great work of reformation they call for. Indeed it falls infinitely short of it. It falls short even of my own ideas. I have some thoughts, not yet fully ripened, relative to a reform in the customs and excise, as well as in some other branches of financial administration. There are other things too, which form essential parts in a great plan for the purpose of restoring the independence of parliament. The contractors' bill of last year it is fit to revive; and I rejoice that it is in better hands than mine. The bill for suspending the votes of custom-house officers, brought into parliament several years ago, by one of our worthiest and wisest members¹ (would to God we could along with the plan revive the person who designed it!). But a man of very real integrity, honour, and ability, will be found to take his place, and to carry his idea into full execution. You all see how necessary it is to review our military expenses for some years past, and, if possible, to bind up and close that bleeding artery of profusion; but that business also, I have reason to hope, will be undertaken by abilities that are fully adequate to it. Something must be devised (if possible) to check the ruinous expense of elections.

Sir, all or most of these things must be done. Every one must take his part.

If we should be able by dexterity, or power, or intrigue, to disappoint the expectation of our constituents, what will it avail us. We shall never be strong or artful enough to parry, or to put by, the irresistible demands of our situation. That situation calls upon us, and upon our constituents too, with a voice which *will* be heard. I am sure no man is more zealously attached than I am to the privileges of this House, particularly in regard to the exclusive management of money. The lords have

¹ W. Dowdeswell, Esq., chancellor of the exchequer, 1765.

no right to the disposition, in any sense, of the public purse; but they have gone further in self-denial¹ than our utmost jealousy could have required. A power of examining accounts, to censure, correct, and punish, we never, that I know of, have thought of denying to the House of Lords. It is something more than a century since we voted that body useless; they have now voted themselves so. The whole hope of reformation is *at* length cast upon *us*: and let us not deceive the nation, which does us the honour to hope everything from our virtue. If *all* the nation are not equally forward to press this duty upon us, yet be assured, that they will equally expect we should perform it. The respectful silence of those who wait upon your pleasure ought to be as powerful with you as the call of those who require your service as their right. Some, without doors, affect to feel hurt for your dignity, because they suppose that menaces are held out to you. Justify their good opinion, by showing that no menaces are necessary to stimulate you to your duty.—But, sir, whilst we may sympathize with them, in one point, who sympathize with us in another, we ought to attend no less to those who approach us like men, and who, in the guise of petitioners, speak to us in the tone of a concealed authority. It is not wise to force them to speak out more plainly what they plainly mean.—But the petitioners are violent. Be it so. Those who are least anxious about your conduct are not those that love you most. Moderate affection and satiated enjoyment are cold and respectful; but an ardent and injured passion is tempered up with wrath, and grief, and shame, and conscious worth, and the maddening sense of violated right. A jealous love lights his torch from the firebrands of the furies.—They who call upon you to belong *wholly* to the people, are those who wish you to return to your *proper* home; to the sphere of your duty, to the post of your honour, to the mansion-house of all genuine, serene, and solid satisfaction. We have furnished to the people of England (in-

¹ Rejection of Lord Shelburne's motion in the House of Lords.

deed we have) some real cause of jealousy. Let us leave that sort of company which, if it does not destroy our innocence, pollutes our honour; let us free ourselves at once from everything that can increase their suspicions, and inflame their just resentment; let us cast away from us, with a generous scorn, all the love-tokens and symbols that we have been vain and light enough to accept;—all the bracelets, and snuff-boxes, and miniature pictures, and hair devices, and all the other adulterous trinkets that are the pledges of our alienation, and the monuments of our shame. Let us return to our legitimate home, and all jars and all quarrels will be lost in embraces. Let the commons in parliament assembled be one and the same thing with the commons at large.—The distinctions that are made to separate us are unnatural and wicked contrivances. Let us identify, let us incorporate ourselves with the people. Let us cut all the cables and snap the chains which tie us to an unfaithful shore, and enter the friendly harbour, that shoots far out into the main its moles and jetties to receive us.—‘War with the world, and peace with our constituents.’ Be this our motto, and our principle.—Then indeed, we shall be truly great. Respecting ourselves we shall be respected by the world. At present all is troubled and cloudy and distracted and full of anger and turbulence, both abroad and at home; but the air may be cleared by this storm, and light and fertility may follow it. Let us give a faithful pledge to the people, that we honour, indeed, the crown; but that we *belong* to them; that we are their auxiliaries and not their task-masters; the fellow-labourers in the same vineyard, not lording over their rights, but helpers of their joy: that to tax them is a grievance to ourselves; but to cut off from our enjoyments to forward theirs, is the highest gratification we are capable of receiving. I feel with comfort, that we are all warmed with these sentiments, and while we are thus warm, I wish we may go directly and with a cheerful heart to this salutary work.

Sir, I move for leave to bring in a bill, For the better regulation of his majesty’s civil establishments, and of

certain public offices ; for the limitation of pensions, and the suppression of sundry useless, expensive, and inconvenient places ; and for applying the monies saved thereby to the public service ¹.

Lord North stated that there was a difference between this bill for regulating the establishments, and some of the others, as they affected the ancient patrimony of the crown ; and therefore wished them to be postponed, till the king's consent could be obtained. This distinction was strongly controverted ; but when it was insisted on as a point of decorum *only*, it was agreed to postpone them to another day. Accordingly, on the Monday following, viz. February 14, leave was given, on the motion of Mr. Burke, without opposition, to bring in.

1st, ' A bill for the sale of the forest and other crown lands, rents, and hereditaments, with certain exceptions ; and for applying the produce thereof to the public service ; and for securing, ascertaining, and satisfying, *tenant-rights*, and common and other rights.'

2nd, ' A bill for the more perfectly uniting to the crown the principality of Wales, and the county palatine of Chester, and for the more commodious administration of justice within the same ; as also for abolishing certain offices now appertaining thereto ; for *quieting dormant claims, ascertaining and securing tenant-rights* ; and for the sale of all the forest lands, and other lands, tenements, and hereditaments, held by his majesty in right of the said principality, or county palatine of Chester, and for applying the produce thereof to the public service.'

3rd, ' A bill for uniting to the crown the duchy and county palatine of Lancaster ; for the suppression of unnecessary offices now belonging thereto ; for the *ascertainment and security of tenant and other rights* ; and for the sale of all rents, lands, tenements, and hereditaments, and forests, within the said duchy, and county palatine, or either of them ; and for applying the produce thereof to the public service.'—And it was ordered that Mr. Burke, Mr. Fox, Lord John Cavendish, Sir George Savile, Colonel Barré, Mr. Thomas Townshend, Mr.

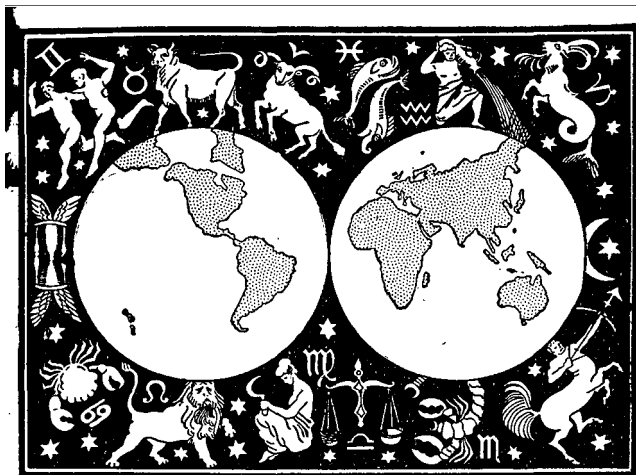
¹ The motion was seconded by Mr. Fox.

Byng, Mr. Dunning, Sir Joseph Mawbey, Mr. Recorder of London, Sir Robert Clayton, Mr. Frederick Montagu, the Earl of Upper Ossory, Sir William Guise, and Mr. Gilbert *do prepare and bring in the same.*

At the same time, Mr. Burke moved for leave to bring in—4th, 'A bill for uniting the duchy of Cornwall to the crown; for the suppression of certain unnecessary offices now belonging thereto; for the *ascertainment and security of tenant and other rights*; and for the sale of certain rents, lands, and tenements, within or belonging to the said duchy; *and for applying the produce thereof to the public service.*'

But some objections being made by the surveyor-general of the duchy, concerning the rights of the Prince of Wales, now in his minority, and Lord North remaining perfectly silent, Mr. Burke, at length, though he strongly contended against the principle of the objection, consented to withdraw this last motion for the *present*, to be renewed upon an early occasion.





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