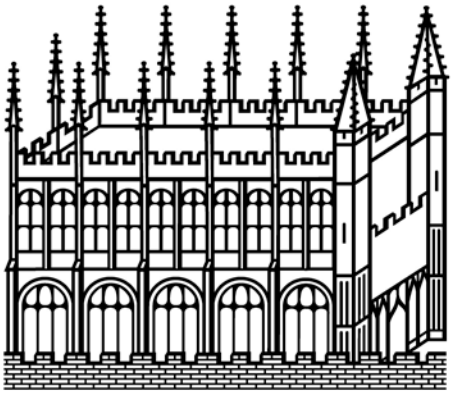

EXTRACTS

FROM

BURKE'S EARLIER WRITINGS.

WITH NOTES

BY

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EXTRACTS

FROM

BURKE'S EARLIER WRITINGS.

INTRODUCTION.

*** THE time during which Edmund Burke occupied a prominent place in the field of politics was probably the most important ever known in England. It was, above all others, a period of life-and-death struggle between good and evil, ignorance and enlightenment, progress and reaction, cruelty and kindness, self-interest and patriotism. How nobly Burke, through the long years of his earnest career, chose the side of reason and virtue on a vast number of great questions as they arose, will be more clearly seen if we briefly sketch the state of affairs in England at the opening of George the Third's reign in 1760.

Ever since the beginning of the century we had been engaged in a succession of wars with France. The last of these had formed part of the great European conflict generally called the Seven Years War, in which we had taken part with Frederic the Great (who had been formerly our enemy) in order to hinder his being overwhelmed by the portentous coalition of France, Austria, and Russia against him. With the general causes of war one peculiar to ourselves had also been combined. This was the attempt made by the French in Canada to spread their settlements in such a manner as to hinder the development of English coloni-

zation in America. For this purpose they had formed a chain of military posts extending along the upper Mississippi, Illinois, Ohio, and Wabash rivers, ending with Fort Duquesne at the spot where Pittsburgh now stands. This had brought them up to the back of the Appalachian mountains; and if they had established themselves there, the English seaboard states would obviously have been barred from all westerly extension. The elder Pitt's firm resistance to this aggression brought about the conquest of Canada; an event which, though glorious to the English arms, can only be regarded with very mixed feelings. For the original possession of this splendid country by the French had been the result of some of the sublimest efforts in the cause of humanity and religion which modern times have seen. It had been gained for France through the love borne by the natives to the devoted missionaries of that country; and England was at that time very little qualified to take up this great work at the point where men like Marquette and Lasalle had left it.

To the youthful George III. and his earliest ministers the conquest of Canada appeared a sheer trouble and embarrassment. Anxious as they were to control the English colonies in America and to hinder the feeling of liberty from strengthening there, they regretted the chance of war which had removed from the flank of their independent-minded subjects a hostile power always capable of keeping them in check. A considerable party in England was, indeed, in favour of restoring Canada to France, and retaining Guadalupe instead of it; a slave island, like this, would, it was thought, be a much safer possession for England than such a vast field as Canada would prove for free and unruly emigrants. Many attempts were even made to check, by orders from home, all emi-

gration from the seaboard states into the splendid Ohio valley, which had been purchased in the late war by so much blood and treasure. This order was naturally disregarded by the sturdy backwoodsmen: but the knowledge of the feeling with which their prosperity was regarded in England had already sown very deeply the seeds of discontent in America. From these was soon to arise that fatal war, the disgrace and scourge of George's reign, from which, by links of inevitable connexion, the most dreadful events were to spring not in America only, but in Ireland, in India, and throughout the British empire; and to last on in their effects until our own time, and who can tell how much longer?

At home, the state of our domestic concerns, in the early days of George III., was highly disastrous. Universal distress pervaded the country. A succession of bad harvests began in 1762, which doubled the prices of wheat; while our population was increasing in such a way as to make it unlikely that they would ever subside to their former level. Besides this, a number of measures disastrous to our commerce had been adopted by almost all the countries of Europe. Austrian regulations had seriously interfered with the import of our cloths into Flanders, which then belonged to that power. In Portugal the import of British woollens and hats had fallen to about half what it was before. In the empire of Germany traders had been forbidden to itinerate with their goods. Similar difficulties affected the trade with Denmark.

Another great source of distress at this time, particularly in Ireland, was the terrible stringency of the Navigation Laws. According to these, no trade whatever was allowed from Irish ports either to America or to the Continent of Europe. Again and again had England interfered, from the most illiberal commercial jealousy,

to stop the growth of trade in that unhappy country. The Irish had been forbidden to export cattle, to fabricate woollen stuffs, to make glass, to do anything which would in any degree compete with English trade. On just the same principles the American States were not allowed to trade even with one another, far less with the West Indies or Europe. It was noticed in 1763 that they were carrying on a profitable trade with Spanish America, exporting horses and mules, lumber, and coarse provisions, and receiving from thence a large quantity of tropical produce. One of the great uses of this trade was that it enabled them to pay for a large amount of imports from England, and thus create a most valuable amount of manufacture and commerce at home which otherwise would have no existence. Townsend, the English financier, at once interfered from mere pedantry to extinguish this trade; actually giving to the captains of his men-of-war commissions as custom-house officers for the purpose of repressing it. Thus, year by year, up to the beginning of the American War, in 1774, a commerce worth £3,000,000 a year, nearly in fact a fourth of England's entire export trade at that time, was gradually and wantonly extinguished. The result was that there was hardly a single part of England which was not ready for insurrection; a fact which is to be constantly kept in mind in order to explain the extraordinary amount of effervescence created from time to time by various political events which might seem, but for the way in which they were taken up, and the consequences which they produced, to be too trivial to deserve the place which they occupy in histories of this reign.

A few other points require special notice, as being of the nature of standing causes of evil. One of these was the startling

and horrible cruelty of the criminal law, against which the first protest was lifted up by Burke and Romilly. Our statute-book, already bloodthirsty almost beyond belief, was constantly being made fiercer and fiercer. It was capital to steal linen from bleaching-grounds, to steal to the value of forty shillings in a dwelling house, to steal from a shop to the value of five shillings, even to pickpockets. The king's kindheartedness was not awake to the enormity of his having constantly to sign a dozen death-warrants at once for the most trivial offences; and that the minds of Englishmen in general were not more instructed on this point than that of their sovereign we may safely conclude from the light in which Dr. Johnson viewed, as Boswell informs us, a casual mention of the fact that fifteen men were then under sentence of death in Newgate. This good and humane man began immediately to reflect that dissenting ministers, if admitted to their cells, might have a better chance than the ordinary chaplains of bringing them to repentance. But it never for a moment struck him that a national crime was being committed by their execution; and that they might possibly think, as Sir S. Romilly informs us was often the case, that their governors were worse than themselves, and that God would reward them in the next world for their undeserved sufferings in this.

Mr. Massey, in vol. 2 of his History of the Reign of George III., has collected a number of facts shewing what the morality of the upper classes then was; and in this he makes clear by many examples the gross corruption pervading them. This is at all times an important element in the history of a nation. But at the one we are considering it was peculiarly influential for harm. For the Americans had the constant feeling that many of the men who

were oppressing them were in their private life disreputable in the highest degree; and the republican simplicity, virtue, and religion of our colonists was thereby nerved to sterner resistance. When Franklin saw English legislators, who notoriously lived the life of brute beasts, shouting down with inarticulate clamour every speaker who said a word on the side of justice to America, his heart burned within him at the thought that the virtuous people to which he belonged should be outraged by such men as these; and he was thus enabled to conceive within himself and to kindle in the hearts of his countrymen the cheerful and immoveable determination to spend nineteen shillings out of every sovereign in their possession rather than give up their right of voting the twentieth shilling to the government or withholding it; and then, if all efforts failed, to retire to those western wildernesses where life could be supported by every man who had strength to bait a hook or draw a trigger. Nor was America the only dependency in which the corruption of English manners wrought evil. Even at the present day, we have reason to regret that India, during the times of our early supremacy there, saw in her rulers, not the disinterested, attentive, and religious character which has marked the Lawrences, the Montgomeries, the Malcolms of later times, but every degree and form of reckless ambition, avarice and immorality; and that the Hindoo's first impression of his English governors should have been that they were men who had, and could possibly have, no religion at all, and were superior to himself not in truthfulness and justice, but in the arts of deception, tyranny and plunder.

Many additional causes of decay existed and were daily increasing in the country. One of the most marked of these was the wretched and demoralizing administration of the poor laws;

which were rapidly destroying the very heart of honourable labour among us. It is impossible to read, without a shudder, the details furnished by Mr. Senior in his excellent essay on the subject. In a vast number of parishes in England the labourers were assembled early in the morning at a stoneyard and left there to do nothing, with wages secured to them at the expense of the parish, until one of the farmers came forward to hire them, paying a small fraction of the wages, but leaving the rest to be discharged by the rates. Thus all earnestness in labour was being destroyed; even the Deal boatmen, as Lord Brougham forcibly puts it, would only go to sea in fine weather, and preferred to take parish pay if it was stormy. Nay, it was rapidly becoming an axiom among the working classes, that they ought to be paid by the parish *more* than the free and independent labourer could earn, and that therefore no labourer who had the interests of his class at heart could possibly refuse parochial relief. There was therefore a most serious risk, not only that the nerve and sinew of agricultural labour would be broken, but that all the property in the country would be too little to bear the mere expense of the poor rates; yet, so little were the causes of this and other evils understood, that no attempts were made to probe the evil to the bottom; nor indeed could any such attempt be made, as the science of political economy was as yet unknown to legislators. Adam Smith was only at the outset of the twenty-four years of meditation which were to produce in 1776 the publication of the Wealth of Nations; and Burke was the only man in England who could be said to have anticipated his conclusions so as to think exactly as he did on the main points of political economy. The result of this ignorance was that the remedies proposed for dearth of provisions and popular distress

were of the most preposterous character. It was held that corn might be made cheaper by fixing a maximum price at which dealers must be forced to sell it. Forestallers and regraters—that is, tradesmen occupied in buying up corn with a view to selling it again—were again and again spoken of from the bench by learned judges as if they were enemies of the nation: particularly if they purchased corn with a view to selling it again in the same market. Exportation of corn was mostly forbidden; and, when allowed, it was a most perilous trade, as corn once brought to Lisbon or other foreign ports was not always allowed to be re-exported, but might have to be sold there at whatever loss. It would therefore appear, that England with her enormous national debt of £150,000,000, with her many causes of inward decay, and with her unwise and uninstructed government, was on the way towards the same social and political shipwreck which overtook France in 1792. How then were we saved from bankruptcy, from starvation of the masses of the people, from fearful riots among the absolutely untaught millions of our country population, from an endless series of awful uprisings in our great towns like the Gordon outbreak in 1780? How, in fact, was the tide of neglect, ignorance, and carelessness, turned in such a way, that from feeble and uncertain beginnings a spirit of humanity and enlightenment ultimately grew up?

There is no question harder, even after all that has been written on the subject, than to determine to whom the merit of this revival of humanity ought in the first instance to be assigned. The difficulty arises principally from the reciprocal relation between England and France, as mutually teaching and being taught by one another. There is no doubt that as regards political institu-

tions, and also in abstract philosophy, the French, just before the Revolution, considered themselves to be our disciples. Almost every eminent Frenchman of the time, as Mr. Buckle has remarked, studied the English language and literature, and a vast number of them visited England. There they admired our limited monarchy, the absence from England of a class of nobles such as were the curse of continental states, our fearlessness in political enquiry, our searching philosophy; one eminent writer translated Blackstone, a second Adam Smith; a third abridged and popularised the Newtonian philosophy. But it ought by no means to be forgotten that they, as a nation, more than paid us for what they received, by inspiring through their writings the spirit of humanity and justice. The influence of these upon the eminent men of England at the time is not easily over-rated. We find, for instance, Montesquieu (whom every educated Englishman read), enunciating in the clearest language the principle which lay at the root of Romilly's endeavours for the reform of the criminal law, namely, that crime increases, not when punishments are merciful, but when they are uncertain and fitful; scathing with all the power of his satire the absurd arguments on which slavery was defended; bringing out into the clearest possible light the mingled absurdity and wickedness of our Irish system; and maintaining, as a general principle, that truly religious people ought to be most anxious that their country should be governed by good laws, as these are a blessing only second to true religion. We find another eminent French writer laying down in his theory of education a number of precepts by which he wishes to train young persons to humanity. They are to be made to consider to how many human calamities they are themselves subject, and thus to learn to feel a lively and

personal interest in the relief of others; they are to be taught how false it is to imagine that the suffering classes of society are too obtuse to feel their misery; they are to be taken to see with their own eyes so much actual existing suffering as to enable them to realise it. Moreover, to French writers of that time, the habit of regarding historical and political events as bearing on the welfare of the people had become almost a second nature. Writer after writer arose to protest against the absurd fashion of making history a series of battles and sieges, and negotiations, or a string of biographies of eminent men, rather than a great picture of the customs, opinions, and even inclinations of a people; and they thus learned to take a nobler and more unselfish view of the events passing round them, and to conceive aims quite different from those of personal interest. It is of course true that, for many reasons, these noble thoughts did not bear their proper fruit in France. Some of those who advocated them were grossly immoral in their private life; others had been foremost in assailing religion in its very elements, and had thus laid on their philanthropy the prophet's curse of 'a miscarrying womb and dry breasts.' Nearly all had been very far from conceiving the necessity of patience and gradual advance in constitutional improvement; their longing had been for a benevolent despot to inaugurate an age of reason and benevolence, and impose it upon his subjects by his autocratic power. Hence their failure; but the case was very different when their theoretic views were taken up in England by men gifted with the political patience which they despised, and either influenced by intense positive religion, like Wilberforce, or at least of pure life, like Romilly and Mackintosh. Then these thoughts produced, as they are still producing, the happiest and most hopeful results.

When controlled by prudence, and touched by the heavenly spark of Christianity, the bold and sound thoughts of the French philosophers learned to be not only just and true, but also pure, peaceable, and practically wise and effective.

Among the class of English thinkers just characterised, Burke will always hold a predominant place. Though the best known of his works are written in opposition to the French Revolution, still his mind was penetrated with the truest and most highminded thoughts that France had produced; while at the same time all was tempered by a steady self-control and patience unknown among French politicians. There was hardly one of the evils above-mentioned against which he did not, year after year, protest with all his might. How, and in what spirit this was done, will be best shewn by the extracts from his speeches which are to follow. But it is well, at this point, to remark the almost universal character of his efforts to realize good and to dispel ignorance. All through the long American strife he never faltered; on every opportunity he continued to oppose the war by urgent appeals to every principle of the constitution, and every precedent which English history afforded. Against the selfish restrictions on Irish commerce he fought with determined earnestness. When these were mainly removed, not, indeed, by the wisdom of our rulers, but by events beyond their control, he took up the unparalleled grievances under which Roman Catholics laboured. In India he advocated the cause of every victim of oppression, and that with a completeness of knowledge hardly attained by any Englishman before or since, without actual residence in that country. The whole system of corrupt government by bribes at home was attacked by him with the utmost vigour and sincerity; he aimed at the kind of economy

which should guarantee pure government; he wrote ardently in favour of publicity and responsibility in matters of administration. He attacked the absurd laws against forestalling and regrating; and, by advocating the freedom of trade, he struck at the root of all such prohibitions. Like Defoe (the only earlier writer who can be compared to him for keenness and universality of political insight), he opposed the cruel laws still existing against insolvents, and thus anticipated some of the greatest improvements of later law. On a memorable occasion, (that of the Gordon riots, in 1780), he vainly tried to make the authorities observe a measure in their infliction of capital punishment on the criminals; and, in doing so, brought out with the utmost clearness the main principles by which such punishments should be moderated. He attacked the slave-trade, proposed a code of regulations by which most of its abominations would have been stopped, and made no secret of his wish for the entire abolition of slavery in the British dominions. Such was his anxiety for the welfare of English trade, that one who knew him well said, that he worked for it with the same zeal as if he were to receive twenty per cent. on every extension of it which his measures produced; and so entire was his own personal disinterestedness, that one of the first results contemplated by his financial reform was the deduction of £25,000 a year for the office of Paymaster, which he himself held.

It should be remarked that the merit of Burke's exertions is by no means diminished by their want of success in which they often resulted. He acted the glorious part of the first pioneer of right and justice; a part which usually involves immediate and temporary failure, with a subsequent success far wider and more important than the reformer himself ever anticipated. So has it

been with Burke. He could not, with all his pleading, obtain justice for the American colonies; but the principles which he advocated have since that time become the firm and unquestioned foundation for our colonial government. He could gain no parliamentary majorities for toleration in Ireland, or even for freedom of trade there. But irresistible circumstances produced the latter, even in his own time; and the former has been established in our own day. Neither he nor Romilly could do much, against the stolidly obstinate opposition of the majority, to abate the cruelty of our criminal law; but the principles of these great men have in the last thirty years gained a victory most glorious and complete. And, all through the struggle of humanity on this and many other kindred points, its advocates have constantly been able to turn back to the pages of Burke to find the arguments for their cause most fully enunciated, and that with a frank generosity and an energy of thought and expression, which made them feel that in all their noblest conceptions they had been forestalled by this great leader in the cause of justice. On this firm basis the reputation of Burke will stand fast for ever in England; and revive whenever great questions arise to call forth the principles stored up in his works. Of him more than of any other writer may it be said in his own powerful words,that he had conceived that magnanimity in politics which is often the truest wisdom; that he had the broad and lofty spirit which suits the man who has to govern a great empire; and that he conscientiously and continually tried to lift his heart higher and higher towards the level of that high vocation.

I. THOUGHTS ON PRESENT DISCONTENTS.

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

*** This great work was written in 1770, ten years after the accession of George III., and at the height of the dissatisfaction caused, not only by the general distresses mentioned in the Introduction, but by a number of grievances of more limited range, partly real, partly the results of the 'preternatural suspicion' which a people feels when it believes that its government is grossly ignorant of its business and also trying by dark and treacherous means to subvert the constitution. It is well known that George III. did not for the first twenty-four years of his reign gain any of the affection which afterwards made the people rally round him. Lord Bute, the earliest minister of his choice, was the object of almost frantic detestation; while the supplanted Pitt, the conqueror of Canada, the Havana, and the Philippine Islands, was the popular idol. The terms of the Peace of Paris concluded, under Bute's auspices, in 1763, were held to be disgraceful as surrendering these conquests recklessly; the attempt made by the king and the House of Commons in 1768 to declare Wilkes not merely expelled from the House, but ineligible for re-election, had excited a frenzy of anger; Lord Bute's tax on cider had driven several counties to the verge of rebellion, the distressed silk-weavers in London had forced themselves into the king's presence in a way which might have anticipated some of the early scenes of the French

Revolution; in fact England seemed in every way likely to outstrip France in that terrible career.

Instead of treating in detail the various causes of popular suffering, Burke addressed himself in this work to the causes of general distrust, which were rapidly making government impossible, and the removal of which would rapidly bring it back to better courses. It was written to raise an emphatic protest against a peculiar and insidious attack on the English constitution which had for some time been attempted. This was the scheme called 'the government by king's friends,' said to have been first conceived by the worthless Frederick, Prince of Wales, the father of George III. It was thought that, by lavish bribery in money and places, the House of Commons might be brought to allow itself to be controlled, not by the responsible ministers of the crown, who seemed to guide its deliberations, but by unacknowledged leaders well known to be in the king's confidence and to be able to speak as it were with his voice. These men were to hold, generally for life, subordinate posts in the household and elsewhere, and to rest their power not on property, family, experience in affairs, or the confidence of parliament, but simply on the sovereign's good will. The object of their life was to be the dissolution of parties; they were to alarm the nobles by the fear of democracy, the people by sinister rumours about the House of Lords; and to neglect no means of sowing among the great nobles the kind of dissension which would make it impossible for them to unite against the crown. Thus the vigour and unity of that national feeling which had borne Pitt onward from victory to victory, and made the influence of a great minister superior to that of the crown, was to be smitten with palsy. The king might give his consent to the introduction of bills by his ministers, and then direct the court party to oppose and vote against them. The same ministers were to be reduced to impotence in foreign affairs; as no remonstrance would be attended to by any European power if it came from those who were known to have no real power at home. In a word, while England appeared to be governed by a Pitt, a Rockingham, or a Grenville, and while the responsibility for public acts was borne by these eminent men, the whole real conduct of affairs was, according to this scheme, to be in the hands of persons like Lord Bute, Jenkinson, Rigby, Dodington, or Barrington, who were to act in all things by direct inspiration from the royal closet.

To meet this evil Burke addresses himself, as the following extracts will shew, with all the force of his eloquence. He defends the people from the charge of being unreasonably discontented; shews the corruption of all sorts which must spring from the scheme just described; and ends by calling, as parliamentary leaders in our own day have done, for a reconstruction of political parties, a restoration of their legitimate influence, and a return to open and responsible methods of government.

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[1]; that the laws are despoiled of all their respected and salutary terrours[2]; 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 politicks are as much deranged as our domestick economy; that our dependencies are slackened in their affection[3], and loosened from their obedience; that we know neither how to yield nor how to enforce; that hardly any thing 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.

1 *dreaded and contemned.* The former from its occasional violences, the latter from the constant suspicion of underhandedness which it inspires.

2 *despoiled of all their terrors.* An excessive severity in punishments made it constantly impossible to induce juries to find verdicts of guilty; if one happened to find such a verdict, the sentence had the air of a murder from its being exceptional.

3 *our dependencies are slackened in affection.* The American Stamp Act had been passed by Grenville in 1764, and repealed by the Rockingham administration in 1766. Other Acts were, however, as we shall see, passed, along with the repeal, which hindered the discontent from dying out.

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 distemper 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 encrease of our trade and manufactures, that our growth by colonization, 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 ungovernable[4]; 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

4 *proud, ferocious, and ungovernable.* This had also been the French theory of our national character. They had considered us (until nearer experience shewed the contrary) as 'des barbares révoltés,' who were always beheading or hanging our kings. (Buckle Hist. of Civ. i. p. 656.)

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 opinion, been able to produce this unnatural ferment in the nation.

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[5]. When they do wrong, it is their errour, and not their crime. But with the governing part of the state, it is far otherwise. They certainly may act ill by design[6], as well as by mistake. '*Les révolutions qui arrivent dans* '*les grands états ne sont point un effect 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*

5 *the people have no interest in disorder.* Because they have no reserve of property, and any disturbance deprives them of their daily bread.

6 *may act ill by design.* As when they follow the execrable maxim, 'divide et impera.' Or when they divert attention from the need of internal reform by engaging their people in a needless war. Or when they deliberately try to keep their subjects weak, ignorant, or degraded, in order to prevent their rising. Or when they hinder them from abolishing slavery when they desire to do so. Instances of each of these crimes on the part of rulers will readily suggest themselves.

'*qu'elle se soulève, mais par impatience de souffrir*[7].' These are the words of a great man; of a minister of state[8]; and a zealous assertor of monarchy. They are applied to the *system of favouritism* which was adopted by Henry the Third 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 publick revolutions.

It is very rare indeed for men to be wrong in

7 *impatience de souffrir.* This has been most strikingly brought out by Tocqueville as regards the French Revolution. He shews that the attempts at improvement in commerce by Louis XVI. necessarily led to higher taxation; and that much of this fell, not on the commercial classes, but on the miserable peasants, who were summoned in 'corvées' to make the new roads which commerce required. See also Chassin, Génie de la Rev. vol. i. p. 200.

8 *a minister of state.* See Memoires de Sully, i. p. 133.

their feelings concerning publick 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 politicks. 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 every thing 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[9], 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[1], and discharging all the splendid bile of his virtuous indig-

9 *historical patriotism.* Thus the courtiers of Louis XIV. would rapturously applaud, without any check from their master, the declamations against tyranny in Corneille's 'Cinna,' and in England *both* parties rapturously applauded the utterances of the same sort in Addison's 'Cato.'

1 *our true Saxon constitution*—which compounded for the killing of a king by a payment of 100 shillings, until King Alfred made it capital to draw sword in the king's presence, and thus indirectly brought in a notion of a peculiar divinity hedging a monarch.

nation 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 the Eighth among the instruments of the last King James; nor in the court of Henry the Eighth, was there, I dare say, to be found a single advocate for the favourites of Richard the Second.

No complaisance to our court, or to our age, can make me believe nature to be so changed, but that publick 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*[2] 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 exac-

2 *an extension of the Forest Laws.* As when Charles I. extended the forest of Rockingham from a circumference of six to one of sixty miles. (See Hallam, Const. Hist. c. 8.) Attempts were frequently made in early times to recover to the crown the adjacent lands or 'purlieus' which had been disafforested by charter and protected by frequent perambulations. Many early petitions of the Commons, says Hallam, (M. Ages, ch. 8, part 3,) relate to this grievance.

tion of purveyance, or the concession of a monopoly on soap, leather, or sweet wines.

Every age has its own manners, and its politicks, 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.

His Majesty came to the throne[3] 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[4]. His Majesty came indeed to the inheritance of a mighty war[5]; but, victorious in every part of the globe, peace was always in his power, not to negociate, 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

3 *His Majesty came to the throne.* In his first message to Parliament George III. said that he "gloried in the name of Briton." The Peers replied, "What lustre does "it add to the name of Briton, when you, Sir, are pleased to glory in it!" The novelty of this feeling in our sovereigns was great, as neither George I. nor George II. could speak English.

4 *his party disbanded in England.* After Charles Edward's defeat, Pitt had broken for ever the chance of a fresh rising in Scotland by forming the Highlanders, who were alone likely to initiate any fresh movements, into regiments for the foreign service of the Crown. Till this master-stroke was effected, every continental sovereign who was angry with us was sure to plan a Stuart invasion. One would have been led by Charles XII. of Sweden, in 1719, with the help of Spain, but for his death in the last days of the preceding year: and Frederick the Great had assisted the 1745 expedition of Charles Edward.

5 *a mighty war.* That which conquered Canada and was ended by the Peace of Paris, in 1763, as described in the Introduction.

then thought) at a large, but definite sum[6], was ample without being invidious. His influence, by additions from conquest, by an augmentation of debt[7], by an encrease 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 any thing like offence to a monarch, against whose resentment opposition could not look for a refuge in any sort of reversionary hope[8].

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[9] sentiments of a very different nature. They thought they now beheld an opportunity (by a certain sort of statesmen 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[1] from natural influence or from honourable service; and which it was impossible they could hold

6 *a large but definite sum.* This was £800,000 a year, together with other incomings which raised it to nearly a million. The present Civil List is about £360,000. Though personally economical, George III. ran into debt for the purposes of his underhand government, sometimes to the amount of £500,000 at once, while his tradesmen remained unpaid from year to year.

7 *by an augmentation of debt.* The meaning is that, as Pitt's wars had added about £100,000,000 to the National Debt, many more people than before were anxious *not* to see a Stuart restoration, with a (probable) repudiation of their claims.

8 *any sort of reversionary hope.* The king was so young, and in many points so personally amiable, that no one would incur his anger in the hope of conciliating a successor.

9 *it suggested.* That is, 'the state of things suggested.'

1 *could never hope to derive.* This incapacity would spring from want of political ability, as in the statesmen mentioned in the Introduction, or from positive disqualification, as in the case of Lord G. Germaine, who, for misconduct at the battle of Minden, had been ignominiously dismissed from the army, yet was Minister of War in 1775.

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 publick.

To recommend their system[2] 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 publick spirit; and no one was to be supposed under any sinister influence, except those who had the misfortune to be in disgrace at court[3], which was to stand in lieu of all vices and all corruptions. A scheme of perfection to be realized in a monarchy far beyond the visionary republick 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 every body, 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[4]

2 *to recommend the system.* The suggestion of the 'King's Friend' government is said to have come from Lord Bolingbroke's Patriot King, where a somewhat similar system is recommended. As stated in the Introduction, the reform of all abuses in France by the mere authority of the Crown was also the idea of Turgot and the Economists (Tocqueville Anc. Rég., p. 268).

3 *in disgrace at court.* See, in Macaulay's Essay on Lord Chatham, the animated account of the king's resentment against opponents at this time.

4 *who had been talking prose all their lives.* Like Molière's Bourgeois Gentil-

prose all their lives without knowing any thing 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*[5], 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.

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[6] of the state. They are distributed with art and judgment through all the secondary, but efficient, departments of office,

homme, who discovered to his surprise that 'Belle Marquise, vos yeux m'ont percé le cœur' was actually the best order in which the words could be arranged, and that he had been arranging them so all his life.

5 *hors de page.* 'Out of pagehood,' that is, 'out of its minority.'

6 *responsible offices.* In Ireland, at this time, government after government found itself hampered by the paramount influences of gentlemen holding such unostentatious posts as that of 'Commissioner of Wide Streets'; and one of the main objects of Burke's speech on Economic Reform was to shew how the enormous and irrational multiplication of such posts in England gave the crown endless means of corruption.

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 publickly in almost every thing, 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[7], 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

7 *provided the leaders.* Unless, that is, the responsible ministers, who find themselves opposed by these private advisers of the Crown, at once altered their measures.

to the most inviolable of all promises[8]. No conveniency of publick arrangement is available to remove any one of them from the specifick 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 exteriour ministers. Like Janissaries[9], 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 exteriour and interiour administrations, is commonly called, in the technical language of the court, *double cabinet;* in French or English, as you choose to pronounce it.

8 *the most inviolable of all promises.* The reference is to Mr. Stewart Mackenzie, the Lord Privy Seal of Scotland, who had accepted office on an express promise from the king that he should never be removed (Massey, i. 181). Grenville, however, in 1765, insisted on his resignation, on the express ground that the king had no right to make such promises as regards ministerial offices.

9 *like Janissaries.* This body of men was originally recruited entirely out of prisoners of war: and from their discipline became formidable even to the Sultan himself.

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[1] 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 publick spirit. He can procure indemnity from quarters[2]. 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 unfor-

1 *growing into a spreading interest.* When a man's influence among his constituency is slackening, the power of getting a place in the Excise or Customs for one tradesman's son, or persuading the Lord Chancellor to present another to a small living, very much tends to freshen it. It is only of late that such places have ceased to be filled with little or no regard to the capacity of the holders. See Sydney Smith's 'Speech to the Electors at Taunton,' where this point is well brought out.

2 *indemnity from quarters.* It was not till 1796 that any provision was made by Parliament for the erection of barracks (Massey, iv. 23). The Petition of Right had abolished the billeting of soldiers on families; but it was still a great annoyance to a town to have them quartered in all its public houses; and an influential member of parliament might easily stop this, as regarded the town which he represented. By 'advantages in trade' is meant the kind of favour which in 1780 named Barnstaple as the sole port of entry for Irish wool.

tunate 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 shewing 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[3]. A body of loquacious place-men 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 inconveniencies, without the eclat 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.

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

3 *the doors are locked.* That is, a count of the house takes place, it is found that there are not forty members present, and this breaks up the sitting. By the 'excesses' mentioned just below, Burke means the riots connected with the election of Wilkes for Middlesex, which made the House of Commons nullify the vote and accept the defeated candidate as the real member.

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 publick 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[4], the only administration which he has ever been known directly and publickly to oppose.

It is indeed in no way wonderful, that such persons should make such declarations. That connexion and faction[5] 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

4 *against the then administration.* That is, the Rockingham administration, under which Burke made his first speech in the House of Commons, as Secretary to the Prime Minister, and which was then occupied in the repeal of the American Stamp Act.

5 *connexion and faction.* It should be remembered that since the Revolution political parties had mainly been factions—that is, they had proceeded on principles which they dared not acknowledge. The Tories had been Jacobite till within a few years of George the Third's accession; and Whigs had constantly sided with the heir-apparent against the reigning sovereign. Parties, in Burke's sense, can be said really to exist only when their objects are avowed, and pursued by open debate and struggle in parliament.

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 publick 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 publick. No man, who is not inflamed by vain-glory into enthusiasm, can flatter himself that his single, unsupported, desultory, unsystematick endeavours, are of power to defeat the subtle designs and united cabals of ambitious citizens. When bad men combine, the good must associate[6]; 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 publick duty. That duty demands and requires that what is right should not only be made known, but made prevalent;

6 *when bad men combine, the good must associate.* The history of revolutions is full of cases where a weaker and more ignorant faction has easily overthrown the party opposed to it, because from contempt of its adversaries the latter neglected to combine. So Thucydides says of the aristocratic party at Corcyra (iii. 83), that they 'despised the opposite party, thought that they could at any moment detect their 'plans and outwit them, and therefore fell, without the least resistance, when attacked.' So too the Girondins in France were easily overthrown by the ignorant and barbarous faction of Robespierre.

that what is evil should not only be detected, but defeated. When the publick 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 politicks. I admit that people frequently acquire in such confederacies a narrow, bigotted, 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 politicks; essentially necessary for the full performance of our publick 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[7] 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*[8], 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*[9], 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[1], in which they acted in support of such interests in the state as they severally affected. For it was then thought no

7 *some legislators.* This prohibition of neutrality is said to have been one of the Rhetrae of Lycurgus. Such a doctrine was by no means overstrained in early Greek states, where two factions constantly aimed at expelling one another from the city, and confiscating all their property; in such a case, taking neither side would be a crime against both.

8 *idem sentire de republica.* See Cic. de Amicit. (ad finem). "Nihil habeo quod "cum amicitia Scipionis possim comparare: in hac mihi de republica consensus, in hac "rerum privatarum consilium fuit."

9 *necessitudo sortis.* The reference is to Cic. in Q. Cæcil. xix. "Sic enim e "maioribus nostris accepimus prætorem quæstori suo parentis loco esse oportere; "nullam neque iustiorem neque graviorem caussam necessitudinis reperiri posse "quam coniunctionem sortis, quam provinciæ, quam officii, quam publici muneris "societatem."

1 *distributed into political societies.* That is, into smaller sections of the tribes, by the process called "decuriatio,' in which they were canvassed by persons called 'sodales.' Cic. Planc. xviii., xlv.

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 publick trust; that friendship was no mean step towards patriotism[2]; that he who, in the common intercourse of life, shewed he regarded somebody besides himself, when he came to act in a publick 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 publick 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,

2 *friendship was no mean step towards patriotism.* So Plutarch says of Pelopidas and Epaminondas, that "both being inspired from the first with a divine ardour to "raise their country to the summit of glory, for this purpose they availed themselves "of the achievements of each other, as if they had been their own."

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-try'd 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 shewn in patiently bearing the sufferings of your friends; or that disinterestedness was clearly manifested at the expence of other people's fortune. They believed that no men could act with effect, who did not act in concert; that no men 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.

*** Burke ends this fine composition by exhorting politicians to join heartily the party to which they belong, and to support all measures rightly founded on its principles. If this is done, and if constituencies also keep careful watch over the conduct and votes of their members, the House of Commons will, he says, soon learn to serve faithfully both the people and the sovereign. Otherwise England must either be hurried into revolution, or sink into the dead repose of despotism.

II. SPEECH ON CONCILIATION WITH AMERICA.

II.

SPEECH ON CONCILIATION WITH AMERICA, 1775.

*** This speech was delivered one year before the Declaration of Independence in America, and when the war had already been a year in progress. The political events out of which it arose may be traced from the time of the conquest of Canada, in which a considerable part as regards both military exertion and expenditure had been borne by the American colonies. From Massachusetts and Connecticut alone 19,000 men had marched with Wolfe; and the Royal Americans scaled the heights of Abraham beside the 43rd and 47th regiments of our line. Moreover, so far were the Americans from shrinking from their share of the expenses of the war, that, when peace was made in 1763, it was found that they had advanced 700,000 dollars above the quota which they had promised to pay: and this sum was actually remitted to them from England by way of reimbursement. Similar cases had occurred in 1748, when not less than £200,000 was remitted; also in 1756 and the five following years. It was, therefore, with a feeling of the bitterest surprise that the colonists received in 1765 the announcement that instead of applying to their state-assemblies to vote supplies as occasion arose, the Ministry of Grenville intended to tax them directly by Act of Parliament, and had passed a Stamp Act for this purpose, giving as a reason the necessity of providing a permanent revenue for the defence of America. The effect of the Act, as Bancroft states it, was that American ships whose papers were unstamped might

become the prey of the first captor; that, without stamps, marriages would be null, notes of hand valueless, suits at law impossible, transfers of real estate invalid, inheritances irreclaimable. And, as if to put the whole subject in the light that would most alarm the descendants of the Pilgrim Fathers, the Act expressly enumerated the stamps to be affixed to possible documents emanating from those very ecclesiastical courts which their fathers had gone to the wilderness to avoid, but which, it was thus implied, might some time throw out transatlantic offshoots.

The names of the stamp-collectors, who were to be mostly Americans, were published on the 8th of August, 1765, and the papers themselves were sent over. The assembly of Virginia at once led the way in a resolution that the sole power of taxing the inhabitants of that state lay in themselves; Massachusetts called upon all the states to unite in resistance; South Carolina pronounced for united resistance. An Act of Parliament contrary to Magna Charta was, they declared, null and void. And to this abstract opinion they joined a most practical conclusion. Every stamp-collector was summoned to resign his office and to swear that he would not execute it; some were forced to make this declaration under the gallows or under the tree on which they had previously been hanged in effigy. As for the obnoxious papers themselves, they could not be even landed from the vessels which brought them; and numbers of the principal citizens every where signed bonds pledging themselves to use no English goods of any kind until the Stamp Act was repealed. They would for the present dress in coarse homespun clothes, feed on the produce of their own lands, drink such tea as they could smuggle from Holland, make their iron tools by such skill as they themselves possessed—in fact, alter the whole face of things about them, rather than receive any commodities from the unnatural country which was outraging their best established rights.

By December the news had reached England. America had manifestly annulled the Stamp Act: what were we to do? The first debate in Parliament was feeble and inconclusive; in the next Pitt fell like a thunderbolt into the midst of the senators, and thrilled the house by his declaration that 'he rejoiced that America 'had resisted; for if its inhabitants had submitted, men so lost to 'all the feelings of liberty as voluntarily to assume the condition 'of slaves, would be fit instruments to enslave all the rest.' At

subsequent sittings Franklin was examined as to the sentiments of his countrymen, and stated in their name, with practised clearness, that they were loyal men, that nothing should make them rebels, but that neither to this tax nor to any other of a similar nature could they, as Englishmen, submit. At length the king gave a half-consent to the repeal: Pitt supported it on the express ground of the services done by the colonists in three wars. Conway declared that the Stamp Act had interrupted British commerce, jeopardized British merchants, and thrown thousands of English workmen out of employment. At two o'clock in the morning the great division took place, and a majority of 108 was for the repeal.

There were, however, several causes which hindered the great event having the healing effect which might have been expected from it. The first of these was, that acts had been simultaneously passed declaring the supreme power of parliament over America in all cases whatever, and also providing for the billeting of soldiers there. Another was that the excitement caused there by the Stamp Act had opened men's eyes to the absurdity of the commercial regulations under which they had long lived, and thus unconsciously disposed them to throw off the whole system at once, and to claim, not independence indeed, but absolute equality with their fellow-subjects. Was it to be tolerated that they could not legally receive a single foreign ship into their harbours? that they might not transport wool or woollen goods from one state to another? that a land of beavers might not make hats? that, in a country abounding in iron, mills, furnaces, and forges should be prohibited as nuisances? Above all, they soon became aware that a deep-laid scheme existed at home, by which all their liberties were to be overthrown in a far more summary and wholesale way than had been before attempted. The gentlemen who paid land-tax would not readily abandon the hope that revenue raised from the colonies and from Ireland might diminish its burden as regarded themselves. No sooner, therefore, had illness prostrated the mighty Pitt, and made him unaware of what was being done by his subordinates in the ministry, than Townshend, the Chancellor of the Exchequer, acting in direct opposition not only to Pitt's well-known principles, but also to the wise and thoughtful ideas of Lord Shelburne, to whom American administration properly belonged, made in parliament the ominous declaration 'that *he*

'knew the mode in which a revenue might be drawn from America 'without offence.'

There is no need to recapitulate the well-known story of the tea duties and the resistance to which they gave rise, of the outbreak in Boston harbour, of the bill passed at home for closing that harbour, of the way in which this intention was carried out, and of the great events of the American war. But it is necessary to notice on what good grounds the colonists believed that an attempt was about to be made to ruin their liberties at all points. It was well known that the politicians of the Board of Trade at home were meditating root and branch work. In the first place the proceeds of Townshend's new taxes on tea, paper, glass, lead, painter's colours, and the like, were not, like those of the intended stamp-duties, to pass under the control of the colonial legislatures; they were intended to constitute a fund, at the disposal of the home government, whence the salaries of both governors and judges should be paid. This being once established, the power of the colonial assemblies would have been nearly at an end; for whenever any of their rights were to be established judicially, the judges appointed under such a system as this would be morally certain to decide against them; and, of course, when they had lost the power of the purse, they would be unable to exercise any constitutional control over their governors. Moreover it required no spirit of prophecy to feel sure that every administrative, as well as every judicial post, would for the future be filled by men pledged to destroy all liberty which the Americans possessed. If any proof was required of the intentions of the English government, it would be found in the fact that twenty regiments were to be raised and sent over; nominally to defend the Americans, really to keep them down. The expenses of these were to be furnished by the colonies themselves, on requisition of the general in command. Charges of treason for acts committed in the colonies, especially for those done at Boston and New York, were to be tried in England, and the accused persons transported thither for the purpose. It had been the glory of George III. to have begun his reign by making the English judicature completely and finally independent of the crown: in America he actually gave to judges commissions during royal pleasure; and tried, as just stated, to force the colonies to supply their salaries. Finally, there was constant discussion whether the free charters of states like Con-

necticut or Massachusetts should not be withdrawn, and either assimilated to those of more dependent states, or swamped altogether in one comprehensive system of government which should keep the whole in due subordination. Thus the very interference with charters, which had done so much to overthrow James II. in England, was now to be repeated across the Atlantic on a much larger scale, as regarding interests far more important, and upon a people whose whole history had taught them that in the unrestrained exercise of these charters lay their only chance of avoiding every calamity to which a free people can be subject; and that the blackest spots in their annals had been those where home interference had been most marked.

By summing up these various influences, we shall understand what the Americans meant by their resistance; and what was the spirit in which Burke advocated their cause. Both the speech from which extracts are here given, and that of the preceding year, with its famous parallel of the resistance of the colonies with that of Hampden, should be studied for the purpose. Each was absolutely unavailing at the time; the voice of truth and reason could not be heard amid the storm of passions which raged around; nor, in fact, were men sufficiently trained in political knowledge to understand them. But they were fortunately preserved while many of the great oratorical efforts of the time became absolutely lost to us; and the wisdom which they teach is not for that time only, but for all times. The prejudices which Burke combated are for ever rising up anew, and require to be combated with weapons from the same magnificent and well-ordered armoury. As Fox said at the time, those who read and meditate this speech will learn, when they have impressed it on their hearts, what is the real and sovereign remedy for political evil.

MR. SPEAKER, I cannot prevail on myself to hurry over this great consideration of the growth of our American colonies. 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[1] 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 quæ sit poterat 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,[2] 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[3], he should see his son, Lord Chancellor of England, turn back the current[4] of hereditary dignity to its

1 *this growth of our national prosperity.* On the pedestal of Lord Chatham's statue in Guildhall is an inscription, praising this great man for making commerce flourish in the midst of war, and by reason of it. This would of course be impossible in our days: but in the first half of the 18th century nations were allowed to trade only with their own dependencies; hence every war which gave us new colonial possessions increased the number of our markets. So that the periods of war which led to the capture of Cape Breton, Nova Scotia, Canada, Newfoundland, and our Indian dominions, contributed to the extension of commerce not less than the peaceful administration of Walpole, balanced as this last was by the South Sea delirium. The growth of banks, of the post-office, and of canals, and the general improvement of trade processes, all tended in the same direction; so that, in spite of the temporary checks between 1760 and 1770, described above, the exports from England, which had at the beginning of the century been only £5,000,000, amounted in 1775 to more than £16,000,000.

2 *in the fourth generation*—reckoning Frederick, Prince of Wales, as one.

3 *was to be made Great Britain.* By the union with Scotland, in 1706-7.

4 *turn back the current.* Burke's meaning is that Allen Bathurst, who was created Baron Bathurst in 1711, and afterwards Earl Bathurst in 1771, when his son became Lord Chancellor and Baron Apsley, and who was 91 years old at the time when this speech was made, might more than remember the various steps of the vast progress alluded to.

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 domestick 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[5], scarce visible in the mass of the national interest, a small seminal principle, 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, shew 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

5 *a little speck.* The chief interest excited by the American colonies in the 17th century had been the means they afforded of making gigantic grants of land to courtiers or adventurers. (Bancroft, i. 401.)

of it in the single province of Pennsylvania[6]. In the year 1704, that province called for 11,459*l.* 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*l.* 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 shew how many enjoyments they procure,[7] which deceive the burthen of life; how many materials which invigorate the springs of national industry, and extend and animate every part of our foreign and domestick 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

6 *Pennsylvania.* Burke does well to choose this colony, which had received its character from the self-denying zeal of its founder—a land where there were no poor-rates, no prison-rates—where the governor asked for no salary, and where tax-gatherers were unknown. See Bancroft, ii. 634.

7 *how many enjoyments they procure.* This is one of the many passages which shew Burke's possession of true views of political economy. Most of his contemporaries would have thought that imports, except of money, had little to do with national prosperity.

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 their fisheries, you had all that matter fully opened at your bar[8]. 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 Streights, whilst we are looking for them beneath the arctick 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[9]. Falkland Island, which seemed

8 *fully opened at your bar*—by the West India merchants, who, in the interest of their own trade with the New England States, protested in March, 1775, against the exclusion of these States from the fisheries of Newfoundland, Labrador, and Nova Scotia, which was inflicted in retaliation for their resolution not to employ English goods.

9 *the frozen serpent of the south.* The constellation of the Serpent, between the two great southern nebulae. The Falkland Islands had been ceded to England by Spain in 1770. In 1771 we abandoned them; leaving, however, our flag flying, and inscriptions stating that it was British territory. They were reoccupied in 1833 (Darwin, Nat. Voyage, p. 188).

too remote and romantick 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[1], and pursue their gigantick 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[2]; 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[3], 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.

1 *run the longitude.* Sail along a meridian of longitude.

2 *this recent people*—who, more than any other nation, might be described as "bene ausi vana contemnere" in their commercial enterprise.

3 *a salutary neglect.* As when the Carolinas were allowed utterly to disregard the ostentatious constitution drawn for them by Locke, and to adopt much humbler regulations of their own making. So, in Massachusetts the acts of navigation were not regarded; no custom house was established. Forgotten by England, they did not forget us; as their contributions to aid the sufferers by the fire of London shewed. (Bancroft, i. 417.)

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[4], 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.

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[5], what they think the only advantage

4 *those who wield the thunder of the state.* Military men often incline to acts of 'vigour,' (see, however, Sir W.Napier's letter on the subject, Memoir, vol. ii. page 302.) In particular, the soldiers sent to Boston under Dalrymple had hoped that they might suppress rebels Culloden-fashion; and were bitterly disappointed at finding that they had for a long time no excuse for any thing of the kind, and that the first time they attempted it they were simply sent to prison as 'law breakers.' (Bancroft, vol. v. p. 240.)

5 *shuffle from them by chicane.* They resented this, as England had resented Charles the First's misprinting of the Petition of Right; Charles the Second's employment on behalf of France of the money voted for a war against that power; and James the Second's hypocritical pretences of universal toleration.

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[6]; 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

6 *the election of magistrates*—as in the troubles at Megara described by Theognis, the government of Critias and Theramenes at Athens, the strife between the Gracchi and the aristocracy at Rome. In England taxation was a more important point, as as nearly all our early sovereigns had continental objects at heart, which could be attained only by means of subsidies—so that they had to purchase these by political concessions.

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 an 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[7], 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 specifick 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

7 *the power of granting their own money.* As fundamentally established in England by Edward the First's Act, 'de tallagio non capiendo,' by the system of Appropriation Acts, by the resumption of the landed property of the Crown, and, above all, by our accuracy in public accounts.

imagination, that they, as well as you, had an interest in these common principles.

They were further confirmed in this pleasing errour 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 any thing 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. Every one knows that the Roman Catholick 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[8]; 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[9]; 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

8 *the dissidence of dissent.* As shewn preeminently in the Independent churches, where every congregation is held to be fully capable of managing all its own religious affairs, and in Quakerism, where no power is recognised among members of the sect to bind the conscience of individuals to *any* dogmas. (See Bancroft, c. xvi.)

9 *when this spirit was high.* Religious emigration to America began early in James the First's reign, in resistance to the tyranny of Whitgift and Bancroft; when some poor men in Lincolnshire, Nottinghamshire, and the south of Yorkshire, resolved, whatever it might cost them, 'to shake off the anti-Christian bondage, and, as the 'Lord's free people, to assert for themselves an unlimited and never-ending right to 'make advances in truth.' These were the 'Pilgrim Fathers,' who landed from the Mayflower, at Plymouth Rock, on the 11th of December, 1620—the forerunners of many similar bands of emigrants. By the 'foreigners' mentioned below are meant the Huguenots of New York, and S. Carolina (Bancroft, i. 482), who emigrated at the Revocation of the Edict of Nantes, and the Bohemians, Belgians, Piedmontese, and Italians, who also formed part of the population of New York (p. 572).

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[1] 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 exteriour of servitude, liberty looks, amongst them, like something that is more noble and liberal. I do not mean, Sir, to commend the superiour 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 Gothick ancestors[2]; such in our days were the Poles[3]; and such will be all masters of slaves, who are not slaves themselves. In such a people, the haughtiness

1 *still more high and haughty.* So much was this the case, that, up to the time of the civil war, a large majority of the eminent Presidents of the United States, as well as of their chief politicians, were Southerners. In ancient times the social arrangements of Sparta fostered the same haughty character in the privileged classes.

2 *our Gothick ancestors.* 'The meanest German soldier,' says Gibbon, 'resisted 'with disdain the authority of the magistrate, and respected only those duties which 'he imposed upon himself,' (such as obedience to a successful chieftain).

3 *such in our days were the Poles*—whose stern resistance to Russia was that of men used to rule their serfs imperiously, and who have only since 1848 given up the hope of sometime resuming this power.

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

In forming a plan for the conciliation of America, 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 errour. 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[4], 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 the Second[5]. The genius of Philip the Second might mislead them; and the issue of their affairs shewed, that

4 *the wisdom of our ancestors.* The sense in which Burke understood this deserves notice. History is, in his eyes, mainly a record of the *movements* of national thought and action. Where these movements were deliberately made, with a full cognizance of the circumstances to be dealt with, and where they consequently justified themselves by their results, there he would look for 'the wisdom of our ancestors.' To political wisdom, as imagined by him, might be applied Tennyson's splendid words—

Her open eyes desire the truth,
The wisdom of a thousand years
Is in them. May perpetual youth
Keep dry their light from tears;
That her fair form may stand and shine,
Make bright our days and light our dreams,
Turning to scorn with lips divine
The falsehood of extremes!

5 *the genius of Philip the Second.* So Mr. Buckle (ii. 27) tells us that Philip's contemporaries ascribed to him 'una grandeza adorabile;' 'that they did "not '"merely love, not merely reverence him, but absolutely adore him, and deem his '"commands so sacred that they could not be violated without offence to God."'

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 despotick 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[6]; 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[7], 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[8]. Mark the consequence.

6 *she instantly communicated to Ireland.* As regards knights of the shire in 1295, as regards burgesses about 1341. The change was at once beneficial; as the earliest statutes of the Irish parliament shew a real desire to repress the spirit of plunder which made the great lords imitate the worst practices of the Irish chieftains (Hallam, Const. Hist. c. xviii).

7 *the feudal baronage.* This, however, was not precisely a benefit to Ireland. The whole country was divided among the great nobles; and, although the native Irish submitted to Henry II. on the conquest, these nobles always succeeded in making the king's protection of no use to them.

8 *not at first extended to all Ireland.* For instance, it was held that, as the

English authority and English liberty had exactly the same boundaries. Your standard could never be advanced an inch before your privileges. Sir John Davis[9] shews 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[1], 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[2], 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[3] 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 mon-

native Irish considered murder to be atonable by a composition, it could not, as a general rule, be a felony for an Englishman to kill an Irishman. Nor were acts of parliament understood to bind the natives; they were 'the king's Irish enemies.'

9 *Sir John Davis.* Chief Justice of Ireland under James I., from whom the constitutional history, as given by Hallam in the places quoted, is mainly taken. His view was that all chieftains should be compelled to make their clansmen freeholders of the lands on which they lived; that regular forms of civil and criminal law should be introduced; and that Protestantism should be encouraged by banishing Roman Catholic bishops, and so making the succession of their priesthood impossible.

1 *a military government.* Under the Earl of Sussex, Sir A. Grey, and others.

2 *a general parliament.* James I. created 40 new boroughs; and the parliament thus formed claimed to represent the whole kingdom, as the former parliament had represented the English colony. The members, however, were practically nominated by the great proprietors.

3 *the vital substance of free government.* So far as this could subsist under Poynings' Law (1495), which provided that no Irish parliament should carry any acts but those for which they had previously received royal licence. The modification of this law in 1782 was the great advance in liberty made by Ireland before the Union.

archy, and established, I trust, for ever, by the glorious Revolution[4]. This has made Ireland the great and flourishing kingdom that it is; and from a disgrace and a burthen 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 publick wealth in the British empire.

My next example is Wales. This country was said to be reduced by Henry the Third. It was said more truly to be so by Edward the First. But though then conquered, it was not looked upon as any part of the realm of England. Its old constitution[5], whatever

4 *by the glorious Revolution.* Burke, apparently, did not foresee at this time that he would soon be engaged in a noble struggle in behalf of the native Irish, who immediately after the Revolution had been consigned, by the breach of the Limerick articles, to the utmost slavery and degradation. Accordingly he speaks here of the Revolution from the point of view of the Protestant interest; and treats Ireland as free because her government was nominally a home-rule, though in the hands of a minority often corrupt.

5 *its old constitution was destroyed.* Yet Edward I. took great pains to ascertain

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[6]—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[7] 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

by a commission how much of the Welsh customs might with advantage be embodied into his Statute of Wales. (See the interesting details in the 'Greatest of the Plantagenets,' p. 137). And an attempt was made in the time of Edward II. to include 24 members for Wales in the English Parliament. The French wars of Edward III. probably hindered the continuance of these beneficent measures.

6 *lords marchers*—under whose government (Hallam, Middle Ages, part iii. c. 8) outrages from Welshmen were opposed by conceding the right of reprisal. A rule was also established that no Welshman should hold any office in Wales.

7 *the sending arms.* The effect of this prohibition had been that Massachusetts went to war with only 68 barrels of powder in store—in all New York there was less than 100 lbs. for sale. It was, according to Burke, doubtfully legal, as having been made early in 1774, and before any war had begun in America. But such proclamations are at all times within the royal prerogative (Blackst. i. 265). This rule would, however, not apply to disarmament, which requires an Act of Parliament on the ground that subjects are allowed by the Bill of Rights to have arms for their defence.

you attempted (but still with more question on the legality) to disarm New England by an instruction. They made an act to drag offenders[8] 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[9]. 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 burthen; 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

8 *to drag offenders.* In Feb. 1769, the English Parliament resolved, by a large majority, that the persons accused of treason at Boston should be brought over to England and tried there by special commission, under an Act of Henry VIII., which had no application to the colonies. Also an Act was passed, that any one guilty of the destruction of military and naval stores might be tried wherever the king pleased; and this was intended to cover some cases of riot in America, particularly the case of the Gaspée in 1773, in which Rhode Island resisted the claims. The same rule was applied in 1774 to the case of Americans combining for the exclusion of English goods (Bancroft, vi. 35).

9 *from fisheries and foreign ports*—from the latter by the Navigation Acts—from the former by the Act of Feb. 1775, which forbade them to fish on the banks of Newfoundland.

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[1] 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 (quod sic voluere) ponto
Unda recumbit.

1 *all the rights and privileges.* By the Act of 1543 the right of electing members was conferred on the whole of Wales, the counties of Chester and Monmouth, and the cities of Berwick-upon-Tweed and Calais. Wales, however, remained till 1640 in part under the jurisdiction of the Council of Wales, which could act independently of the common law.

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[2]; 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 shewn unto your excellent majesty, the in- "habitants 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 politick governance and main- "tenance 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 pala-

2 *the fittest to destroy the rights of others.* "Upon the strength of their im- "munity," says Hallam (Middle Ages, part iii. c. 8), "from the jurisdiction of the "king's courts, the people of Cheshire broke with armed bands into the neighbouring "counties, and perpetrated all the crimes in their power."

"tine; 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[3]? Treat it as an affront to government? Spurn it as a derogation[4] from the rights of legislature? Did they toss it over the table[5]? 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[6],

3 *reject it as a libel?*—as James II. did the petition of the Seven Bishops.

4 *spurn it as a derogation?* On the 6th of December, 1768, Lord Hillsborough summoned all the colonial agents and informed them that 'all the petitions which 'had been received were very offensive, inasmuch as they contained a denial of the 'authority of parliament.'

5 *toss it over the table*—a form by which the House of Commons declares that a bill or petition is not worthy of consideration or unconstitutional; as, for instance, when the House of Lords has claimed to originate a money-bill.

6 *the county palatine of Durham*—enfranchised, along with Newark, in 1673; the former by act of parliament, the latter by an exertion of the royal prerogative, (the last of the kind ever made in England). The preamble of the Durham act states

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 any thing, 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[7] with regard to

that 'as the inhabitants of Durham are liable to all payments, rates, and subsidies 'imposed by Parliament, therefore they are equally concerned with other inhabitants 'of the kingdom to have their knights of the shire and burgesses in Parliament, to 'represent the condition of the shire.' This is the 'recognition of equity' to which Burke alludes.

7 *your legislative authority is perfect*—that is, 'you ought to tax America in 'order to prove that you have an established right to do so.' Mr. Morley, in his sketch of Burke, has well remarked that contempt of this mode of argument is highly characteristic of that great man. For instance, he says elsewhere, 'The question of 'the *right* of taxation is less than nothing in my estimation. My consideration is 'narrow, confined, and wholly limited to the policy of the question. The question

America; was it less perfect in Wales, Chester, and Durham? But America is virtually represented[8]. What! does the electrick force of virtual representation more easily pass over the Atlantick, 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?

I wish, Sir, to repeal the Boston Port Bill[9], 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

'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.'

8 *is virtually represented.* It had been argued that large towns in England were 'virtually' represented in the English parliament although they sent no members there. American common sense scattered this quibble at once; as when Otis, in 1765, cried, 'Manchester, Birmingham, and Sheffield, like America, return no 'members. Why ring everlasting changes to the colonists on these? If they are 'not represented, they ought to be.' Another speaker asked still more pointedly, 'whether two men chosen to represent a petty borough in England, that had sold 'its votes to the highest bidder, had any pretence to say that they represented Virginia 'or Pennsylvania?' The doctrine of some eminent English lawyers was 'that the 'Americans were really represented by the county members for Kent; inasmuch as 'all the land in America had been granted by the Crown to be held in socage of the 'manor of East Greenwich in that county.' (Campbell, Life of Lord Camden, p. 255.)

9 *the Boston Port Bill.* See, in Bancroft, vol. vi., p. 26, the account of the rigour with which the provisions of this bill were carried out.

bill of the present session[1] 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[2] and Rhode Island, as you have taken away that of Massachusets 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 Massachusets Bay. Besides, Sir, the act which changes the charter of Massachusets is in many particulars 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 publick and private justice. Such, among others, is the power in the governour 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[3] to England

1 *the restraining bill of the present session*—the Fisheries Act above-mentioned.

2 *the charter of Connecticut.* See, in Bancroft, the interesting discussion on the constitution of this state between Johnson, its agent, and Lord Hillsborough, in 1767 (vol. v. p. 80), which clearly shews the degree of liberty enjoyed by its inhabitants. As to Rhode Island, whose charter lived, as Bancroft says, till it became the oldest constitutional charter in the world, see vol. i. p. 396.

3 *murder under the orders of government.* The idea was that persons accused of this might not have a fair trial in America. In the case, however, of the 'Boston Massacre,' in 1770, Captain Preston, who had given confessedly unjustifiable orders

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.

Having guarded, Sir, 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 superiour court, it may be proper that the said "chief justice and other judges of the superiour 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 hearing "on complaint from the general assembly, or on a com-"plaint from the governour, or council, or the house of "representatives severally, of the colony in which the "said chief justice and other judges have exercised the "said offices."

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

to fire, was acquitted by the colonial court; and only two of the soldiers were convicted of the minor crime of manslaughter—their advocate being John Adams, afterwards President of the United States. See Massey, i. p. 349.

revenue from Bengal, you were obliged to return in loan[4] 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 aptitudes. 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[5], and equal protection. These are ties, which, though light as air, are as

4 *you were obliged to return in loan.* The reference is to the tax of £400,000 a year which the East India Company was bound by the original charter to pay. For the way in which they shook this off, see Massey, vol. iii. p. 55. In the same year they borrowed £1,500,000 from the Home Government.

5 *from similar privileges.* Burke's argument is strongly illustrated by the present relation of Canada to ourselves, and the extreme dislike felt there to the thought of separation from England. The reason is, that they have, since 1834, had their own independent legislature, that in the one province their Roman Catholic religion has not been interfered with, and in the other they have been allowed to regulate Church matters in their own way; and that all help from home has recently been given to their forming a great and powerful federation with Nova Scotia and the other British dominions.

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 will 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 every thing 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[6]. The more they multiply[7], the more friends you will have; the more ardently they love liberty, the more perfect will be their obedience. Slavery they can have any where. It is a weed that grows in every soil. They may have it from Spain, they may have it from Prussia[8]. 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.

6 *they will turn their faces towards you*—as a Jew towards Jerusalem, a Mohammedan towards Mecca—hence the metaphor.

7 *the more they multiply*—so Franklin, in 1760, promised Hume 'an audience of '*millions* on this side of the Atlantic from all who use the English language well.' Bancroft, iii. 260.

8 *from Prussia.* An interesting account of the military despotism in this country will be found in Lord Mahon's Essay on the Last Years of Frederic the Great.

Do not entertain so weak an imagination, as that your registers[9] 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 every thing 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[1], which inspires it with bravery and discipline? No! surely no! It is the love of the people; it is their attachment to their government, from the sense of the deep stake they have[2] in such a glorious institution, which gives you your army and your navy, and infuses

9 *registers*—of vessels by the Navigation Act. *bonds*, etc. are the documents necessary to be obtained from the Custom House for imports and exports.

1 *the mutiny bill*—which since the year 1689 has been passed at the beginning of every session of parliament for that year only. See Macaulay, Hist. England, vol. iii. p. 45.

2 *the deep stake they have.* This assertion seems strange at a time when press-gangs were necessary to recruit the navy, when sailors' illtreatment produced the most perilous mutinies, when the poor-laws degraded the labouring population and prohibited them from seeking employment away from their own parish, and when bad regulations were producing universal distress. What balanced all these evils and justified Burke's assertion was that, even in those bad times, it was on the whole believed that the remedies for evil lay in the constitution itself, and could be obtained by legal means. The people had little else except hope; but hope was their stake in the country.

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[3], 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[4] 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 every thing, and all in all. Magnanimity in politicks[5] 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 publick proceedings on America, with the old warning of the church, *Sursum corda*[6]! 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

3 *mechanical politicians*—those who do not see 'that telegraph wires are little 'evidence of civilization as compared with the import of the messages which are 'flashed along them—that real advance is marked not by the number of conveniences 'which are provided for men, but by the character which is formed in them.' (See Church, 'Lectures on Civilization'.)

4 *not fit to turn a wheel*—because even the routine work of government may involve high principles and produce unexpected results. Both Grenville and Townsend considered their destructive American measures to be the merest matters of detail.

5 *magnanimity in politicks*—as shewn by a respect for the rights of others, and an unwillingness to violate these even for their good; by the patience which is content to work for another generation; by a firm belief that the hearts of men are not corrupt and perverse, but good and true; and that, therefore, goodness and truth *will* do their work, and that in no long time.

6 *Sursum corda*—to which the answer was, as in our Communion Service, 'Habemus ad Dominum.'

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 go- "vernments, and containing two millions and upwards "of free inhabitants, have not had the liberty and privi- "lege of electing and sending any knights and burges- "ses, or others, to represent them in the high court of "parliament."

"That each of the said colonies hath within itself "a body called the general assembly or general court "with powers to raise duties and taxes towards defray- "ing all sorts of publick services."

"That it hath been found by experience that the "manner of granting the said supplies hath been more "agreeable to the said colonies, and more beneficial to "the publick service than the mode of granting aids "and subsidies in parliament to be raised and paid in "the said colonies."

*** Burke then moved the repeal of the Boston Port Act, of that for the trial in England of persons accused of treason in America, and of that which altered the constitution of Massachusetts. All his propositions were contemptuously rejected.

III. SPEECH IN THE GUILDHALL.

III.

SPEECH IN GUILDHALL, BRISTOL, 1780.

*** The main topic of this generous and noble speech is one of the saddest in English history—namely, that of our long jealousy and repression of Ireland; and some details regarding this are necessary before it can be fully understood. Two points must be clearly distinguished; first, the commercial jealousy which constantly tried to crush every attempt made by the Irish to rise from their miserable poverty; and secondly, the bigotry which produced the penal laws against Roman Catholics as such.

We read in the life of Clarendon (III., 704) a most singular account of a parliamentary debate, in the year 1664, on the importation of Irish cattle. According to this high authority, the general feeling of insecurity, and the depression of trade in that year, had caused a depression of 25 per cent. in the rents of land. A cry immediately arose that the Irish were underselling the English proprietors of stock; and a bill to prohibit the importation of Irish cattle was accordingly introduced into the House of Commons. It was remonstrated against most strongly by the Irish government; who vainly urged that 100,000 people in Ireland lived and paid their rents solely by this trade; and that if it were hindered there would be no means left for carrying on the government there, and a new rebellion must be the consequence. Other remonstrances from English counties which were particularly interested in the Irish trade were equally vain. The House of Commons passed the measure with such enthusiasm that they actually went themselves in a body to present it to the House of

Lords. There it was passed at once; and the terrible and smiting effect of the act in Ireland is shewn by Sir W. Petty's estimate that it destroyed at one blow half the trade of Ireland (see Lecky, Leaders of Irish Opinion, p. 35).

But this was not all. The same corrupt government had actually included Ireland in the Navigation Act of 1663; the malignant effect of which has been already described. The peculiar hardship of applying it to Ireland is strongly marked by two circumstances; first, that the act prohibited her from trading with America—for which, of course, her geographical position gives her peculiar advantages; and secondly, that in spite of her loyalty to Charles I., she was now smitten with prohibitions from which Cromwell's Navigation Act had exempted her. In 1670 her exclusion was confirmed; and at a later period it was enacted that no goods should be imported from the colonies directly into Ireland.

This system of oppression was not changed by the Revolution. Indeed a still heavier blow was struck in 1699. When excluded from the cattle trade, the Irish landholders had taken to sheep-breeding. Their wool was excellent even in earlier times: so much that Lord Strafford, during his government of Ireland, had thought it likely to rival the English trade, and therefore declared his intention of suppressing it by all the means in his power, thus compelling Ireland to devote herself entirely to the linen manufacture. By 1699 a real industrial spirit was rising in the country, and English manufacturers were bringing over their capital. It is enough to state that the inhuman acts then passed effectually destroyed the woollen trade. The main industry of the country was crushed at a blow; several thousands of manufacturers at once left Ireland; the western and southern districts were nearly depopulated, and a chronic famine began to waste the land. Commenting upon this state of things, Swift wrote in 1720 as follows, 'Ireland is the only country I have ever heard or read of, which 'is refused the liberty of exporting their native commodities and 'manufactures wherever they pleased, except to countries at war 'with their own prince or state. Yet this privilege, by the 'superiority of mere power, is refused us in the most momentous 'parts of commerce; besides an Act of Navigation, to which we 'never assented, pinned down upon us and rigorously executed.' This eminent writer was also the first to propose that the Irish

should retaliate upon their oppressors by forming a league and binding themselves to discontinue the use of all English goods of every kind; a method of making known their resentment which was in Burke's time adopted both again in Ireland and also in America.

There are few things more interesting in history than the manner in which Ireland managed to shake off the greater part of these restrictions. As soon as the American war began, the manifest identity of interest between Ireland and the colonies began at once to alarm the English government. Some feeble beginnings of concession were made, as Burke states, as early as the years 1775 and 1776. It was only, however, when much more decisive events occurred, that any great step towards the emancipation of Irish trade was taken. In October, 1776, Burgoyne with all his forces surrendered to the Americans at Saratoga. This was the signal for an alliance between France and America; which by Franklin's exertions was concluded in 1778. In the same year an alarm of French invasion was raised at Belfast; the mayor applied for help to the government, and was told that he could only have 'a troop 'or two of horse, or part of a company of invalids.' The Irish then asked to be allowed to embody themselves for self-defence; a request which, under the circumstances, could not be refused. 'The whole country,' says a historian of Ireland, 'rushed to arms. 'It was a scene of wild and noble excitement. The government 'looked on in angry amazement at the daily-increasing number of 'the volunteers, their training into discipline, their martial array 'and military celebrations.' The Lord Lieutenant wrote home, 'that the people entertained an idea that their number would con-'duce to the attainment of political privileges for their country.' That such was really the case was evident, when the number of the volunteers rose first to 20,000, then to 40,000, then to 95,000, duly provided with tents, artillery, and other requisites for a campaign; and when, accordingly, with a humiliating haste which makes the cheek tingle as we read of it, regulation after regulation, the gathered mass of centuries, was removed by the agitated hand of the government; and at last, in 1782, Poynings' Act, the very Magna Charta of oppression, was repealed, and the Irish Parliament regained for a time the rights of a free legislature.

The speech, from which extracts are here given, was de-

livered by Burke in 1780 to his constituents in Bristol, just before they refused to re-elect him as their representative in parliament. Its object was to vindicate him from the charge of neglecting the commercial interests of his constituents, by his conduct, first, in supporting the repeal of the Irish trade restrictions, so far as it had yet gone; secondly, in having advocated Lord Beauchamp's defeated measure for softening the cruelty of the laws for the imprisonment of debtors; and thirdly, in having voted in 1778 for the act of partial emancipation of the Roman Catholics which produced the Gordon riots in 1780. After excusing himself for not having visited his constituents more frequently, he proceeds as follows:

It has been said, and it is the second charge, that in the questions of the Irish trade, I did not consult the interest of my constituents; or, to speak out strongly, that I rather acted as a native of Ireland, than as an English member of parliament.

I certainly have very warm good wishes for the place of my birth. But the sphere of my duties is my true country. It was, as a man attached to your interests, and zealous for the conservation of your power and dignity, that I acted on that occasion, and on all occasions. You were involved in the American war. A new world of policy was opened, to which it was necessary we should conform, whether we would or not; and my only thought was how to conform to our situation in such a manner as to unite to this kingdom, in prosperity and in affection, whatever remained of the empire. I was true to my old, standing, invariable principle, that all things, which came from Great Britain, should issue as a gift of her bounty and beneficence[1], rather than as claims recovered against a strug-

1 *as a gift of her bounty and beneficence.* 'There are two methods,' said Sydney Smith, in 1831, 'of making alterations; the one is to despise the applicants, to begin 'with refusing every concession, then to relax by making concessions which are always

gling litigant; or at least, that if your beneficence obtained no credit in your concessions, yet that they should appear the salutary provisions of your wisdom and foresight; not as things wrung from you with your blood by the cruel gripe of a rigid necessity[2]. The first concessions, by being (much against my will) mangled and stripped[3] of the parts which were necessary to make out their just correspondence and connexion in trade, were of no use. The next year[4] a feeble attempt was made to bring the thing into better shape. This attempt (countenanced by the minister) on the very first appearance of some popular uneasiness, was, after a considerable progress through the house, thrown out by *him*.

What was the consequence? The whole kingdom of Ireland was instantly in a flame. Threatened by foreigners, and, as they thought, insulted by England, they resolved at once to resist the power of France[5],

'too late, till at last, after this process has gone on some time, the alarm becomes too 'great, and every thing is conceded in hurry and confusion. In the meantime fresh 'conspiracies have been hatched by the long delay, and no gratitude is expressed for 'what has been extorted by fear.'

2 *by the cruel gripe of a rigid necessity.* 'Do not wait,' says the same excellent writer, in the next speech printed in his works, 'till you are caught in one of those 'political attitudes in which you are utterly helpless; arrangements made at such 'times are much like the bargains between a highwayman and a traveller—a pistol on 'one side, a purse on the other. *If you think the thing must be done at some time or 'other, do it when you are calm and powerful, and when you need not do it.*'

3 *mangled and stripped.* This alludes to the weak attempts made by Lord North in 1775 to conciliate Ireland by conceding the right of fishing in Newfoundland. What made this offer peculiarly offensive was that these rights had been taken, on account of the war, from America, with which the Irish sympathised so heartily; and that, therefore, England sacrificed nothing of her own in conceding them. Burke had moved in vain to add in the Act the words 'trade and commerce' to 'fisheries.'

4 *the next year.* In 1776, the year in which the Americans finally resolved on independence, parliament went so far as allow Ireland to export her own manufactures, *with the exception of cottons and woollens.* The rather wider measure favoured by Lord Rockingham, which excepted only woollens, was thrown out.

5 *to resist the power of France.* It must be remembered that the volunteers were at first all Protestants; and therefore not inclined to look for help to France, as the Roman Catholics were in the fearful rebellion of 1796.

and to cast off yours. As for us, we were able neither to protect nor to restrain them. Forty thousand men were raised and disciplined without commission from the crown. Two illegal armies[6] were seen with banners displayed at the same time and in the same country. No executive magistrate, no judicature in Ireland, would acknowledge the legality of the army which bore the king's commission; and no law, or appearance of law, authorized the army commissioned by itself. In this unexampled state of things, which the least errour, the least trespass on the right or left, would have hurried down the precipice into an abyss of blood and confusion, the people of Ireland demand a freedom of trade with arms[7] in their hands. They interdict all commerce between the two nations[8]. They deny all new supply in the house of commons, although in time of war. They stint the trust of the old revenue, given for two years to all the king's predecessors, to six months[9]. The British parliament, in a former session, frightened into a limited concession by the menaces of Ireland, frightened out of it by the menaces of England, were now

6 *two illegal armies.* The Mutiny Act, which in England is annual (supr. p. 58), had been carried in the Irish parliament only for six months. It had been returned from England with a change rendering it perpetual; hence magistrates considered the army which it maintained illegal, and refused to billet soldiers under it. Their objection was on two grounds: first, that it was an English act of parliament, and secondly, that it created an armed irresponsible authority within the state. The number of this army had been generally about 12,000 men, of whom 4000 had been sent to America, to repress the liberties which Grattan and the patriotic party considered inseparable from those of Ireland. The intention at first was to replace them by the odious Hessian mercenaries.

7 *demand a freedom of trade with arms.* The volunteers, in 1779, when drawn up in the streets of Dublin, had placed on the mouths of their cannon papers with the inscription 'Free trade, or *this*,' while, at the same moment, a motion to repeal restrictions was being made in the parliament close by.

8 *all commerce between the two nations*—according to the advice given by Dean Swift in 1712, and the precedent furnished by America in 1765.

9 *to six months.* 'A short money bill' had become one of the patriotic cries; the same words had been hung on the cannon of the volunteers.

frightened back again, and made an universal surrender of all that had been thought the peculiar, reserved, uncommunicable rights of England;—the exclusive commerce of America, of Africa, of the West Indies—all the enumerations of the acts of navigation—all the manufactures—iron, glass, even the last pledge of jealousy and pride, the interest hid in the secret of our hearts, the inveterate prejudice moulded into the constitution of our frame, even the sacred fleece itself, all went together. No reserve[1]; no exception; no debate; no discussion. A sudden light broke in upon us all. It broke in, not through well-contrived and well-disposed windows, but through flaws and breaches; through the yawning chasms of our ruin. We were taught wisdom by humiliation. No town in England presumed to have a prejudice; or dared to mutter a petition. What was worse, the whole parliament of England, which retained authority for nothing but surrenders, was despoiled of every shadow of its superintendence[2]. It was, without any qualification, denied in theory, as it had been trampled upon in practice. This scene of shame and disgrace has, in a manner whilst I am speaking, ended by the perpetual establishment of a military power in the dominions of this crown, without consent of the British legislature, contrary to the policy of the constitution,

1 *no reserve.* These abandonments of restriction were made by Lord North's Free-trade bill of Feb. 1780, and the corresponding motions by Mr. Foster in the Irish parliament. The only important prohibition now left was that of the trade to southern Europe; and this was done away with soon after.

2 *every shadow of its superintendence.* So little confidence was felt in the permanence of the concessions just made, or in the probability of obtaining the farther changes which were absolutely necessary, that the Irish nation was already rallying round Grattan's standard of parliamentary independence. Before the end of 1780 a motion was made by Flood 'to explain the Law of Poynings;' and in 1782, as abovementioned, that law was so much modified as to make the Irish parliament really independent.

contrary to the declaration of right[3]: and by this your liberties are swept away along with your supreme authority—and both, linked together from the beginning, have, I am afraid, both together perished, for ever.

What! gentlemen, was I not to foresee, or foreseeing, was I not to endeavour to save you from all these multiplied mischiefs and disgraces? Would the little, silly, canvass prattle of obeying instructions, and having no opinions but yours, and such idle senseless tales, which amuse the vacant ears of unthinking men, have saved you from "the pelting of that pitiless storm," to which the loose improvidence, the cowardly rashness, of those who dare not look danger in the face, so as to provide against it in time, and therefore throw themselves headlong into the midst of it, have exposed this degraded nation, beaten down and prostrate on the earth, unsheltered, unarmed, unresisting? Was I an Irishman on that day, that I boldly withstood our pride? or on the day that I hung down my head, and wept in shame and silence over the humiliation of Great Britain? I became unpopular in England for the one, and in Ireland for the other. What then? What obligation lay on me to be popular? I was bound to serve both kingdoms. To be pleased with my service, was their affair, not mine.

The next article of charge on my publick conduct, and that which I find rather the most prevalent of all, is, Lord Beauchamp's bill[4]. I mean his bill of last ses-

3 *contrary to the Declaration of Right.* This manifesto of the English Revolution provided, among other things, that 'without the assent of Parliament, no standing 'army should be kept up in time of peace;' and had been violated by the 'Perpetual 'Mutiny Act' for Ireland.

4 *Lord Beauchamp's bill.* This nobleman was son of the Earl of Hertford, and very ambitious to distinguish himself in politics. His attention was probably directed

sion, for reforming the law-process concerning imprisonment. It is said, to aggravate the offence, that I treated the petition of this city with contempt even in presenting it to the house, and expressed myself in terms of marked disrespect. Had this latter part of the charge been true, no merits on the side of the question which I took could possibly excuse me. But I am incapable of treating this city with disrespect. What will you say to those who blame me for supporting Lord Beauchamp's bill, as a disrespectful treatment of your petition, when you hear, that out of respect to you, I myself was the cause of the loss of that very bill? For the noble lord who brought it in, and who, I must say, has much merit for this and some other measures, at my request consented to put it off for a week, which the speaker's illness lengthened to a fortnight; and then the frantick tumult about popery drove that and every rational business from the house. So that if I choose to make a defence of myself, on the little principles of a culprit, pleading in his exculpation, I might not only secure my acquittal, but make merit with the opposers of the bill. But I shall do no such thing. The truth is, that I did occasion the loss of the bill, and by a delay caused by my respect to you. But such an event was never in my contemplation. And I am so far from taking credit for the defeat of that measure, that I cannot sufficiently lament my misfortune, if but one man, who ought to be

to this subject by the largely-increased number of bankruptcies—the result of the American war—in the year 1778; and his failure in carrying his measure was a misfortune, as it led to the whole subject of the relief of imprisoned debtors being shelved till 1813—(see the account, in Sir S. Romilly's Diary, of Lord Redesdale's Act, passed in that year). Lord Beauchamp himself, however, succeeded in carrying an Act prohibiting arrest for sums under £10: on which Delolme remarks that, 'although 'not honoured with much attention by the public, such a bill was of twenty or a 'hundred times more importance than the rise of this or that minister, on which 'history so loves to dwell.'

at large, has passed a year in prison by my means. I am a debtor to the debtors. I confess judgment. I owe what, if ever it be in my power, I shall most certainly pay,—ample atonement and usurious amends to liberty and humanity for my unhappy lapse. For, gentlemen, Lord Beauchamp's bill was a law of justice and policy, as far as it went; I say as far as it went, for its fault was its being, in the remedial part, miserably defective.

There are two capital faults in our law with relation to civil debts. One is, that every man is presumed solvent[5]. A presumption, in innumerable cases, directly against truth. Therefore the debtor is ordered, on a supposition of ability and fraud, to be coerced his liberty until he makes payment. By this means, in all cases of civil insolvency, without a pardon from his creditor, he is to be imprisoned for life[6]:—and thus a miserable mistaken invention of artificial science operates to change a civil into a criminal judgment, and to scourge misfortune or indiscretion with a punishment which the law does not inflict on the greatest crimes.

The next fault is, that the inflicting of that punishment is not on the opinion of an equal and publick judge; but is referred to the arbitrary discretion of a private, nay interested, and irritated, individual. He,

5 *every man is presumed solvent.* That is, he receives a mandate from the Crown to pay his debt, and is imprisoned for disobedience to it. 'The bankrupt,' says Blackstone (ii. 31), 'was considered merely in the light of a criminal; and in this 'spirit we are told by Sir E. Coke that we have fetched as well the name, as the 'wickedness, of bankrupts from foreign nations.' Accordingly the law, till amended by Lord Brougham in 1830, had the singular defect of giving the creditor unbounded power over the person of his debtor, and but little over his property, several kinds of which could not be seized for debt. Moreover, a debtor confined in prison might, if he forbore from applying for release, retain his property in defiance of all creditors.

6 *imprisoned for life.* A notable case was that of a person who was found to have been imprisoned 49 years for an original debt of £9.

who formally is, and substantially ought to be, the judge[7], is in reality no more than ministerial, a mere executive instrument of a private man, who is at once judge and party. Every idea of judicial order is subverted by this procedure. If the insolvency be no crime, why is it punished with arbitrary imprisonment? If it be a crime, why is it delivered into private hands to pardon without discretion, or to punish without mercy and without measure?

To these faults, gross and cruel facts in our law, the excellent principle of Lord Beauchamp's bill applied some sort of remedy. I know that credit must be preserved; but equity must be preserved too; and it is impossible that any thing should be necessary to commerce, which is inconsistent with justice. The principle of credit was not weakened by that bill. God forbid! The enforcement of that credit was only put into the same publick judicial hands on which we depend for our lives, and all that makes life dear to us. But, indeed, this business was taken up too warmly both here and elsewhere. The bill was extremely mistaken. It was supposed to enact what it never enacted; and complaints were made of clauses in it as novelties, which existed before the noble lord that brought in the bill was born. There was a fallacy that ran through the whole of the objections. The gentlemen who opposed the bill always argued, as if the option lay between that bill and the ancient law.—But this is a grand mistake. For, practically, the option is between, not that bill and the old law, but between that bill and those occasional

7 *he who formally is.....the judge*—that is, the Commissioner of Bankruptcy before whom the insolvent is brought. Johnson, in the Idler (22), brings out strongly the arguments here urged by Burke; these two eminent men could harmonise well, unless politics were concerned.

laws, called acts of grace. For the operation of the old law is so savage, and so inconvenient to society, that for a long time past, once in every parliament, and lately twice, the legislature has been obliged to make a general arbitrary jail-delivery, and at once to set open, by its sovereign authority, all the prisons in England.

Gentlemen, I never relished acts of grace[8]; nor ever submitted to them but from despair of better. They are a dishonourable invention, by which, not from humanity, not from policy, but merely because we have not room enough to hold these victims of the absurdity of our laws, we turn loose upon the publick three or four thousand naked wretches, corrupted by the habits, debased by the ignominy, of a prison. If the creditor had a right to those carcases as a natural security for his property, I am sure we have no right to deprive him of that security. But if the few pounds of flesh were not necessary to his security, we had not a right to detain the unfortunate debtor, without any benefit at all to the person who confined him.—Take it as you will, we commit injustice. Now Lord Beauchamp's bill intended to do deliberately, and with great caution and circumspection, upon each several case, and with all attention to the just claimant, what acts of grace do in a much greater measure, and with very little care, caution, or deliberation.

I suspect that here too, if we contrive to oppose

8 *acts of grace.* Such an act differs from other acts of parliament. It is first signed by the sovereign, then sent to parliament, read once in each House, and so passed without amendment or alteration. Acts of this particular kind had been passed in 1774 and 1776. On one being proposed in 1811, Sir S. Romilly remarked, 'that such ex post facto laws are absolutely indefensible; that nothing could palliate 'them but the unutterable mischief of the law as it then stood; and that no stronger 'proof could be assigned of the necessity of a change in it than the passing of these 'bills every two or three years; the legislature thus proclaiming its own reproach 'and disgrace in leaving the law in such a state.'

this bill, we shall be found in a struggle against the nature of things. For as we grow enlightened, the publick will not bear for any length of time, to pay for the maintenance of whole armies of prisoners, nor, at their own expence, submit to keep jails as a sort of garrisons, merely to fortify the absurd principle of making men judges in their own cause. For credit has little or no concern in this cruelty. I speak in a commercial assembly[9]. You know that credit is given, because capital *must* be employed; that men calculate the chances of insolvency; and they either withhold the credit, or make the debtor pay the risk in the price. The counting-house has no alliance with the jail. Holland understands trade as well as we, and she has done much more than this obnoxious bill intended to do. There was not, when Mr. Howard[1] visited Holland, more than one prisoner for debt in the great city of Rotterdam. Although Lord Beauchamp's act (which was previous to this bill, and intended to feel the way for it) has already preserved liberty to thousands; and though it is not three years since the last act of grace passed, yet by Mr. Howard's last account, there were near three thousand again in jail. I cannot name this gentleman without remarking that his labours and writings have done much to open the eyes and hearts of mankind. He has visited all Europe[2],—not to sur-

9 *I speak in a commercial assembly.* Yet Lord Redesdale's Act was in like manner opposed by the City of London; and they afterwards petitioned for its repeal.

1 *Mr. Howard.* An act founded upon his researches had been passed in 1774. This excellent man succeeded in doing away with the frightful abuses arising from the practice of paying gaolers by means of fees from prisoners. He also induced the government to provide better for their health, discipline, and religious instruction, and, at last, to bring in a system of labour in prisons.

2 *he has visited all Europe*—first the United Kingdom, then France, the Italian States, Prussia, Austria, and, at a later period, Asia Minor and Constantinople. He finally died at Kherson, from the consequences of medically attending a fever-stricken patient.

vey the sumptuousness of palaces, or the stateliness of temples; not to make accurate measurements of the remains of ancient grandeur, nor to form a scale of the curiosity of modern art; not to collect medals, or collate manuscripts:—but to dive into the depths of dungeons; to plunge into the infection of hospitals; to survey the mansions of sorrow and pain; to take the gauge and dimensions[3] of misery, depression, and contempt; to remember the forgotten, to attend to the neglected, to visit the forsaken, and to compare and collate the distresses of all men in all countries. His plan is original; and it is as full of genius as it is of humanity. It was a voyage of discovery; a circumnavigation of charity. Already the benefit of his labour is felt more or less in every country; I hope he will anticipate his final reward, by seeing all its effects fully realized in his own. He will receive, not by detail but in gross, the reward of those who visit the prisoner; and he has so forestalled and monopolized this branch of charity[4], that there will be, I trust, little room to merit by such acts of benevolence hereafter.

Nothing now remains to trouble you with, but the fourth charge against me—the business of the Roman

3 *to take the gauge and dimensions.* The accuracy of Howard's information was characteristic. He always had scales with him ready to *weigh* the rations in each gaol, and see whether the keepers embezzled the allowances. Burke's expression seems suggested by this point in Howard's character.

4 *monopolized this branch of charity.* This anticipation has been far from being fulfilled. Even Newgate, when Mrs. Fry began to visit its women's side in 1817, was a scene of fearful disorder: other prisons, even in London, were 'scenes of horror, 'filth, and cruelty, such as would have disgraced a slave-ship,' (Sydney Smith, State of Prisons); and the gaols in small boroughs were even worse. Mr. Gurney, in 1818, thus notices Scottish prisons: 'No airing grounds, no change of room, tubs in the 'cells for the reception of every kind of filth; blackholes; chains which hinder the 'prisoner from undressing or resting at night; straw for his bed; damp, darkness, 'filth, no religious service,' (Mrs. Fry's Memoir, i. p. 335). So tenacious of life are abuses.

Catholicks[5]. It is a business closely connected with the rest.

In explaining to you the proceedings of parliament which have been complained of, I will state to you,—first, the thing that was done;—next, the persons who did it;—and lastly, the grounds and reasons upon which the legislature proceeded in this deliberate act of publick justice and publick prudence.

Gentlemen, the condition of our nature is such, that we buy our blessings at a price. The Reformation, one of the greatest periods of human improvement, was a time of trouble and confusion. The vast structure of superstition and tyranny, which had been for ages in rearing, and which was combined with the interest of the great and of the many, which was moulded into the laws, the manners, and civil institutions of nations, and blended with the frame and policy of states, could not be brought to the ground without a fearful struggle; nor could it fall without a violent concussion of itself and all about it. When this great revolution was attempted in a more regular mode by government, it was opposed by plots and seditions of the people[6]; when by popular efforts[7], it was repressed

5 *the business of the Roman Catholicks.* Sir G. Savile's Act, of 1779, had gone no farther than granting permission to Roman Catholics to acquire landed property by purchase, and to attend, without penalties, the rites of their own religion. In opposition to this moderate act of justice, Protestant associations had been formed, first in Edinburgh, then in London. The General Assembly of the Kirk, much to its credit, refused to petition against the Act; but the mob, with the connivance of the magistrates, rose both in Edinburgh and Glasgow, destroyed the houses and property of priests and other Roman Catholics, and threatened their lives. In London a similar association occasioned the Gordon Riots, in which nothing but the King's courage and determination saved London from becoming a mass of ruins.

6 *by plots and seditions of the people*—such as the rising in Lincolnshire, and the Pilgrimage of Grace in 1537, and the great revolt of Devonshire, Norfolk, and other counties, against the farther reforms of the Protector Somerset in 1547.

7 *by popular efforts*—as those of the Lollards in England under Henry V., the Gueux in Holland, the Huguenots in France.

as rebellion[8] by the hand of power; and bloody executions (often bloodily returned[9]) marked the whole of its progress through all its stages. The affairs of religion, which are no longer heard of in the tumult of our present contentions, made a principal ingredient in the wars and politicks of that time; the enthusiasm of religion threw a gloom over the politicks[1]; and political interests poisoned and perverted the spirit of religion[2] upon all sides. The Protestant religion in that violent struggle, infected, as the Popish had been before, by worldly interests and worldly passions, became a persecutor in its turn, sometimes of the new sects[3], which carried their own principles further than it was convenient to the original reformers: and always of the body from whom they parted: and this persecuting spirit arose, not only from the bitterness of retaliation, but from the merciless policy of fear[4].

8 *as rebellion*—which in fact it became, partly by overstraining reforming doctrines, as in Wat Tyler's rebellion, and in the Peasant War and Anabaptist Insurrection in Germany; partly by the determination of Protestants not to tolerate Roman Catholicism, as in France at the beginning of the 17th century; partly in a more legitimate way, as in the English Rebellion, from the impossibility of obtaining religious liberty from the rulers without it.

9 *often bloodily returned.* Sydney Smith, in his 'Letter to the Electors,' gives a number of instances in which Catholics were executed as such in Elizabeth's reign —the whole number being 204; besides many who died from hardships in prison.

1 *a gloom over the politicks*—as in the case of the generous declaration of the Irish Volunteers at the Dungannon meeting of 1781, 'that as men and as Irishmen, 'as Christians and as Protestants, they rejoiced in the relaxation of the penal laws 'against their Roman Catholic fellow subjects;' the bright hopes from which were all dispelled within five years by the most violent party-feeling.

2 *poisoned the spirit of religion.* A peculiarly strong instance of this is found in the assertion made by Burke, in his Letter to an Irish Peer, that the ruling party in Ireland *preferred* that the people should remain Roman Catholic, and never, without grudging and regret, saw a man turn Protestant and so escape from their power. This is like the old French rule that a Jew, who became a Christian, should forfeit his property to the lord of the manor, as a compensation for the loss of 'his Jew.'

3 *sometimes of the new sects*—above all, and most inexcusably, of the Quakers. See, in Bancroft, c. xvi., the fine description of their early struggles.

4 *the merciless policy of fear.* Thus, in 1678, all London expected a massacre by the Papists. "A general massacre, truly!" says Defoe in describing the panic, "when the Papists all over the kingdom are not five to the hundred, in some counties "not one, and within the city hardly one to a thousand!"

It was long before the spirit of true piety and true wisdom, involved in the principles of the Reformation, could be depurated from the dregs and feculence of the contention with which it was carried through. However, until this be done, the Reformation is not complete; and those who think themselves good Protestants, from their animosity to others, are in that respect no Protestants at all. It was at first thought necessary, perhaps, to oppose to Popery another Popery, to get the better of it. Whatever was the cause, laws were made in many countries, and in this kingdom in particular, against Papists, which are as bloody as any of those which had been enacted by the popish princes and states; and where those laws were not bloody, in my opinion they were worse; as they were slow, cruel outrages on our nature, and kept men alive only to insult in their persons every one of the rights and feelings of humanity. I pass those statutes, because I would spare your pious ears the repetition of such shocking things; and I come to that particular law, the repeal of which has produced so many unnatural and unexpected consequences.

A statute was fabricated in the year 1699, by which the saying mass[5] (a church-service in the Latin tongue, not exactly the same as our liturgy, but very near it, and containing no offence whatsoever against the laws, or against good morals) was forged into a crime, punishable with perpetual imprisonment. The teaching school[6], an useful and virtuous occupation,

5 *the saying mass.* This had been prohibited, under the penalty mentioned by Burke, by Elizabeth's Act of Supremacy in 1558. No new statute of greater stringency on this precise subject was passed in William's reign. Various acts, however, of his reign and Anne's banished all Roman Catholic *bishops* in Ireland, and prohibited foreign priests from landing; with the manifest intention of destroying the succession of the Roman Catholic priesthood.

6 *the teaching school.* A schoolmaster theoretically required a license from the bishop for the exercise of his profession. Roman Catholics, not being able to obtain

even the teaching in a private family, was in every Catholick subjected to the same unproportioned punishment. Your industry, and the bread of your children, was taxed for a pecuniary reward to stimulate avarice to do what nature refused, to inform and prosecute[7] on this law. Every Roman Catholick was, under the same act, to forfeit his estate to his nearest Protestant relation[8], until, through a profession of what he did not believe, he redeemed by his hypocrisy, what the law had transferred to the kinsman as the recompense of his profligacy. When thus turned out of doors from his paternal estate, he was disabled from acquiring any other by any industry, donation, or charity[9]; but was rendered a foreigner in his native land[1], only because he retained the religion, along with the property, handed down to him from those who had been the old inhabitants of that land before him.

Does any one who hears me approve this scheme of things, or think there is common justice, common

this, would therefore be acting illegally in teaching; on the same principle as that by which Laud closed Workman's school in 1636 and thus drove him to starvation.

7 *to inform and prosecute.* By the Act of 1709, a reward of £50 was promised for the discovery of a Popish bishop, £20 for a Popish clergyman, and £10 for a Popish usher.

8 *to his nearest Protestant relation.* An Act of 1704 provided that any son of a Catholic who turned Protestant should succeed to the family estate, which from that moment could no longer be sold. If a child, however young, declared himself a Protestant, he was to be at once taken from his parents and delivered over to the care of some Protestant relation. The whole enactment was a bad copy of some of the most infamous proceedings at the Revocation of the Edict of Nantes (Michelet, Louis XIV., vol. i. p. 308); and Hallam remarks upon it, that 'to have exterminated 'the Catholics with the sword, or expelled them, like the Moriscoes in Spain, would 'have been little more repugnant to justice and humanity, but infinitely more poli-'tic.'

9 *by any industry, donation, or charity.* A Roman Catholic, as in the case of Mr. Waterton, might *inherit* his paternal estate; but he could not be in a line of entail. Papists could not purchase more than a thirty-one years' lease of land, and then the rent paid was to be at least two-thirds of the full value.

1 *a foreigner in his native land*—as aliens, in like manner, are restricted from acquiring land in England, and 'denizens' from inheriting it.

sense, or common honesty in any part of it? If any does, let him say it, and I am ready to discuss the point with temper and candour. But instead of approving, I perceive a virtuous indignation beginning to rise in your minds on the mere cold stating of the statute.

But what will you feel, when you know from history how this statute passed, and what were the motives, and what the mode of making it? A party in this nation, enemies to the system of the Revolution, were in opposition to the government of King William. They knew that our glorious deliverer was an enemy to all persecution. They knew that he came, to free us from slavery and popery, out of a country where a third of the people[2] are contented Catholics under a Protestant government. He came with a part of his army composed of those very Catholicks[3], to overset the power of a popish prince. Such is the effect of a tolerating spirit: and so much is liberty served in every way, and by all persons, by a manly adherence to its own principles. Whilst freedom is true to itself, every thing becomes subject to it; and its very adversaries are an instrument[4] in its hands.

The party I speak of (like some amongst us who would disparage the best friends of their country) resolved to make the king either violate his principles of toleration, or incur the odium of protecting Papists. They therefore brought in this bill[5], and made it pur-

2 *a third of the people.* The Dutch were the first people in Europe to establish unrestrained toleration; and in this they included even those who had persecuted them so bitterly.

3 *a part of his army.....Catholicks.* "The long column of the whiskered in-"fantry of Switzerland" mentioned by Macaulay in his picturesque description of William's army; as well as the Catholics of Holland.

4 *its very adversaries are an instrument.* So William had help even from the Pope himself; see Macaulay, History of England, vol. ii. p. 436.

5 *they therefore brought in this bill.* See Burnet's Own Time, vol. iv. p. 420.

posely wicked and absurd that it might be rejected. The then court-party, discovering their game, turned the tables on them, and returned their bill to them stuffed with still greater absurdities, that its loss might lie upon its original authors. They, finding their own ball thrown back to them, kicked it back again to their adversaries. And thus this act, loaded with the double injustice of two parties, neither of whom intended to pass what they hoped the other would be persuaded to reject, went through the legislature, contrary to the real wish of all parts of it, and of all the parties that composed it. In this manner these insolent and profligate factions, as if they were playing with balls and counters, made a sport of the fortunes and the liberties of their fellow-creatures. Other acts of persecution have been acts of malice. This was a subversion of justice from wantonness and petulance. Look into the history of Bishop Burnet. He is a witness without exception.

The effects of the act have been as mischievous, as its origin was ludicrous and shameful. From that time every person of that communion, lay and ecclesiastick, has been obliged to fly from the face of day. The clergy, concealed in garrets of private houses, or obliged to take a shelter (hardly safe to themselves[6], but infinitely dangerous to their country) under the privileges of foreign ministers, officiated as their servants, and under their protection. The whole body of the Catholicks, condemned to beggary and to ignorance in their native land, have been obliged to learn the principles of letters, at the hazard of all their other prin-

6 *hardly safe to themselves*—as in the Gordon Riots the chapels of the Sardinian and Bavarian ambassadors were burned by the mob.

ciples from the charity of your enemies[7]. They have been taxed to their ruin[8] at the pleasure of necessitous and profligate relations, and according to the measure of their necessity and profligacy. Examples of this are many and affecting. Some of them are known by a friend who stands near me in this hall. It is but six or seven years since a clergyman of the name of Malony[9], a man of morals, neither guilty nor accused of any thing noxious to the state, was condemned to perpetual imprisonment for exercising the functions of his religion; and after lying in jail two or three years, was relieved by the mercy of government from perpetual imprisonment, on condition of perpetual banishment. A brother of the Earl of Shrewsbury, a Talbot, a name respectable in this country, whilst its glory is any part of its concern, was hauled to the bar of the Old Bailey, among common felons, and only escaped the same doom, either by some errour in the process, or that the wretch who brought him there could not correctly describe his person; I now forget which[1].—In short, the persecution would never have relented for a moment, if the judges, superseding (though with an ambiguous example) the strict rule of their artificial

7 *from the charity of your enemies*—that is, they have studied at S. Omers and other foreign schools and colleges—although even this was against the law.

8 *taxed to their ruin*—that is, by some turning Protestants and claiming at once a separate maintenance.

9 *a clergyman of the name of Malony.* Both the instances of persecution here mentioned were at the instance of a carpenter named Pain, who having little business, formed the strange resolution that he would give each of his daughters a portion of £20,000; the whole to be realized by information against Roman Catholics practising the rites of their religion.

1 *I now forget which.* He owed his acquittal to the ingenuity and tolerant spirit of Lord Mansfield (Campbell, Chief Justices, ii. 514), who remarked that the law prohibited mass being said *by a priest*; and that there was no evidence that the person accused of saying it was a priest; also that the informer did not understand Latin, and therefore could not really know that what was said was the mass.

duty by the higher obligation of their conscience, did not constantly throw every difficulty in the way of such informers. But so ineffectual is the power of legal evasion against legal iniquity, that it was but the other day, that a lady of condition, beyond the middle of life, was on the point of being stripped of her whole fortune by a near relation, to whom she had been a friend and benefactor: and she must have been totally ruined, without a power of redress or mitigation from the courts of law, had not the legislature itself rushed in, and by a special act of parliament[2] rescued her from the injustice of its own statutes. One of the acts authorizing such things was that which we in part repealed, knowing what our duty was; and doing that duty as men of honour and virtue, as good Protestants, and as good citizens. Let him stand forth that disapproves what we have done!

The act repealed was of this direct tendency; and it was made in the manner which I have related to you. I will now tell you by whom the bill of repeal was brought into parliament. I find it has been industriously given out in this city (from kindness to me, unquestionably) that I was the mover or the seconder. The fact is, I did not once open my lips on the subject during the whole progress of the bill. I do not say this as disclaiming my share in that measure. Very far from

2 *by a special act of parliament.* The particulars of this case are given in Butler, Hist. Mem., iii. 285. A lady possessed a jointure rent-charge on an estate in the north of England. The owner withheld payment, on the ground that, by the act of 1699, a Roman Catholic could take no estate or interest on land; and her lawyers advised that her case was remediless in any court of law or equity. She was able, however, to procure a private Act of Parliament for her relief, which was strongly supported in the House of Lords by Lord Camden, who in this way gained the honour of being the first to call the attention of the legislature to the situation of Roman Catholics.

it. I inform you of this fact, lest I should seem to arrogate to myself the merits which belong to others. To have been the man chosen out to redeem our fellow-citizens from slavery; to purify our laws from absurdity and injustice; and to cleanse our religion from the blot and stain of persecution, would be an honour and happiness to which my wishes would undoubtedly aspire; but to which nothing but my wishes could have possibly entitled me. That great work was in hands in every respect far better qualified than mine. The mover of the bill was Sir George Savile[3].

When an act of great and signal humanity was to be done, and done with all the weight and authority that belonged to it, the world would cast its eyes upon none but him. I hope that few things which have a tendency to bless or to adorn life have wholly escaped my observation in my passage through it. I have sought the acquaintance of that gentleman, and have seen him in all situations. He is a true genius; with an understanding vigorous, and acute, and refined, and distinguishing even to excess; and illuminated with a most unbounded, peculiar, and original cast of imagination. During the session, the first in, and the last out of the house of commons; he passes from the senate to the camp[4]; and seldom seeing the seat of his ancestors, he is always in the senate to serve his country, or in the field to defend it. But in all well-wrought compositions, some particulars stand out more eminently than the rest;

3 *Sir George Savile.* This was the well-known Liberal member for Yorkshire, to whose position and influence Wilberforce afterwards succeeded. He was celebrated for his declaration, in 1770, that the House of Commons, after the re-expulsion of Wilkes, had betrayed its trust and had no legal existence (Massey, i. 327)—for which bold assertion he narrowly escaped committal to the Tower—and as the presenter of the Yorkshire Petition of 1779.

4 *from the senate to the camp*—as commanding the county militia.

and the things which will carry his name to posterity, are his two bills; I mean that for a limitation of the claims of the crown[5] upon landed estates; and this for the relief of the Roman Catholicks. By the former, he has emancipated property; by the latter he has quieted conscience; and by both he has taught that grand lesson to government and subject,—no longer to regard each other as adverse parties.

The seconder was worthy of the mover, and of the motion. I was not the seconder; it was Mr. Dunning[6], Recorder of this city. I shall say the less of him, because his near relation to you makes you more particularly acquainted with his merits. But I should appear little acquainted with them, or little sensible of them, if I could utter his name on this occasion without expressing my esteem for his character. I am not afraid of offending a most learned body, and most jealous of its reputation for that learning, when I say he is the first of his profession. It is a point settled by those who settle every thing else; and I must add (what I am enabled to say from my own long and close observation) that there is not a man, of any profession, or in any situation, of a more erect and independent spirit[7]; of a more proud honour; a more manly mind; a more firm and determined integrity. Assure yourselves, that the names of two such men will bear a great load of pre-

5 *limitation of the claims of the Crown.* This bill (carried in 1769) was generally called the 'Nullum Tempus' Bill; and secured the property of a subject from any claim on the part of the Crown after 60 years' possession.

6 *Mr. Dunning.* Celebrated for his argument against general warrants in 1763; but, above all, for his remarkable motion in 1780, that 'the influence of the 'Crown has increased, is increasing, and ought to be diminished.'

7 *independent spirit.* Dunning was political agent for Massachusetts, and had supported Franklin through the extraordinary scene before the Privy Council in 1773, when he was accused of stealing letters.

judice in the other scale before they can be entirely out-weighed.

With this mover, and this seconder, agreed the *whole* house of commons; the *whole* house of lords; the *whole* bench of bishops; the king; the ministry; the opposition; all the distinguished clergy of the establishment; all the eminent lights (for they were consulted) of the dissenting churches[8]. This according voice of national wisdom ought to be listened to with reverence. To say that all these descriptions of Englishmen unanimously concurred in a scheme for introducing the Catholick religion, or that none of them understood the nature and effects of what they were doing so well as a few obscure clubs of people, whose names you never heard of, is shamelessly absurd. Surely it is paying a miserable compliment to the religion we profess, to suggest, that every thing eminent in the kingdom is indifferent, or even adverse, to that religion, and that its security is wholly abandoned to the zeal of those, who have nothing but their zeal to distinguish them. In weighing this unanimous concurrence of whatever the nation has to boast of, I hope you will recollect, that all these concurring parties do by no means love one another enough to agree in any point, which was not, both evidently, and importantly, right.

To prove this; to prove that the measure was both clearly and materially proper, I will next lay before you (as I promised) the political grounds and reasons for the repeal of that penal statute; and the motives to its repeal at that particular time.

Gentlemen, America——when the English nation

8 *of the dissenting churches.* Sir J. Mackintosh (Works, p. 362) has shewn the disposition towards toleration felt by the Independents and Baptists. The Wesleyans, on the other hand, were against concession at this time.

seemed to be dangerously, if not irrecoverably, divided; when one, and that the most growing branch, was torn from the parent stock, and ingrafted on the power of France, a great terrour fell upon this kingdom. On a sudden we awakened from our dreams of conquest, and saw ourselves threatened with an immediate invasion[9]; which we were at that time very ill prepared to resist. You remember the cloud that gloomed over us all. In that hour of our dismay, from the bottom of the hiding-places into which the indiscriminate rigour of our statutes had driven them, came out the body of the Roman Catholicks[1]. They appeared before the steps of a tottering throne, with one of the most sober, measured, steady, and dutiful addresses that was ever presented to the crown. It was no holiday ceremony; no anniversary compliment of parade and show. It was signed by almost every gentlemen of that persuasion, of note or property, in England. At such a crisis, nothing but a decided resolution to stand or fall with their country could have dictated such an address; the direct tendency of which was to cut off all retreat; and to render them peculiarly obnoxious to an invader of their own communion. The address shewed what I long languished to see, that all the subjects of England had cast off all foreign views and connexions, and that every man looked

9 *threatened with an immediate invasion.* The surrender of Burgoyne in 1772 at once decided the French to embrace the cause of America, and Spain soon followed. D'Estaing crossed the Atlantic; Paul Jones terrified our maritime villages and towns; and, but for our superiority by sea, we should certainly have had a French army on our shores; while Ireland was defended only by the Volunteers.

1 *the body of the Roman Catholicks.* The address was signed by nine Roman Catholic peers, including the Earl of Surrey, and by 163 commoners of wealth and consideration. It shewed that they had the spirit of the Roman Catholics who fought, not less willingly than other Englishmen, against the Armada. The same spirit was displayed by the Roman Catholics in Ireland, who joined the Volunteers as soon as they were allowed, and from the first subscribed large sums of money for their support.

for his relief from every grievance, at the hands only of his own natural government.

It was necessary, on our part, that the natural government should shew itself worthy of that name. It was necessary, at the crisis I speak of, that the supreme power of the state should meet the conciliatory dispositions of the subject. To delay protection would be to reject allegiance. And why should it be rejected, or even coldly and suspiciously received? If any independent Catholick state should choose to take part with this kingdom in a war with France and Spain, that bigot (if such a bigot could be found) would be heard with little respect, who could dream of objecting his religion[2] to an ally, whom the nation would not only receive with its freest thanks, but purchase with the last remains of its exhausted treasure. To such an ally we should not dare to whisper a single syllable of those base and invidious topicks, upon which some unhappy men would persuade the state to reject the duty and allegiance of its own members. Is it then because foreigners are in a condition to set our malice at defiance, that with *them* we are willing to contract engagements of friendship, and to keep them with fidelity and honour; but that, because we conceive some descriptions of our countrymen are not powerful enough to punish our malignity, we will not permit them to support our common interest? Is it on that ground, that our anger is to be kindled by their offered kindness? Is it on

2 *objecting his religion.* Sir H. Holland's memoirs amusingly describe the way in which Pope Pius VII. was received during his exile at Genoa, and escorted by an English guard of honour—a fact on which Peter Plymley thus comments; 'the Pope 'himself was guarded by a regiment of English dragoons; every Catholic clergyman, 'who had the good fortune to be neither English nor Irish, was immediately pro- 'vided with lodging, soup, &c., &c.: but still there was an universal disposition to 'treat the unhappy Catholics of Ireland as if their tongues were mute and their 'nature brutal.' The reference is to the French émigré clergy.

that ground, that they are to be subjected to penalties, because they are willing, by actual merit, to purge themselves from imputed crimes? Lest by an adherence to the cause of their country, they should acquire a title to fair and equitable treatment, are we resolved to furnish them with causes of eternal enmity; and rather supply them with just and founded motives to disaffection, than not to have that disaffection in existence to justify an oppression, which, not from policy but disposition, we have predetermined to exercise?

What shadow of reason could be assigned, why, at a time when the most Protestant part[3] of this Protestant empire found it for its advantage to unite with the two principal Popish states, to unite itself in the closest bonds with France and Spain, for our destruction, that we should refuse to unite with our own Catholick countrymen for our own preservation? Ought we, like madmen, to tear off the plasters, that the lenient hand of prudence had spread over the wounds and gashes, which in our delirium of ambition we had given to our own body? No person ever reprobated the American war more than I did, and do, and ever shall. But I never will consent that we should lay additional, voluntary penalties on ourselves, for a fault which carries but too much of its own punishment in its own nature. For one, I was delighted with the proposal of internal peace. I accepted the blessing with thankfulness and transport; I was truly happy to find *one* good effect[4] of our civil distractions, that they had put an end to all religious

3 *the most Protestant part*—that is, the American colonies—even Washington 'thanking God for putting it into the heart of so great a sovereign as the King of 'France to reach out his hand and help them.'

4 ONE *good effect.* Burke could not now foresee the melancholy events of 1794—the fatal recall of Lord Fitzwilliam, the breach of all promises to the Roman Catholics, and the immeasurable horrors of 1797.

strife and heart-burning in our own bowels. What must be the sentiments of a man, who would wish to perpetuate domestick hostility, when the causes of dispute are at an end; and who, crying out for peace with one part of the nation on the most humiliating terms[5], should deny it to those, who offer friendship without any terms at all?

But if I was unable to reconcile such a denial to the contracted principles of local duty, what answer could I give to the broad claims of general humanity? I confess to you freely, that the sufferings and distresses of the people of America, in this cruel war, have at times affected me more deeply than I can express. I felt every Gazette of triumph as a blow upon my heart[6], which has an hundred times sunk and fainted within me at all the mischiefs brought upon those who bear the whole brunt of war[7] in the heart of their country. Yet the Americans are utter strangers to me; a nation among whom I am not sure that I have a single acquaintance. Was I to suffer my mind to be so unaccountably warped; was I to keep such iniquitous weights and measures of temper and of reason, as to sympathize with those who are in open rebellion against an authority which I respect, at war with a country which by every title ought to be, and is, most dear to me; and yet to have no feeling at all for the hardships and indignities suffered by men, who, by their very vicinity, are bound up in a nearer relation to us; who contribute

5 *in the most humiliating terms.* The details of the absurd attempt at pacification in 1779 will be found in Massey, ii. p. 297.

6 *a blow upon my heart.* To grieve for a victory like that of Brooklyn was real and pure patriotism; for the true England of our far-off ancestors was then represented by those who fought, not under our standards, but under those of America.

7 *the whole brunt of war*—as realized by Burke's vivid and shaping imagination—a power never better employed than in piercing through the veil of euphemism, and representing clearly the numberless crimes, horrors, and agonies of war.

their share, and more than their share[8], to the common prosperity; who perform the common offices of social life, and who obey the laws, to the full as well as I do? Gentlemen, the danger to the state being out of the question, (of which, let me tell you, statesmen themselves are apt to have but too exquisite a sense,) I could assign no one reason of justice, policy, or feeling, for not concurring most cordially, as most cordially I did concur, in softening some part of that shameful servitude, under which several of my worthy fellow-citizens were groaning.

We left this good work, gentlemen, in the rude, unfinished state, in which good works are commonly left, through the tame circumspection with which a timid prudence so frequently enervates beneficence. In doing good, we are generally cold, and languid[9], and sluggish; and of all things afraid of being too much in the right[1]. But the works of malice and injustice are quite in another style. They are finished with a bold, masterly hand[2]; touched as they are with the spirit of those vehement passions that call forth all our energies, whenever we oppress and persecute.

Thus the matter was left for the time, with a full determination in parliament not to suffer other and worse[3]

8 *more than their share.* See above, p. 27.

9 *cold and languid.* Hence the enthusiasm for good, which counteracts this languor, is, as the writer of 'Ecce Homo' has strongly shewn, the crowning effect of true religion, and the only absolute safeguard of morality.

1 *afraid of being too much in the right.* The old fallacy, by which doing less good than we might is supposed to be moderation, is briefly refuted by Aristotle, when he says that virtue is κατὰ τὸ ἄριστον καὶ τὸ εὖ ἀκρότης, that is, that it knows no limit as to the quantity of good which it desires to do.

2 *a bold, masterly hand*—such as is ready for what the ruling party in Ireland called 'acts of vigour beyond the law,' and holds, with Carlyle, that it is idle to inquire curiously about a little more or less blood shed in repressing a revolt.

3 *other and worse statutes.* These are enumerated, with peculiar force, by S. Smith in his 'Letter to the Electors on the Catholic Question.' The rhetorical artifice of the statement there given is wonderfully effective.

statutes to remain for the purpose of counteracting the benefits proposed by the repeal of one penal law: for nobody then dreamed of defending what was done as a benefit, on the ground of its being no benefit at all[4]. We were not then ripe for so mean a subterfuge.

I do not wish to go over the horrid scene[5] that was afterwards acted. Would to God it could be expunged for ever from the annals of this country! But since it must subsist for our shame, let it subsist for our instruction. In the year 1780, there were found in this nation men deluded enough (for I give the whole to their delusion) on pretences of zeal and piety, without any sort of provocation whatsoever, real or pretended, to make a desperate attempt, which would have consumed all the glory and power of this country in the flames of London; and buried all law, order, and religion, under the ruins of the metropolis of the Protestant world. Whether all this mischief done, or in the direct train of doing, was in their original scheme, I cannot say; I hope it was not: but this would have been the unavoidable consequence of their proceedings, had not the flames they had lighted up in their fury been extinguished in their blood[6].

All the time that this horrid scene was acting or avenging, as well as for some time before, and ever since, the wicked instigators of this unhappy multitude, guilty, with every aggravation, of all their crimes, and

4 *of its being no benefit at all.* This refers to Lord Beauchamp's motion, immediately after the riots, to the effect that Sir G. Savile's Act had been misunderstood; that it repealed no statutes previous to that of 1699, and in fact did little for Roman Catholics.

5 *the horrid scene.* The Gordon Riots described with such wonderful graphic power by C. Dickens in 'Barnaby Rudge,' and also, at the time, in Sir S. Romilly's diary.

6 *extinguished in their blood.* Not less than 300 rioters were shot in the streets, besides those who perished in the fires kindled by themselves.

screened in a cowardly darkness from their punishment, continued without interruption, pity, or remorse, to blow up the blind rage of the populace, with a continued blast of pestilential libels[7], which infected and poisoned the very air we breathed in.

The main drift of all the libels, and all the riots, was, to force parliament (to persuade us was hopeless) into an act of national perfidy, which has no example. For, gentlemen, it is proper you should all know what infamy we escaped by refusing that repeal, for a refusal of which, it seems, I, among others, stand somewhere or other accused. When we took away, on the motives which I had the honour of stating to you, a few of the innumerable penalties upon an oppressed and injured people; the relief was not absolute, but given on a stipulation and compact between them and us: for we bound down the Roman Catholicks with the most solemn oaths, to bear true allegiance to this government; to abjure all sort of temporal power in any other; and to renounce, under the same solemn obligations, the doctrines of systematick perfidy, with which they stood (I conceive very unjustly) charged. Now our modest petitioners came up to us, most humbly praying nothing more, than that we should break our faith, without any one cause whatsoever of forfeiture assigned; and when the subjects of this kingdom had, on their part, fully performed their engagement, we should refuse, on our part, the benefit we had stipulated on the performance of those very conditions that were prescribed by our own authority, and taken on the sanction of our publick faith—That is to say, when we had inveigled them with

7 *pestilential libels*—issued anonymously by a set of men who impudently called themselves the 'Society for the Propagation of Christian Knowledge.' Sir S. Romilly, in his 4th letter, gives a specimen of such pamphlets.

fair promises within our door, we were to shut it on them; and, adding mockery to outrage—to tell them, "Now "we have got you fast——your consciences are bound "to a power resolved on your destruction. We have "made you swear, that your religion obliges you to keep "your faith: fools as you are! we will now let you see "that our religion enjoins us to keep no faith with you." —They who would advisedly call upon us to do such things, must certainly have thought us not only a convention of treacherous tyrants, but a gang of the lowest and dirtiest wretches that ever disgraced humanity. Had we done this, we should have indeed proved, that there were *some* in the world whom no faith could bind; and we should have *convicted* ourselves of that odious principle of which Papists stood *accused* by those very savages, who wished us, on that accusation, to deliver them over to their fury.

In this audacious tumult, when our very name and character as gentlemen was to be cancelled for ever along with the faith and honour of the nation, I, who had exerted myself very little on the quiet passing of the bill, thought it necessary then to come forward. I was not alone: but though some distinguished members on all sides, and particularly on ours, added much to their high reputation by the part they took on that day, (a part which will be remembered as long as honour, spirit, and eloquence, have estimation in the world,) I may and will value myself so far, that, yielding in abilities to many, I yielded in zeal to none. With warmth and with vigour, and animated with a just and natural indignation, I called forth every faculty that I possessed, and I directed it in every way in which I could possibly employ it. I laboured night and day. I

laboured in parliament: I laboured out of parliament. If therefore the resolution of the house of commons, refusing to commit this act of unmatched turpitude, be a crime, I am guilty among the foremost. But, indeed, whatever the faults of that house may have been, no one member was found hardy enough to propose so infamous a thing; and on full debate we passed the resolution against the petitions with as much unanimity, as we had formerly passed the law, of which these petitions demanded the repeal.

There was a circumstance (justice will not suffer me to pass it over) which, if any thing could enforce the reasons I have given, would fully justify the act of relief, and render a repeal, or any thing like a repeal, unnatural, impossible. It was the behaviour of the persecuted Roman Catholicks under the acts of violence and brutal insolence, which they suffered. I suppose there are not in London less than four or five thousand of that persuasion from my country, who do a great deal of the most laborious works in the metropolis; and they chiefly inhabit those quarters[8], which were the principal theatre of the fury of the bigotted multitude. They are known to be men of strong arms, and quick feelings, and more remarkable for a determined resolution, than clear ideas, or much foresight. But though provoked by every thing that can stir the blood of men, their houses and chapels in flames, and with the most atrocious profanations of every thing which they hold sacred before their eyes, not a hand was moved to retaliate, or even to defend. Had a conflict once begun, the rage of their persecutors would have

8 *those quarters.* This refers mainly to Moorfields; that is, the collection of small streets partly occupying the site on which Finsbury Square now stands.

redoubled. Thus fury encreasing by the reverberation of outrages, house being fired for house, and church for chapel, I am convinced, that no power under heaven could have prevented a general conflagration; and at this day London would have been a tale. But I am well informed, and the thing speaks it, that their clergy exerted their whole influence[9] to keep their people in such a state of forbearance and quiet, as, when I look back, fills me with astonishment; but not with astonishment only. Their merits on that occasion ought not to be forgotten: nor will they, when Englishmen come to recollect themselves. I am sure it were far more proper to have called them forth, and given them the thanks of both houses of parliament, than to have suffered those worthy clergymen, and excellent citizens, to be hunted into holes and corners, whilst we are making low-minded inquisitions into the number[1] of their people; as if a tolerating principle was never to prevail, unless we were very sure that only a few could possibly take advantage of it. But indeed we are not yet well recovered of our fright. Our reason, I trust, will return with our security; and this unfortunate temper will pass over like a cloud.

And now, gentlemen, on this serious day, when I come, as it were, to make up my account with you, let me take to myself some degree of honest pride on the

9 *their clergy exerted their whole influence.* So in 1793 the Roman Catholic bishops in Ireland published pastoral letters in their dioceses in favour of subordination. A large number of them even declared that, in order not to embarrass the government, they would, for the present, not press for emancipation. It is astonishing that the administration did not succeed in availing itself of the hatred of the French Revolution which prompted this adhesion.

1 *inquisitions into the number.* The liberal Sir G. Savile now disgraced himself by carrying through the House of Commons (only) a bill for restraining conversions to Roman Catholicism.

nature of the charges that are against me. I do not here stand before you accused of venality, or of neglect of duty. It is not said, that, in the long period of my service, I have in a single instance sacrificed the slightest of your interests to my ambition, or to my fortune. It is not alleged, that to gratify any anger or revenge of my own, or of my party, I have had a share in wronging or oppressing any description of men, or any one man in any description. No! the charges against me are all of one kind, that I have pushed the principles of general justice and benevolence too far; further than a cautious policy would warrant; and further than the opinions of many would go along with me.—In every accident which may happen through life, in pain, in sorrow, in depression, and distress—I will call to mind this accusation; and be comforted.

Gentlemen, I submit the whole to your judgment. Mr. Mayor, I thank you for the trouble you have taken on this occasion: in your state of health, it is particularly obliging. If this company should think it advisable for me to withdraw, I shall respectfully retire[2]; if you think otherwise, I shall go directly to the Council-house and to the Change, and, without a moment's delay, begin my canvass.

2 *I shall respectfully retire.* Burke's next act was to 'decline the poll.' This noble defence was useless; he lost his seat for Bristol; and the rest of his parliamentary career was spent as member for Malton.

IV. THOUGHTS ON APPROACHING EXECUTIONS.

IV.

SOME THOUGHTS ON THE APPROACHING EXECUTIONS.

*** An admirable appendix to Burke's denunciations of the Gordon Riots is found in the following brief paper. When the trials of the rioters were approaching, Chief Justice De Grey resigned his post, and was succeeded by the energetic Wedderburn (the foe of Franklin), as Lord Loughborough. The new chief justice addressed the grand jury in a manner which now would not, as Lord Campbell states, 'be ventured upon even by counsel in opening a prosecution. It was chargeable not only with inflammatory 'topics, but with a wilful mis-statement of the circumstances of 'the case.' Lord Brougham, in his sketch of Lord Loughborough, makes a similar statement. The result was that Lord George Gordon himself, indeed, was found 'not to have done anything in the county 'of Surrey (to which alone the commission applied) which could 'be construed into an overt act of high treason;' accordingly, his trial was postponed till the milder reign of Chief Justice Erskine, and he escaped. But, as regards the inferior rioters, 'a great 'example was deemed necessary, and they were executed by the 'score.' It was like Burke's humanity to interfere in such a case; which he did by making the following suggestions, and intreating the Lord Chancellor to lay them before the king.

As the number of persons, convicted on account of the late unhappy tumults, will probably exceed what any one's

idea of vengeance or example would deliver to capital punishment, it is to be wished, that the whole business, as well with regard to the number and description of those who are to suffer death, as with regard to those who shall be delivered over to lighter punishment, or wholly pardoned, should be entirely a work of reason[1].

It has happened frequently, in cases of this nature, that the fate of the convicts has depended more upon the accidental circumstance of their being brought earlier or later to trial[2], than to any steady principle of equity applied to their several cases. Without great care and sobriety, criminal justice generally begins with anger, and ends in negligence. The first, that are brought forward, suffer the extremity of the law, with circumstances of mitigation in their case; and, after a time, the most atrocious delinquents escape merely by the satiety of punishment.

In the business now before his Majesty, the following thoughts are humbly submitted.

If I understand the temper of the publick at this moment, a very great part of the lower, and some of the middling, people of this city are in a very critical disposition, and such as ought to be managed with firmness and delicacy. In general, they rather approve than blame the principles of the rioters; though the better sort of them are afraid of the consequences of

1 *entirely a work of reason*—as it is a matter of the highest importance that punishments should, on the whole, be recognized as just, even by those who suffer them. The last man who ought to be injured is a scoundrel. Cromwell knew this when he said the noble words, 'If I must miscarry I had rather it should be to a 'believer than to an unbeliever.' His meaning was that a good man, when injured, will not lose all belief in right and wrong; but it is otherwise with a bad one. (Speech i.: see Carlyle's note.)

2 *earlier or later to trial.* So Lord Mahon notices, in 1715, 'the listlessness 'which soon reigned in all the courts of justice, except two or three where men of 'spirit presided,' after Lords Derwentwater and Kenmure had been executed.

those very principles which they approve. This keeps their minds in a suspended and anxious state, which may very easily be exasperated by an injudicious severity into desperate resolutions; or, by weak measures on the part of government, it may be encouraged to the pursuit of courses, which may be of the most dangerous consequences to the publick.

There is no doubt, that the approaching executions will very much determine the future conduct of those people. They ought to be such as will humble, not irritate. Nothing will make government more awful to them than to see, that it does not proceed by chance or under the influence of passion.

It is therefore proposed, that no execution should be made, until the number of persons, which government thinks fit to try, is completed. When the whole is at once under the eye, an examination ought to be made into the circumstances of every particular convict; and *six*, at the very utmost[3], of the fittest examples may then be selected for execution, who ought to be brought out and put to death, on one and the same day, in six different places, and in the most solemn manner that can be devised. Afterwards, great care should be taken, that their bodies may not be delivered to their friends, or to others, who may make them objects of compassion, or even veneration; some instances of the kind have happened with regard to the bodies of those killed in the riots.

The rest of the malefactors ought to be either condemned, for larger or shorter terms, to the lighters; houses of correction; service in the navy; and the like, according to the case.

3 *six at the very utmost.* The number of persons sentenced to death was 59, of whom 21 were actually hanged.

This small number of executions, and all at one time, though in different places, is seriously recommended; because it is certain, that a great havock among criminals[4] hardens, rather than subdues, the minds of people inclined to the same crimes; and therefore fails of answering its purpose as an example. Men, who see their lives respected[5] and thought of value by others, come to respect that gift of God themselves. To have compassion for oneself, or to care, more or less, for one's own life, is a lesson to be learned just as every other; and I believe it will be found, that conspiracies have been most common and most desperate[6], where their punishment has been most extensive and most severe.

Besides, the least excess in this way excites a tenderness in the milder sort of people, which makes them consider government in an harsh and odious light. The sense of justice in men is overloaded and fatigued with a long series of executions, or with such a carnage at once, as rather resembles a massacre, than a sober execution of the laws. The laws thus lose their terrour in the minds of the wicked, and their reverence in the minds of the virtuous.

4 *a great havock among criminals.* See Introd., p. vii. John Wesley two weeks running preached to batches of 20 criminals ordered for execution—all for crimes short of murder.

5 *those who see their lives respected.* 'The security of life,' says Mr. Bright, 'depends upon the reverence for human life; and unless you inculcate upon your 'people a veneration for that which God only has given, you do little by the most 'severe and barbarous penalties to preserve the safety of your citizens.' See the whole argument (Speech on the Punishment of Death) which is used by the speaker against capital punishments in general.

6 *conspiracies have been most desperate*—because there are always many persons known to be in opposition to such governments; and these are sure to go headlong into treason if they think that abstinence will not shield them from punishment. In the Indian Mutiny it was proposed that villages should be destroyed if they did not favour the escape of English fugitives. Mr. Trevelyan rightly remarks, that, if this had been enacted, it would have been the natives' interest to cut off *every* fugitive; so that no one might survive to tell the tale of ill-treatment.

I have ever observed, that the execution of one man fixes the attention[7] and excites awe; the execution of multitudes dissipates and weakens the effect: but men reason themselves into disapprobation and disgust; they compute more as they feel less; and every severe act, which does not appear to be necessary, is sure to be offensive.

In selecting the criminals, a very different line ought to be followed from that recommended by the champions of the protestant association. They recommend, that the offenders for plunder ought to be punished, and the offenders from principles spared. But the contrary rule ought to be followed[8]. The ordinary executions, of which there are enough in conscience, are for the former species of delinquents; but such common plunderers would furnish no example in the present case, where the false or pretended principle of religion, which leads to crimes, is the very thing to be discouraged.

But the reason, which ought to make these people objects of selection for punishment, confines the selection to very few. For we must consider, that the whole nation has been, for a long time, guilty[9] of their crime. Toleration is a new virtue in any country. It is a late

7 *the execution of one man fixes attention.* This remark is admirable. Death is always lonely ('je mourrai seul' said Pascal), but never so visibly solitary and awful as in a single execution. Nor can the same interest be felt in the mental state of several persons so sentenced which is felt for one. A writer of history, or even of fiction, by a natural instinct directs his reader's attention to one person among a group dying by the hand of the law.

8 *the contrary rule ought to be followed.* The argument here is more humane and rightminded than logical. What seems to be in Burke's mind is, 'You have to 'deal with a large body of criminals; execute the worst, and those guilty of the 'more abnormal crime; and let those who on other occasions would be sentenced 'to death be saved from it for once, because their crime is eclipsed by the greater 'one of those who acted with them.'

9 *the whole nation has been guilty.* While these men, by the accident of their position in life, have simply been those to whom it was most natural to act upon the common impulse.

ripe fruit in the best climates. We ought to recollect the poison, which, under the name of antidotes against popery[1], and such like mountebank titles, has been circulated from our pulpits, and from our presses, from the heads of the church of England, and the heads of the dissenters. These publications, by degrees, have tended to drive all religion from our own minds, and to fill them with nothing but a violent hatred of the religion of other people, and, of course, with a hatred of their persons; and so, by a very natural progression, they have led men to the destruction of their goods and houses, and to attempts upon their lives.

This delusion furnishes no reason for suffering that abominable spirit to be kept alive by inflammatory libels, or seditious assemblies, or for government's yielding to it, in the smallest degree, any point of justice, equity, or sound policy. The king certainly ought not to give up any part of his subjects to the prejudices of another. So far from it, I am clearly of opinion, that on the late occasion the Catholicks ought to have been taken, more avowedly than they were, under the protection of government, as the dissenters had been[2] on a similar occasion.

But, though we ought to protect against violence the bigotry of others, and to correct our own too, if we have any left, we ought to reflect, that an offence, which in its cause is national, ought not in its effects to be vindicated on individuals, but with a very well-tempered severity.

For my own part, I think the fire is not extin-

1 *antidotes against popery*—supra, p. 85, note 7.

2 *as the dissenters had been*—that is, when the Riot Act was passed for their protection against similar wrongs in 1715. (Mahon, i. 132.)

guished[3]; on the contrary, it seems to require the attention of government more than ever; but, as a part of any methodical plan for extinguishing this flame, it really seems necessary, that the execution of justice should be as steady and as cool as possible.

3 *the fire is not extinguished.* Of this prophetic declaration Burke did not live to see the fulfilment in the dire scenes of 1797 and 1798 in Ireland.

THE END.

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