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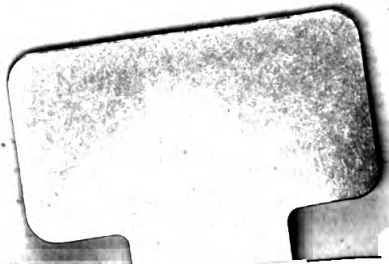
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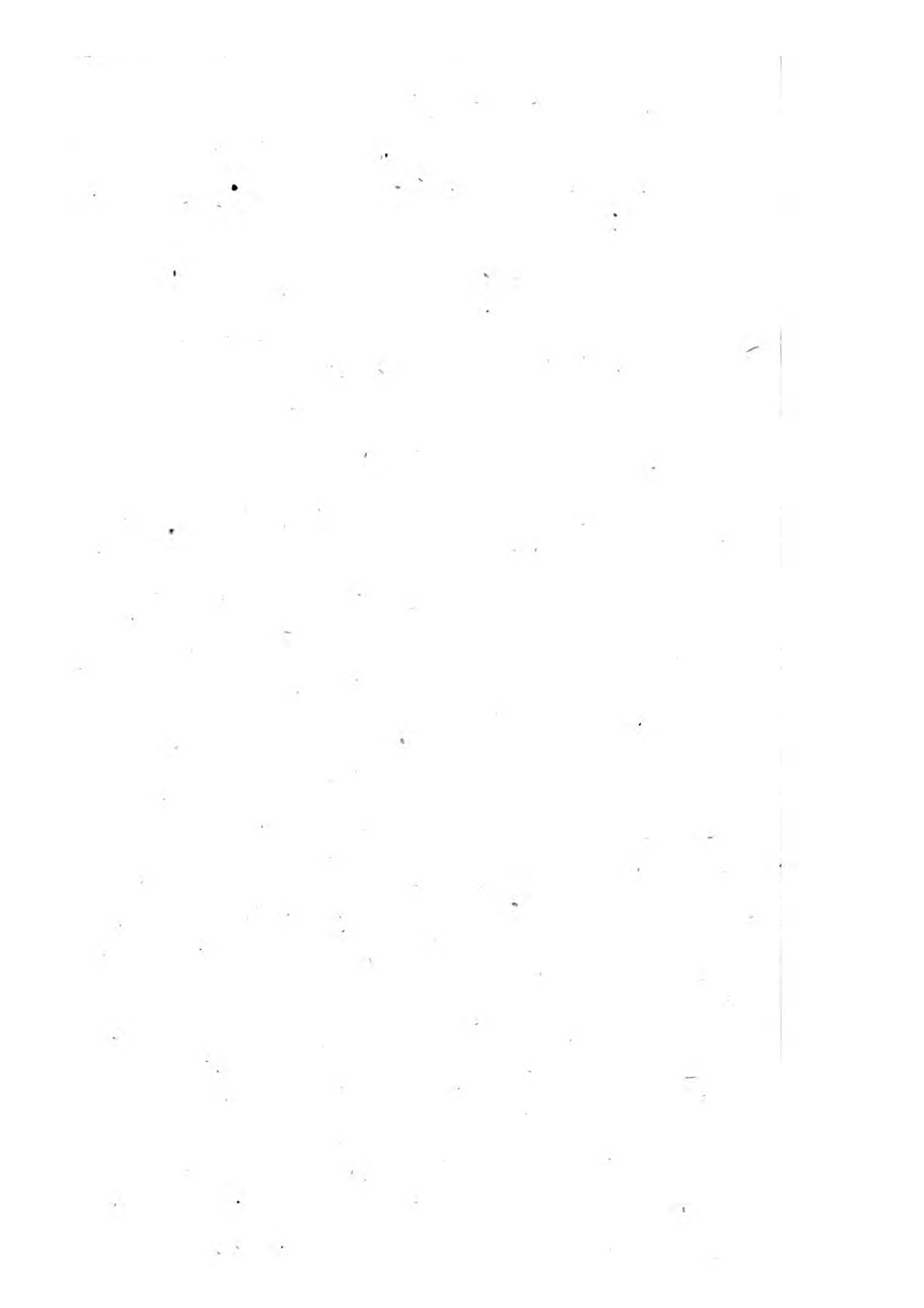
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TRACTS
AND
SPEECHES.
BY
THE RIGHT HONOURABLE
SIR JAMES MACKINTOSH.



M.DCC.LXXXVII.—M.DCCC.XXXI.

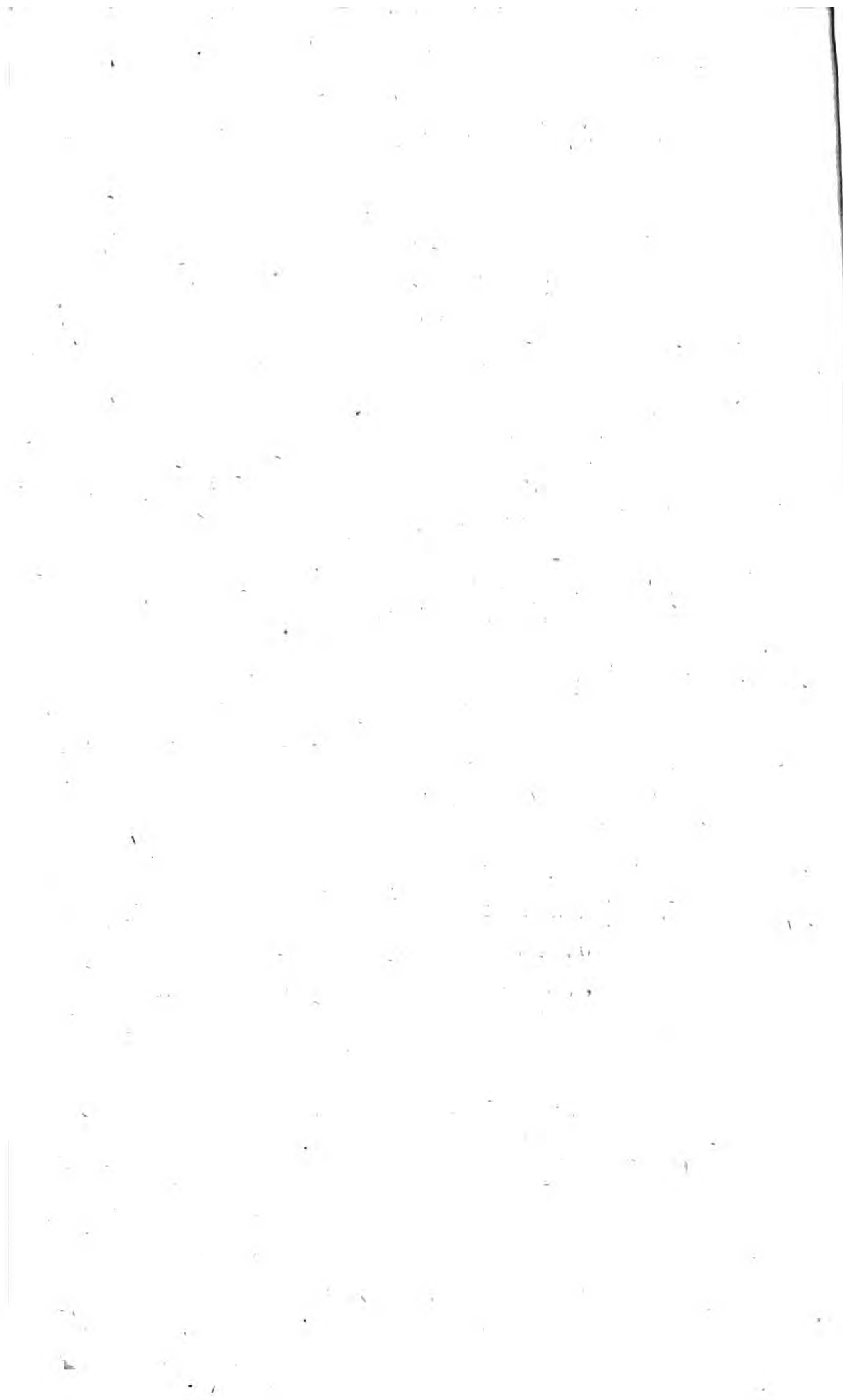
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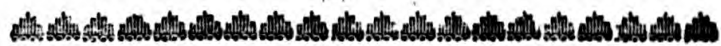
EDINBURGH: M.DCCC.XL.



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DISPUTATIO PHYSIOLOGICA,

I N A U G U R A L I S,

D E

ACTIONE MUSCULARI.





DISPUTATIO PHYSIOLOGICA,
I N A U G U R A L I S,
D E
A C T I O N E M U S C U L A R I .

Q U A M,
A N N U E N T E S U M M O N U M I N E,
E x A u c t o r i t a t e R e v e r e n d i a d m o d u m V i r i ,

D. GULIELMI ROBERTSON, S.S. T.P.

A C A D E M I Æ E D I N B U R G E N Æ P r a e f e c t i ;

N E C N O N

A m p l i s s i m i S E N A T U S A C A D E M I C I c o n s e n s u ,
E t n o b i l i s s i m a e F A C U L T A T I S M E D I C Æ d e c r e t o ;

PRO GRADU DOCTORIS,

S U M M I S Q U E I N M E D I C I N A H O N O R I B U S A C P R I V I L E G I I S
R I T E E T L E G I T I M E C O N S E Q U E N D I S ;

E r u d i t o r u m e x a m i n i s u b j i c i t

JACOBUS MACKINTOSH, A.M.

E X A G R O I N N E R N E S S A N O , S C O T U S ,

S o c i e t a t u m

R e g i a e M e d i c a e , S p e c u l a t i v a e , e t N a t . S t u d . E d i n .

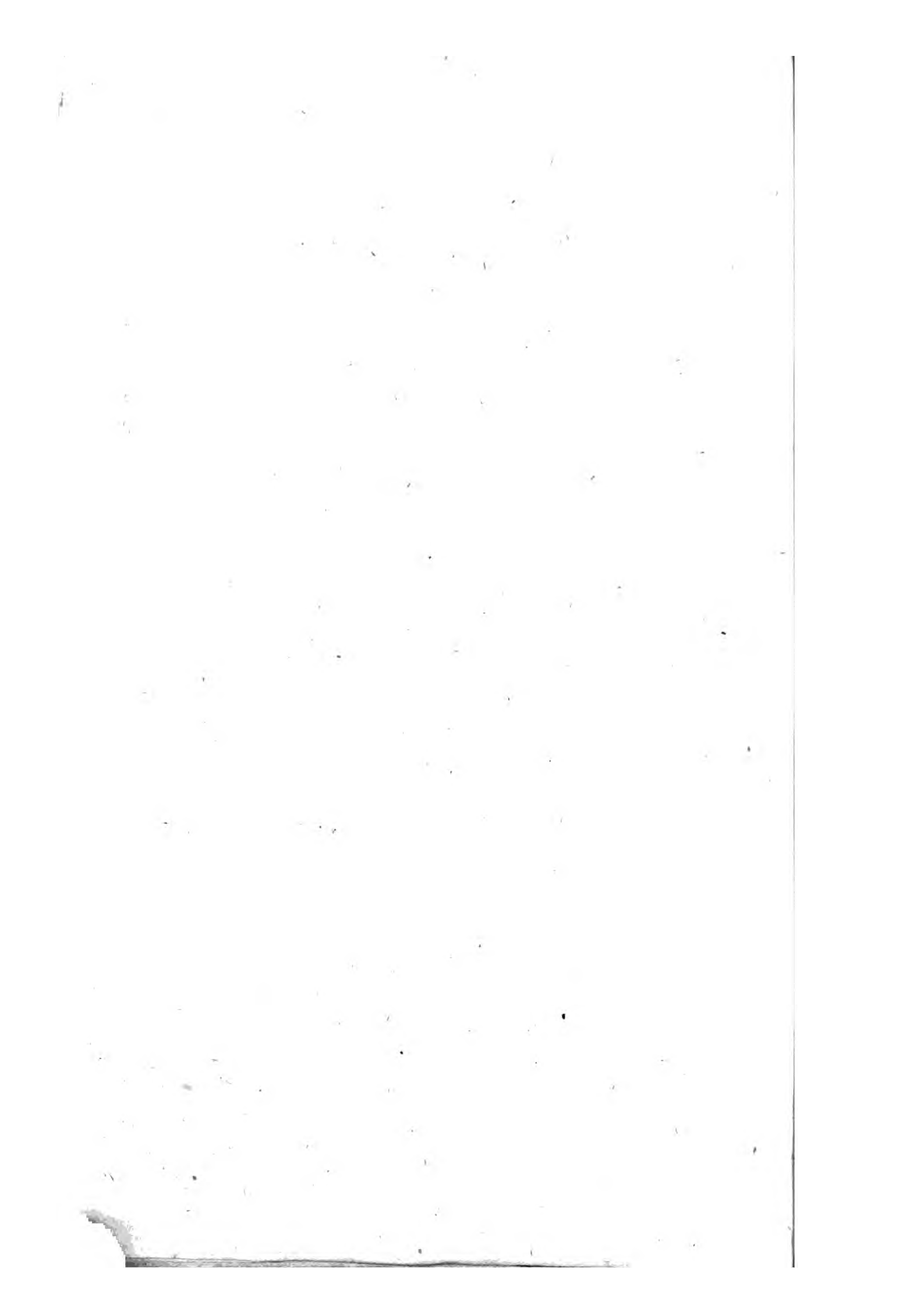
P R Æ S E S A N N U U S .

— Latet Arcana non enarrabile fibra. PERS.

A d d i e m 12. S e p t e m b r i s , h o r a l o c o q u e s o l i t i s .

E D I N B U R G I :
A p u d B A L F O U R e t S M E L L I E ,
A c a d e m i a e T y p o g r a p h o s .

M, DCC, LXXXVII.



AMICO SUO,

GULIELMO ALEXANDER,

SOC. REG. MED. EDIN. PRÆSIDI, &c. &c.

JACOBUS MACKINTOSH

S. P. D.

Cum mihi dulce magis decorumque videatur, sancto amicitiae numini, quales amicum deceat, honores impendere, quam inanes Optimatum titulos inaniori laude conspurcare; ut huicce opusculo dignitatis aliquid conciliaretur, itemque ut servilioris obsequii crimen effugerem, illud tibi, AMICORUM AMICISSIME, nuncupandum existimavi. Mecum igitur hodie suavissime agitur, cum gratissimis gratissimae necessitudinis vocibus auscultare, unaque ingenuae ingenui animi superbiae non obsurdescere contingat; neque tibi injucundum fore arbitrarer, si dum multi, iique amore observantiaque dignissimi, consuetudinem*

* Neque hic a mente mea mens vel ipsius Verulamii abhorret. Vide de Augustis Scientiarum, lib. 1. pag. 29.

consuetudinem mecum nec declinant nec dedignantur, (mihi etenim in fatis fuit, ut nunquam non juvenus mea talibus amicis bearetur) TE, hos inter, principem conjunctissimumque compellarem. Si quid igitur ex mentis meae industria foetive, nomini possem tuo laudis decorisve foenerari, sive quodlibet tibi possem nuncupare opus, cujus olim memoria oblivione non obrueretur, tunc meam in te deficere voluntatem haudquaquam suspicareris. Quare mihi, credo, minime subirasceris, si inauguralibus hisce Academiarum nugis, quas ipsissimis in cunis intermoriturus Auctor non desiderabit, nomen tuum, NOMEN AMICI, praeficere non reformidem. Atqui inania mihi haec frivolaque, utut puerilia quandoque fastidienti, hoc saltem subridebit voluptatis, quod peccus mihi ILLORUM recordatione pertentabitur, quorum consentientibus studiorum rationibus inflammabar, quorum ex judiciis judicio meo lumen roburque accedebat, quorum labores horarum subsociarum mutuis mutui oblectamentis condiebantur, quorum denique unanimia in TE vota precesque mecum hic hodie concinunt conspirantque; neque haec, si Diis placeat, sive materno sive novercali fortuna me lumine intueatur, ex

“ sanctis

“sanctis unquam mentis meae recessibus”* exulabunt :
quin crescentes crescentium annorum curas sollicitudinesque
permulcendo, spe, illaque haud illaetabili, tristia senectutis
taedia recreabunt, quod, (sors etiamsi obtingat humilior no-
menque sileatur) non una amicitiae lacryma amici cineribus
parentaverit. Vale AMICE, Amici valet.

Dab. Edin. Prid. ante

Id. Septemb. A. 1787.

* Vide perelegantem in nuperam Bellendeni operum,
edit. Lond. excusam Praefat.

Atque hic mihi neminem, dummodo Attice Romane-
que vel tantillum sapiat, succensurum crediderim, si quan-
tum ex aureo hocce opusculo perlegendo voluptatis perce-
perim (ab illo etenim lectitando “aure” adhuc “serveo
vaporata”) intempestive sortasse quamvis, attamen vel im-
portunus profitear. Hocque mihi ideo antiquius visum est,
quod *amicum*, quem hic alloquor, (*Ille* etenim ab optimis
nunquam, nunquam a sapientibus discrepuit) de republi-
ca, cum autore gravi literatissimoque, idem semper velle, i-
dem semper sentire, non ignorabam. Hujus equidem scrip-

toris

toris *Latinissimi*, sive Procerum varias variarum indolum facies scite adumbrare ; sive eosdem, prout debeat meritum, vel infamiae notis inustos, vel immortalis condecoratos gloria, posteritati tradere, famae quasi largitoris jure, tam exculto limatoque ingenio, haud inique condonaveris. Ipsius enimvero nutui adeo advolant et famulantur, quaecumque habeat Antiquitas leporum et venustatis, ut omnia e proprio penu deprompsisse potius, quam “ ut alienum libasse,” videatur. Verbo dicam—Romanae hinc et inde Cecropiaeque pullulantes elegantiae flosculos ita carpsit curiose, ut in sertum quasi germanum, maritalesque corollas sponte coalescerent. Sed quid ego haec autem—mene Antalcidae immemorem sententiae “ Τίς τὰς αὐτῶν ψεῖς ; ”—

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AUXILIANTIBUS musculorum fibris,
omnia omnino vitae munera de-
fungi, quotidiano usu commonemur. Si
quid enim nobis opitulantur artes, si quid
hominum generis sive commodis, sive vo-
luptatibus inserviunt, his jure merito tribui
dixerim ; his etenim interpretibus, cogitata
sensusque nostros expromimus, ipsique natu-

A

rae

2 DE ACTIONE MUSCULARI.

rae et elementis imperamus ; ab his affabre compositis, formosior exstat humani corporis compages ; ab his quicquid in motibus decori, quicquid in incessu elegantis, proditur, sponte efflorescit. Quid igitur mirum, si in rem tam admiratione quam utilitatibus foetam, omnes omnium aetatum physiologi ingenia solertiamque intenderint ?

Galeno, cujus in scholis per quatuordecim secula auctoritas celebris fuit, fluido quodam a cerebro per nervos ad musculum usque permeante, contractiles fieri fibras, placuit. Placita haec, rhomboidalis aut vesicularis fabricae commentis, et Willisiana illa de diversa scaturigine nervorum, quorum ope actiones vitales peraguntur, ab iis qui voluntati famulantur, et quibus
sensus

DE ACTIONE MUSCULARI. 3

sensus munera absolvuntur, sententia, aliquantulum variata, invaluerant. Argumenta doctissimi et eximii Glissonii*, opinio quae ab oscillantibus membranis, vivorum motus repetendos docuit†, et mentis imperio quicquid in vivo corpore peragitur subjiciens haeresis Stahlianæ, vix id habent ponderis, ut tam consonæ medicorum voce refragarentur. Quare per plurimas usque aetates ad nostra fere tempora in vestris de motu musculari placitis, physiologi incuriose conquieverant.

Tunc vero ipsorum sententiae quasi fundamenta contremere, fiduciamque labefactari, cum rem aggressus Hallerus eam non acri

* Glisson de Ventriculo et Intestinis.

† Baglivi de Fibra Motrice.

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cri minus mente, diuturna concocta industria, quam legitimis prosecutus est experimentis, quibus se vera semper ratio prae lucebat. Hasce vulgatas sententias, quamquam et omnium fere consensu firmatas, et magnorum nominum auctoritate sancitas, ad trutinam revocare haud dubitabat. Prima falsitatis suspicio ipsius sublucebat menti, cum anno 1739 de Physiologia Boerhaaviana Commentaria conscripserit, apertior autem cum quartum ejusdem operis volumen ediderit anno 1744, apertissima denique cum anno 1747 Compendium Physiologicum publicaverit. In Zimmermanni Dissertatione Inaugurali, anno 1751, in Commentario de partibus Sensilibus et Irritabilibus coram societate Gottingensi recitato, in primo operum minorum tomo, et
in

DE ACTIONE MUSCULARI. 5

in magni sui operis Physiologici primo et quarto volumine, quaecunque ad suam vel ipse Hallerus doctrinam stabilendam, vel ipsius discipuli et assectatores, experimenta instituere aut ratiocinia excogitarint, inveniuntur.

Inde magna per totam Europam exorta est controversia. Ut omittam quamplurimos qui e schola Halleriana profecti in aulis principum sanitati, vel in Aca-
demiis Medicorum institutione, praefuerunt, non defuerunt cumulatissimi omni laude viri, qui ab ipsis doctrinae in cunabulis, Hallerianis partibus aspirarunt. Apud Belgas H. D. Gaubius, qui ingenii nominisque celebritate; praecipitem Scholae Leidensis famam sublevavit*. Apud Gal-

los

* Gaubii Pathologia.

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los sagax ille naturae indagator C. Bonnet*. Apud Italos Felix Fontana†, et in Academia Patavinia ipsius Morgagni successor cl. Caldani‡. Eandem amplexus est opinionem Joannes Hunter§, qui tot curiose feliciterque inventis, tam praeclare de Physiologia meritus est. Plerique tamen ut in republica, sic in scientia nova molientibus, iniquiores recentium quasi clientela experimentorum veterum sententiis gestiunt patrocinari. Atque hos inter eminent Stahliani, quorum, doctrinam directa fronte impetebant, quae de vi ipsissimis musculis insita

* Contemplation de la Nature.

† Vid. Recherche sopra la Fisica Animale.

‡ Collection sur la Nature Sensible et Physiologia Caldani.

§ Praelectiones MS.

DE ACTIONE MUSCULARI. 7

sita praedicabant. Hallero autem, prae caeteris, acerrimus gravissimusque extitit adversarius Whytt*, qui sive ingenium sive eruditionem spectes, principem sibi locum jure vindicabit. Neque ex ulla unquam in rem medicam contentione uberior redundavit fructus, nec alias magis admonemur, quibus tandem ambagibus ad veritatem perveniatur. Medici enim antea vel intelligentiae cuidam, vel viribus mechanicis, vis vitalis motus subjiciebant, atque physiologia, metaphysicam semper, vel mechanicam indolem sapuit. Horum autem motuum rationes, ut ab omnibus aliis disciplinis segregarent, nondum erant consecuti. Eo tamen
tacito

* Vide Whytt's Essay on Vital Motions, sect. 14. pag. 485.—Physiological Essays, pag. 127—294.

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tacito licet parumque negotioso processu, physiologia collimavit. Utrarumque enim haeresium propugnatores, quae in adversas partes, medicam traxerant rempublicam, suae unaquaeque tamen doctrinae quaedam retinere, deseruere quaedam; quemque ambo approximabant scopum, neutri contigit attingere. Whytt, dum ab intelligentia declinabat, a sentiente anima phaenomena repetere haud desivit. Hallerus, quamquam principium quoddam viventibus proprium reperierit, mente usque tamen mechanismi notionibus intincta, ad gluten facultatem muscularis fibrae motricem revocavit. Ex eorum vero tempore, controversia haud leves mutationes subiit, Sententia Whyttiana sub ea forma qua hodie propugnatur, prolata reperitur in duabus

DE ACTIONE MUSCULARI. 9

bus Disp. Inaug. quas cl. Culleni dignissimi discipuli in lucem ediderunt *.

Ut argumentorum vi, quibus ab Hallero premebantur, sese subducerent, ipsiusque experimenta lucro apponentes, antiquam emendarunt doctrinam. Vim illam nerveam ex qua potentiam musculi motricem repetunt, non cerebro propriam, sed toti substantiae medullari communem, ideoque musculum etiam resectum animare, atque stimulorum actionis suscipiendae facultatem

B materiae

* Thomas Smith de Actione Musculari, Thes. Med. Edin. tom. 3. et Carolus Stuart de Systemate Nervoso, ibid. tom. 4.—Vide etiam Cullen's Physiology, et Prael. MS.—Monro's Observations on the Nervous System, chap. 27. pag. 90.—Gregorii etiam sententia est: "Vis insita a vi nervosa, sede tantum diversa."

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materiae nervosae per musculum propagatae inhaerere, recentioribus persuasum est. In animalibus porro imperfectioribus, irritabilitatem partium divulsarum diutius perstantem, minori in genere nervoso cerebri momento, tribuerunt.

Cum has opiniones celeberrima haec Academia foveat, candidato honores Medicos ambienti forsitan subtimendum est, ne alienis insistenti vestigiis impiae in Almam Matrem arrogantiae nota inuratur. Verum enimvero nos haudquaquam fugit, sapientissimos Edinburgenae scholae Professores in discipulorum sententias solius imperium rationis capessere, ab omnique alia adeo abhorrere autoritate, ut ingenue itemque non insulse a se discrepantibus, ar-
ridere

DE ACTIONE MUSCULARI. II

ridere videantur magis, quam imperito assentientium obsequio delectari; apud eos etenim semper quasi religio fuit, ut juventutis cujus fingendae efformandaeque cura ipsis demandata est, nec ingenii exercitationes magistrorum arbitrio emanciparent, nec mentium libere disputantium coarctarent curricula *. Huic igitur dissertatiunculae non leve accedet pretium, etiamsi e proprio penu nil momenti ponderisve depromat,

* Liceat ad summi viri de re gravissima disserentis auctoritatem provocare: "For he who freely magnifies what hath been nobly done, and fears not to declare as freely what might have been done better, gives you the loyalest covenant of his fidelity. His highest praising is not flattery, and his plainest ad-vice is praise;"—*Milton's Areopagetica*. Vide his works, Toland's edition, pag. 424.

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promat, si, quam honeste liberaliterque Palaestra haec nostra gubernata sit, haud dubio pateat argumento.

Hac itaque mente praecipua huc pertinentia argumenta leviter perstringamus. Non dissimulandum est, argumenta quaedam satis fidenter ab Hallero prolata, minus firma videri; ut haec igitur omittam, et a proposito nostro alienam, experimentorum quae de hac re inter se repugnant, fidei comparisonem, imprimis indaganda videtur, gravissima de onere probandi quaestio. In omni controversia, cuilibet quod non ab adversario conceditur affirmanti, probationem incumbere, aequum est nullique disputanti denegatum. Omnibus autem, utcunque alioquin discrepantibus, fi-
bram

bram muscularum, admoto stimulo, in contractionem cieri, in confesso est. Cum agente cuilibet insit necesse est, vis quaedam efficiendi quicquid ab eo effectum fuerit, contrahendi facultatem irritabilitatem nuncupamus, eamque revera esse, ut vocabulo parum Latino utamur, tanquam *ultimum factum* usurpamus. Quicumque autem mutationem quandam ignotam materiae musculi nervosae admoto stimulo insequi, atque contractionis causam esse, contendunt, nec jam concessis manifestisve contenti, ulterius affirmando progrediuntur.

Hallerus, fibram quae *contrahit*, *contractilem* esse tantum affirmat; adversarii autem hypothesin quandam de natura et origine hujus vis contractilis protulerunt;

proinde-

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proindeque ad ipsos onus probandi pertinet. De quo ut statuatur, Hallero oppugnantibus factum aliquod in medio proferendum, cujus reddendae rationi, par ipsorum hypothesis, impar autem Halleriana inveniatur; si igitur omnia utrinque pariter explicatu facilia sint, quae minus affirmat, si modo duce sana logica disputamus, ea profecto amplectenda sententia est. Quare, lite hac ita perspecta, res postulare videtur, ut eam duplici capite tractemus. Et,

imo, Quidem ea perpendemus facta quae tanquam Hallerianae opinioni repugnantia obtrudunt.

ædo, Nonnulla illorum hypothesi objiciemus.

Pro

Pro argumento fuit, *imo*, Eo facilius irritari aliquid organum, quo exquisitius idem sentit; ista necnon quae hanc facultatem augent vel imminuunt, illam simili modo afficere *. Hoc tamen, facillime enodatum, argumentum, vix aliquid nobis indicat, quam quod, si effectus duo, causa eorum communi existente, augeantur aut imminuantur, prout ista major fit aut minor, pro causa *illius hic* est habenda. Quando ventriculus inflammatione corripitur, ut ait Whytt, idem multo levioribus stimulis sentit, et ejus irritabilitas deinceps tanta fit, ut etiam liquores mitissimos respuat. Ratio quidem in promptu est, ista quippe quae
nimis

* Whytt on Vital and Involuntary Motion, et Physiological Essays, ubi supra, caeterique Physiologi Edinburgensis supra citati.

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nimis stimulando inflammationem gignunt, et nervos, et fibras musculares ad auctum actionem suscitant; unde levioribus ex causis et sentiunt illi, et hi facilius irritantur. Si quodvis, e. g. medicamentum simul sudorem elicit urinamve movet, an colligere fas esset unius esse in causa augmen, cur alterius augetur secretio? Nec aliquid revera ad hoc negotium pertinet, easdem potestates in medullam et in materiam muscularem agentes, sentiendi et contrahendi facultatem augere pariter et imminuere.

2do, Asseveratum est, stimulans quodvis nervo admotum, musculus in quem impenditur suscitaturum esse, omne necnon quod musculus e corpore abscissum, ad se contrahendum stimulare, eundum effectum, si ejus nervo applicetur, praestitutum esse; quum

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quum insuper ligatur nervus, stimulans quodvis cerebrum inter et ligamentum ad motum, sensum excitare, inter muscolum vero et ligamentum, contractionem ciere.

Ad hoc suffulciendum argumentum, praeque a Whytt, Monro, et Smith, experimenta instituta videntur. Ab iis colligunt contrahendi facultatem, quae etiam in musculis e corpore divulsis non protinus perit, ad nervosam vim hactenus ibi residentem, et vitae aliquid impertientem, ascribendam esse.

Rem autem paulo altius indaganti, huiusmodi experimenta, Hallerianae sententiae minime repugnare, patebit. Quod facile in propatulo sistetur, si ad Gaubii auctoritatem

C

thoritatem

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thoritatem provocemus. “ Animalis etiam
“ vis quae sensus regit cum vi vitali com-
“ municat, et vehementer affecta huic pro
“ irritamento esse potest, ut haec vicissim
“ illi ;” *Gaubii Pathol, p. 75.* Experi-
menta illa nihil aliud nobis exhibent, nisi
quod, nervo irritato, ejus ita suscitatur vis,
ut ipsum muscolum ad contractionem sti-
mulet.

Si apud scripta Halleri reperiendum esse
aliquod, quo sentiendi et contrahendi facul-
tates mutuo inter se consentire negabatur,
et auctâ hac illam non quoque augeri ; tali
asseverationi ipsa illa experimenta prorsus
obsteterint. An talem opinionem amplexus
est Hallerus, an aliter, audiamus. “ Quan-
“ do vero a nervo irritato musculus in con-
“ vulsionem

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“ vulsionem agitur, tunc quidem nihil im-
“ pedit, quin excitatum fluidum nerveum,
“ fibram muscularem *stimuli* modo irri-
“ tet ;” *Hall. El. Phys. vol. 4. pag. 371.*
“ Animæ voluntas, quam fluidi nervei *sti-*
“ *mulantis* flumen, in musculos sequi vi-
“ detur ;” *Id. ibid. pag. 463.* Vix non
observari potest, ratiocinationem prorsus
eandem esse, an pro rato habeamus ner-
vos fluido quodam, an alia quacunque ra-
tione functiones suas exercere ; func-
tio enim haec, undecunque exorta,
quae musculorum fibris inest facultatem
suscitando, eas ad se contrahendas sti-
mulare potest. Quin haec functio ad
vivum corpus excitandum non leviter con-
fert, vix dubitandum est, et ejus, sicut alio-
rum stimulantium, nimia aut deficiens vis
haud

haud leves effectus edere solet, et ad ipsam mortem vel corpori toti, vel parti separatae, inferendam sufficit. Quando voluntas eam ad auctam provocat actionem, contractionem ciet; haudquaquam vero in dubium revocari potest, quod etiam musculo conditione solita se habente eadem plus minusve stimulat. Ubique nervorum sentire patet, quamvis ad id parum attendatur; cuiusque enim parti frigus est admotum, persentitur idem, absurdumque foret in animum inducere, quod nisi antea caloris sensum percepimus, ejus defectus conscii fuisset facti. Non ambigi potest, quod, e. g. sentiendi et cogitandi conditio simul *cordis* et totius corporis nervos afficiens, inter istos habeatur stimulos, qui istius organi, sana valetudine, actionem sustentant.

Si

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Si igitur aut ex gaudio augeatur, aut moerore languet, eadem ratione, cordis actio augebitur aut imminuetur, forsitan etiam inde syncope, aut ipsa mors, inferatur. Simile fere ratione, electricitas aut frigus, stimulado nimis corpore vel debilitato, lethum inferunt nonnunquam.

Quam reciprocos hae potestates effectus inter se habent, inflammatio satis commensurat; in ea enim aucta arteriarum actione, nervorum vis usque ad doloris sensum suscitatur; nec enim magis est quod nervus irritatus muscolum ad se contrahendum stimulat, quam quod arteria fortius contracta in nervo quovis dolorem excita-
ret.

Enu-

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.. Enuceate quidem et praeclare de talibus experimentis disseruit Albinus. “ Experimenta indicant integritatem nervi requiri, ut aptus sit musculus qui secundum naturam se moveat. Ostendunt nervo irritato fibras carneas in convulsiones agi. An vero ostendunt nervorum potestate moveri? Excusatam velim incredulitatem meam. Non amo falli *.”

Tertio ultimoque argumento ullius momenti contenditur, quod dum musculo ipsi stimulus admovetur, nullam subinde aut saltem levem contractionem inducit, quodvis irritans medullam spinalem aut nervos in quoscunque musculos impendendos afficiens, convulsiones validas, et ubique

* Albini Annot. Acad. lib. 3. cap. 16. p. 90.

que se diffundentes, excitat*. Nodus hic supra tradita ratione solvitur, scilicet quia nervorum est fibras musculares stimulare, et quo magis functio exercetur, eo praeter solitum is contrahetur, et idcirco musculus irritato nervo ad actionem plus minusve indirecto modo suscitabitur. Neque adeo explicatu difficile est, cur ex nervi, quam ex ipsius musculi irritatione, certius insequatur contractio.

I. Stimuli plerique musculi cujusvis superficiei admoti, non nisi exiguam ejus partem afficiunt; stimulus autem ipsum nervum afficiens per totum musculum diffunditur; nec minus hic discrimen adest, quam

si

* Whytt, Monro, Smith, ubi supra.

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si mechanicum quoddam stimulans, paucas solummodo fibras ad actionem ciens, cum calore aut electricitate ubique penetrantibus, comparetur. Non ergo mirum, stimulum recta nervo admotum, contractionem citius et validius inducturum esse; sic enim latius quodammodo ipsi materiae musculosae applicatur.

2. Admodum verisimile videretur, stimulum *intrinsecus* (ut ita dicam) qualis nervorum vis est habenda, admotum, superficiei pluris vel minoris consideratione non in rationem assumpta, majore vi effectus suos editurum esse, quam ille quo solummodo musculi *exteriora* irritantur. Si nobis permittatur aliquam ab organis quae sensui objiciuntur, ad illa quae oculorum
aciem

aciem fugiunt observationem transferre, non deessent quae argumentum hoc suffulcirent. Contractio enim, quam ingens mechanicus stimulus, superficiei cordis admotus excitare non potest, inducitur quando aqua tepida, inter lenissimos stimulos, in ejus auriculas injicitur. Quamvis structurâ fibrae nobis ignotâ, huic ratiocinationi non omnino fidere possumus; vix tamen eam nullius ponderis esse, concedimus.

Conveniunt igitur istiusmodi argumenta, Albino *, Battie †, aut Simson ‡, qui aut an in nervis vis aliqua inesset dubitarunt,

D

aut

* Albin. Annot. Academ.

† Exercitationes de Principiis Animalibus.

‡ Inquiry into the Vital Functions of the more perfect Animals.

aut talem existere abnegarunt, objicere. Eadem quoque Baglivii *, a membranis cerebri oscillantibus omnia vitae munia repetentis, commenta prorsus futilia esse ostendunt. Stahlī etiam “ motui tonico vitali,” adversa fronte repugnant. Doctrinam autem Hallerianam minime prostertere videntur †.

Quicumque

* Baglivi ubi supra.

† Mirum videtur infortunium meum, quando mea experimenta, et ostensum a me nervi resecti in musculum imperium, mihi ipsi toties idem periculum repetenti, video opponi. Ita me refutat cl. Whytt, tanquam ego vim nerveam non manifestissimis descripsissem experimentis tanquam ego, ut quidem summi viri dubitant, dubitarem de nervosa vi qua muscoli reguntur; *Hall. El. Phys. vol. 7. Praef. pag. 6.*

Quicumque rite cognovit cui onus probandi, quod ad quaestionem hanc enucleandam incumbit, vix non agnoscet, opinionem Hallerianam jam satis verisimilem videri; quia omnia quae alteram sustentare existimantur, aequae sine tali in rationem adducta explicari possunt. Doctrinae autem haec tali auxilio non indigae, neque experimenta neque ratiocinationes desunt, quorum explicatui impar altera hypothesis videtur. Ista vero res et argumenta inde deducenda in quatuor capita sequentia dividere visum est:

1mo, Non semper in eadem ratione vis est contractilis, ut vis sentiens.

2do, Experimenta de nervi irritati in contractione cienda vi varios habere eventus.

3tio,

3tio, In animantibus compluribus, quibus non deest contrahendi facultas, nervi nulli hactenus detectae sunt.

4to, Effectus iis similes qui in animalibus vi vitali ascribi solent, in plantis quoque observantur, nempe in quibus nervos existere, vix aliquis existimabit.

Singulatim nunc haec argumenta perpendamus.

i. Vix multi laboris erit opus monstranti, quod quamvis sensus et contractio mutua ratione se plerumque respiciunt, eodemque quo omnes viventium functiones modo, consentiunt, nihilominus haudquaquam

quaquam tali nexu colligantur, quali causa et effectus solent.

Pars ad motum maxime apta cor multo hebetius ut videtur sentit*.

Mira sane Whyttii conjectura, Harveium callum quendam pertrectando, seipsum fefellisse. Quis non cum Hallero exclamaret, “durissima Britanni in tantum virum accusatio;” *Hall. El. Phys. tom. 7. Praef.*

Intestina facilius et leviori causa irritata quam ventriculus obtusius tamen quam ille sentiunt†.

Illa

* Harv. de Generatione Animalium.

† Halleri Opera Minora, et Coll. sur la Sensible et Irritable.

Illa vero quae huic rei plus lucis affundunt, in paralyti occurrunt*. Quando enim membra resolvuntur, postquam in iis omnes abolitus est sensus, ab ictu electrico contractionem insequi, complures non obscuri nominis, et ipse celebris. Whytt, nos commonuerunt.

Quidam per octo annos paraplegia laborarat. Casu quodam fractis tibia et fibula, in Nosocomium Sti Bartholomaei Londinensis admissus est. Callo formato coalescebant ossa eadem facilitate (quantum observari potuit) ac si paralyti abfuisset; interque ejus curationem, convellebantur, sicut

* De Hais et Jallabut, in Memoires de l' Academie Royale de Paris, an 1749, pag. 32. Whytt *Physiological Essays*, ubi supra.

cut in ejusmodi malis solent, musculi ; nullum vero dolorem fractura intulit, neque quando se contrahebant musculi, sensus adfuit molestus.

Exemplum hoc, quod ad litem dirimendam sufficere videtur, ab amico imprimis solerti et accurato J. Haslam, qui tunc temporis duce illust. Pott chirurgiae studio incumbibat, et toti curationi adfuit, accepimus. Cel. Monro ranae nervum ischiaticum discidit, membrum tamen, quantum observare potuit, solita magnitudine per anni spatium mansit, quamvis omnino cessaverat motus.

Quantumcunque de vi nervosa vasorum per ipsum artum discurrentium concedatur,

tur, an rescisso nervo imminueretur idem, interrogare liceat, ut et quomodo membri non amplius sentientis ossibus fractis, callus nihilominus gignitur, et vulnera quasi illaesus fuisset sanantur; quomodo insuper explicandum est, quod si nervorum vis vasis impertiret vitam, nec fractura nec vulnera dolorem cient; etiamsi contendatur, functiones animantium ab hac pendere causa, concedatur tamen necesse est illos nec vigore quo antea viguerunt amisso, nec solito ordine turbato, peragi.

2. Cuicumque veritatem exquirenti, dolendum est de rebus veris fide dignissimos viros saepius discrepasse. Hujusmodi enim inutilibus et injucundis litibus, et dubiis implicamur, et studiis in diversas partes trahimur

himur propiis. Quamvis vix unquam praejudiciis irretitus animus, illa facile remittat ; tamen huic doctrinae praecipue favet, quod eorum qui diversos et fere contrarios eventus retulerunt fidem vindicando, non leviter, eam stabiliens, argumentum exortum est.

Si nervorum vis stimuli vice fungens, contractionem excitat, irritamentum, eam augens, nunc illam excitabit, nunc aliter, prout musculus cui nervus impenditur, irritatu facilius est.

Sin autem causa continens contractioni originem dat, stimulus nervo admotus eam semper ciet.

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Experimenta, primae hypothese omnino congrua, alterae repugnant. Willisius*, Kauu, Boerhaave, et Lower, cor, crebrius ipsius nervis irritatis, contrahere experientorum fide testantur. Quem autem eventum neque Caldano, neque Fontana, neque illust. Archiat. Comiti, in accuratis et iteratis experimentis videre contigit. † Nec desunt exempla ubi, postquam magni intercostalis et parisi ‡ octavi trunci abscissi erant, per septem, octo, aut etiam novem horas, contrahere non desivit cor. Omnino quidem contraria iis quae
in

* Willis de Cerebro ;—Lower de Cordis ;—Kauu Impetum Faciens.

† Memoire sur la Partes Sensibles et Irritables, tom. 3. p. 371. et seq.

Senac Traité de Coeur, tom. 1. p. 64.

‡ Memoires de l' Academie, 1727, p. 6.

Brunner de Pancreate, p. 101. et seq.

in suis experimentis vidit Whytt, in de-
truncatis ranis, tradit Caldani. Ipsemet
astantibus quibusdam familiarum, observa-
vi, quod dum ex vulnerata medulla spinali
nil notatu dignum insequeretur, ipsi mus-
culi stimulati enormius convellebantur.

3. “ Sed etiam latius patet natura con-
“ tractilis, quam vis nervosa, polypi, et quic-
“ quid est informe, et capite et nervis des-
“ titutarum bestiarum aquatilium, acerri-
“ ma tamen vi contractili cientur. Qui
“ dixerunt tamen, caput aut aliquid analo-
“ gi habere, ii nimia sibi in rebus physicis
“ permittunt affirmare, nempe quae sensi-
“ bus repugnant ;” *Hall. El. Phys. lib. II.*
“ *sect. 2. ap. tom. 4. pag. 458.*

4. Receptis

4. Receptis de vegetantium natura placitis, nequaquam credo dissonum videbitur, ipsis secretionem, nutritionem, absorptionem, motumque quendam fluidorum tribuere; neque enim ad mechanices hodie leges munera haec referuntur.

In plantis, secretionis opus peragi variis elucescit exemplis. In omni ferme, quaedam substantia glandularis, cui *nectarii* nomen inditum est videre, cujus vi fluidum melli haud absimile elaboratur*. Materia quoque perspirabilis, quam transudationem nequaquam appellaveris, idem siquidem in plantis obtineat, quarum humores tum chemicis tum sensibilibus proprietatibus diversi

* Linnaei Amoen. Acad. vol 5.

versi sunt, ad secretionem revocanda est*. Neque vegetantibus actio quaedam vasorum visque vitalis deneganda sunt; ut enim, in animalibus, organicae regenerari partes, sic easdem ipsis repullulare, animadvertent†. Nec verius ab animalibus sua immutari fluida, quam de plantis affirmaveris; eodem etenim nutrita solo, venenosa salutari herbae vicina, accrescere passim videre est. Accedit ad hoc, quod ipsis inest vis quaedam suam sibi temperiem immutatam vindicandi, utcunq̄ fluctuet ambientis atmosphaerae inconstantia‡.

Nec

* Hales, Statical Essays, vol. 2.

† Bonnet Cont. de Nature, vol. 1. part 6. cap. 10.

‡ Hunter on the Animal Oeconomy.

Nec quis igitur ad vegetantium fibras, quas nervos esse nonnulli crediderunt, insulse provocet, nec se in obscura illa fallacique sensationis facie, quam plantae quaedam mentiuntur, circumvallet, quin potius ingenue fateatur, nerveam vim minime in causa esse cur vitae munera perficiantur, cum illa exulante, haec tamen integra, atque il-libata permaneant.

E R R A T A.

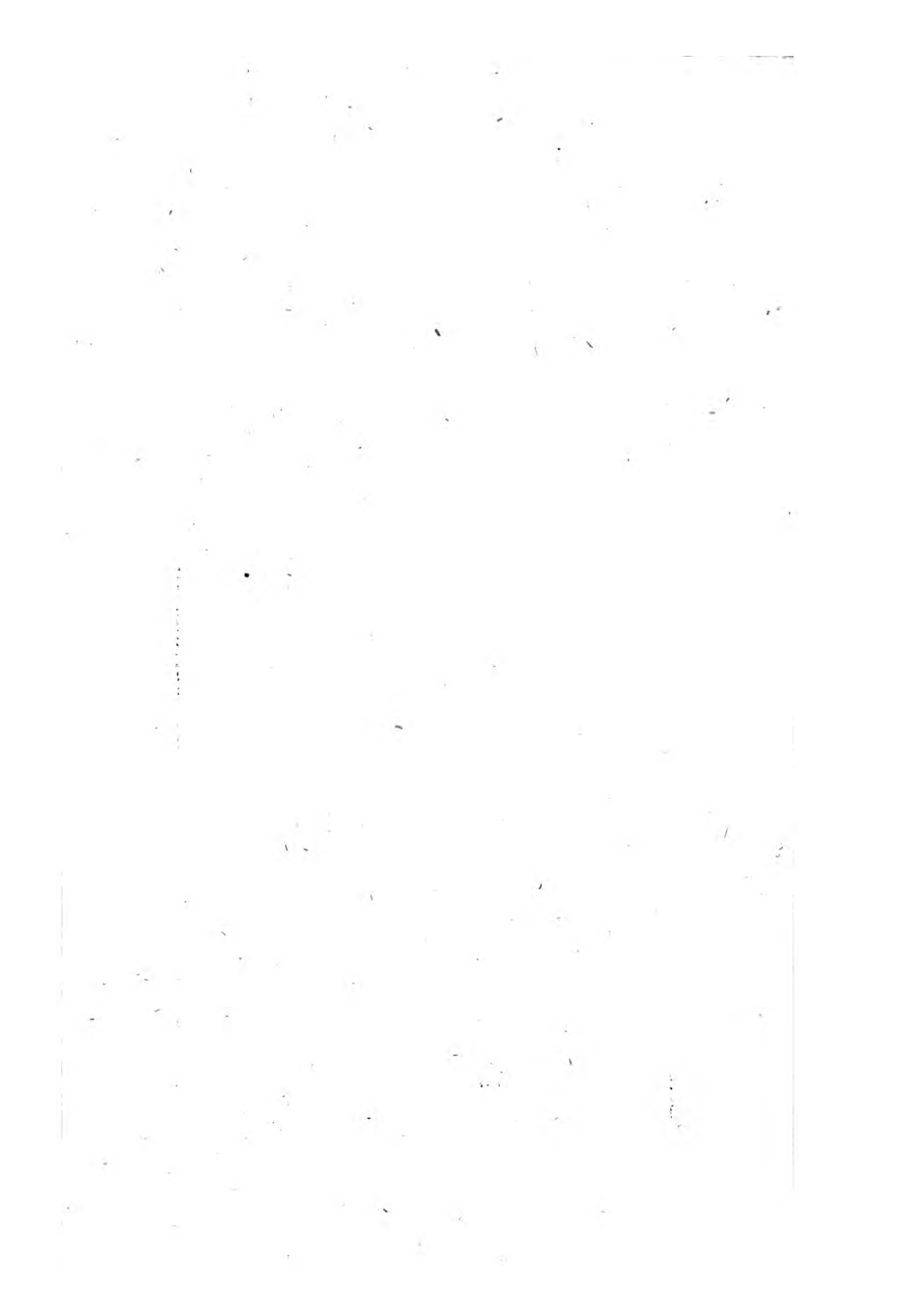
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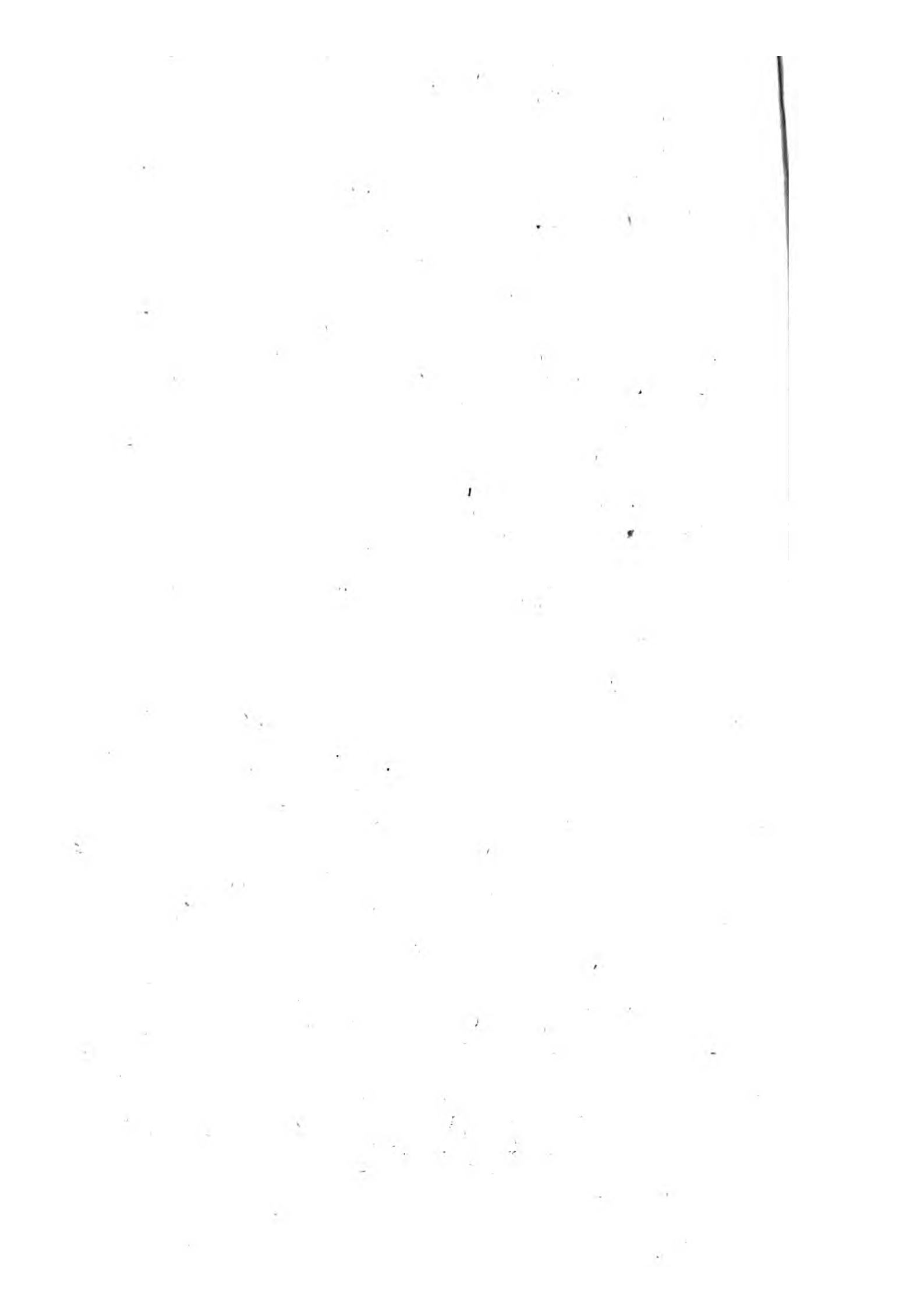
4. — 3. — se vera *lege* severa

5. — 3. — stabilendam *lege* stabiliendam

5. — 5. — instituere *lege* instituerint

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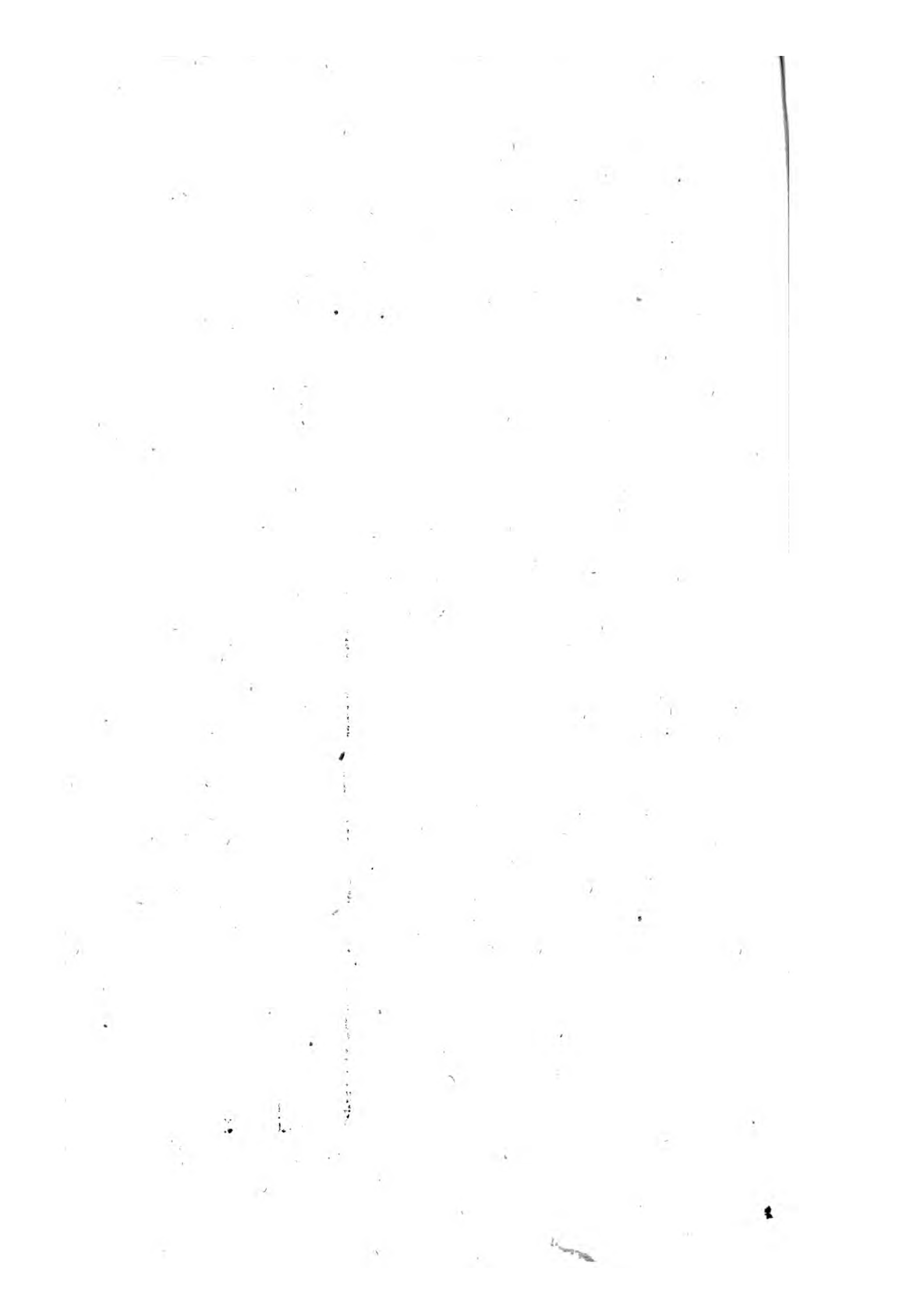




PAPERS
FROM THE TRANSACTIONS
OF THE
LITERARY SOCIETY
OF BOMBAY.

BY
THE RIGHT HONOURABLE
SIR JAMES MACKINTOSH,
PRESIDENT.

M.DCCC.IV.—M.DCCC.VI.



As the following interesting Papers are to be found only in *The Transactions of the Literary Society of Bombay*, a work of rarity and high price, a few copies of them have been privately reprinted for the gratification of the friends and admirers of Sir James Mackintosh.

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L
DISCOURSE
AT THE OPENING OF
THE LITERARY SOCIETY
OF BOMBAY.

Read at Parell, 26th November 1804.

GENTLEMEN,

THE smallest society, brought together by the love of knowledge, is respectable in the eye of reason; and the feeble efforts of infant literature in barren and inhospitable regions are in some respects more interesting than the most elaborate works, and the most successful exertions of the human mind. They prove the diffusion at least, if not the advancement, of science; and they afford some sanction to the hope that knowledge is destined one day to visit the whole earth, and in her beneficent progress to illuminate and humanize the whole race of man.

It is therefore with singular pleasure that I see a small but respectable body of men assembled here by such a principle. I hope

that we agree in considering all Europeans who visit remote countries, whatever their separate pursuits may be, as detachments from the main body of civilized men, sent out to levy contributions of knowledge as well as to gain victories over barbarism.

When a large portion of a country so interesting as India fell into the hands of one of the most intelligent and inquisitive nations of the world, it was natural to expect that its ancient and present state should at last be fully disclosed. These expectations were indeed for a time disappointed: during the tumult of revolution and war it would have been unreasonable to have entertained them; and when tranquillity was established in that country which continues to be the centre of the British power in Asia, it ought not to have been forgotten that every Englishman was fully occupied by commerce, by military service, or by administration; that we had among us no idle public of readers, and consequently no separate profession of writers; and that every hour bestowed on study was to be stolen from the leisure of men often harassed by business, enervated by the climate, and more disposed to seek amusement than new occupation in the intervals of their appointed toils. It is, besides, a part of our national character, that we are seldom eager

to display, and not always ready to communicate, what we have acquired. In this respect we differ considerably from other lettered nations: our ingenious and polite neighbours on the continent of Europe,—to whose enjoyment the applause of others seems more indispensable, whose faculties are more nimble and restless, if not more vigorous, than ours,—are neither so patient of repose nor so likely to be contented with a secret hoard of knowledge. They carry even into their literature a spirit of bustle and parade,—a bustle indeed which springs from activity, and a parade which animates enterprise, but which are incompatible with our sluggish and sullen dignity. Pride disdains ostentation, scorns false pretensions, despises even petty merit, refuses to obtain the objects of pursuit by flattery or importunity, and scarcely values any praise but that which she has the right to command. Pride, with which foreigners charge us, and which under the name of a sense of dignity we claim for ourselves, is a lazy and unsocial quality; and in these respects, as in most others, the very reverse of the sociable and good-humoured vice of vanity. It is not therefore to be wondered at, if in India our national character, co-operating with local circumstances, should have produced some real and perhaps more apparent inactivity in working the mine of knowledge of which we had

become the masters. Yet some of the earliest exertions of private Englishmen are too important to be passed over in silence. The compilation of laws by Mr Halhed, and the Ayeen Akbaree, translated by Mr Gladwin, deserve honourable mention. Mr Wilkins gained the memorable distinction of having opened the treasures of a new learned language to Europe.

But, notwithstanding the merit of these individual exertions, it cannot be denied that the æra of a general direction of the minds of Englishmen in this country towards learned inquiry, was the foundation of the Asiatic Society by Sir William Jones. To give such an impulse to the public understanding is one of the greatest benefits that a man can confer on his fellow men. On such an occasion as the present, it is impossible to pronounce the name of Sir William Jones without feelings of gratitude and reverence. He was among the distinguished persons who adorned one of the brightest periods of English literature. It was no mean distinction to be conspicuous in the age of Burke and Johnson, of Hume and Smith, of Gray and Goldsmith, of Gibbon and Robertson, of Reynolds and Garrick. It was the fortune of Sir William Jones to have been the friend of the greater part of these illustrious men. Without him, the age in which he

lived would have been inferior to past times in one kind of literary glory. He surpassed all his contemporaries, and perhaps even the most laborious scholars of the two former centuries, in extent and variety of attainment. His facility in acquiring was almost prodigious, and he possessed that faculty of arranging and communicating his knowledge, which these laborious scholars very generally wanted. Erudition, which in them was often disorderly and rugged, and had something of an illiberal and almost barbarous air, was by him presented to the world with all the elegance and amenity of polite literature. Though he seldom directed his mind to those subjects of which the successful investigation confers the name of a philosopher, yet he possessed in a very eminent degree that habit of disposing his knowledge in regular and analytical order, which is one of the properties of a philosophical understanding. His talents as an elegant writer in verse were among his instruments for attaining knowledge, and a new example of the variety of his accomplishments. In his easy and flowing prose we justly admire that order of exposition and transparency of language, which are the most indispensable qualities of style, and the chief excellencies of which it is capable when it is employed solely to instruct. His writings everywhere breathe pure taste in morals as well as in

literature ; and it may be said with truth, that not a single sentiment has escaped him which does not indicate the real elegance and dignity which pervaded the most secret recesses of his mind. He had lived perhaps too exclusively in the world of learning for the cultivation of his practical understanding. Other men have meditated more deeply on the constitution of society, and have taken more comprehensive views of its complicated relations and infinitely varied interests. Others have therefore often taught sounder principles of political science ; but no man more warmly felt, and no author is better calculated to inspire, those generous sentiments of liberty without which the most just principles are useless and lifeless, and which will, I trust, continue to flow through the channels of eloquence and poetry into the minds of British youth.

It has indeed been sometimes lamented that Sir William Jones should have exclusively directed inquiry towards antiquities. But every man must be allowed to recommend most strongly his own favourite pursuits ; and the chief difficulty as well as the chief merit is his who first raises the minds of men to the love of any part of knowledge. When mental activity is once roused its direction is easily changed, and the excesses of one writer, if they are not checked by

public reason, are corrected by the opposite excesses of his successor. "Whatever withdraws us from the dominion of the senses, whatever makes the past, the distant, and the future, predominate over the present, advances us in the dignity of thinking beings."

It is not for me to attempt an estimate of those exertions for the advancement of knowledge which have arisen from the example and exhortations of Sir William Jones. In all judgments pronounced on our contemporaries it is so certain that we shall be accused, and so probable that we may be justly accused, of either partially bestowing or invidiously withholding praise, that it is in general better to attempt no encroachment on the jurisdiction of Time, which alone impartially and justly estimates the works of men. But it would be unpardonable not to speak of the College at Calcutta, of which the original plan was doubtless the most magnificent attempt ever made for the promotion of learning in the East. I am not conscious that I am biassed either by personal feelings or literary prejudices, when I say that I consider that original plan as a wise and noble proposition, of which the adoption in its full extent would have had the happiest tendency to secure the good government of India, as well as to promote the interest of science.

Even in its present mutilated state we have seen, at the last public exhibition, Sanscrit declamations by English youth ; a circumstance so extraordinary, that, if it be followed by suitable advances, it will mark an epoch in the history of learning. Among the humblest fruits of this spirit I take the liberty to mention the project of forming this Society, which occurred to me before I left England, but which never could have advanced even to its present state without your hearty concurrence, and which must depend on your active co-operation for all hopes of future success. You will not suspect me of presuming to dictate the nature and object of our common exertions. To be valuable they must be spontaneous ; and no literary society can subsist on any other principle than that of equality. In the observations which I shall make on the plan and subject of our inquiries, I shall offer myself to you only as the representative of the curiosity of Europe. I am ambitious of no higher office than that of faithfully conveying to India the desires and wants of the learned at home, and of stating the subjects on which they wish and expect satisfaction, from inquiries which can be pursued only in India. In fulfilling the duties of this mission, I shall not be expected to exhaust so vast a subject, nor is it necessary that I should attempt an exact distribution

of science. A very general sketch is all that I can promise ; in which I shall pass over many subjects rapidly, and dwell only on those parts on which from my own habits of study I may think myself least disqualified to offer useful suggestions.

The objects of these inquiries, as of all human knowledge, are reducible to two classes, which, for want of more significant and precise terms, we must be content to call Physical and Moral ; aware of the laxity and ambiguity of these words, but not affecting a greater degree of exactness than is necessary for our immediate purpose.

The *physical sciences* afford so easy and pleasing an amusement ; they are so directly subservient to the useful arts ; and in their higher forms they so much delight our imagination and flatter our pride, by the display of the authority of man over nature, that there can be no need of arguments to prove their utility, and no want of powerful and obvious motives to dispose men to their cultivation. The whole extensive and beautiful science of *natural history*, which is the foundation of all physical knowledge, has many additional charms in a country where so many treasures must still be unexplored. The science of *mineralogy*, which has been of late years cultivated with

great activity in Europe, has such a palpable connexion with the useful arts of life, that it cannot be necessary to recommend it to the attention of the intelligent and curious. India is a country which I believe no mineralogist has yet examined, and which would doubtless amply repay the labour of the first scientific adventurers who explore it. The discovery of new sources of wealth would probably be the result of such an investigation ; and something might perhaps be contributed towards the accomplishment of the ambitious projects of those philosophers, who from the arrangement of earths and minerals have been bold enough to form conjectures respecting the general laws which have governed the past revolutions of our planet, and which preserve its parts in their present order.

The *botany* of India has been less neglected, but it cannot be exhausted. The higher parts of the science—the structure, the functions, the habits of vegetables,—all subjects intimately connected with the first of physical sciences, though unfortunately the most dark and difficult, the philosophy of life,—have in general been too much sacrificed to objects of value indeed, but of a value far inferior : and professed botanists have usually contented themselves with observing enough of plants to give them a

name in their scientific language, and a place in their artificial arrangement. Much information also remains to be gleaned on that part of natural history which regards animals. The manners of many tropical races must have been imperfectly observed in a few individuals separated from their fellows, and imprisoned in the unfriendly climate of Europe.

The variations of temperature, the state of the atmosphere, all the appearances that are comprehended under the words *weather* and *climate*, are the conceivable subject of a science of which no rudiments yet exist. It will probably require the observations of centuries to lay the foundations of theory on this subject. There can scarce be any region of the world more favourably circumstanced for observation than India; for there is none in which the operation of these causes is more regular, more powerful, or more immediately discoverable in their effect on vegetable and animal nature. Those philosophers who have denied the influence of climate on the human character were not inhabitants of a tropical country.

To the members of the learned profession of medicine, who are necessarily spread over every part of India, all the above inquiries peculiarly though not exclusively belong.

Some of them are eminent for science, many must be well informed, and their professional education must have given to all some tincture of physical knowledge. With even moderate preliminary acquirements they may be very useful, if they will but consider themselves as philosophical collectors, whose duty it is never to neglect a favourable opportunity for observations on weather and climate ; to keep exact journals of whatever they observe, and to transmit through their immediate superiors to the scientific depositories of Great Britain specimens of every mineral, vegetable, or animal production which they conceive to be singular, or with respect to which they suppose themselves to have observed any new and important facts. If their previous studies have been imperfect, they will no doubt be sometimes mistaken. But these mistakes are perfectly harmless. It is better that ten useless specimens should be sent to London, than that one curious specimen should be neglected.

But it is on another and a still more important subject that we expect the most valuable assistance from our medical associates ; this is the science of medicine itself. It must be allowed not to be quite so certain as it is important. But though every man ventures to scoff at its uncertainty as long as he is in

vigorous health, yet the hardest sceptic becomes credulous as soon as his head is fixed to the pillow. Those who examine the history of medicine without either scepticism or blind admiration, will find that every civilized age, after all the fluctuations of systems, opinions, and modes of practice, has at length left some balance, however small, of new truth to the succeeding generation, and that the stock of human knowledge in this as well as in other departments is constantly, though it must be owned very slowly, increasing. Since my arrival here I have had sufficient reason to believe that the practitioners of medicine in India are not unworthy of their enlightened and benevolent profession. From them therefore I hope the public may derive, through the medium of this society, information of the highest value. Diseases and modes of cure unknown to European physicians may be disclosed to them; and if the causes of disease are more active in this country than in England, remedies are employed and diseases subdued, at least in some cases, with a certainty which might excite the wonder of the most successful practitioners in Europe. By full and faithful narratives of their modes of treatment they will conquer that distrust of new plans of cure, and that incredulity respecting whatever is uncommon, which sometimes prevail among our English physicians; which are

the natural result of much experience and many disappointments; and which, though individuals have often just reason to complain of their indiscriminate application, are not ultimately injurious to the progress of the medical art. They never finally prevent the adoption of just theory, or of useful practice. They retard it no longer than is necessary for such a severe trial as precludes all future doubt. Even in their excess they are wholesome correctives of the opposite excess of credulity and dogmatism. They are safe-guards against exaggeration and quackery; they are tests of utility and truth. A philosophical physician who is a real lover of his art ought not, therefore, to desire the extinction of these dispositions, though he may suffer temporary injustice from their influence.

Those objects of our inquiries which I have called *moral* (employing that term in the sense in which it is contradistinguished from physical) will chiefly comprehend the past and present condition of the inhabitants of the vast country which surrounds us.

To begin with their present condition. I take the liberty of very earnestly recommending a kind of research, which has hitherto been either neglected or only carried on for the information of Government. I

mean the investigation of those facts which are the subjects of political arithmetic and statistics, and which are a part of the foundation of the science of political œconomy. The numbers of the people; the number of births, marriages, and deaths; the proportion of children who are reared to maturity; the distribution of the people according to their occupations and casts, and especially according to the great division of agricultural and manufacturing; and the relative state of these circumstances at different periods, which can only be ascertained by permanent tables,—are the basis of this important part of knowledge. No tables of political arithmetic have yet been made public from any tropical country. I need not expatiate on the importance of the information which such tables would be likely to afford. I shall mention only as an example of their value, that they must lead to a decisive solution of the problems with respect to the influence of polygamy on population, and the supposed origin of that practice in the disproportioned number of the sexes. But in a country where every part of the system of manners and institutions differs from those of Europe, it is impossible to foresee the extent and variety of the new results which an accurate survey might present to us.

These inquiries are naturally followed by those which regard the subsistence of the people ; the origin and distribution of public wealth ; the wages of every kind of labour, from the rudest to the most refined ; the price of commodities, and especially of provisions, which necessarily regulates that of all others ; the modes of the tenure and occupation of land ; the profits of trade ; the usual and extraordinary rates of interest, which are the price paid for the hire of money ; the nature and extent of domestic commerce, every where the greatest and the most profitable, though the most difficult to be ascertained ; those of foreign traffic, more easy to be determined by the accounts of exports and imports ; the contributions by which the expenses of Government, of charitable, learned, and religious foundations are defrayed ; the laws and customs which regulate all these great objects, and the fluctuation which has been observed in all or any of them at different times and under different circumstances. These are some of the points towards which I should very earnestly wish to direct the curiosity of our intelligent countrymen in India.

These inquiries have the advantage of being easy and open to all men of good sense. They do not, like antiquarian and

philological researches, require great previous erudition and constant reference to extensive libraries. They require nothing but a resolution to observe facts attentively, and to relate them accurately. And whoever feels a disposition to ascend from facts to principles, will in general find sufficient aid to his understanding in the great work of Dr Smith, the most permanent monument of philosophical genius which our nation has produced in the present age.

They have the further advantage of being closely and intimately connected with the professional pursuits and public duties of every Englishman who fills a civil office in this country—they form the very science of administration. One of the first requisites to the right administration of a district is the knowledge of its population, industry, and wealth. A magistrate ought to know the condition of the country which he superintends; a collector ought to understand its revenue; a commercial resident ought to be thoroughly acquainted with its commerce. We only desire that part of the knowledge which they ought to possess should be communicated to the world.

I will not pretend to affirm that no part of this knowledge ought to be confined to Government. I am not so intoxicated by

philosophical prejudice as to maintain that the safety of a state is to be endangered for the gratification of scientific curiosity. Though I am far from thinking that this is the department in which secrecy is most useful, yet I do not presume to exclude it. But let it be remembered, that whatever information is thus confined to a government may for all purposes of science be supposed not to exist. As long as the secrecy is thought important, it is of course shut up from most of those who could turn it to best account; and when it ceases to be guarded with jealousy, it is as effectually secured from all useful examination by the mass of official lumber under which it is usually buried. For this reason, after a very short time it is as much lost to the Government itself as it is to the public. A transient curiosity, or the necessity of illustrating some temporary matter, may induce a public officer to dig for knowledge under the heaps of rubbish that encumber his office. But I have myself known intelligent public officers content themselves with the very inferior information contained in printed books, while their shelves groaned under the weight of MSS., which would be more instructive if they could be read. Further, it must be observed that publication is always the best security to a government that they are not deceived by

the reports of their servants; and where these servants act at a distance, the importance of such a security for their veracity is very great. For the truth of a manuscript report they never can have a better warrant than the honesty of one servant who prepares it, and of another who examines it. But for the truth of all long-uncontested narratives of important facts in printed accounts, published in countries where they may be contradicted, we have the silent testimony of every man who might be prompted by interest, prejudice, or humour, to dispute them if they were not true.

I have already said that all communications merely made to Government are lost to science; while on the other hand, perhaps the knowledge communicated to the public is that of which a Government may most easily avail itself, and on which it may most securely rely. This loss to science is very great; for the principles of political œconomy have been investigated in Europe, and the application of them to such a country as India must be one of the most curious tests which could be contrived of their truth and universal operation. Every thing here is new: and if they are found here also to be the true principles of natural subsistence and wealth, it will be no longer possible to

dispute that they are the general laws which every where govern this important part of the movements of the social machine.

It has been lately observed, that "if the various states of Europe kept and published annually an exact account of their population, noting carefully in a second column the exact age at which the children die: this second column would shew the relative merit of the governments and the comparative happiness of their subjects. A simple arithmetical statement would then perhaps be more conclusive than all the arguments which could be produced." I agree with the ingenious writers who have suggested this idea, and I think it must appear perfectly evident that the number of children reared to maturity must be among the tests of the happiness of a society; though the number of children born cannot be so considered, and is often the companion and one of the causes of public misery. It may be affirmed without the risk of exaggeration, that every accurate comparison of the state of different countries at the same time, or of the same country at different times, is an approach to that state of things in which the manifest palpable interest of every government will be the prosperity of its subjects, which never has been and which never will be advanced by any other means

than those of humanity and justice. The prevalence of justice would not indeed be universally ensured by such a conviction; for bad governments, as well as bad men, as often act against their own obvious interest as against that of others; but the chances of tyranny must be diminished when tyrants are compelled to see that it is folly. In the mean time the ascertainment of every new fact, the discovery of every new principle, and even the diffusion of principles known before, add to that great body of slowly and reasonably formed public opinion, which however weak at first, must at last with a gentle and scarcely sensible coercion compel every government to pursue its own real interest.

This knowledge is a controul on subordinate agents for Government, as well as a controul on Government for their subjects. And it is one of those which has not the slightest tendency to produce tumult or convulsion. On the contrary, nothing more clearly evinces the necessity of that firm protecting power by which alone order can be secured. The security of the governed cannot exist without the security of the governors.

Lastly, of all kinds of knowledge, political œconomy has the greatest tendency to promote quiet and safe improvement in the

general condition of mankind ; because it shows that improvement is the interest of the government, and that stability is the interest of the people. The extraordinary and unfortunate events of our times have indeed damped the sanguine hopes of good men, and filled them with doubt and fear. But in all possible cases the counsels of this science are at least safe. They are adapted to all forms of government ; they require only a wise and just administration. They require, as the first principle of all prosperity, that perfect security of persons and property which can only exist where the supreme authority is stable.

On these principles, nothing can be a means of improvement which is not also a means of preservation. It is not only absurd but contradictory to speak of sacrificing the present generation for the sake of posterity. The moral order of the world is not so disposed. It is impossible to promote the interest of future generations by any measures injurious to the present ; and he who labours industriously to promote the honour, the safety, and the prosperity of his own country, by innocent and lawful means, may be assured that he is contributing, probably as much as the order of nature will permit a private individual, towards the welfare of all mankind.

These hopes of improvement have survived in my breast all the calamities of our European world, and are not extinguished by that general condition of national insecurity which is the most formidable enemy of improvement. Founded on such principles, they are at least perfectly innocent. They are such as, even if they were visionary, an admirer or cultivator of letters ought to be pardoned for cherishing. Without them, literature and philosophy can claim no more than the highest rank among the amusements and ornaments of human life. With these hopes, they assume the dignity of being part of that discipline under which the race of man is destined to proceed to the highest degree of civilization, virtue, and happiness, of which our nature is capable.

On a future occasion I may have the honour to lay before you my thoughts on the principal objects of inquiry in the geography ancient and modern, the languages, the literature, the necessary and elegant arts, the religion, the authentic history and the antiquities of India, and on the mode in which such inquiries appear to me most likely to be conducted with success.

II.
LETTER TO THE PRESIDENT
OF THE
ASIATICK SOCIETY.

Bombay, 24th February, 1806.

SIR,

BY the desire of the Literary Society of Bombay, I have the honour of laying before you, for the information of the Asiatick Society, some suggestions which appear to us likely to contribute to the progress of knowledge, and to the honour of our national character. The proposition which we are about to make, arose in a great measure from an act of your learned Society : on that account, as well as on every other, you are entitled to be consulted regarding it, to decide on its reasonableness, and, if you approve it, to take the lead in its execution. We observe that you patronize the projected translation of the *Ramayan* by Mr Carey and his friends ;—the choice does honour to your discernment. As an example of the taste, a monument of the genius, and a picture of the manners, as well as a record of the mythology and poetical history of the heroic ages of India, it will undoubtedly lay open

more of this country to the learned of Europe, than they could discover from many volumes of ingenious dissertations. The *Iliad* and *Odyssey* are as valuable to the philosopher as to the man of taste; their display of manners is as interesting to the one, as their transcendent beauties are delightful to the other: but the most ingenious essay on the origin of the *Pelasgi* is not quite so interesting, though we are far from denying to such inquiries their proper rank amongst the most elegant amusements of curiosity and leisure. Works so voluminous, and likely at first to find so few purchasers as the translation of the *Ramayana*, require patronage, which is an encumbrance and a restraint on compositions addressed to the general taste of an enlightened nation. We have no doubt that your patronage will procure to these meritorious translators such pecuniary assistance as may protect them from suffering by their useful labours.

Permit us to observe, that something more seems to be required. It is well known that Mr. Wilkins, a distinguished member of your Society, has long had ready for the press a complete translation of the *Mahabharat*; but no private individual of moderate fortune can ever hazard the publication of so immense a work; no bookseller can with common prudence undertake it; so that without extraordinary assistance this

noble work must remain obscure and useless in the closet of the translator. Nor is this all:—many individuals are now qualified and well disposed to undertake translations from the Sanscrit, if they were assured of the means of publication without loss, and of moderate remuneration where their circumstances required it. On the other hand, it cannot be doubted, that in an opulent and liberal community, there are many perfectly ready to supply those small contributions which would be sufficient for such a purpose; but the indigent scholar does not know whence he is to receive, and the generous patron does not know where he ought to bestow. We wish to see a common centre, to which both may be directed; and we beg leave to suggest, that the Asiatick Society may, in a public address to the British inhabitants of India, propose a general subscription to create a fund for defraying the necessary expenses of publishing translations of such Sanscrit works as shall most seem to deserve an English version, and for affording a reasonable recompense to the translators where their situation makes it necessary. It is proposed that the money when collected should be vested in a body, of whom your Society would naturally furnish the majority, who would be trustees of the fund and judges of the works to be translated, of the qualifications of those

who are appointed to translate, and of the merit of their versions. If the principle were approved, the detailed regulations would be easily arranged.

It is premature, and might be presumptuous in us to point out the publications to which such a fund might be more especially destined ; it is however obvious that the first place is, on every principle, due to the two great epic poems of which we have spoken. The impression made by *Sacontala* in every country of Europe would be sufficient, if other arguments were wanting to point our attention to the drama. The celebrated dramatic pieces of India are said not to be very numerous, and it would not be difficult to realize the wish of the French missionary, who in the *Lettres Edifiantes* expresses a hope of presenting his country with a Sanscrit Theatre. We shall not speak of a grammar and dictionary of that language, because we understand that they are in great forwardness, and may soon be expected from learned members of your Society :—we shall not presume to decide whether the *Vedas* ought to form part of the plan, because we cannot estimate the difficulties which seem to attend the translation of these books. The province of history appears to be absolutely vacant in Hindu literature ; but among the innumerable treatises on speculative philosophy and ethics, some

might be chosen very interesting to European philosophers: not perhaps for any new certain knowledge which they might afford on these subjects, but for the light which they must throw on the history of opinion, and for a conformity not only in morals,—which would not be extraordinary, because notwithstanding the difference of dress and exterior, the moralists of all ages and nations have in general agreed, but in the devious and eccentric speculations of the metaphysicians, which seem to fluctuate more with the intellectual and moral peculiarities of the individual, and which therefore more excite our wonder, when we find them agree in distant times and places. To which must be added some works on pure and mixed mathematics, which, if the date of the works be ascertained, will, with more certainty than any other work of learning, determine the antiquity of civilization in the country where they are composed.

The full execution of this project will add a new department to the library of the poet, the elegant scholar, the inquirer into manners, into the origin of nations, and the progress of society; of the speculator on the first principles of knowledge, on the structure of the human mind, and on the revolutions of opinion; without compelling them to add a new language to the many ancient and living dialects, by the

necessity of acquiring which they are already overwhelmed. To those who are desirous of adding Sanscrit learning to their present stores, it presents printed books, grammars, and dictionaries ; means which have been hitherto wanting, and without which, nothing could be done by the most industrious as long as they remained in Europe. Perhaps the ancient history of India may be irrecoverably lost ; but if this plan be carried into execution, the private scholar of every European country may, with little trouble and with absolute confidence, read the history of Indian science and art, usages and opinions of the Indian mind. The most interesting part will be accessible : we shall not perhaps have any serious reason to lament that we have not to load our memory with new volumes of facts and dates. We shall know nothing indeed of the dynasties of Palibothra :—But how much, after so many ages of learned investigation, do we know with certainty of those of Babylon and Persepolis ? We shall not be minutely acquainted with the biography of Vicramaditya ; but if we were to cast up only what we believe on sufficient evidence about Romulus, perhaps the balance of real history might not be very large in favour of the Italian chief.

The undertaking would be worthy of the British nation, and acceptable to all Europe.

We see no difficulties among such a Society as the British India, but such as activity and your influence may easily vanquish. We presume that the Directors of the East India Company would be disposed liberally to contribute towards it:—for our parts, we offer our cordial co-operation. The Society will exert all its credit, and the members will not be wanting in such contributions as the circumstances of their fortune will permit.

I have the honour to be, sir,

Your faithful humble servant,

JAMES MACKINTOSH.

III
TRANSLATION
OF
TWO CHINESE EDICTS.

By Sir GEORGE STAUNTON.

With Introductory Remarks, by Sir JAMES MACKINTOSH.

Read 24th February, 1806.

THE following account of the latest example, perhaps, of men punished for preaching religious opinions, is from our learned associate Sir G. Staunton.—It is interesting in various respects.—It is an useful lesson to see intolerance stripped of all the disguises which too often familiarize and reconcile her to our prejudices.—It is useful to contemplate persecution carried on against Christians, that we may learn to abhor every kind and degree of it when practised by Christians. In this case the utility is the more unmixed, because the example instructs our understanding without the possibility of provoking us to retaliate; often the unfortunate effect of narratives of persecution. The plausibility of the pretences assigned, the

consideration and air of equity which characterizes the comparison of the different degrees of guilt of the supposed criminals, are contrivances and disguises, often perhaps unconsciously adopted, to soften the natural indignation of mankind against substantial injustice, which is to be found in the administration of most tyrannical laws.

IMPERIAL EDICT.

10th Year of Ria-King (A. D.) 1805.

The Supreme Criminal Court has reported to us the trial, investigation, and sentence of that tribunal concerning *Chin-yo-vang*, a native of the province of Canton, who had been discovered to have received privately a man and sundry letters from the European *Te-tien-tse* (Father Adeodato a missionary at Peking), and also regarding several other persons, who had been found guilty of teaching and propagating the doctrines of the Christian religion.

The Europeans who adhere to the Christian faith act conformably to the customs established in those countries, and are not prohibited from doing so by our laws. Their establishments at Peking were originally founded with the auspicious views of adopting the western method in our astronomical calculations; and Europeans of

every nation, who have been desirous of studying and practising the same at this court, have readily been permitted to come and reside upon the above establishments ; but from the beginning they were restricted from maintaining intercourse with, and exciting troubles among, our subjects.

Nevertheless, *Te-tien-tse* has had the audacity secretly to propagate and teach his doctrines to the various persons mentioned in the Report ; and he has not only worked on the minds of the simple peasantry and women, but even many of our Tartar subjects have been persuaded to believe and conform to his religion ; and it appears that no less than thirty-one books upon the European religion have been printed by his order in the Chinese character.—Unless we act with severity and decision on this occasion, how are these perverse doctrines to be suppressed ? how shall we stop their insinuating progress ?

The books of the Christian religion must originally have been written in the European languages, and in that state were incapable of influencing the minds of our subjects, or of propagating the doctrine in this country ; but the books lately discovered are all of them printed in the Chinese character, with what view it is needless to inquire ; for it is sufficient that in this country such means must not be employed to seduce our simple peasantry to the know-

ledge and belief of those tenets; and much less can it be suffered to operate thus on the minds of our Tartar subjects, as the most serious effects are to be apprehended from it on the hearts and minds of the people.

With respect to *Chin-yo-vang*, who had taken charge of the letters; *Chin-ping-te*, a private of infantry under the Chinese banner, who was discovered teaching the doctrine in a church; *Lieut-chao-tung*, *Siao-ching-ting*, *Chu-chung-tug*, and the private soldier *Vang-mea-te*, who severally superintended congregations of Christians, as they have been respectively convicted of conveying letters, or employing other means for extending their sect and doctrine, it is our pleasure to confirm the sentence of the court; according to which they shall severally be sent into banishment at Elee in Tartary, and become slaves among the Eleuths, and previous to their departure shall wear each of them the heavy cangue for three months, that their chastisement may be corrective and exemplary.

The conduct of the female peasant *Chin-yang-shy*, who undertook to superintend a congregation of her own sex, is still more odious; she therefore shall also be banished to Elee, and reduced to the condition of a slave at the military station, instead of being indulged with the female privilege of redeeming the punishment by a fine.

The peasant *Kien-hen*, who was employed in distributing letters for the congregation, and in persuading others to assist in their ministry ; and likewise the soldier *Tung-hing-shen*, who contumaciously resisted the repeated exhortations made to him to renounce his errors, shall respectively wear the common cangue for three months, and after the expiration of that term undergo banishment to Elee, and become slaves among the Eleuths.

The soldiers *Chau-ping-te*, *Vang-meu-te*, *Tung-hen-shen*, who have gone astray, and willingly become proselytes to the European doctrine, are really unworthy to be considered as men, and their names shall be erased from the lists of those serving under our banners.—The countrymen, *Vang-shyning*, *Ko-tien-fo*, *Yeu-se-king*, and *Vu-si-man* ; and the soldiers serving in the Chinese infantry, *Tung-ming*, *Tung-se*, and *Chin-yung-tung*, have each of them repented and renounced their errors, and may therefore be discharged from confinement ; but as the fear of punishment may have had more effect in producing their recantation, than any sincere disposition to reform, it is necessary that the magistrates and military officers in whose jurisdiction they may be, should keep a strict watch over them, and inflict a punishment doubly severe if they should relapse into their former errors.

Te-tien-tse, who is a European entertained in our service at court, having so far forgot his duty and disobeyed the laws, as to print books and otherwise contrive to disseminate his doctrines, is guilty of a very odious offence.—The alternative proposed by the court of dismissing him to his native country, or of remanding him from the prison to his station at Peking, is very inadequate to his crime.

We therefore direct that the Supreme Military Court do appoint an officer to take charge of the said *Te-tien-tse*, and conduct him to Ge-ho in Tartary, where it is our pleasure he should remain a prisoner in the guard-house of the Eleuths, and be subject to the superintendance and visitation of the noble magistrate *King-ku*, who must carefully prevent him from having any correspondence or communication with the Tartars in that neighbourhood.

The noble officer *Chang-foe*, who has hitherto superintended the European establishments, having been ignorant of what was going forward in his department, and having made no investigation or inquiries during the time that *Te-tien-tse* was writing letters, printing books, and spreading his religion, has proved himself insufficient and unworthy of his station ; wherefore we direct the Interior Council of State to take cognisance of his misconduct.

In like manner it is our desire that the Council of State take cognisance of the neglect and inattention ascribable to the military commanders who suffered the soldiers under their orders to be corrupted with these foreign doctrines, and then report us the result of their deliberations, in order that we may refer the adjudication of punishment to the proper court.

The Council of State shall moreover, in concurrence with the Supreme Criminal Court, appoint certain officers to examine all the books of the Christian doctrine which have been discovered; after which they shall, without exception, be committed to the flames, together with the printing-blocks from which the impressions were taken.

The governor and other magistrates of Peking and the commanders of troops stationed at the capital shall strictly attend to the subject of these instructions, and severally address edicts to the soldiers and people in their respective jurisdictions, declaring that all persons henceforth frequenting the Europeans in order to learn their doctrines will be punished with the utmost rigour of the law, without exception or abatement, for having acted in defiance of the present prohibition.—As for the rest we confirm the sentence of the court.—*Khintse*

The second Edict is a remarkable instance of that solicitude about the condition of prisons, which in Europe has been one of the latest fruits of civilization. In China where no novelties are suffered, it must have been part of the ancient policy of the empire. It must be owned that this Edict breathes a spirit which no European government manifested towards prisoners before the memorable journeys of Howard.

IMPERIAL EDICT,

Issued on the 22d Day of the intercalary 6th Moon of the 10th Year of the Emperor Ria-King (August the 16th, 1805).

We have received the address of *Na-yen-tching* viceroy and *Pe-ling* sub-viceroy of the province of Canton, charging certain magistrates of districts with neglect and delay in the execution of justice in consequence of which the prisons had become inadequate to contain all the offenders successively committed for trial; secondly, with connivance at the rapacity and extortion of their attendants; and lastly, with the illegal employment of female curators, by which several offences the lives of many of our subjects had been endangered or sacrificed: we are accordingly solicited to degrade and remove the said magistrates.

The magistrates of districts are undoubtedly forbidden by existing regulations to employ any subsidiary places of confinement, and in the event of the increased number of informations against delinquents in the principal districts, including the capital of the province of Canton, requiring such an expedient, it was the duty of the magistrates thereof to have represented the exigency to the superior officers of government, in order that the adoption of the measure, if necessary, should receive the sanction of the laws.

It has now appeared upon investigation that three subsidiary prisons had nevertheless been employed in the district of Nanhay, and that the attendants of the tribunal in the said district made use of fifty other places of occasional confinement. In the district of Pun-yu one subsidiary prison was found, called *Tay-heu-so*, and twelve places of occasional confinement.—It was moreover discovered that the attendants had been criminally suffered to divide those places of confinement into cells, and to enclose them with a railing, whereby dark dungeons were formed with the view of practising fraud and extortion upon the unfortunate persons who might be confined therein; among whom many grew sick and died from the severity of the imprisonment.

Lastly, it has appeared that the female prisoners, previous to their being discharged

or receiving sentence, were usually committed to the custody of female curators, by whom it frequently happened that the younger women were exposed to prostitution, the wages whereof become a source of profit to the curators.

The conduct of the magistrates who permitted these abuses is no less odious than extraordinary, and they seem utterly to have neglected the laws of the empire and the happiness of the people, with whom, by reason of their inferior jurisdiction, they were more intimately connected and bound to than other officers of government.

On these grounds the viceroy and sub-viceroy have solicited their degradation and removal; and accordingly we decree that *Vang-shy*, magistrate of the district of Nanhay, and *Siao-hing-vu*, magistrate of the district of Pun-hu, be divested of their respective employments, and expiate their guilt by an immediate banishment to Elee in Tartary.

And as it is evident from the existence of these abuses, that the superintending officers of that province have been guilty of supineness and neglect of due examination in their respective departments, we direct that the Supreme Criminal Court do take cognisance of the censurable conduct of *Oui-she-poo*, the late viceroy, and of *Sun-yu-ting* and *Hoo-tu-lee*, successively sub-viceroy of the

province of Canton ; and likewise of the conduct of the *Anchasee* (chief justice,) the *Leang-tao* (his deputy,) and the *Quang-chevu-foo* (governor of the city of Canton,) who by virtue of their respective offices possessed a jurisdiction and controul over the said guilty magistrates.

We order that *Na-yin-tching*, also proceed to ascertain by investigation at what period, and under the government of what magistrates, these abuses commenced, and speedily report the same for our consideration, showing the degree of misconduct with which such magistrates and their superintending officers are chargeable.

With regard to *Na-yen-tching* and *Peling*, who had so lately succeeded to the government of the province, we highly applaud the vigour and ability they have shown in the administration of public affairs ; and it is our pleasure that the Supreme Court take their merits into consideration.—*Khin-tse* (*i. e.* respect this.)

IV.
P L A N
OF
A COMPARATIVE VOCABULARY
OF
INDIAN LANGUAGES.

Read 26th May 1806.

THE Empress Catherine II. in the year 1784, conceived the idea of a work better adapted than any which had preceded it, to facilitate the comparison of languages, and to furnish certain means of determining their affinity and filiation. This work was a comparative vocabulary of all languages. It is obvious that so great a plan must have been altogether impracticable, if it had not been limited to a moderate number of words. Her Imperial Majesty herself selected, and wrote with her own hand, one hundred and thirty words, which she thought the best fitted for the purpose of the work ; and the execution was committed to the celebrated Mr. Pallas, who has already published two volumes, exhibiting these words in two hundred

languages of Europe and Asia. A third was promised, but has not yet been published, with those of America. This defect, however, may be supplied by Dr. B. S. Barton, professor of natural philosophy at Philadelphia, who is said to have collected vocabularies of a hundred American languages.

It is needless to observe how much gratitude and admiration are due to the sovereign who, in the midst of the cares of government, found leisure for so noble an enterprise; and to the celebrated scholar who undertook and executed a task so laborious. These sentiments of gratitude and admiration are not abated by some inconveniences which belong to the plan chosen, and by some defects unavoidable in the first execution of a work of such magnitude. So few copies were printed, and such was the consequent scarcity of the book, that it was not to be found even in the public library at Paris, the greatest in the world. Another circumstance besides its rarity made it almost inaccessible to curious and ingenious men. A spirit of nationality, pardonable indeed, but inconvenient, had dictated the choice of the Russian characters, known to very few men of letters. It required no great diligence to conquer that obstacle, but the character is said not to be in itself well adapted to perform the functions of an uni-

versal alphabet, and seems (in common indeed with most other alphabets) very imperfectly to represent the sounds employed by many other nations.

Very different degrees of accuracy were naturally to be expected in different parts of such a work. The authority of government was employed to collect specimens of the languages spoken through the vast extent of the Russian Empire, and they may doubtless be presumed to be perfectly correct. The greatest exactness was also attainable in those languages of Slavonic origin, which are analogous in their structure and genius to the Russian, and which are spoken by nations in the immediate neighbourhood of that great empire. And no difficulty could be found respecting the polished languages either of ancient or modern Europe ; but the same correctness was not possible with regard to the languages of distant nations, either illiterate, or whose literature was unknown to learned Europeans. Defects and errors respecting them were inevitable ; and they are confessed by the learned compiler with the candour natural to conscious and secure superiority. It is indeed obvious that in the hands of one man, or of one society, the work can never approach completeness. It never can be executed to the extent or with the exactness desirable, in any other manner than by

committing several parts of it to different persons, who may each contribute specimens of the languages most accessible to them ; but this distribution would occasion such difficulty and delay as altogether to defeat the Plan, if each contributor were only to take a single language. Nor is this at all necessary ; the languages of the world are in general divided into classes, one of which extends over many neighbouring or connected countries ; and which having been originally dialects of the same speech, or branches from the same stock, retain, even in their separate form, similarity sufficient to make it convenient that they should be considered together. Thus in Europe, from the Rhine to the North Cape, and from the Vistula to the Atlantic, the predominant speech is *Teutonic*, which has gradually diverged into German, Dutch, English, Danish, Swedish, (not to mention the dialects of German,) the independent idioms of nations no longer intelligible to each other. This is a natural principle of classification. Besides, there is a practical convenience in committing to the same person or persons all the idioms spoken in the same empire, even when they have no natural analogy. This occurs in many cases in Russia ; and even in our more contracted insular territories, we have the Welsh, Irish,

and Gaelic, which, being Celtic dialects, are radically different from English. On either and perhaps on both these principles, from similarity of idiom and from local convenience, the languages of India become the proper province of the British nation. By Indian languages are meant, those spoken by that race of men of which the majority professes the Braminical religion, and which inhabits the country extending from the Indus to the Burrampooter, and from the Northern Mountains to Cape Comorin. Whether the nations situated between the eastern frontier of Bengal and the straits of Malacca ought to be comprehended in the Indian class, seems very doubtful; for though Bhuddism be either a sect of Braminism, or a modification of the same original religion, and though deep traces of Sanscrit language and learning are discoverable among these nations, yet they are so blended with others of Malay extraction towards the south, and so tinctured with Chinese manners and institutions towards the east, that it is doubtful whether they ought to be classed with the unmixed nations of Hindu race. All the Indian languages hitherto explored have a large mixture of Sanscrit; but in what relation they stand to that ancient and celebrated tongue is a matter which has not yet been determined, and which indeed cannot be deter-

mined, without a more exact comparison than has yet been laid before the public. The mere coincidence of many words will not prove that they are descended from it : on that principle English would be a daughter of the Latin. Nor is a different grammatical structure a decisive proof that they are not so descended : for that difference subsists between Italian and Latin, between English and Saxon. Sanscrit may have been the ancient vernacular speech of all India, from which all her modern dialects are derived. It may have been the speech of one district, which being more cultivated and polished, was adopted as the written, though not as the vulgar language of all the other provinces. It is thus that the Tuscan and Upper Saxon dialects are supposed to have become the written and polite languages of Italy and Germany, aided in the latter case by the great influence of Luther. It may have been the language of learning and refinement throughout India, insensibly formed out of the analogous spoken dialects which it left in undisturbed possession of vulgar use ; this would be agreeable to the supposition of those German and Italian critics who have resisted the exclusive claims of Tuscany and Saxony. It may have been the speech of a conquering nation, which imposed its laws and religion on the vanquished,

and imparted to them a great portion of its language. In this manner such multitudes of Norman words flowed into the Saxon, and combining with it, gradually produced the modern English.

Other suppositions might be made, and those which I have offered above might be variously combined ; as, the Sanscrit might have grown up spontaneously in one part of India, while it might be introduced by conquest into another, and only by religion and learning into a third. But, of problems which depend on such subtle distinctions, it would be absurd to attempt the solution, without a series of writers of well ascertained antiquity, and without those collateral aids from civil history, which, in this country, it seems daily to become more vain to expect. Whether the Sanscrit be the groundwork of the spoken languages, or a subsequent addition ; in other words, whether it be to them what the Saxon, or what the Norman is to the English, is a question to which caution and diligence may doubtless discover the true answer. For this purpose, it will be useful to observe with peculiar attention the state of derivatives and their roots, of compounds and their elements ; the roots will often be found in Sanscrit where they have not been transferred, or have not been preserved in the vernacular tongue. But it will deserve

particular notice whether insulated words or whole families have migrated; the first must happen in every case of intercourse between nations: the second, when it frequently occurs, is a strong proof of the descent of a language. It will also merit the greatest care to determine whether the Sanscrit words, in the spoken dialects, be learned, religious, and scientific terms, or words denoting the common objects and actions, for which no nation can be without names. In the first case they may be foreign, but in the second we may confidently pronounce the languages themselves to be of Sanscrit extraction.

We are informed by Sir William Jones, that in several of these tongues there is a combination of Sanscrit with an "*unknown basis*." Unhappily this great philologist seems to have considered the citation of authorities as unclassical, and to have regarded the detail of proofs as unsusceptible of elegance:—though it be very probable therefore, from his great reputation, that his assertion is true, yet he has not made his researches useful to his successors, who must repeat and verify them before they make any conclusions from them. It would be most curious to ascertain whether this unknown basis be the same in all, or in any considerable number of Indian languages.

In Mr. Pallas's Vocabulary, that part which relates to India is necessarily one of the most incomplete. I now wish and hope to remedy that defect, and, by the aid of the British government in this country, to exhibit a vocabulary, consisting of his words and of a certain number of others, in every language, dialect, and jargon of India. It is not easy to distinguish these three terms from each other with logical precision; but, for practical purposes, the following distinction may perhaps suffice. When two sorts of speech differ so much that they who speak them are not intelligible, to each other, we call them different languages; when they differ only so much as not to be easily and universally intelligible, they are different dialects; when this difference is confined to the unwritten and ungrammatical speech of the vulgar, it forms what the French call a *patois*, and what, for want of an appropriate term, I must, with the hazard of some reproach for innovation, call a jargon. Thus, before the union of the crowns, the Scottish and English were two dialects of the same Anglo-Norman language*. Since that period the Scottish can no longer pretend to equal rank; yet the

* For so it surely must be called, though Scotland was never conquered by *Normans*. The proportion of Norman words in Scotch seems, for some reason, not yet very well ascertained, not to have been perceptibly less than English.

remembrance of its former dignity, and the merit of the authors who have written in it, still entitle it to be called a dialect; from which the provincial speech of Lancashire or Devonshire would be conveniently distinguished by the term jargon.

It is my intention to transmit to the various governments of British India, a list of words for an Indian vocabulary, with a request that they would forward copies to judges, collectors, commercial residents, and magistrates, directing them to procure the correspondent terms in every jargon, dialect, or language spoken within the district committed to their trust: and respecting the languages spoken without the Company's territories, that the same instructions may be given to residents at the courts of friendly and allied states, as far as their influence may extend. I shall propose that they may be directed to transmit the result of their inquiries to me and I am ready to superintend the publication of the whole vocabulary.

It is particularly desirable that they should mark with great precision the place where any one language, dialect, or jargon, or variety of speech ceases, and another begins; and that they should note with more than ordinary care the speech of any tribes of men uncivilized, or in other respects different from the Hindoo race, whose lan-

guage is most likely to deviate from the general standard. Mixed and frontier dialects, for the same reason, merit great attention.

The languages now least known to us seem to be those which are spoken on both sides of the Indus, from Tatta to Lahore; and the inquiry might be extended to Cashmire, of which country there are so many natives in most parts of India, that the Cashmirian words can easily be procured.

In the words, especially in those which are familiar, it will be convenient to choose the *most familiar* of two, or more, nearly synonymous words: that for instance which would be most easily understood by the lower sort of people.

Where there are many foreigners resident in a district, especially when they speak a language not otherwise very accessible to our inquiries, it will be a great addition to the value of a communication to procure the words to be translated into the foreign as well as the local languages. When the words or their orthography have changed in modern times, it would be most desirable to procure from learned natives the correspondent terms in the more ancient speech.

This vocabulary would be completed by a collection of all the ancient and modern alphabets of the district; their force being

represented in English characters according to Mr Gilchrist's system.

The sounds of all these languages are to be represented by English characters; and it will be more convenient to adopt Mr Gilchrist's orthography, which is fixed and generally known, than to contrive another which, even if it were better would require some time to teach, and probably encounter some opposition.

To facilitate the execution of the plan, there will be subjoined to this essay a specimen of the tabular form into which the vocabulary will be thrown.

The extent and limits would be most perspicuously represented by small maps, in which different colours might denote the different sorts of speech.

Where there are sounds, for the expression of which the English character and Mr Gilchrist's orthography are supposed to be peculiarly inadequate, that circumstance ought to be mentioned. In such a case other signs may be used; provided that full warning be given of the deviation, and that the words be *also* given according to Mr. Gilchrist's system, as being that which is now best known and most generally adopted.

If from accidental circumstances, it should be difficult for any gentleman to comply with the condition which requires the use of Mr Gilchrist's system, he will be pleased

to give as full an explanation as possible of the plan which he himself adopts.

Though in an undertaking which requires the support of the supreme authority, the first appeal must be made to the officers of government, yet I have no doubt that they will receive the voluntary aid of every intelligent Englishman, who possesses any means of contributing to the object; and that they will call for the assistance of all the learned natives, who must be able so powerfully to second their exertions.

VOCAULARY OF THE EMPRESS CATHERINE II.

1 God,	17 Countenance,
2 Heaven,	18 Nose,
3 Father,	19 Nostril,
4 Mother,	20 Eye,
5 Son,	21 Eye-brow,
6 Daughter,	22 Eye-lashes,
7 Brother,	23 Ear,
8 Sister,	24 Forehead,
9 Husband,	25 Hair,
10 Wife,	26 Cheek,
11 Maiden,	27 Mouth,
12 Boy,	28 Throat,
13 Child,	29 Tooth,
14 Man,	30 Tongue,
15 People,	31 Beard,
16 Head,	32 Neck,

- | | | | |
|----|--------------------------|----|-------------------|
| 33 | Shoulder, | 64 | Force, |
| 34 | Elbow, | 65 | Power, |
| 35 | Hand, | 66 | Marriage, |
| 36 | Finger, | 67 | Life, |
| 37 | Nail, | 68 | Size, |
| 38 | Belly, | 69 | Spirit, (or Mind) |
| 39 | Back, | 70 | Death, |
| 40 | Foot, | 71 | Cold, |
| 41 | Knee, | 72 | Circle, |
| 42 | Skin, | 73 | Ball, |
| 43 | Flesh, | 74 | Sun, |
| 44 | Bone, | 75 | Moon, |
| 45 | Blood, | 76 | Star, |
| 46 | Heart, | 77 | Ray, |
| 47 | Milk, | 78 | Wind, |
| 48 | Hearing, | 79 | Whirlwind, |
| 49 | Sight, | 80 | Tempest, |
| 50 | Taste, | 81 | Rain, |
| 51 | Smell, (the sense
of) | 82 | Hail, |
| 52 | Touch, | 83 | Lightning, |
| 53 | Voice, | 84 | Snow, |
| 54 | Name, | 85 | Ice, |
| 55 | Cry, | 86 | Day, |
| 56 | Noise, | 87 | Night, |
| 57 | Howling, | 88 | Morning, |
| 58 | Speech, | 89 | Evening, |
| 59 | Sleep, | 90 | Summer, |
| 60 | Love, | 91 | Spring, |
| 61 | Pain, | 92 | Autumn, |
| 62 | Trouble, | 93 | Winter, |
| 63 | Labour, | 94 | Year, |
| | | 95 | Time, |

96 Earth,	112 Depth,
97 Water,	113 Height,
98 Sea,	114 Breadth,
99 River,	115 Length,
100 Wave,	116 Hole,
101 Sand,	117 Ditch,
102 Dust,	118 Stone,
103 Mud,	119 Gold,
104 Mountain,	120 Silver,
105 Coast,	121 Salt,
106 Rising Ground,	122 Marble,
107 Valley,	123 Forest,
108 Air,	124 Herb,
109 Vapour,	125 Tree,
110 Fire,	126 A Stake,
111 Heat,	127 Verdure,

One or two words have been omitted, either because there are no terms exactly corresponding in the English language, or because such corresponding terms did not occur to the writer. Several of the above words, especially such as relate to climate and seasons, will probably, from physical reasons, be untranslatable in the languages of a tropical country. They are preserved out of respect to the original plan, and with a view to suit the Indian vocabulary, as far as possible, to the Universal.

The following words are subjoined to those taken from the Russian vocabulary.

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|------------------|------------------|
| 1 One, | 32 From, |
| 2 Two, | 32*Of |
| 3 Three, | 33 By, |
| 4 Four, | 34 This, |
| 5 Five, | 35 That, |
| 6 Six, | 36 If, |
| 7 Seven, | 37 Unless, |
| 8 Eight, | 38 Yet, |
| 9 Nine, | 39 Still, |
| 10 Ten, | 40 Though, |
| 11 Eleven, | 41 But, |
| 12 Twenty, | 42 Without, |
| 13 Thirty, | 43 And, |
| 14 One Hundred, | 44 Since, |
| 15 One Thousand, | 45 Notwithstand- |
| 16 First, | ing, |
| 17 Second, | 46 Nevertheless, |
| 18 Third, | 47 Except, |
| 19 Fourth, | 48 Because, |
| 20 Twentieth, | 49 Therefore, |
| 21 I, | 50 Then, |
| 22 Thou, | 51 There, |
| 23 He, She, It, | 52 In, |
| 24 We, | 53 With, |
| 25 You, | 54 Through, |
| 26 They, | 55 To, |
| 27 Above, | 56 Till, |
| 28 Below, | 57 About, |
| 29 Before, | 58 Over, |
| 30 Behind, | 59 Much, |
| 31 Upon, | 60 Under, |

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|-----------------|------------------|
| 61 More, | 95 A Bull, |
| 62 Most, | 96 A Buffalo, |
| 63 Very, | 97 A Cock, |
| 64 Perhaps, | 98 A Hen, |
| 65 Rather, | 99 A Tiger, |
| 66 Once, | 100 A Serpent, |
| 67 Twice, | 101 A Sheep, |
| 68 Only, | 102 A Bird, |
| 69 Alone, | 103 A Fish, |
| 70 Yes, | 104 A Panther, |
| 71 No, | 105 A Camel, |
| 72 Who, | 106 An Elephant, |
| 73 What, | 107 A Ship, |
| 74 Where, | 108 A Boat, |
| 75 When, | 109 A Sail, |
| 76 Which, | 110 An Oar, |
| 77 To be, | 111 A Sailor, |
| 78 To have | 112 A commander |
| 79 I will, | of a vessel, |
| 80 I ought, | 113 A Soldier, |
| 81 I may, | 114 An Officer, |
| 82 I can, | 115 Cotton, |
| 83 I wish, | 116 Silk, |
| 84 To walk, | 117 Wool, |
| 85 To run, | 118 Sickness, |
| 86 To ride, | 119 Health, |
| 87 To stand, | 120 A Sword, |
| 88 To fall, | 121 A Loom, |
| 89 To lie down, | 122 A Saw, |
| 90 To eat, | 123 A Shoe, |
| 91 To drink, | 124 A Bed, |
| 92 To fight, | 125 A House, |
| 93 A Horse, | 126 A Door, |
| 94 A Cow, | |

- 127 A Nail,
 128 A Hammer,
 129 A Knife,
 130 An Island,
 131 Rice,
 132 Wheat,
 133 Hay,
 134 Arrack,
 135 Opium,
 136 Bang,
 137 A Tailor,
 138 A Weaver,
 139 A Carpenter,
 140 A Smith,
 141 A Labourer in
 husbandry
 142 A Rock,
 143 A Cave,
 144 A Shadow,
 145 Far,
 146 Near,
 147 Beside,
 148 Beyond,
 149 Stream,
 150 Town,
 151 Field,
 152 All the *measures*
 corresponding
 to inch, foot,
 mile, &c. reduc-
 ed as far as pos-
 sible to English
 measures.
- All the *weights*
 corresponding
 to ounce, pound,
 &c. reduced in
 like manner to
 English deno-
 minations.
 Measures of *time*
 do. do. do.
 Names of *days of*
the week, &c.
 Names of *months*,
 with correspond-
 ing months in
 English calen-
 dar.
- 153 Root,
 154 Bread,
 155 Pepper,
 156 Oil,
 157 Eggs,
 158 White,
 159 Black,
 160 Red,
 161 Green,
 162 Yellow,
 163 Blue,
 164 Brown,
 165 Iron,
 166 Lead,
 167 Tin,
 168 Brass,
 169 Native,

170 Stranger,	187 A Flower,
171 Friend,	188 Earth,
172 Enemy,	189 Hard,
173 To buy,	190 Soft,
174 To sell,	191 Quick,
175 To borrow,	192 Slow,
176 To lend,	193 Weakness,
177 Anger,	194 Strength,
178 Pity,	195 To move,
179 Rich,	196 To rest,
180 Poor,	197 To fly,
181 Revenge,	198 To swim,
182 Forgiveness,	199 To sink,
183 Hunger,	200 To seek,
184 Thirst,	201 To find,
185 A Branch,	202 To heal,
186 A Leaf,	203 To kill,

The far greater part of the above words are selected on the principle that being of indispensable use, they must have been original parts of the language in which they are found, and cannot have been derived from a foreign source. The agreement of various languages in such words is, therefore, a decisive proof that such languages sprung from the same stock. The *numerals* will be universally acknowledged to be of that sort.—No doubt will be entertained about the words confounded under the appellation of *particles*, and which, before the work of Mr. Horne Tooke, were the reproach of grammarians. All the other

terms denote objects, qualities, or actions, which could not in any country have remained long without a name; the mere inspection of the list is indeed a practical proof that such words are a decisive criterion of the filiation of a language. The far greater part of the English words are indubitably Saxon, and they would of themselves be sufficient to show the real source of our modern English; but the vocabulary would not be complete without some of those words which are most likely to be foreign, and which, for example, in English, are chiefly of Greek and Roman origin.

I shall begin with some of the greater gods and most important divine personages in the Hindoo mythology, the collection of whose local appellations and names in the spoken languages, must be the first step towards a simple and perspicuous account of the Indian religion.

Brimh, (the eternal
and infinite Being,
Bramha,
Veeshnoo,
Seeva,
Suruswutee,
Lukshmee,
Purvutee,
Bhawanee,
Ramu,
Kreeshnu,

Boodha,
Maia,
Eendra,
Gunneshha,
Varoona,
Kartikeya,
Kamu,
1 Godhead,
2 Wisdom,
3 Power,
4 Goodness,
5 Creation,

6 Providence,	24 War,
7 Temple,	25 Peace,
8 Sacrifice,	26 Honesty,
9 Priest,	27 Humanity,
10 Pilgrimage,	28 Charity,
11 Government,	29 Avarice,
12 King,	30 Generosity,
13 Queen,	31 Virtue,
14 Minister,	32 Vice,
15 General,	33 Understanding,
16 Judge,	34 Will,
17 Law,	35 Probability,
18 Right,	36 Certainty,
19 Justice,	37 Doubt,
20 Punishment,	38 Assent,
21 Theft,	39 Belief,
22 Murder,	40 Conviction,
23 Rebellion,	

The Signs of the Zodiac, and the Names of the Planets.

Some of this last set of words may probably be wanting in several languages ; but even this deficiency will not be uninstructional with respect to the various degrees of civilization and instruction of different Indian nations

PLAN OF THE RETURN,

Which may be made by the Gentlemen from whose liberal Exertions the Materials of the Vocabulary are expected.

The district of _____ which is intrusted to me as (Judge, Collector, &c. as the case may be) extends from _____ to N. and S. and from _____ to E. and W. Besides the Hindoostanee, which is understood and spoken (by the higher classes, or by the people in general as the case may be) there are used in this district the following languages—the _____ which is spoken from _____ to N. and S. and from _____ to E. and W. (repeating this as often as there are different languages used in the district).

God	Mahratta	Guzeratee (as the case may be)	Bengalee
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V.

Q U E R I E S ;

TO WHICH THE ANSWERS WILL BE CONTRIBUTIONS
TOWARDS A STATISTICAL ACCOUNT OF BOMBAY.

WHAT are the longitude and latitude of Bombay by the best observations? How far have observations varied?

What are the superficial contents of the island? What is the nature of the soil in all the parts of its surface?

What are the fossils which are found in it?

What are the strata, and how are they disposed, which form the basis of this island?

What are the most numerous race of animals?

Are there any, and what, animals peculiar to it?

Do its vegetable productions in any respects differ from those of the neighbouring parts of India?

Do they differ from those regions of the East which have been explored by scientific botanists?

A catalogue of Bombay plants, with Linnæan names, and various purposes in agriculture, horticulture, manufactures, or medicine, to which they are made subservient by natives or Europeans.

An exact register of the thermometer, barometer, &c. for the longest time possible.

An exact register of the bearing of the winds, with reference to the temperature.

On what days have the monsoons commenced and ceased for a number of years?

What has been the interval between the cessation of the monsoon and the latter rain?

What quantity of rain has annually fallen?

Till accurate observations shall be made on this subject, information might probably be obtained of the height of the tanks, which would be a comparative standard.

What are the prevalent diseases of natives and Europeans? How are they affected by the change of seasons, and by the different degrees of heat and moisture which prevail in different years?

What were the former, and what are the present, modes of cure?

What positive evidence can be produced of a diminution of mortality under the present treatment?

POLITICAL ARITHMETIC.

Salsette.

What is the number of the inhabitants from actual survey ?

What is their division into sects and nations, and their subdivision into casts ?

Tables of births, deaths, and marriages. In the table of deaths, the age and the qualification of married or single to be added.

In this there will be no difficulty in the Mussulman inhabitants. The Cauzee says it will be very easy. Nor among the Parsees, where the heads of the cast have an exact enumeration; but most difficult, where most important, among the Hindu population.

In the enumeration, to ascertain the trade of every individual.

The number of persons in each family; the number of persons in each house; the number of houses in the island.

What are the wages of workmen in all the various kinds of labour; of servants? &c.

What are the average profits of the various trades ?

What are the kinds and tenures of property in the island? Who are the owners of the land ?

What is the rent of land ?

What are the implements employed in agriculture?

What is the produce of the ground?

What is the average profit of a farmer?

What changes appear to have taken place in the modes of cultivation, or the quantity of produce.

What contrivances remarkable either for rudeness or ingenuity, are employed in arts or manufactures?

What substances not generally known in Europe, are advantageously used in arts or manufactures?

IN THE DIFFERENT RELIGIONS.

What is the number, names, rank, and functions of the ministers of religion of every sect in the island?

What is their income and its sources?

What are their necessary qualifications?

Where and how are they educated?

As to the Bramins :—How many of them are chiefly employed in functions merely secular?

How many are mendicants? How many officiating priests in families or pagodas?

How many have any tincture of learning, any acquaintance with the learned and sacred language, with the Law, &c. so as to qualify them for acting as Pundits?

By what names are all these classes of Bramins known?

What are the places of worship, of interment, of pilgrimage, &c. in this island?

What traditional or written accounts are to be found of the Concanese Jews, of whom so many are to be found here?

In what language do the Jews of Cochin read the Old Testament?

Is there any evidence that they, or any other of the Jews scattered over India, have ever adopted the notion of the Jewish origin of the Afghans?

Have the Afghans any traces of the national physiognomy which distinguishes the Jews from Philadelphia to Bombay?

Has this island or its neighbourhood been the scene of any actions renowned in Hindu mythology?

To what local divinities was the island or any part of it sacred?

EARLIER HISTORY.

Is there any thing in the ancient languages or traditions of this country, which could have any relation to the Grecized word *Seiseicreinian*, by which the Periplus seems to denote this cluster of islands?

Have the environs of Callian been ever diligently explored?

Have any Grecian coins or medals been found at or near Callian, or any where else in this neighbourhood?

What are the most ancient traditions or accounts of a Hindu government here?

Was the island ever subject or tributary to any of the Mussalman princes who reigned on the opposite continent?

From what power, in what manner, and at what times, was Bombay conquered by the Portuguese?

What remarkable events occurred during the Portuguese government, which seems to have lasted about 130 years (i. e. from about 1530 to 1661)?

DURING THE ENGLISH GOVERNMENT.

Summaries of exports and imports in the custom-house books from the earliest times.

What have been the coins current? What has been the value of the money annually coined in the mint of Bombay?

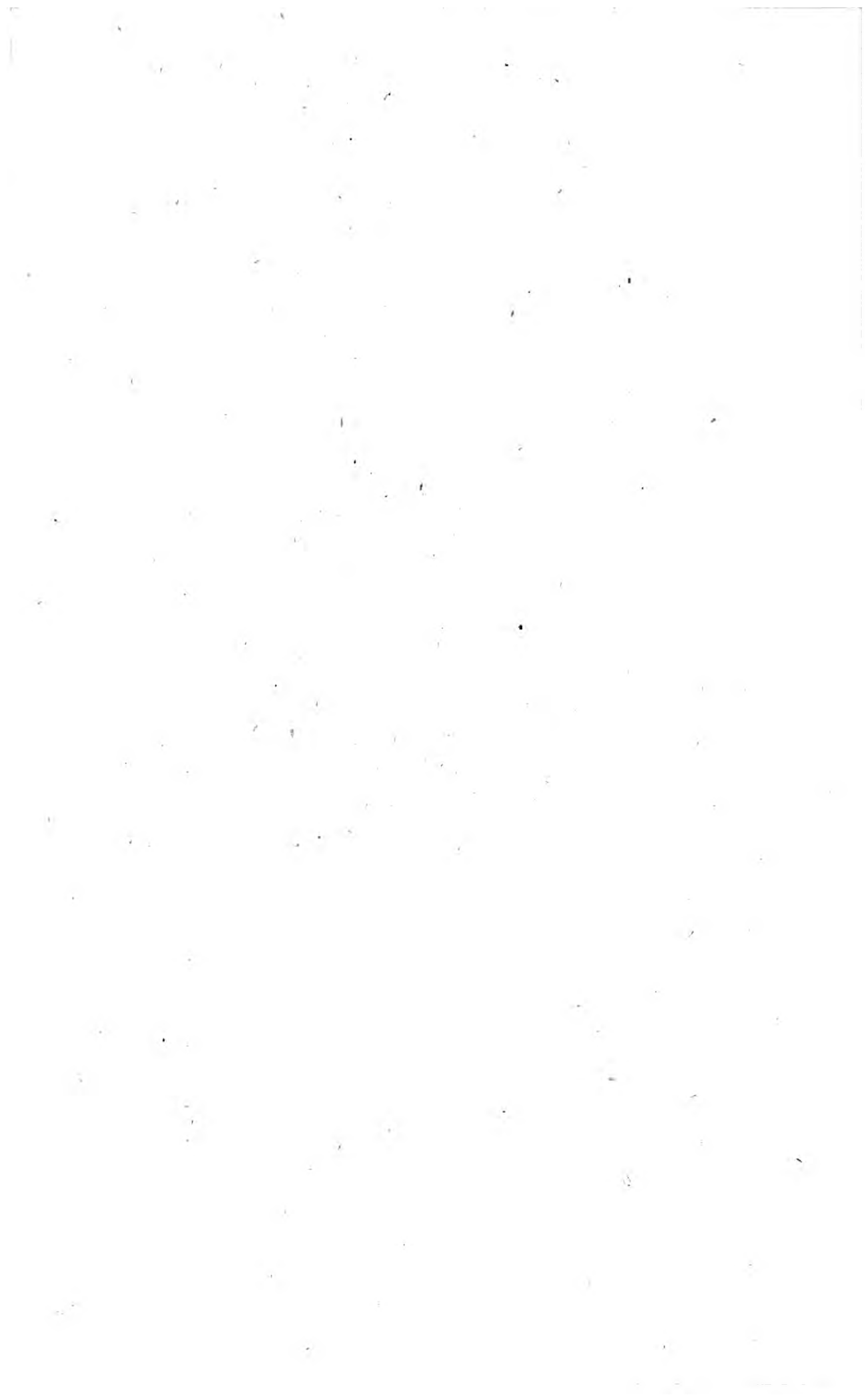
When and at what expense were the most useful and remarkable public works erected?

What has been the number, tonnage, and nation of the ships which have entered this port as far back as there are regular records?

What have at different times been the number and occupations of the European inhabitants?

What alterations appear to have taken place in their mode of life, houses, equipage, &c.?

Is there any means of exactly ascertaining the comparative number of carriages, country houses, &c. at the distance of thirty years?



A
FUNERAL SERMON

ON OCCASION OF THE DEATH

OF

THE MOST HONOURABLE

MARQUIS CORNWALLIS,

GOVERNOR-GENERAL OF INDIA, &c. &c.

PREACHED IN THE CHURCH OF BOMBAY, ON SUNDAY

THE 1ST OF DECEMBER 1805.

BY

THE REV. NICHOLAS WADE.

BOMBAY:

**PRINTED BY MOROBA DAMOTHERJEE, PRABHOO,
FORBES STREET.**

1805.

MR. DUNCAN (THE GOVERNOR OF BOMBAY) WHO HAD BEEN PATRONIZED AND PROMOTED BY THE MARQUIS CORNWALLIS, AND WAS DESIROUS OF SHOWING ALL HONOUR TO HIS MEMORY, REQUESTED, AS A PERSONAL FAVOUR, OF SIR JAMES MACKINTOSH, THAT HE WOULD WRITE THE SERMON TO BE PREACHED AT BOMBAY ON THE OCCASION, A REQUEST WITH WHICH HE READILY COMPLIED. IT WAS PUBLISHED AT THE TIME UNDER THE NAME OF THE SENIOR CHAPLAIN (THE REV. NICHOLAS WADE), AND IS CHIEFLY REMARKABLE FOR THE ADDRESS WITH WHICH THE FULLEST PRAISE IS GIVEN TO THE GENEROUS AND USEFUL QUALITIES WHICH LORD CORNWALLIS POSSESSED, WITHOUT THE EXAGGERATION WHICH, IN SUCH CASES, IT IS DIFFICULT TO AVOID. THERE IS GREAT SKILL IN THE MODE IN WHICH THE MISFORTUNES OF HIS PUBLIC LIFE ARE TOUCHED UPON.

MEMOIRS OF SIR JAMES MACKINTOSH, VOL. I. P. 264.

TO THE HONOURABLE
JONATHAN DUNCAN,
GOVERNOR OF BOMBAY,

EARLY SELECTED

BY

MARQUIS CORNWALLIS

FOR THE EXECUTION OF HIS BENEVOLENT MEASURES,

AND

CONSTANTLY DISTINGUISHED BY THE FRIENDSHIP AND CONFIDENCE

OF

THAT VENERABLE PERSON,

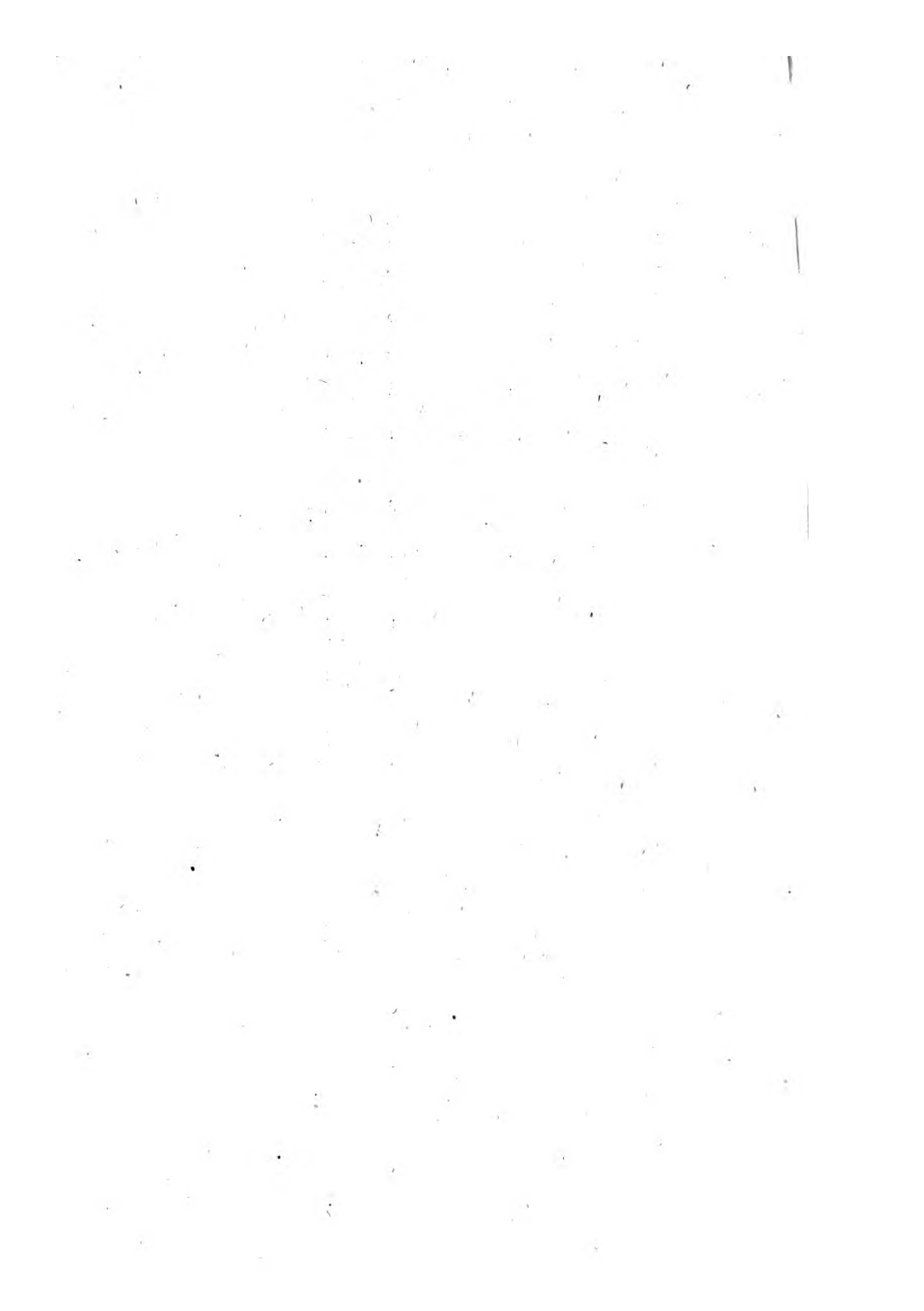
THIS HUMBLE TRIBUTE TO A CHARACTER WHICH HE SO THOROUGHLY

KNEW, AND SO JUSTLY ESTIMATED,

IS MOST RESPECTFULLY INSCRIBED

BY

NICHOLAS WADE.



FUNERAL SERMON.

FIRST BOOK OF MACCABEES,

IXTH CHAPTER, 31ST VERSE,

“ HOW IS THE VALIANT MAN FALLEN THAT DELIVERED ISRAEL ! ”

THESE were the words in which the people of Israel, of old, gave utterance to their sorrow at the death of their great deliverer, Judas Maccabeus. It is not many days since we ourselves have spoken, or heard around us, these words, or words like these. A Chief has fallen among us, of whom it may be truly said, “ Moreover, they bewailed him, and all Israel made great lamentation for him, and mourned many days, saying, ‘ HOW IS THE VALIANT MAN FALLEN THAT DELIVERED ISRAEL ! ’ ”

These honest sorrows of a people are the true panegyric of their deceased Rulers ; and when the voice or the pen seeks to embody and record such feelings, it is an attempt more useful for the instruction of the living, than necessary to the honour of the dead. The praises of the most sublime eloquence are faint, when compared with the unbidden tears of a nation. It is fit, nevertheless, that the due tribute of praise should be paid, that no part of the usefulness of a virtuous cha-

racter may be lost, that the example of a good man may be as fruitful after death as his actions were during life. It is also fit not only for the sake of others, but for our own sakes. By praising virtue we strengthen our own love for it, and by loving it more we practise it with more facility and delight.

Every act of homage to moral excellence in others, is a means of improving our own. In the inferior arts, in poetry, in eloquence, in painting, the genius of the youthful artist is kindled by the contemplation of the great models of his art. The more closely he studies, the more ardently will he admire, and the more warmly he admires, the more likely he is to approach the excellence of his Masters. In the greatest of arts, the art of being virtuous and happy—the art of human life—we must also nourish our enthusiasm for excellence, by the frequent contemplation, the close study, the ardent admiration of that which is eminently good.

You will already have perceived, my Christian brethren, that these reflections were suggested by the recent death of the late venerable Governor-General of India. I do not entertain so presumptuous a design as that of pronouncing the panegyric of that illustrious person. It is a theme too great for my feeble talents, and too distant from the proper business of this sacred place. I shall only attempt very briefly to sketch those events of his life, and those qualities of his character, which appear best to justify the universal sorrow excited by his death, and most adapted to impress a reverence for those sacred principles which were the guide of his conduct.

CHARLES MARQUIS CORNWALLIS, the representative of a family of ancient distinction, and of no modern nobility, had embraced in early youth the profession of Arms. The sentiments which have descended to us from ancient times, have indeed almost required the sacrifice of personal ease, and the exposure of personal

safety from those who *inherit* distinction. All the superiority conferred by society must either be earned by previous services, or at least justified by subsequent merit. The most arduous exertions are therefore imposed on those who enjoy advantages which they have not earned. Noblemen are required to devote themselves to danger for the safety of their fellow citizens, and to spill their blood more readily than others in the public cause. They are almost limited to that profession which derives its dignity from the contempt of danger and death, and which is preserved from mercenary contamination by the severe but noble renunciation of every reward except honour.

In the early stages of his life there were no remarkable events. His sober and well regulated mind probably submitted to that industry which is the excellence of a subordinate station, and the basis of higher usefulness in a more elevated sphere. The brilliant irregularities which are the ambiguous distinctions of the youth of others, found no place in his. He first appeared in the eye of the public during the unhappy civil war between Great Britain and her Colonies, which terminated in the division of the empire. His share in that contest was merely military. In that, as well as in every subsequent part of his life, he was happily free from those conflicts of faction, in which the hatred of one portion of our fellow citizens is ensured by those acts which are necessary to purchase the transient and capricious attachment of the other. A soldier, more fortunate, deserves, and generally receives, the unanimous thanks of his country.

It would be improper here to follow him through all the vicissitudes of that eventful war. But there is one circumstance, which forms too important a part of his character to be omitted,—he was unfortunate; but the moment of misfortune was, perhaps, the most honourable moment of his life. So unshaken was the respect

felt for him, that calamity did not lower him in the eyes of that public, which is so prone to estimate men merely by the event of their councils. He was not received with those frowns which often undeservedly await the return of the unsuccessful General;—his country welcomed him with as much honour as if fortune had attended his virtue, and his sovereign soon bestowed on him new marks of confidence and favour. This was a most signal triumph. Chance mingles with genius and science in the most renowned victories,—but merit and well earned reputation alone can preserve an unfortunate General from sinking in popular estimation.

In 1786, his public life became more connected with that part of the British Empire which we now inhabit. In that year he was appointed Governor-General of India. This choice was made under circumstances which greatly increased the honour. No man can recollect the situation of India at that period, or the opinions concerning it in Great Britain, without remembering the necessity, universally felt and acknowledged, for committing the government of our Asiatic territories to a person peculiarly and conspicuously distinguished for prudence, moderation, integrity, and humanity. On these grounds he was undoubtedly selected, and it will not be disputed by any one acquainted with the history of India, that his administration justified the choice.

Among the many wise and honest measures which did honour to his government, there are two which are of such importance that they cannot be passed over in silence, and so connected with the highest interests of society, that they may be commended with propriety in the most sacred place. The first was the establishment of a fixed land-rent throughout Bengal, instead of those annually varying, and often arbitrary exactions to which the landholders of that great province had

been for ages subject. This reformation, one of the greatest, perhaps, ever peaceably effected in an extensive and opulent country, has since been followed in the other British territories in the East; and it is the first certain example in India of a secure private property in land, which the extensive and undefined territorial claims of Indian Princes had, in former times, rendered a subject of great doubt and uncertainty.

The other distinguishing measure of his government was that Judicial system which was necessary to protect and secure the property thus ascertained, and the privileges thus bestowed. By the combined influence of these two great measures, he may confidently be said to have imparted to the subjects of Great Britain in the East, a more perfect security of person and property, and a fuller measure of all the advantages of civil society, than have been enjoyed by the nations of India, within the period of authentic history; a portion of these inestimable benefits, larger than appears to have been ever possessed by any people of Asia, and probably not much inferior to the share of many flourishing states of Europe in ancient and modern times. It has sometimes been objected to these arrangements, that the revenue of the sovereign was sacrificed to the comfort and prosperity of the subject. This is perhaps impossible,—the interests of both are too closely and inseparably connected. The security of the subject will always enrich him, and his wealth will always overflow into the coffers of the sovereign. But if the objection were just in point of *policy*, it would be the highest tribute to the *virtue* of the Governor. To sacrifice revenue to the well-being of a people, is a blame of which MARCUS AURELIUS would have been proud!*

* The facility with which he applied his sound and strong understanding to subjects the most distant from those which usually employed it, is proved in a very striking manner by a fact which ought not to be

The war in which he was engaged during his Indian government it belongs to the historian to describe ; in this place it is sufficient to say that it was founded in the just defence of an ally, that it was carried on with vigour, and closed with exemplary moderation.

In 1793 he returned to Europe, leaving behind him a greater and purer name than that of any foreigner who had ruled over India for centuries. It is one of the most remarkable circumstances in the history of his life, that great offices were scarcely ever bestowed on him in times when they could be thought mere marks of favour, or very desirable objects of pursuit, but that he was always called upon to undertake them in those seasons of difficulty when the acceptance became a severe and painful duty. One of these unhappy occasions arose in the year 1798.

A most dangerous rebellion had been suppressed in Ireland, without extinguishing the disaffection which threatened that country with future rebellions. The prudence, the vigilance, the unspotted humanity, the inflexible moderation of MARQUIS CORNWALLIS, pointed him out as the most proper person to compose the dissensions of that generous and unfortunate people. He was chosen for that mission of benevolence, and he most amply justified the choice. Besides the applause of all good men and lovers of their country, he received

forgotten by those who wish to form an accurate estimate of this venerable Nobleman.

The Company's extensive investment from Bengal depended in a great measure on manufactures, which had fallen into such a state of decay as to be almost hopeless. The Court of Directors warmly recommended this very important part of their interest to MARQUIS CORNWALLIS. He applied his mind to the subject with that conscientious zeal which always distinguished him as a servant of the public. He became as familiarly acquainted with its most minute details as most of those who had made it the business of their lives, and he has the undisputed merit of having retrieved these manufactures from a condition in which they were thought desperate.

the still more unequivocal honour of the censure of the violent, and the clamours of those whose ungovernable resentments he refused to gratify. He not only succeeded in allaying the animosities of a divided nation, but he was happy enough to be instrumental in a measure, which, if it be followed by moderate and healing counsels, promises permanent quiet and prosperity. Under his administration, Ireland was united to Great Britain. A period was at length put to the long misgovernment and misfortunes of that noble island, and a new era of justice, happiness, and security, opened for both the great members of the British Empire.

The times were too full of difficulty to suffer him long to enjoy that retirement which followed his Irish administration. A war, fortunate and brilliant in many of its separate operations, but unsuccessful in its grand objects, was closed by a treaty of peace, which at first was joyfully hailed by the feelings of the public, and which has since given rise to great diversity of judgment. These are matters upon which no opinion can be uttered in this place. It may, however, be observed, without descending into political contests, that if the terms of the treaty were necessarily not flattering to national pride, it was the more important to choose a negociator who should inspire public confidence, and whose character might shield necessary concessions from unpopularity. Such was unquestionably the principle on which MARQUIS CORNWALLIS was selected, and such, (whatever judgment may be formed of the treaty,) is the honourable testimony which it bears to his character.

The offices bestowed on him were not matters of grace;—every preferment was a homage to his virtue. He was never invited to the luxuries of high station, he was always summoned to its most arduous and perilous duties. India once more needed, or was thought to need, the guardian care of him who had healed the wounds of conquest, and bestowed on her the blessings

of equitable and paternal legislation. Whether the opinion held in England of the perils of our Eastern territories was correct or exaggerated, it is not for us in this place to enquire. It is enough to know that the alarm was great and extensive, and that the eyes of the nation were once more turned towards MARQUIS CORNWALLIS. Whether the apprehensions were just or groundless, the tribute to his character was equal. He once more accepted the government of these extensive dominions, with a full knowledge of his danger, and with no obscure anticipation of the probability of his fate. He obeyed his sovereign, nobly declaring, that if he could render service to his country, it was of small moment to him, whether he died in India or in Europe; and no doubt thoroughly convinced, that it was far wiser to die in the discharge of great duties, than to add a few feeble, inactive years to life.

Great Britain, divided on most public questions, was unanimous in her admiration of this signal sacrifice, and British India, however various might be the political opinions of her inhabitants, welcomed the Governor General with only one sentiment of personal gratitude and reverence. Scarcely had he arrived before he felt the fatal influence of that climate which, with a clear view of its terrors, he had resolved to brave. But he neither yielded to the languor of disease, nor to the infirmity of age. With all the ardour of youth, he flew to the post where he was either to conclude an equitable peace, or, if that were refused, to prosecute necessary hostilities with vigour. His malady became more grievous, and for some time stopped his progress. On the slightest alleviation of his symptoms he resumed his journey, though little hope of recovery remained, with an inflexible resolution to employ what was left of life, in the performance of his duty to his Country. He declared to his surrounding friends, "that he knew no reason to fear death; and that if he could remain in

the world but a short time longer to complete the plans of public service in which he was engaged, he should then cheerfully resign his life to the Almighty Giver." A noble and memorable declaration, expressive of the union of every private, and civil, and religious excellence ; in which the consciousness of a blameless and meritorious life is combined with the affectionate zeal of a dying patriot, and the meek submission of a pious Christian, to the will of God ! But it pleased God, "whose ways are not as our ways," to withdraw him from this region of the universe before his honest wishes of usefulness could be accomplished, though doubtless not before the purposes of providence were fulfilled. He expired at Gazeepore, in the province of Benares, on the 5th of October 1805,—supported by the remembrance of his virtue, and by the sentiments of piety which had actuated his whole life. His remains are interred on the spot where he died, on the banks of that famous river, which washes no country not either blessed by his government, or visited by his renown ; and in the heart of that province so long the chosen seat of religion and learning in India, which under the influence of his beneficent system, and under the administration of good men whom he had chosen, had risen from decline and confusion to a state of prosperity probably unrivalled in the happiest times of its ancient princes. "His body is buried in peace, and his name liveth for evermore."

Let it not be supposed that I have departed from the duties, or even the decorums of a Christian preacher, in speaking so much of matters very foreign from the subject of an ordinary address from the pulpit. The Christian Religion is no vain superstition, which divides the worship of God from the service of man. Every social duty is a Christian grace. Public and private virtue is considered by Christianity as the purest and

most acceptable incense which can ascend before the Divine throne. Political duties are a most momentous part of morality, and morality is the most momentous part of religion. When the political life of a great man has been guided by the rules of morality, and consecrated by the principles of religion, it may, and it ought to be commemorated in the sanctuary, that the survivors may admire and attempt to copy, not only as men and citizens, but as Christians. It is due to the honour of religion and virtue—it is fit for the confusion of the impious and the depraved, to shew that these sacred principles are not to be hid in the darkness of humble life to lead the prejudiced and amuse the superstitious, but that they appear with their proper lustre at the head of councils, of armies, and of empires; the support of valour—the source of active and enlightened beneficence—the companions of all real policy—and the guides to solid and durable glory.

It is happy for the minister of religion when the person whose public merits he has to celebrate, is, in every other respect, such that he may be praised in this place without impropriety.

This is unfortunately not always the case. A distinction has indeed been made in our times among statesmen, between *public* and *private* virtue. They have been supposed to be separable. The neglect of every private obligation, has been supposed to be compatible with public virtue, and the violation of the most sacred public trust has been thought not inconsistent with private worth. A deplorable distinction, the creature of corrupt sophistry, disavowed by reason and morals, and condemned by all the authority of religion. How indeed can a man be actuated by pure principles of conduct toward the public, who, in the *usual commerce of life*, sets at nought every obligation of morals? and how can the statesman who violates morality in

his public life—in *his peculiar and most important province*—deserve credit for adherence to it in the inferior parts of his conduct?

No such disgraceful inconsistency, or flagrant hypocrisy, disgraced the character of the venerable person of whom I speak. Of him, therefore, we may truly say, that, though other statesmen and warriors have done acts which call forth louder applause from the mouth of man, few indeed have passed through a life more worthy of commemoration in the House of God.

For surely it is just and wise, and worthy of the most sacred place, to celebrate the memory of him of whom we may, without suspicion of exaggeration, say, that he performed with equal strictness every office of public or private life; that his public virtue was not put on for parade like a gaudy theatrical dress, but that it was the same integrity and benevolence which attended his most retired moments; that with a simple and modest character, alien from ostentation, and abhorrent from artifice; with no pursuit of popularity, and no sacrifice to court favour; by no other means than an universal reputation for good sense, humanity, and honesty, he gained universal confidence, and was summoned to the highest offices at every call of danger.

He has left us an useful example of the true dignity of these invaluable qualities, and has given us new reason to thank God that we are the natives of a country yet so uncorrupted as to prize them thus highly. He has left us the example of a pure statesman—of a paternal governor—of a warrior who loved peace—of a hero without ambition—of a conqueror who shewed unfeigned moderation in the moment of victory—and of a patriot who devoted himself to death for his country.

May his example be fruitful, as his memory will be immortal. May the last generations of Britons aspire

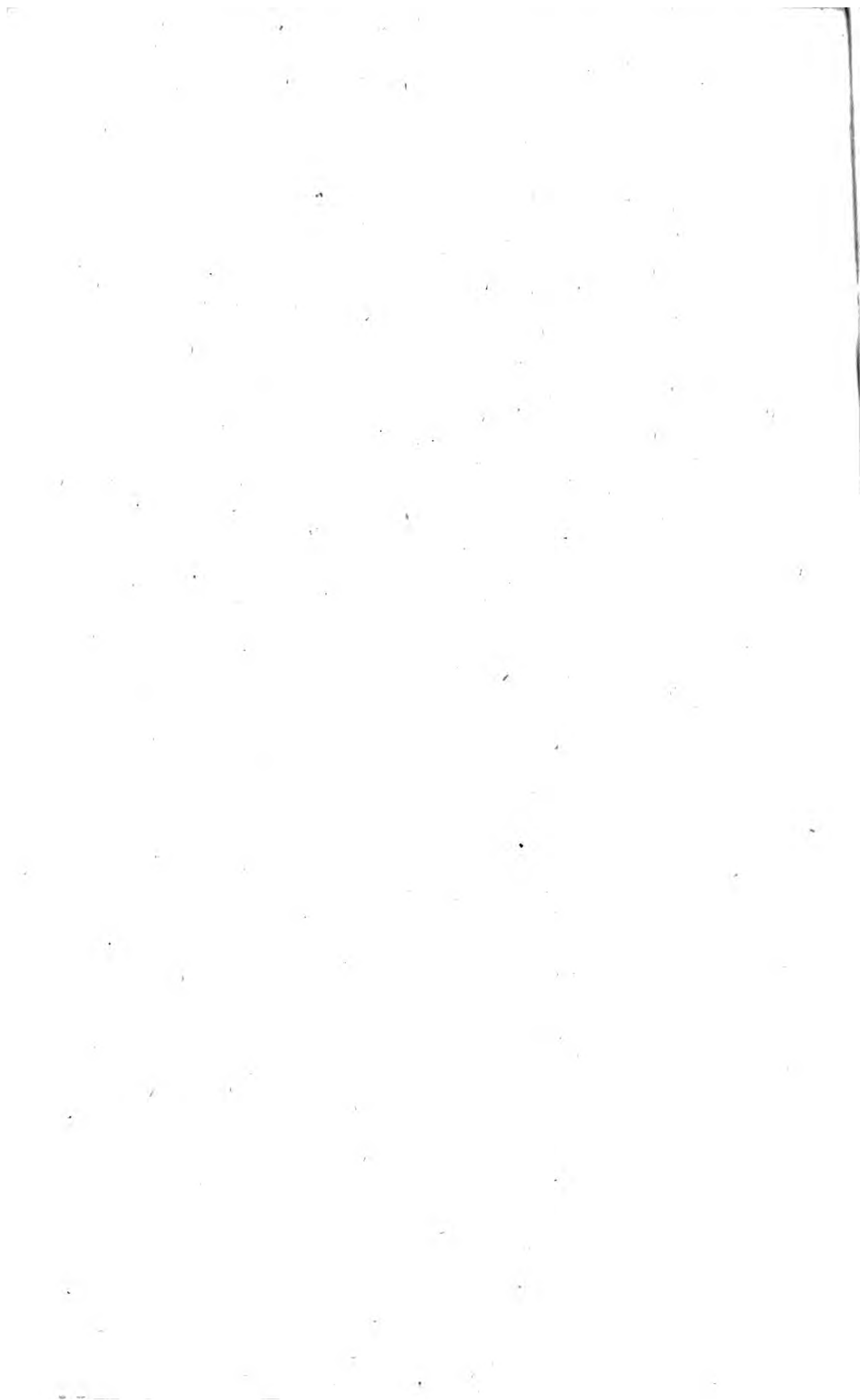
to copy and rival so pure a model. And when the nations of India turn their eyes to his Monument, rising amidst fields which his paternal care has restored to their ancient fertility, may they who have long suffered from the violence of those who are unjustly called *great*, at length learn to love and reverence the *good*.

S P E E C H
ON
THE INDEPENDENCE
OF
SOUTH AMERICA.

DELIVERED
IN THE HOUSE OF COMMONS
15TH JUNE 1824.

BY
THE RIGHT HONOURABLE
SIR JAMES MACKINTOSH.

M.DCCC.XXIV.



S P E E C H
ON
THE INDEPENDENCE
OF
SOUTH AMERICA.

SIR JAMES MACKINTOSH rose and said :—

Mr Speaker—I hold in my hand, a petition from the Merchants of the city of London who are engaged in trade with the countries of America formerly subject to the crown of Spain, praying that the House would adopt such measures as to them may seem meet, to induce his majesty's government to Recognize the Independence of the states in those countries, who have in fact established independent governments. In presenting this petition, I think it right to give the House such information as I possess relating to the number and character of the petitioners, that it may be seen how far they are what they profess to be ; what are their means of knowledge ; what are

likely to be the motives of their application ; what faith is due to their testimony ; and what weight ought to be allowed to their judgment. Their number is one hundred and seventeen. Each of them is a member of a considerable commercial house interested in the trade to America. The petition therefore conveys the sentiments of three or four hundred merchants. The signatures were collected in two days without a public meeting or even an advertisement : it was confined to the American merchants, but the petitioners have no reason to believe that any merchant in London would have declined to put his name to it. I am but imperfectly qualified to estimate the importance and station of the petitioners. Judging from common information, I should consider many of them as in the first rank of the mercantile community. I see among them the firm of Baring and Company, which without disparagement to any others, may be placed at the head of the commercial establishments of the world. I see also the firms of Herring, Powles and Company ; of Richardson and Company ; Goldsmith and Company ; Montefiori and Company ; of Mr Benjamin Shaw, who as chairman of Lloyd's coffee-house represents the most numerous and diversified interests of traffic ; together with many others not equally known to me, but whom, if I did know, I have no

doubt that I might with truth describe as persons of the highest mercantile respectability. I perceive among them the name of Ricardo, which I shall ever honour, and cannot now pronounce without emotion. In a word, the petitioners are the city of London. They contain individuals of all political parties; they are deeply interested in the subject, perfectly conversant with all its commercial bearings; and they could not fill the high place where they stand, if they were not as much distinguished by intelligence and probity, as by those inferior advantages of wealth, which with them are not fortunate accidents, but proofs of personal worth and professional merit.

If it had been my intention to enter fully on this subject, and especially to discuss it adversely to the king's government, I might have chosen a different form of presenting it to the House. But though I am and ever shall be a member of a party associated, as I conceive, for preserving the liberties of the kingdom, I present this petition in the spirit of those by whom it is subscribed, in the hope of relieving that anxious desire which pervades the commercial world—and which is also shared by the people of England—that the present session may not close without some discussion or some explanation on this important subject, as far as that explanation can be given

without inconvenience to the public service. For such a purpose the presentation of a petition affords a convenient opportunity, both because it implies the absence of any intention to blame the past measures of government as foreign from the wishes of the petitioners, and because it does not naturally require to be followed by any motion which might be represented as an invasion of the prerogative of the Crown, or as a restraint on the discretion of its constitutional advisers.

At the same time I must add, that in whatever form or at whatever period of the session I had brought this subject forward, I do not think that I should have felt myself called upon to discuss it in a tone very different from that which the nature of the present occasion appears to me to require. On a question of policy, where various opinions may be formed about the past, and where the only important part is necessarily prospective, I should naturally have wished to speak in a deliberative temper. However much I might lament the delays which had occurred in the recognition of the American states, I could hardly have gone further than strongly to urge that the time was now, at least, come for more decisive measures. With respect indeed to the State Papers laid before us, I see nothing in them to blame or to regret, unless it be that ex-

cess of tenderness and forbearance towards the feelings and pretensions of European Spain which the dispatches themselves acknowledge. In all other respects I can only describe them as containing a body of liberal maxims of policy and just principles of public law, expressed with a precision, a circumspection, and a dignity which will always render them models and masterpieces of diplomatic composition. Far from assailing these valuable documents, it is my object to uphold their doctrines, to reason from their principles, and to contend for nothing more than that the future policy of England on this subject may be governed by them. On them I rest. From them seems to me to flow every consequence respecting the future which I think most desirable. I should naturally have had no other task than that of quoting them, of showing the stage to which they had conducted the question, of unfolding their import where they are too short for the generality of readers, and of enforcing their application to all that yet remains undone. But something more is made necessary by the confusion and misconception which prevail on one part of the subject. I have observed with astonishment, that persons otherwise well informed should here betray a forgetfulness of the most celebrated events in history, and an unacquaintance with the plainest principles of international

law, which I should not have thought possible if I had not known to be real. I am therefore obliged to justify these State Papers before I appeal to them. I must go back for a moment to those elementary principles which are so grossly misunderstood. And first, with respect to the term "Recognition," the introduction of which into these discussions has proved the principal occasion of darkness and error. It is a term which is used in two senses so different from each other as to have nothing very important in common. The first, which is the true and legitimate sense of the word "Recognition" as a technical term of international law, is that in which it denotes the explicit acknowledgment of the independence of a country by a state which formerly exercised sovereignty over it. Spain has been doomed to exhibit more examples of this species of recognition than any other European state, of which the most memorable cases are the acknowledgment of the independence of Portugal and Holland. This country also paid the penalty of evil counsels in that hour of folly and infatuation, which led to a hostile separation between the American colonies and their mother country. Such recognitions are renunciations of sovereignty. They are a surrender of the power or of the claim to govern. They are of the utmost importance, as

quieting possession, and extinguishing a foreign pretension to authority; they free a nation from the evils of a disputed sovereignty; they remove the only competitor who can with any colour of right contend against the actual government; and they secure to a country the advantage of undisputed independence.

But we, who are as foreign to the Spanish states in America as we are to Spain herself, who never had any more authority over them than over her, have in this case no claims to renounce, no power to abdicate, no sovereignty to resign, no legal rights to confer. They are as independent without our acknowledgment of their independence as with it. No act of ours can even remove an obstacle which stands in the way of their independence, or withdraw any force which disturbs its exercise. What we have to do is therefore not recognition in its first and most strictly proper sense. It is not by formal stipulations or solemn declarations that we are to recognize the American states; but by measures of practical policy which imply that we acknowledge their independence. Our recognition is virtual. We are called upon to treat them as independent; to establish with them the same relations and the same intercourse which we are accustomed to maintain with other governments; to deal with them in every respect

as commonwealths entitled to admission into the great society of civilized states. The most conspicuous part of such a practical recognition, is the act of sending and receiving diplomatic agents. It implies no guarantee, no alliance, no aid, no approbation of the successful revolt ; no intimation of an opinion concerning the justice or injustice of the means by which it has been accomplished. These are matters beyond our jurisdiction. It would be usurpation in us to sit in judgment upon them. As a State, we can neither condemn nor justify revolutions which do not affect our safety and are not amenable to our laws. We deal with the authorities of new states, on the same principles and for the same object as with those of old. We consider them as governments actually exercising authority over the people of a country, with whom we are called upon to maintain a regular intercourse by diplomatic agents for the interests of Great Britain and for the security of British subjects. The principle which requires such an intercourse is the same, whether governments be old or new. Antiquity affords a presumption of stability, which like all other presumptions, may and does fail in particular instances. But in itself it is nothing ; and when it ceases to indicate stability, it ought to be regarded by a foreign country as of no account. The tacit

recognition of a new state, with which alone I am now concerned, not being a judgment for the new government, or against the old, is not a deviation from perfect neutrality, or a cause of just offence to the dispossessed ruler.* When Great Britain recognized the United States, it was a concession by the recognizing power of which the object was the advantage and security of the government recognized. But when Great Britain (I hope very soon) recognizes the

* These doctrines are so indisputable that they are not controverted even by the jurists of the Holy Alliance, whose writings in every other respect bear the most ignominious marks of the servitude of the human understanding under the empire of that confederacy. Martens, who in the last edition of his *Summary of International law* has sacrificed even the principle of national independence (Liv. III. c. ii. s. 74.) without which no such law could be conceived, yet speaks as follows on recognitions:—"Quant à la simple reconnaissance, il semble qu'une nation étrangère, n'étant pas obligée à juger de la légitimité, peut toutes les fois qu'elle est douteuse se permettre de s'attacher au seul fait de la possession, et traiter comme indépendant de son ancien Gouvernement, l'état ou la province qui jouit dans le fait de l'indépendance, sans blesser par là les devoirs d'une rigoureuse neutralité."—Martens, *Précis du droit des Gens*, Liv. III. c. ii. s. 80. Goett. 1821. Yet a comparison of the above sentence with the parallel passage of the same book in the edition of 1789 is a mortifying specimen of the decline of liberty of opinion in Europe.

Even Kluber, the publisher of the proceedings of the congress of Vienna, assents to the same doctrine, though he insidiously contrives the means of evading it by the insertion of one or two ambiguous words: "La souveraineté est acquise par un état, ou lors de sa fondation ou bien lorsqu'il se dégage légitimement de la dépendance dans laquelle il se trouvait. Pour être valide, elle n'a pas besoin d'être reconnue ou garantie par une puissance quelconque; pourvu que la possession ne soit pas vicieuse."—Kluber, *Droit des Gens*, Part i. c. i. s. 23. Stutgard, 1819.

Mr. Kluber would find it difficult to answer the question "Who is to judge whether the acquisition of independence be legitimate or its possession vicious?" and it is evident that the latter qualification is utterly unmeaning; for if there be an original fault which vitiates the possession of independence, it cannot be removed by foreign recognition, which, according to this writer himself, is needless where the independence is lawful, and must therefore be useless in those cases where he insinuates, rather than asserts, that foreign states are bound or entitled to treat it as unlawful.

states of Spanish America, it will not be as a concession to them, for they need no such recognition ; but it will be for her own sake, to promote her own interest ; to protect the trade and navigation of her subjects ; to acquire the best means of cultivating friendly relations with important countries, and of composing by immediate negotiation those differences which might otherwise terminate in war. The first species of recognition is for the benefit of the state which is acknowledged. The second is for the benefit of the state which makes the acknowledgment. The first is the waiver of a legal pretension. The second, only the acknowledgment of a fact, together with a policy required by that acknowledgment. Are these new doctrines? Quite the contrary. They are founded on the ancient practice of Europe. They have been acted upon for more than two centuries by England as well as other nations.

I have already generally alluded to the memorable and glorious revolt by which the United Provinces of the Netherlands threw off the yoke of Spain. Nearly fourscore years passed from the beginning of that just insurrection, to the time when a recognition of independence was at last extorted from Castilian pride and obstinacy.

The people of the Netherlands first took up arms to obtain the redress of intolerable

grievances, and for many years they forbore from proceeding to the last extremity against their tyrannical king.* It was not till Philip had formally proscribed the prince of Orange (the purest and most perfect model of a patriotic hero), putting a price on his head, and promising not only pardon for every crime, but the honours of nobility † to any one who should assassinate him, that the states-general declared the king of Spain to have forfeited, by a long course of merciless tyranny, his rights of sovereignty over the Netherlands.‡ Several assassins attempted the life of the good and great prince of Orange: one wounded him dangerously: another consummated the murder—a zealot of what was then, as it is now, called legitimacy. He suffered the punishment due to his crime; but the king of Spain bestowed on his family the infamous nobility which had been earned by the assassin; an example which has also disgraced our age. Before and after that murder,

* The following are the words of their illustrious historian:—"Post longam dubitationem—ab ordinibus Belgarum Philippo, ob violatas leges, imperium abrogatum est; lataque in illum sententia cum quo, si verum fatemur, novem jam per annos bellatum erat; sed tunc primum desitum nomen ejus et insignia usurpari, mutataque verba solennis jurjurandi, ut qui princeps hactenus erat, hostis vocaretur. Hoc consilium vicinas apud gentes necessitate et tot irritis ante precibus excusatum, hand desiere Hispani ut scelus insectari, parum memores, pulsum a majoribus suis regno invisæ crudelitatis regem, eique prælatam stirpem, non ex legibus genitam; ut jam taceantur vetera apud Francos, minus vetera apud Anglos, recentiora apud Danos et Sueonas dejectorum regum exempla."—Grotii Ann. Lib. iii. sub an. 1581.

† March 15, 1580. Dumont, Corps Diplom. v. 368.

‡ July 15, 1581. Id. 413.

the greatest vicissitudes of fortune had attended the arms of those who fought for the liberties of their country. Their chiefs were driven into exile; their armies were dispersed; the greatest and most opulent of the Belgic provinces, misled by priests, had made their peace with the tyrant. The greatest captains of the age commanded against them. The duke of Alva employed his valour and experience to quell the revolts which had been produced by his cruelty. The genius of the prince of Parma long threatened the infant liberty of Holland. Spinola balanced the consummate ability of prince Maurice, and kept up an equal contest, till Gustavus Adolphus rescued Europe from the holy allies of that age. The insurgents had seen with dread the armament called Invincible, which was designed, by the conquest of England, to destroy the last hopes of the Netherlands. Their independence appeared more than once to be annihilated—it was often endangered—it was to the last fiercely contested. The fortune of war was as often adverse as favourable to their arms.

It was not till the 30th of January 1648, nearly eighty years after the revolt, nearly seventy after the declaration of independence, that the crown of Spain, by the treaty of Munster, recognised the republic of the United Provinces, and renounced all pre-

tensions to sovereignty over their territory. What, during that long period, was the policy of the European states? Did they wait for eighty years, till the obstinate punctilio or lazy pedantry of the Escorial was subdued? Did they forego all the advantages of friendly intercourse with a powerful and flourishing republic? Did they withhold from that republic the ordinary courtesy of keeping up a regular and open correspondence with her through avowed and honourable ministers? Did they refuse to their own subjects that protection for their lives and properties, which such a correspondence alone could afford? All this they ought to have done, according to the principles of those who would resist the prayer of the petition in my hand.

But nothing of this was then done or dreamt of. Every state in Europe, except the German branch of the house of Austria, sent ministers to the Hague, and received those of the states-general. Their friendship was prized, their alliance courted, and defensive treaties formed with them by powers at peace with Spain, from the heroic Gustavus Adolphus to the barbarians of Persia and Muscovy. I say nothing of Elizabeth, herself proscribed as an usurper, the stay of Holland, and the leader of the liberal party throughout Europe. But no one can question the authority, on

this point, of her successor, the great professor of legitimacy, the founder of that doctrine of the divine right of kings, which led his family to destruction. As king of Scotland, in 1594, fifty-four years before the recognition by Spain, he recognised the states-general as the successors of the houses of Austria and Burgundy, by stipulating with them the renewal of a treaty concluded between his mother queen Mary and the emperor Charles 5th.

In 1604, when James made peace with Spain, eager as he was by that transaction to be admitted into the fraternity of legitimate kings, he was so far curbed by the counsellors of Elizabeth, that he adhered to his own and to her recognition of the independence of Holland ; the court of Madrid virtually acknowledging by several articles* of the treaty, that such perseverance in the recognition was no breach of neutrality and no obstacle to friendship with Spain. At the very moment of the negotiation, Winwood was dispatched with new instructions as minister to the states-general. It is needless to add that England, at peace with Spain, continued to treat Holland as an independent state for the forty-four

* See particularly Art. xii. and xiv. in Rymer xvi. The extreme anxiety of the English to adhere to their connexion with Holland, appears from the Instructions and Despatches in Winwood, L. i.

years which passed from that treaty to the recognition of Munster.

The policy of England towards Portugal, though in itself far less memorable, is still more strikingly pertinent to the purpose of this argument. On the 1st of December 1640, the people of Portugal rose in arms against the tyranny of Spain, under which they had groaned about sixty years. They seated the duke of Braganza on the throne. In January 1641, the Cortes of the kingdom were assembled to legalize his authority, though seldom convoked by his successors after their power was consolidated. Did England then wait the pleasure of Spain? Did she desist from connexion with Portugal, till it appeared from long experience that the attempts of Spain to recover that country must be unavailing? Did she even require that the Braganza government should stand the test of time before she recognised its independent authority? No; within a year of the proclamation of the duke of Braganza by the Cortes, a treaty of peace and alliance was signed at Windsor between Chas. 1st. and John 4th. which not only treats with the latter as an independent sovereign, but expressly speaks of the king of Castile as a dispossessed ruler; and alleges on the part of the king of England, that he was moved to conclude this treaty "by his solicitude

to preserve the tranquillity of his kingdoms, and to secure the liberty of trade of his beloved subjects." * The contest was carried on ; the Spaniards obtained victories ; they excited conspiracies ; they created divisions. The palace of the king of Portugal was the scene of domestic discord, court intrigue, and meditated usurpation. There is no trace of any complaint or remonstrance, or even murmur, against the early recognition by England, though it was not till twenty-six years afterwards that Spain herself acknowledged the independence of Portugal, and (what is remarkable) made that acknowledgment in a treaty concluded under the mediation of England. †

To these examples let me add an observation upon a part of the practice of nations, strongly illustrative of the principles which ought to decide this question. All the powers of Europe treated England under the commonwealth and the protectorate, as retaining her rights of sovereignty. They recognised these governments as much as they had recognised the monarchy. The friends of Charles 2nd did not complain of this policy. That monarch, when restored, did not disallow the treaties of foreign powers with the republic or with Cromwell.

* Dumont, vi. 238.

† Treaty of Lisbon, February 23, 1668. Dumont, vii. 70.

Why? Because these powers were obliged, for the interest of their own subjects, to negotiate with the government which, whatever might be its character, was actually obeyed by the British nation. They pronounced no opinion on the legitimacy of that government; no judgment unfavourable to the claims of the exiled prince; they consulted only the security of the commerce and intercourse of their own subjects with the British islands.

It was quite otherwise with the recognition, by Louis 14th. of the son of James 2nd. when his father died, as king of Great Britain. As that prince was not acknowledged and obeyed in England, no interest of France required that Louis should maintain an intercourse or take any notice of his pretensions. A correspondence with the son of James 2nd could neither preserve peace between the two countries, nor protect the persons and properties of Frenchmen in England. That recognition was therefore justly resented by England as a wanton insult; as a direct interference in her internal affairs, as an assumption of authority to pronounce against the lawfulness of her government.* The recognition

* "Le Comte de Manchester, ambassadeur d'Angleterre, ne parut plus à Versailles après la reconnaissance du Prince de Galles, et partit, sans prendre congé quelques jours après l'arrivée du Roi à Fontainebleau. Le Roi Guillaume reçut en sa maison de Loo en Hollande la nouvelle de la mort du Roi Jacques et de cette reconnaissance. Il étoit

of the ruler in possession, however he may be called or thought an usurper, is therefore no wrong to the dispossessed claimant ; but great wrong is done to the government which exercises authority by the recognition of a pretender who is without actual power, however just his pretensions to it may be believed to be.

I am aware, Sir, that our complaints of the interference of France in the American war may be quoted against my argument. Those who glance over the surface of history may see some likeness between that case and the present. But the resemblance is merely superficial. It disappears on the slightest examination. It was not of the establishment of diplomatic relations with America by France in 1778 that Great Britain complained. We now know from the last edition of the memoirs of the marquis de Bouille, that from the first appearance of discontent in 1765, the Duc de Choiseul employed secret agents to excite commotion in North America. That gallant and accomplished officer himself was no stranger to these intrigues after the year

alors à table avec quelques autres seigneurs. Il ne proféra pas une seule parole outre la nouvelle ; mais il rougit, enfonça son chapeau, et ne put contenir son visage. Il envoya ordre à Londres d'en chasser sur le champ Poussin, et de lui faire repasser la mer aussi-tôt après. Il faisoit les affaires du Roi en l'absence d'un ambassadeur et d'un envoy. Cet éclat fut suivi de près de la signature de la grande alliance défensive et offensive contre la France et l'Espagne, entre l'Empereur et l'Empire, l'Angleterre et la Hollande."—*Mem. de St. Simon.*

1768, when he became governor of Guadeloupe.* It is well known that the same clandestine and treacherous machinations were continued to the last in a time of profound peace, and in spite of professions of amity so repeated and so solemn, that the breach of them produced a more than political resentment in the mind of king George 3rd. against the house of Bourbon. We also learn, from no contemptible authority, that at the very time that the preliminaries of peace were signed at Fontainebleau in 1762 by the Duc de Choiseul and the duke of Bedford, the former of these ministers concluded a secret treaty with Spain, by which it was stipulated, that in eight years both powers should attack England; a design of which the removal of Choiseul defeated the execution †. The recognition was no more than the consummation and avowal of those dark designs which had so long been carried on. So conscious was the court of Versailles of their own perfidy, that they expected war to be the immediate consequence of it. On the same day with the treaty of commerce ‡ they signed another secret treaty, eventual and defensive, with North America, by

* Mém. de Bouille, p. 15. Paris, 1821, Relation du Voyage de Louis XVI. à Varennes, par M. le Duc de Choiseul, p. 14. Paris, 1822.

† Ferrand, Trois Démembrements de la Pologne, i. 76.

‡ Martens, Recueil, i. 701, February 6, 1778.

which it was stipulated, that in case of war between France and England during the war then waging, France and America should make common cause. The division of the territories to be conquered was even provided for. Negligent and supine as were the English ministers, they can hardly be supposed to have been altogether ignorant of these secret treaties. The cause of war was not a mere recognition after a long warning to the mother country; after a more than generous forbearance shown to her dignity and claims, as it would be in the case with Spanish America; it was, that France, in defiance of the most solemn assurances of her ministers, and it is said of her sovereign, at length openly avowed those machinations to destroy the union between the British nation and the people of America—Englishmen by blood, and freemen by principle, dear to us by both ties, but most dear by the last—which they had carried on during so many years of peace and pretended friendship, and of which they themselves felt that this concluding act must produce war.

I now proceed to review the progress which we have already made towards the recognition of the states of Spanish America, as it appears in the papers before the House. I will not dwell on the statute 3 Geo. 4th. c. 43, which provides, “that the merchan-

dize of countries in America or the West Indies, being or having been a part of the dominions of the king of Spain, may be imported into Great Britain in ships, which are the built of these countries;" though that clause must be allowed to be an acknowledgment of independence, unless it could be said that the provinces separated from Spain were either countries without inhabitants, or inhabited by men without a government. Neither will I say any thing of the declaration made to Spain in November, that consuls must be immediately sent to South America, though I shall hereafter argue, that the appointment of consuls is as much an act of recognition as the appointment of higher ministers. Lord Liverpool indeed said, that it was "treating South America as independent," which is the only species of recognition which we have a right to make. I should be the last to blame the suspension of that purpose during the lawless and faithless invasion of Spain, then threatened, and soon after executed, which was undoubtedly a legitimate reason for doing nothing, however otherwise just and desirable, which could tend to weaken the Spanish government. So strongly was I convinced of the sacredness of that duty, that I at that time declined to present a petition of a nature

similar to that which I now offer to your consideration. Nothing under heaven could have induced me to give the slightest aid to the unrighteous violence which then menaced the independence of Spain.

The dispatch of Mr. Secretary Canning to Sir Charles Stuart, of the 31st of March 1823, is the first paper which I wish to recall to the remembrance, and recommend to the serious attention of the House. It declares, that time and events have decided the separation of Spanish America; that various circumstances in their internal condition may accelerate or retard the recognition of their independence; and it concludes with intelligibly intimating that Great Britain would resist the conquest of any part of these provinces by France. The most explicit warning was thus given to Spain, to France, and to all Europe, as well as to the states of Spanish America, that Great Britain considered their independence as certain; that she regarded the time of recognising it as a question only of policy; and that she would not suffer foreign powers to interfere for preventing its establishment. France, indeed, is the only power named; but the reason of the case applied to every other, and extended as much to conquest under the name of Spain as if it were made avowedly for France.

The next document to which I shall refer is the memorandum of a conference between M. de Polignac and Mr Secretary Canning on the 9th of October, 1823; and I cannot help earnestly recommending to all persons who have any doubt with respect to the present state of this question, or to the footing on which it has stood for many months, who do not see or do not own that our determination has long been made and announced, to observe with care the force and extent of the language of the British government on this important occasion. "The British government," it is there said, "were of opinion that any attempt to bring Spanish America under its ancient submission must be utterly hopeless; that all negotiation for that purpose would be unsuccessful; and that the prolongation or renewal of war for the same object could be only a waste of human life, and an infliction of calamities on both parties to no end." Language cannot more strongly declare the conviction of Great Britain that the issue of the contest was even then no longer doubtful; that there was indeed no longer any such contest as could affect the policy of foreign states towards America. As soon as we had made known our opinion in terms so positive to the European and American states, the pre-

tensions of Spain could not in point of justice be any reason for a delay of recognition. It would be absurd to speak of equal contest after declaring the event to be certain, or to consider any measure of ours as capable of lessening the probability of the success of Spain when we had pronounced that all her attempts must be utterly hopeless. After declaring that we should remain, however, "strictly neutral if war should be unhappily prolonged," we go on to state more explicitly than before, "that the junction of any power in an enterprise of Spain against the colonies would be viewed as an entirely new question, upon which they must take such decision as the interest of Great Britain must require"—language which, however cautious and moderate in its forms, is in substance too clear to be misunderstood.

After this paragraph, no state in Europe had a right to affect surprise at the recognition, if it had been proclaimed on the following day. Still more clearly, if possible, is the same principle avowed in a subsequent paragraph, "that the British government had no desire to precipitate the recognition, so long as there was any reasonable chance of an accommodation with the mother country, by which such a recognition might come first from Spain.

But that it could not wait indefinitely for that result; that it could not consent to make its recognition of the new states dependent on that of Spain; "and that it would consider any foreign interference, either by force or by menace, in the dispute between Spain and the colonies, as a motive for recognising the latter without delay." And here in a matter less important I should be willing to stop, and to rest my case on this passage alone. Words cannot be more explicit. It is needless to comment on them, and impossible to evade them. We declare, that the only accommodation which we contemplate, is one which is to terminate in recognition by Spain; that we cannot indefinitely wait even for that result. We assert our right to recognise, whether Spain recognises or not; and we state a case in which we should immediately recognise, independently of the consent of the Spanish government, and without regard to the internal state of the American provinces. As a natural consequence of these positions, we decline any part in a proposed congress of European powers for regulating the affairs of America.

I cannot quit this document without paying a just tribute to that part which relates to commerce—to the firmness with which it asserts the right of this country to continue her important trade with America, as well

as the necessity of the appointment of consuls for the protection of that trade; and the distinct annunciation, "that an attempt to renew the obsolete interdictions would be best cut short by a speedy and unqualified recognition of the independence of the South American states." Still more do I applaud the declaration, "that Great Britain had no desire to set up any separate right to the free enjoyment of this trade; that she considered the force of circumstances and the irreversible progress of events to have already determined the question of the existence of that freedom for all the world." These are declarations equally wise and admirable. They coincide indeed so evidently with the well-understood interest of every state, that it is mortifying to be compelled to speak of them as generous; but they are so much at variance with the base and short-sighted policy of governments, that it is refreshing and consolatory to meet them in the acts of state: at least when, as here, they must be sincere, because the circumstances of their promulgation secure their observance, and indeed render deviation from them impossible. I read them over and over with the utmost pleasure. They breathe the spirit of that just policy and sound philosophy, which teaches us to regard the interest of our country as best promoted by an in-

crease of the industry, wealth, and happiness of other nations.

Although the attention of the House is chiefly directed to the acts of our own government, it is not foreign from the purpose of my argument to solicit them for a few minutes to consider the admirable message sent, on the 2d of December 1823, by the President of the United States to the Congress of that great Republic. I heartily rejoice in the perfect agreement of that message with the principles professed by us to the French minister, and afterwards to all the great powers of Europe, whether military or maritime, and to the great English state beyond the Atlantic. I am not anxious to ascertain whether the message was influenced by our communication, or was the mere result of similarity of principle and coincidence of interest. The United States had at all events long preceded us in the recognition. They sent consuls and commissioners two years before us. They found the greater part of South America quiet and secure; and in the agitations of the remainder, they found no obstacles to friendly intercourse with them. Their recognition of these States neither interrupted their amicable relations with Spain, nor occasioned remonstrances from any power in Europe. They declared their neutrality at the moment of recognition.

They solemnly renew that declaration in the message before me. "With the governments who have declared their independence, and maintained it, and whose independence we have on great consideration and on just principles acknowledged, we could not view any interposition for the purpose of oppressing them, or in any way controlling their destiny, by any European power, in any other light than as the manifestation of an unfriendly disposition towards the United States. In the war between Spain and those new governments, we have declared our neutrality, and shall adhere to it, provided no change shall take place which shall make a corresponding change in the policy of the United States indispensable to their security. To what extent the allied powers may carry their system of interference in the internal affairs of nations, is a question in which all independent powers, whose governments differ from theirs, are interested; even those most remote, and surely none more so than the United States. It is impossible that they should extend their policy to any portion of either America, without endangering our peace and happiness; nor can any one believe that our southern brethren, if left to themselves, would adopt it of their own accord. It is equally impossible, therefore, that we should behold this interposition in

any form with indifference. If we look to the comparative strength and resources of Spain, and of those new governments, and to their distance from each other, it must be obvious that she can never subdue them."

Thus does that wise government, in grave but determined language, and with that reasonable and deliberate tone which becomes true courage, proclaim the principles of her policy, and make known the cases in which the care of her own safety will compel her to take up arms for the defence of other states. I have already observed its coincidence with the declarations of England; which indeed is perfect, if allowance be made for the deeper, or at least more immediate, interest in the independence of South America, which near neighbourhood gives to the United States. This coincidence of the two great English commonwealths (for so I delight to call them, and I heartily pray that they may be for ever united in the cause of justice and liberty) cannot be contemplated without the utmost pleasure by every enlightened citizen of either. Above all, Sir, there is one coincidence between them, which is, I trust, of happy augury to the whole civilized world. They have both declared their neutrality in the American contest as long as it shall be confined to Spain and her former colonies. But both require that it shall be limited to

these original combatants. Both declare that no foreign power shall interfere; that if Spain should be converted into one of the fangs of the Holy Alliance, that beast of prey shall not be suffered to plunge it into the heart of America, nor to spread the baleful influence over the new Continent, under which the old already groans; that English liberty will resist it in America as English liberty will resist it in Europe. I will be bold enough to say that no minister ever existed who could now persuade England to connive at such new usurpations of the Holy Alliance. If any minister were to fail in the attempt to resist them, he would be speedily carried back to power with glory by the people. If any slave or bigot were found mean and hardy enough to purchase office by acquiescing in such connivance, the English nation would ignominiously hurl him from a station which he would disgrace.

On the 25th of December 1823, M. Oflalia, the Spanish minister for foreign affairs, proposed to the principal powers of Europe a conference at Paris on the best means of enabling his Catholic majesty to re-establish his legitimate authority, and to spread the blessings of his paternal government over the vast provinces of America which once acknowledged the supremacy of Spain. To this communication, which was made also to this government, an answer was given

which cannot be read without approbation and pleasure. Had it indeed been of an opposite sort, it would have caused the blood of every true Englishman to boil with indignation. In this answer, the proposition of a congress is once more rejected; the British government adheres to its original declaration, that it would wait for a time, but a limited time only, and would rejoice to see his Catholic majesty have the grace and advantage of taking the lead among the powers of Europe in the recognition of the American states, as well for the greater benefit and security of these states themselves, as from the generous disposition felt by Great Britain to spare the remains of dignity and grandeur, however infinitesimally small, which may still be fancied to belong to the thing called the crown of Spain. Even the shadow of long-departed greatness was treated with compassionate forbearance: but all these courtesies and decorums were to have their limit. The interest of Europe and America imposed higher duties, which were not to be violated for the sake of leaving undisturbed the precedents copied by public offices at Madrid, from the power of Charles 5th. or the arrogance of Philip 2nd. The principal circumstance in which this dispatch added to the proceeding, was, that it both laid a wider foundation for the policy of recognition, and made a much

nearer approach to exactness in fixing the time beyond which it could not be delayed. "It appears manifest to the British government," says the dispatch, "that if so large a portion of the globe should remain much longer without any recognised political existence, or any definite political connexion with the established governments of Europe, the consequence of such a state of things must be at once most embarrassing to those governments, and most injurious to the interests of all European nations. For these reasons, and not from mere views of commercial policy, the British government is decidedly of opinion that the recognition of such of the new states as have established *de facto* their separate political existence, cannot be much longer delayed. The court of Madrid must be aware that the discretion of his majesty cannot be indefinitely bound up by that of his Catholic majesty, and that even before many months elapse, the desire now sincerely felt by the British government to leave this precedency to Spain may be overborne by considerations of a more comprehensive nature—considerations regarding not only the essential interests of his majesty's subjects, but the relations of the old world with the new."

The House can require nothing but to be reminded of these declarations. They are too explicit, precise, and even minute, to need the least explanation. The purport of

the dispatch is, to warn Spain that the recognition cannot be delayed for many months ; and the force of that warning is very much strengthened by the reasons which are assigned against delay. They distinguish it from a mere threat—and are of such a nature, that they render it impossible for a government to retreat from its declaration without sacrificing its honour, and incurring the imputation of being driven from its principles and interests by fear. I entreat the House to meditate on the grounds which are stated for early recognition. Are they not such, that, if they were sincerely and deliberately employed, they cannot be abandoned without dishonour, and without the danger which dishonour never fails to bring on great nations? But there can be no excuse for levity (if excuse in that case were possible), none for insincerity ; for the dispatch of the 30th January is the consummation and conclusion of a series of measures and declarations, which continued for nearly two critical and eventful years.

Subsequent to the 30th of January, I can have no official information, I have heard, and I believe, that Spain has answered this dispatch ; that she repeats her invitation to England to send a minister to the proposed congress ; and that she has notified the assent of Russia, Austria, France and Prussia

to be parties to that proceeding. I have heard, and I also believe, that England on this occasion has proved true to herself; that, in conformity to her ancient character and in consistency with her repeated declarations, she has declined all discussion of this question with the Holy or unholy Alliance. Would to God that we had from the beginning kept aloof from these congresses, in which we have made shipwreck of our ancient honour! If that were not possible, would to God that we had protested at least by silence and absence against that conspiracy at Verona, which has annihilated the liberties of continental Europe! In confirmation of the review which I have taken of the documents, I may also here mention the declaration made in this House, that during the occupation of Spain by a French army, every armament against the Spanish ports must be considered as having a French character, and being therefore within the principle repeatedly laid down in the papers. Spain indeed, as a belligerent, can be now considered only as a fang of the Holy Alliance, powerless in itself, but which that monster has the power to arm with three-fold steel.

As the case now stands, I conceive it to be declared by Great Britain, that the acknowledgment of the independence of Spanish America is no breach of faith or neu-

trality towards Spain; that such an acknowledgment might long ago have been made without any violation of her rights or interposition in her affairs; that we have been for at least two years entitled to make it by all the rules of international law; that we have delayed it, from friendly consideration for the feelings and claims of the Spanish government; that we have now carried our forbearance to the utmost verge of reasonable generosity; and, having exhausted all the offices of friendship and good neighbourhood, are at perfect liberty to consult only the interest of our own subjects, and the just pretensions of the American states. The time allowed to Spain for consideration of this great question is expired. Generosity towards her would now be injustice to the rest of the world. Having thus excluded Spain from any influence on our future policy, we still more clearly protest against the influence of other states, who never had any right to be consulted or heard by us on a subject absolutely foreign to them. We have refused to be a party to any congress of the Holy or unholy Alliance; we have, I hope, at length dissolved our unnatural union with them; and having resolutely declared our determination not to be influenced by their counsels, we should certainly not endure their insolent injustice if they dared to require that we should abstain

from recognising the independence of Spanish America. I cast from me, therefore, with scorn and disdain, the supposition that any other power will presume to interfere in our policy, or to question our undoubted right to use the best means of cultivating friendship with the American states.

In adopting this recognition now, we shall give just offence to no power; and if we once suffer ourselves to be influenced by the apprehension of the danger of resisting unjust pretensions, we destroy the only bulwark of principle that guards a nation against falling into unconditional submission. There never was a time when it would be more perilous to make concessions, or to shew feebleness and fear. We live in an age of the most extravagant and monstrous pretensions supported by tremendous force. A confederacy of absolute monarchs claim the right of controlling the internal government of all nations. In the exercise of that usurped power they have already taken military possession of the whole continent of Europe. All continental governments either obey their laws or tremble at their displeasure. England has condemned their principles; she is independent of their power; they ascribe all the misfortunes of the present age to the example of her institutions; and they know that her laws must to the last moment of her independ-

ence protect that liberty of political discussion from which they profess to dread confusion, revolution, rapine, and bloodshed. On England, therefore, they must look with irreconcilable hatred. They must desire her destruction. As long as she is free and powerful, their system is incomplete, all the precautions of their tyrannical policy are imperfect, and their oppressed subjects may once more turn their eyes to this island, indulging the hope that circumstances will one day compel us to exchange the alliance of kings for the friendship of nations.

I will not say that such a state of the world does not require a considerate and circumspect policy. I acknowledge, and should earnestly contend, that there never was a moment at which the continuance of peace was more desirable. After passing through all the sufferings of twenty years universal war, and feeling its internal evils perhaps more severely since its close than when it raged most widely and fiercely, we are only now beginning to taste the natural and genuine fruits of peace. The robust constitution of a free community is just showing its power to heal the deepest wounds, to compose obstinate convulsions, and to restore health and vigour to every disordered function or disabled member. I deprecate the occurrence of what must disturb this noble process—one of the miracles

of liberty. But I am also firmly convinced, that prudence in the present circumstances of Europe forbids every measure that can be represented as having the appearance of fear. If we carry our caution further than strict abstinence from injustice, we cannot doubt to what motive our forbearance will be imputed. It is very dangerous to yield to those whose pretensions are exorbitant. It is hard to compromise with those, whose safety may in their opinion require that we should be weakened and dishonoured. Let us not adopt any ambiguous policy, which may enable the Holy Alliance to cry out triumphantly, that after having declared to the world that we are entitled to recognise South America, and that it is our interest to cultivate her friendship ; that the claims of Spain even on our generosity are now at an end, and that we set at nought all interposition of other powers ; we still abstain from the advantageous exercise of an undisputed right, lest we should incur the displeasure of monarchs whose interference we profess to reject with indignation. Every delay is liable to that interpretation. The least scrupulous politicians condemn falsehood when it wears the appearance of fear. It may be sometimes unsafe to fire at the royal tiger who suddenly crosses your path in an eastern forest ; but it is thought fully as dangerous to betray your fear by running

away. Prudent men quietly pursue their road without altering their pace, without provoking or tempting the ferocious animal.

Having thus traced the progress of measures which have led us to the very verge of recognition, the question naturally presents itself, Why do we not now recognize? It is not so much my part to show cause for a new measure, as it is the duty of the government to tell us why they do not complete their own system. Every preparation is made, every adverse claim is rejected, ample notice is given to all parties. Why is the determination delayed? We are irrevocably pledged to maintain our principles, and to act on them towards America. We have cut off all honourable retreat. Why should we seem to hesitate? America expects from us the common marks of amity and respect. Spain cannot complain at their being granted. No other state can intimate an opinion on the subject, without an open attack on the independence of Great Britain. What then hinders the decisive word from being spoken?

We have already, indeed, taken one step more in addition to those on which I have too long dwelt. We have sent consuls to all the ports of Spanish America to which we trade, as well as to the seats of the new governments in that country. We have seen in the public papers, that the consul at

Buenos Ayres has presented a letter from the secretary of state for foreign affairs in this country, to the secretary of that government, desiring that they would grant the permission to the consul, without which he cannot exercise his powers.* Does not this act acknowledge the independence of the state of Buenos Ayres? An independent state alone can appoint consuls. An independent state only can receive consuls. We have not only sent consuls but commissioners. What is their character? can it be any other than that of an envoy with a new title? Every agent publicly accredited to a foreign government, and not limited by his commission to commercial affairs, must, in reality, be a diplomatic minister, whatever may be his official name. We read of the public and joyful reception of these commissioners, of presents made by them to the American administrators, and of speeches in which they announce the good will of the government and people of England towards the infant republics. I allude to the speech of Colonel Hamilton at Bogota, on which, as

* "Ce n'est pas assez d'être nommé et muni de Lettres de Provision de la part du Souverain. Le Consul doit aussi obtenir l'approbation et l'admission du Souverain du pays, où il doit résider et exercer les fonctions de cet emploi. Cette admission du Consul dépend du bon plaisir du Souverain du lieu de son établissement." Steck, *Essai sur les Consuls*, 56. Berlin, 1790.

"Le Consul doit présenter ses Lettres de Provision au Souverain du pays où il va résider pour obtenir son approbation, son agrément et ses ordres de le reconnoître en cette qualité; ce que l'on appelle Exequatur." *Id.* 58.

I have seen it only in a translation, I can only venture to conjecture, after making some allowance for the overflow of courtesy and kindness which is apt to occur on such occasions, that it expressed the anxious wishes and earnest hopes of this country, that he might find Columbia in a state capable of maintaining those relations of amity which we were sincerely desirous to establish. But surely the whole of these missions amounts to a virtual recognition of the independence of these states.

Where should we apply for redress, if a Columbian privateer were to capture an English merchant-man? Not at Madrid but at Bogota. Does not this answer decide the whole question? Does it not declare that the government of Spain has lost the sovereignty of Caraccas, and that the government of Columbia has succeeded to it? From the moment when the cabinet of Madrid could afford no redress for wrongs done to an Englishman on the Rio de la Plata, it became lawful for the English government to seek that redress where alone it could be found, from the government of Buenos Ayres; and the government of Great Britain owed it to their own subjects to provide the means of obtaining that redress.

It could not be obtained at all without agents on the spot, secret or avowed, expressly or tacitly authorised and instructed by the British government. But British

subjects have a right to expect not merely that their government shall provide some means of redress, but that they should provide adequate and effectual means ; those which universal experience has proved to be the best ; those in which long usage has taught all nations to place confidence. They are not bound to be content with the unavowed agency and precarious good offices of naval officers, nor even with the inferior and imperfect protection of an agent whose commission is limited to the security of trade.

The power of a consul is confined to commercial affairs ; and there are many of the severest wrongs which the merchant suffers, which, as they may not directly affect him in his trading concerns, are not within the proper province of the consul. Merchants are insufficiently secured by a disguised, a clandestine, or a subaltern minister. The English trader at Buenos Ayres ought not to feel his safety less perfect than that of other foreign merchants. Why should he be condemned to envy the North American merchant, who feels that all his private as well as commercial interests are protected by a diplomatic minister who represents the Republic, and whose presence is a constant and visible pledge that her power every where protects her unoffending citizens ? The American trader is not left to gather information, so essential to his comfort, from conjecture or reasoning : he daily

sees it and feels it : he is assured of it by the view of those badges of national protection which mankind have in all ages regarded with veneration. The inferiority of the English trader is considerably aggravated, by the consciousness that the policy of his country in this respect cannot be contemplated with friendly eyes by the state to which he is for a time subject. Mexico and Peru, Columbia and Buenos Ayres, will not easily perceive the equity of the principle which requires them to grant the ordinary protection to Englishmen, without requiring at the same time that they should receive the ordinary marks of friendship from England. It is not the mere absence of an English minister that they will consider ; it is the policy of systematically refusing to hold diplomatic intercourse with them, on the avowed ground that it is at least doubtful whether they are independent nations. The English merchant has no minister to whom he can represent his wrongs with confidence ; and his complaints must be addressed to a government, who, to say the least, must think themselves not so much honoured by England as by North America. You have no right to deprive British subjects of such important advantages, and to expose them at least to disfavour in the country where they trade, or travel, or reside. You ought not without the weightiest reasons to con-

tinue a policy, sure, even in the first instance, to excite some suspicion and alienation, which in time may grow into distrust and displeasure, and at length rankle into anger and hostility. The habit of trusting to an ambassador for security, has a tendency to reconcile the spirit of adventurous industry, with a constant affection for the place of a man's birth. The adventurer is cured of prejudices against other nations, without feeling the ties loosened which bind him to his own. Followed over the globe by the protection of his native rulers, he preserves his attachment to his country, and perhaps often finds it strengthened instead of being extinguished by long absence. If these advantages are not inconsiderable to any European nation, they must be important to the most commercial and maritime people of the world. The American governments at present rate our friendship too high to be jealous and punctilious in their intercourse with us. But a little longer delay may give rise to an unfavourable judgment of our conduct. They may even doubt our neutrality itself. Instead of admitting that the acknowledgment of their independence would be a breach of neutrality towards Spain, they may much more naturally conceive, that the delay to acknowledge it is a breach of neutrality towards them. Do we in truth deal equally by both the contend-

ing parties? We do not content ourselves with consuls at Cadiz and Barcelona. If we expect justice to our subjects from the government of Ferdinand 7th. we in return pay every honour to that government as a power of the first class. We lend it every aid that it can desire from the presence of a British minister of the highest rank. We do not inquire whether he legitimately deposed his father, or legally dispersed the Cortes who preserved his throne. Is it equality towards the American states, to expect the same returns from them, without showing the same respect to them, or lending the same countenance to their government? The inequality becomes the more strikingly offensive, when it is considered that the number of English in the American states is far greater, and our commerce with them much more important, and that we therefore need diplomatic relations with them far more than with European Spain.

Another circumstance will render our delay more surprising to them and to all mankind. We have long since advised Spain to acknowledge the independence of her late provinces in America; we have told her that it is the only basis on which negotiations can be carried on, and that it affords her the only chance of preserving some of the advantages of friendship and commerce with these vast territories. But

if we have spoken sincerely we must consider them now, we must have considered them a year ago, as ripe for recognition. There can be no obstacle to it in their internal state; for if there had, it would have as much stood in the way of Spain as in ours. Whatever rendered it right for Spain to recognise them, must also render it right for us. If we now delay, Spain may very speciously charge us with insincerity. "It now," she may say, "appears from your own conduct, that under pretence of friendship you advised us to do that from which you yourselves recoil. You advised us to abdicate a great empire, though you now treat it as containing not one government capable of keeping faith and observing justice. For the vile purpose of extending your own commerce, you would have betrayed Spain into a surrender of all her American subjects, to those whom by your acts you now pronounce to be incapable or unwilling to afford them the ordinary benefits of civilized government." Let us hasten to prevent these calumnies, by shewing that we have advised nothing which we are not ourselves willing to do.

They will not fail to discover, that all delay founded on the internal state of America is in another respect grossly inconsistent with our express declarations. We have declared that we should immediately pro-

ceed to recognition, either if Spain were to invade the liberty of trade which we now possess, or if any other power were to take a part in the contest between her and the American states. But do not these declarations necessarily imply that they are in fact independent? Surely no injustice of Spain, or France, or Russia could authorise England to acknowledge that to be a fact which we do not know to be so. Either, therefore, we have threatened to do what ought not to be done, or these states are now in a condition to be treated as independent.

One observation more on the peculiar circumstances of this case will perhaps be excused. It is now many months since it was declared to M. de Polignac, that we should consider "any foreign interference by force or menace, in the dispute between Spain and her colonies, as a motive for recognising the latter without delay." I ask whether the interference "by menace" has not now occurred? M. Ofalia on the 26th of December proposed a congress on the affairs of America, in hopes that the allies of king Ferdinand "will assist him in accomplishing the worthy object of upholding the principles of order and legitimacy, the subversion of which once commenced in America would speedily communicate." Now I have already said, that if I am right-

ly informed, this proposition, happily rejected by Great Britain, has been acceded to by the allied powers. Preparations for the congress are said to be already made. Can there be a more distinct case of interference by menace in the American contest, than the agreement to assemble a congress for the purpose described in the dispatch of M. Ofalia? A case has therefore now occurred, in which we have pledged our national honour that we should immediately recognise the American states.

But it is said that we ought not to recognise where a contest is still maintained, or where governments of some apparent stability do not exist. Both these ideas seem to be comprehended in the proposition, that we ought to recognise only where independence is actually enjoyed, though that proposition properly only affirms the former. But it is said that we are called upon only to acknowledge the fact of independence, and that before we make the acknowledgment we ought to have evidence of the fact. To this single point the discussion is now confined—all considerations of European policy are (I cannot repeat it too often) excluded. The policy of Spain, or France, or Russia, is no longer an element in the problem. The fact of independence is now the sole object of consideration. If there be no independence, we cannot acknowledge

it. If there be, we must. For this reason commissioners are sent to America to inquire into the fact; and by the mere act of sending such commissioners, we once more pledge ourselves solemnly and irrevocably that our determination shall be influenced by nothing but the result of their inquiry. We thus pledge ourselves to the merchants of Great Britain and to the states of America, who have both a right to expect that we shall not deceive them. We have also by the same act, though not with the same feelings, pledged ourselves to the European allies, who will know how to appreciate our steadiness of purpose by our adherence to it. It is therefore of the last importance to the general question, that this part of the policy of the British government should be rightly and thoroughly understood.

To understand it rightly, we must consider separately what is often confounded in argument: the first question, Whether there be a contest with Spain still pending; and the second, Whether internal tranquillity be securely established. In the first, we must mean such a contest as exhibits some equality of force, of which, if the combatants were left to themselves, the issue would be in some degree doubtful. It never can be understood so as to include a bare chance, that Spain might recover her ancient domi-

nions at some distant and absolutely uncertain period : for such a possibility must always remain ; it is incident to all human affairs ; and we must on that principle postpone our recognition indefinitely, which we have expressly and repeatedly declared that we will not do. Now, before I proceed to examine the facts, I must observe that we have already determined this question more than once. We determined it when we said that time and circumstances had decided the separation ; we determined it when we said that recognition could succeed only on the basis of independence ; we determined it by notifying to the world that we could not delay our recognition many months ; and we determined it most unequivocally by fixing a period beyond which our recognition should not be delayed by the contrary policy of Spain. For it is impossible to justify the last measure, unless we either hold that recognition is no interference in the contest, or that no real and effective contest now exists : either of these propositions is sufficient for my purpose. I think I have already demonstrated the former. His majesty's ministers, who (somewhat inconsistently as I think) hold the latter also to be necessary, must upon their own showing already believe it ; since, if it was not true, they must consider their own measures as unjustifiable.

But, as an argument only conclusive against men who previously acknowledge certain opinions, and in which the whole effect depends on the rare occurrence of any men being consistent with themselves, must necessarily be of a partial and precarious character, I am willing to enter into the inquiry concerning the independence of America, and prepared to contend that without waiting for the investigations of the commissioners, the result is decisively favourable to the measure which I recommend. Let me be allowed to offer a dilemma (not indeed so terrible a dilemma as that with which, in the late debate on Mr Smith, the missionary, my learned friend (Mr. Brougham) so pressed another very acute and ingenious friend of mine (Mr. Tindal), that the latter with all his skill found it impossible to escape from being gored by either of its horns)—one of a more calm and more pacific, and I fear less severely logical, character—but which affords at least a commodious means of distinguishing the separate parts of this case clearly from each other, and of detecting the fallacy which lurks beneath the specious cover of general language

When you inquire, whether any contest approaching to equality now subsists, do you consider Spanish America as one mass, or do you apply your inquiry to the pecu-

liar situation of each individual state? For the purposes of the present war you may view them in either light—in the latter, because they are sovereign commonwealths, as independent of each other as they all are of Europe—or in the former, because they are united by a treaty of alliance, offensive and defensive, which binds them to make common cause in this contest, and to conclude no separate peace with Spain.

If I look on Spanish America as one vast mass, the question of the existence of any serious contest is too simple to admit the slightest doubt. What proportion does the contest bear to the country in which it prevails? My geography, or at least my recollection, does not serve me so far, that I could enumerate the degrees of latitude and longitude over which that vast country extends. On the western coast it reaches from the northern point of New California to the utmost limit of cultivation towards Cape Horn. On the eastern it extends from the mouth of the Mississippi to that of the Orinoco; and, after the immense exception of Guiana and Brazil, from the Rio de la Plata to the southern footsteps of civilized man. The prodigious varieties of its elevation exhibit in the same parallel of latitude all the climates and products of the globe. It is the only abundant source of the metals justly called precious, the most generally and permanent-

ly useful of all commodities, except those which are necessary to the preservation of human life. It is unequally and most scantily peopled by sixteen or eighteen millions, whose numbers, freedom of industry, and security of property must quadruple in a century. Its length on the Pacific coast is equal to that of the whole continent of Africa from the Cape of Good Hope to the Straits of Gibraltar. It is more extensive than the vast possessions of Russia or of Great Britain in Asia. The Spanish language is spoken over a line of nearly 6000 miles. The State of Mexico alone is five times larger than European Spain. A single communication cut through these territories between the Atlantic and Pacific would bring China 6000 miles nearer to Europe*, and the Republic of Columbia or that of Mexico may open and command that new road for the commerce of the world

After this faint sketch of the extent, the force, the resources, and the prospects of Spanish America, it is time to ask what is the contest maintained for by Spain. I lay aside for the present all contending parties among the Americans, and inquire only who, throughout this vast empire, are in arms for the cause of Spain? What is the Spanish strength? A single castle in Mexi-

* See M. V. Humboldt's admirable Essay on New Spain.

co, an island on the coast of Chili, and a small army in Upper Peru ! Is this a contest approaching to equality ? Is it sufficient to render the independence of such a country doubtful ? Does it deserve the name of contest ? It is very little more than what in some of the wretched governments of the East is thought desirable to keep alive the vigilance of the rulers, and to exercise the martial spirit of the people. No impartial and well-informed man has the least disposition to believe that such revolts, though they may for some time be expected to prevail with occasional success and with constant mischief, can have any tendency to restore the Spanish authority. There is nothing therefore now, which deserves the name of contest between Spain and South America considered as a whole. There is no present appearance that the country can be reduced by the power of Spain alone ; and if any other power were to interfere, it is acknowledged that such an interference would impose new duties on Great Britain.

If, on the other hand, we consider the American states as separate, the fact of independence is undisputed with respect at least to some of them. What doubts can be entertained of the independence of the immense provinces of Caraccas, New Grenada, and Quito, which now form the republic of

Columbia? There not a royalist soldier remains. A considerable Spanish army has been defeated. They have all either been destroyed, or expelled from the territory of the republic. Three congresses have successively been assembled. They have formed a reasonable and promising constitution. They have endeavoured to establish a wise system and a just administration of law. In the midst of their difficulties they have ventured (and hitherto with perfect success) to encounter the arduous and perilous but noble problem of a pacific emancipation of slaves. They have been able to observe good faith to their creditors, and thus to preserve the greatest of all resources in times of danger. Their tranquillity has stood the test of the long absence of Bolivar in Peru. Englishmen who have lately traversed their territories in various directions, are unanimous in stating that their journeys were made in the most undisturbed security. Every where they saw the laws obeyed, justice administered, armies disciplined, and the revenue peaceably collected. Many British subjects have indeed given practical proofs of their faith in the power and will of the Columbian government to protect industry and property; they have established houses of trade; they have undertaken to work mines; and they are establishing steamboats on the Orinoco and the Maddelena.

Where is the state which can give better proofs of secure independence?

The republic of Buenos Ayres has an equally undisputed enjoyment of independence. There no Spanish soldier has set his foot for fourteen years. It would be as difficult to find a royalist there, as it would be a Jacobite in England (I mean only a personal adherent of the house of Stuart, for as to Jacobites in principle, I fear they never were more abundant). It has not even been attacked by Spaniards since the declaration of independence: and its rulers are so conscious of internal security, that they have crossed the Andes, and interposed with vigour and effect in the revolutions of Chili and Peru. Whoever wishes to know the state of Chili, will find it in a very valuable book lately published by Mrs Graham, a lady whom I have the happiness to call my friend, who, by the faithful and picturesque minuteness of her descriptions, places her reader in the midst of the country, and introduces him to the familiar acquaintance of the inhabitants. Whatever seeds of internal discord may be perceived, we do not discover the vestige of any party friendly to the dominion of Spain. Even in Peru, where the spirit of independence has most recently appeared, and appears most to fluctuate, no formidable body of Spanish partisans has been observed by the most intelli-

gent observers; and it is very doubtful whether even the army which keeps the field in that province against the American cause, be devoted to the restored despotism of Spain. Mexico, the greatest, doubtless, and most populous, but not perhaps the most enlightened, portion of Spanish America has passed through severe trials, and seems hitherto far from showing a disposition again to fall under the authority of Spain. Even the party who long bore the name of Spain on their banners, were unassisted by her arms. They fought for the mother country, it is true; but being taught to rely solely on their own unaided force, they imbibed in that very contest the spirit of independence. It was a contest between two Mexican parties, in which even the partisans of the foreign cause, having no hope of succour from without, at length ceased to look abroad for a sovereign. They were accordingly completely routed, without the interference of any other American state. The last viceroy who was sent from Spain was compelled to acknowledge the independence of Mexico; and the royalist officer, who appeared for a time so fortunate, could not win his way to a transient power without declaring against the pretensions of the mother country.

If, then, we consider these states as one mass, there cannot be said to be any re-

maining contest. If, on the other hand, we consider them separately, why do we not immediately comply with the prayer of this petition, by recognising the independence of those whom we must allow to be in fact independent? Where is the objection to the instantaneous recognition at least of Columbia and Buenos Ayres?

But here I shall be reminded of the second condition (as applicable to Mexico and Peru), the necessity of a stable government and of internal tranquillity: without these advantages, we are told that no state has a claim to be recognised.—On what principle this doctrine rests I cannot discover. Independence and good government are unfortunately very different things. Most countries have enjoyed the former; not above three or four since the beginning of history have had any pretensions to the latter. Many grossly misgoverned countries have performed duties of justice and goodwill to neighbouring states; I do not say so well as more wisely ordered commonwealths but still tolerably, and always much better than if they had not been controlled by the influence of opinion acting through a regular intercourse with other nations.

We really do not deal with Spain and America by the same weight and measure. We exact proofs of independence and tranquillity from America. We dispense both

with independence and tranquillity in Old Spain. We have an ambassador at Madrid though the whole kingdom be in the hands of France. We treat Spain with all the honours due to a civilized state of the first rank; though we have been told in this House, that the continuance of the French army there is an act of humanity, necessary to prevent the faction of frantic royalists from destroying not only the friends of liberty, but every Spaniard who hesitates to carry on a war of persecution and extirpation against all who are not the zealous supporters of unbounded tyranny:—although we have been told all this, we continue to treat Spain as if she were independent, as if she were under the government of civilized men, and not under the tyranny of ignorant and ferocious barbarians.

On the other hand, we require from the new-born states of America, a condition incompatible with human nature, and which if they were able to fulfil, they would be unlike every other community that ever shook off the yoke of foreign or domestic tyrants. We refuse them the honour of formal admission into the society of independent nations, unless they shall immediately solve the awful problem of reconciling liberty with order; unless infant governments shall in a moment shoot up into man-

hood; unless all the efforts incident to a fearful struggle shall at once subside into the most perfect and undisturbed tranquillity. We expect that every interest which great changes have wounded shall yield without resistance, and that every visionary or ambitious hope which they have kindled shall submit without a murmur to the counsels of wisdom and the authority of the laws. Who are we who exact the performance of such hard conditions? Are we the English nation, to look thus coldly on rising liberty? We have indulgence enough for tyrants; we make ample allowance for the difficulties of their situation; we are ready enough to deprecate the censure of their worst acts. And are we, who spent ages of blood in struggling for freedom, to treat with such severity the nations who now follow our example? Are we to refuse that indulgence to the errors and faults of other nations, which was so long needed by our own ancestors? The English people waded through despotism and anarchy, through civil war and revolution on their road to freedom. They passed through every form of civil and religious tyranny; they persecuted Protestants under Mary; I blush to add they persecuted Catholics under Elizabeth. It was said by the great satirist, in those nervous invectives which he poured out against them for their

love of liberty, that they were a people whom

“No king could govern, and no God could please.”

Within a few years after these invectives, this abused people established the first system of civil and religious liberty which had ever been attempted in a great empire. We justly revere our forefathers for having accounted all the evils through which they passed as nothing in comparison with the high object which they pursued. We never think of these evils further than as they endeared to us the liberty of which they were the price. And shall we now inconsistently, unreasonably, basely hold that distractions so much fewer and milder and shorter endured in the same glorious cause, will unfit other nations for its attainment, and preclude them from the enjoyment of that rank, and those privileges which we at the same moment recognize as belonging to slaves and barbarians?

I call upon my right hon. friend distinctly to tell us, on what principle he considers the perfect enjoyment of internal quiet as a condition necessary for the acknowledgment by foreign states of an independence which cannot be denied to exist. I can discover none, unless the confusions of a country were such as to endanger the personal safety of a foreign minister. In such a case, indeed, there would be a sufficient reason

for interrupting diplomatic intercourse till it could be safely carried on. Yet the European powers have always had ministers at Constantinople, though it was well known that the barbarians who ruled there would, on the approach of a quarrel, send these unfortunate gentlemen to a prison in which they might remain during a long war. Short of this extreme case, I see no connexion between diplomatic intercourse and the internal state of a country. As long as foreign ministers are secure, no confusion can be such as to require the interruption or to prevent the establishment of intercourse through them. But if there were any such insecurity in the new States, how do the ministers of the United States of North America reside in their capitals? or why do we trust our own consuls and commissioners among them? Is there any physical peculiarity in a consul, which renders him invulnerable where an ambassador or an envoy would be in danger? Is a consul bullet-proof or bayonet-proof, or do consuls wear coats of mail which secure them from violence? The appointment of consuls implies our belief that there are governments existing in Spanish America, who are actually independent, and to whom our consuls may apply in cases of mercantile grievance with the same reasonable prospect of success as in other countries. It rests on the foun-

dation that these governments are obeyed by their subjects, and have the power and the will to compel them to do justice to foreigners. What more do we require for ministers of a higher character? The same government which redresses an individual grievance, on the application of a consul, may remove a cause of national difference after listening to the remonstrance of an envoy. Whatever may be the succession of factions, however these states may be agitated by divisions, whatever form their governments may assume, they must be as competent, and as much disposed, to negotiate on high national interests as to do justice to an aggrieved trader or mariner; they must in the one case, as in the other, all be equally inclined to continue on terms of amity and friendly intercourse with the greatest maritime power of the world.

I will venture even to contend, that internal distractions, instead of being an impediment to diplomatic intercourse, are rather an additional reason for it. An ambassador is more necessary in a disturbed than in a tranquil country, inasmuch as the evils against which his presence is intended to guard are more likely to occur in the former than in the latter. It is in the midst of civil commotions that the foreign trader is the most likely to be wronged; and it is then that he therefore requires not only the

good offices of a consul, but the weightier interposition of a higher minister. In a perfectly well ordered country the laws and the tribunals might be sufficient. It is in a state where their operation is disturbed, that he cannot be safe without aid from the representative of his native country. In the same manner it is obvious, that if an ambassador be an important security for the preservation and good understanding between the best regulated governments, his presence must be far more requisite to prevent the angry passions of exasperated factions from breaking out into war. Whether, therefore, we consider the individual or the public interests which are secured by embassies, it seems no paradox to maintain, that if they could be dispensed with at all, it would rather be in quiet than in disturbed countries.

The interests here at stake may be said to be rather individual than national. But a wrong done to the humblest British subject, an insult offered to the British flag flying on the slightest skiff, is, if unrepaired, a dishonour to the British nation. It is a great national interest as well as duty to watch over the international rights of every Briton, and to claim them from every government. It is only when states treat the wrongs of their subjects as public injuries, that every individual learns to feel the

violation of his country's rights as a private wrong.

But the mass of private interest engaged in our trade with Spanish America, is so great as to render it a large part of the national interest. There are already at least a hundred English houses of trade established in various parts of that immense country. A great body of skillful miners have lately left this country, to restore and increase the working of the mines of Mexico. Botanists and Geologists and Zoologists are preparing to explore regions too vast to be exhausted by the Condamines and Humboldts. These missionaries of civilization, who are about to spread European and especially English opinions and habits, and to teach industry and the arts, with their natural consequences of love of order and desire of quiet, are at the same time opening new markets for the produce of British labour, and new sources of improvement as well as enjoyment to the people of America.

The excellent petition from Liverpool to the King, sets forth the value of the South American commerce very clearly with respect to its present extent, its rapid increase, and its probable permanence. In 1819, the official returns represent the value of exported British produce at thirty-five millions sterling; in 1822, at forty-six mil-

lions ; and, in the opinion of the petitioners, who are witnesses of the highest authority, a great part of this prodigious increase is to be ascribed to the progress of the South American trade. On this point, however, they are not content with probabilities. In 1822, they tell us that the British produce exported to the late Spanish colonies amounted in value to three millions eight hundred thousand pounds sterling ; and in 1823, to five millions six hundred thousand ; an increase of near two millions in one year. As both the years compared are subsequent to the opening of the American ports, we may lay out of the account the indirect trade formerly carried on with the Spanish Main through the West Indies, the far greater part of which must now be transferred to a cheaper, shorter, and more convenient channel. In the year 1820 and the three following years, the annual average of ships which sailed from the port of Liverpool to Spanish America was 189 ; and the number of those which have so sailed in five months of the present year is already 124 ; being an increase in the proportion of thirty to nineteen. Another criterion of the importance of this trade, on which the traders of Liverpool are peculiarly well qualified to judge, is the export of cotton goods from their own port. The result of the comparison of that

export to the United States of America, and to certain parts* of Spanish and Portuguese America, is peculiarly instructive and striking.—Year ending Jan. 5, 1820. Actual value of cotton goods exported from Liverpool, to United States 882,029*l.* to Spanish and Portuguese America 852,651*l.* Year ending Jan. 5, 1821. Actual value of cotton goods exported from Liverpool, to United States 1,033,206*l.* to Spanish and Portuguese America 1,111,574*l.*

It is observed, that this last extraordinary statement relates to the comparative infancy of this trade; that it comprehends neither Vera Cruz nor the ports of Columbia; and that the striking disproportion in the rate of increase does not arise from the abatement of the North American demand (for that has increased), but from the rapid progress of demand in the South American market. Already, then, this new commerce surpasses in amount and still more in progress, that trade with the United States which is one of the oldest and most extensive as well as most progressive branches of the traffic of this great commercial country.

If I consult another respectable authority, and look at the subject in a somewhat different light, I find the annual value of

* Viz. Brazil, Buenos Ayres, Monte Video, Chili, and the West Coast of America.

our whole exports estimated in Lord Liverpool's speech on this subject at forty-three millions sterling, of which about twenty-millions worth goes to Europe, and about the value of seventeen millions to North and South America: leaving between four and five millions to Africa and Asia. According to this statement, I may reckon the trade to the new independent states as one-eighth of the trade of the whole British empire. It is more than our trade to all our possessions on the continent and islands of America before the beginning of the fatal American war in 1774—for fatal I call it, not because I lament the independence of America, but because I deeply deplore the hostile separation of the two great nations of English race.

The official accounts of exports and imports laid before this House on the 3d of May 1824, present another view of this subject, in which the Spanish colonies are carefully separated from Brazil. By these accounts it appears the exports to the Spanish colonies were as follows. In 1818, 735,344*l.*; in 1819, 850,943*l.*; in 1820, 431,615*l.*; in 1821, 917,916*l.*; in 1822, 1,210,825*l.*; in 1823, 2,016,276*l.* I quote all these statements of this commerce, though they do not entirely agree with each other, because I well know the diffi-

culty of attaining exactness on such subjects; because the least of them is perfectly sufficient for my purpose ; and because the last, though not so large as others in amount, shows more clearly than any other its rapid progress, and the proportion which its acceleration bears to the extension and acceleration of American independence.

If it were important to swell this account I might follow the example of the Liverpool petitioners (who are to be heard with more respect, because on this subject they have no interest), by adding to the general amount of commerce the supply of money to the American States of about twelve millions sterling ; for though I of course allow that such contracts cannot be enforced by the arms of this country against a foreign state, yet I consider the commerce in money as equally legitimate and honourable with any other sort of commercial dealing, and equally advantageous to the country of the lenders wherever it is profitable to the lenders themselves. I see no difference in principle between a loan on the security of public revenue, and a loan on a mortgage of private property ; and the protection of such dealings is in my opinion a perfectly good additional reason for hastening to do that which is previously determined to be politic and just.

To use any further arguments to prove

the importance of a trade which has been declared to be important by London, Liverpool, and Manchester, may seem superfluous. For, if they are not worthy of credit on a commercial question, where is authentic information concerning such matters to be found? On the principles and theory of commerce I have dissented from merchants, and I have generally been laughed at as a visionary for my pains. I have at length, however, lived to see the day when merchants, and even statesmen (a still more obstinate and conceited race), have become the disciples of philosophers. But on the extent, the particulars, and the profits, of a single branch of trade, I have seldom known any economist so hardy as to question the testimony of the whole body of English merchants and manufacturers.

If I were further called to illustrate the value of a free intercourse with South America, I should refer the House to a valuable work, which I hope all who hear me have read, and which I know they ought to read—I mean Captain Basil Hall's Travels in that country. The whole book is one continued proof of the importance of the free trade to England, to America, and to mankind. No man knows better how to extract information from the most seemingly trifling conversations, and to make them the means of conveying the most just

conception of the opinions, interests, and feelings of a people. Though he can weigh interests in the scales of Smith, he also seizes with the skill of Plutarch, on those small circumstances and expressions which characterize not only individuals but nations. "While we were admiring the scenery," says he, "our people had established themselves in a hut, and were preparing supper under the direction of a peasant—a tall copper-coloured semi-barbarous native of the forest—but who, notwithstanding his uncivilized appearance, turned out to be a very shrewd fellow, and gave us sufficiently pertinent answers to most of our queries. A young Spaniard of our party, a royalist by birth, and half a patriot in sentiment, asked the mountaineer what harm the king had done. 'Why,' answered he, 'as for the king, his only fault, at least that I know of, was his living too far off; if a king be really good for a country, it appears to me that he ought to live in that country, not two thousand leagues away from it.' On asking him what was his opinion of the free trade, 'My opinion,' said he, 'is this—formerly I paid nine dollars for the piece of cloth of which this shirt is made, I now pay two—that is my opinion of the free trade.*'"

This simple story illustrates better than

* Hall, ii. 188.

a thousand arguments the sense which the American consumer has of the consequences of free trade to him. If we ask how it affects the American producer, we shall find a decisive answer in the same admirable work. His interest is, to produce his commodities at less expense, and to sell them at a higher price, as well as in greater quantity. All these objects he has obtained. Before the Revolution, he sold his copper at seven dollars a quintal. In 1821, he sold it at thirteen dollars a quintal. The articles which he uses in the mines are, on the other hand, reduced—steel from 50 dollars a quintal to 16 dollars; iron from 25 to 8. The provisions of his labourers are lowered in the proportion of 21 to 14. The fine cloth which he himself wears, from 23 dollars a yard to 12. His crockery from 350 reals per crate to 40; his hardware from 300 reals to 100; and his glass from 200 to 100.* It is justly observed by Captain Hall, that, however incompetent a Peruvian might be to appreciate the benefits of political liberty, he can have no difficulty in estimating such sensible and palpable improvements in the condition of himself and his countrymen. With Spanish authority he connects the remembrance of restriction, monopoly, degradation, poverty, discomfort,

* Hall, ii. 47. This curious table relates to Chili—the previous anecdote to Mexico.

privation. In those who struggle to restore it, we may be assured that the majority of Americans can see only enemies who come to rob them of private enjoyments and personal accommodations.

It will perhaps be said, that Spain is willing to abandon the monopoly : but if she did, might she not by the same authority restore it? If her sovereignty be restored, she must possess abundant means of evading the execution of any concessions now made in the hour of her distress. The faith of Ferdinand is the only security for the observance of a stipulation for keeping open the trade, or any part of it. On the other hand, if America continues independent, our security is the strong sense of a most palpable interest already spread among the people. The interest of the miner of Chili in selling his copper, and of the peasant of Mexico in buying his shirt, is in that case our security. I prefer it to the royal word of Ferdinand. But do we not know that the royalist general Canterac in the summer 1823 declared the old prohibitory laws to be still in force in Peru, and announced his intention of accordingly confiscating all English merchandize which he had before generously spared? Do we not know that English commerce every where flies from the Roy-

alists, and hails with security and joy the appearance of the American flag?*

But it is needless to reason on this subject, or to refer to the conduct of local agents. We have a decree of Ferdinand himself to appeal to. It bears date at Madrid on the 9th February, 1824. It is a very curious document, and very agreeable to the general character of his most important edicts, in which there is more than the usual repugnance between the title and the purport. As he published a table of proscription under the name of a decree of amnesty, so his professed grant of free trade is, in truth, an establishment of monopoly. The first article does indeed promise a free trade to Spanish America: the second, however, hastens to declare that this free trade is to be "regulated" by a future law, that is to be confined to certain ports, and that it shall be subjected to duties which are to be regulated by the same law. The third also declares that the preference to be granted to Spain shall be regulated in like manner. As if the duties, limitations, and preferences thus announced had not provided such means of evasion as were equivalent to a repeal of the first article, the royal law-giver proceeds in the fourth article to enact, that "till the two foregoing articles can re-

* As in the evacuation of Lima in the Spring of 1824.

ceive their perfect execution, there shall be nothing innovated in the state of America :” which, as the court of Madrid does not recognise the legality of what has been done in America since the revolt, may be plausibly and perhaps reasonably interpreted to import a re-establishment of the Spanish laws of absolute monopoly, till the government of Spain shall be disposed to promulgate that code of restriction, of preference, and of duties, perhaps prohibitory, which, according to them, constitutes free trade. It is not said whether the innovation relates to law or to fact. Even on the most favourable construction, it cannot be denied that the second and third articles distinctly point out the means of rendering nugatory the apparent concession promised in the first. The decree itself gives fair warning of the disposition of Spain, and demonstrates that, if she regains her sovereignty, she cannot be deprived of the means of re-establishing her monopoly with no other change but that of forms and names.

But it will be said elsewhere, though not here, that I now argue on the selfish and sordid principle of exclusive regard to British interest—that I would sacrifice every higher consideration to the extension of our traffic, and to the increase of our profits : for this is the insolent language, in which those who gratify their ambition by plun-

dering and destroying their fellow creatures, have in all ages dared to speak of those who better their own condition by multiplying the enjoyments of mankind. In answer, I might content myself with saying, that, having proved the recognition to be conformable to justice, I have a perfect right to recommend it as conducive to the welfare of this nation. But I deny altogether the doctrine, that commerce has a selfish character—that it can benefit one party without being advantageous to the other. It is twice blessed—it blesses the giver as well as the receiver. It consists in the interchange of the means of enjoyment, and its very essence is, to employ one part of mankind in contributing to the happiness of others. It is absolutely impossible to conceive an instance of its permanent extension, as long as it is confined within the limits of morality, which does not render it the interest of a greater number of men to contribute to the subsistence or relief, or security or pleasure, or improvement or refinement, of a larger and larger body of their fellow men. What is the instrument by which a savage is to be raised from a state in which he has nothing human but the form, but commerce, by exciting in his mind the desire of accommodation and enjoyment, and by presenting to him the means of obtaining these advantages? It is thus only that he is gradually

raised to industry, to foresight, to a respect for property, to a sense of justice, to a perception of the necessity of laws. What corrects his prejudices against foreign nations and dissimilar races?—Commercial intercourse. What slowly teaches him that the quiet and well-being of the most distant regions have some tendency to promote the prosperity of his own? What at length disposes him even to tolerate those religious differences which led him to regard the greater parts of the species with abhorrence?—Nothing but the intercourse and familiarity into which commerce alone could have tempted him. What diffuses wealth, and thereby increases the leisure which calls into existence the works of genius, the discoveries of science, and the inventions of art? What transports just opinions of government into enslaved countries; raises the importance of the middle and lower classes of society, and thus reforms social institutions and establishes equal liberty?—What but commerce—the real civilizer and emancipator of mankind. To open South America to the commerce of the world, is in reality not merely to multiply the enjoyments and comforts of her people, but to render them partakers of the arts, and knowledge, and morality, and liberty, of civilized men.

A delay of recognition would be an important breach of justice to the American

States. We send consuls to their territory, in the confidence that their government and their judges will do justice to British subjects. But we receive no authorised agents from them to secure the attainment of justice here by their subjects, for that would be recognition. Until they shall be recognised by the King, our courts of law will not acknowledge their existence ; so that these governments may have large dealings in this country, which are put out of the protection of the law. Our statutes allow certain privileges to ships from the provinces in America lately subject to Spain ; but our courts will not acknowledge that these provinces are subject to any government. The effect of our present position is even to take away the protection of law from the dealings of British subjects with them or on their account.

A vast commercial property has not the advantage which is professedly enjoyed by all property in almost every state. If the maritime war which has lately commenced should long continue, many questions of international law may arise out of our anomalous situation, which it will be impossible to determine by any established principles. The law of nations never contemplates a case in which a vast empire is engaged, of which we do not recognise the government, or, in other words, of which we do not ac-

knowledge the legal existence. If we escape this difficulty by recognising the actual governments in courts of prize, how absurd, inconsistent, and inconvenient it is, not to extend the same recognition to all our tribunals!

It would not be neutrality, but gross partiality towards Spain, to withhold from the American States the advantages which would arise from our recognition, while we enjoy all the benefits of a secure and friendly intercourse with them. Recognition, indeed, confers no legal rights, but it gives great advantages in general opinion, which a recent government feels very sensibly, both at home and abroad.

These moral interests of a state may be as important as many of its positive rights. By withholding them without necessity from a struggling community, we may give the most effectual aid to their enemies. We teach their subjects and their enemies to despise them; we inspire a general distrust of their permanence; and we may discourage other nations from treating them with respect and good will. All that is thus taken out of their scale is thrown into that of their enemies.

The reception of a new state into the society of civilized nations by those acts which amount to recognition, is a proceeding which, as it has no legal character, and

is purely of a moral nature, must vary very much in its value, according to the name and authority of the nation who, upon such occasions, act as the representatives of civilized men. I will say nothing of England, but that she is the only anciently free state in the world. For her to refuse her moral aid to communities struggling for liberty, is an act of unnatural harshness, which, if it does not recoil on England, must injure America in the estimation of mankind. The injury is aggravated by the reason assigned for the delay. If we wait till so vast a country, inhabited by so many various classes of men, all of whom have so little political experience, shall exhibit a scene of universal tranquillity, how many years may pass ere we adopt a measure which we have already declared must be done before many months have elapsed !

This is not all : the delay of recognition tends to prolong and exasperate the disorders which are the reason alleged for it. Recognition is a proof of general goodwill and confidence, which will strengthen these governments, and consequently tends to shorten and mitigate the agitations of infant liberty. Every delay encourages Spain to waste herself in desperate efforts : it encourages the Holy Alliance to sow division ; to employ intrigue and corruption ; to threaten, perhaps to equip and dispatch,

armaments. It encourages every incendiary to excite revolt, and every ambitious adventurer to embark in projects of usurpation. It is a cruel policy, which has the strongest tendency to continue, for a time of which we cannot foresee the limits, rapine, and blood, commotions and civil wars, throughout the larger portion of the New world. By maintaining an outlawry against them, we may give them the character of outlaws. The long continuance of confusion, in part arising from refusing to countenance their governments, to impose on them the mild yoke of civilized opinion, and to teach them respect for themselves by associating them with other free communities, may at length unfit them for liberty or order, and destroy in America that capacity to maintain the usual relations of peace and amity which undoubtedly exists there at present. This state of things will indeed deeply affect not only the interests of this country, but, as it is well said in the papers before us, "the relations of the Old World with the New." It is justly added, that it "is embarrassing to these governments," and most injurious to the interests of all European nations. It embarrasses the governments of America, because it leaves them without regular means of cultivating the friendship of European nations, and of amicably adjusting differences which may arise with

them. It embarrasses them, by withholding from them that incidental but important aid which friendly nations afford to each other, by that diplomatic intercourse, which is a mark of respect, as well as a channel of friendly intercourse. To European interests it is injurious, both for the same reasons, and because in its consequences it lessens the security and convenience of their general intercourse with America ; because the longer it is continued, the greater risk there is that it may render the American nations less qualified to imbibe the feelings, and adhere to the principles which regulate the relations of civilized communities.

It is vain to expect that Spain, even if she were to conquer America, could establish in that country a vigorous government, capable of securing an useful intercourse with other countries. America is too determined, and Spain is too feeble. The only possible result of so unhappy an event would be, that governments both weak and violent would exhibit the wretched spectacle of beggary, plunder, bloodshed, alternate anarchy, and despotism, in a country almost depopulated, and among the remains of a people without the means of carrying on commerce or the disposition to protect it. It may require time to give firmness to native governments. But it is impossible that a Spanish government should ever acquire it.

While we delay our recognition till we ascertain the internal condition of America, we, in truth, refuse to do all that depends on us for rendering the intercourse of Europe with that country advantageous, regular, and safe. I desire not to be misunderstood. I am far from foretelling that the American nations will not speedily and completely subdue the agitations which are in some degree, perhaps, inseparable from a struggle for independence. I have no such gloomy forebodings; though even if I were to yield to them, I should not speak the language once grateful to the ears of this House, if I were not to say that the chance of liberty is worth the agitations of centuries; and if any Englishman were to speak opposite doctrines to new nations, the present power and prosperity and glory of England would enable them to detect his slavish sophistry. I do not say, that long anarchy will prevail in America, nor even that, if it should, it may not arise from other causes. But I will confidently affirm, that a delay of recognition by us has a tendency to contribute to this evil; and if that should exist, (which God forbid!) we shall be answerable for some portion of it. Our own conduct alone deeply concerns us. What may arise from other causes, is an object of curiosity, and a matter for speculation. As a man, I trust that the virtue and fortune of the

American States will spare them many of the sufferings which appear to be the price set on liberty: but as a Briton, I am desirous that we should aid them in that most arduous and glorious part of their undertaking, by early treating them with the honour and kindness which they have well deserved by justice, humanity, valour, and magnanimity, displayed for the attainment of the most noble object of human pursuit.

To conclude:—The delay of recognition is not due to Spain. It is injurious to America. It is inconvenient to all European nations; and only most inconvenient to Great Britain, because she has a greater intercourse with America than any other nation. I would not endanger the safety of my own country for the advantage of other communities. I would not violate the rules of duty to promote its interest. I would not take unlawful means even for the purpose of diffusing liberty among men. I would not violate neutrality to serve America, nor commit injustice to extend the commerce of England. But I would do an act consistent with neutrality and warranted by impartial justice, tending to mature the liberty and to consolidate the internal quiet of a vast continent; to increase the probability that the benefits of free and just government will be attained by so great a portion of mankind;

to procure for England the honour of a becoming share in contributing to so unspeakable a blessing ; to prevent the dictators of Europe from becoming the masters of the New World ; to re-establish some balance of opinions and force, by placing the republics of America, with the wealth and maritime power of the world, in the scale opposite to that of the European allies ; to establish beyond the Atlantic an asylum which may preserve, till happier times, the remains of the Spanish name ; to save nations, who have proved their generous spirit by their pursuit of liberty, from becoming the slaves of the Holy Alliance ; and to rescue sixteen millions of American Spaniards from the fate of their European brethren, from sharing that sort of law and justice, of peace and order, which now prevails from the Pyrenees to the Rock of Gibraltar.

The following Petition was then brought up and read :—

“ To the Honourable the Commons of the United Kingdom in Parliament assembled. The Petition of the undersigned merchants of the City of London,

“ Showeth—That your Petitioners are engaged in trade with the countries in America formerly under the dominion of Spain :

“ That the entire extinction of Spanish

authority in the greater part of that Continent, and the encouragement by the government at home, induced your petitioners to embark in that extensive commerce, with full confidence that it would receive the most complete protection, and ultimately prove most beneficial to themselves and the country at large. The measures adopted by government most decisively demonstrated the anxiety to acquire and secure this intercourse.

“ In the session of 1822, an act of parliament was passed, cap. 43, authorising the importation of goods, the growth, production, or manufacture, of ‘any country or place in America, being or having been a part of the dominions of the king of Spain,’ either in British ships, or in ships the built of those countries. In the following year, consuls were appointed to proceed to the ports thereof, and subsequently there has been made public the declaration of his majesty’s government, that in its opinion, ‘the recognition of such of the new states as have established, *de facto*, their separate political existence cannot be much longer delayed.’

“ Your petitioners further humbly represent, that many millions of capital have already been embarked in this trade; that large commercial establishments have been formed both in South America and at home: and that past experience affords the strong-

est ground for believing that this commercial intercourse will admit of great extension, the reciprocal demand for the productions of the respective countries being constantly increasing.

“Your petitioners consequently find themselves greatly embarrassed by those countries remaining ‘without any recognised political existence.’ Not a week passes but they are assailed with rumours of the most alarming kind, involving their proceedings in doubt, hesitation, and distraction, and grievously destructive of that confidence so essential to the success of all commercial undertakings. Your honourable House must be well aware that no commercial intercourse can be permanently carried on with security and advantage to those concerned, if it is rendered liable to fluctuation by constant alarms of political changes, necessarily producing sudden and excessive alterations in the value of the property embarked.

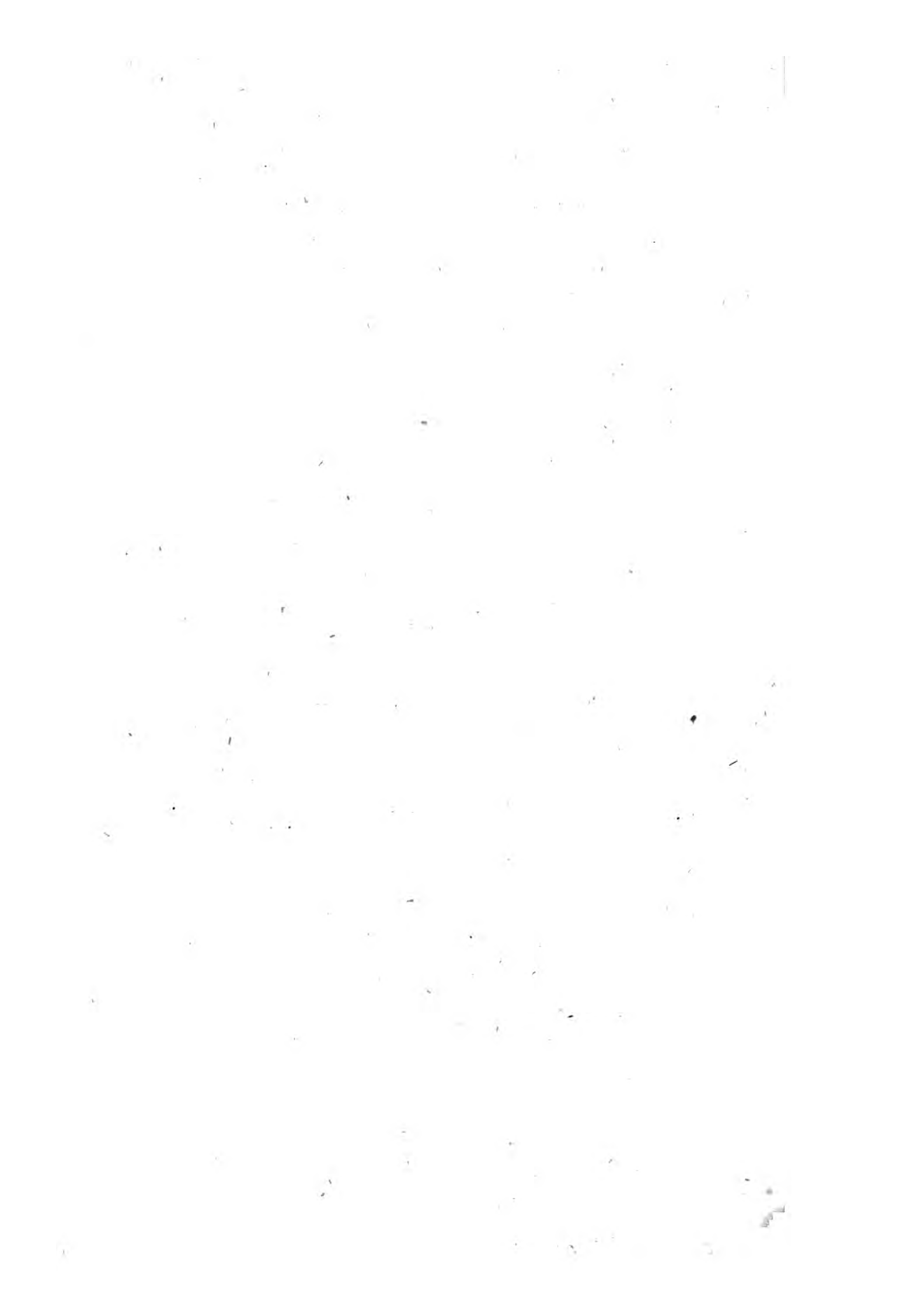
“That your petitioners are enabled to state, and to prove unequivocally to your honourable House, that in the several states of Columbia, Buenos Ayres, and Chili, there does not remain the smallest vestige of Spanish dominion in any shape : each state enjoying its own government separate and independent from all interference of a hostile force.

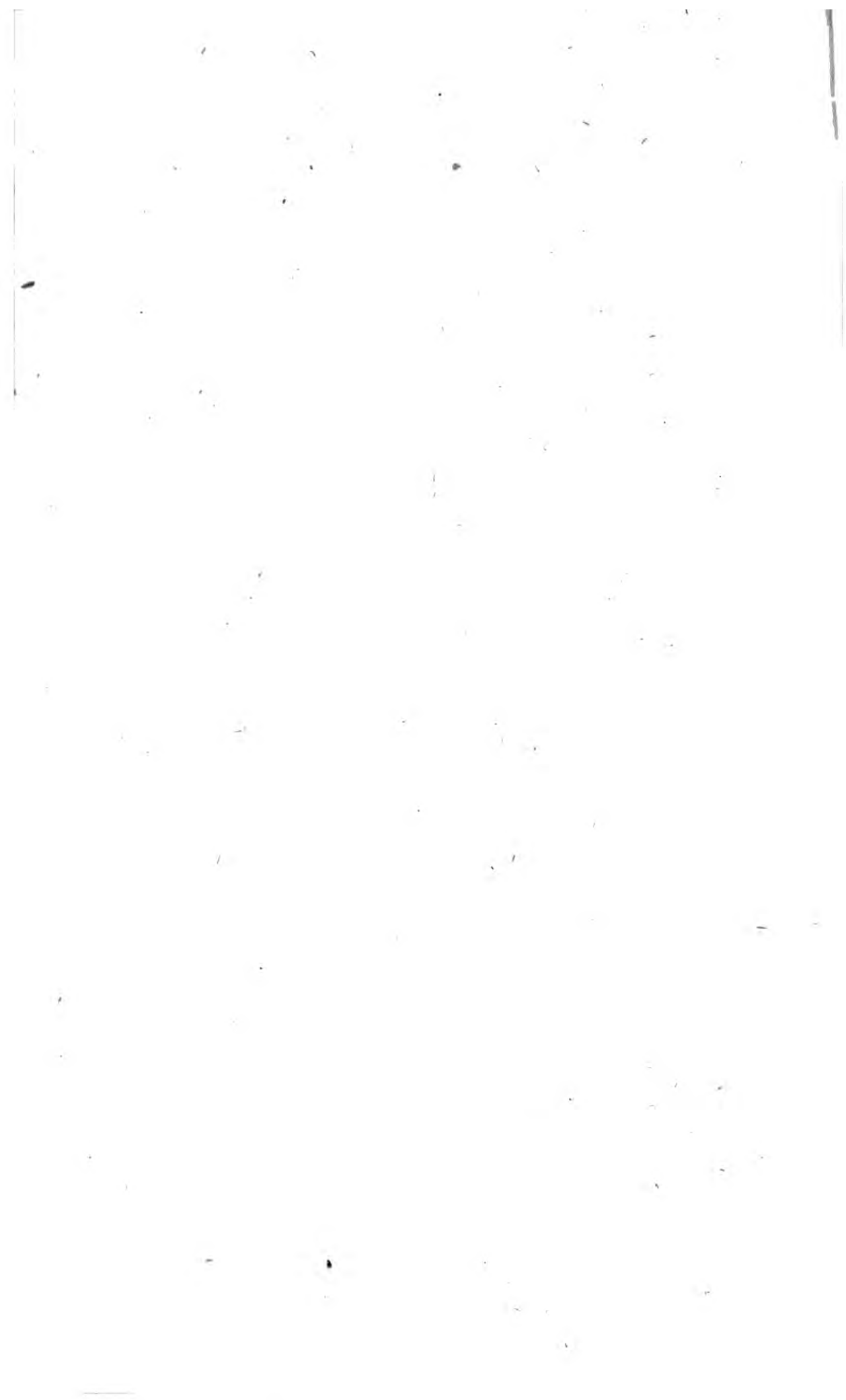
“That the revolution which has produc-

ed this alteration in the political condition of these countries, has now been in progress fifteen years. In Buenos Ayres there has not been a Spanish soldier in hostility for eight years. In Chili there has been none for four years ; and in Columbia the third annual constitutional congress is now sitting. In none of these states does there exist any party, or persons in possession of power or authority excepting the constituted executive government.

“ Your petitioners, therefore, humbly submit that these states have established, *de facto*, their separate political existence ; and are, according to the practice of nations in former instances, entitled to be recognized as independent governments ; but they would not have presumed to have addressed your honourable House on a question of this nature, if the continued delay in recognizing this political existence did not produce the most detrimental consequences to the commercial transactions in which they are concerned.

“ Your petitioners, therefore, most humbly pray that your honourable House will take this question into its serious consideration, and adopt such measures as to its wisdom may seem fit, for promoting the immediate recognition of the independence of such of the states of South America as have, *de facto*, established the same. And your petitioners, as in duty bound, will ever pray.”



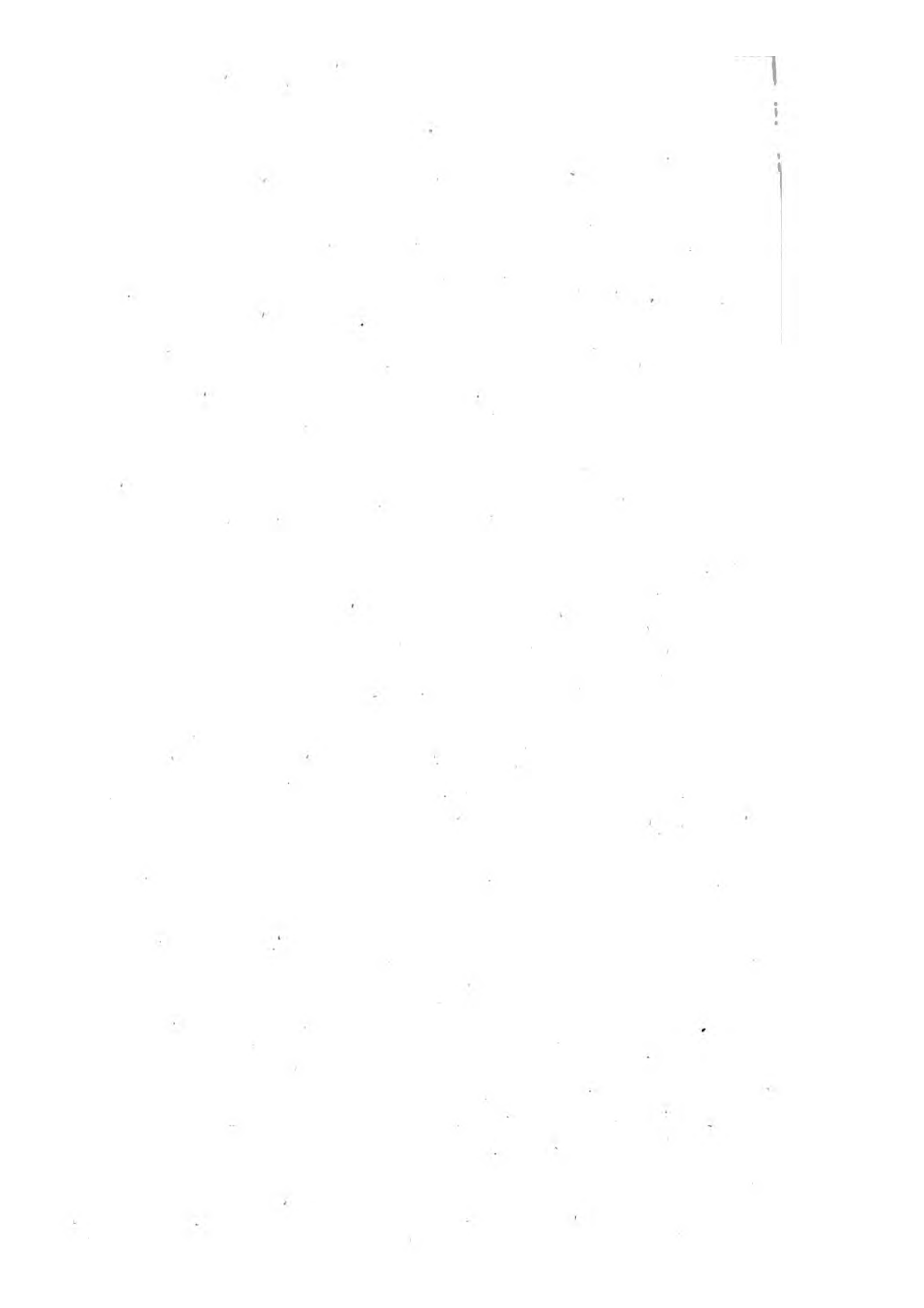


SPEECH
ON
PARLIAMENTARY
REFORM.

DELIVERED
IN THE HOUSE OF COMMONS,
4TH JULY 1831.

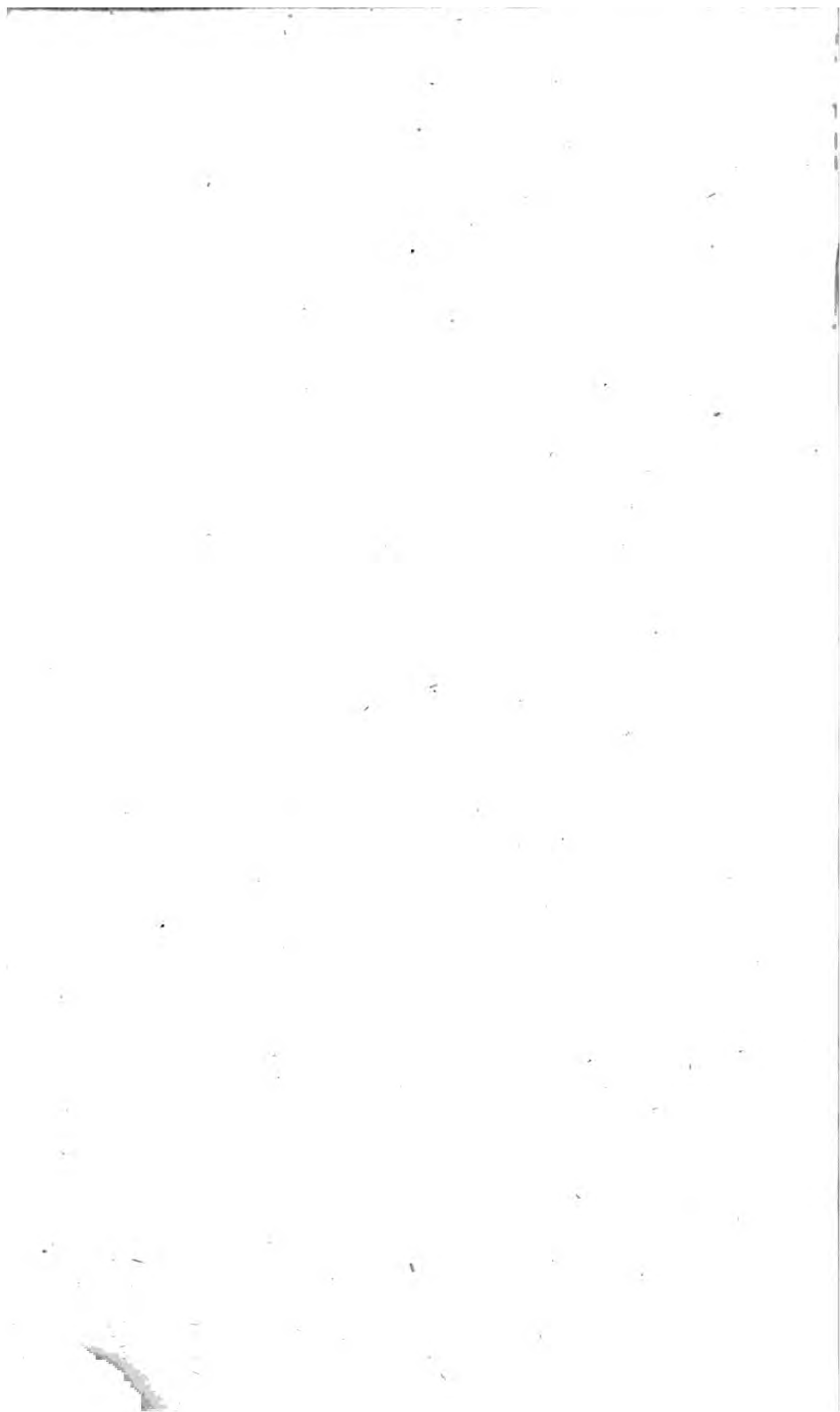
BY
THE RIGHT HONOURABLE
SIR JAMES MACKINTOSH.

M.DCCC.XXXI.



It was not intended to print a separate Report of this Speech ; but the time allowed for correcting the copy to be printed in the useful and accurate Publication to which it was meant to confine it, having, accidentally, proved too short for the purpose, a more correct Publication became desirable. On such an occasion it was thought allowable to dispose the arguments in a somewhat more convenient order ; to contract some topics occasionally arising from the Debate, and to unfold a little more fully some of those parts which contain reasons in support of the general principle of the measure. In performing this task, it is possible that what was only intended to be said, may once or twice have insensibly mingled with the recollection of what was actually spoken.

J. M.



S P E E C H
ON
PARLIAMENTARY REFORM.

Lord John Russell moved the Second Reading of the Bill for reforming the Representation of the People in England and Wales, and **Sir John Walsh** having moved as an Amendment, that this Bill be read a second time this day six months, which Amendment was seconded by **Mr. Fynes Clinton**, **Sir James Mackintosh** spoke to the following effect.

Mr Speaker,

I FEEL no surprize, and, certainly no regret, at the applause which followed the speech of the Honourable and Learned Gentleman, whose speeches never leave any unpleasant impression, but the reflection, that he speaks so seldom. Much of that excellent speech so immediately bears on the whole question of Parliamentary Reform, that it will naturally lead me to the consideration of the general principle of the

Bill before us. I must, however, premise a very few remarks to the speech of the Honourable Baronet: though I shall not follow him through his account of the squabble between the labourers and their employers at Mirthyr Tidvil, which I leave to the justice of the law, or, what is better, to the prudence and principle of both parties. Neither can I seriously handle his objection to the Bill, that it has produced a strong interest, and divided opinions throughout the kingdom. Such objections prove too much. They would exclude the most important questions, and, certainly, all reformatory measures. It is one of the chief advantages of free Governments, that they excite, sometimes to an inconvenient degree, but upon the whole, with the utmost benefit, all the generous feelings, all the efforts for a public cause, of which human nature is capable. But there is one point in the ingenious speech of the Honourable Baronet, which, as it touches the great doctrines of the Constitution, and involves a reflection on the conduct of many Members of this House, cannot be passed over, without an exposition of the fallacy which shuts his eyes to very plain truths. Mr. Burke, indeed, in the famous speech at Bristol, told his constituents, that as soon as he was elected, however he might respect their opinions, his votes must be governed

by his own conscience. This doctrine was indisputably true ; but does he not, by his elaborate justification of his public conduct, admit their jurisdiction over it, and acknowledge, that if he failed in converting them, they had an undoubted right to reject him. But if they could justly reject him, for differing from what they thought right, it follows, most evidently, that they might, with equal justice, refuse their suffrages to him, if they thought his future votes likely to differ from what they deemed indispensable to the public weal. If they doubted what that future conduct might be, they were entitled, and bound to require a satisfactory explanation, either in public or in private ; and in case of unsatisfactory, or of no explanation, to refuse their support to the candidate. This duty the people may exercise in whatever form they deem most effectual. They impose no restriction on the conscience of the candidate ; they only satisfy their own conscience, by rejecting a candidate, of whose conduct, on the most momentous question, they have reason to doubt. Far less could constituents be absolved, on the present occasion, from the absolute duty of ascertaining the determination of candidates on the subject of Parliamentary Reform. His Majesty in his speech from the throne, on the 22d of April, was pleased to declare, " I have come to meet

“you, for the purpose of proroguing Par-
“liament, with a view to its immediate dis-
“solution. I have been induced to resort to
“this measure, for the purpose of ascer-
“taining the sense of my people, in the way
“in which it can be most constitutionally
“and authentically expressed, on the expe-
“diency of making such changes in the re-
“presentation as circumstances may appear
“to require ; and which, founded upon the
“acknowledged principles of the Constitu-
“tion, may tend at once to uphold the just
“rights and prerogatives of the Crown, and
“to give security to the liberties of the sub-
“ject.” What answer could the people
have made to the appeal thus generously
made to them, without taking all necessary
means to be assured that the votes of those,
whom they chose, would sufficiently mani-
fest to him the sense of his people, on the
changes necessary to be made in the repre-
sentation.

On subjects of foreign policy, a long si-
lence has been observed on this side of the
House ; and undisturbed, I am bound to
add, by the opposite side, for reasons which
are very obvious. We are silent, and we
are allowed to be silent ; because, a word
spoken awry, might occasion fatal explo-
sions. The affairs of the Continent are so
entangled with each other, and the mutual
relations of all nations are so embroiled, that

we have forbore to express those feelings, which must agitate the breast of every human being, at the sight of that admirable and afflicting struggle on which the eyes of Europe are constantly, however silently, fixed. As it is admitted by the Honourable Baronet, that the resistance of the French to usurpation last year was glorious to all who were concerned in it ; it follows that being just, it has no need of being sanctioned by the approbation of fortune. Whatever the event may be, the people of Paris were justified by the necessity of defending their legal liberties, and constitutional rights, against lawless violence. Who then are morally answerable for the unfortunate confusions which followed ; for the farther commotion, which heaven avert, which may convulse France and Europe ? Who opened the floodgates of discord on mankind ? Not the friends of liberty ; not the advocates of popular principles. Their hands are clean. They took up arms only to defend themselves against wrong. I hold sacred every retreat of misfortune, and desire not to disturb fallen greatness. But justice compels me to say, that the hands of the late King of France were made to unlock these gates by his usurping ordinances. "To open, but to shut, surpassed his power." The dangers of Europe do not originate in democratical principles, or democratical power. They

arose from those who conspired the subversion of all popular rights, however sanctioned by oaths, by constitution, and by laws.

I shall now directly proceed to the latter part of the speech of the Honourable and Learned Member for Boroughbridge, which regards the general principle and character of this Bill. In doing so, I shall endeavour, as far as may be, not to displease the fastidious ears of the Honourable Baronet, by frequently repeating the barbarous names of the Tudors and Plantagenets. I must, however, follow the Honourable and Learned Member to the fountains of our government and laws, whither, indeed, he calls upon me with no unfriendly voice to accompany him. That no example can be found from the time of Simon de Montfort to the present year, either in the practice of ancient legislation, or in the improvements proposed by modern Reformers, which sanctions the general principle of this Bill, is an assertion, which I am sure the Honourable Gentleman will discover to be unadvisedly hazarded.

I shall begin with one of the latest examples of a Reformer of great weight and authority—that which is afforded by the speech and the plan of Mr. Pitt in 1785, because it does not only itself exhibit the principle of the schedules of this Bill, but because it proves, beyond all possibility of

dispute, his thorough conviction that this principle is conformable to the ancient laws and practice of the Constitution. The principle of schedules A. and B. is the abolition, partial or total, of the elective rights of petty and dependent Boroughs. The principle of schedules C. D. and E. is the transfer of that resumed right to great towns, and to other bodies of constituents deemed likely to use it better. Let me now state Mr. Pitt's opinion, in his own words, on the expediency of acting on both these principles, and on the agreement of both with the ancient course and order of the Constitution. His plan, it is well known, was to take away 72 Members from 36 small Boroughs, and to add them to the County Representation, with a permanent provision for such other transfers of similar rights to great towns, as should from time to time seem necessary. His object, in this disfranchisement and enfranchisement, was, according to his own words, to make the House of Commons an assembly which should have the closest union, and the most perfect sympathy with the mass of the people. To effect this object, he proposed to buy up these Boroughs by the establishment of a fund, (Cheers from the Opposition,) of which the first effect was expected to be considerable, and the accumulation would prove an irresistible temptation.

Gentlemen would do well to hear the whole words of Mr. Pitt, before they so loudly exult. “ It is an indisputable doctrine of antiquity, that the state of the representation is to be changed with the change of circumstances. Change in the Borough Representation was frequent. A great number of the Boroughs, originally parliamentary, had been disfranchised—that is, the Crown had ceased to summon them to send Burgesses. Some of these had been restored on their petitions; the rest had not recovered their lost franchise. Considering the restoration of the former, and the deprivation of the latter, *the Constitution had been grossly violated, if it was true* (WHICH HE DENIED,) *that the extension of the elective franchise to one set of Boroughs, and the resumption of it from others, was a violation of the Constitution.* The alterations were not made from principle, but they were founded on the general notion which gave the discretionary power to the Crown, viz. that the principal places, and not the decayed Boroughs, should exercise the right of election.” I know full well that these Boroughs were to be bought. I also know, that the late Member for Dorset, (Mr. Banks,) the college friend, the zealous but independent supporter of Mr. Pitt, exclaimed against the purchase, though he applauded the Reform.

How did Mr. Pitt answer? Did he say, I cannot deprive men of inviolable privileges without compensation; I cannot promote Reform by injustice? Must he not have so answered, if he had considered the resumption as "Corporation Robbery?" No. He excuses himself to his friend. He declares the purchase to be "the tender part of the subject," and apologizes for it, as "having become a necessary evil, if any Reform was to take place." Would this great master of language, who so thoroughly understood and practised precision and propriety of words, have called that a necessary evil which he thought an obligation of justice, the payment of a sacred debt? It is clear from the very words that follow, "if any Reform were to take place," that he regarded the price of the Boroughs merely as a boon to so many Borough-holders to become proselytes to Reform. It is material also to observe, that as compensation was no part of his plans or suggestions in 1782 and 1783, he could not have consistently represented it as of right due. Another decisive reason renders it impossible to annex any other meaning to his language. He justifies his system of transfer, by analogy to the ancient practice of ceasing to summon some Boroughs, and to the prerogative in former times acknowledged, which summoned new Boroughs at pleasure. But

the analogy would have failed, if he thought compensation due, for it is certain that no compensation was dreamt of, till his own plan. Why did he so strenuously maintain the constitutional authority to disfranchise and enfranchise, if he had entertained the least suspicion that it could not be exercised without an act of rapine? Another circumstance is conclusive. His plan, as may be seen in his speech, was to make the compensation to the Borough-holders; not to the poor freemen, the scot and lot voters, the pot-walloppers, whose spoliation has been so much deprecated on this occasion, and who alone could have any pretence of justice or colour of law. They at least have legal privileges. The compensation to the Borough-holders was to be for the loss of their profits by breaches of law. It could only be meant to satisfy and silence them; and it is impossible that it should be granted as an indemnity for the forfeiture of just rights. One word only in Mr. Pitt's speech, may be thought favourable to another sense: "To a Reform by violence he had an insurmountable objection." Now these words might mean only an objection to effect his resumption by an act of the supreme power, when he could introduce the same good by milder means. The reports of that period were far less accurate than they now are. The general tenor of

Mr. Pitt's speech must determine the meaning of a single word ; and it seems to me impossible to believe, that he could have intended more than that he preferred a pacific accommodation of almost any sort to formidable resistance, and the chance of lasting discontent. His objection could only be founded on personal feelings, or on supposed expedience, in either of which cases it is nothing to my present purpose. What an imputation would be thrown on his memory, by supposing that he who answered the objection of Reform being *un-constitutional*, could pass over the more serious objection that it was believed by himself, or by any others who deserved the least consideration, to be *unjust*. I, therefore, most conscientiously declare my conviction, that Mr. Pitt's Reform was founded on the principle of the schedules, that of withdrawing the suffrage from some places, and conferring it on others ; that both his plan and the present were founded on the law and practice of our ancient Government ; and that his purchase of the influence over Boroughs, was merely used as oil to smooth the movements of the machine, but by no means as a condition of the morality and justice of Reform. That I may not be obliged to return to this case, I shall add one other observation, which more strictly belongs to another part of the argu-

ment. Mr. Pitt never once hints, that the dependent Boroughs were thought necessary to the security of property. It never occurred to him that any one could think them intrinsically good. It was impossible that he could propose to employ a million sterling in demolishing the safeguards of the British Constitution. Be it observed, that this remark must be considered by all who respect the authority of Mr. Pitt as of great weight, even if they believe compensation and voluntary surrender to be essential to the justice of transferring the elective franchise.

It will, I think, be acknowledged by the Honourable and Learned Member for Aldborough himself, that there was a Reformer of great name before my noble friend, who maintained the transfer of the elective franchise, by disfranchisement and enfranchisement, to be conformable to ancient rights or usages, and for that reason, among others, fit to be employed as parts of a plan of Parliamentary Reform. The two sorts of Reforms proposed during the last seventy years, have been *simultaneous Reform, and progressive Reform*. Of the first it is manifest, that the two expedients of resuming the franchise from those who cannot use it for the public good, and bestowing it where it will probably be better employed, are indispensable parts, or rather constitute

the very essence.* I shall presently shew that it is impossible to execute the most slowly progressive scheme of reformation, without some application, however limited, of these now altogether proscribed principles.

I do not wish to displease the Honourable Baronet by frequent or extensive excursions into the middle age. But the Honourable and Learned Gentleman will admit that the right of the Crown to summon new Boroughs, was never disputed until its last exercise by Charles II. in the well known instance of Newark. In the Tudor reigns, this prerogative had added 150 Members to this House. In the forty-five years of Elizabeth, more than sixty were received into it. From the accession of Henry VII. to the disuse of the prerogative, the representation received an accession of about two hundred, if we include the cases where representation was established by Parliament, and those where it was restored, after a disuse of centuries. Let me add, without enlarging on it, that forty-four Boroughs, and a city which anciently sent Burgesses to this House, are unrestored at this day. I know no Parliamentary mode of restoring them, but by a statute, which would be in effect

* The Reforms proposed by Mr. Flood in 1790, and by Lord Grey in 1797, might have been added to those of Mr. Pitt in 1782, 1783, and 1785.

a new grant : and I believe, that if such matters were cognizable by courts of law, the Judges would presume, or for greater security, advise the Jury to presume, after a disuse of so many centuries, that it had originated either in a surrender, or in some other legal mode of terminating the privilege. According to the common maxim, that there is no right without a remedy, we may infer, the absence of right from the absence of remedy. In that case, the disuse of summonses by the King, or his officers, must be taken to be legal, in spite of the authority of Serjeant Glanville, and his Committee, who, in the reign of James I. held the contrary doctrine. But I wave this question, because the answer to it is needless to the purpose of my argument. It is enough for me that the disuse had been *practically* maintained without being questioned, till the end of James the First's reign, and that it still shuts our doors on ninety persons who might otherwise be chosen to sit in this House. The *practice* of resuming the franchise, therefore, prevailed as certainly in ancient times *as the legal prerogative of conferring it*. The effect of prerogative and practice combined, was to take from the representation the character of immutability, and to bestow on it that flexibility, which, if it had been then properly applied, might have easily fitted

it for every change of circumstances. These powers were never exercised on any fixed principle ; the prerogative was often grievously abused ; but the abuse chiefly consisted in granting the privilege to beggarly villages, or to the manor or demesne of a favoured Lord. There are few examples of withholding the franchise from considerable towns. On a rapid review of the class of towns next of importance to London, such as York, Bristol, Exeter, Norwich, Lincoln, &c., it appears to me, that they all sent Members to the House of Commons of Edward I. Boston did not occur to me ; but, admitting the statement respecting that place to be accurate, the Honourable and Learned Gentleman must allow this instance to be at variance with the general spirit and tendency of the ancient Constitution, in the distribution of elective privileges. I do not call it an exception to a rule, for there were no rules ; it was no departure from principle, for no general principle was professed, or, perhaps, thought of ; but it was at variance with that disposition not to leave great towns unrepresented, which, though not reduced to system, yet practically influenced the coarse good sense of our ancestors, and, what is remarkable is most discernible in the earliest part of their legislation.

It was not the Union with Scotland that stopped the exercise of the prerogative.

The enfranchisement of Newark occurred thirty years before the Union ; and Newark itself was a single instance of its exertion for near seventy years before the Union. We know that the Stuart Kings dreaded an increase of Members in this House, as likely to bestow a more democratical character on its proceedings ; but the true cause of the extinction of this prerogative, was the jealousy of a people become more enlightened and vigilant of a royal power which had been abused, and which might be made the means of enslaving the kingdom. The adverse discussions in this House respecting the admission of the Members for Newark, though they ended favourably to the Crown in that instance afforded such a specimen of the general sentiments and temper respecting the prerogative, that no man was bold enough to advise its subsequent exercise.

The course of true wisdom would have been to regulate the employment of the royal power by a law, which, acting quietly, calmly, but constantly, without a shock, and without interruption, would have removed or prevented all inconvenient or gross inequality in the representation. Had such a law been substituted for the prerogative, the dangers of so irregular an agent would have been averted, and the excellent principle contained in it, would have for

ever saved the Constitution from the necessity of a simultaneous reformation. It would have then been necessary only to enact that every town, which rose to a certain number of houses, should be summoned to send Members to Parliament, and that every town which fell below a certain number, should cease to be so summoned; the good principle of the ancient system would thus have become a regulator of the representation, and it would have been entirely purified from the evil which had tainted its practice. The unfortunate neglect of substituting a good law for a perilous prerogative, occurred at the period when some remedial power was most wanted. The regulator of the representation which had been abusively active in stationery times, was suffered to drop out of the machine at a moment when it was so much needed to fit the elective system to the rapid and prodigious changes which afterwards followed in the state of society; when vast cities sprung up in every province, and, in the latter part of this period, the manufacturing world may be said to have been created. There was no longer any renovating principle in the frame of the Constitution. All the marvellous works of industry and science were unnoticed in our representation. The changes of a century and a half since the case of Newark, the social revolution of the last sixty years,

altered the whole condition of men more than the three centuries which passed before; the representation alone stood still. It is to this interruption of the *Vis medicatrix et conservatrix* of the commonwealth that we owe the necessity of now recurring to an extensive and simultaneous Reform, of which I do not dispute the inconveniences. We are now called on to pay the arrears of a hundred and sixty years of an unreformed representation. The immediate settlement of this constitutional balance is now difficult; it may not be without danger; but it is become necessary to avoid ruin, and it may soon be impossible to save us by that, or by any other means.

But we are here met by a serious question, which, being founded on a principle generally true, acquires a great effect by specious application. We are reminded by the Honourable and Learned Gentleman, that Governments are to be valued for their beneficial effects, not for their beauty as ingenious pieces of machinery. We are asked, what is the practical evil which we propose to remove, or even to lessen by Reform? We are told, that the representative system works well, and that the excellence of the English Constitution is attested by its admirable fruits, for at least a century and a half. I dare not take the high ground of denying the truth of the facts thus

alleged. God forbid that I should ever derogate from the transcendent merits of the English Constitution, which it has been the chief occupation of my life to study, and which I now seek to reform, because I love it. I verily believe, that repair is now the most likely means of preserving our fundamental institutions.

Much as I love and revere the Constitution, I must say, that, during the last century, the representation has not worked well. I do not mean to undervalue its general results; but it did not work well for one grand purpose, without which, no other benefit can be safe. The means employed in elections, worked all respect for the Constitution out of the hearts of the people. The foulness, and shamefulness, or the fraud and mockery of Borough elections, slowly weaned the people from their ancient attachments: they were less competent, perhaps, than some others, to draw up the general comparison of good and evil; but they were shocked by the barefaced corruption which the increasing frequency of contests brought home to them. These disgusting scenes could not but uproot attachment to the Government to which they seemed to pertain. They could see nothing venerable in venality—in bribery—in the sale of seats—in the gift of other seats—in nominal elections carried on by individuals,

under a pretext and disguise of popular form.

It is true, that the vile machinery of openly marketable votes, was the most powerful cause which alienated them. But half the nomination Boroughs were marketable. I know one nomination Borough where no seat was ever sold; where no Member ever heard a whisper of the wishes of a patron: where a Member was under no restraint beyond the ties of political opinion and friendship, which he voluntarily imposed upon himself. It does not become me to say how the Member to whom I advert would have acted in other circumstances; but I am so firmly convinced of the generous nature of one of the parties, as to be convinced that he would as much recoil from imposing dependency, as any other man could recoil from submitting to it. I do not pretend to say that this is a solitary case; but I believe it to be too favourable an instance to be a fair sample of general practice.

Even in the best cases, the pretended election was an eye sore to the inhabitants of Boroughs. A lie was solemnly acted before their eyes. The popular principles of the Constitution had taught them, that popular elections belonged to the people. The letter of the law declared, that election should be free. The laws for successive

ages had expressly forbidden all those acts at elections, which were now become the ordinary means of obtaining a parliamentary seat. These odious and loathsome means became more general as the country increased in wealth, and as the people grew better informed, more jealous of encroachment, and more impatient of exclusion. In the times of the Stuarts and Tudors, the Burgesses, we see from the lists, were very generally the sons of neighbouring Gentlemen, chosen with little contest and noise, and so little affected by bribery, that when it occurred, we find it mentioned as a singular event. It was after the Revolution that monied candidates came from the capital to invade a tranquillity, very closely allied to blind submission. These unhappy practices began in the best times of the community and of the Constitution; they became more gross as the people grew more keen-sighted, and they reached their utmost rankness, when the nation, by the agitations of the world, were most prepared to loathe them. At length, the worst of all practical effects was produced. The Constitution sunk in popular estimation. The bulk of the inhabitants were estranged from the objects of their hereditary reverence. Elections were the portion of our Constitution which came into most frequent contact with the majority of men. Seeing in many of

them nothing but debauchery, riot, the sale of a right to concur in making law, the purchase in open market of a share in the choice of lawgivers, absolute nomination under the forms of election, they saw that many immoral, many illegal practices became habitual, and were even justified. Was it not natural for the majority of honest men to judge rather by their moral feelings, than by refined arguments, founded on a calm comparison of these evils, with the counteraction of the free principles of the Constitution? Such at least was the effect of this most mischievous practice, that when any misfortune of the country, any error of the Government, any commotion abroad, any disorder at home arose, they were all ascribed with exaggeration, but naturally to the corruption, which the humblest of the people saw had tainted the vital organs of the Commonwealth. The scandal of elections spread over the Government.

My Honourable and excellent Friend, the Member for the University of Oxford, indeed, told the last Parliament, that the clamours of the representation were only momentary cries, which, however magnified at the moment, always quickly yielded to a vigorous and politic Government. He might have looked back somewhat farther. What were the Place Bills, and Triennial Bills of

Sir Robert Walpole's time? Were they not, in truth, demands of Parliamentary Reform? The cry is therefore one of the symptoms of a distemper, which has lasted for a century. But to come to his more recent examples. In 1770, Lord Chatham was the agitator; Mr. Burke was the incendiary pamphleteer, who exaggerates the importance of a momentary delusion, which subsided as quickly as it had risen. Unfortunately for this reasoning, every instance confutes the inference drawn from the preceding. It subsided after 1770, but it revived in 1780, under Sir George Saville; under Mr. Pitt in 1782, 1783, 1784: it was felt at the time of Mr. Flood's motion in 1790: Lord Grey's motion in 1797 was supported by respectable Tories, such as Sir W. Dolben, Sir R. Hill, and by conscientious men, more friendly to Mr. Pitt than to his opponents, of whom it is enough to name Mr. H. Thornton, then Member for Surry: so that instead of being the flashes and eruptions of transient delusion, these constantly recurring complaints of an evil representation, are the symptoms of a deep-rooted distemper, sometimes breaking out, sometimes dying away, sometimes repelled, but always sure to return, now actually re-appearing with resistless force in the election of 1830, and still more decisively in the election of 1831. The cries are not the evil;

they are proofs of the existence of a malady, liable to be called into convulsive action, by causes which, in the course of human affairs, must constantly occur. The evil is not the occasional disturbance, but the disordered state which exposes the community to its recurrence. But if we seek for an occasional provocation, which roused the people to a louder declaration of their opinions, where shall we find a more unexceptionable witness, than one of the ablest and most unsparing opponents of the Ministers and of their Bill. Mr. Henry Drummond, in his very able address to the Freeholders of Surry, explicitly ascribes the irritation which now prevails to the unwise language of the late Ministers. The declaration of the late Ministers against Reform, says he, "proved their gross ignorance of the national feeling, and drove the people of England to despair."

Many allege that the people have gained so much strength and influence through the press, that they need no formal privileges or legal franchises to reinforce it. If it be so, I consider it to be a decisive reason for reformation. A country in which the great body of men are become powerful by their intelligence and by their wealth, while they are exasperated and alienated from the laws by exclusion from political rights, where their anger is roused and their pride is insulted, never can be in a safe condition. I hold

it to be one of the most invariable maxims of legislation, to bind to the Constitution, by the participation of legal privilege, all persons who have risen in wealth, in intelligence, in any of the legitimate sources of ascendancy over others. I would do what our forefathers, though rudely, aimed at doing, by calling into the national councils every rising portion of the community.

The grand objection to this Bill is what ought to be fatal to any Bill, if the objection had any foundation but loud and bold assertion—that it is unjust. This argument was never, indeed, urged by the Right Honourable Baronet, and it seems to be on the eve of being abandoned. But the walls of the House still seem to resound with the vociferations of my Honourable and Learned Friend, the Member for Boroughbridge, against what he called “ Corporation Robbery ;” though many of the Boroughs were not Corporations, though none who were would be deprived of their corporate rights ; and most of all, if they had been all Corporations to be divested of their character, divested of rights which had been, or were likely to be abused, the term “ Robbery” would have been ridiculously inapplicable. My Learned Friend repeated that phrase so often, so audibly, so sonorously, that it must still ring in the ears of those who were Members of the last Parliament. Examples are

more striking than general reasonings. Was the Disuse of Summons, which still excludes near a hundred Members from this House, an "Act of Robbery?" Was the Union with Scotland, which reduced the Borough Representation from sixty-five to fifteen, an Act of Robbery? Yes, surely, it was, if the term can be properly applied to this Bill. The Scotch Boroughs werethrown into clusters of four and five, of which each cluster sent a Burgess. But if it be robbery to take away the whole of a franchise, it is in principle as violent an invasion of property to take away four-fifths or three-fourths of it. The two acts, as far as regards justice, must stand or fall together. What will be said of the Union with Ireland? Was it "robbery" to reduce the Representation from 300 to 100 Members? Was it robbery to disfranchise 100 Boroughs on the very principle of the present Bill, that these suppressed Boroughs were decayed, dependent, unfit for the franchise? The Irish Union was a reformatory measure; it was founded on the resumption of the elective rights from electors who could not use them independently. Was it robbery to deprive the Peers of Scotland of their birthright, and compel them to be contented with a possibility of being occasionally elected? Was it robbery to mutilate the legislative rights of the Irish Peerage?—

No ; because, in all these cases, the powers taken away or limited were trusts resumable by Parliament for the general well-being.

Farther, I contend that if this be robbery, every Borough disfranchised for corruption has been robbed of its rights. Talk not to me of the *guilt* of these Boroughs ; individuals are innocent or guilty—bodies politic can be neither. If the disfranchisement of corrupt towns be considered as a punishment for an offence, it is a hideous mass of iniquities. Where is the trial—where are the witnesses on oath—where are the precautions against partiality—where are the responsible Judges ? Who, indeed, are the Judges ? Men who have practised, and who now avow, as the best part of the Constitution, the very offence for which they are bold enough to *punish* Boroughs. Why, in such cases, are the unborn punished for the offences of the present generation ? Why should the innocent minority suffer for the sins of a venal majority ? If the rights of unoffending parties are reserved, of what importance is the preservation, if they are drowned in hundreds or thousands of fellow voters ? Would not the opening of the suffrage in the City of Bath be as destructive to the close corporation as if they were by name disfranchised ? Viewed in that light, every Bill for the disfranchise-

ment of a Borough, is a Bill of Pains and Penalties, and in the nature of a Bill of Attainder. How are these absurdities avoided? Only by the principle of this Bill, that political trust may be justly resumed by the supreme power, whenever it is deemed injurious to the Commonwealth. The test which distinguishes property from trust, is simple, and easily applied. Property exists for the benefit of the proprietor; political power exists only for the service of the State. Property is, indeed, the most useful of all human institutions. It is so, because the power of every man to do what he will with his own, is beneficial and essential to human society. A trustee is legally answerable for the abuse of his power: a proprietor is not amenable to law for any mis-use of his property, unless it should involve a direct violation of the rights of other men. It is for this violation only, not at all the mis-use of his proprietary right, considered merely as such, that he can be justly answerable to human laws. It is true that every man is answerable to God, and his own conscience, for a bad use of property. It may be immoral, in the highest degree. But the existence of property would be destroyed, if any human authority could controul the master in his disposal of that which the law has subjected to his exclusive power. It is said, that property is trust; and so it

may, in figurative language, be called. It is a moral trust, but not a legal trust. In the present argument, we have to deal only with legal trusts. The confusion of trust with property misled the Stuarts so far, that they thought the kingdom their property. They were undeceived by the Revolution, which taught us, that no man can have a property in other men. It has, therefore, decided the question before us. Every voter has, by the force of the term, a share in the nomination of lawgivers. He has, thus far, a part in the Government; and all Government is a trust. Otherwise, if the voter, as such, were a proprietor, he must have a property in his fellow citizens, who are governed by laws, of which he has a share in naming the makers. I have only to add, on this subject, that if the doctrine of property be admitted, all Reform is forever precluded. Even the enfranchisement of new Boroughs or Districts must be renounced, for every addition diminishes the value of the previous suffrage; and it is no more lawful to lessen the value of property, than to take property from the proprietor. Unless I am grossly deceived, there never was a more groundless cry than that of corporation robbery.

Of all doctrines which threaten the principle of property, none more dangerous was ever promulgated, than that which con-

founds it with political privilege. None of the disciples of St. Simon, or of the followers of the ingenious and benevolent Owen, have struck so deadly a blow at property, as those who would reduce it to the level of the elective rights of Gatton and Old Sarum. Property, the nourisher of mankind, the incentive of industry, the cement of human society, will be in a perilous condition, if the people be taught to identify it with political abuses, and to deal with it as being involved in their impending fate. Let us not teach the spoilers of future times to represent the resumption of a right of suffrage as a precedent for the seizure of lands and possessions. The two acts have nothing in common. It is as full of danger as it is of absurdity, to confound such distinct, and in many respects, contrary notions. They cannot be likened to each other with any shew of reason, and without the utmost derogation from the sanctity of property.

Much is said in praise of nomination, which is now called "the most unexceptionable part of our Representation." To nomination, it seems, we owe the talents of our young Members; the prudence and experience of the more aged. It supplies the Colonies and Dependencies of this great empire with virtual Representation in this House. By it commercial and funded pro-

perty finds skilful advocates, and intrepid defenders. The whole of these happy consequences is ascribed to that gross and flagrant system of breaches of law, which are now called the practice of the English Constitution.

I never had, and have not now any objection to the admission of Representatives for the Colonies into this House, on fair and just conditions. I cannot conceive that a Bill which is objectionable, as raising the commercial interest at the expense of the landed, will also lessen the safeguards of their property. Considering the well-known and most remarkable subdivision of funded income, (the most minutely divided of any mass of property,) I do not believe that any representatives, or even any constituents, could be ultimately disposed to do themselves so great an injury as to invade it. The chain which connects together all classes of the community, is sufficient to lead men at once respectable and opulent into this House. Men of genius, and men of experience, have found their way into this House through nomination, or through worse means, through any channel that was open: the same classes of candidates will direct their ambition and their efforts to the channels opened by the present Bill: they will soon attain their end by varying their means.

A list has been read to us of illustrious men who found an introduction to Parliament, or a refuge from unmerited loss of popularity in decayed Boroughs. What does such a catalogue prove, but that England, for the last sixty years, has been a country full of ability, of knowledge, of intellectual activity, of honourable ambition, and that a large portion of these qualities has flowed into the House of Commons? Might not the same dazzling common places have been opposed to the abolition of the Court of Star Chamber? "What," it might have said, "will you, in your frantic rage of innovation, demolish the tribunal in which Sir Thomas More, the best of men, and Lord Bacon, the greatest of philosophers, presided; where Sir Edward Coke, the oracle of law; where Burleigh, and Walshingham, the most revered of English Statesmen, sat as Judges; which Bacon, enlightened by philosophy and experience, called the peculiar glory of our legislation, which alone had established "a Court of Criminal Equity?" Will you, in your paroxysms of audacious phrenzy, abolish this Prætorian Tribunal, this sole instrument for bridling popular incendiaries? Will you dare to persevere in your wild purpose, at a moment when Scotland is agitated by a rebellious league and covenant; when Ireland is threatened with insurrection and massacre?

Will you surrender the shield of the Crown, the only formidable arm of prerogative, at a time when His Majesty's authority is openly defied in the capital where we are assembled?" I cannot, indeed, recollect a single instance in that long course of Reformation, which constitutes the History of the English Constitution, where the same plausible arguments, and the same exciting topics, might not have been employed against the Reform, which are now pointed against the present measure. The Honourable and Learned Gentleman has alluded to Simon de Montfort, the first and most extensive Parliamentary Reformer, who raised the class of Burgesses, allowing them to sit in Parliament. The haughty and unlettered Barons disdained argument; but their cries were doubtless loud and vehement: even they could exclaim that the new Constitution was an untried scheme—that it was a daring experiment—that it would level all the distinctions of society—that it would throw the power of the State into the hands of traffickers and Burgesses. Men yesterday slaves, but now to be seated by the side of Plantagenets in the arduous duty of making laws, and who, in their mutinies and revolts during their slavery, had shewn what might be expected from them when intoxicated by new power. Are these not the topics which are substantially used against

Parliamentary Reform? They are now believed, by an experience which has taught us that the adoption of the lower classes into the Constitution, the concessions made to them, and the widening of the foundation of the Legislature, have been the source of peace, of order, of harmony, of all that is excellent in our Government, and of all that secures the frame of our society. The Habeas Corpus Act, in the reign of Charles the Second, was obtained by the repeated, persevering, unwearied exertions of the Earl of Shaftesbury, after a meritorious struggle of many years. I mention the facts with pleasure in the presence of his descendant. It is now well known, from the confidential correspondence of Charles and his brother James, that they both believed sincerely that a Government without the power of arbitrary imprisonment could not exist; and that Shaftesbury had forced this Act of Habeas Corpus upon them, in order, either to expose them unarmed to the populace, or to drive them to the odious and precarious instrument of an army. The belief of the royal brothers was the more incorrigible, because it was sincere. It is the fatal effect of absolute power to corrupt the judgment of the possessors, and to insinuate into their minds the false and pernicious opinion, that power is always weakened by limitation, and that the admission of new men to pri-

vilege, at all times strengthens rivals, and never converts them into friends.

Shall I be told, that the sale of seats is not in itself an evil? The same most ingenious person who hazarded this paradox, quoted the example of the sale of the judicial office in Old France, with a near approach to approbation. That practice had been vindicated by French writers of great note, and had, in fact, many guards and limitations not to be found in marketable Boroughs: but it has been swept away by the Revolution; and there is now no man disposed to palliate its shameless enormity. The grossest abuses, as long as they prevail, never want advocates, who find specious mitigations of them: their downfall discovers their deformity to every eye. For my part, I do not see, why the sale of a power to make laws, should not be as immoral as the sale of a power to administer laws.

An elective system which degrades the Constitution, and blinds men to its benefits and blessings, is the greatest of all the practical evils which can exist in such a government as ours, consistently with the preservation of its ancient forms. Half the Nomination Boroughs are marketable; and by their notoriously mercenary nature, undermine all attachment to the frame of the government. Even the best of them are an eye-sore to the people, and have brought a

lasting scandal on the Constitution, which, unless the ground of it be removed, will prove fatal to all our institutions. Open venality has most contributed to the alienation of the people. But the disguise of nomination under elective forms has most powerfully aided. It is so flimsy an imposture, it is a fraud so universally seen through, it is a delusion which so certainly deludes nobody, that the trespass on the privileges of the people is aggravated by an insult to their understandings.

We have heard it said, that the Peerage, and even the Monarchy, cannot survive the loss of these Boroughs; and we are referred to the period since the Revolution during which this influence has been their main-guard against popular assault and dictation. I respectfully lay aside the Crown in this debate; and in the few words that I am now about to utter, I am desirous to express myself in cautious and constitutional language. Since the Revolution, since the defeat of the attempts to establish absolute Monarchy, the English Government has undoubtedly become Parliamentary. But since that time, also, the hereditary parts of the Constitution have been uniformly respected as wholesome temperaments of the rashness of popular assemblies. I can discover nothing in this change which will disable the Peers from usefully continuing to per-

form this duty. If some inconvenient diminution of the influence of great property should follow, we must encounter the risk; for nothing can, in my judgment, be more certain, than that the Constitution can no longer bear the weight of obloquy and scandal thrown upon it by the elections. The community cannot afford to purchase any advantage at such an expense of character and safety : but so great is the natural influence of property, especially in a country where the various ranks of society were so long bound together by friendly ties, that I can scarcely conceive any laws or institutions which could much diminish the influence of well spent wealth, whether honourably inherited, or honestly earned.

The benefits of reformation might indeed be hazarded, if the great proprietors were to set themselves in battle array against the permanent desires of the people, for the restoration of their privileges. If they treat their countrymen as adversaries, they may excite a hostile spirit against themselves, if they deal with every proposal to enlarge the rights of the laborious classes, as a wrong done to the higher ranks, they must be prepared for reaping the fruits of the lessons which they teach. Distrust will beget distrust : jealousy will awaken an adverse jealousy. The superior classes may, by their behaviour at this critical moment, sow the

seeds of lasting, and, perhaps, fatal discord in a reformation which is intended to be a treaty of peace. I trust that these evil consequences may not arise. The nobility of England, in former times, have led their countrymen in the battles of liberty. Those among them who are most distinguished by ample possessions, by historical names, by hereditary fame, interwoven with the glory of their country, have, on this occasion, been the foremost to shew their confidence in the people, their unsuspecting liberality in the enlargement of popular privilege, their reliance on the sense and honesty of their fellow citizens, as the best safeguard of property and of order, as well as of all other interests of society. Already, this measure has exhibited a disinterestedness which has united all classes, from the highest Borough-holder to the humblest non-resident freeman, in the sacrifice of their own exclusive advantages to what they think a great public good. There must be something good in what produces so noble a sacrifice.

This is not solely a *reformatory* measure; it is also *conciliatory*. If it were exclusively proposed for the amendment of institutions, I might join in the prevalent cry that it goes too far, or at least travels too fast, farther and faster than the maxims of wise reformation would warrant. But as it is a

means of regaining national confidence, it must be guided by other maxims. In that important view of the subject, I consider the terms of this plan as of less consequence than the temper which it breathes, and the spirit by which it is animated. A conciliatory measure deserves the name only, when it is seen and felt by the simplest of men, to flow from the desire and determination to conciliate. At this moment, when, amidst many causes of discord, there is a general sympathy in favour of reformation, the superior classes of society, by opening their arms to receive the people—by giving to the people a signal and conspicuous proof of confidence—by putting trust in the people, may reasonably expect to be trusted by the majority of their countrymen. But to reach this end, they must not only be, but appear to be liberally just and equitably generous. Confidence can be purchased by confidence alone. If the leading classes follow the example of many of their own number; if they shew, by gracious and cheerful concessions, by striking acts, not merely by specious language or cold formalities of law, that they are willing to rest on the fidelity and conscience of the people, I do not believe that they will lean on a broken reed. As for those wise laws which teach us that there is always danger in trust, and that policy and generosity are at perpetual

variance, I hold them in little respect. Every unbending maxim of policy is hollow and unsafe ; base principles are often not the more prudent because they are pusillanimous. I rather agree with the beautiful peroration of Mr Burke's second speech on North America : " Magnanimity in politics " is not seldom the truest wisdom : a great " empire and little minds go ill together. " If we are conscious of our situation, and " glow with zeal, to fill our place, as becomes " our station and ourselves, we ought to auspicate our proceedings respecting America, " with the old warning of the Church " '*Sursum Cortæ.*' We ought to elevate " our minds to the dignity of that trust to " which the order of Providence has called " us."

Whether we consider this measure, either as a scheme of reformation, or an attempt to form an alliance with the people, it must be always remembered, that it is a question of the *comparative safety or danger* of the only systems now before us for our option—that of undistinguishing adherence to present institutions—that of ample redress and bold reformation—and that of niggardly, evasive, and unwilling Reform. I say comparative safety or danger ; for not one of those who have argued this question seem to have remembered that it has two sides. They have thrown all the danger of the times

upon the Reform. They load it with as much odium as if the age were otherwise altogether exempt from turbulence and agitation, and first provoked from its serene quiet by this wanton attempt. They make it answerable for mischiefs which it may not have the power to prevent, and which might have occurred if no such measure had ever been attempted. They, at least, tacitly assume that it must aggravate every evil arising from other sources. In short, they beg the whole question in dispute. They ask us whether there be not danger in Reform. I answer by asking them, "Is there no danger in not reforming?" A question which they have not ever yet attempted to answer, and to which I expect no answer now, because the negative answer seems to me impossible, and an affirmative answer reduces the whole discussion to a cool computation and calm comparison of the different degrees of safety and danger in the various systems open for our choice. Niggardly Reform seems to me the most unsafe of all systems. It cannot conciliate, for it is founded in distrust. It practically admits an evil, of which dissatisfaction is a large part; and yet it has been already proved by experience that it satisfied nobody. It is already spurned by the nation. We know that this plan, instead of being a final adjustment, will not bring over to the Government a

single individual. Other systems may be unsatisfactory. This scheme is so already, and must so continue to be. In the present temper of the people, and circumstances of the world, I cannot see one good purpose to be answered by evasive and delusive Reforms. How could the people trust the determined enemies of the smallest step towards reformation, who had refused so much less than was now extorted from them ; who, to avoid the grant of franchise to Birmingham, had broken up an Administration, whose reasonings were still as really inconsistent with the least as well as with the greatest Reform ; and who if they be sincere, must try every expedient to render impotent a measure which they could no longer venture avowedly to oppose. They who submit to partial Reform only as the least evil, must struggle to reduce the evil to the smallest possible amount.

On the other hand, the effect of the Bill before us has hitherto confirmed the opinion of those who thought that a measure of conciliatory temper, and of large and liberal concession, would satisfy the people. Experience has, so far, countenanced their hopes. The tone and demand of petitions, which were at first extravagant, became moderate and pacific, as soon as the Bill was known ; it appeared to compose, instead of irritating them. They saw a substan-

tial reformation proceeding from sincere Reformers, and they sacrificed their vague projects to what went beyond their hopes, at least as much as it fell short of the creed which had been breathed into them. Nothing can be more ludicrously absurd, than the supposition, that several millions of men are such deep dissemblers, such dark conspirators, as to withdraw from view all their farther projects, till the Bill arms them with the means of carrying such projects into execution. The body of the people cannot fail to be sincere. I do not expect any measure of legislation to work miracles. Discontent may and will continue; but it is suspended, and I believe that it will be permanently abated. I do not see why the present reformation may not, in due time, satisfy the more considerate, whose opinion is naturally calculated to spread among their equals and associates, who partake in their feelings and habits of thinking, who touch them at every point, and whose interests are visibly and glaringly the same with their own. Others, there doubtless are, who foretell far other effects. It seems to me, that the favourers of the Bill rest their predictions on more probable foundations.

Among the numerous assumptions of our opponents, there is none which appears to me more remarkable, than their taking for granted that concession is always,

or even generally, more dangerous to the stability of Governments, than resistance. As the Right Honourable Baronet introduced several happy quotations from Cicero on this subject, which he seemed to address more particularly to me, I hope I shall not be charged with pedantry, if I begin my proofs of the contrary from history, with the testimony of that great writer. In the third book of his book *De Legibus*, after having put an excellent aristocratical speech, against the tribunitian power, into the mouth of his brother Quintus, he proceeds to answer the attack in his own person in a discourse, which contains the following sentence, "*Concessá Plebi a Patribus istá Potestate, arma ceciderunt, restincta seditio est, inventum est temperamentum quo tenuiores cum principibus æquari se putarint; in quo uno fuit civitatis Salus.*" It will not be said, that Cicero was a radical or a demagogue, or that he had any personal cause to be favourable to the tribunitian power. It will not be said, that to grant to a few, a right to stop the progress of every public measure, was a slender, or likely to be a safe concession. The ancients had more experience of democracy, and a better knowledge of the character of demagogues, than the frame of modern society allows us the means of attaining. This great man, in spite of his natural prejudices, and just resentments, ascribes to this apparent-

ly monstrous power not merely the spirit and energy which may be expected even from the excess of popular institutions, but whatever safety and tranquillity the Commonwealth enjoyed through a series of ages. He would not, therefore, have argued, as has been argued on this occasion, that if the multitude appeal to violence, before legal privileges are conferred on them, they will be guilty of tenfold excesses when they become sharers in legitimate authority. On the contrary, he lays it down in the context of the passage quoted, that their violence is abated, by allowing a legal vent to their feelings.

But it appears to be taken for granted, that concession to a people is always *more dangerous to public quiet than resistance*. Is there any pretence for such a doctrine? Does it receive any support from the testimony of history? I appeal to history, as a vast magazine of facts, leading to the very opposite conclusion—of facts, which teach that this fatal principle has overthrown thrones and dismembered empires; proving that late Reformation, dilatory Reformation, Reformation refused at the critical moment, which may pass for ever, in the twinkling of an eye, have been the most frequent cause of the convulsions which have shaken states, and for a time burst asunder the bonds of society; sometimes laying open a ground on

which liberty may be built, but sometimes, also, preparing a community for taking refuge in a sterner despotism than that from which they escaped.

Allow me very briefly to advert to the earliest revolution of modern times. Was it by concession that Phillip II. lost the Netherlands? Had he granted timely and equitable concessions; had he not plotted the destruction of the ancient privileges of these flourishing provinces, under pretence that all popular privilege was repugnant to just authority; would he not have continued the master of that fair and affluent portion of Europe? Did Charles I. lose his throne and his life by concession? Is it not notorious, that if, before losing the confidence of the Parliament and people, (after that loss all his expedients of policy were vain, as in such a case all policy is unavailing,) he had adhered to the petition of right, to which he gave his royal assent; if he had forborn from the persecution of the Puritans; if he had refrained from levying money without a grant from Parliament; he would, in all human probability, have reigned prosperously to the last day of his life. If there be any man who doubts it, his doubts will be easily removed without persuing his studies farther than the first volume of Lord Clarendon's History. Did the British Parliament lose North America

by concession? Is not the loss of that great Empire solely to be ascribed to the obstinate resistance of this House to every conciliatory proposition, then supported by their own greatest men, and humbly tendered in the loyal petitions of the Colonies, until America was driven into the arms of France, and the door was for ever closed against all hopes of re-union? Had we yielded to the latest prayers of the Americans, it is hard to say how long the two British nations might have been held together; the separation, if absolutely necessary, might have been effected on quiet and friendly terms. Whatever may be thought of recent events, of which it is yet too early to form a final judgment, the history of their origin and progress would of itself be enough to shew the wisdom of those early Reformatations, which, as Mr. Burke says, "are accommodations with a friend in power," and corroborates the general testimony of experience, that nations have more frequently owed their fall to obstinacy, than to a facility of yielding.

I feel some curiosity to know how many of the principled, consistent, inflexible, and hitherto unyielding opponents of the Bill, will continue to refuse to make a declaration in favour of any Reform, till the last moment of this discussion. Although I differ from them very widely in opinion, I know how to estimate their fidelity towards

each other, their general fairness to others, their steadiness and firmness under circumstances of a discouraging and disheartening nature, calculated to sow distrust and disunion in a political party. What I dread and deprecate in their system, is, that they offer no option but Reform or *coercion*. Let any man seriously consider what is the full import of this last tremendous word ; restrictions will be first laid on the people, which will be assuredly productive of new discontents, provoking an incensed government to measures still more rigorous. Discontent will rankle into disaffection, disaffection will break out into revolt, which, supposing the most favourable termination, will not be quelled without spilling the blood of our countrymen ; and at last leaving them full of hatred for their rulers, and watching for the favourable opportunity of renewing their attack. It is needless to consider the consequences of a still more disastrous and irreparable termination of the contest. It is enough for me to say, that the long continuance of such wretched scuffles between the Government and the people is absolutely incompatible with the English Constitution. The Constitution may perish in spite of Reform ; but it cannot stand under a succession of such cruel conflicts. Those who offer me this option would reduce me to the necessity of em-

bracing Reform, even if I thought worse of its probable effects, than I think it reasonable to do; I wish Gentlemen to consider that there is nothing certain in such contests, but their course of blood. Darkness hangs over the event. Is there nothing in the temper, in the opinions, in the circumstances of all European nations, which renders the success of popular principles probable? Inaction may be at such a crisis the most dangerous policy; and surely a bold measure is peculiarly warrantable, where the policy of leaving events to them, seems to be fraught with peril. The mode in which this matter has been argued, will excuse me for once more reminding the House that the question is one of comparative danger. I vote for the present Bill, not only because I approve of it as a measure of Reform, but because I consider it as affording the greatest probability of preserving the fundamental laws. Those who shut their eyes on the tempests which are abroad, on the mighty and terrible agents which threaten all European countries, on the gloomy silence with which the extreme parties look at each other, or the noise and fury with which they contend for dominion, may obstinately persist in ascribing the agitation of minds in Great Britain to a new Cabinet in November, or to a Reform Bill in March. To them I can make no

apology for language so moderate and diffident. To those who survey all the circumstances of the world, I must again observe, that a plan of conciliation may spare the horrors of a plan of coercion, which may end in utter and hopeless defeat.

Our opponents deal much in prophecy. They foretell all the evils which will spring from Reform. They do right. Such anticipations are not only legitimate arguments, but they form the hinge on which the whole case turns. But they have two weights and two measures. They use the probability of future evil from Reform as their main stay. But when we employ the probability of future evil from Non-Reform, in support of our opinion, they call it menace, and they charge us with intimidation. They do not allow to us the same fair mode of reasoning on which they exclusively rely; and they do not seem to perceive that the proofs of evil likely to issue from the measure are of no avail if they are not attended by the proof that they are probably greater than those likely to flow from its rejection.

In this, and indeed in every other branch of the case, the arguments of our opponents have so singular a resemblance to those employed by the same Gentlemen in the Catholic Question, that we might quote as the answers to them the language then

used by their present allies. Then, as now, the Ministers were charged with yielding to clamour and menace, and with attempting to frighten other men out of their independence. As a brief, but conclusive answer, I have to say, that all policy consists in a consideration whether a measure be safe and beneficial; that every statesman or lawgiver ought to fear what he considers as dangerous to the public; and that I avow myself a coward at the prospect of the civil disorders which I think impending over my country. What would be thought of a man so indifferent to his country, as not to recoil from such apprehended mischief?

It is said that this measure is not final. We are told, as we were told in the case of the Catholics, that the measure is not final, and that it is sought only as a vantageground from which it will be more easy to effect other innovations. I denied the disposition to encroach, with which the Catholics were charged; and however afflicting the condition of Ireland may now be, I appeal to every dispassionate man, whether the relief granted the Catholics, has not, on the whole, bettered the situation, and strengthened the security of the country. I was then taught by the Right Honourable Baronet, that concession would divide loyal from disaffected opponents, and unite all

friends of their country against men whose demands were manifestly insatiable. Is it not reasonable to expect some degree of the same benefits on the present occasion?

Nothing human is, in one sense of the word, final. Of a distant futurity I know nothing; and I am, therefore, altogether unfitted to make laws for it. Posterity may rightly measure their own wants, and their capacity—we cannot; the utmost that we can aspire to, is to remove elements of discord from their path. But within the very limited horizon to which the view of politicians can reach, I have already offered some reasons why I expect that a measure of concession, made in a spirit of unsuspecting confidence, may inspire the like sentiments; and believe, that the majority of the people may acquiesce in a grant of privileges so extensive, that every man may hope to earn it, given to a constituent body, who must always agree with the obvious and palpable interest, the decisive judgment, and the warm desire of the whole.

After all, is it not obvious that the people already possess that power from their numbers, of which the exercise is dreaded? It is ours, indeed, to decide, whether they are to exert their force in the market-place, in the street, in the field, or in discussion, and debate in this House. If we somewhat increase their legal privileges, we must, also

in some measure, abate their supposed disposition to use it ill. Their exasperation out of doors appears to me more dangrous than their influence within. Here they may examine questions with a calm eye ; and many of them will, surely, not be unwilling to listen to reason. To predict such danger from the admission within the pale of the Constitution now proposed, is, in truth, an avowal that the situation of this country is desperate.

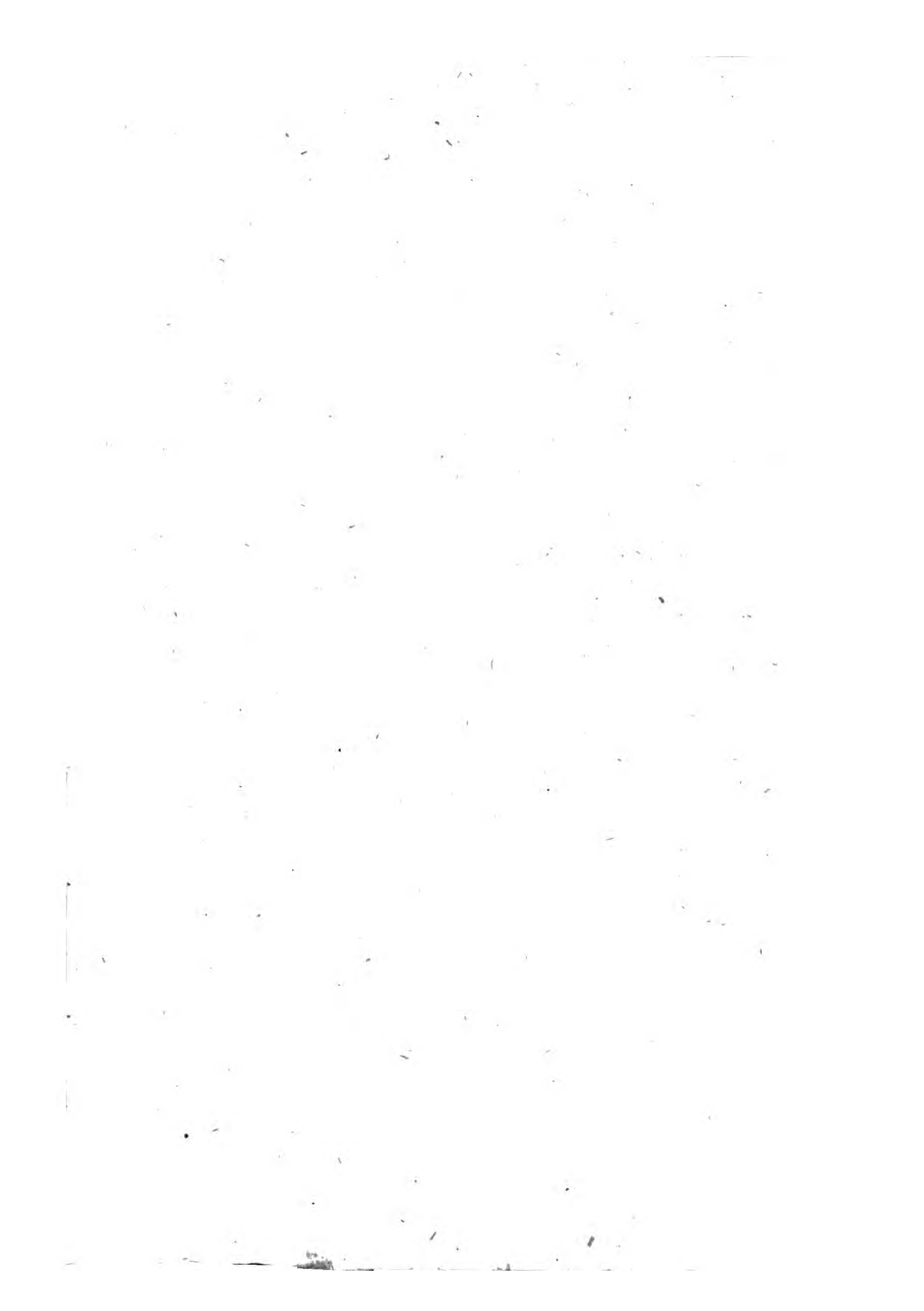
On the great proprietors, much of the grace, of the generous character, of the conciliatory effect of this measure, must certainly depend. But it cannot ultimately depend upon a single class, whether such a Bill shall pass. If they be deluded and enflamed by tales of intimidation and of riot ; if they are so much misled, as to doubt whether, if the fullest allowance were made for all that can be ascribed to these causes, it would amount to a visible deduction from the national unanimity ; if they do not perceive that there is no more dissent from the national doctrine, than is necessary to shew the liberty of publishing opinion—whenever or wherever they act on these great errors, they may abate the healing efficacy of a great share of conciliation and improvement ; but they cannot prevent its final adoption.

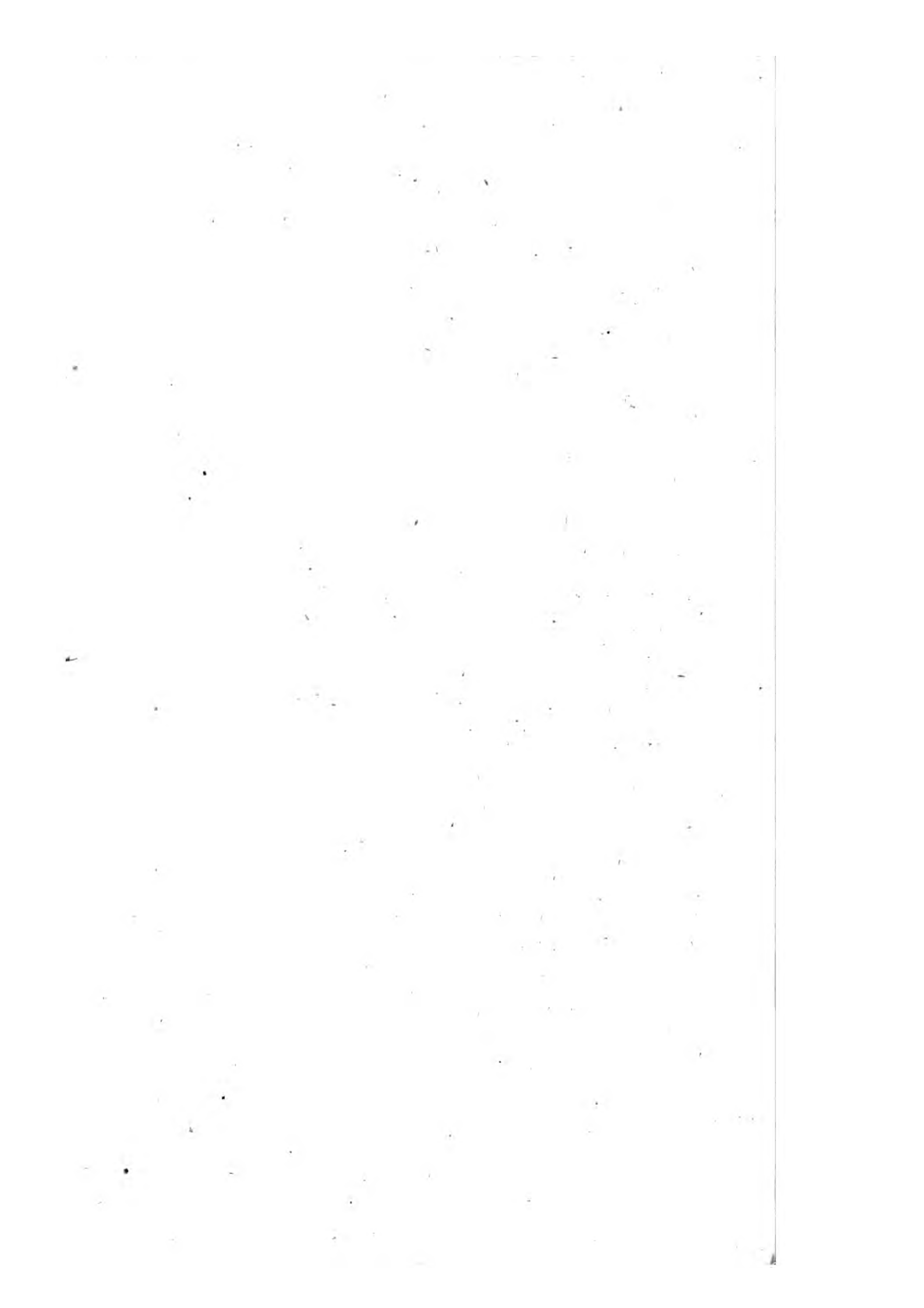
Above all other considerations, I should

dare to advise these great proprietors to cast from them those reasonings which would involve property in the approaching downfall of political abuse. If they assent to the doctrine that political privilege is property, they must be prepared for the inevitable consequence, that it is no more unlawful to violate property, than to resume a delegated trust. The suppression of dependent Boroughs is at hand. It will be the truest wisdom of the great proprietors, the natural guardians of the principle of property, to maintain, to inculcate, to enforce the essential distinction between it and political trust, if they be desirous not to arm the spoilers whom they dread, with arguments which they can never consistently answer.



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¶ 20 The number of children received to that
And born ^{and} ~~and~~, ~~in~~ ⁱⁿ ~~the~~ ^{the} ~~spring~~ ^{spring} of 1860.

¶ 32. Common Law, - ~~Common~~ ^{Common} ~~Law~~ ^{Law}
of ~~Christians~~.

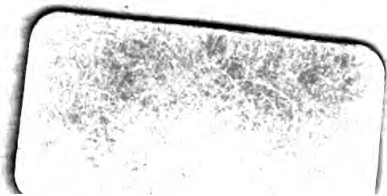
~~Section~~ ^{IV} ~~§~~ [§] 14 on the ~~subject~~ ^{subject} ~~of~~ ^{of} ~~the~~ ^{the} ~~entire~~ ^{entire} ~~of~~ ^{of} ~~public~~ ^{public} ~~use~~ ^{use}.

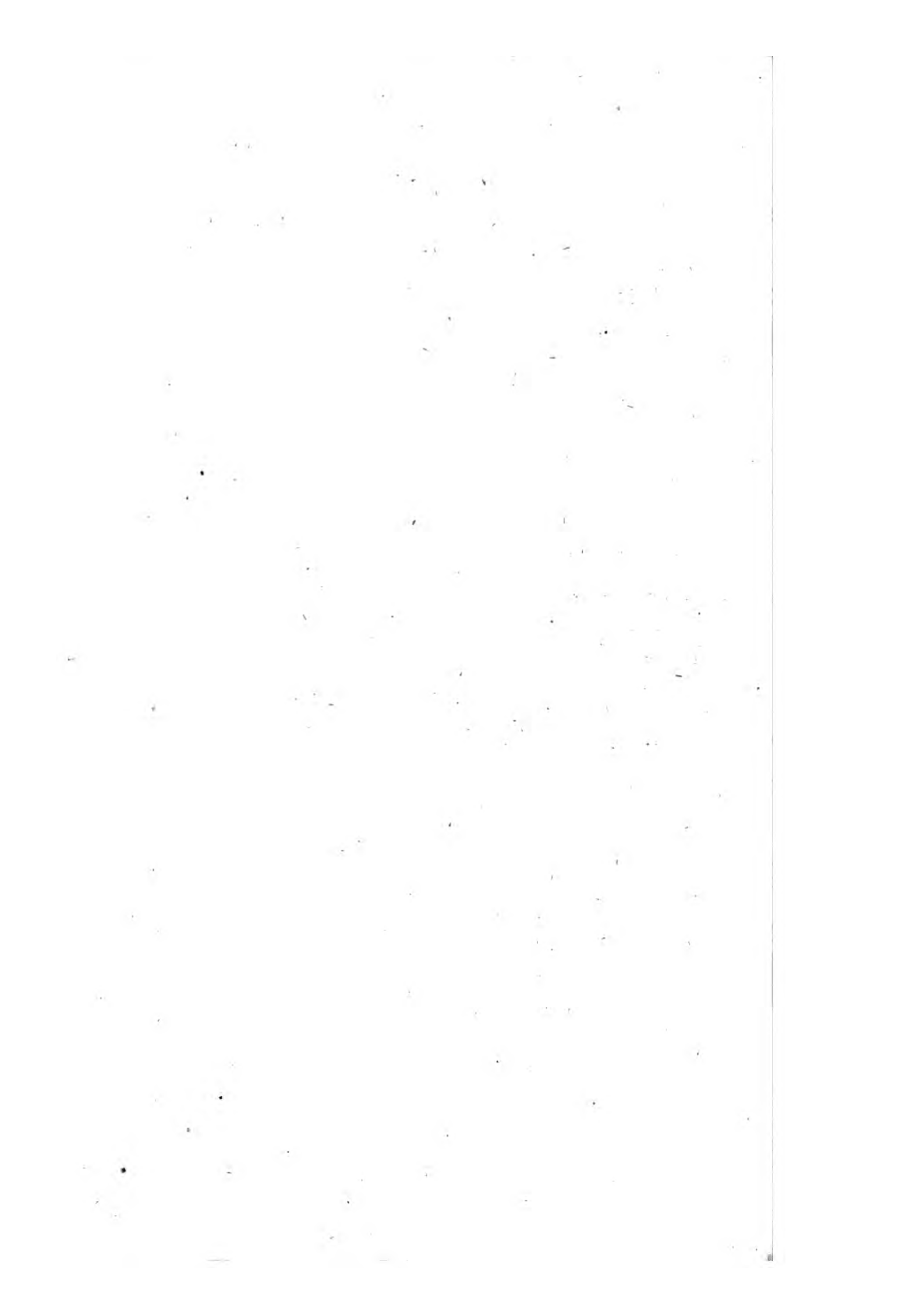
¶ 19. A foot on a road, for the sake of its own lead
receiving the independence of another in the way of
brotherhood, as all Sump did the ~~Protestants~~.

§ 44. Whomsoever State is expected to grant
protection thereof, to it has a right to look
for recognition of its independence, as per se.

§ 63. International right by no means ~~unimportant~~
~~act~~

¶ 56. Admission through the circle of ~~the~~
~~qualified~~ ^{qualified} ~~interest~~ ^{interest} ~~after~~ ^{after} ~~as~~ ^{as} ~~much~~ ^{much} ~~right~~ ^{right} ~~to~~ ^{to}
said of Mr. Star Chamber





¶ 20 The number of children received to Baptism
and born since, ^{and} ~~total~~ of the people of the County

¶ 32. Census of 1850, - ~~the~~ number
of (Christians).

~~See~~ ^{IV III} p. 14 on the subject of ~~the~~ ~~number~~
the order of public men.

¶ 19. A point in arg. for the sake of the one lead
receiving the independence of another in the way of
brotherhood, as all Suffer did the Protestants?

¶ 44. Whomsoever State is expected to grant
protection thereof, to it has a right to look
for recognition of its independence. as presiding

¶ 63. National point by no means ~~unimportant~~
~~act~~

¶ 36. Domination through the circle of ~~the~~
~~qualified~~ interest of the, as much a right
said of the Star Chamber



