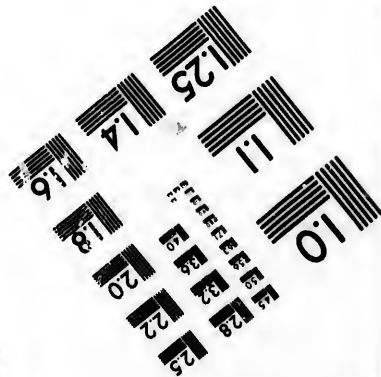
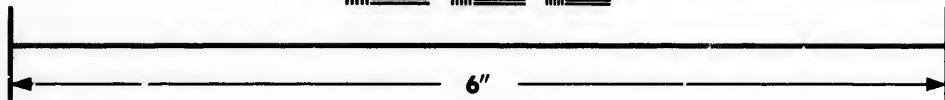
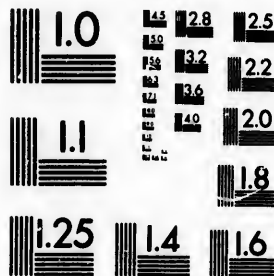


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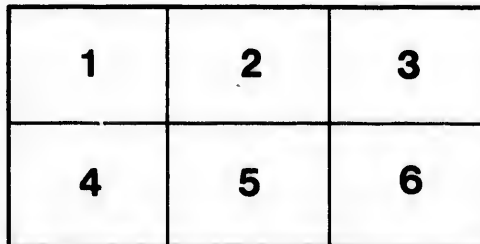
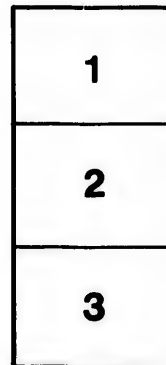
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A  
L E T T E R  
FROM A  
GENTLEMAN in LONDON  
TO HIS  
FRIEND in the COUNTRY,  
Concerning the  
TREATY at AIX-LACHAPPELLE,  
CONCLUDED  
On the 8th of OCTOBER, 1748.



L O N D O N :

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THE STATE OF NEW YORK

IN SENATE

JANUARY 18, 1880

REPORT

OF THE

COMMISSIONERS

OF THE LAND OFFICE

FOR THE YEAR

ENDING DECEMBER 31, 1879

ALBANY:

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1880

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A  
L E T T E R  
FROM A

GENTLEMAN in *London*, &c.

S I R,

I Received the Favour of yours, am much obliged to you for the many curious Observations it contains, and must own your Conclusion filled me with melancholy Reflections, where you ask my Opinion, if your Retirement hath deprived you of your Understanding, if you are in your right Senses or no, differing so widely as you do from the rest of the World in your Sentiments, of the late definitive Treaty, as you perceive by the congratulatory Addressses of several Corporations, circulated in the News Papers thro' the Nation.—I am not so aukward, or master of so little Sagacity as on this Occasion to make you Compliments on the Nicety of your Judgment,

B



ment, and your just Precision in the most difficult Affairs, when by the undeniable Proofs, with which you support your Sentiments, you demonstrate that by the Questions you put, you intend a Sneer only on the Folly, the Meanness and Servility of the Times.

It is impossible, when one looks on these Addresses, to forbear laughing at their Ridiculousness. And as they all in general mean nothing more than a Court Compliment, so the *Cambridge* Address seems to me to have been presented with much the best Grace, that learned Body having prevented the Publication of the Treaty, and lavishly praised it without having seen it, shewing nothing of that perverse Disposition, which induced the Merchants of *Toledo* (under Pretence of discharging their Conscience, which would not permit them to affirm a thing of which they had not the least Knowledge) to demand a previous Sight of the Portrait of *Dukinea*, before they should swear to her Beauty; at the same time acknowledging themselves so well affected to her as to be ready to bestow on her all the Encomiums in the World, tho'

her Portrait should represent her with one Eye  
 askint, and the other dropping Sulphur and  
 Vermilion. And *Don Quixot's* Observation  
 confirms mine, with respect to the Judgment,  
 which that University shewed on that Occa-  
 sion; for, says he, "when you have seen  
 "*Dulcinea*, what Obligation will you lay on  
 "me by acknowledging a Truth evident in  
 "itself? The Business is to believe it with-  
 "out seeing, to swear to it, and maintain it  
 "against all the World." This is without  
 Doubt the genteel way of doing things, and he  
 knew well how to choose who proposed

——— for Flattery the gravest of Divines.

Without being carried away by the Self-ap-  
 plauses of the Ministry re-echo'd from what-  
 ever part of the Country, without paying the  
 least Attention to those things of Course, the  
 flowery Orations of Town-Clerks, Recorders,  
 &c. &c. &c. I entirely concur with you, hav-  
 ing considered this Treaty in various Lights:  
 In the first Place,

Is it——Honourable?

In the next Place, is it as Advantageous as we had reason to expect?

In the last Place, is it made on a lasting and solid Foundation?

These (if I mistake not) are the three Points by which every Treaty ought to be examined, by these it ought to stand or fall, and in which-ever of these I view the present Treaty, I am sorry to say, I find no more Satisfaction than you. If there is any other fairer way of putting this important Question to the Trial, I should be glad to be informed.

As to the first general Head,

Is this Treaty Honourable? with Reluctance I speak out the Shame of my Country, it is far from Honourable. There is something that shocks at first Sight, for it is written in the *French* Language, and all the Copies are in *French*, as is acknowledged by us in the Treaty itself, with an evident Consciousness of the Disgrace. When I first dipt into it I really took it for a *French* Edict, and you perhaps will

will think I was not very much mistaken: But besides the unfavourable Appearance which it carries with it, as if dictated by the *French*, there is this farther Disadvantage, that should any Disputes hereafter arise concerning the Signification of Phrases and Expressions, who shall decide? Will you pretend to inform the *French* in the Meaning of their own Language? If our Ministers were so possess'd of their own Sufficiency as to reckon on any Advantage enjoyed by them over the *French* in their own Mother-tongue, I dare say the *French* were not wanting to flatter and encourage them in that Opinion. However some Instances perhaps of the great Accuracy observed in this Negotiation will hereafter appear.

But what shall I say? What Words shall I find to express the Grief which never ceases to rise in my Breast, in reflecting on one particular Circumstance? I heartily condole with you in that we have lived to see the day on which the old inveterate Enemies of this Country have at last found the Means and Opportunity of satiating the Envy, Hatred, and  
Malice,

Malice which they have ever borne to the Prosperity of *Great Britain*, by debasing her Honour to their utmost Wishes. I need not tell you, that I have at this time the Hostages in View. It is a Measure universally condemned by all Ranks and Degrees of Men, and the greatest Part of even ministerial People hang their Heads with Shame at the Mention of it. It is some Consolation that they are not Men of the first Consideration in any respect, and that those of greater Consequence had Spirit enough to refuse to stand Representatives of their Country's Disgrace: It is some Consolation to see Spirit enough remaining in the Bulk of the People to resent this Usage: It is some Consolation that our National Troops during the War lost not the Credit of Personal Bravery: And again, it is an Aggravation that so brave a People, deserving a better Fate, should undergo so great an Ignominy. Good Gods! were there no Means to be found for saving the Honour of *Great Britain*? If we had been intent on doing Business, and the real Execution of Treaties, was there not even a Necessity of demanding Hostages for Performance

mance of the Conditions relative to *Dunkirk*, especially as the *French* never did fulfil the Treaty of *Utrecht* in that very essential Point of destroying the Jettés of the Canal, as they have amused us in this Affair constantly from time to time in a most shameful and abusive manner, nor any time was fixt in the present Treaty for accomplishing it. And if it should be allged that where no Time is mentioned, the Performance ought to be immediate, I would ask, whence arose our Security that the *French* would construe it in that Sense? I am sure it was a very unwarrantable Security: I would farther ask, Hath this Article been yet performed or in any degree complied with? Lown I am very much afraid, from the Experience of former Times, it will be performed at no Time.

But if our Care had gone as far only as *saving Appearances* and no farther; might not *Madras* (for we had received no authentick Account of the *French* having deserted that Place) or what other Conquests the *French* might possibly have made in the *East-Indies* have furnish'd a reasonable Pretence for a Reciproca-  
tion of Hostages? for the Detention of the  
*British*

*British* Hostages is expressly stipulated till such time as the *French* have certain and authentick Advice not only of the Restitution of the royal Isle called *Cape Breton*, but of all the Conquests that the Arms or Subjects of his *Britannick* Majesty may have made before or after the Signature of the Preliminaries, as well in the *East* as *West-Indies*. Here the *French* themselves give us Ground to stand upon, with respect to a Demand of mutual Hostages on the Footing just mentioned, and without all doubt we might have insisted on it with sufficient Reason——. But Curse on the proud Hearts of the *French*; they were resolved to impose on us this *Badge of Submission*, and we, (eternal Shame!) we! were mean enough to receive it. Without doubt you took Notice of the Consciousness of Shame in our Ministers, which so evidently appears in wording the 9th Article; you took Notice how they shrink from the Disgrace as from a Chastisement, which I speak in some Sort to their *Honour*; for without a Sense of Honour there can be no Sense of Disgrace. The Words with respect to the Restitutions are, “It is impossible from the Distance of the  
“ Coun-



" Country, that what concerns *America* can  
 " be effected at the same time" without men-  
 tioning the *East-Indies*, which they know  
 would give us an equal Claim to Hostages,  
 tho' it is afterwards said that the Hostages are  
 to remain with *France* 'till she receives Ad-  
 vice that every thing is actually settled in the  
*East-Indies* to her Satisfaction.——But who can  
 bear hearing with Patience the Defence made  
 by the most profligate amongst us of this ig-  
 nominous Measure, that it is but a Punctilio,  
 that we signed the Treaty *bonâ Fide*, with an  
 entire Resolution of making good our Engage-  
 ments, and that therefore the Delivery of  
 Hostages is of no Consequence, is nothing more  
 than a mere Form? I wonder they have not  
 proceeded farther in the Manner of Sir *John*  
*Fallstaff*, *What is Honour? a Word. What is that*  
*Word Honour? Air. And whether Air is formed*  
*into the Word Honour or Dishonour, what is that*  
*to me?*——When the *Romans* were made by the  
*Samnites* to pass under the Gallows (an Ex-  
 ample which they had themselves set by their  
 own Practice in prosperous Times) it was not  
 the bodily Hurt which they received, it was  
 the Injury done to the Majesty of the Common-  
 wealth



wealth which left them no Quiet till they had completed their Revenge on the proud Insulters of the sacred Honour of the State, conscious how essential that Honour was to the Greatness to which they aspired, to the Respect, Credit and Interest which they were resolved to maintain amongst their Neighbours. O! will that Time never return when the Name of an *Englishman* carried Respect with it amongst the Allies of this Country, and Terror amongst its Enemies! Could an Usurper heretofore, who one would have thought should have cringed to foreign Powers, as standing in need of their Favour, make the whole World acknowledge with Fear the Regard due to the Spirit and Bravery of *Britons*, and the Ministry of a brave, just, and rightful Prince, reigning in the Affection of his Subjects, let it fall to the Ground? By what Means these strange Events have been accounted for, you without doubt have before this time seen; the World is at present made to expect an Answer to that Account: All I shall say is, that I shall be glad to see it answered.

I would willingly hope that this, together with the Affair of *Maestricht*, the Dismission

of

of the *Russians*, and Dishonour of the *British* Merchants by the eighteenth Article, fills up the Measure of Shame, which *Great Britain* is to suffer on this Occasion; for though Dishonour is certainly deducible from disadvantageous Terms in general, and particularly from any Sacrifice which we make of our Allies; yet while I am on this Head, I shall confine myself to what is evidently calculated for lessening the Honour of this Country, what wounds her immediately and directly in that tender Part. And I hope, what I have gone through of this Sort, is the whole; for I am loth to believe that the Opinion, of which our Merchants are so strongly possess'd, is well founded; or, that there is any secret Article for repealing the Act of Parliament, prohibiting the use of Cambricks; for this would be taking the Law from *France* like Vassals; this would be to vest the King of *France* with more Power over us than the King of *Great Britain* enjoys; this would be the highest Species of Treason against the State. But I shall forbear expatiating on this Particular, since nothing of this sort appears in the Treaty, as published to the World, and I am resolv'd to insist on those Points only, in

which I am warranted by sufficient Authority; and a Sessions or two will, I persuade myself, convince those Gentlemen of their Mistake.

As to the next Question: Is this Treaty advantageous? I am at a Loss to make up the Account of the Advantages secured to *Great Britain* in this Treaty, but by making Use of the old Practice of the Exchequer, where there is to be found an Account of *Nichils* or *Nothing Worths*; there are twenty four Articles in the present Treaty, I have examined them all, and the Advantages to *Great Britain* therein contained, amount exactly to twenty four Cyphers. There is not a *British* Article among them; I am as well affected to the present Establishment as any Man who lives under it, and yet I dare to say that there is not a *British* Article amongst them, though I have my Eye at this present writing on the nineteenth, relating to the Guaranty of the Succession, &c. It is a mere Nichil, a mere Song: The Reasons are so trite and obvious, that it would be impertinent in me to insist on them. And as for the Remnant of the Assiento Contract, it is so trifling, that I am told the Company will not accept it.

It

It will without doubt be said, that the War was attended with ill Success by Land, and the Question will be asked; Could you expect that an unsuccessful War should be succeeded by an advantageous Peace? Or in other Words, Did not their Victories entitle the Enemy to some Advantages? This Question will be best answered by putting another Question; Did not the Success of the *British* Nation by Sea, the Conquest of *Cape Breton*, what was reasonably to be expected from that formidable Armament sent to the *East Indies*, where the *French* left us to act at large, having no Force to oppose us, entitle *Great Britain* to some Advantages? Especially as there was actually a great Change in the Face of Affairs on the Continent, as well with Respect to the *Dutch* as *Russians*. And by the Confession of our Ministry it appears, that "to have \* penetrated " into the Heart of *Holland* might have been " attended with untoward Circumstances; and

\* See Considerations on the Definitive Treaty, page 18. A Piece so *exquisitely well wrote*, and of such Authority, that it is generally thought the younger of the two Brothers, on this great Occasion, dawbed his Fingers with Pen and Ink.

“ to have pushed the allied Army on the Side  
 “ of *Germany*, would perhaps have determined  
 “ the *Germanick* Body.” If then their own  
 Account is to be depended on, the *French* were  
 arrived at the *Ne plus ultra* of their Victories,  
 and consequently at that critical Time, when  
 it was necessary for them to precipitate a Peace.  
 But more powerful Motives still remained, for  
 the *French* Trade was at the last Gasp, the  
 Nation Heart-sick in the Midst of her Vic-  
 tories (as every Nation must be whose Trade,  
 the only Root of Riches is cut off, which de-  
 monstrates the Advantage of Success at Sea over  
 that at Land) many Parts of *France* visited with  
 Famine, the People in general in such Distress,  
 that their loud Clamours invaded the Throne,  
 while the Trade of *Great Britain* flourished on  
 the Ruin of that of her Enemies; and though  
 the War on the Continent occasioned great  
 Draughts of Money from this Country, great  
 Sums flowed into the Country from Captures  
 made on the *Spaniards* and *French*. Did not  
 these Circumstances (I say) entitle *Great Bri-  
 tain* to some Advantages? What then is the  
 Consequence of this State of Affairs, when we  
 come to treat of an Accommodation? Why

we

we make Restitution of the Royal Island of *Cape Breton*, an Acquisition infinitely more valuable than all the Conquests made by *France*, valuable for its healthy Air, its spacious and commodious Ports, the Strength of its Fortifications, on which immense Sums have been expended by the *French*, and no inconsiderable ones by us, valuable for its Fruitfulness, and abundance of Pines fit for Masts, as well as Oak of an immense Size, and other Timber. Valuable with Respect to the Fishery, since the *French* Writers themselves say, that *in no Part of the World is the Cod Fishery carried on with better Success*; valuable with Respect to Mines of excellent Coal, rising in the Mountains, proper for supplying the Demands of *America* for that Commodity, (useful in all Parts to some Degree, in many Parts much wanted for common Fuel) and for furnishing a Nursery of *French* Seamen, by employing (as I am credibly informed they may do) upwards of fifteen hundred Sail in the Coal-Trade, valuable with respect to its Situation, as commanding the Navigation to *Canada*, at all Times a Bridle on the *French* in that Part of the World; and, in case of a War, of

great Importance in any Attempts we may make on *Canada*; of great Importance to the Trade of *Nova Scotia*, and not so remote from the *Great Bank*, as not to be of some Consequence in that respect. And there still remains another Consideration; for the *French* can over-run the *Low-Countries* at Pleasure, can seize to-morrow what they give up to day; so that after having made a Surrender of *Cape Breton* (which the *French* could have never taken but by Means of our Ministry, nor we ever hope to recover) we may see our Allies too, divested of that Country, which thro' our Compulsion the Empress-Queen has so dearly purchased by Cessions made in *Italy* to *Don Philip*, of Territories (which the *French* in vain used their utmost Efforts to conquer) and Restitutions to the Duke of *Modena* and the *Genoese*—I will leave it to your Judgment, if we have not renounced all Claim to the Islands of *St. Lucia*, *St. Vincent* and *Tobago*, tho' there is not the least Word of this Cession in the Treaty published by Authority; as the *French* have been very busy ever since the Peace in making Settlements there, without the least Molestation from our Governor, who was used



to have it in Charge to repel by Force of Arms any Attempts of the *French*, for making Settlements in those Parts. We engage likewise to restore whatever Places we should possess ourselves of in that expensive Expedition so lately furnish'd out for the *East-Indies*. And to shew the Artifice of the *French*, and convince the World of the Ability and Sufficiency of our Ministers, I will here take some little Retrospect of the Negotiation. The *French* propose a Cessation of Hostilities on the Footing of that of *August* the 19th 1712, and our Ministers, notwithstanding the Reproaches with which they constantly load the Authors of the Treaty of *Utrecht*, persuaded that they could not err, while they trod in the Footsteps of those great Masters, readily and with great Security close with the Proposal, without considering the Difference of Circumstances at one time and the other, which consisted principally in this, that in 1712 we had formed no Designs in the *East-Indies*, and consequently no Precaution was at that time necessary for those Parts. According to the Treaty for a Cessation of Hostilities at Sea concluded at *Paris* 1712, and adopted at *Aix* 1748. it was fixt, with

D respect



respect to Ships, Merchandize, and other Effects which might be taken at Sea, *viz.* \* That the said Ships and Merchandize or other Effects, which may be taken in the Channel and in the *North* Sea after the Space of twelve Days from the Signature of the Suspension, should be restored réciproally. That the Term should be six Weeks for Prizes taken from the Channel, the *British* Seas, and *North* Seas as far as Cape *St. Vincent*.

And six Weeks more from that Cape to the Line, whether in the Ocean or the *Mediterranean*.

And lastly, six Months beyond the Line, and all other Parts of the World without any Exception, &c.

At Land the Suspension of Arms took place without any Exception, in six Weeks, to be reckoned from the Signature of the Preliminaries. So that if we had at any Time (after the Expiration of the six Weeks, and yet before there was any Possibility of preventing Hostilities in the *East-Indies* by transmitting Intelligence of what had pass'd at *Aix*) made

\* See the Treaty, *Annals of Q. Ann*, Vol. XI. Page 204, and the Gazette of *May* the 7th, 1748.

any Descent on the Isle of *Bourbon*, or at *Pondicherry*, we might, in some Sense, have been said to have fitted out a costly Armament to fight against ourselves, as we must have made ample Reparation, by restoring whatever had been taken without any Diminution, which would inevitably have entailed a considerable Expence on the Publick, and made the Blow recoil on ourselves.

And with regard to the Sea, as the Treaty says that Ships, Merchandize, and Effects taken at Sea after three Months from *Cape St. Vincent* to the Line, whether in the Ocean or *Mediterranean* shall be restored, and the word Ocean is used indefinitely, without confining it to the *Western* or *Atlantick* Ocean, it comprehends the *Eastern* or *Indian* Ocean, lying on this Side of the Line; tho' in going there the Line must be twice crossed.

This Treaty was agreed on the 30th of *April*, an Account of it was publish'd in the beginning of *June* in the foreign Gazettes, when the Absurdity could not fail striking People of the least Discernment: It became publick Talk, not to say a *Jest*; and our Ministry, conscious of the Oversight, endeavoured to patch it up by the Declaration of the 8th of

*July*, signed by the Plenipotentiaries of their Britannick and Most Christian Majesties, and of the States-General; by which it is agreed, that the Conquests made before the 30th of *April*, or which shall be made since, shall be restored; that is to say, those in the *West-Indies*, in the State they were in six Weeks after the 30th of *April*, and those made, or which might be made in the *East-Indies* in the State they shall be on the 30th of *October*. How great Care has been taken since the Signature of the Preliminaries for putting Things on a clear and unexceptionable Foot, with respect to Ships, Merchandize, and Effects which might be taken in the *Indian Seas* on this side the Line after the Expiration of six Weeks, and before the Expiration of six Months, I will not take on me to say: Nor do I remember to have ever seen the Declaration of the 21st of *May*, mentioned in the Definitive Treaty. Neither a Desire to gratify Spleen, nor to mortify the Pride of the Ministry who have been so eager, even at the Expence of a Character infinitely more valuable, to catch at the Fame of Abilities from an Account, which by no Means entitles them to

it

it, had any Share in my Motives for mentioning this Affair; but I own I was willing to give an Instance of the Presumption and Self-sufficiency of Men, who did not stand in need of the Advice of the great Council of the Nation upon the whole, or any part of this Treaty, though sitting at the Time of their Negotiation. Nor is it possible on this Occasion to forget that ever-memorable Proclamation of the 6th of *August*, 1748, enjoining a Cessation of Hostilities between *Spain* and *Great Britain* to be observed after the End of twelve Days, to be computed from the 17th of *June* Old Stile, which was near six Weeks before the Date of the Proclamation. And even the Proclamation of *May* the 7th enjoining a Cessation of Hostilities with *France* after the End of twelve Days, to be computed from the 19th of *April* Old Stile, is, though in a less Degree, liable to the like Objection. Nor is there any Excuse to be drawn for this Delay from the Time employed in the Exchange of the Ratifications; for at that rate the Proclamation ought not to have come out so early as the 7th of *May*, for the Ratifications were exchanged on the 21st of *May*. But what affects me with the greatest Concern, as being of the utmost

Consequence to our Country is, that by this Treaty we restrained our Hand, ready to give the finishing Stroke to the Trade of *France*, and allowed her Time to revive that Rivalship, by which we have found ourselves so aggrieved, so hard prest, and in several Respects undermined for many Years past. Had we been at the Expence of continuing the War with Vigour a little longer, her Trade in all its Branches had necessarily died away, and had been irretrievably lost, as it would have been before the Date of the present Treaty, had the War been properly conducted. *France* lay at our Mercy; this important Point, actually lay at our Feet; and yet we relinquish this mighty Advantage, we raise *France* from this desperate State, we grant her all she could desire, without stipulating any one Advantage for our Mother-Country, and are left by our Ministry unaided, unadvanced in any single respect, to sit down under the sad Reflection of being involved in many Millions of Debt, incurred by this treacherous and delusory War.

The new Life which the Trade of *France* will receive from this Treaty will farther appear, as I come to speak of the Disadvantages under which we have concluded a Peace with

*Spain* ;

*Spain* ; since by this Treaty we have in Effect left the *French* Heirs to our *Spanish* Trade ; for we have suffered the Treaty of Commerce concluded at *Madrid* between *Great Britain* and *Spain*, the 14th of *Decemb.* 1715 to fall to the Ground, for want of renewing and confirming it at *Aix*, where the Opportunity offered, and it might have easily been done before the Conclusion of the Peace ; in consequence of which Default the *Spaniards* have loaded our Goods with heavier Duties, and Goods lately imported into *Spain* by some of our Merchants, instead of being vended, actually remain at this time shut up in the *Spanish* Warehouses for want of paying those Duties, while the Merchants are seeking Redress. And what Redress are they likely to find ? We stand now upon the Footing of the Treaty of Commerce concluded with *Spain* at *Utrecht* in 1713 ; and tho' the Treaty of *Madrid* in 1667 says, " That no new Customs or Duties whatsoever shall be taken or increased other than those which the Natives themselves, and all other Strangers are obliged to pay ;" yet we can claim no Benefit from that Treaty, but conformable to the Alterations made by subsequent

subsequent Treaties, and our Agreements subsist-  
 ing therein. The Case, in short, is this; the  
 Old Duties, paid under different Denomina-  
 tions, after Allowances of *Gratias*, &c. a-  
 mounted on some Goods to Eight and a half,  
 on others to Nine and a half *per Cent.* in the  
 Kingdom of *Castile*, where they were higher  
 than in *Valencia*, *Arragon* and *Catalonia*; but  
 by an explanatory Article of the Treaty of  
*Utrecht* we made a Composition, agreeing to  
 pay 10 *per Cent.* in general, on all Goods in  
 Lieu of the Old Duties, exclusive of the Rights of  
*Alcavalas*, *Cientas*, &c. which are expressly ex-  
 cepted, and for which we lie entirely at the  
 Mercy of the King of *Spain*. Why then  
 what have we to complain of? If other Na-  
 tions continue to pay the Old Duties can we  
 raise an Outcry, because our own foolish  
 Composition amounts to more? If *Spain* had  
 lowered the Old Duties on the Goods of o-  
 ther Nations, we might have laid in some Claim  
 with a better Grace; but *Spain* making no  
 Alteration in the Old Duties, and doing no-  
 thing more than holding us to our Composition  
 for those Old Duties, what can we complain  
 of but our own Indiscretion? And that you  
 may



may be the better satisfied of my treating this Subject with Impartiality, I beg leave to remind you of the Opinion given by the Merchants themselves after the Conclusion of the Treaty of *Utrecht*, and of the Resolution of the House of Lords, and their Representation to the Throne, which is to this Effect, " That up-  
 " on the Examination of the Merchants at  
 " our Bar, and perusing and considering se-  
 " veral Representations and Papers laid before  
 " us by your Commissioners of Trade, it ap-  
 " pears to us, that the carrying on th... Trade  
 " between your Majesty's Dominions and  
 " *Spain* on the Foot of the present Treaty  
 " of Commerce, as it stands ratified with the  
 " three explanatory Articles, is attended with  
 " *insuperable Difficulties*, and therefore we  
 " do humbly beseech your Majesty to use  
 " effectual Means for procuring such Altera-  
 " tions to be made in the same, as may ren-  
 " der the said Trade *practicable* and beneficial  
 " to your Majesty's People." These Difficul-  
 ties were removed by the Treaty of *Madrid*,  
 1715. And yet, notwithstanding we had the  
 Experience of late Times to direct us, this  
 Treaty of *Aix* replaces us upon that old Foot,



is condemned by that solemn Authority which I have just quoted. What the Reason was, why the *Spanish Merchants* are laid under these Hardships, I will not pretend to say. I will venture to say that they will meet with no Redress, 'till they have suffered irreparable Damage; for when the Markets of *Spain* are glutted with *French* and other Goods, purchased by the return of their Treasure from the *West-Indies*, what remains for our Merchants in *Spain*, but to let their Goods lie to be eaten up by Moths?

When I look'd upon the eighteenth Article of the Treaty relating to the Claims of His *Britannick* Majesty, as Elector of *Hanover*, on the Crown of *Spain*, I could not believe my own Eyes; I questioned if I was not in a Dream or Delusion. What an old antiquated Debt of Ages past, extracted out of some musty half-rotten worm-eaten Papers; or, as some say, not existing at all, to be substituted in the Place of a Debt acknowledged by *Spain* on a stated Account to be due to our Merchants! I turned with great Impatience to the List of the Plenipotentiaries prefixed to the Treaty, I found there was no Electoral Plenipotentiary

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at *Aix*, I found that the Treaty was conducted by a B—— N——. My Wonder increased; I did not know what to believe, and what not to believe. But I have been since informed, that such was the Obstinacy and Rancour of *Spain*, with respect to the *British Merchants*, that she would not bear hearing any thing on that Head; that the Resolution of our Ministers to insist, and Address to procure Satisfaction in a direct and open way failing, they had Recourse to low Cunning, and obtained the Payment of a like Sum to his *Britannick Majesty* as Elector of *Hanover*, upon an old Score; but with this View, that the Money should really and truly be paid over to the *British Merchants*, who are said at this very Hour to be very sanguine in Expectation of receiving a Dividend each in Proportion to the Damages sustained. As I know you are very delicate in your Points of Faith, I have taken particular Care not to give you an improbable Story. However as nothing of this Sort appears in the Treaty, I have ventured to affirm that there is not a *British Article* in the whole.

It is said that the *French* on their part give up all they had taken. This is not a Fact,

they took fortify'd Towns, they restore Towns demolish'd. They properly exchange a Country plundered and ruined by their Conquests, for a Country which they were not able to conquer, for the Duchies of *Parma*, *Placentia* and *Guastalla*, and the States, Countries, Places and Forts, taken from the Duke of *Modena* and the Republic of *Genoa* during the War. And how false the Assertion is, that *France* gains nothing for herself is evident from what has been already said concerning the Islands in the *West-Indies*. Doth not she gain a very considerable Point with respect to the Stipulations for *Dunkirk* on the Land Side; and if, in Consideration of our departing from the Treaty of *Utrecht* as far as regards the Land Side, it really and truly intended that the Place should be put upon the Footing of that Treaty on the Sea-side, why was there no Provision made against the Repetition of that Abuse, with which *Great Britain* had already been repeatedly treated in this Affair? *France* engaged twice to demolish the Jettés of the Canal of *Dunkirk*, once at *Utrecht* in Terms sufficiently clear and expressive; and again, at the *Hague* January the 4th, 1717, in Terms as plain,

as particular and descriptive as could possibly be found, and yet in both Instances evaded the Execution of those solemn Engagements. After such Experience, how comes it to pass that (if we were to make that Sacrifice of *Cape Breton* to the *French*) it was not stipulated that the Ruin of the Port of *Dunkirk* should in the first place be entirely effected by levelling the Jettés with the Shore? While the Jettés remain, the *French* will always have a Port; while they remain, tho' the Port should be filled up, they would soon recover it, in Consequence of what they will claim from our Concessions on the Land-side; for the Strength of the Place on the Land-side consists principally in a very wide Moat made at a considerable Distance beyond the old Works, and supplied from the Canals of *Furnes*, *La Moere*, *Wynoxberg* and *Bourbourg*, which on Occasions are discharged thro' the Sluice of *Dunkirk*, and by the Discharge will clear the Port as long as the Jettés stand. And as *Great Britain* receives nothing by this Treaty (for I will not call *Madras* any thing; we have a Fleet to command it) she had still the greater Reason to demand the Demolition of

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the Works of *Dunkirk* previous to the Restitution of *Cape Breton*, or any Conquest in the *East-Indies*. To expect it afterwards, was to be fond of Imposition to the last Degree; was it possible our Ministers, who have lately so plumed themselves on their Cleverness, could expect it? Upon the whole, considering the slight superficial manner in which the Affair of *Dunkirk* is touch'd upon in this Transaction, I believe you will be of Opinion, that *it was never intended* (on the Part of the *French*, I mean; for on the Part of our own Ministers one cannot suppose so much Wickedness and Treachery) that any more Regard should be paid to this 18th Article relating to *Dunkirk*, than to the Title of his *Britannick Majesty* to the Crown of *France*, which is suffered to stand in the Preamble of the Treaty. The Words too of this Article are liable to Chicane, but as I have already shewn them to be ineffectual, I will not enter into that kind of Disputation, Doth not *France* gain too immense Strength, not only by the Opportunity which she finds for the Recovery of her Trade, but by the footing, on which she has settled the Affairs of *Europe*? The Republic of *Genoa*, the King of  
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the two *Sicilies*, the Duke of *Parma*, &c. the Duke of *Modena* all united in the Interest of *France*. What a formidable Alliance is here formed on the Side of *Italy*? Nor can the *French* Alliance ever be departed from by the King of *Prussia*, who must always look on *France* as his Anchor, as his best Security for the Conquests made on the House of *Austria*, and guaranty'd to him by the present Treaty. Has not *France* in a manner subjected the *Low-Countries* to her Arms for Ages to come by the Demolition of the strong Towns on the Frontier? Has not she opened her way into *Germany* by the Demolition of *Fribourg* a Town of the last Importance? Nor is the Demolition of *Demont* for opening a way into *Italy* to be forgotten. The Cessions as well as Restitutions to be made to the Allies of *France*, are to be accompanied with all the Ammunition and Artillery. And the Duke of *Modena* is intitled to Satisfaction in ready Money for the Moveables and Effects, of what Nature soever, carried off or converted into any other Form during the War. But the Towns of *Mons*, *Aeth*, *Oudenarde* and *Menin* are to be given up to the Allies of *Great Britain* with-

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out the Artillery. The Words are very remarkable: The Towns of *Mons, Aeth, &c.* the Fortifications whereof have been demolish'd, are to be given up without the Artillery. Doth the Stress of the Reason lie in this, that it would be inconvenient for the *French* to restore the Artillery, which they had removed? If this sort of Argument drawn from Inconvenience is admitted at all, it would be good against any Restitution. Or is it meant, that the greater the Injury, the less ought to be the Redress? or is it founded on any secret Agreement, that these Towns shall never again be re-fortified? And has the King of *France* granted his Permission, that *Courtray* (which was likewise demolish'd, tho' not included in this particular Recital) may again be re-fortified, when the Empress or her Posterity can find the Means? *France* has provided for her Allies at the Expence of her Enemies, has strengthened herself in the same Degree as she has weakened them, and rendered herself respectable by all *Europe*; I will not draw the Contrast to this Account, let me rather draw a Veil over the Disgraces of my Country.

To excuse this precipitate Step of concluding a Peace on these disadvantageous Terms,  
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the Inability of the Nation to carry on the War, and the late Fall on the Price of Subscriptions for advancing Money to the Public on Parliamentary Funds, is urged. It is no Secret that at the Court end of the Town many low Tools of Power, as well as some others utterly *unable*, and *well known to be utterly unable* to answer their Engagements, were let, (for you must know it was a *Favour to be admitted*, notwithstanding the *supposed Difficulty* of raising the Money) were let into a Share of the Subscriptions, who took them with a View of making a Profit by selling them before the Days fixt for Payment. This took Air, as it is no Wonder it should; the monied Men, of whom these Subscribers intended to make their Market, resolved on the other Hand to make their Market of the Subscribers: They stood aloof, well assured that the Subscribers would bring Necessity with them to Market, and that they should set their own Price on the Subscriptions, which accordingly happened. But it is well known, that the Subscriptions disposed of at the City-end of the Town, where it was really meant that the Money should be raised, were punctually performed by the Subscribers.



And as you live remote in the Country, I will give you some Account of what is generally said on this Occasion; for though I am in general an Enemy to Refinement, and Suppositions not grounded, or at least strongly corroborated, by Matters of Fact, yet this I think, is not unsupported. They say it is evident that our Ministry was resolv'd on making a Peace, that they were resolv'd on enhancing the Value of the Peace, by some Events for which they were determin'd to make Way, previous to the Peace; that they accordingly concerted Measures with the——for——of *Maestricht*, that this is evident not only from their strange Inattention to the strong Instances made by *Bathiani*, in his Letter of the 31<sup>st</sup> of *January*, offering to undertake its Defence at the Peril of his Head, but when *Chanclos*, contrary to their Expectation, by a Measure in which he was not warrant'd, put the Town in some State of Defence, great Opportunities of relieving the Place were unaccountably lost, and Orders at last sent the Governor to surrender the Town, though still ready and willing to defend it. So far Things seem to be clear, for nothing can be more idle than  
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that empty Sound of Words, that *Maestricht* was delivered up, lest a Shade should be cast on the Victories of Count *Saxe*. Had Count *Saxe* been baffled in the Siege of *Maestricht* by any Act of War, it had been inglorious, but it could not cast the least Shadow on his Honour, to have been prevented from taking it by a Peace. Now say they, it is no Breach of Charity, after tracing them in their low Cunning in the Affair of *Maestricht*, and by judging from similar Actions, to believe that they contrived to lower the Price of the Subscriptions, in Order to make use of that Circumstance as an Argument that *Great Britain* was under a Necessity of putting an End to the War on any Terms, and to enhance the Value of the Peace. It has already appeared in what Condition *France* was for carrying on the War: And as to *Great Britain*, this Argument for Peace, drawn from the exhausted State of the Nation, is so blended with the *seeming*, though *mistaken* Interest of such Numbers of People who look no farther than the present Instant, that if it had been urged at any Point of Time past, it would have had more than its due Weight. But if this is now

really the State of the Nation, what an Aggravation is it of that cruel Conduct of our Ministry in disconcerting (while any Strength remained) every Plan of Operation, and rejecting every Overture of Peace? What an Aggravation is it of that Profusion or Rapaciousness with which the Public Money has been either squandered or purloined during this War; since if any Gentleman will give himself the Trouble of consulting the Journals of Parliament, where the Expences of Queen *Anne's* War are particularly and minutely entered, he will find that during this War we have paid in some Instances two or three times more, in others four or five times more, than we paid in the Queen's War, for the very same Things? What an Aggravation is it of that merciless Usage with which the People of *Great Britain* have been treated, on whom near seven Millions were raised for the Year 1748, though a Peace was evidently pre-determined? As great however as our Expences have been, it is a mere Jest to say that six or seven Millions (and for that Sum you might have prolonged the War two Years, since the Money was actually raised for the Year 1748, though a pacifick Year) would  
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have absolutely ruined the Nation, especially as she would have been so much benefited by the Ruin of the *French Trade*, which would have been completely effected within that Time in the *East and West Indies*, in the *Levant and Mediterranean*, and every other Part of the World whatever. I could bring many Things in Support of what is here advanced, concerning the Practicability of carrying on the War, if the low Interest on which the Money was raised for the Year 1748, amounting together with the Value of the Premium to not 4*l.* 10*s.* *per Cent.* was not sufficient to satisfy any impartial Man on that Head.—As to the Guaranty of the Electorate, I will say but little; for tho' there are who complain greatly that it defeats the Intention of the Act of Settlement, yet the Arguments, which they alledge in Support of that Position, tho' strong, appear liable to Evasion.

The next Question is,

Has this Peace the Marks of Durability? For if we have foregone all these Benefits, which we might have reaped by a short Continuance of the War, to obtain an uncertain and precarious Peace; it will be a great Aggravation

gravation of our Misfortunes, and will add to our Disgrace. And yet it is to be apprehended that *France*, after having put her Marine in Order, and in some degree repaired other Damages ensuing from a War, will presume on her Success, will presume on the Indignities to which *Great Britain* has submitted by this Treaty, will pursue her Blow, and add Insult to Insult, carrying herself with that Height of Pride, as if the Genius of *France* had gained the Ascendant over the Genius of *Great Britain*, 'till she provoke the *British* Spirit to a new War. Nor is this Peace in any other Respect calculated to prevent future Broils; but on the contrary the Seeds of new Disturbances are evidently preserved. Our Right to the Demolition of the Works of *Dunkirk* on the Sea-side is not expressly given up, the Means of coming at that Right are given up; nor was there Courage in our Ministry to fix that Affair either one way or the other. We are on such a Footing with *Spain*, in respect to the Treaty of Commerce of 1713, that no one can think any solid Foundation of Amity laid between the two Nations. Nor can I pass over in Silence the

Neglect

Neglect of not expressly declaring that the Allies should be at Liberty to re-fortify *Mons, Aeth, Oudenarde* and *Menin*: No one can now doubt that *France* would immediately take Umbrage in case of such an Attempt, would complain of Designs formed on her State, and with her Arms disturb the Works; if nothing of this sort should happen, it is more owing to the *Inability* of the Empress than the *Care* of the Treaty; however it is far from an Impossibility to put the Affairs of the *Low Countries* in a better Condition, and after some Time and proper Regulations to raise Funds for making those Places defensible. But I know not how to express to you the Amazement which I was under when I perceived that nothing was provided to remedy that Evil which gave Rise to the last War, and in the common Course of Things must inevitably produce another. It is not astonishing that we should at the Time of our Negotiation have rode triumphant in the Seas of the *East* and *West Indies*, of *Africa* and *Europe*, absolute Lords of the Ocean, and yet could not procure that single Naval Advantage, or rather that common Justice that our Ships should go free from the Search of the *Spaniard*?

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Is it possible that we could not obtain an Exemption from the Tyranny, Insults and Depredations of a People whom we had humbled to that degree, whose Fleets and Merchants Vessels (to use the Expression of the *Dutch* Admiral) we had swept from off the Seas? Having these Things in View, you cannot avoid acknowledging the great Feasibility, which there was at *Aix*, of securing Satisfaction to the Nation in this important Point; nor can these Events fail bringing to your Memory the Addresses with respect to a future Treaty, sent from both Houses of Parliament to the Throne, representing “ their Reliance on his Majesty, “ that effectual Care will be taken, that the “ Freedom of Navigation in the *American* “ Seas may be fully secured and establish’d “ for the future; and that his Majesty’s Subjects may enjoy unmolested their undoubted Right of navigating and trading to and from any part of his Majesty’s Dominions, “ without being liable to be stop’d, visited, or “ search’d on the open Seas, as the *only Means* “ to preserve upon a lasting Foundation a good “ Correspondence and Friendship between the “ two Crowns.” And again, *Nov.* the 23d, 1739, that



that his Majesty would not make any Peace, Treaty, or Agreement with the King of *Spain*, unless that Prince gives up all Right and Pretensions whatever to visit, search, or molest any of the *British* Ships trading to the *West-Indies*. How comes it then to pass that wherever the Sense of Parliament has been declared, it is a constant Rule with these People to go in direct Opposition to it? Is it the Effect of Exultation in the Enjoyment of their hitherto unlimited Power? Or, is there a Design formed of debasing the Honour of P——, of rendering its Wisdom and Authority contemptible in the Eyes of the People? Can the —— be prevailed on to say and unsay, to do and undo, to approve and disapprove backwards and forwards, again and again the very same things? Or is it expected that we should transfer that Dependance and Confidence which we used to repose in the great Council of the Nation to these *Guardians of British Honour, these Conservators of our Rights and Liberties?* I own I am at a Loss, nor can I see for what Purpose these Measures are calculated but to confound the common Sense of Mankind; for these

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Gentlemen would take it in extreme ill Part, if one should suppose, that their Memory and Ability failed them to so great a degree in these Transactions. But that you may be informed of what passeth here, I must tell you it is said by some that there is a Treaty of Commerce with *Spain* on the Carpet at present, while others say, this Report proceeds from Ministerial Artifice; for that, as Things of the greatest Importance in this Country are look'd upon as a nine-days Wonder only, and the Business is to weather the Storm during that Time, the Ministry for this end endeavour, by feeding the People's Expectation, and amusing them with something which remains to be done to lessen their Resentment against the present Treaty 'till they get it approved. But if there is another Treaty for the Purposes suggested in Agitation, I look on it in a very different Light, and very far from furnishing an Excuse for the Measures of our Ministry; on the contrary, it is an irrefragable Proof (if farther Proof was necessary) of what has been laid to their Charge, that they have concluded a Peace

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on a dishonourable, disadvantageous and uncertain Foot, and by those Means sacrificed the *British* Interest, and put this Country in the Hands of her Enemies; for the Rest absolutely depends on them. We have signed a Treaty, and if we have any regard to Things human or divine, we must observe it. If we have neglected to renew our Treaties of Commerce *Spain* is no farther engaged. If we have left undecided the free Navigation of the *American* Seas, *Spain* is not obliged to declare herself on that Head, she may suspend the Exercise of her pretended Right 'till she sees a fit Opportunity to exert it when we may dispute it by another War. Viewing Things in this Light, can any one be so foolishly fond of Imposition to believe that *Spain*, whom we have harassed and irritated by nine Years War, so lately our declared Enemy, and at present very far from our Friend, as her present Measures evidently shew, will be induced by fine Speeches to neglect the *French*, by whom she has been so powerfully supported against us, to whom she owes the Establishment of *Don Philip* in *Italy*, and grant us those Advantages in Trade,

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which we shall ask; upon representing that at *Aix*, we did not rightly understand what we were upon, and praying Relief like *Infants*, who have done an Act of which they were not competent Judges? Will that Conduct which was so deficient at *Aix*, be more prevalent at *Madrid* under greater Disadvantages? will *Spain* merely to gratify a late Foe, renounce that Dominion which she claims over the *American* Seas, and has defended at so great an Expence? No. If she now grants, we must pay what she shall reckon an Equivalent. We must now purchase, what we might have lately demanded at *Aix*, and if we had demanded with a proper Spirit, must have obtained. May *Gibraltar* never be that Purchase! My Heart forebodes ill, tho' the Ministerial Efforts made in the City by Means of an eminent Citizen, have had no other Effect than to *recoil* on himself. Heavens! Will the Disgraces and Calamities of this Country never have an End!

After having look'd on all Sides, I can see no Probability of the Permanency of this Peace but from one Quarter, our Inability of re-commencing

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ing a War, and that Load of unaccountable Debt, with which we are shackled, while Interest like a Vultur knaws our Heart. And upon this single Consideration I recant; I own it destroys all I have before insisted upon; I acknowledge our Ministry have effectually provided for the Peace of this Country.

I am sorry to have recalled to your Remembrance by my Recital such a Train of ill Consequences as must flow from this Treaty, I am sorry to have excited so much Concern as must naturally rise in a Breast warm like yours, with Patriot Zeal, by contemplating for a while the Dishonour and Misfortunes of our common Parent; but it was in Obedience to your Commands, and if there is any Consolation in having a Companion to share in your Concern, you may be well assured I heartily sympathize with you,

**F I N I S.**

