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THE
S P E E C H

O F

Lord *LYTTELTON*,

On a Motion made in the

HOUSE of LORDS

F O R

A Repeal of the Canada Bill,

MAY 17, 1775.

Audi alteram Partem---

L O N D O N :

Printed for J. RIDLEY, in ST. JAMES'S STREET,

MDCCLXXV.



THE
S P E E C H
O F
Lord LYTTELTON.

MY LORDS,

AT the Conclusion of this long and laborious Session of Parliament, when the unhappy Divisions subsisting between *England* and *America* seemed, by the joint Wisdom of both Houses, to converge towards Conciliation, I am greatly surpris'd that the Noble and Learned Lord should come forth again to scatter abroad the Seeds of Dissension, and, not content with that Resistance to the Legislature, and to the Law of *England*, which prevails over all *British America*, should now endeavour to involve the *Canadians* in the common Revolt; establishing as a leading Principle, by which your Lordships may be induced to repeal this Bill, That those for whose Emolument it was made are the most dissatisfied with it—that they groan under the Pressure, and consider it as a most intolerable Grievance—PAINTING their Dislike to it with the strongest Colours of Rhetoric, and, by these groundless Insinuations,

tions, wishing to deprive them of all those beneficial Advantages, they most gratefully acknowledge to have received, by the equitable System of Jurisprudence obtained from the Parliament of *England*.

My Lords, however bright may be the Eloquence, and however dark the Purpose, of that Noble and Learned Lord, I trust he will fail in his Attempt; and, though strong was the Arm that directed this Shaft against the Vitals of the Constitution, though the Point was envenomed, and though it was aimed at a mortal Part, I trust, my Lords, it will fall blunted to the Ground, without endangering the Safety of the Commonwealth, or affecting the true Interest of the Kingdom.

The Noble Lord has told your Lordships, that the Bill which passed last Session for establishing a Government in *Canada*, was a Bill “*abhorrent to the British Constitution, and that it ought to be repealed by the unanimous Voice of this House.*”——I shall first put his Lordship in mind, That this Bill was not made for the Meridian of *England*; that it was framed for the conquered Subjects of *France*, consonant to the Faith of Treaties, and to the Stipulations agreed upon by the Conqueror, which was part of the solemn Pact, between *Great Britain* and *France*, covenanted for, and ratified by, both Nations at the Conclusion of the War: And then, my Lords, I will go a Step further; I will meet the Noble Lord on his own Ground; and I will uphold to his Lordship, that the general Principles and Policy of this *Canada* Bill were founded in Wisdom—that the Principles of it, which his Lordship affirms to be repugnant to Christianity, emanated from the Gospel, and are coëval with the Religion of our Saviour—that they breathe

breathe forth the Spirit of their Divine Master; for they are neither Principles of Popery, or Servitude—they are Principles, my Lords, of Toleration, unrestrained by Prejudice, and unfettered by absurd and odious Restrictions. The Inhabitants of *Canada* were Catholics before they were conquered by *England*; they are Catholics now, but under the Jurisdiction of a Protestant Parliament, and under the Cognisance of Protestant Bishops, who form a Part of that Parliament, and who, I believe, were unanimous in allowing them the free Exercise of their Religion.—In regard to the Policy of the Bill, I cannot but think it to be indisputably excellent, because it tends, by the Beneficence of its Aspect, to remove those rooted Prejudices, which are carefully instilled into the Minds of all the Subjects of *France*, against the Laws and the Constitution of *England*.

This Bill, my Lords, has more effectually opened their Eyes, than the Perusal of all our Statute Books;—it has given them, with the mild Code of our Criminal Law, a Share of those Blessings which we derive from Freedom;—it has abolished the Torture;—it has raised the People from the Oppression and Tyranny under which they crawled, and has perpetuated in their Hearts that Dominion, which has so recently been acquired by our Arms.—But, says the Noble Lord, (and here he seems to press on triumphantly his Arguments) You have, by this Bill, affected the Interests of Commerce, those Interests that ought to be most dear to *Great Britain*: They ought to be so indeed, my Lords; and so far are those Interests from being hurt, that it has been the chief Purpose of the Bill to improve them: They have flourished under it, even beyond the most sanguine Expectation; for, my Lords, since
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the Non-Importation Agreement has been entered into by all the other Provinces of *America*, who but the *Canadians* have opened a Channel for *British* Manufactures? who but the *Canadians* have kept alive your drooping Commerce, by taking prodigious Quantities of Goods from *England*, which by their Spirit and Diligence have, notwithstanding the unlawful Combinations of the *Americans*, penetrated and pervaded every part of the Continent?—Notwithstanding the factious Resolutions of the Assemblies—notwithstanding the inflexible Enmity of the Congress, the *Canadians* have opened a Way for the *English* Trader: By their Means he has found a Passage into *America* for his various Sorts of Merchandize; they have been carried into all the Provinces; they have even crossed over the Peninsula of *Boston*.—These, my Lords, these are the Consequences you have derived from this *Canada* Bill; reprobated indeed by the Noble Lord, but most cordially received by the loyal *Canadians*, who take every Occasion to shew how sensible they are of its Utility, and how desirous of testifying their Gratitude.

But the Noble and Learned Lord has not confined his Opposition to the general Principles and Policy of this Act: He has, with the designing Subtlety of a Lawyer, attacked the Law Part of the Bill: He has told your Lordships, that the Intention of it was to throw an unlimited Power into the Hands of the Crown; that the Design was manifest, because they were denied the *Habeas Corpus*: He has assured you, that by excepting the *Canadians* from the salutary Influence of this excellent Provision made for the Liberty of the Subject, you have altered the Tenor of that wholesome Policy, which his Lordship says has always induced, and by Law should always compel, *Great Britain* to
give

give to all conquered Countries the full and perfect System of *English* Freedom in Return for their Allegiance. The Noble Lord has instanced the Case of *Jamaica*, of *Barbadoes*, but, above all, of *Ireland*.—HAS the Noble Lord forgot then, that *Ireland*, though in Possession of the Criminal Law of *England*, has not the *Habeas-Corpus* Act? That Act, which is a special Privilege monopolised by *Great Britain*, is not even extended to *Ireland*; but *Ireland* HAS what is in Fact. equivalent to it, and so HAS *Canada*.—Would the Noble Lord then desire, that those newly-conquered Subjects of *England*, against whom he shews such strong and irreconcilable Hatred, should be indulged with a Privilege which even Liberty herself seems to be jealous of, and which has hitherto been denied to the loyal, the affectionate, the most respectable Inhabitants of *Ireland*?—My Lords, he does desire it; he would do any thing to answer his Purpose—to increase the Storm—to perplex, to distress Administration. Animated by these Views, I am not surpris'd, that he hates the Nobility of every Country; they stand in his Way—He would rub them out of his System of Government. He has told your Lordships, that it is the *Noblesse*, and the Priests of *Canada*, that are only benefited by this Bill; and that it would be better for the Province, if both Prelates and Nobility were whipt out of it: These are his Lordship's Sentiments; Republican Sentiments, my Lords, which with less Impropriety might have come from the Mouth of a factious Burgher of *Geneva*, but which are foreign from the Genius of the *British* Constitution.

We have seen, my Lords, enough of Republican Government—enough of that levelling Principle, which pulls down every thing, and sets up nothing—of that furious ungovernable Spirit, which rises against all Order and Subordination, which
 militates

militates against all Power which it cannot invade, and would destroy all Government which it does not possess.—My Lords, the Constitution of *England* abhors all Despotism: It equally abhors the Despotism of one Man, and the Tyranny of the uncounted Multitude! The Medium between both is what it delights in:—It delights in Freedom, guarded and governed by Law under the Controul and Protection of the Three Powers of the State, King, Lords, and Commons, in Parliament assembled.—But this happy and most envied State, with which God has blessed us, does not flatter the ambitious Purposes of the Noble and Learned Lord: He has therefore employed all his Talents, and all his Learning, to conjure up a noxious Spirit, both in *England* and *America*; a Spirit which assumes the fair Form of Liberty, that it may more surely destroy Legal and Constitutional Freedom.—This Spirit, which has possessed and animated all his Lordship's Speeches, has told the *Americans*, that they were BETRAYED into SLAVERY; it has told them to resist, because Resistance was legal when Liberty was oppressed;—it has told them, that the Case of Ship-Money, which began the Civil Strife in *England* in *Charles* the First's Time, and which ended in the Extinction of Tyranny by the Death of the Tyrant, was a Trifle light as Air to the afflictive Despotism under the Lash of which the *Americans* groaned;—it has told them, that their ALL was at Stake, their LIVES and their PROPERTIES.—This was the Language held forth within THESE Walls, and from THESE Walls re-echoed to *America*.—It was HERE, my Lords, HERE that these Opinions were broached: And can you wonder at the Effect they have produced? Can you wonder that, urged on by Men of such exceeding Weight, the Colonists should have taken the Alarm; or that it should have spread, like a pestiferous

ferous Disease, from the Mountains of *New York* down to the Gulph of *Mexico*? To WHOM then are you to ascribe these Disorders? At WHOSE DOOR then are these Calamities to be laid, which have shaken the Peace of the Kingdom? To the misled, to the infatuated *Americans*? or to the perfidious Councillors, whose atrocious Policy has involved them and us in common Destruction? Is it credible, my Lords, that so long as the great Interpreters of the Law in this House, Men of superior Talents, and deeply versed in the Science of the Constitution, proclaim aloud that their Fellow-Subjects on the other Side of the *Atlantic* are cramped and fettered in Slavery—is it credible that they should submit to any Government, or ever think themselves in a State of Freedom?

My Lords, I hold the King's Ministers to be at this Time highly responsible for the Event of the Measures they have pursued to reduce the Colonists to Obedience; and surely those Men are not less responsible to the Public for their Conduct, who, from Motives of personal Pique and whimsical Resentment, pertinaciously continue to obstruct the Wheels of Government, and to render ineffectual by their Opposition the best-intentioned Measures of Administration.—Let me therefore hope, that the Noble and Learned Lord will be prevailed upon to drop his Motion for the Repeal of an Act which has so lately passed with the full Assent of both Houses.—Has the learned Lord used any Arguments against the Bill, that were not held with more Energy and Eloquence by the Noble Earl* who opposed it when it first came into this House? Why does the learned Lord chuse to tread in his Steps? Is it from a Hope of excelling that great Statesman, whose unrivalled Abilities it is not even in his Power

to imitate? Has his Lordship any Doubts concerning the Superiority of his Talents, or his Judgement? If he has, my Lords, let him look round, and see whether that Noble Earl is to be found this Day in the House! No, my Lords, he is not in the House: He is too wise to tear up the Bandages, and set those Wounds bleeding afresh, which now seem to be skinned over, in order to gratify an idle Vanity, or to thwart the Operations of those in whose Hands the Power of the State is delegated.—But the learned Lord, in whom the Spirit of Opposition shines bright, has summoned your Lordships to come down this Day, at the Close of the Sessions, to hear him harangue upon the Laws of Nations, and upon the various Degrees and Modifications of Freedom: And, whilst his Lordship is thundering forth Invectives against the Administration; whilst he is cavilling at all they have already done, and at all they intend to do; while, in consequence of these domestic Jars, your Legions have been sent across the *Atlantic*, to shake their Banners in Fields of Peace, and to compel those infatuated Men to Obedience who would have been better and more effectually bound by the Energy of Acts of Parliament; the Enemy, the common Enemy, has prepared a Force superior to any you have to oppose to her.—*Spain*, my Lords, *Spain*, panting for War, and eager for Revenge, *Spain* has at this Time a Force sufficient to possess herself of *Gibraltar*; to take in, without a Blow, *Jamaica*, *Barbadoes*, and all the Leeward Islands—a Force sufficient to rend *Ireland* from the Imperial Crown of these Kingdoms, and sufficient, if she durst tempt the Adventure, to plant her Standard upon *English* Ground; to invade even *Great-Britain*, guarded as she is by the Ocean, and hitherto unassailable by foreign Arms.

My Lords, it is full Time to ask, To what Part of the World, and against what Power, this mighty *Armada* is designed.

signed. Hitherto the Ministers have been silent upon this Subject: I dread more the Silence of Administration than the loudest Cry of Opposition. Have they, my Lords, certain Intelligence that it is intended against the *Moors*; and that Seventeen Ships completely manned, and 28,000 Troops, ready to embark, are really destined to conquer the Deserts of *Morocco*, and to wage War with the Lions and Tigers of *Africa*? What then are their Assurances of the true Purpose which has induced *Spain* to congregate such a prodigious Force? *Spanish* Assurances are certainly not to be relied on: For, is it probable, have you the smallest Room to hope, that the House of *Bourbon*, smarting with the Ignominy, and sore with the Disgrace, which overwhelmed her Arms in the last War—a War begun, as she affirms, by Acts of Piracy in *Europe*, and of Treachery and Depredation in *America*—have you the smallest Reason to suppose, that she does not meditate Retaliation; or that she will wave her Resentment from Notions of Punctilio, or from the Dread of breaking her Engagements?

My Lords, I do not trust to the Professions of Statesmen, when the Interest of the State is concerned; and I hope some Lord, high in his Majesty's Service, will give this House, and give the Public, certain Information concerning a Matter of such eventful Consequence to the Kingdom.—The Public, my Lords, require such Information; and your Lordships have a Right to demand it.

My Lords, I have trespassed very long upon your Lordships Time, and must apologise for having presumed to deviate from the strict Line of Order, by introducing Matter foreign from the Debate; but, my Lords, as what I have mentioned deeply
concerns

concerns the Interest of the State, on that Account I hope I shall be excused.—As to the Noble Lord's Proposition to repeal the “ Act for making more effectual Provision for the Government of the Province of *Quebec*,” I am firm in my Opposition to it; I have told your Lordships my Reasons. I shall only add, that to repeal it would be to revoke all you have been doing, all the Councils you have held, and all the Resolutions you have come to, for these ten Years past, relative to the Settlement and Legislature of that Country which is annexed to your Dominion, and was subjugated by your Arms.

