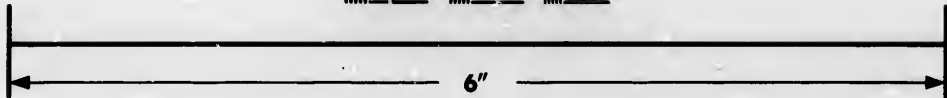
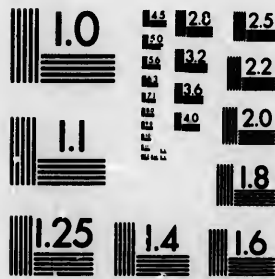


**IMAGE EVALUATION
TEST TARGET (MT-3)**



**Photographic
Sciences
Corporation**

23 WEST MAIN STREET
WEBSTER, N.Y. 14580
(716) 872-4503

**CIHM/ICMH
Microfiche
Series.**

**CIHM/ICMH
Collection de
microfiches.**



Canadian Institute for Historical Microreproductions / Institut canadien de microreproductions historiques

© 1984

Technical and Bibliographic Notes/Notes techniques et bibliographiques

The Institute has attempted to obtain the best original copy available for filming. Features of this copy which may be bibliographically unique, which may alter any of the images in the reproduction, or which may significantly change the usual method of filming, are checked below.

L'Institut a microfilmé le meilleur exemplaire qu'il lui a été possible de se procurer. Les détails de cet exemplaire qui sont peut-être uniques du point de vue bibliographique, qui peuvent modifier une image reproduite, ou qui peuvent exiger une modification dans la méthode normale de filmage sont indiqués ci-dessous.

- Coloured covers/
Couverture de couleur
- Covers damaged/
Couverture endommagée
- Covers restored and/or laminated/
Couverture restaurée et/ou pelliculée
- Cover title missing/
Le titre de couverture manque
- Coloured maps/
Cartes géographiques en couleur
- Coloured ink (i.e. other than blue or black)/
Encre de couleur (i.e. autre que bleue ou noire)
- Coloured plates and/or illustrations/
Planches et/ou illustrations en couleur
- Bound with other material/
Relié avec d'autres documents
- Tight binding may cause shadows or distortion
along interior margin/
La reliure serrée peut causer de l'ombre ou de la
distortion le long de la marge intérieure
- Blank leaves added during restoration may
appear within the text. Whenever possible, these
have been omitted from filming/
Il se peut que certaines pages blanches ajoutées
lors d'une restauration apparaissent dans le texte,
mais, lorsque cela était possible, ces pages n'ont
pas été filmées.
- Additional comments:/
Commentaires supplémentaires:

- Coloured pages/
Pages de couleur
- Pages damaged/
Pages endommagées
- Pages restored and/or laminated/
Pages restaurées et/ou pelliculées
- Pages discoloured, stained or foxed/
Pages décolorées, tachetées ou piquées
- Pages detached/
Pages détachées
- Showthrough/
Transparence
- Quality of print varies/
Qualité inégale de l'impression
- Includes supplementary material/
Comprend du matériel supplémentaire
- Only edition available/
Seule édition disponible
- Pages wholly or partially obscured by errata
slips, tissues, etc., have been refilmed to
ensure the best possible image/
Les pages totalement ou partiellement
obscurcies par un feuillet d'errata, une pelure,
etc., ont été filmées à nouveau de façon à
obtenir la meilleure image possible.

This item is filmed at the reduction ratio checked below/
Ce document est filmé au taux de réduction indiqué ci-dessous.

10X	12X	14X	16X	18X	20X	22X	24X	26X	28X	30X	32X								

The copy filmed here has been reproduced thanks to the generosity of:

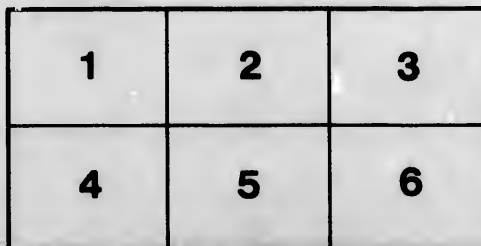
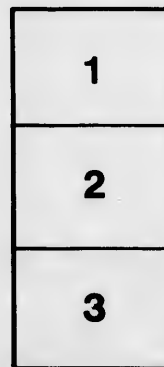
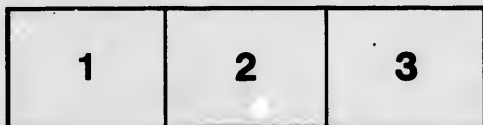
Library of the Public
Archives of Canada

The images appearing here are the best quality possible considering the condition and legibility of the original copy and in keeping with the filming contract specifications.

Original copies in printed paper covers are filmed beginning with the front cover and ending on the last page with a printed or illustrated impression, or the back cover when appropriate. All other original copies are filmed beginning on the first page with a printed or illustrated impression, and ending on the last page with a printed or illustrated impression.

The last recorded frame on each microfiche shall contain the symbol → (meaning "CONTINUED"), or the symbol ▽ (meaning "END"), whichever applies.

Maps, plates, charts, etc., may be filmed at different reduction ratios. Those too large to be entirely included in one exposure are filmed beginning in the upper left hand corner, left to right and top to bottom, as many frames as required. The following diagrams illustrate the method:



L'exemplaire filmé fut reproduit grâce à la générosité de:

La bibliothèque des Archives
publiques du Canada

Les images suivantes ont été reproduites avec le plus grand soin, compte tenu de la condition et de la netteté de l'exemplaire filmé, et en conformité avec les conditions du contrat de filmage.

Les exemplaires originaux dont la couverture en papier est imprimée sont filmés en commençant par le premier plat et en terminant soit par la dernière page qui comporte une empreinte d'impression ou d'illustration, soit par le second plat, selon le cas. Tous les autres exemplaires originaux sont filmés en commençant par la première page qui comporte une empreinte d'impression ou d'illustration et en terminant par la dernière page qui comporte une telle empreinte.

Un des symboles suivants apparaîtra sur la dernière image de chaque microfiche, selon le cas: le symbole → signifie "A SUIVRE", le symbole ▽ signifie "FIN".

Les cartes, planches, tableaux, etc., peuvent être filmés à des taux de réduction différents. Lorsque le document est trop grand pour être reproduit en un seul cliché, il est filmé à partir de l'angle supérieur gauche, de gauche à droite, et de haut en bas, en prenant le nombre d'images nécessaire. Les diagrammes suivants illustrent la méthode.

ails
du
modifier
une
page

rrata
o

pelure,
à

L

To

By

F

L E T T E R S

O N T H E

A M E R I C A N W A R .

A D D R E S S E D

To the Right Worshipful the Mayor and Corporation,

To the Worshipful the Wardens and Corporation

of the Trinity-House,

A N D

To the Worthy Burgesses

O F T H E

Town of KINGSTON-UPON-HULL,

By DAVID HARTLEY, Esq;

MEMBER of PARLIAMENT

For the Town of KINGSTON-UPON-HULL.

T H E E I G H T H E D I T I O N .

L O N D O N :

ON, PICCADILLY; KEARSLY, FLEET-STREET; DILLY,
; CRUTTWELL, BATH; AND BECKET, BRISTOL.

M D C C L X I I .

STATE OF NEW YORK

IN SENATE

JANUARY 18, 1907

REPORT

OF THE

COMMISSIONERS OF THE LAND OFFICE

IN ANSWER TO A RESOLUTION

PASSED BY THE SENATE

APRIL 18, 1906

ALBANY:

THE UNIVERSITY OF THE STATE OF NEW YORK

PRINTING OFFICE

1907

STATE OF NEW YORK

IN SENATE

JANUARY 18, 1907

REPORT

OF THE

COMMISSIONERS OF THE LAND OFFICE

INTRODUCTORY ADDRESS.

Gentlemen,

PERHAPS you may remember, that in my Letter of Thanks to my worthy friends and constituents, upon the occasion of their having conferred the honour of their choice upon me to serve them in the present parliament, I made use of the following words, "Permit me to assure you, that it is my determined purpose, to cultivate your confidence and esteem to the utmost of my power, by such a mutual intercourse with you as may convince you that I intend to keep up that connection, which, in the very idea of representation, ought to subsist between the electors and the elected." These words were not casual or cursory. I foresaw, at that time, that a train of events, most important to the future greatness and welfare of this country, was then just treading upon our heels.

In this opinion of the then depending course of events, I did, at that time, reserve in my own mind the intention of laying before my constituents, any such future state and condition of the national concerns, as might appear to be of great magnitude and importance than the ordinary course of public considerations which are committed to the judgment of a representative assembly, without requiring any special attention on the part of their constituents. I now think that period of time is come, in which it is fit that our constituents should be apprized of the very alarming state of national affairs. Considering it, therefore, as a part of my public duty to put you specially upon your guard, in any case of extraordinary importance, and being desirous at the same time to explain to you, as to my much respected constituents, the motives of my own conduct in parliament, I have taken the liberty to address to you some Letters upon the American war.

You

You will receive them in print soon after the receipt of this. I hope and trust in the favourable opinion of my constituents to believe me, when I assure them, that it always has been, and ever will be, my sincere intention to execute the trust which they have reposed in me, according to the best of my abilities, with industry, vigilance, and fidelity.

I am,

With the greatest respect and consideration,

Gentlemen,

Your much obliged

And faithful humble servant,

D. HARTLEY.

London, Dec. 9, 1778.

*To the Right Worshipful the Mayor and Corporation,
To the Worshipful the Wardens and Corporation
of the Trinity-House, and
To the Worshipful Burgesses
Of the Town of KINGSTON-UPON-HULL.*

L E T T E R I.

GENTLEMEN,

IN the present alarming situation of national affairs, I consider it as a debt of public duty which I owe to you, to endeavour to lay before you some state of the public concerns, in which, as one of the most important and respectable boroughs in this kingdom, you have a most material stake depending. I am moreover personally solicitous, to take an opportunity of giving, to those friends who have honored me with a parliamentary trust, an early and explicit account of my own conduct during the last four years; a period which has produced such unexpected and momentous events. In this short period of four years, by much the greatest and most encreasing parts of the British dominions are lost; the lives of many thousands of our fellow-subjects have been sacrificed; thirty or forty millions of national property have been thrown away; an hundred ships of war, and near an hundred thousand men by sea and land, are cut off from the force of this country, at a time when a war with the House of Bourbon is brought upon us. We are come to a full and experimental conviction, of the folly and impracticability of the American war. That chapter therefore is finally closed, by the total loss of America. Here it is then, that I wish to make an appeal to my constituents, and to explain to them, that I have in no degree been instrumental, or concurring, in the measures which have produced these misfortunes.

It is said that short accounts make long friends, for which reason it is, that I wish to discharge my mind to you now, with respect to what is past; and at the same time to advertise you of the alarming prospect of your affairs, as being just upon the opening of a war with the House of Bourbon joined to America. The inflexible obstinacy of an Administration, who would hear no reason, and who have secreted every information from Parlia-

ment and the Public, till the event too fatally proclaims itself, has wasted your men and millions; has alienated your Colonies, and driven them into the arms of France; has not only brought you into a state unprepared for war, against the natural enemies and rivals of this country, but has consumed your best resources, previous to the outset. If a minister of the House of Bourbon had dictated every measure which has been pursued for the last four years, he could not have devised a more systematical plan for renewing, with advantage to our rivals, the ancient contest between us, of national greatness and power. What various events may await us, in the renewal of this contest, no man can foresee; but some consequences are too plain not to be foreseen. The millions which we have thrown away, and the taxes with which we have loaded ourselves and our posterity, must be doubled by other millions, and other taxes, added to accumulated public debts, and declining credit. The destruction of those men by sea and land, who have been sacrificed to death and captivity, together with thousands more, who are at this moment cut off from our domestic strength, must be supplied at home, by the best blood of this country, who may perhaps be called upon, in their own persons, to defend their native shores. Whatever future events of this kind may be prepared for us, will all owe their origin, and will all be chargeable, to the account of the advisers, and conductors, of this fatal American war. The money and men already consumed might have served as a bulwark and defence against any foreign wars; and what still adds to the misfortune is, that it is the folly of having consumed our resources beforehand, and of having quarrelled with those who might have been our best friends, which has brought foreign wars upon us. I know when the farther demands of enormous taxes and supplies, with the continued load of personal service, and with all other burdens, and calamities of war, come upon us, that the detestation and resentment of the nation will pursue the authors of the public distress; and therefore I desire, for one, to stand clear in the judgment of my country, and particularly in the opinion of my Constituents, as not having been accessory or consenting to any of the measures which have severed America from us; and which, having cut off so great a proportion of our resources,

sources, in men and money, by a civil war with those who once were our fellow subjects, has at length plunged us into the general confusion and chances of foreign wars, in which no man can give any presumptive or definite calculation of the cost, or of the duration, and least of all of the event.

I hope that I need not make any apology for speaking thus personally of myself, because I am writing an address to my Constituents, whose favour and good opinion is every thing to me; I wish to be understood, as not considering my personal vote or conduct to be an object calling for a public discussion, but that having formed my own judgment upon the case with a free and unbiassed mind, and having been supported and strengthened in that judgment by the opinions and public arguments of many persons of the highest character, for abilities, integrity, and experience, who have uniformly opposed the principles and continuation of the American war, I have acted with them; and therefore, it is upon the arguments of their justification to the public, that I wish to rest my claim to the confidence and good will of my Constituents. Having premised thus much, I shall enter into the general arguments, in the case before us, because, although the vindication of a private individual may be a trivial consideration to the public, yet it is not so with great bodies, and parties of men, acting in the public eye, and claiming the first rank and importance in their country. The public ought to know, who those men are, who have driven their country to the brink of ruin, who have disdained all temperate counsel, who have vilified every prudent suggestion, and the authors of them: They ought also to know the principles upon which other men have advised measures of discretion and safety. The difference may, perhaps, be nothing less than the very existence or destruction of the State.

That America was ours at the opening of the first session of the present parliament is as undoubtedly true, as it is now true, that it is no longer so. The American disputes, doubtless, had their foundation a long time antecedent to that period. But this is nothing to the present question, by whose advice, and by what measures, America has been severed from us? for at the beginning of the present parliament, America not only was ours, but

might have been retained in unity and affection to us, if measures, the reverse of those which have taken place, had been followed. Since that time, two petitions from America, offering to remain attached to this country upon the terms which existed between us in the year 1763, have both been rejected. Therefore conciliatory terms, and a return to the state of 1763, might still have retained them ours; but war with America, and not conciliation, was predetermined before the election of this present parliament; and indeed it has been avowed, that the dissolution of the late parliament, and the election of a new one, a twelve-month before the expected term, was a preparatory step to coercive measures with America. Here it is that the two roads divide. Whatever deceptions may have been used, or whatever pretexts may have been held out, coercion, and not conciliation, was, from the very first, the secret and adopted plan, and has been systematically and inflexibly pursued ever since.

I will now state to you, in order, the proceedings of the several sessions of this present parliament; and shall begin with that system of fallacies and pretexts, which were artfully held out to the public, in the first session, to lead them insensibly into the adoption of coercive measures, and thereby to lay the foundation of the American war.

The first session of this parliament began on the 29th of November 1774, and ended on the 26th of May 1775.

The highest authority of government was made use of, to inculcate opinions, which, when put to the test, have proved totally unfounded; we were told that the disturbances in America were only the tumults of a deluded mob, misled by a few designing persons; that the appearance of a slight military force, to sustain the civil power, would soon quell all disturbance; and that as soon as the King's standard was set up in America the whole country would flock to it, in support of the measures of Administration, and of their avowed principles of government. However improbable it was in itself, to suppose that thirteen provinces should rise like one man, and join a military force, in support of the ministerial claims, of taxing without representation, of blocking up harbours, and confiscating charters unheard, of garbling juries, and pensioning judges during pleasure, with a
long

long list of other complaints, filed by Ministers *pretended* grievances; yet all this was confidently asserted, in the declarations of Ministers in Parliament, who were in possession of the most authentic correspondencies with the several provinces in America. Parliament and the public gave credit to their authority and assertions, and acted upon the presumption of their proving true. We were told, that the Americans were totally unarmed, and unprepared, and (with the most insolent contempt of their courage,) that five hundred men with whips would drive all America before them. The expence likewise of the undertaking was treated as trifling, or next to nothing. If you were to give credit to the first resolutions of Parliament, upon this head, the expence was to be less than nothing; the number of seamen was reduced to a lower establishment than they had been at for the four preceding years; a vote for a three-shilling land-tax was passed before Christmas in the first session, though the bill was not brought in till after the holidays; this proceeding can admit but of one construction, viz. to soothe the landed gentlemen, in an early and unsuspected state of the business, into a confidential adoption of the ministerial system, by throwing out fallacious assurances beforehand, that no additional expence should fall upon them. To carry on the deception out of doors, a million of the national debt was paid off, out of the supplies of the first session; though in the same breath, we passed a vote of credit to the King, upon which a debt of double that sum was incurred, in the very same year. Official assurances have been thrown out, from time to time, of the good faith and forbearance of foreign courts, which have been calculated, likewise, to lead us into the snare, as they came from persons who had every means of information, and who ought not to have been credulous. However, a Parliament, always compliant with the sense of the Minister, and a deceived public, have, unfortunately for us, been overreached into the adoption of the war, under these fallacies.

The contrary to all these fallacies was represented, and urged in argument, by the opposers of the American war. The fatal effects of a civil war with our colonies, upon our trade, manufactures, finances, public credit, external strength, and internal prosperity, were stated over and over. When the three-shilling land-tax was voted, the

the country gentlemen were reminded, that in all probability this would be the last year in which they would ever have the land-tax as low as three shillings in the pound; and that they were craftily led into a concurrence with the war, because they were not, in the first instance, to bear any part of the burden. The final interference of foreign powers was universally foretold by every opposer of the American war; but all these warnings were of no avail. The Ministry had, by artful misrepresentations and pretexts, got the ear of Parliament, and carried every thing before them; contemning every suggestion of prudence and reason.

Many propositions of conciliation were in this session made in both Houses of Parliament, but they were all over-ruled. The late Earl of Chatham, on the 20th of January 1775, moved, "That an humble address be presented to his Majesty, that in order to open the way towards an happy settlement of the dangerous troubles in America, by beginning to allay ferments and soften animosities there, immediate orders might be sent for the removal of the forces from Boston:" to this he added, on the first of February 1775, another proposition of "A provisional act for settling the troubles in America, and for asserting the supreme legislative authority and superintending power of Great-Britain over her Colonies." These motions were treated with very little respect, more especially considering the importance of the matters, and the great name and approved merits of the noble author. The conciliatory bill was not suffered to lie upon the table of the House of Lords.

The following is a COPY of that BILL:

" WHEREAS, by an act, 6 Geo. III. it is declared, that Parliament has full power and authority to make laws and statutes to bind the people of the Colonies, in all cases whatsoever: And whereas reiterated complaints and most dangerous disorders have grown, touching the right of taxation claimed and exercised over America, to the disturbance of peace and good order there, and to the actual interruption of the due intercourse from Great-Britain and Ireland to the Colonies; deeply affecting the navigation, trade and manufactures of this kingdom, and of Ireland, and announcing farther interruption of all exports from the said Colonies to Great-Britain, Ireland, and the British islands in America. Now, for the prevention of those ruinous mischiefs, and in order to an equitable, honourable, and lasting settlement of claims not sufficiently ascertained and

" circum-

circumscribed; May it please your most excellent Majesty, that it may be declared, and be it declared, by the King's most excellent Majesty, by and with the consent of the Lords Spiritual and Temporal, and Commons in this present Parliament assembled, and by the authority of the same, that the Colonies of America have been, are, and of right ought to be, dependent upon the imperial Crown of Great Britain, and subordinate unto the British Parliament; and that the King's most excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons in Parliament assembled, had, hath, and of right ought to have, full power and authority to make laws and statutes of sufficient force and validity to bind the people of the British Colonies in America, in all matters touching the general weal of the whole dominion of the imperial Crown of Great-Britain, and beyond the competency of the local representative of a distinct colony; and most especially an indubitable and indispensable right to make and ordain laws, for regulating navigation and trade throughout the complicated system of British commerce; the deep policy of such prudent acts upholding the guardian navy of the whole British empire: And that all subjects in the Colonies are bound in duty and allegiance duly to recognize and obey (and they are hereby required so to do) the supreme legislative authority and superintending power of the Parliament of Great-Britain, as aforesaid.

AND whereas, in a petition from America to his Majesty, it has been represented, that the keeping a standing army within any of the Colonies, in time of peace, without consent of the respective provincial assembly there, is against law: Be it declared by the King's most excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, that the declaration of right, at the ever-glorious revolution, namely, "that the raising and keeping a standing army within the kingdom, in time of peace, unless it be by consent of Parliament, is against law," having reference only to the consent of the Parliament of Great-Britain; the legal, constitutional, and hitherto unquestioned prerogative of the Crown, to send any part of such army, so lawfully kept, to any part of the British dominions and possessions, whether in America or elsewhere, as his Majesty, in the due care of his subjects, may judge necessary for the security and protection of the same, cannot be rendered dependent upon the consent of a provincial assembly in the Colonies, without a most dangerous innovation and derogation from the dignity of the imperial Crown of Great-Britain. Nevertheless, in order to quiet and dispel jealousies and fears, be it hereby declared, that no military force, however raised and kept according to law, can ever be lawfully employed to violate and destroy the just rights of the people.

MOREOVER, in order to remove, for ever, all causes of pernicious discords, and in due contemplation of the vast increase of possessions and

population

“ population in the Colonies; and having at heart to render the condition of
 “ so great a body of industrious subjects there, more and more happy, by
 “ the sacredness of property, and of personal liberty; and of more extensive
 “ and lasting utility to the parent kingdom, by indissoluble ties of mutual
 “ affection, confidence, trade and reciprocal benefits; be it declared and
 “ enacted by the King’s most excellent Majesty, by and with the advice
 “ and consent of the Lords Spiritual and Temporal, and Commons in this
 “ this present Parliament assembled; and it is hereby declared and enacted,
 “ by the authority of the same, that no tallage, tax, or other charge for
 “ his Majesty’s revenue, shall be commanded or levied from British free-
 “ men in America, without common consent, by act of provincial assembly
 “ there, duly convened for that purpose.

“ AND it is hereby further declared and enacted, by the King’s most
 “ excellent Majesty, by and with the advice and consent of the Lords Spi-
 “ ritual and Temporal, and Commons in this present Parliament assem-
 “ bled, and by the authority of the same, that it shall and may be lawful
 “ for delegates from the respective provinces, lately assembled at Philadel-
 “ phia, to meet in general Congress at the said Philadelphia, on the
 “ ninth day of May next ensuing, in order then and there to take into con-
 “ sideration the making due recognition of the supreme legislative authority
 “ and superintending power of Parliament over the Colonies, as aforesaid;
 “ and moreover, may it please your most excellent Majesty, that the said
 “ delegates, to be in Congress assembled in manner aforesaid, may be re-
 “ quired, and the same are hereby required, by the King’s Majesty sitting
 “ in his Parliament, to take into consideration, (over and above the usual
 “ charge for support of civil government in the respective Colonies) the
 “ making a free grant to the King, his heirs and successors, of a certain
 “ perpetual revenue, subject to the disposition of the British Parliament, to
 “ be by them appropriated, as they in their wisdom shall judge fit, to the
 “ alleviation of the national debt: no doubt being had, but the just, free
 “ aid will be in such honourable proportion, as may seem meet and be-
 “ coming from great and flourishing Colonies towards a parent-country, la-
 “ bouring under the heaviest burdens, which (in no inconsiderable part)
 “ have been willingly taken upon ourselves and posterity, to the defence,
 “ extension, and prosperity of the Colonies.

“ AND to this great end, be it hereby further declared and enacted, that
 “ the general Congress (to meet at Philadelphia as aforesaid) shall be, and
 “ is hereby authorized and empowered, (the delegates composing the same
 “ being first sufficiently furnished with powers from their respective provin-
 “ ces for this purpose) to adjust and fix their partitions and quotas of the
 “ several charges to be borne by each province respectively, towards the
 “ general contributory supply; and this in such fair and equitable measure
 “ as may best suit the abilities and conveniences of all. Provided always,

“ that

“ that the Powers for fixing the said quotas, hereby given to the delegates
 “ from the old provinces composing the Congress, shall not extend to the
 “ new provinces of East and West Florida, Georgia, Nova Scotia, St.
 “ John’s, and Canada; the circumstances and abilities of the said provinces
 “ being reserved for the wisdom of Parliament in their due time. And in
 “ order to afford necessary time for mature deliberation in America, be it
 “ hereby declared, that the provisions for ascertaining and fixing the exer-
 “ cise of the right of taxation in the colonies, as agreed and expressed by
 “ this present act, shall not be in force, or have any operation, until the
 “ delegates to be in Congress assembled, sufficiently authorised and empow-
 “ ered by their respective provinces to this end, shall, as an indispensable
 “ condition, have duly recognised the supreme legislative authority and su-
 “ perintending power of the parliament of Great-Britain over the Colonies
 “ as aforesaid. Always understood, that a free grant of an aid, as here be-
 “ fore required and expected from the Colonies, is not to be considered as
 “ a condition of redress, but as a just testimony of their affection.

“ And whereas divers acts of parliament have been humbly represented,
 “ in a petition to his Majesty from America, to have been found grievous,
 “ in whole or in part, to the subjects of the Colonies, be it hereby enacted,
 “ by the King’s most excellent Majesty, by and with the advice and consent
 “ of the Lords, spiritual and temporal, and Commons in this present par-
 “ liament assembled, and by the authority of the same, that the powers of
 “ admiralty and vice-admiralty courts in America shall be restrained within
 “ their antient limits, and the trial by jury, in all civil cases, where the same
 “ may have been abolished, restored; and that no subject in America shall,
 “ in capital cases, be liable to be indicted and tried for the same, in any
 “ place out of the province, wherein such offence shall be alledged to have
 “ been committed; nor be deprived of a trial by his peers of the vicinage;
 “ nor shall it be lawful to send persons indicted for murder, in any pro-
 “ vince of America, to another colony, or to Great-Britain, for trial. And
 “ it is hereby declared and enacted, by the authority aforesaid, that all and
 “ every the same acts, or so much thereof as are represented to have been
 “ found grievous, namely, the several acts of 4 Geo. III. ch. 15, and ch.
 “ 24, 5 Geo. III. ch. 25, 6 Geo. III. ch. 52, 7 Geo. III. ch. 41, and ch.
 “ 46, 8 Geo. III. ch. 22, 12 Geo. III. ch. 24, with the three acts, for stop-
 “ ping the port and blocking up the harbour of Boston, for altering the
 “ charter and government of Massachusetts-Bay, and that entitled ‘ An act
 “ for the better administration of justice, &c.’ also, the act for regulating
 “ the government of Quebec; and the act, passed in the same session, rela-
 “ ting to the quarters of soldiers; shall be, and are, hereby suspended, and
 “ not to have effect or execution, from the date of this act. And be it
 “ moreover hereby declared and enacted, by the authority aforesaid, that all
 “ and every the before-recited acts, or the parts thereof complained of, shall

“ be, and are, in virtue of this present act, finally repealed and annulled,
 “ from the day that the due recognition of the supreme legislative authority
 “ and superintending power of Parliament over the Colonies shall have been
 “ made on the part of the said Colonies.

“ And for the better securing due and impartial administration of justice
 “ in the Colonies, be it declared and enacted, by the King’s most excellent
 “ Majesty, by and with the advice and consent of the Lords spiritual and
 “ temporal, and Commons in this present parliament assembled, that his
 “ Majesty’s judges in courts of law in the colonies in America, to be ap-
 “ pointed with salaries by the crown, shall hold their offices and salaries, as
 “ his Majesty’s judges in England, *quamdiu se bene gesserint*. And it is
 “ hereby farther declared, by the authority aforesaid, that the Colonies in
 “ America are justly intitled to the privileges, franchises, and immunities,
 “ granted by the several charters or constitutions, which ought not to be in-
 “ vaded or resumed, unless for misuse, or some legal ground of forfeiture.
 “ So shall true reconciliation avert impending calamities, and this most
 “ solemn national accord between Great-Britain and her Colonies, stand an
 “ everlasting monument, of clemency and magnanimity in the benignant
 “ Father of his People; of wisdom and moderation in this great nation,
 “ famed for humanity as for valour; and of fidelity and grateful affection
 “ from brave and loyal Colonies to their parent kingdom, which will ever
 “ protect and cherish them.”

In the House of Commons, on the 20th of March 1775, Mr. Burke, whose talents, experience in public business, and integrity, have been for many years approved, in the public parliamentary service, proposed a set of resolutions, for the restoration of peace, founded upon the antient policy subsisting between the two countries; not trusting to speculative experiments or hazardous innovations, but treading in the antient path of sound and approved experience. Hear a few of his own words, that you may conceive a just opinion of his plan and principles. “ The proposition is
 “ peace; not peace through the medium of war; not peace to be
 “ hunted through the labyrinth of intricate and endless negocia-
 “ tions; not peace to arise out of universal discord, fomented from
 “ principle, in all parts of the empire; not peace, to depend upon
 “ the juridical determinations of perplexing questions, or the
 “ precise marking the shadowy boundaries of a complex govern-
 “ ment. It is simple peace, sought in its natural course, and in its
 “ ordinary haunts. It is peace sought in the spirit of peace, and
 “ laid in principles purely pacific. I propose, by removing the
 “ ground

“ground of difference, and by restoring the former unsuspecting confidence in the Mother Country, to give permanent satisfaction to your people, and (far from a principle of ruling by discord) to reconcile them to each other, in the same act, and by the bond of the very same interest which reconciles them to the British government.”

The following are the resolutions which he moved:

“1. That the Colonies and Plantations of Great Britain in North America, consisting of fourteen separate governments, and containing two millions and upwards of free inhabitants, have not had the liberty and privilege of electing and sending any knights and burgesses, or others, to represent them in the high court of parliament. *Previous question put.*

“2. That the said Colonies and Plantations have been made liable to, and bounden by, several subsidies, payments, rates, and taxes, given and granted by Parliament, though the said Colonies and Plantations have not their knights and burgesses in the high court of parliament, of their own election, to represent the condition of their country, by lack whereof they have been oftentimes touched and grieved, by subsidies given, granted, and assented to in the said court, in a manner prejudicial to the commonwealth, quietness, rest, and peace, of the subjects inhabiting the said Colonies. *Prev. quest.*

“3. That from the distance of the said Colonies, and from other circumstances, no method has hitherto been devised, for procuring a representation in parliament for the said Colonies. *Prev. quest.*

“4. That each of the said Colonies hath, within itself, a body chosen in part, or in the whole, by the freemen, freeholders, or other free inhabitants thereof, commonly called the general assembly, or general court, with powers legally to raise, levy, and assess, according to the several usage of such Colonies, duties and taxes, towards defraying all sorts of public services. *Prev. quest.*

“5. That the said general assemblies, or general courts, or other bodies legally qualified as aforesaid, have, at sundry times, freely granted several large subsidies and public aids, for his Majesty's service, according to their abilities, when required thereto by letter from one of his Majesty's secretaries of state; and that

“ their right to grant the same; and their chearfulness and sufficiency in the said grants have been, at sundry times, acknowledged by parliament. *Passed in the negative.*

“ 6. That it hath been found by experience that the manner of granting the said supplies and aids, by the said general assemblies, hath been more agreeable to the inhabitants of the said colonies, and more beneficial and conducive to the public service, than the mode of giving and granting aids and subsidies in parliament to be raised and paid in the said Colonies. *Neg.*

The four following resolutions, viz. 7th, 8th, 9th, and 10th, were for the repeal of four acts of parliament, commonly called, the Tea act; the Boston-port act; the act for regulating trials of persons questioned in the execution of the law in case of riots, &c; and the Massachusetts's charter act: And the 11th resolution was to explain and amend the act of Henry 8th, for trial of treasons committed out of the King's dominions.

“ 12. That from the time when the general assembly, or general court, of any Colony or Plantation in North-America, shall have appointed, by act of assembly duly confirmed, a settled salary to the offices of the Chief Justice and Judges of the superior courts, it may be proper that the said Chief Justice and other Judges of the superior courts, of such Colony, shall hold his and their office and offices during their good behaviour; and shall not be removed therefrom, but when the said removal shall be adjudged by his Majesty in council, upon a hearing on complaint from the general assembly, or on a complaint from the governor or council or the house of representatives, severally, of the colony in which the said Chief Justice or other Judges have exercised the said office. *Neg.*

“ 13. That it may be proper to regulate the courts of admiralty or vice-admiralty authorised by the 15th ch. of the 4th of Geo. III. in such manner as to make the same more commodious to those who sue, or are sued, in the said courts, and to provide for the more decent maintenance of the Judges of the same. *Prev. quest.*

Would to God that such propositions as these had been attended to in due season! things would not now be as they are.

I myself

I myself did likewise in the same session, viz. on the 27th of March 1775, take the liberty to throw in my mite, towards settling the differences subsisting between Great-Britain and her Colonies, upon the old and accustomed ground of proceeding by free requisitions. I humbly offered to the House, a draught of a proposed letter of requisition, after the manner of former requisitions to the Colonies, and which I endeavoured, according to the best of my judgment, to adapt to the circumstances of the case.

That proposed draught was precisely made out, according to the usual and official forms, and upon the model of former letters of requisition to the Colonies. Whenever it has been thought proper to require aids from the Colonies, it has been the invariable custom for the secretary of state to write a circular letter to the governors of the several provinces, stating the occasion of the demand, the circumstance of the case, and the necessity, importance, or expediency, of the services required, with directions to lay the same before the respective assemblies, "to use his influence with them, and to recommend it to them, to take these matters into their consideration, and to comply with such reasonable requisitions."—*The American colonies have ever complied most cheerfully and liberally with all such reasonable and constitutional requisitions.*

Upon these grounds I ventured to propose a similar letter of requisition, resting the arguments upon the special merits of the case, as being, in the strictest and most literal sense, a return to the conditions existing in 1763.

The following is a copy of the proposed letter of requisition:

" His Majesty, having nothing so much at heart as to see every part of his dominions put into a state of security both by sea and land, against any attack, or even apprehension of attack, from foreign powers, has therefore particularly taken into his consideration the necessity of keeping up a respectable marine establishment, as well for the actual protection of the commercial interests of Great-Britain and America, as to maintain undiminished the power and pre-eminence of the royal flag of Great-Britain, and to preserve that navy which has, in the time of war, carried us triumphant over all our enemies, from falling into neglect or inaction in the time of peace. The naval power of Great-Britain is more especially ally

" ally necessary for the protection of his Majesty's American subjects, from
 " the special nature of their case; who have indeed, each of them, by their
 " respective militias, a provincial security by land, but, from the want of a
 " similar establishment at sea, are particularly unguarded on that element.
 " The colonists are dependent upon the security of the sea, not only for
 " their own trade, but likewise for that supply of British manufactures,
 " which, if they were under the necessity of providing for themselves,
 " would draw them off from those objects of their colonization, which are
 " more beneficial to them, the possessing, and bringing into culture, the ex-
 " tensive and fertile lands of America. It is therefore the peaceable pur-
 " suit and enjoyment of all and every one of these advantages, for which
 " they are beholden to his Majesty's royal navy for protection.

" His Majesty has likewise taken into his consideration, the state of the
 " American Colonies, with respect to their military defence by land. The
 " glory of all the American conquests in the late war was accomplished by
 " the active zeal, and strenuous efforts, of the British and American united
 " arms; in the prosecution of which, his Majesty has repeatedly had experi-
 " ence, that his faithful and loyal subjects of America, have contributed
 " more than their proportion. His Majesty is therefore well pleased, that
 " his American subjects should reap, upon the fortunate termination of that
 " war, the advantages of security most peculiarly beneficial to their situation.
 " He considers this security as no more than a just and adequate recompence
 " for their liberality and zeal, and the courage of their exertions, in the con-
 " quest of all those hostile provinces, and in the extirpation of all those fo-
 " reign European interests, which had for many years been hovering, with
 " an evil aspect, over the British American colonies, and circumscribing
 " their early growth.

" His Majesty considers, that the establishment and confirmation of his
 " newly-acquired dominions, for the peace, safety, and tranquillity of his
 " ancient and loyal colonies, requires the same union of mind and measures,
 " between all his subjects on each side of the Atlantic Ocean, by which they
 " were acquired; and that suitable and proportionate provisions should be
 " made by the respective parts of his Majesty's dominions, according to
 " the interest or advantages to each respectively resulting; the sovereignty,
 " property, and possession of the said conquered dominions, being ceded to
 " Great-Britain, on the one side; and a permanent and peaceable security
 " from all foreign enemies or foreign forces, being the beneficial advantage
 " acquired, and from the time of their conquest enjoyed, by the American
 " Colonies, on the other. His Majesty, therefore, on this subject considers,
 " that in reason by much the greater part of the expences of the establish-
 " ment of the conquered provinces should fall where the sovereignty, pro-
 " perty, and possession are vested.

" With

" With respect to the military defence of his Majesty's ancient colonies,
 " the same plan may be adopted, which has obtained in former times of peace,
 " as no greater standing force need be added to the militias of each province,
 " than was found necessary before the expulsion of all foreign interests from
 " North America. Upon consideration of each of these branches requiring
 " some military establishment, his Majesty thinks it necessary, with the con-
 " sent of parliament, to keep up some standing forces in America, as well for
 " the security of his newly acquired dominions, as to be in readiness, in case
 " any of his antient colonies should be attacked, to act in conjunction with
 " the militia of any such colony, for the required defence. His Majesty
 " therefore, upon consideration of the premises, both with respect to the ne-
 " cessary naval and military establishments, thinks it not unreasonable, to or-
 " der requisitions to be made, to the several assemblies of his loyal colonies
 " in North America, for a suitable and voluntary provision, for the purposes
 " of defending, protecting, and securing the said colonies.

" And to make the execution of this matter as convenient, and as satisfac-
 " tory as possible, to his subjects in America, his Majesty recommends the
 " mode to the option of the colonies; as it will be equally satisfactory to him,
 " if the colonies themselves will undertake the performance of the services,
 " under his Majesty's orders, by equipping, arming, and maintaining, a suit-
 " able number of vessels, with the proper complement of men, to be under
 " the command of such naval officers as his Majesty shall from time to time
 " appoint; and in like manner to levy, cloath, pay, and provide for, such
 " proportion of forces upon the military establishment of America as shall be
 " equitable upon the circumstance of the case, and upon consideration of the
 " respective abilities of each province; such forces to act either separately, or
 " in conjunction with any other of his Majesty's forces, and to be under the
 " supreme command of all such officers as his Majesty shall think proper to
 " appoint. His Majesty will order an account to be laid before the several
 " assemblies, of the naval and military establishments, which his Majesty
 " hereby requires them to furnish.

" His Majesty is not unmindful of the many restraints and prohibitions
 " which the colonies are under, in respect to their commerce and manufac-
 " tures; and that many of the regulations established by the authority of the
 " British parliament operate to the same effect (though indirectly) as taxes.
 " This is the accepted condition of their emigration, to continue subordinate
 " to the British commerce, and instrumental to the support and extension of
 " British manufactures, while they are left at liberty themselves, to spread
 " into the continent of North-America. But as many of these regulations
 " and restraints were formed in old times, when the principles of commerce
 " were perhaps ill understood, and as it may be found that many of them are
 " nugatory, or vexatious to the American Colonies, without being beneficial
 " to Great-Britain, his Majesty hopes, that an amicable compliance with the

" above-

"above-mentioned reasonable requisitions, and an ostensible contribution on
 "the part of the colonies, to the general parliamentary supply, will pave the
 "way for many relaxations in the articles of commerce. And his Majesty
 "gives the strongest assurances to his colonists, that he will, at all times, re-
 "commend to his parliament, to revise, repeal, explain, amend, and relax,
 "all such restraints and prohibitions, as shall appear to be frivolous, unjust,
 "impolitic, and oppressive to the colonies.

"It is with great grief that his Majesty, who is the common father of his
 "people, and views, with an equal eye of affection, his subjects in every part
 "of his dominions, has of late years observed the very unhappy divisions
 "which have subsisted between his British parliament and the assemblies of
 "his American subjects; and that needless and imprudent discussions of spe-
 "culative points, from mutual misapprehensions, have been converted into
 "anger and animosities, which threaten the most fatal consequences. His
 "Majesty is too well acquainted with the natural justice and moderation of
 "his British parliament, to believe that they could ever entertain the thought
 "of any known or intended injustice or grievance to their fellow-subjects in
 "America; and from the many recent and repeated proofs of obedience,
 "loyalty, and affection, from the colonists, and of their liberality and disin-
 "terested zeal for the honour of his Majesty's arms, which they have freely
 "and cheerfully followed into distant climates, after the complete conquest of
 "America; he is equally assured, that his American subjects are incapable
 "of being influenced by narrow or selfish motives. His Majesty has the full-
 "est confidence in the repeated declarations of his American Colonies, who
 "have separately and collectively declared, 'That they do sincerely recog-
 "nize their allegiance to his crown, and all due subordination to the Parli-
 "ament of Great-Britain; that they shall always retain the most grateful sense
 "of the assistance and protection, which they have received; that their lives
 "and fortunes are entirely devoted to his Majesty's service, to which, on his
 "royal requisitions, they have ever been ready to contribute, to the utmost of
 "their ability.' 'Therefore his Majesty has the fullest dependance,' 'That
 "whenever the exigencies of the state may require it, they will, as they have
 "heretofore done, cheerfully contribute their full proportion of men and
 "money.' 'His Majesty entertains the most confident hope; from the upright
 "intentions of both parties, that upon a cool re-consideration of the original
 "matters in dispute, which his Majesty has endeavoured to state upon the
 "grounds of reason, with fairness and impartiality, all unhappy animosities
 "and civil distractions will be composed upon the solid foundations of
 "equity and justice; and that all things will be restored to that happy state
 "of harmony and mutual affection, which subsisted at the termination of the
 "late glorious war; and that every hostile and vindictive act or declaration,
 "which has passed from the commencement of these unfortunate troubles,
 "will be buried in everlasting oblivion.

" It would

" It would be a grievous affliction to his Majesty, to see the courage of his
 " faithful subjects averted to civil dissensions, and the lustre of the national
 " arms stained with civil blood; to see the general peace and tranquility bro-
 " ken, and invitations thereby thrown out to his enemies, to disturb the glo-
 " ries of his reign; to see the unhappy divisions of this kingdom against it-
 " self, giving courage to their secret resentments, and tempting them, in an
 " evil hour, to re-assume those hostile purposes against his Majesty's domini-
 " ons, which the united and compacted powers of the whole House of Bour-
 " bon were unable, in the late glorious war, to accomplish against the then
 " united and compacted arms of Great-Britain and America. His Majesty's
 " most earnest and most anxious wishes are, to see unanimity restored amongst
 " all his subjects, that they may long enjoy in peace the fruits of those com-
 " mon victories which have heretofore cemented them in one general cause;
 " that living in harmony and brotherly kindness, one towards another, and
 " in one common obedience to the supreme legislature, they may join all
 " hands with one heart, to support the dignity of his crown, the just authority
 " of parliament, the true and combined interests of Great-Britain and Ame-
 " rica; and thus transmit to posterity, with everlasting honour, the united
 " empire of these kingdoms,"

I think I may venture to say, that if this proposition had been
 accepted, it might have laid the foundation of peace, because those
 very terms were drawn up by the Congress, in their petition to
 the King, and address to the people of England a few months after,
 and were proposed by themselves as the terms of pacification.
 You will observe, that in all these cautious propositions, there was
 nothing novel or hazardous, nothing derogatory to the honour of
 this country, no mean concessions of any constitutional rights of
 this country; but only compromising speculative and disputed
 points, by recurring to the old-accustomed and safe way, in which
 both countries had been united in prosperity and peace.

Our friend Sir George Savile took up another proposition,
 which was characteristically suited to his well-known uprightness
 and love of justice. The American Congress had presented a pe-
 tition to the throne, stating their grievances, and applying for re-
 dress. His Majesty had referred this petition to the consideration
 of parliament. Sir George Savile on this occasion, viz. on the
 26th of January 1775, presented a petition to the House from
 the American Agents, concluding with these words: " Your pe-
 " titioners do, with intent to promote a restoration of the cordial

“ union, that so long and happily subsisted between Great-Britain
 “ and the Colonies, most humbly pray that they may be heard at
 “ the bar of this honourable House, in support of the said petition,
 “ when it shall come under consideration.” Could there possibly
 be a proposition more conformable to natural justice and equity,
 than to have *heard* those who were at that time your fellow-sub-
 jects, before you devoted them and their country to fire and sword?
 Could there have been devised a more probable way to have re-
 stored a rational and lasting peace, than to have discussed the ar-
 ticles of their petition with equity and candour, instead of giving
 a flat negative to this, and to every other motion of a similar kind,
 and then insulting that very petition which they would not hear
 or discuss, as containing nothing but *pretended* grievances? When
 one comes to reflect a little upon things that are past, and not at
 present the object of contention, it is almost incredible to con-
 ceive, how a parliament could be brought to reject a petition from
 three millions of their fellow-subjects, to decide the most impor-
 tant points without enquiry, and to condemn whole provinces to
 fire and sword unheard. These, which I have explained to you,
 were the propositions offered by the opposers of the American
 war in the very beginning of this contest, foreseeing too truly the
 unfortunate and desperate state of things, which a civil war must
 infallibly bring on. But parliament was deaf to every proposition
 which did not come within ministerial recommendation.

Lord North did indeed, in this first session, make what has been
 called his conciliatory proposition, which however cannot well be
 looked upon in any other light, than as a mere pretext calculated
 to amuse the public, with the name of having made an offer to
 America; and a very shallow pretext I think it was. This pro-
 position was conceived in the following terms, viz. “That when
 “ the Governor, Council, or Assembly, or general court, of any of
 “ his Majesty’s provinces or colonies in America, shall propose to
 “ make provision according to the condition, circumstances, and
 “ situation of such province or colony, for contributing their pro-
 “ portion to the common defence (such proportion to be raised
 “ under the authority of the general-court, or general-assembly,
 “ of such province, or colony, and disposable by parliament) and
 “ shall engage to make provision also for the support of civil go-
 vernment,

"vernment, and the administration of justice in such province or
 "colony, it will be proper, if such proposal shall be approved by
 "his Majesty and the two Houses of Parliament, and for so long
 "as such provision shall be made accordingly, to forbear, in re-
 "spect of such province or colony, to levy any duty, tax, or as-
 "sessment, or to impose any farther duty, tax, or assessment, ex-
 "cept such duties as it may be expedient to continue to levy or
 "impose, for the regulation of commerce, the nett produce of the
 "duties last mentioned to be carried to the account of such pro-
 "vince or colony respectively." This resolution was moved by
 Lord North in a committee, on the 20th of February 1775, and
 agreed to by the House on the 27th of February 1775. This pro-
 position seems to presume, that there was no other matter in con-
 test but the right of taxation. It passes by the recital of all the
 grievances represented in that petition to the King, which parlia-
 ment refused to consider or to hear; such as, blocking up their
 ports, and confiscating their charters unheard; the pensioning
 judges; the garbling juries; and many others; and with respect to
 that only grievance, to which Lord North's proposition does
 pretend in any degree to apply, viz. taxation without representa-
 tion, it is a mockery to expect people to be contented with a
 mere suspension of the exercise of that right, just as long and no
 longer than they give as much as the minister in parliament thinks
 proper to be satisfied with. They were not to judge of the
 occasion, nor to determine the amount of the sum; they were to
 have no right of appropriating their gifts, nor any title to enquire
 into the application; no consideration in balance for the then sub-
 sisting monopoly of the American trade was even hinted at in
 that proposition. The absolute right of unlimited taxation, with-
 out any other measure than the moderation of a minister's de-
 mands, was expected to be given up by America, (which was the
 whole of the dispute respecting taxation) while the exercise of this
 tremendous claim was to be held over their heads like a sword
 suspended by a thread, and, upon any discontent or demur, to
 have been carried into execution by military force. The insin-
 cerity of this proposition stands confessed, not only by the insidi-
 ous nature of the terms in which it was drawn up, but by the first
 act of hostility in shedding civil blood, which was executed on

the 19th of April 1775, before this proposition could possibly have been referred to the consideration of America. This is therefore a full and irresistible proof of its insincerity, and that war, not peace, was the determined purpose from the very first.

The Americans, you may be sure, refused this as an insidious offer, and as being merely the pretext of ministerial insincerity. But they did at the same time repeat their declaration, of their willingness to contribute upon free requisitions, as they had done before the year 1763. They addressed the King with these words, "Your Majesty will find your subjects on this continent ready and willing, at all times, as they have ever been, with their lives and fortunes, to assert and maintain the rights and interests of our mother country." Thus you see, if the ways of peace had been followed, if any one of the plans offered by the opposers of this fatal war had been accepted as a ground of treaty, we might at this moment have been united in affections, and in a perpetual intercourse of common interest with this great and growing people.

My object, in endeavouring to state these things to you, is, to draw out this clear truth, as the vindication of that set of men with whom I have acted, and of myself,—that the opposers of this mad war, have been the real friends to their country; and that those who have advised the war, and have so inflexibly persisted in it, have led their country to ruin; and are therefore responsible to their country, for all the disgraces which we have sustained, in the destruction of lives, the wasting of our money, the exhausting our resources, the decline of our commerce and navigation, the weakening of public credit, the accumulation of our national debt, the severing of our dominions, and the alienation of the hearts, affections, and support of three millions of people, who once were our's. Thus much for what is past: For your present state and prospect of things, hear the last words of friendly caution from the American Congress to the people of England three years ago, viz. on the 8th of July 1775: "Should you prove unsuccessful, should that connexion which we wish most ardently to maintain be dissolved, should your ministers exhaust your treasures, and waste the blood of your countrymen in vain attempts on our liberty,—do they not deliver you weak and defenceless to your natural enemies?" These were prophetic words;

words; and those ministers have much to answer for, who have brought you into this situation.

I have now stated to you shortly the proceedings of this first session of the present parliament, which more immediately laid the foundation of the war with America, by refusing every reasonable ground of treaty with them. It was a session of pretexts, to feel the pulse of the nation, and to lead them insensibly into the snare, till they were too far gone to recede; which in the next session of parliament was stamped with the argument of a very noted phrase, viz. "That we had passed the Rubicon, and could not retreat." Suppose that, before we had passed the Rubicon, the minister had with candour, wisdom, and foresight, laid before parliament the real state of things, and the probable expectation of consequences, this country would have owed him inestimable obligations. Speaking as I do now, after the event, it cannot however be thought unreasonable to suppose, that a wise and well-disposed minister, might have foreseen those events, which many prudent persons foresaw and foretold at the time, and which have since proved true. He might have represented to us, that upon the right of resistance to taxation without representation, America had for many years been unanimous; that the parliamentary claim of confiscating their charters, had doubled all their alarms, and cemented their unanimity to resist, by making the cause of Massachusetts-Bay, to be the common cause of the whole continent. He might have represented to us, that three millions of people, at the distance of three thousand miles, carrying on a defensive war in their own country against invaders, could not promise an easy conquest. He might have represented to us, that the Americans were like other men, and that their courage would rise as occasion and times of trial might call it out; that although they might have been unprepared, as not having had any premeditated resistance in their thoughts, yet that a few ship-loads of arms and ammunition would be sufficient to enable three millions of people to resist, with certainty of success. He might have represented to us, that the trade of a desolated and ruined country (even in the case of our success) must be of no value; and that a possible pittance of revenue, thus to be extorted, could not pay the expence of a military collection. He might have repre-

represented to us, that the expence of the first three or four years of the war, would probably amount to 30 or 40 millions. He did indeed, in the year 1776, condescend to tell us, that the expence would be enormous; but little thanks were due for such a piece of information, when it stood as a notorious fact, upon the journals of the House; and when we had passed the Rubicon. When he was so studious to throw out to the public the vote for the three shilling land-tax, before Christmas 1774, and before we had passed the Rubicon; did he then declare to the landed gentlemen, that, so far from ever expecting to see a three shilling land-tax again, the expence of an American war would prove enormous? When the lowest peace establishment for navy and army were voted before Christmas 1774, did he then forewarn us, that if an American war should take place, it would require 60,000 seamen, and as many land-forces, and that the expence and destruction of lives would be in the same enormous proportion? When, in the first session of this parliament, he amused the public with paying off a million of the national debt; did he then throw out a suggestion, that if we went into a war with America, many and many more millions would be accumulated to the debt in its place? Did he then represent it as a possible expectation, that 29,000 men might be lost to this country, by death, desertion, and captivity, in America, before the end of the third campaign? Yet this is a fact which has been fully ascertained by the Duke of Richmond in the House of Lords. Did he then represent it to us as a possible event, that in a fourth campaign in the year 1778, the remainder of our baffled force in America would think themselves well off, if they could escape from Philadelphia to New-York, between an American army on one side, and a French Squadron on the other? Did he forewarn us, that it could possibly enter into the hearts of ministers, inflexibly to persist in every vindictive and ruinous measure, till the connexion between Great-Britain and America should be totally dissolved; that the same ministers would *exhaust your treasures, and waste the blood of your countrymen in vain, and then deliver you weak and defenceless to your natural enemies?* Had he represented these things to us, should we not have paused at least before we passed the Rubicon? When private men, by the name of ministers, are set at the head of kingdoms, they are responsible

respo
these
or ev
men
men
they
sion
joint
of th
unite
and
world
choic
has d
I h
parlia
I hop
the fr
we di
confe
nals o
that v
hazan
parlia
ment
isting
most
I n
ment
cific
cond
TH
Octo
A
admi
point
and u
Lord

responsible to lead their country to safety, not to ruin. That all these events were to be considered from the beginning as possible, or even probable, is no unreasonable degree of responsible discernment to require of ministers. They were foretold by prudent men; ministers were sufficiently advertised, and in time. But they would obstinately persist at all hazards. We were in possession of peace, union, and prosperity with our colonies, which jointly with our domestic faculties, had carried the united empire of these kingdoms to the highest pinnacle of human glory. The united system has stood for many years upon the firmest grounds, and had given to this little island the ascendant throughout the world. The paths of prosperity and destruction lay open to our choice, but the fatal and uncontrollable influence of ministers has driven this country headlong to perdition.

I have nothing farther to say with respect to this first session of parliament, in which the foundation of this war was laid, but that I hope I have explained to you, that neither myself, nor any of the friends with whom I have acted, were accessory to it, and that we did every thing in our power to forewarn the public of the consequences, and to have prevented them in time. The journals of parliament will bear us witness of this, by all the negatives that were put upon every motion that we made. And I run no hazard in saying, that if any of these motions had been taken by parliament as a foundation for treaty, America would at this moment have been our's. They were all founded on the policy existing before 1763, to which the colonies had repeatedly, in the most explicit terms, declared their concurrence.

I now come to the next state of the proceedings of this parliament, which was open and professed war. War, not for any specific terms or conditions with America, but for general and unconditional submission.

The second session of this parliament began on the 26th of October 1775, and ended on the 23d of May 1776.

A more avowed system of open war was now held out in the administration of measures. A new American minister was appointed, and every thing put on the face of the most determined and unrelenting perseverance. With respect to this new system, Lord North's conciliatory proposition of the preceding session had

had a capital blot, as it betrayed the very fundamentals of it. The new American minister professedly undertook his office, upon the ground of holding no treaty whatsoever with subjects in arms; whereas Lord North's propositions did certainly profess the very contrary, and his conduct had upon many occasions betrayed sentiments not consonant to the new system. If this noble Lord did indeed at that time feel any secret misgivings, or disposition to relent in this fatal business, happy had it been for this country, if he had taken a manly part, and had stood boldly out, an advocate for the peace of the united dominions; it was in his power at one time to have done this service to his country; that time is now past, and I fear is never to be regained.

In the summer of the year 1775, the last petition from the American Congress to the King was brought over by Governor Penn, together with their declarations and last address to the people of England. Posterity will hardly believe that there should be found a minister so hardy, as by one single self-dictated act, to dismember the dominions of his country for ever; by giving it as his advice, that no answer should be given to the humble, dutiful, affectionate, and conciliatory propositions contained in that petition from the American Congress to the Crown. Who that minister was, who gave that advice, I do not know; but it was that act, and the system which followed it, that decided the Americans in their declaration of Independence. The refusal of an answer to this petition was, in point of time, before the accession of the new American Secretary; it was upon the eve of his accession to that office. I hope it will some day be an object of parliamentary enquiry, to know who did advise his Majesty, that no answer should be given. What had the Americans to look to after that, but to seek for shelter in their own strength and independence? They were, by that single act, cut off from all possible communication with their Sovereign and their mother-country; and, least this should not be sufficient to effect their alienation, the first acts of this second session were, to cast them absolutely out of all national and parliamentary protection; to send 20,000 German mercenaries against them; to incite an insurrection of negroes upon their masters; and to let loose the Indian savages upon the innocent and unarmed back-settlers, and
upon

upon defenceless women and children. The whole of the land-force destined against America for the year 1776, was not less than 50,000 men. What refuge was there left for America but in independence and foreign alliances? They had petitioned and addressed in the summer of the year 1775; they had most explicitly offered to return to the state of 1763; they had disclaimed every idea of independence; and, as a proof, they claim some merit in *not having called to their assistance the rivals of your grandeur*. In return for which, the new system of administration sends an army against them of 50,000 men. This could not fail to drive them to independence, although at that time it was certainly a premature and a hazardous step. They had made no preparation for it; they were unprovided with arms, or ammunition, or allies, or any forces by land or sea; which were all pledges to this country, of the sincerity of their offers in the year 1775, of returning to their antient constitutional state of connexion and dependence. All the world foresaw, that a continuation of war must sooner or later drive them to independence, unless they had been subdued, but the new system brought the point to an immediate issue; no time was given for them to deliberate, and to make preparations; but while they were waiting for an answer to their petition, and to their propositions for peace and dependence, an army of 50,000 men was raised against them, together with an hundred ships of force to block up all their ports. All these inexorable ministers of vengeance and death were let loose upon them, where they were thought to be the most vulnerable, and the least prepared, viz. in New-York, Carolina, and by the way of Canada. The Americans were taken very much by surprize, and in consequence of it, without any farther time given for premeditation, they were driven to an immediate declaration of independence, and to the seeking of foreign assistance and allies; as the counterpart to the proceedings of our administration here, who had refused to receive their petitions, or to have any treaty whatsoever with them; and who had at the same time called in the assistance of 20,000 foreign mercenaries.

When the Americans heard that all Germany had been ransacked to procure foreign mercenaries against them, they immediately applied to foreign powers, and dispatched Mr. Deane to

Paris. With respect therefore to the questions of the independence of America, and of their entering into foreign alliances, the matter stands plainly and shortly thus: The new minister of the American department, at the opening of the second session of this parliament, was in possession of the most explicit and authentic offers from America, for entering into a treaty of peace, upon the old constitutional ground between the two countries; and this not only from the Congress, but individually from the assemblies of the several colonies. I say this with respect to the assemblies of the several colonies, because I did myself in the House produce the proofs, from the Houses of Assembly of New-York, New-Jersey, Pennsylvania, and Virginia, though the authentic documents were suppressed from parliament. With these grounds of a certain constitutional reconciliation and re-union with America in his hands, the new American Secretary threw them all aside, and declared inexorable relentless war, calling in foreign assistance at the same time. He did not lay a single iotâ of evidence before parliament, respecting the transactions in America during the summer of the year 1775, which was the period of the last petition, nor of the dispositions of the several colonies, or of the people at large, nor any of the many propositions, which were indeed universal in that year, for a return to the old system. Parliament therefore, in this state of ignorance, was induced to concur with every sanguinary measure proposed. By the act called the Prohibitory Act, which was one of the first acts of this second session, they cut off all intercourse with America, they cast them out of the national protection, they gave up their property to military plunder, and adopted the measure of employing foreign forces to subdue them to unconditional submission. These causes operated (as they could not fail to do) to produce the declaration of independence, and the application to foreign courts for assistance, upon the principle of self-defence. It was a case of compulsion upon America. They had no choice left, but self-defence, or unconditional submission. Thus the minister of this session took upon himself, by a self-dictated resolution, to throw away a certain foundation for a constitutional peace with America, and without condescending to communicate to parliament any one document, or a single scrap of information from America, (either then or ever since) to plunge
his

his country headlong into this ruinous, destructive, and fatal war. We had now passed the Rubicon indeed, and had cut off from the Americans all retreat but by the road of resistance in arms, as an out-lawed people, driven to the necessity of hazarding the establishment of a sudden and premature independence for themselves, and thus, in their infant state, compelled to take refuge in foreign courts for their protection.

Having stated to you the temper and system of those violent and unrelenting measures, which, refusing proffered peace, drove America to despair, by every vindictive and sanguinary act; I will give you some account of the struggles that were made in this second stage of this business, by the friends of peace and reconciliation, to soften animosities, to re-unite the two countries in bonds of affection, and particularly to prevent that fatal separation and dismemberment, which was then foretold must drive the Americans, by inevitable necessity, into independence and foreign alliances. The prohibitory act, as it was called, was most particularly opposed, upon the consideration, that its inevitable tendency was to make every thing desperate, and to drive the Americans into independence. I shall quote to you a few words out of the protest of the House of Lords, upon the occasion of this prohibitory act, (viz. on the 15th of Dec. 1775) to shew you that it was not for want of advice, but from the utmost degree of obstinacy, that the minister would persist in driving America to despair and independence. “*Dissentient*. Because this bill, by considering the colonies in America as a foreign nation, and declaring war on them in that character, has a direct tendency to effect an entire, and we fear permanent separation, between the two capital parts of this empire: We are, by this act, preparing their minds for that independence which we charge them with effecting, whilst we drive them to the necessity of it, by repeated injuries.” Thus much to shew you, that the opposers of the system of American measures did every thing in their power, to forewarn their country in time against these proceedings, which have driven the Americans to independence. I shall now cite a few words from another protest, upon a debate relating to foreign troops, (viz. on the 5th of March 1776) “We have moreover just reason to apprehend, that when the colonies come to understand, that Great-

" Britain is forming alliances, and hiring foreign troops for their
 " destruction, they may think they are well justified, by the ex-
 " ample, in endeavouring to avail themselves of the like assis-
 " tance; and that France, Spain, Prussia, or other powers of Eu-
 " rope, may think they have as good a right, as Hesse, Brunf-
 " wick, and Hanau, to interfere in our domestic quarrels; and if
 " the flames of war, from these proceedings, should be kindled in
 " Europe, which we fear is too probable, we reflect with horror
 " upon the condition of this country, under circumstances in
 " which she may be called upon, to resist the formidable attack of
 " our powerful enemies, which may require the exertion of our
 " whole force, at a time when the strength and flower of the na-
 " tion are employed in fruitless expeditions on the other side the
 " world." I have drawn these two objects into a close point of
 view, from the most authentic records, viz. Protests in parliament,
 to shew you, that there were not wanting prudent and discerning
 men in parliament, who have discharged their duty to their coun-
 try, having stood guard, and resisted ruinous measures, to the ut-
 most of their power. The hostile independence of America, and
 their being driven into the arms of the house of Bourbon, were
 the great evils that they then foresaw and feared; these events
 are unfortunately come upon us; our country must require an ac-
 count of them from other hands.

The specific propositions, which were made on our side in par-
 liament for peace, were such as could not fail to lay the surest
 foundation of perpetual re-union with the colonies; because we
 knew beforehand of their consent, from the terms of the petition
 of the Congress to the King, and of their address to the people of
 England, which accompanied that petition. In the House of
 Lords, the Duke of Richmond moved, on the 10th of November
 1775, " That the petition from the Continental Congress to the
 " King, was a ground for the conciliation of the unhappy diffe-
 " rences at present subsisting between Great-Britain and America."
 It was not to be wondered at, that such a motion as this should
 be rejected in the House of Lords, when the original petition had
 been spurned from the throne with disdain.

In the House of Commons, Mr. Burke moved, on the 16th of
 November 1775, " That leave be given to bring in a bill for com-

" posing

“ posing the present troubles, and for quieting the minds of his Majesty’s subjects in America.” The substance of this bill was likewise to renew peace with America upon the antient constitutional ground, giving satisfaction to the colonies upon the article of taxation, and a general redress of their grievances; consulting in every point the freedom of America, the dignity of Parliament, and the rights of Great-Britain.

The following is a Copy of the Bill :

“ Whereas, by the blessing of Almighty God, and the industry, enterprise, and courage of several of the people of this realm, extensive and valuable territories have been acquired in America to the crown of Great-Britain, which are now inhabited by great multitudes of his Majesty’s subjects, who have cultivated and improved the same, for the most part at their own charges, to the great increase of the commerce and naval strength of this kingdom; and have also, of their own free gift, made provision for the support of the civil government within their said plantations; have maintained many expensive wars against the Indian nations, and have at sundry times granted large sums of money, and other very considerable aids, to his Majesty, and his royal predecessors, to support them against the enemies of this kingdom, notwithstanding which, the inhabitants of the said colonies have been made liable to several taxes given and granted in parliament, for the purpose of raising a revenue, when they have had no knights or burgeses, or others of their own choosing, to represent them in parliament; and from the great distance of the said colonies from this land, and other impediments, are not able conveniently to send representatives to the said parliament; whereby the said inhabitants of the British Colonies have conceived themselves to be much aggrieved, and thereby great troubles have arisen and are likely to continue, if a fitting remedy be not provided; Wherefore, we pray your Majesty, that it may be enacted and declared, and it is hereby enacted and declared, by, &c. &c.

“ That no aid, subsidy, tax, duty, loan, benevolence, or any other burthen or imposition whatsoever, shall be granted, laid, assessed, levied, or collected, upon the inhabitants of any colony or plantation in America, by the authority, or in virtue of any act of parliament, or in any other manner, or by any other authority, than the voluntary grant of the general assembly, or general court of each colony or plantation, and which shall be assented to by his Majesty’s Governor, and otherwise confirmed according to the usage of each province respectively, any law, statute, custom, right, prerogative, or any other matter whatsoever, to the contrary notwithstanding. Saving to his Majesty, his heirs and successors, his right of reserving and collecting quit-rents, and other his antient dues and revenues, and all
“ other

“ other duties and taxes by this act not repealed ; and saving and reserving
 “ to all proprietories and charter-companies, their antient rights, privileges,
 “ and possessions.

“ Provided always, that nothing in this act shall extend, or be construed
 “ to extend, to restrain the future imposition and levy of duty and taxes for
 “ the regulation of trade and commerce in all the dominions, to the imperial
 “ crown of this realm belonging.

“ And in order to remove all doubt and uneasiness from the minds of his
 “ Majesty’s subjects in the colonies, it is hereby further enacted, that if any
 “ act of parliament shall be hereafter made for the purpose of such regulation
 “ of trade, the produce of the duties thereby laid shall be held by the col-
 “ lectors or receivers of his Majesty’s customs, for the disposal of the general
 “ assemblies, as if the same had been levied by the authority of the several
 “ general assemblies in the said colonies.

“ And whereas, during these troubles, the assemblies, or inhabitants of
 “ the said colonies, have formed a general meeting, which said meeting was
 “ not authorized by law to make any order or resolution, or to do any other
 “ act of force, to bind his Majesty’s subjects : And whereas it may be ne-
 “ cessary, that the said colonies should have authority to do certain acts by
 “ common consent, which should include the whole body of the said colo-
 “ nies, Be it therefore enacted, that it shall and may be lawful for his Maje-
 “ sty, his heirs and successors, to give authority to his governors in Ame-
 “ rica, to require the said assemblies to send deputies to a general meeting,
 “ with full powers to bind their several provinces, to all acts done by a ma-
 “ jority of voices in the said general meeting, which meeting, and the pow-
 “ ers thereof, shall cease and determine on _____ if not further
 “ continued by parliament.

“ And whereas, in consequence of the late troubles, several acts of parlia-
 “ ment have been made, for the purpose of coercing and restraining the colo-
 “ nies, of which an advantage has been taken to represent the same, as if a
 “ design had been formed to deprive the people of the said colonies, of several
 “ rights, benefits, and advantages of nature, and of the British constitution,
 “ which hath greatly increased the discontents of the colonies, and fomented
 “ the troubles in America ; in order therefore, to quiet the minds of his Ma-
 “ jesty’s subjects in America, and to reclaim the disobedient by that lenity,
 “ which ought to have the strongest operation on the minds of free subjects,
 “ Be it enacted, &c. [Here follow the titles of four acts of parliament as
 proposed to be repealed, commonly called the Tea Act, the Boston Port Act,
 the Act for regulating trials of persons questioned in the execution of the
 law in case of riots, &c. and the Massachusetts Charter Act,] be hereby se-
 “ verally and respectively repealed.”

[The remaining clauses of this Conciliatory Bill are, to declare a general
 pardon, indemnity, and oblivion, “ provided that all arms, not taken up by
 “ his Majesty’s authority, shall be laid down.”]

I did likewise myself, on the 7th of December, 1775, in the number of the most earnest well-wishers for peace, make a motion for the cessation of hostilities in America, which was seconded by Sir George Savile; I took my ground from a recital of several of the passages in the petition of the Congress to the King, professing their duty, affection, and attachment to their Sovereign and to their mother-country; to represent to his Majesty, "That however well-disposed his Majesty's subjects in America may be, according to their most earnest professions, to return to their former obedience and constitutional dependence, yet, that the horrors of war and bloodshed, raging in their country, must drive them to destruction and despair; and farther to beg leave to represent to his Majesty's parental consideration, that a return to their duty, of their own free mind and voluntary compliance, would ensure a more cordial and permanent reconciliation, than any reluctant submission, which through much bloodshed, his Majesty's subjects, could be enforced by the sword; Therefore, most humbly to beseech his Majesty, that he will be graciously pleased, to give orders for putting a stop to the further prosecution of hostilities in America, thereby to prevent the further destruction of the lives of his Majesty's subjects, and to afford the wished-for opportunity to his Colonists, of evincing the sincerity of their professions by every testimony of devotion, becoming the most dutiful subjects and the most affectionate colonists."

The Duke of Richmond in the House of Lords moved, on the 5th of March 1776, "That an humble address be presented to his Majesty, praying that he would be graciously pleased to countermand the march of the troops of Hesse, Hanau, and Brunswick, and likewise give directions for an immediate suspension of hostilities in America, in order to lay a foundation for a happy and permanent reconciliation between the contending parts of this distracted empire."

The Duke of Grafton moved, on the 14th of March, 1776, "That an humble address be presented to his Majesty, beseeching him, that in order to prevent the farther effusion of blood, and to manifest how desirous the King of Great-Britain and his parliament are, to restore peace to all parts of the dominions of his

" his Majesty's crown, and how earnestly they wish to redress any
 " real grievances of his Majesty's subjects, his Majesty would be
 " graciously pleased to issue a proclamation, declaring, That if the
 " Colonies, within a reasonable time before or after the arrival of
 " the troops destined for America, shall present a petition to the
 " commander in chief, or to the commissioners to be appointed
 " under the act for preventing all trade and intercourse with the
 " several Colonies; setting forth in such petition, which is to be
 " transmitted to his Majesty, what they consider to be their just
 " rights, and real grievances; that in such case, his Majesty will
 " consent to a suspension of arms, and that his Majesty has autho-
 " rity from his Parliament to assure them, that such their petition
 " shall be received, considered, and answered."

Lord Camden presented a petition from the city of London to
 the House of Lords, " In the most respectful manner to apply to
 " this Right Honourable House, that it will be pleased to adopt
 " such measures for the healing of the present unhappy disputes
 " between the Mother-Country and the Colonies, as may be spec-
 " dy, permanent, and honourable." A similar petition was pre-
 sented, by the same important and respectable body, to the House
 of Commons, but no farther notice was taken of either.

Having mentioned the petitions of the city of London to par-
 lament, I will give you the prayer of another petition from them
 to the King, upon the same subject, in March 1776, just at the
 time when those formidable preparations of inexorable war, which
 have fatally dissolved the union between the two countries for
 ever, were upon the point of being put into action against our
 then fellow-subjects: " We humbly and earnestly beseech your
 " Majesty, that the most solemn, clear, distinct, and unambiguous
 " specification, of those just and honourable terms, which your
 " Majesty, with both Houses of parliament, mean to grant to the
 " Colonies, may precede the dreadful operations of your arma-
 " ments. Every colour and suspicion of injustice and oppression
 " will then be removed, from the proceedings of the mother-coun-
 " try, and if those just and honourable terms are not submitted
 " to, your Majesty will undoubtedly be able to meet, what will
 " then be Rebellion, with the zealous hearts and hands of a de-
 " termined, loyal, and united people." I think if any one fact

can more unequivocally bring to test, the vindictive, relentless, and inexorable spirit, which dictated the sanguinary measures of administration against America, it is the non-compliance with a proposition so equitable as this was. The refusal was the clearest declaration for unconditional submission or no peace. It is that vindictive spirit which condemns without trial, confiscates their public charters and private property unheard, rejects their petitions and remonstrances, contemns their offers of peace and constitutional dependence, sends an army of 50,000 men to cut their throats, with negroes and savages to assassinate and murder them: It is that vindictive spirit, which, devoid of every human feeling due to the fellow-creatures as well as to subjects, will not even deign to tell them, what submission it is that is required of them.

I have mentioned to you the act called the Prohibitory Act, which was one of the first acts passed in this second session. Every clause in this act, except one, is fraught with vengeance and destruction to people of the colonies, and to their property. They were cut off from all intercourse with their mother-country, they were totally cast out from its protection, and their property given up to military plunder. All this was obviously calculated to inflame their minds, and to make them desperate. But there was *one* clause at the end of this act, enabling the King to appoint commissioners. The very name of commissioners pretends at least to imply some purpose of treating for the redress of grievances, and for peace; but it was nothing less, it was merely a fallacious pretext, for it only gave a power to the commissioners to grant pardons upon unconditional submission, without any offer of redress of grievances. A proposed grant of pardon implies some crime. What crimes then had the Americans been guilty of? They had been condemned unheard, all their civil rights had been subverted, their judges had been pensioned during pleasure, their juries had been garbled, the free debates of their assemblies had been controuled, their charters had been confiscated, and their property had been taken by violence from them. They had presumed to represent these grievances, and to crave redress of them, by petitions, addresses, memorials, and remonstrances, to the three branches of the legislature. When

all their petitions were rejected unheard, and they were attacked by force of arms, they did likewise presume, according to the first law of nature, to resist in their own defence. The prohibitory act offers no remedy to all the sufferings of America; it only offers a grant of pardon upon unconditional submission; and without any the least assurance, or even presumption, that the grievances, of which they had complained, should not be repeated and aggravated. I should not have called the appointment of commissioners upon this occasion a mere pretext, if the act had enabled them to offer redress of grievances; but their hands were expressly tied, from every thing but granting pardon upon unconditional submission. The construction therefore of this clause decides upon itself as being a mere pretext. But even granting for a moment that it were not a pretext, and allowing to the ministry all the pretensions of peace which they would claim from this clause; the consideration which puts their sincerity out of dispute is, that, although the act passed the two Houses, and received the royal assent before Christmas 1775, yet the commission was not sealed till May 1776. The departure of the commissioners was delayed for five months, with every act of merciless vengeance intervening, on the part of those ministers who pretended to seek for peace. Immense armaments at land and sea were sent against the Americans, with 20,000 foreign mercenaries, which could not fail to drive them to despair, and, in their own defence, to independence and foreign alliances. If the commissioners had been appointed, and had been ready to sail five months sooner, although the terms of their commission under this act might not have been sufficient finally to settle peace, yet the very offer of any thing pretending to treaty, might have brought forward some negotiation which might have led to peace. What can that minister say to his country, who was intrusted by parliament, with a commission under this act, containing every power which he had applied for, as necessary to restore the peace of the empire; for having delayed and suppressed, for five months, every step and proceeding under that commission? I call this the highest breach of trust to his country. If that commission had been sealed and sent out with all due and convenient speed, instead of having been delayed for five months, it must have arrived in America some months

months before their declaration of independence, and their negotiation with foreign powers, in which case an offer of treaty might have been of some avail. But War with America, and not Peace, has been at the bottom of every measure from the first to the last.

If the proceedings of the minister had been marked with any ambiguous moderation, such decisive and desperate events, as independence and foreign alliances, would at least have given some gradual notice of their approach; every rub and delay would have been so much in favour of reconciliation. There are at least shades and gradations between humble petitions, and an hostile declaration of irrevocable independence, with foreign alliances. The colonies had been for ages bound to this country, by every tie of common interest, and by all the natural habits of affection; they were, at this very period, waiting with anxiety for the event of their last petition, and for a parental assurance of protection, in return for their proffered allegiance; they were unprepared either with men, arms, ammunition, or allies, for such a desperate step, as a final revolt and declaration of independence. They must have entertained, at that time, great doubts of their success, in an undertaking premature and unconcerted, but desperate in its consequences. But they were driven, by every accumulated act of terror and destruction, to madness and despair. They were compelled to take their instant choice, of unconditional subjection, or independence. Nothing else was left to them. An headstrong minister had resolved, sword in hand, to pass the Rubicon, and to throw away the scabbard.

I am now come to the third session of this parliament, which commenced Oct. 31, 1776, and ended June 6, 1777.

All possibility of reconciliation having been made desperate, by the measures of the administration in the preceding year; and, in its place, an unconditional reduction of America having been determined upon, and undertaken by force of arms; the King's speech at the opening of this third session told us, that we *must* at all events prepare for another campaign. The ministerial demand, of unconditional submission by force of arms, on the one side, had produced the declaration of independence on the other; and the sword alone could decide the contest. The friends of peace and re-union, who had forewarned their coun-

try of this fatal alternative, saw with regret their melancholy forebodings realized in these events. They had been unwearied in their endeavours, to prevent things from coming to this desperate state; but in vain. Yet even in this state, if the faintest ray of hope did but dawn upon them, they were ever upon the watch, not to let slip even the most distant possibility of bringing the parties to an accommodation. I have told you, that the new American minister had never communicated any single document of information to parliament. The representatives of the nation were left to the chance of picking up information, when the fate of the empire was at stake, from news-papers or vulgar reports. A very important proclamation, signed by Lord Howe and General Howe, had been published in America on the 19th of September 1776, declaring on the part of his Majesty, *that he was willing to concur in the revifal of all his acts, by which his subjects in America might think themselves aggrieved.* This proposition first made its appearance in England in a common daily news-paper, having been copied from some American prints. Lord John Cavendish, into whose hands one of these news-papers had fallen, being ever watchful for the peace and prosperity of his country, seized the occasion without delay; and moved in the House of Commons, (on the 6th of November 1776) conformably to the terms of the proclamation, "That this House will resolve itself into a committee, to consider of the revifal of the acts of parliament by which his Majesty's subjects in America think themselves aggrieved." A ministerial negative was put upon this motion, by a large majority. I call it a ministerial negative, because the ministers themselves, who advised the proclamation in America, spoke in this debate against the motion of Lord John Cavendish, for complying with the terms promised to America in that very proclamation.

It is worth while to dwell a little upon this transaction in its several parts, and to consider the effect which it must naturally have upon the minds of the Americans; because their conviction of the duplicity and insincerity of administration, has had greater effect in deciding the alienation of America, than all other measures put together. A motion had been made by the Duke of

Grafton

Gra
addr
" a
" we
" te
" rig
" his
" re
put t
fame
sing
Wh
his c
can
to a
since
wou
offer
their
reful
their
less
and
of p
did t
but t
depo
sure
rage
ble,
niste
arbit
T
we
acco
pose
ing
and

Grafton in the House of Lords, (on the 14th of March 1776) to address the King, " That he would be graciously pleased to issue " a proclamation in America, promising, that if the Americans " would, by petition to the commander in chief, (to be transmitted to his Majesty) state what they consider to be their just " rights, and real grievances, that his Majesty hath authority from " his parliament, to assure them, that such their petition shall be " received, considered, and answered." A negative was however put upon this motion. But upon the 19th of September of the same year, (1776) a proclamation was issued in America, promising the very thing which had been negatived in parliament. What is an American to think of this? Would he not say to his countrymen, Trust not; here is treachery! This proclamation can be considered in no other light but as insidious, and calculated to amuse us into fallacious expectations; had the ministry been sincere in the intentions declared in this proclamation, they would not have put a negative upon this very proposition when offered in parliament. To confirm these suspicions, and to put their duplicity and insincerity out of doubt, the ministry again refuse, when brought to the test, to adhere to the promises of their own proclamation. It is to this combined system of relentless violence, and vindictive duplicity, that the dismemberment and independence of America are owing. In vain did the friends of peace deprecate the fury of an headstrong ministry; in vain did they propose any terms of conciliation; they strove to the last, but they were crushed in every attempt. The declaration of independence had already taken place; but if there was any measure above all others, which could have been devised, to add rage to despair, and to make the act of independence irrevocable, it was a refusal of this motion; it was a convicted act of ministerial duplicity; it put an end to all confidence, and left no arbitration but the sword.

The King had told us at the opening of this third session, that we *must* at all events prepare for another campaign; parliament accordingly voted above an hundred thousand men for this purpose by sea and land, with an enormous bill of expences attending them. Many millions have already been incurred and paid, and many more are at this moment outstanding and unpaid, which
you

you will hear of and feel but too soon. Having myself been for some years conversant in matters of supplies and grants, I have never failed, in each session, to give as accurate an estimate in that branch, as I could draw out. Those estimates have never proved fallacious. I only mention this, in a transient manner, upon the subject, that my constituents may know, that I have not been inattentive or silent upon that important article.

With respect to the American independence, those who had a foreboding that the force of this country would be baffled in America, when put to the trial, might very consistently, for the honour of their country, have been disposed to give way upon that head, as foreseeing that if it were not done with good will, necessity would at last compel us to compliance. This I confess to you from the very first was my firm conviction. Therefore, to rescue the honour of my country from being brought to disgrace, by the attempt of impossibilities, I did at this period, (viz. in May 1777) venture to give it as my advice, in point of opinion, to make a gift of independence to America, while you might say that you had any thing in your power to give. I would not presume to press a point of such magnitude and importance, upon my single opinion, to a public question in parliament, aye or no; but I drew up the arguments, upon which in point of opinion I would have advised the measure, in the shape of an address to the King, and read it in my place in parliament. I have never been the proposer or the abetter of innovations; all that I have wished has been, that we might still go on in peace and prosperity, according to the antient and constitutional system of connection between the two countries. I leave to others, by self-dictated opinions, to shake established fundamentals, and to plunge their country into all the consequences of the dismemberment of our American colonies, terminating in their hostile independence. The principles of a federal alliance, in which the dignity and interests of this country might both have been preserved, appeared to me to be the only safe plan. The following is a copy of the proposed address:

“ To the King: Your faithful Commons have taken into their
 “ most serious consideration, the very alarming state of this nation,
 “ from the present unhappy disputes with the American colonies,
 “ and

" and are most heartily desirous, according to the example of
 " their ancestors, to encourage, support, and maintain, the true
 " principles of liberty, and through them to establish peace and
 " prosperity throughout every part of your Majesty's dominions.
 " We cannot but express our fears, that in the present unhappy
 " disputes, your Majesty has been much misinformed, as to the
 " true state of America, by ignorant, and, perhaps, ill-intentioned
 " informers, who have represented to your Majesty, that the dis-
 " turbances there were excited by a few individuals only, but that
 " the general sense of the continent of America was totally averse
 " to them, and ready to submit, if but a few troops, with some de-
 " gree of countenance from this country, were to be sent over.
 " Your faithful Commons therefore finding, from the subsequent
 " events, such informations to have been groundless and delusive,
 " are led to suspect, that the causes likewise of the disturbances
 " may have more serious and deep foundations than have been
 " represented. They are, moreover, led upon this occasion to
 " consider, that all good government is established for the safety
 " and content of the people, as expressed by the general voice,
 " and common consent, of the members of any community; and
 " that, whatever superintending power or controul a parent state
 " may be intitled to, in the infancy of any colony, as for the com-
 " mon good of any such colony in its infancy; yet that the ul-
 " timate end of all colonization is, and ought to be, to establish
 " kindred and derivative communities into perfect societies, in
 " the fullness of population, settlement, prosperity, and power.
 " These principles are not only founded in the nature of man-
 " kind, but are peculiarly applicable to our own colonists, who
 " carried out with them, into their foreign settlements, the seeds
 " of the British constitution, which we flatter ourselves to be the
 " happiest and most free in the world. These colonies, under
 " the auspicious and friendly eye of the parent-state, have at
 " length out-grown the imbecilities of their infant state, and ap-
 " proach to the maturity of settlement and population, and all the
 " arts of life, and thereby are become capable of that glorious in-
 " heritance of perfect freedom, which their parent-state has in
 " former times rescued out of the hands of tyrants, with a view to
 " assert it for the common good and use of mankind, and parti-
 " cularly

"cularly to transmit it entire to their own descendants. As no
 "country can arrive at its full perfection, while it is confined in
 "its powers of a free legislation; and as the transition of colonies
 "from the controul of a distant parent-state, to the absolute pos-
 "session in full right of all their legislative powers, must inevi-
 "tably (at a certain period of connection between the parent-state
 "and its colonies) disturb, or at least for a time suspend, the har-
 "mony of affection and mutual correspondence of interests; and
 "as the course of the present disputes between Great-Britain and
 "her Colonies, has led to that dangerous point of contention,
 "which being originally inherent in the relation of parent-state
 "and colony, now shews itself so serious in its aspect, as perhaps
 "to threaten, if not amicably adjusted, the ruin of one or both
 "countries: Your Commons, therefore, think it wise and pru-
 "dent, to follow the apparently natural and unavoidable course
 "of things, and to bestow upon the Colonies an entire freedom of
 "their legislative powers, hoping thereby to lay a foundation for
 "a perpetual and indissoluble bond of affection and alliance, in
 "every respect as beneficial to both countries, as the connection
 "which has hitherto subsisted between them, in the mutual rela-
 "tion of parent-state and colony; and with this additional hope
 "of permanence, that according to all human prudence, such con-
 "nections, in which there is no latent principle of future discord,
 "may be trusted and relied upon, for the cordial restoration of
 "peace, and for all the blessings of reconciliation between this
 "country and the offspring of its own liberty, formed in the per-
 "fect resemblance of its own constitution, and transplanted into
 "the new world of America. Your faithful Commons, there-
 "fore, humbly beseech your Majesty, to order an immediate sus-
 "pension of hostilities in America, for the sake of preventing
 "any farther effusion of blood, and to concur with your parlia-
 "ment, upon the ground-work of the foregoing principles and
 "considerations, in laying the foundation for reconciliation and
 "perpetual peace between this country and America."

The unfortunate events which have happened since I first sug-
 gested the foregoing proposition, which was in May 1777, make
 me regret that something of this kind was not then accepted. I
 think that those persons consult the best for the honour of their
 country, who, in an inevitable case, foresee it in time, and accom-
 modate

mo
 har
 cor
 for
 An
 sid
 abl
 the
 wh
 be
 on
 fear
 our
 us
 tem
 tak
 nat
 we
 WI
 atte
 wit
 tag
 riv
 bee
 to
 Lo
 for
 aga
 He
 arr
 in
 "H
 "r
 "p
 "d
 "E
 "M
 "H
 "f
 "c

modate themselves to it with the best grace; and who do not hang back with an ungenerous and reluctant delay, until they are compelled by defeat and with disgrace to comply. I have long foreseen this to be the case with respect to the independence of America. I call it an inevitable case, because it is generally considered as an event which would be detrimental and dishonourable to this country. My own opinion is far otherwise. I think the friendship of America, which is now the rising the world, and which will in a few years be multiplied an hundred fold, would be an infinite recompence, in exchange for an irksome dominion, onerous to them, and barren to us; and as for the dishonour, I fear that we are running headlong to create it for ourselves, by our haughty and supercilious conduct, which will only bring upon us defeat and disgrace. If, instead of a suspicious and selfish system of administration towards our colonies, we had from the first taken them by the hand, to lead them with parental affection to national greatness and independence at the time of their maturity; we should have fixed the heart of America to ourselves for ever. What have we now before us, but the prospect of defeat in our attempt to fix an irksome dominion perpetually upon them; with the loss of their affections, and of all those peculiar advantages, which this country alone, of all European states, has derived from free and flourishing colonies; and which would have been daily growing in magnitude and importance, in proportion to their boundless increase in the new world?

Towards the end of this session, viz. on the 30th of May 1777, Lord Chatham, who had been in a very ill state of health for some months, came to the House of Lords, to give his voice against the farther continuance of this mad and impracticable war. He urged that there might still perhaps be a moment left, to arrest the dangers that surrounded us, before France should join in an explicit treaty with America. He moved, "That an humble address be presented to his Majesty, most dutifully representing to his royal wisdom, that this House is deeply penetrated with the view of impending ruin to the kingdom, from the continuation of an unnatural war against the British Colonies in America, and most humbly to advise his Majesty, to take the most speedy and effectual measures, for putting a stop to such fatal hostilities, upon the only just and solid foundation, namely, the removal of accumulated grievances; and to assure his Majesty, that this House will enter upon

" this great and necessary work with cheerfulness and dispatch,
 " in order to open to his Majesty the only means of regaining
 " the affections of the British Colonies, and of securing to Great-
 " Britain the commercial advantages of these valuable possessions;
 " fully persuaded that to naval and to redress, will be more conge-
 " nia to the goodness and magnanimity of his Majesty, and more
 " prevalent over the hearts of generous and free-born subjects;
 " than the rigours of chastisement, and the horrors of civil war,
 " which hitherto have only served to sharpen resentments, and
 " consolidate union, and, if continued, must end in finally dissol-
 " ving all ties between Great-Britain and her Colonies." This
 warning, though coming from so great and respectable a charac-
 ter, was set at nought. The ministry had got all that they wanted
 from parliament, that is to say, 100,000 men, and ten millions of
 money. They were confident in their own conceit, and in the
 success of their measures, and would attend to no remonstrances
 of reason. Thus the die was irrevocably cast. The honour and
 interests of this country, without any alternative by treaty, were
 set at stake, upon the decision of the sword, upon the self-dictated
 confidence of a ministry, who had uniformly with-held every do-
 cument of information from parliament; but whose responsibility
 can afford no adequate compensation to their country, for the de-
 struction and disgrace into which they have plunged it.

In the account which I have given you of the propositions and
 arguments which have been offered on our side for peace, I have
 confined myself to such as stand either in the shape of motions or
 protests in parliament. But many others have been offered by
 the friends of their country, in the course of parliamentary de-
 bates, of which ministers might have availed themselves, if they
 had been disposed to listen to wise and temperate counsels.
 Lord Shelburne, at a very early period in these troubles, advised,
 " To meet the Colonies upon the ground of their last petition to
 " the King, as being the surest as well as the most dignified mode
 " for this country; to suspend all hostilities; to repeal the acts
 " immediately distressing to America; and to refer others to a tem-
 " perate revival; but, above all things, to consider the principles
 " of the act of navigation as the *palladium* of this country." —
 Again; That most beautiful metaphor of Lord Camden, " that
 " every blade of grass is represented in Great-Britain," compre-
 hends, in one word, all that could be said in a thousand volumes
 upon the subject of American taxation. Another emphatical
 phrase

phrase of his, "Peace with America, and then, come war with all the world!" breathed the true spirit for British counsels. These will be remembered. Numberless other splendid and pathetic speakers in their country's cause have likewise pleaded in vain. All these Pearls have been thrown away.

I have now stated to you the substance of the ministerial and parliamentary proceedings, during the three first sessions of this parliament, which were the decisive periods; the first which laid the foundation of the war, the other two which threw away the pearl of peace, when it was in their hands, and drove America to the irrevocable extremities of independence and foreign alliances. I must once more remind you, of my motive for being so solicitous to explain these matters to you, and to shew to you, that neither myself nor any of the friends with whom I have acted, have either been consenting or concurring with those headstrong measures which have brought such enormous expences, such fatal destruction of the lives of our fellow-subjects, so much national disgrace, and perhaps the prospect of national ruin. It is, because I value and esteem the confidence of my constituents, and because I wish the continuance of it; for which reason, I desire to lay my heart open to them, and to explain every motive of my conduct. These disputes with America, however slightly they may have been treated by some persons, in the beginning, did (as you know) appear to me, in the earliest dawn of them, to carry the most serious and fatal aspect. When a great majority of parliament has taken its bent, to adopt with a blindfold confidence the measures of an administration, you cannot conceive the disadvantages which a small minority, or a few individuals, meet with, in struggling and buffeting against the torrent. The ministry give what garbled evidence they please; they suppress evidence likewise at their discretion; if any documents are moved for, which might be explanatory, of the views, tempers, forces, connections, public proceedings, number and disposition of the persons discontented and in arms; any such motion is sure of meeting with a negative. If a hint is dropt, that the Americans are cowards; that they are wretched and helpless; that they are discontented with the tyranny of their leaders; that two or three regiments would subdue the whole continent; that the King's standard being once set up, the whole body of the people would flock to it; or any other of the many fallacies which have led us into disappointments and disgrace; a confident majority will not brook any doubts. The omni-

omnipotence of parliament is not to be questioned, till it is defeated, and the national honour laid in the dust. No suggestion of prudence is tolerated, till it is found by fatal experience, so far from two or three regiments over-running all America, that 50 or 60,000 men have been baffled for two years together; one entire army taken prisoners, the remainder retreating and besieged. Then we regret, in vain, the headstrong folly of ministers, who have betrayed the unsuspecting confidence of parliament, by their ignorance, arrogance, and misrepresentations. The experiment has cost us the loss of America, with 30 or 40,000 men destroyed, and thirty or forty millions of money wasted, which, even if it had procured success, would have been little better than ruin; but the final defeat, after all, has brought the nation into disgrace, and has delivered us stript of our men and money, and of our best friends and resources, in almost a defenceless state, to the antient rivals of our prosperity and honour. These sentiments have made a deep impression upon my mind, and conduct. Zealously attached to the honour of my country, I have lamented to see it fall a sacrifice to the gratification of an ill-judged pride. Moderation and Justice the are truest guardians of national honour.

I am,
 With the greatest respect and Consideration,
 GENTLEMEN,
 Your much obliged, and
 faithful humble Servant.

D. HARTLEY.

SODBURY, Sept. 13, 1778.

*To the Right Worshipful the Mayor and Corporation,
 To the Worshipful the Wardens and Corporation
 of the Trinity House,*

A N D

*To the Worthy Burgessees,
 Of the Town of KINGSTON-UPON-HULL.*

LETTER

L E T T E R II.

GENTLEMEN,

I HAVE now traced the ministerial and parliamentary proceedings down to the end of the third session of this parliament, ending in June 1777. The disastrous events in the succeeding campaign in America, which trod upon the heels of that confident session, were so many unfortunate proofs, that an headstrong ministry, who had acted for many years by no other rule than their own presumption, had led the honour, the national interest, and the arms of this country into disgrace, destruction, and defeat. All these events had, upon the most deliberate investigations of reason, been foretold, and all the measures which have produced them, had been most earnestly deprecated, but in vain, by the friends of justice, reconciliation, and peace.

The fourth session of this parliament began on the 20th of November 1777, and ended the first week in June 1778.

The King's speech, at the beginning of this fourth session, continued still in the declaration of the necessity of preparing for further operations of war, though the preceding summer's campaign had given very little encouragement to expect success; and now, for the first time, the armaments of the House of Bourbon made their appearance in the King's speech before parliament. These two objects together constituted a double argument for increasing our military force by sea and land. The language of administration was become more violent and vindictive, in proportion as they seemed to fail in point of success. Fifteen thousand additional men were raised in Scotland, Manchester, &c. Many subscriptions of private persons were set on foot, for the farther support of the American war, and to make the exasperation more general. Lord North, indeed, threw out hints in debate, that he had thoughts of making some propositions of accommodation. Yet still the mark of sincerity was wanting at the time of this de-

claration ; for the late Earl of Chatham, on the first day of this session, had made a motion in the House of Lords, (which was negatived as usual) to lay the ground of accommodation by treaty! resting the great stress of his argument upon this point, that the House of Bourbon was upon the eve of breaking with us; that they had abetted the cause of America; that they had done a great deal in an underhand way, but not so much as the Americans wished; that if this moment were seized, while America was in ill-humour with the backwardness of the House of Bourbon, they might be detached from that connection, if reasonable terms were held out to them; that this opportunity, if once lost, would never be recoverable again. I did likewise myself, in the House of Commons, throw out the same arguments in consequence of information which had dropped into my hands. I stated, that I thought there was one ray of hope still left, if we had wisdom to seize the opportunity, of opening a treaty with the Americans, while they were discontented with the cool and dilatory proceedings of the court of France. My words were, *Do it before you sleep*; but they slept and did it not. I will now recite to you the last motion made by the Earl of Chatham in the House of Lords, (viz. on the 20th of November 1777,) that the advice therein contained may speak for him, in contrast to those ruinous measures, which he opposed to his last breath, " That this House
 " does most humbly advise and supplicate his Majesty, to be
 " pleased to cause the most speedy and effectual measures to be
 " taken, for restoring peace in America; and that no time may
 " be lost in proposing a cessation of hostilities there, in order to
 " the opening a treaty, for the final settlement of the tranquility
 " of those invaluable provinces, by a removal of the unhappy
 " causes of this ruinous civil war, and by a just and adequate security
 " against a return of the like calamities in times to come.
 " And this House desires to offer the most dutiful assurance to his
 " Majesty, that they will, in due time, co-operate with the magnanimity
 " of his Majesty, for the preservation of his people, by
 " such explicit and most solemn declarations, and provisions of
 " solemn, fundamental, and irrevocable laws, as may be judged
 " necessary for ascertaining and fixing, for ever, the respective
 " rights of Great-Britain and her colonies."

These

These are the last words of salutary counsel from that great man, who, to the irreparable loss of his country, is now no more. This counsel was offered in vain; instead of seizing the opportunity of negotiating with America, while they were unengaged from France, the parliament, after having sat about twenty days to vote the ways and means of carrying on the war, was adjourned for six weeks. Within the period of this fatal adjournment, the treaty between France and America was negotiated. The ministry could not possibly be ignorant of what was transacting at Paris, for they had at that time a minister at the court of France: and besides this, common report could not fail to inform them. All the letters and correspondencies from Paris announced the approaching event; every stock-jobber was upon the watch; none were asleep but the ministry; they would not stir a step: As if the adjournment of six weeks was not a sufficient allowance of time for completing the treaty between France and America, the conciliatory propositions, which had been promised before Christmas, were still farther delayed for four weeks more, after the meeting of parliament in January 1778; and it was not till after certain information was come, that the treaty was completed and actually signed, that the conciliatory bills were brought into parliament. The dates of these facts stand in order thus: The intention of making some conciliatory propositions to America was announced by the minister early in this fourth session, before the adjournment for the Christmas holidays. Without any farther notice taken of these intended propositions, parliament was adjourned from the 10th of December, 1777, to the 20th of January, 1778. The preliminaries of a treaty between France and America were delivered, by Monsieur Gerard, to the American Commissioners at Paris, on the 16th of December, 1777. The parliament met on the 20th of January, 1778, after the Christmas recess. The treaty of Paris, between America and France, was signed on the 6th of February; and the conciliatory bills were presented to parliament eleven days after the treaty was signed, viz. on the 17th of February, 1778. These are the facts; what construction can be put upon them? What measures could have been calculated more effectually to throw America into the arms of France than these? They seem as if they had been studiously con-

concerted, severally and connectedly, to produce such an event. The menacing language of the King's speech, declaring the necessity of preparing *for such further operations of war, as the obstinacy of the rebels might render expedient*, together with the satisfaction expressed by the addresses of the two Houses, in concurring with such measures; the orders given out immediately after the adjournment, to raise ten regiments in the Highlands of Scotland, together with the Liverpool and Manchester volunteers; the private subscriptions which were set on foot, and earnestly supported by the ministerial party, to raise men for the American war; were all calculated, by shewing the continuance of a vindictive spirit against the Americans, to irritate and to urge them into a treaty with France. The throwing out hints, that the minister had it in his intention to make some offers of conciliation to America, was calculated to operate upon the court of France, to enlarge their offers, and to accelerate their pace in driving the treaty with America to a conclusion. The delay of laying these conciliatory propositions before the House for three months, viz. from the 20th of November, 1777, to the 17th of February following, gave the fullest time for the negotiation, and final settlement of the treaty; and more particularly, what I am justified to call the distinguished and positive act of with-holding these propositions, for one month after the meeting of parliament, in January 1778, when the treaty between America and France was known to be far advanced, and to be upon the point of conclusion; can admit of no rational interpretation, but upon some supposed pre-determination to delay the conciliatory offers in parliament, till the treaty between France and America should be signed and sealed. If any other rational interpretation can be given to such conduct, it is very fit that the persons concerned should give that satisfaction to the public. There was nothing complex in the offers when they appeared. They might have been reduced into the proper forms, and all necessary provisions might have been concerted, in three days as well as three months. If the ministers of the cabinet had been sincere and unanimous to enter into a treaty of peace, the bills might have passed through both houses, and might have received the royal assent, before even the preliminaries between France and America had been set on foot. If there were

any of the efficient ministers of his Majesty's cabinet, who opposed or delayed the introduction of the conciliatory propositions, knowing what they must have known, with respect to the negotiations then on foot at Paris, it is fit that such persons should be declared to the public, and that they should give in public the reasons of their conduct. If no other rational explanation of these measures can be stated, the convicted inference will be obvious to all the world, that, whatever occasional appearances there may have been of relenting, or whatever pretexts may have been thrown out, yet, that at the bottom, the fundamental principle has always been one and the same, viz. either to conquer America by force of arms, or to cut it off from the British empire and connection; but at all hazards, to prevent the dangerous retrospect into the conduct of ministers, which reconciliation with America must lay before the public.

Consider how studiously every proposition for peace on the part of America has been evaded; consider that the clearest and most explicit offers from them of dependence have been rejected unheard, while the most effectual measures have been taken by ministers, at the same time, to drive them inevitably to independence; consider the refusal of the proposition of the city of London, in their petition to the King, in March 1776, which was calculated to put the test of sincerity, by a distinct, clear, and unambiguous specification of just and honourable terms, to be offered on our part to America, which might have laid the foundations of peace; consider the uniform rejection of every proposition of peace made in parliament for three years together; consider, upon a similar occasion, about two years before, when an act had been passed before Christmas, 1775, appointing commissioners to treat with America, that the departure of those commissioners was delayed for five months, viz. till the month of May, 1776; and that, in consequence of that delay, no offers were even made to America under that commission, till after the declaration of independence; consider the same uniformity of conduct in the earliest period of these troubles, viz. in the spring of the year 1775, at the time of what was called Lord North's conciliatory proposition. No civil blood had then been shed; but, under the insidious mask of that proposition, the first civil blood was shed before that proposition

sition (such as it was) could possibly be offered, either to the General Congress of America, or to the consideration of any assembly upon the continent. Compare all these things together, and then apply the resulting inference to the final consideration of this last act, of with-holding the conciliatory bills for three months, notwithstanding the fullest parliamentary warning given of the consequences, and the certain knowledge of a treaty actually in negotiation between France and America. Consider all these things, and then let any man judge whether the suspicion of a secret design to frustrate every possibility of peace, be an unsupported charge. I state it as a matter of presumption, not as proof positive. But there would be an end of all the safety of human life, if every superficial pretext were to be suffered to pass unquestioned, and to have its full scope and operation, till it could be confronted by convicting proof. The just alarms upon violent presumption are the guards of life. If men uniformly persist in refusing every act which plain and simple sincerity would dictate, and in affecting every pretext which duplicity and insincerity would simulate, the disculpation, and the proof of motives, is to lie upon them.

There is a long and heavy account out-standing and due to the public, for which ministers are responsible. Parliament has been kept in profound ignorance, not only of the conduct of the war; of all intelligence transmitted by the commanders of the British forces, as to the state of the country, the unanimity and general disposition of the people; of all demands which have been made by the commanders themselves for succours and reinforcements; of such opinions and advice as they may have sent to their employers at home, as to the practicability of the war; the probable duration of it; whether there was any prospect of conquering the country, or any rational plan of maintaining such supposed conquest if it could have been made, &c. &c. Informations upon these and other heads might possibly have guided the counsels of parliament to the adoption of other measures. In an uniform system of failure and disappointment, in every pretended expectation, year after year, it is not possible to conceive, but that the ministry must have had some warning given to them, by the commanders, and other persons employed by them upon the spot; and

and here it is that the suspected principle recurs again and again ;
 “ If we cannot conquer or destroy, we may at least produce an
 “ irreconcilable breach between the two countries, and perhaps
 “ an implacable hatred, which may prevent all future inter-com-
 “ munication, and the chance of any hazardous discoveries.”

Every British subject, at the outset of this war, had an interest in the American colonies, not only as a part of the British dominions and dependencies, but likewise in the commerce, in the shipping, in the productions of the country, in the affections of the people, in the common ties of interest and consanguinity. What then is to be the conduct of any member in parliament, as a representative of the people, who have so many complicated and combined interests in America, as well as the dominion? Is he to stand by, the mere stupid and credulous dupe of pretexis, while ministers, in the rage of pride and disappointment for the loss of their only object, Dominion, and perhaps to hide the secret deeds of darkness, are suffered, with impunity, to overwhelm every other national interest and concern in one common ruin?—No. The friends of their country have not been so duped, nor will they be silent. Believe me, Sirs, for one, if I could even be divested of every other sentiment of my heart and private feeling, I would not disgrace the trust which you have reposed in me, by such a stupid and treacherous apathy to the nearest and dearest interests of my country.

It is hardly worth while to state to you the terms, if they can be called so, of the conciliatory bills; they amounted to but little better than a surrender, at discretion, of all the principles and matters which had been for many years in contention; and this, when we were evidently disgraced and defeated into a reluctant compliance. Terms, adequate to the honour and to the utmost rights of this country, had been proposed, over and over, by the friends of justice and peace; and as constantly refused to the very last hour, that it was possible even for the weakest men to dream of unconditional conquest; and I beg of you to remark, that, by the testimony of these acts of parliament themselves, we who sat on the other side of the House, and have been the constant advocates for peace, stand most fully justified to the public, as having never proposed any terms of mean submission, derogatory to

the honour, or destructive of the constitutional rights, of this country. The substance of all *our* propositions had stood upon much higher ground than that taken by the conciliatory bills; which enable the commissioners to treat of all *regulations, provisions, matters, and things*, which evidently meant the surrender of the act of navigation, and of all the commercial advantages of this country. Dominion was the object of ministerial pursuit. As for the beneficial and commercial rights of this country, a slight account was made of them, in comparison with the object of acquiring an influential patronage and dominion. The act of navigation, which I take to be the chief interest that my constituents had in America, was hardly worth a transient thought; but the act of appointing Governors was provided for by the longest clause in the bill. The whole was waste paper and waste words. Had half the terms had been offered to America in due time, which were surrendered in these bills, an honourable, beneficial, and permanent peace might have been established. But these bills having been delayed till after the treaty between France and America was signed, it became fruitless to offer any terms short of independence; for America could have no other object in their treaty with France, but to establish that independence. Had reasonable terms been offered to the Americans, before their treaty with France was signed, and had such terms been supported by tokens of good faith and fair dealing, it is by no means impossible that they might have compromised the article of independence, by some honorary concession, perhaps some titular dependence, as they had always professed to seek no reconciliation inconsistent with the dignity and welfare of Great-Britain. But a reconciliation they always had sought, though the ministers of this country seem to have had no other view, but to prevent that reconciliation, after the prospect of conquest became desperate.

The Duke of Richmond, however, was not to be turned off from his inflexible perseverance in the cause of reconciliation. He proposed a bill to enable the commissioners to enter into the question of independence in the way of treaty, and at least out of that ground to negotiate a federal alliance with America. The following is a copy of the proposed bill:

A BILL

A BILL to explain, amend, and render more effectual, an Act passed in the present Session of Parliament, intituled, " An act to enable his Majesty to appoint Commissioners, with sufficient powers to treat, consult, and agree upon the means of quieting the disorders now subsisting in certain of the Colonies, Plantations, and Provinces of North-America.

" WHEREAS, by an act passed in this present session of parliament, intituled, ' An Act to enable his Majesty to appoint Commissioners, with sufficient powers to treat, consult, and agree upon the means of quieting the disorders now subsisting in certain of the Colonies, Plantations, and Provinces of North-America,' it is enacted, ' That it shall and may be lawful for his Majesty, from time to time, by letters patent under the Great Seal of Great-Britain, to authorize and empower five able and sufficient persons, or any three of them, to treat, consult, and agree with any body or bodies politic and corporate, or with any assembly or assemblies of men, or with any person or persons whatsoever, of and concerning any grievances, or complaints of grievances, existing, or supposed to exist, in the government of any of the said colonies, provinces, or plantations respectively, or in the laws and statutes of this realm respecting the same.

" And whereas the said colonies have, on the 4th of July, 1776, declared that the said colonies were free and independent states, and that they were absolved from all allegiance from the British Crown, and that all political connection between them and the state of Great-Britain was, and ought to be, totally dissolved :

" And whereas doubts may arise, whether the said Commissioners, by virtue of the powers given them by the said Act of Parliament, are enabled to treat, consult, and agree with any body or bodies politic and corporate, or with any assembly or assemblies of men, or with any person or persons whatsoever, of and concerning the power and authority of the King and Parliament of Great-Britain over the said Colonies, or any of them, or of and concerning the independency of the said Colonies on the King and Parliament of Great-Britain, as the case may require :

" And whereas the want of such powers in the said Commissioners may render the said Act of Parliament ineffectual for quieting and extinguishing the jealousies and apprehensions of danger to their liberties and rights, which have alarmed many of his Majesty's subjects in the said colonies, provinces, or plantations, and for restoring peace between Great-Britain and the said colonies :

" And whereas any dependance of distant colonies on a free country, can have no just foundation, or any permanent continuance, but in the consent and good-will of such colonies :

" Be it enacted, by the King's most excellent Majesty, by and with the advice and consent of the Lords spiritual and temporal, and Commons, in

" this

" this present Parliament assembled, and by the authority of the same, That
 " it shall and may be lawful for the said five Commissioners, from time to
 " time, authorized and impowered by his Majesty, by letters patent under the
 " Great Seal of Great-Britain, or any three of them, to treat, consult, and
 " agree with any body or bodies politic and corporate, or with any assembly
 " or assemblies of men, or with any person or persons whatsoever, of and con-
 " cerning the power and authority of the King and Parliament of Great-
 " Britain over the said colonies, and of and concerning the independency of
 " the said colonies on the King and Parliament of Great-Britain, as the case
 " may require.

" And in case the said colonies and plantations shall adhere to their said
 " declaration of independency on the King and parliament of Great-Britain,
 " the said Commissioners, or any three of them, are hereby authorized and re-
 " quired to admit the said claim of independency, and in the name of the
 " King and Parliament of Great-Britain, to declare the said colonies to be
 " free and independent states, and to be absolved from all allegiance to the
 " crown, and from all subjection to the King and Parliament of Great-
 " Britain.

" And it is hereby further declared and enacted, by the authority aforesaid,
 " That it shall and may be lawful for his Majesty to invest the said Commissi-
 " oners with plenipotentiary powers, in such case, to negotiate with the said
 " colonies as Independent States, or with persons authorized by them for
 " such purpose, such treaty, or convention as to his Majesty shall seem meet
 " of alliance, offensive, defensive, and commercial, between his Majesty and
 " the said colonies.

" But in case the said colonies shall be disposed to return to, and acknow-
 " ledge an authority in the King and Parliament of Great-Britain over the
 " said colonies, as consistent with the secure enjoyment of their rights and
 " liberties, Be it enacted, by the authority aforesaid, that the said Commissi-
 " oners, or any three of them, shall be, and they are hereby, impowered to
 " treat, consult, and agree with any body or bodies politic and corporate, or
 " with any assembly or assemblies of men, or with any person or persons
 " whatsoever, of and concerning the degree, extent, and limitations of the
 " said authority; and of and concerning such alterations in the constitution,
 " and in the forms of government in the said colonies, as may be necessary or
 " convenient for the honour of his Majesty and his Parliament, and for the
 " common good of all his subjects.

" Provided, that no agreement of and concerning the degree, extent, or
 " limitation of the authority of the King and Parliament of Great-Britain,
 " and of and concerning any alteration in the constitution or forms of go-
 " vernment in the said colonies, or any of them, shall have any obligation,
 " force, or effect, until the same shall have been ratified and confirmed by
 " Parliament."

Alit

All that I shall say of this bill is, that it combines these three fundamental principles of society, and of the rights of mankind : 1st, That all government ought to be founded upon the consent and good-will of the people ; 2dly, That all good government is established, not as the property of the persons invested with it, but as a trust reposed in them, to promote the general welfare of mankind ; and lastly, That reconciliation is preferable to dominion. Such principles as these have always been the influential motives of my conduct, and of those with whom I have acted, throughout the whole of this unfortunate dispute, which we have endeavoured, to the utmost of our limited powers, to prevent from coming to extremities. Reconciliation with America is the last stake that we have to contend for.

I have now brought down this sketch of parliamentary transactions to the end of the last session, founded upon parliamentary documents, of incontestible and recorded facts, by which you may judge of the conduct of the two parties, who have taken opposite sides in respect to the American war ; in which I plead for myself, and for those with whom I have acted, that the plan and system adopted on our parts would have secured the antient and constitutional connection between the two countries, with every beneficial advantage thence arising, in peace and prosperity ; and that, if the measures of conciliation had been followed, we should, at this moment, have saved many thousands of lives, many millions of the national revenue and resources, and that we should have been in the full enjoyment of the commerce, navigation, friendship, and affection of the new and rising world.

With respect to the conduct of the administration, I have only stated facts. Let them speak. If any thing that I have hitherto said can be construed into an arraignment of their conduct, it is not I who arraign them, but their own actions. However, I have not quite done with this subject. I will now examine into their motives. As any imputation of motives must always be more problematical than a mere relation of recorded facts, I give you this notice of the ground that I am going to take, that you may be upon your guard to watch this part of the investigation of motives, and judge what degree of evidence and proof I adduce of those motives which I shall impute. The motives which I impute to them, and of which I think I can bring proof positive, are, a design to establish an influential dominion, to be exercised at the pleasure of the crown, and to acquire from America an independent

dent revenue at the disposition of the crown, uncontrouled, and not accountable for to parliament. I am so confident that I can bring this to proof positive, that I would set the decision of the whole charge, upon the recital of one single clause in that American revenue act, (commonly called the Tea Act, 7 Geo. III. cap. 46.) which is the ground-work of all the present contest and troubles. *And be it enacted, by the authority aforesaid, that his Majesty and his successors shall be, and are hereby impowered, from time to time, by any warrant or warrants, under his or their royal sign manual, or signs manual, counter-signed by the High Treasurer, or any three or more of the Commissioners of the Treasury for the time being, to cause such monies to be applied out of the produce of the duties granted by this act, as his Majesty or his successors shall think proper or necessary, for the defraying the charges of the administration of justice, and the support of the civil government, within all or any of the said colonies or plantations.* This clause enables the crown, by sign manual, to establish a general civil list throughout every province in North-America, to any indefinite extent, with any salaries, pensions, or appointments, to any unlimited amount, even to the produce of the last farthing of the American revenue; and this without any controul or account to be given in parliament. Now you may know what we have been fighting for. It is this clause, thus establishing, at one stroke by the sign manual, an universal dominion of the crown throughout the whole continent of North-America, through the means of an American revenue, surrendered at discretion into the hands of the crown, viz. *as his Majesty or his successors shall think proper and necessary.* This clause has cost to the nation thirty or forty thousand lives, thirty or forty millions of money, the loss of the act of navigation, and of the whole continent of America, and is now plunging us into a war with the House of Bourbon.

The public have been amused with the expectation of deriving a revenue from America, as the object of this contest. Then take the tea duty for a sample of a minister's attention to the parliamentary revenue. Three parts in four of this duty were repealed out of the old parliamentary duties, and the remaining fourth part was appropriated to the uses of a royal sign manual, without any parliamentary account. I think the evidence of these documents, being from parliamentary record, amounts to proof positive; and yet there is more. This act of 7 Geo. III. cap. 46,

is totally uncounformable to the preceding American revenue acts. Take the stamp act for an example. If that act had been formed upon principles of constitutional justice, towards the colonies; (which, as laying a tax by parliament upon persons not represented there, it could not be) it was not, however, liable to this objection of the sign manual. The duties to arise from that act were appropriated, in the first instance, and without any anticipation, by sign manual, or any provision for the establishment of an American civil list, to the disposition of parliament. The words of the act itself are my authority. *And be it enacted, by the authority aforesaid, that all the monies which shall arise by the several rates and duties hereby granted, (except the necessary charges of raising, collecting, recovering, answering, paying, and accounting for the same, and the necessary charges from time to time incurred in relation to this act, and the execution thereof) shall be paid into the receipt of his Majesty's Exchequer, and shall be entered separate and apart from all other monies, and shall be there reserved, to be from time to time disposed of by parliament towards farther defraying the necessary expences of defending, protecting, and securing the said colonies and plantations.* Another act imposing duties, commonly called the Sugar Act, 4 Geo. III. cap. 15, was passed the year before the Stamp Act; was the produce of that act appropriated to the sign manual of the crown?—No. This last-mentioned act was again modelled, with some variations, in the administration of the Marquis of Rockingham, in 1766; was the produce of it at that time appropriated to the use of a sign manual?—No. All these duties were reserved specially under the controul of parliament, and not devoted to the sign manual for the support of an American civil list. This clause then for devoting the American revenue to the sign manual, without account or controul, and for establishing a systematical civil list in America, through the means of that revenue, was first introduced into that fatal American revenue act, commonly called the Tea-Act, which is at present the foundation of all our troubles.

There has been much talk in the world of some supposed secret influence, which, by hidden springs and inscrutable motives, controuls the external acts of the ostensible minister for the time being, whatever his private judgment and inclination may be. If there be any such existing influence, the operations of it have

been esteemed capricious, comparing different times and occasions. The present noble Lord, at the head of the treasury, has expressed his most earnest wishes over and over, to return to the state of 1763, which therefore implies the taking this thorn out of his side, viz. the Tea Tax. Many and many motions have been made in parliament during his ministry, for the repeal of this wretched cause of so much bloodshed and destruction, the Tea Tax. If then there does exist some secret irresistible influence, we are to suppose, that when the noble Lord wishes in his heart to say Aye, the secret influence is inflexible, and dictates No. Cost what it will, thousands of lives, millions of money, tearing whole continents from your dominion, this inflexible spirit still persists, No! No! And all this, for the poor wretched Tea Tax! Now let us go back a little to the year 1766, when the Marquis of Rockingham was minister, at the time of the repeal of the stamp act. That noble Lord was at least as earnest to arrange the system of the American measures to the state of 1763, as the present minister can be. What stood in his way?—The Stamp Act; which, upon the mere calculation of revenue, was of ten times the magnitude of the Tea Tax. What said this supposed secret influence to the repeal of the Stamp Act? To judge by appearances, it seemed to go a little against the grain; but, after some struggle, that noble Lord, who knew how to set a true value upon the substantial interests, and beneficial connection, between Great-Britain and America, was at last permitted to remove the stumbling-block, and to restore his country to peace, and to the system of 1763. Whether any such secret influence, as that which has been much talked of, does exist or no, I will not take upon me to determine; but thus much, I think, is clear, that the apparent caprice of its operation, in submitting, with very little struggle, to the repeal of the stamp act, and wading through seas of blood in support of the Tea Tax, only requires this clue to unravel it. The duties imposed by the Stamp Act were under the immediate controul and disposition of parliament, but the Tea Tax was appropriated to the sign manual; and if such a secret spirit does exist, its attachment is to a revenue under the sign manual, and not to a parliamentary supply.

It is a strange thing to conceive, how the public have been made dupes to the expectation of a parliamentary revenue from America.

rica. There has never been any such object in contest between us. The only American revenue act which has had any existence for twelve years, is that of which I have recited the clause, giving up its produce to a civil list, and to a sign manual. If the Americans, in the year 1773, instead of throwing the tea overboard, had submitted to pay the duty, would the produce have been under the controul and disposition of parliament? This is the test, and the plain answer is, No; for the same act which granted a duty of three-pence a pound upon tea imported into America, gave to the crown a right, *as his Majesty or his successors shall think proper and necessary*, of appropriating the produce to an American civil list, by warrant under the sign manual, without any controul or accountableness to parliament; and yet parliament have been induced to spend thirty or forty millions of the public money, in the pursuit of an imaginary revenue which would not have been their's, even if it could have been got from America. There is indeed a clause in the act, appropriating the *residue* to the disposition of parliament, after all such ministerial warrants under the sign manual, as are *thought proper and necessary*, shall be satisfied. So this mockery of an American revenue proves at last to be the crumbs that fall from the minister's table; the *residue*, indeed, of a royal warrant, counter-signed by the first Lord of the Treasury! What would my constituents say to me, if I were to give my vote for inserting a similar clause into the land-tax, excise, and customs in this country; to give full scope to every warrant upon the revenue, counter-signed by the first Lord of the Treasury, for the purpose of giving pensions to the judges during pleasure, and for the support of an universal civil list, with appointments to any amount unlimited and unaccountable? Would they be satisfied with my answer, if I were to tell them, that his Majesty's ministers had always professed the most zealous attachment to the public interests, and to the constitutional rights of their country; that they were best fitted to judge what dispositions of the public revenue were *proper and necessary*; and that, when the influence of ministerial munificence had found its *ne plus ultra*, the *residue* was reserved for the disposition of parliament? I should be very sorry to think that any constituents in the kingdom would be satisfied with such an account. I assure you, Sirs, I shall never put my friends to this trial. As long as I have the honour of a parlia-

mentary trust, I will never give my consent to a clause, appropriating an unlimited revenue at the disposition of the crown, and uncontrouled by parliament, through a royal warrant, counterfiged by the first Lord of the Treasury.

You may now judge why ministers have been so obstinate in refusing every offer from America, to contribute upon a constitutional requisition. No grants upon such conditions would have been disposible by sign manual. Conquest alone could give any chance of a revenue so disposible; but any revenue, obtainable by parliamentary or conciliatory means, would have been out of the reach of the ministers of the crown; this brings us back to the foundation maxims of the whole system of the American measures, viz. conquest, or no connection; an independent revenue for the crown, or no contribution; unconditional submission, or no peace.— This is the plain truth of the matter, notwithstanding all the plausible terms, and silver-tongued pretexts, which have been held out, of a revenue from America, of the constitutional rights of Great-Britain, and the dignity of the crown. If a country gentleman asks a plain blunt question in parliament, and presses it home, What are we fighting for? are we fighting for a substantial revenue from America? Tell us downright; Aye or No. The answer given is, Aye and No, and yet both answers are true. No, means no revenue under the controul of parliament; Aye, means the sign manual. Thus it is that parliament has suffered itself to be amused by some paradox, or some ingenious equivocation; while they have been giving and granting away thirty or forty millions of the solid money of their constituents, to be sent upon a wild venture, in quest of an independent revenue for the crown; and to purchase for themselves the reversion of the minister's legacy, the pitiable *residue* of a visionary supply, in the beggarly account of an empty purse! a substantial parliamentary revenue has been given out in the countenance, but it is the sign manual which has been held close in the heart.

I hope and trust, that I enjoy so much of the confidence of my constituents, that they would not suspect me of an intention to lay any misrepresentations before them; but in the present case, there is no room even for the most distant suspicion of any possible bias that can pervert the representation of truth. I state to you the simple and undeniable facts, as they stand recorded in public acts of parliament.

ment. Let me now just bring back to your recollection the terms in which I expressed myself, of the motives which I imputed to the ministry, in their conduct of American measures, that you may judge whether the evidence thus far produced, does or does not amount to proof positive. The charge which I undertook to prove was this, a design to establish an influential dominion, to be exercised at the pleasure of the crown, and to acquire not a national revenue, but an independent revenue from America, at the disposition of the crown, uncontrouled and not accountable for to parliament. If what I have hitherto said has not yet had the effect of proof positive, to convince you of the charge, I have one more argument to offer from a series of actually existing facts, in the only province in which the ministry have had it in their power to afford the evidence of positive facts. I mean the province of Quebec. At the same time that the *Act for making more effectual provision for the government of the province of Quebec in North-America* passed, it was attended by another act, to *establish a fund, towards the farther defraying the charges of the administration of justice, and support of the civil government, within the province of Quebec in America.* Between these two acts, I think we shall bring the point to proof. In the first place, you might expect, that the clause of the warrant, under the sign manual, would not be omitted; neither is it in effect; the only difference is, that the sign manual, required in this instance, is not that of the crown, but that of the minister. In this act, the total revenue of the province of Quebec is consigned, in the first instance, to a warrant from the first Lord of the Treasury, for the purpose of pensioning judges during pleasure, and to support a civil list totally unlimited; and from the passing of this act to this very hour, a first Lord of the Treasury, without controul of parliament, has actually been in possession of the revenues of one American province, under the authority of an act of parliament, with no other obligation expressed, than generally to defray the expences of the administration of justice, and to support civil government. The *residue*, as before, to be reserved for the disposition of parliament. The omission of the royal signature, and the substitution of the warrant from the minister, does not make any essential difference in the case to be sure, but still I cannot help feeling it, as an insult and contempt not only thrown upon the province, but a degradation

tion of the dignity of government in the mother-country. If this province should ever hereafter be indulged with an house of representatives, it may probably be expected, that they should give and grant their money, in the first instance, to the minister; and, as all sciences are in a rapid state of improvement, an American province might, in process of time, have come to be administered through the warrant of a petty constable, if we had not lost them all in the course of trying these cursed experiments. When I reflect upon such circumstances as these, I feel the dignity of parliament degraded. We know but too well, in the present constitution of parliament, that we are helpless in the hands of the minister of the crown. We hardly can lift our ambition to a higher point, than to sit down in silence, if we can hope to hide our disgrace. If the counties and great boroughs of this country do not stand in the gap, your parliament will soon be reduced to a wretched state of public contempt. This is come thus incidentally from me, though a little foreign to the special subject; but, as a lover of my country, it is a grievance which sits near to my heart.

But to return to the ministerial civil list of Quebec. As I deal in vouchers, I will give you the addition made to the civil list of this province since the Quebec revenue act. I have taken it from Mr. Baron Maseres, who was formerly attorney-general of Quebec, and who has always been the generous patron and advocate of the liberties of that province. [*Vide Additional Papers concerning the province of Quebec*, p. 371.] The total of the civil list of Quebec is about 20,000*l.* of which the following bill is a specimen. You will observe that many of the articles run in addition to a former salary.

	Per Annum.
“ To the Popish Bishop of Quebec, a pension of — — —	£ 200
“ To the Chief Justice of the Province, in addition to his salary,	200
“ To the Lieutenant-Governor, who used formerly neither to act as “ Lieutenant-Governor, nor to receive any pay as such, during “ the presence of the Governor in Chief of the province, and “ who, in the absence of the Governor in Chief, used to receive “ half the Governor’s salary, — — —	600
“ To the Attorney-General of the province, in addition to his salary,	1500
“ To three Judges or Conservators of the Peace, at Quebec, 500 <i>l.</i> “ a year each, making together — — —	1500
“ To	

- “ To three Judges or Conservators of the Peace, at Montreal,
 “ 500l. a year each, — — — — — 1500
- “ N. B. The two Judges of the Court of Common-Pleas at Quebec,
 “ and those of the Court of Common-Pleas at Montreal, before
 “ the late Quebec act took place, had a salary of only 200l. a
 “ year each, making together 800l. a year; therefore, the in-
 “ crease of the expence in the salaries of the new Judges, is the
 “ difference between 3000l. and 800l. a year, which is — 2200
- “ To each of the 23 Members of the Legislative Council of the pro-
 “ vince, a salary or pension of 100l. sterling a year, making together 2300
- “ N. B. All these salaries are not to be given to the Members of the Council
 “ in separate payments, every time they attend the meeting of the council
 “ upon public business, but are fixed salaries, to be paid them whether
 “ they attend those meetings or not. They are not likely to have much
 “ effect in causing the meetings of the council to be fully attended. The
 “ principal effect of them will probably be, to make the members of the
 “ council extremely dependent on the Crown and Governor, or (where
 “ from the high spirit of particular men, it shall not have that effect) to
 “ make them be considered by the people as if they were so, and, in conse-
 “ quence of that opinion, to render them the objects of contempt.”

Thus far from Mr. Baron Maseres.

You see, by this specimen, the actual operation of a measure vesting the revenues of an American province in the hands of a first Lord of the Treasury. This specimen is only the increase of this ministerial civil list at Quebec upon passing the revenue act of that province, with a clause devoting the disposition of the produce to a minister's uncontrouled warrant.

I will now give you the civil list of this province: A Governor, Lieutenant-governor, Town-major, Secretary, Surveyor-general, Commissary of stores, Superintendent of Indians, Clerk of the Crown, Chief Justice, Judges, Receiver-general, Provost-marshal, Attorney-general, Judge of Admiralty, Naval Officer, Collector, Comptroller, Agent, Surveyor of Woods, Inspector of Lands, Store-keeper at Quebec, Clerk of the Survey, Revenue Officers without end; no restraint upon the future creation of dependent offices, and all the salaries unlimited and during the pleasure of the crown. This is a formidable array of crown dependents. Suppose then this example applied to all the other colonies, and take from thence a measure of the object which the crown at least

is

is contending for in America. The province of Quebec contains about three or four thousand British Canadians, and the total numbers, though not accurately determined, still do not exceed the numbers of one of the smallest of the antient colonies. Then take the proportion thus: If the officers of the civil list at Quebec, in its present infant state, form already a most formidable regiment, and their establishment be 20,000l. a year, what would a general civil list and its establishment throughout America, in the course of twenty years, amount to, if such civil list and establishment could have been carried into effect in the present war? The answer would be, Millions. The course of the reasoning is very short. America ought to be taxed by parliament: Therefore Quebec has been taxed; and, according to the clause in the general tax act, which extends over all America, introducing the warrant by sign manual, the minister has improved upon it in this case, and has prevailed upon parliament to devote the whole revenue simply, and in the first instance, to himself; in consequence of which, the salaries and pensions upon the civil list of Quebec, are increased in proportion to the increase of means by the tax act. If this does not amount to proof positive of the charge that I set out with, viz. of establishing an influential dominion to be exercised at the pleasure of the crown, through the means of an independent revenue at the disposition of the crown, uncontrouled by parliament, I shall think that words and facts have lost all power of conviction upon the human mind.

If our only object in parliament were to seek, by every possible means, to strengthen the hands of the crown and the influence of the minister, all this would be very much to the point; but what interest have our constituents, the people of England, in all this? If they are to judge by the sample of Quebec, they would not be much the richer for an American revenue: What then are we fighting for? Is it our business to be spending thirty or forty millions of the money of our constituents, for the purpose of laying the foundation of an independent crown revenue, disposable by sign manual, or by the minister, together with a general civil list establishment over a whole continent,—an American court calendar unlimited?—This may be an object for the ministers of the crown. They have spared neither arts nor influence, nor the
 most

most unbounded profusion of all possible ways and means, to obtain so desperate an end.

I will now state to you the influential powers, and absolute dominion, which have been implicitly surrendered by parliament into the hands of the crown, over the province of Quebec, by the act for establishing the civil government of that province.

The government of Quebec is a legal parliamentary despotism, committed into the hands of the crown and of its minister. The legislature of Quebec consists of a Governor, Lieutenant-Governor, and twenty-three Counsellors; all of them appointed, pensioned, and removeable by the crown. So far the monarchy is absolute. As to the laws, parliament has established the French laws in civil cases, and the English laws in criminal cases. For how long? *Until they shall be varied or altered by any ordinances that shall, from time to time, be passed in the said province, by the Governor, Lieutenant-governor, and any nine members of the council, all being appointed, pensioned, and removeable by the crown.* There is no qualification whatever required for a seat in the council. A Crown Governor, with nine of the most profligate persons in the province, or even with nine Canadian savages, if the minister should think proper to recommend them to the crown to be of the council, would have, under the act of parliament, a right in one hour's time, to *vary and alter* every law of the province, both civil and criminal; and thus a Canadian subject, who may think himself protected by an act of parliament, may be legally stripped, under that very act, of every right of man, and of every blessing of life. The crown is thus far still most absolute, above any laws of the land. The crown can appoint of its own authority, under the act, *any courts of criminal, civil, and ecclesiastical jurisdiction, within and for the said province of Quebec, and appoint, from time to time, the judges, and officers thereof, as his Majesty, his heirs, and successors, shall think necessary and proper for the circumstances of the said province.* There is no exception of the High Commission Court or the Star-chamber; parliament has forgot the horrors of those courts, and the tyrannies exercised by the ministers of the crown under them. Nay, even the court of Inquisition itself, or the torture, may be introduced by a council of nine, *non obstante*, any provision made, or even implied in the act to the contrary. The province of Quebec has petitioned likewise, as

other colonies have done, and have been refused too. They have petitioned for a free government, and for a representative assembly of the people. It has been refused. They have petitioned against illegal imprisonment,—refused. The Habeas Corpus,—refused. Right of trial by juries,—refused. In short, the crown of Great-Britain is constituted as absolute in the province of Quebec, under an act recommended to parliament by the ministers of the crown, and supported by them, as any despot that ever had existence in the world. Every thing that moves, has its breath from the crown. The constitution of Quebec is given up, unconditionally by parliament, into the hands of the crown, and the revenues and civil list to the minister. Is this the system which we wish to spread throughout the whole continent of America? I know it is not. The parliament and people of England have been inveigled and deceived, by the crafty pretexts of an insidious administration. If those crafty designs had been carried into actual execution, it would be vain to flatter ourselves, that any remedy would have been in our power. We cannot, at this moment, command the remedy for the province of Quebec; we cannot now take them from under the absolute dominion of the crown, and restore them to a free government, if we would. The crown has an absolute negative, and the power to frustrate every act of repentance, when it comes too late.

Think with yourselves, what our own situation would at this moment be, if the power of the crown were as absolute throughout all the other provinces in North-America, as it is over the constitution and revenues of Quebec. With all the forces and revenues of that continent at command, the crown might perhaps talk in another stile to members of parliament, from that which its ministers use now. What have we to do with fighting battles to set the crown at the head of all the force and revenues of conquered provinces? It was the spoil and plunder of conquered provinces, which brought ruin and slavery to the heart of the Roman empire. The last struggling pang of expiring liberty in Castile, was crushed by the weight of power derived from the foreign dominions of Charles the Fifth; who, by right, was only the limited monarch of Castile; but his influence as Emperor of Germany, and Lord of the then new world America, added to Burgundy and Italy, extinguished the last gleam of liberty in Castile. The ten provinces

of Burgundy, in the time of Philip the Second, fell under the weight of an American revenue and power, and the seven northern provinces, which finally established their freedom, paid near a century in bloodshed for the purchase. Such events as these will now not happen to us. The ministers of the crown of Great-Britain will never have it in their power to establish an absolute dominion throughout North-America, as they have done in Quebec. But it is evident enough what they would have done, if they had had the power, by what they have done in the province of Quebec, which was in their power. The tree is to be judged of by the fruit.

When I speak of the crown, I always mean the ministers of the crown. It is the true and constitutional way of considering that branch of the legislature. All Kings speeches in parliament, all proclamations, all answers, or refusal to answer petitions, are considered as the acts of the minister, for which he is responsible. We are insensibly led likewise to speak sometimes of acts of parliament, as the acts of the minister. This is a bad omen. I fear it is too true, that the influence of the minister in parliament is nearly irresistible. There are so many insignificant boroughs which send members to parliament, that parliamentary representation cannot be said to be taken from the mass of the people. One of my principal reasons for troubling you with these long letters is, to testify the extreme deference that I pay to my constituents. Having the honour to represent a borough of the first importance in the kingdom, I mean to profess my duty publicly to them, and to seek their confidence, by opening my heart to them. If such an intercourse were more frequently kept up between the constituents and the representative, it would at all times be eligible, and in times when public danger threatens, it would be of the utmost importance. I fear that times of danger are coming upon us, by the obstinate misconduct of our ministers. I confess to you I see no way clear before me. Are you prepared for taxes upon taxes, year after year, in a war with America and the House of Bourbon? Are you provided with another thirty or forty millions? If these things come, they will not lie at my door. It is your ministers who have exhausted your treasures, and wasted the blood of your countrymen in vain, to deliver you, weak and defenceless, to your natural enemies. This is the prospect which you owe to them. You may have avoided one rock by the failure of the ministerial

nisterial measures in America. That danger was at too great a distance to give immediate alarm; and would probably have stolen insensibly upon you; but for these immediate evils which are now pressing upon you; I wish those who brought you into them; could shew you the way out. All re-connection with America, as a dependent part of the empire, is out of sight. Then what is left but reconciliation? I am confident, that there is no implacable hatred between the people of England and the people of America. The contention has been between the ministers of the crown, and our late fellow-subjects in America. They know that the people of England have been deceived, and that parliament has been misled by ministers. They know the weak part of our constitution, and that when ministerial measures get the ascendant in parliament, no remonstrance or reason can prevail. They impute their injuries to the malice of the ministers of the crown, and to the deceptions imposed upon the public. They believe Britons to be too generous to refuse that freedom to others knowingly, which they have themselves recovered by resistance to the ministers of the crown, in their attempts upon British liberty. The road, therefore, is still open to national reconciliation between Great-Britain and America.

I am,
 With the greatest Respect and Consideration,
 GENTLEMEN,
 Your much obliged, and
 faithful humble Servant,

D. HARTLEY.

Sodbury, Sept. 24, 1778.

To
 The Right Worshipful the Mayor and Corporation,
 To the Worshipful the Wardens, and
 Corporation of the Trinity-House, and to the
 Worthy Burgeses of
 The Town of KINGSTON-UPON-HULL.

L E T T E R III.

GENTLEMEN,

I THINK I may venture to say, that I have demonstrated to you the real objects, in pursuit of which this fatal American war has been undertaken, and so inflexibly persisted in. As the event of the war has proved unsuccessful, the ministers find themselves not only responsible for a heavy account due to their country, but doubly chagrined by the disappointment and defeat of their own clandestine views. Under this charge of responsibility to their country, and of private chagrin in their own minds, they are seeking about to exonerate themselves of that responsibility, by imputing the fatal disgraces and destruction, which have been the consequences of their own headstrong measures, to the opposition of some party in this country, whom they charge with having fomented and encouraged the troubles in America. They see and confess the desperate state into which they have plunged their country, and, to those questions to which that country now calls loudly for an answer, viz. Who has torn America from us? Who has wasted thirty or forty millions of our money? Who has destroyed the lives of thousands of our countrymen? Who has exposed us defenceless to our natural enemies? &c. &c.; they would tell you, that it is the MINORITY in Parliament. Such suggestions as these are thrown out, with no small industry, by the partizans of administration, not I think with much effect; because, upon the least reflection, the reason ascribed must be considered as inadequate; and because a degree of efficacy is thus imputed to a small Minority, which is contradictory to the assertion itself. But as I wish to obviate the insinuations which are implied in this charge, I will meet it directly, not as an invidious report, circulated by ministerial agents, but as an accusation which has been brought in charge by the highest authority; I mean the royal authority. The King's proclamation, of the 23d of August 1775,

M

affects

asserts directly, *That there is reason to apprehend, that such rebellion has been much promoted and encouraged by the traitorous correspondence, counsels, and comfort, of divers wicked and desperate persons within this realm.* This is a heavy charge, not to be wantonly thrown out, in order to excite dissentions, and a suspicion in every man of his neighbour. It is now three years since this very serious and alarming charge has been made against divers (as pretended) traitorous persons. Not one person has been convicted, or even tried, nor has any enquiry of notoriety been made; therefore, I think, I am justified to say, that it was wantonly thrown out, unless his Majesty's ministers think it their duty to spread the leaven of discord throughout every part of his dominions.

I will endeavour to shew you, that those persons, who have uniformly opposed the ministerial system of measures in America, have neither incited nor encouraged, nor have been instrumental to the success of, the American resistance to any of the just claims of this country. I shall take this question in one view, from the period of the stamp act, and shall consider all the opposers of the American measures, both within the House and out of it, as one party and class of men, without any distinction of any different points upon which they may severally have laid the principal foundation of their respective oppositions. With respect to the general charge, that it is the party, called the Opposition, which has brought things to the present pass, they are all to be considered in one body, intitled in the ministerial style, *divers wicked and desperate persons.* These *wicked and desperate persons* must either, in the first place, have originally suggested to the Americans those doctrines and principles which have led them to resistance; or, secondly, they must have promoted and encouraged their resistance by traitorous correspondencies, counsels, comfort, arms, ammunition, money, or intelligence; or, thirdly, it must be owing to a small Minority in parliament, and to a party not very large, of *wicked and desperate persons* out of doors, that every plan which has been conceived in the wisdom of his Majesty's ministers, and concerted under their direction for four years together, has proved unsuccessful, both by sea and land, throughout every act and operation of the war.

The first point, of suggesting to the Americans the original principles

principles of resistance, stands thus: The first syllable that was ever uttered in parliament, upon the subject of American taxation, as denying the right to exist in this country, was in January 1766, by the Earl of Chatham, then Mr. Pitt. If I can shew, two years before this, the universal denial in America of the right of taxation thus claimed by parliament, I think the first point will be fully proved, viz. that the party called the Opposition did not suggest to the Americans those doctrines and principles upon which they have resisted parliamentary taxation. I shall proceed the true road of proof, viz. by authentic vouchers. The period now in view is the year 1764, previous to the passing of the stamp act, of which notice had been given, that it would be proposed to parliament in the ensuing sessions, viz. in 1765. When this news arrived in America, all the serious and discerning men there saw through the whole of the question at the first glance; and asserted, in the most absolute terms, the rights of the colonies not to be taxed unrepresented. There were no mobs or tumultuous disturbances. The proceedings which I am going to state, were of the houses of assembly of three of the most principal colonies in America, viz. Massachusetts-Bay, New-York, and Virginia, all in 1764. And first for Massachusetts-Bay.—

On the 13th of June 1764, they write thus to their agent, Mr. Manduit: “ No agent of this province has power to make express
 “ concessions in any case, without express orders; and the silence
 “ of the province should have been imputed to any cause, even to
 “ despair, rather than to be construed into a tacit cession of their
 “ rights, or an acknowledgement of a right in the parliament of
 “ Great-Britain to impose taxes upon a people who are not repre-
 “ sented in the House of Commons.” Again—“ If the Colonists
 “ are to be taxed at pleasure, without any representatives in parlia-
 “ ment, what will there be to distinguish them, in point of liberty,
 “ from the subjects of the most absolute prince? If we are to be
 “ taxed at pleasure without our consent, will it be any consolation
 “ to us that we are to be assessed by an hundred instead of one?
 “ If we are not represented, we are slaves.” Again—“ Equity
 “ and justice require, that the power of laying prohibitions on the
 “ dominions which are not represented in parliament, should be
 “ exercised with great moderation. But this had better be ex-
 “ ercised

“ercised with the greatest rigour, than the power of taxing; “for this last is the grand barrier of British liberty, which, if once “broken down, all is lost. In a word, a people may be free “and tolerably happy, without a particular branch of trade, but “without the privilege of assessing their own taxes they can be “neither. Inclosed you will have a brief account of the rights of “the colonies, drawn up by one of our members, (Mr. Otis) which “you are to make the best use of in your power, with the addition “of such arguments as your own good sense will suggest. The “House rest assured, that nothing will be omitted that may have a “tendency to save the province from impending ruin.” Thus far Massachusetts-Bay; who, as early as June 1764, asserted their claims against unrepresented taxation in the most absolute terms, and that the apprehension of being so taxed threatened impending ruin.

The assembly of New-York is the next, who, in an address to Governor Colden, express the same sentiments. “We hope your “honour will heartily join with us in an endeavour to secure that “great badge of English liberty, of being taxed only with our “own consent, to which we conceive all his Majesty’s subjects, at “home and abroad, are intitled.” They likewise sent three representations and petitions to their agent, to be presented to the King, the Lords, and the Commons, which met with the fate of all other American petitions. But what is most remarkable of all is, that this very colony of New-York, which has been always thought to be the most moderate, so far as to be called, on this side the water, a very courtly and ministerial colony, full of friends to government, was the very first colony which came in a house of assembly to spread the alarm throughout the whole continent of America, by a circular letter, as early as the year 1764, even before the passing of the stamp act, and merely upon the apprehension of such an act taking place; so zealous and determined were they, from the very first, to assert and support their rights of not being taxed in a British parliament. “Ordered, That the “committee appointed to correspond with the agent, be also a “committee, during the recess of the house, to write to, and correspond with, the several assemblies on this continent, on the “subject matter of the *Sugar-Act*, &c. and also on the subject of
“impending

“ impending dangers which threaten the colonies, of being taxed
 “ by laws to be passed in Great-Britain.”

The colony of Virginia comes next. The counsel and burgesses sent an address to the crown, a memorial to the Lords, and a remonstrance to the Commons, protesting, in the strongest term, against the claim of taxation in the British parliament. To the King—“ That your Majesty will be graciously pleased to protect your people of this colony, in the enjoyment of the inestimable right of being governed by such laws, respecting their internal policy and taxation, as are derived from their own consent, with the approbation of their Sovereign.” To the Lords—“ Your memorialists conceive it to be a fundamental principle of the British constitution, without which Freedom can no where exist, that the people are not subject to any taxes but such as are laid on them by their own consent, or by those who are legally appointed to represent them. Your memorialists are, therefore, led into an humble confidence, that your Lordships will not think any reason sufficient to support such a power in the British parliament, where the colonies cannot be represented; a power never before constitutionally assumed, and which, if they have a right to exercise on any occasion, must necessarily establish this melancholy truth,—that the inhabitants of the colonies are slaves to Britons, from whom they are descended.” To the House of Commons—“ They conceive it is essential to British liberty, that laws, imposing taxes on the people, ought not to be made without the consent of representatives chosen by themselves; who, at the same time that they are acquainted with the circumstances of their constituents, sustain a proportion of the burthen laid on them. And the remonstrants do not discern by what distinction they can be deprived of that sacred birth-right, and most valuable inheritance, by their fellow-subjects, nor with what propriety they can be taxed or affected in their estates, by the parliament, wherein they are not, and indeed cannot, constitutionally be represented.” Thus far for the year 1764. All these resolutions and proceedings were asserted and taken in America

rica near two years before any member of the British parliament uttered a single syllable, denying the right of parliamentary taxation over America.

All this was before the passing of the stamp act.

Immediately after the passing of the stamp act, and still one year before any opposition to the right was made in parliament, the whole continent of America was in flames. Every assembly on the continent denied and opposed parliamentary taxation, in the most violent and absolute terms. There was a General Congress, in the year 1765, (the first American Congress to resist the claims of parliament) assembled at New-York, which took the same grounds of opposition and resistance. Thus you see no party in this country suggested either the original principles to the Americans, or the idea of a General Congress; for it is this Congress, of the year 1765, which is the foundation of all American Congresses. If I were to give you half the votes, resolutions, and proceedings of this Congress, and of the several assemblies in this year 1765, I should fill a large volume. Although these dates of the year 1765 were antecedent to any opposition of the British right in parliament to tax America; yet the ground seems to be stronger, and more decisive to my present argument, as taken from the proceedings of the preceding year 1764, upon the mere apprehension of the stamp act. However, as I take this to be a material point to bring to proof, I will just quote to you a few of the principal votes and resolutions of the year 1765, which was the year immediately preceding the time in which any opposition was mentioned in parliament to the right. I will confine myself to Virginia, Pennsylvania, and the General Congress assembled at New-York.

“ House of Burgesses, of Virginia, May 29, 1765.

“ Resolved, That the taxation of the people by themselves,
 “ or by persons chosen by themselves, to represent them, who can
 “ only know what taxes the people are able to bear, or the easi-
 “ est method of raising them, and must themselves be affected
 “ by every tax laid upon the people, is the only security against
 “ a burthen-

“ a burthensome taxation, and the distinguishing characteristic of
 “ British freedom, without which the antient constitution cannot
 “ exist.”

“ Resolved, That his Majesty's liege people of this his most
 “ antient and loyal Colony have, without interruption, enjoyed
 “ the inestimable right of being governed by such laws, respect-
 “ ing their internal polity and taxation, as are derived from their
 “ own consent, with the approbation of their Sovereign or his
 “ substitutes, and that the same hath been constantly recognized
 “ by the King and the people of Great-Britain.”

In the peaceable colony of Pennsylvania, they came to the fol-
 lowing unanimous Resolutions:—

“ In Assembly, Sept. 21, 1765.

“ Resolved, *nem. con.* That it is the interest, birth-right, and
 “ indubitable privilege of every British subject, to be taxed only
 “ by his own consent, or that of his legal representatives, in con-
 “ junction with his Majesty or his substitutes.

“ Resolved, *nem. con.* That the only legal representatives of the
 “ inhabitants of this province, are the persons they annually elect
 “ to serve as members of assembly.

“ Resolved, therefore, *nem. con.* That the taxation of the peo-
 “ ple of this province by any other persons whatsoever, than such
 “ their representatives in assembly, is unconstitutional, and sub-
 “ versive of their most valuable rights.”

The last articles which I shall produce upon this head, are two
 resolutions, among many others, declaratory of the rights of the
 colonies, by the General Congress of New-York, Oct. 19, 1765.

“ That the only representatives of the people of these colonies,
 “ are persons chosen therein by themselves; and that no taxes
 “ ever have been, or can be, constitutionally imposed on them but
 “ by their respective legislatures.

“ That all supplies to the crown being free gifts of the people,
 “ it is unreasonable, and inconsistent with the principles and spirit
 “ of

“ of the British constitution, for the people of Great-Britain to
 “ grant to his Majesty the property of the colonists.”

I have dwelt the longer upon this point, that I may bring it up to the fullest proof positive, that the persons who have opposed the ruinous and destructive measures of administration, in the prosecution of the American war, for many years together, have not been the original excitors of the disturbances in America; for I have observed, that great pains have been taken to disperse such an opinion abroad. When times of public distress come, and ministers are called upon by their injured country to give an account of the consequences of their misconduct, the violence of party rage will seize any pretext whatsoever, without the least regard to truth or justice; for which reason I take this present time, while things are tolerably cool, to lay before you the documents of demonstration; that the party, who have uniformly opposed this fatal American war, did not originally suggest to the Americans the principles which have led them to resistance to this country. If the advice of that party of real friends to their country had been followed, it would have been better for the honour, peace, and prosperity of this nation, though ministers may wish to have them considered as wicked and desperate persons.

Having said thus much as to the fact, give me leave to say one word as to the justice of the principles, independent of the question, whether they originated in this country or in America; because, if the principles are just and conformable to the British constitution, and to the rights of the colonies, I cannot see that it would have been criminal, if we had pleaded the cause of the Americans upon these grounds, as being our then fellow-subjects. I beg to explain for myself, that in the very beginning of these troubles, the great cause which influenced my conduct, was the consideration of the injustice of the foundations of the war on the part of this country, I did, and do still, and ever shall, conceive

it to be unjust, and contrary to the principles of the British constitution, to tax unrepresented colonies in a British parliament, who are to save the money of their constituents and of themselves, in proportion as they tax those who are unrepresented, and this moreover without any consideration of the then existing monopoly of the American trade, which stood in the place of taxation, and was a full equivalent. I say this, because I would not have my denial of the fact attended with a long series of proofs, together with some apparent industry in the investigation, to imply on my part an admission of the criminality of the charge if it had been true.

I now come to the second part of the question, viz. "Whether any persons have promoted and encouraged the actual resistance of America, by any traitorous correspondencies, counsels, comfort, arms, ammunition, money, or intelligence?" This is much too serious a charge for insinuation, unless it can be proved, which it certainly cannot be, because it is notoriously not true. The very charge would imply the highest degree of culpableness in ministers, if in a case which parliament has stamped with the name of rebellion, and knowing of any such things, they have not brought them to proof, or suspecting, have not made the most scrutinizing enquiry. But, perhaps, without charging the whole of this black catalogue, a party in this country may have encouraged the Americans; to which I will very frankly say, that I do verily believe it, and admit it. The Americans, who laid their first foundations in those principles which I have just enumerated, have known very well, that there were many persons in this country, who thought those foundations to be just, solid, and constitutional. Then what encouragement did these persons give to the Americans? They encouraged them to persist by petitions, addresses, and remonstrances, to the King, the Lords, and the Commons, to state their grievances, and claims of rights, and to pray for redress. In pursuance of this encouragement, they did accordingly persist in petitions, memorials, and remonstrances, for many years, viz. from the year 1764 to 1775. All their petitions were uniformly rejected

rejected unheard; and when the Americans were attacked with a great armament by sea and land, they then resisted by arms. Then which way did the encouragement which they received from their friends in this country operate? It operated to make them employ their time in drawing petitions, and waiting for a hearing, instead of providing themselves with arms and ammunition, and all the means of resistance; and therefore, so far from obstructing the exertions of this country, has contributed very much to facilitate the operation of them. For instance, in the year 1775, when the new Secretary of State for the American department came into office, and when all things put on a new appearance, I cannot say of vigorous measures, because there was neither judgment nor vigour in any of them, but at least of an inflexible disposition, to do nothing but by fire and sword; could it be thought of otherwise, than as an evident advantage to the operation of his measures, that the Americans should be amused with expecting a propitious answer to their petition; and that, in the very next breath to that which told them that they should receive no answer to their petition, an army of 50,000 or 60,000 men should be ready to fall upon them. Thus far, therefore, the encouragement given to America to persist in petitioning, and in every constitutional mode of application for redress, was the farthest in the world from being criminal, and the best calculated to have produced peace and re-union. When the die was fatally decided for implacable and unrelenting war, who then from this country aided, abetted, comforted, or encouraged America? If any one did, as I said before, that should be proved. But the next step on the part of the Americans was, the declaration of Independence, which certainly was not encouraged from this side of the water. The very charge, as implying an insidious insinuation of self-interested views of any party in this country to raise themselves into power and importance upon the shoulders of America in this contest, is contradictory to itself; for what party either did or could think it for their personal interest, that the Americans should declare themselves independent? None. The declaration of independence defeated every possible means of making an instrument of America, to rise into power in this country. The very

very well-known fact is, that there was no party in this country to aid, abet, suggest, or encourage the Independence of America. The very declaration itself is therefore proof absolute; that they had no connections in this country who co-operated with them. For a connection of supposed, united measures, calculated to destroy all co-operation in their joint efforts and effects, is a system of absurdity which has been brought much nearer to perfection by the ministers of the American war in their conduct of it, than by the opposers of the war in their opposition to it, on either side of the water.

As to the third point, that all the ministerial plans and operations should be rendered uniformly unsuccessful, because there was a very small minority in parliament adverse to them, it is too ridiculous to deserve a serious discussion. Could it be owing to that minority that General Howe was blockaded up in Boston, and left five months without hearing from his employers at home? Was it owing to them, that the campaigns of 1776 and 1777 were not opened till August or September, and that the armaments did not sail in the spring from English ports till (if the war had been a just one) they should have been landed in America? Was it owing to them that no efficient plan of co-operation was concerted between the northern army and that under General Howe? Was it owing to them that the Toulon fleet was permitted to pass unmolested through the Streights of Gibraltar? Was it owing to them that the conciliatory bills were not brought into parliament, till the treaty between France and America was signed and sealed? Is it owing to them that the remainder of the army in America has neither been reinforced nor withdrawn, but is now left to be besieged, to moulder away, and to languish in vain for their native shores? — The very stating of these things is a sufficient confutation.

I hope that I have fully vindicated that party of real and discreet friends to their country; who, foreseeing the ruinous consequences of the present measures, have uniformly opposed them, but who have not either fomented the disturbances in America, or
 been

been in any the least degree the occasion of the misfortunes or disgraces which have fallen upon us. The charge is indeed in itself so absurd, that it can only have been suggested as an engine of party to mislead the public. I hope that I have given a full answer to it.

If you would see the true causes of the present misfortunes and disgraces of this country, you must look for them in the madness and impracticability of the undertaking of the American war, and in the folly, ignorance, arrogance, and inability, of those who have had the conduct of it. If you would, on the other hand, see what it is which has made the Americans, from doubtful and small beginnings, become united and prosperous; it has been the firm and universal conviction, that their cause was founded in natural justice, and in constitutional principles. They persevered for many years in every legal and constitutional mode for obtaining redress of grievances, by petitions after petitions, but all in vain and rejected. They were driven at length, in self-defence, to resistance by arms. They have considered the Act of Rights as the foundation of the British constitution, and an inheritance to which they were intitled, and from which they would not depart. They found asserted in that act, the right of petitioning the crown, and therefore, from thence they inferred their right to be heard. Their petitions being rejected unheard, and a force of an hundred thousand men being sent to reduce them to unconditional subjection, they look again into the act of rights, and find, that the subject, being protestant, is intitled to arms in his defence. Thus driven, unheard and unanswered, to despair, who will call a reluctant but compelled resistance unjustifiable? The contest is now over, and the event of that resistance is decided; there is no longer any call for reserve in expressing matters of opinion; therefore, I am very free to declare it as mine, that when petitions are rejected with disdain, and millions of subjects unheard are devoted to the sword, the compact of protection is broken, and resistance is justified.

But even, independent of all questions of compact of government, and principles of the constitution, the resistance of America,

ca, in a war for taxation, stands justified upon an assurance of public faith to the contrary, given to them, and broken. A Secretary of State for the American department, (viz. Lord Hillsborough) in the year 1769, did write a circular letter to every colony in his Majesty's name, assuring them, in the most clear, distinct, and unambiguous terms, that his Majesty's ministers never had, nor ever would entertain, the idea of taxation in America, for the purpose of raising a revenue; nay, farther to guard against any distrust, lest any change of men or times should affect the security of this promise, Lord Bottenourt pledged the King's personal honour upon it; speaking of the King in these words, "Who, to my certain knowledge, rates his honour so high, that he would rather part with his crown, than preserve it by deceit." Who could have possibly believed, after so solemn and authentic an assurance had been given to three millions of subjects, that that very identical system of ministers, with the same Chancellor of the Exchequer upon the bench, in the short period of five or six years, should be engaged with America in a relentless inexorable war, for the express purpose of revenue, viz. in the year 1775, with Lord North's demand of an American revenue in one hand, and the sword in the other. I will now give you the vouchers of this transaction. You will see by them how indignant the ministry were, with so heinous a charge as they considered taxation in America, for the purpose of raising a revenue at that time, to be, and which they call a misrepresentation of factious and seditious persons, who are enemies to the peace and prosperity of Great-Britain and her Colonies. The circular letter is as follows:

" May 13, 1769.

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

" commerce. These have always been, and still are, the senti-
 " ments of his Majesty's present servants, and by which their con-
 " duct, in respect to America, has been governed. And his Ma-
 " jesty relies upon your prudence and fidelity (*viz. addressed to*
 " *each Governor*) for such an explanation of his measures as may
 " tend to remove the prejudices which have been excited by the
 " misrepresentations of those who are enemies to the peace and
 " prosperity of Great-Britain and her colonies, and to establish
 " that mutual confidence and affection upon, which the glory and
 " safety of the British empire depend."

Lord Bottenour's speech to the Assembly of Virginia is as follows:—

" It may possibly be objected, that as his Majesty's present ad-
 " ministration are not immortal, their successors may be inclined
 " to attempt to undo what the present ministers shall have at-
 " tempted to perform; and to that objection I can give but this
 " answer, That it is my firm opinion, that the plan which I have
 " stated to you will certainly take place, and that it will never be
 " departed from; and so determined am I for ever to abide by
 " it, that I will be content to be declared infamous, if I do not,
 " to the last hour of my life, at all times, in all places, and upon
 " all occasions, exert every power with which I either am, or ever
 " shall be legally invested, in order to obtain and maintain, for the
 " continent of America, that satisfaction which I have been au-
 " thorized to promise this day, by the confidential servants of
 " our Gracious Sovereign, who, to my certain knowledge, rates
 " his honour so high, that he would rather part with his crown,
 " than preserve it by deceit."

Now hear the answer to this speech from the Assembly of
 Virginia, which was accepted by the King's Governor, and trans-
 mitted home to his confidential ministers, and which, therefore,
 does positively, under his Majesty's authority, recognize their
 construction of that promise, and the pledge of the King's Royal
 word to the performance of it.

" We

“ We will not suffer our present hopes, arising from the pleasing prospect your Lordship has so kindly opened and displayed to us, to be dashed by the bitter reflection, that any future administration will entertain a wish to depart from that plan, which affords the surest and most permanent foundation of public tranquility and happiness. No, my Lord, we are sure our most gracious Sovereign, under whatever changes may happen in his confidential servants, will remain immutable in the ways of truth and justice, and that he is incapable of deceiving his faithful subjects: and we esteem your Lordship’s information not only as warranted, but even sanctified, by the royal word.”

If this be not a solemn public renunciation of the right of taxation, there is no sense in words. The repeal, as mentioned in the letter of the then American Secretary, Lord Hillborough, took place accordingly in the next session, which was a parliamentary sanction in confirmation. All the articles of the tax act of 1767, were repealed, except the tea duty, which was professedly kept only as a pepper-corn rent, for the point of honour. Yet it was out of this pepper-corn rent, that, in five or six years’ time, the very same ministers, who had so deeply pledged the royal honour and word, because their own reign might not be immortal, renewed their attack in arms for a general American revenue. They applied every artifice, and exerted their utmost means, to inflame and to incite the parliament and the nation in the pursuit of an American revenue. They threw out and circulated the most inflammatory charges against America on this head, viz. That they never had contributed their share to the common cause; that, without compulsion, they never would; and, therefore, that they must be compelled by force of arms: and, in fine, they sent an hundred thousand men to reduce the whole continent of America to unrepresented taxation and unconditional submission. Now let any man, of any nation in the world, lay his hand upon his heart, and declare whether, if these things had happened in his own country, he should, or should not have thought such cause of resistance to be justifiable and justified.

Till men come to renounce all the bonds of society, and all the rights of mankind, I am confident that there will not be found one man who will not say, "If such had been my own case, I would have resisted." I speak thus explicitly out to you, because, I do assure you, that it has been upon my firm conviction of the injustice of the war, and of the breach of the public faith in the attack, that I have most scrupulously and conscientiously opposed it, and ever will. Let what authority soever be prostituted in a proclamation to declare such sentiments to be the sentiments of *wicked and desperate persons*, I will never give my consent to put a fellow-creature to the sword unheard. I say this only for myself, not meaning the least reflection upon very many most worthy and conscientious persons, who have taken a different part, and that very zealously too. I only conclude, that if their sentiments had been as mine are, they would have acted as I have done.

In matters of national concern, it is not merely sufficient that individuals should remain contented with the private conscientiousness of their own individual integrity, (which, however, is the foundation of national integrity) it should not remain there; it is fit that the real motives, as justified in facts, which actuate parties and great bodies of men, should be exposed to the public, because it is through the intervention of these great bodies of men as parties, that all public operations are carried on. It is fit that such things should be enquired into and discussed, especially when charges of faction, sedition, and even treason, are very generally and unwarrantably thrown out by ministerial authority, and very intelligibly pointed. The sense and import of these terms, in the language of ministers, is now explained. In the year 1769, the meaning of the terms *factionous, seditious, and enemies to the peace and prosperity of Great-Britain and her Colonies*, were persons who were accused of throwing out false insinuations, that the ministers of Great-Britain could ever be so unjust as to entertain a thought of taxing the colonies for a revenue. In the year 1775, and so on, the terms *wicked and desperate persons within this realm*, are used to denote those only who could entertain

ertain or exprefs any doubt of the justice, propriety, and necessity of Great-Britain enforcing taxation in the colonies. I dwell upon these articles, because they were not cursory, or casual, or from mean authority, but in a royal proclamation, circulated throughout Great-Britain, and in a Secretary of State's letter under the royal authority, circulated throughout the colonies; prostituting the authority of public acts and instruments, to throw out promiscuously the charges of faction, sedition, and treason, against any persons who presume to differ in opinion from ministers, even when they differ from themselves. When that important day comes, in which ministers must render to their country an account of their deeds, it would be well for them if their account might stand as fair and as clear as that of the opposers of this fatal war; who have no retrospective account to answer for, having already rendered, from day to day, and from hour to hour, an account of their motives, words, and deeds, before the public tribunal.

As I am unwilling to leave any ministerial subterfuge unsearched, there is one point more which I wish to discuss. It is said, that the repeal of the stamp act is the ground of all our misfortunes; that it gave such encouragement to America, as, in its effect, to defeat every operation of the present war. This should, in the first place, be proved; and, when proved, my reply would be, that a wise and considerate minister should have weighed this in time; that if true, it is one additional argument of folly in undertaking the present war. If the minister, in the year 1775, instead of infligating and provoking war, had stood up in parliament, and said, that "It is by no means fit that the Americans should throw our tea overboard; on the contrary, that it is very just and fit that they should be taxed by parliament, and that such a measure should be enforced by compulsion, but that the thing was become impossible; that the repeal of the stamp act had given them such spirits, and so much encouragement, that although five hundred men with whips might have driven all North-America before them at the time of the repeal, yet that an hundred thousand men, with all the artillery of
" Great-

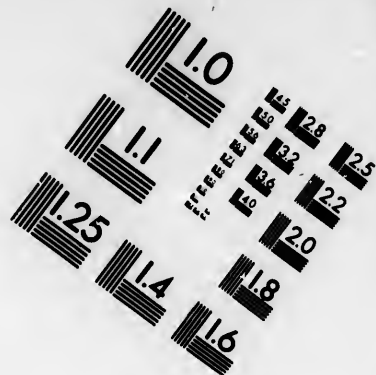
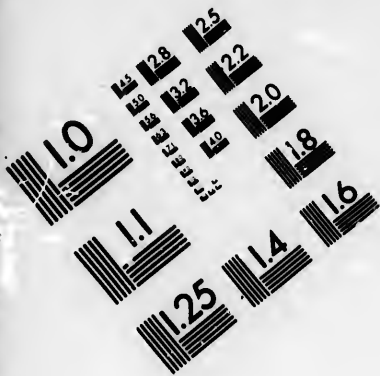
" Great-Britain, at an expence of thirty or forty millions, could not enforce success now,"—it would have been a good argument against persisting in the war; and so cogent is the influence of every argument coming in parliament from the minister, that I do believe it would have had the effect of putting a stop to the war, which would have been a blessed effect for this country, from whatever cause it might have arisen. The minister might likewise have superadded, upon this chapter of repeals, that he had himself proposed the repeal of the year 1770, attended with a most solemn assurance, never again to seek an American revenue through taxation, which made the case ten times more desperate. This part of the argument was forgot, which I now suggest to you, only to shew you, with what an ill grace any objection to the repeal of the stamp act comes, from those who forget their own deeds; who not only had approved, strengthened, and supported the first repeal by a second, but who had superadded an express renunciation of the right of taxation for the future. But when people are in a rage with themselves for their own madness, follies, and disappointments, they snatch up any argument which comes to hand, and has an edge with it, although it should prove an instrument to cut their own throats; for if the repeal of the stamp act was in reality such an encouragement to resistance as contended for, the repeal of the year 1770 was not only an encouragement upon the same principles to resist, but the solemn renunciation of the right, for the future, fully justified that resistance. This I speak *ad verecundiam*, to the modesty of the party from whom the objection to the repeal of the stamp act proceeds.

But to the question itself, viz. " Whether the stamp act could have been enforced, if it had not been repealed in 1766." I think the events which have happened in the last three or four years, amount almost to proof positive, that it could not have been enforced then. I am sure that these events do, at this time, set the wisdom and prudence of the ministers of that repeal in the highest point of view and approbation. I have shewn you already, that the doctrines and principles upon which the American

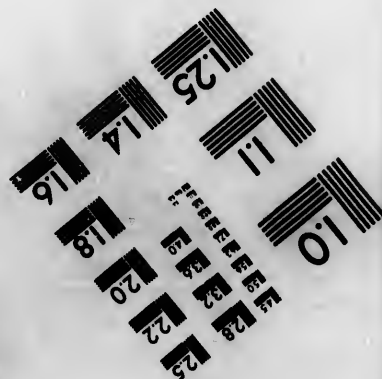
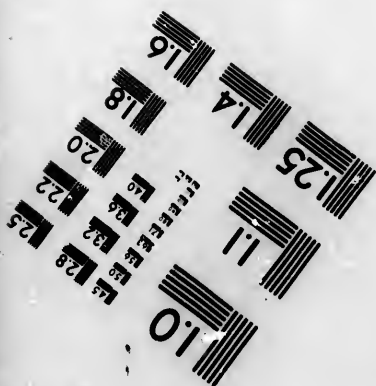
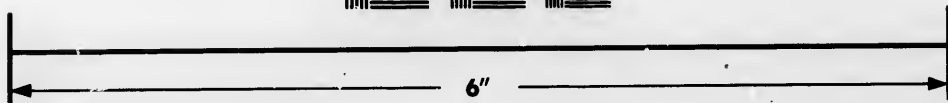
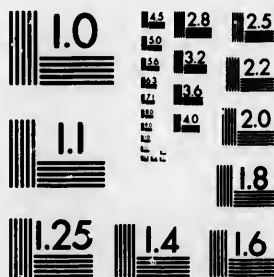
can resistance has been founded, were not suggested to them from this side of the water. These were universally adopted throughout America near two years before the repeal of the stamp act. So far then the repeal had no share in laying the foundation of resistance. The question of power to enforce, as referred to the period of 1766, can be now but problematical, as the time for the trial is past, in which, however, the probabilities are extremely against it, and growing more so every day, from the fatal conviction of actual and bitter experience. Bring this question to the test; thus: An hundred thousand men have failed in an attempt to reduce America by force of arms in the years 1776 and 1777; therefore,—what? five hundred men with whips, or two regiments, would have completed that conquest in the years 1766 and 1767. Such an inference, to say the least of it, is very inconsequential. There is no appearance of probability in it, especially considering, that the two periods are so near together, viz. only eight years apart. Had the contest been brought on fifty years ago, that would have made a most material difference. But there was no notorious difference in the proportionate strengths of the two parties at the two periods of 1766 and 1774. From what circumstances then can the conclusion be warranted, that a project totally and experimentally impracticable in 1774, and so on, should have been very facile in 1766? The game would probably have been played then, as it has been now; for the confident advocates of coercion were certainly as ignorant then as they have been since.

The first year, therefore, two or three regiments would have been sent; the next year four or five thousand men, and so on; always despising the military power of America, and always foolishly confident, that the next and the next campaign would be successful or decisive. The mole-hill would have grown into a mountain, and we should have been wasting our men and our millions, till some foreign powers would have interfered. America all this while would have been led forward into the knowledge and practice of arms, till they had learned to feel, and to be confident





**IMAGE EVALUATION
TEST TARGET (MT-3)**



**Photographic
Sciences
Corporation**

23 WEST MAIN STREET
WEBSTER, N.Y. 14580
(516) 872-4503

14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

fident in their own internal strength and exertions; which would have brought the termination of the contest to the same result then as now. The minister who presided at the period of the repeal of the stamp act, having his ear always open to sound information, and to wise counsel, saw at once the immensity of the undertaking, (over and above the justice and preferable policy of concession) and that in a war of attack upon a country, at a distance of 3,000 miles, conquest could be hardly acquired, and would certainly not be maintainable by force of arms. He saw all the horrors of a civil war before him, the destruction of thousands of the lives of his fellow-subjects, the waste of millions of their money, the loss of the navigation, commerce, and affections of America. He foresaw, from the nature of all wars between the divided parts of any empire, that whether America should be driven to the very point of surrendering at discretion, or should be successful, in either case foreign powers would interfere. He foresaw all these things, and took measures of wisdom accordingly. He led his country to safety, not to ruin. Have those persons who would not see these things, led their country to an happier end? It is they who have afforded the fatal proof, that the noble Lord who presided at the repeal of the stamp act, had formed a true estimate of things. I do not say, that the failure of the ministerial measures of war, at the present period, is proof positive, that any attempt to have enforced the stamp act in the year 1766, must have failed, but I think it comes very near to it.

Consider who those persons are, who are now so confident that the stamp act could have been enforced in 1766. They are the very same persons who, four years ago, undertook the enforcement of the coercive acts of the year 1774, upon a three-shilling land-tax, and upon the lowest peace establishment both for the army and navy; and, in the year 1778, when every plan, every promise, and every prediction, has failed, they come to parliament, advising us to tread back all our steps, and to reverse all our measures; and having in the interim thrown away thirty or forty thousand men, and thirty or forty millions of money, and

thirteen

thirteen provinces, they tell us very gravely, "We were a little
 "mistaken in our calculations; the force which has been em-
 "ployed on the part of this country has been very great, but the
 "resistance has been much greater than we expected." Whatever
 therefore may be the probabilities or improbabilities attending
 this question in itself, which is now but a speculative problem,
 no arguments, at least on the side of power to enforce the stamp
 act in the year 1766, acquire any additional force by coming
 through the medium of persons who have been so grossly igno-
 rant and erroneous in every conception or expectation which
 they have formed, and thrown out, relative to the conduct or
 events of the present war, into which their headstrong measures
 have plunged their country.

I shall not pursue this question any farther, because it cannot
 be brought to positive decision. But I will come to a sort of
 compromise upon it; and I will suppose, that the force which has
 failed of success in the present war, would have succeeded in
 establishing the stamp act in the year 1766; and this is, I think,
 a full and adequate concession of the utmost probability, that the
 question stands intitled to, on that side of the argument; for we
 are yet a great way from knowing what force of men and money
 would have been sufficient in the present war to have made a
 conquest of America, and still farther from having the least com-
 prehension of the enormous establishments and expence which
 would have been necessary for retaining it in subjection, if it
 could have been conquered. If I could be justified in abating
 still more of the argument, I would most readily consent to it,
 that the true wisdom of the repeal of the stamp act (even allowing
 the possibility of carrying it through by force) might be weighed
 and justified to the nicest scruple. Taking then the question
 up on the footing of the compromise which I offer, I will con-
 cede, that the stamp act might have been enforced at the expence
 of thirty or forty millions of money, and with the loss of thirty
 or forty thousand of our fellow-subjects. Is there any man living

who will say, that he would have taken the stamp act upon this bargain, knowing this to have been the least cost in men and money by which it might have been obtained? I am sure there can be no such person; and least of all can those persons think, that they ought seriously and sedately to have consented to the terms of the bargain as I have stated it, who were circumvented into the adoption of this war in the first session of this parliament, by the lure of a three-shilling land-tax, and by the estimates which were then brought into parliament upon the lowest peace establishment, both for the army and the navy. Those votes stand recorded in parliament, as the sanctions of that argument which I am now measuring out, as the price which parliament bid for a revenue from America at their disposition, as they then apprehended that it was to have been. This bargain, so measured out, is far enough from that which, by ministerial flight of hand, has been substituted in its place, viz. a farewell to a three-shilling land-tax, by an everlasting mortgage of four shillings in the pound for ever; an expenditure of thirty or forty millions of money in vain; a defalcation of 25 per cent. upon all proprietors in the public funds; the loss of thirty or forty thousand men; together with double this force by sea and land, and a hundred ships of war besides, cut off from the national strength of this country, either for offence or defence against our antient and natural enemies. At this price, the minister of the repeal, in the year 1766, would not have purchased the enforcement of the stamp act, even if it had been in his power. But the present ministers have loaded their country with all these evils, and all others which shall come farther in consequence, without even any national object in view to plead, but merely in the pursuit of an influential dominion, to be exercised at the pleasure of the crown, through the means of an independent American revenue, at the disposition of the crown, by sign manual, uncontrouled, and not accountable for to parliament.

These are the claims which they have to the public favour and confidence. On the other hand, the ministers of the repeal, like
good

good and faithful servants to their country, may hold up their heads and say, " We did not deceive you to your destruction. " We did not exhaust your treasures. We did not waste the " blood of our countrymen in vain. We did not deliver you, " weak and defenceless, into the hands of your enemies."

I am,

With the greatest Respect and Consideration,

GENTLEMEN,

Your much obliged, and

faithful humble Servant,

D. HARTLEY.

Sodbury, Oct. 11, 1778.

To

The Right Worshipful the Mayor and Corporation,

To the Worshipful the Wardens, and

Corporation of the Trinity-House, and to the

Worthy Burgessees of

The Town of KINGSTON-UPON-HULL.

The first thing I observed when I stepped
 out of the car was the cold air. It felt like a
 blanket of ice. I shivered and pulled my
 coat tighter around me. The car door
 was open, and I noticed a small puddle
 of water on the ground. I looked at my
 watch. It was 10:15. I had no idea
 where I was or how I got there.

I tried to remember the last thing I
 did before I woke up. I was in a
 room, and I was looking at a picture
 on the wall. I was trying to remember
 what it was, but I couldn't. I felt
 confused and disoriented. I tried to
 get up, but I felt dizzy. I closed my
 eyes and tried to breathe. I was
 alone.

THE END

1911

F
 fun
 fest
 fit
 rat
 fer
 mo
 tic
 an
 the
 ha
 ter
 pl
 wh
 th
 m
 th
 cr
 at
 m
 ch
 ti
 g
 u
 fi
 a
 to
 P
 t

L E T T E R I V.

GENTLEMEN,

IN the foregoing letters I have kept three leading points in view. In the first place, I have endeavoured to give you a summary account of the proceedings in parliament during four sessions, as far as they relate to the many temperate and constitutional propositions which have been made for the restoration of peace between Great-Britain and America, by the opposers of the American war on the one side, and, as far as they demonstrate on the other side, the inflexible obstinacy of administration in driving on that war, at all risques, and to all extremities; and likewise as far as this retrospective view tends to explain all the artful deceptions and misrepresentations, by which ministers have over-reached parliament and their country, under false pretences, into the adoption and support of the war. In the second place, I have endeavoured to prove to you the real motives upon which the ministers of the crown have undertaken this war; viz. that they have had no national object in view, whatever they may have pretended, but that the real purpose, which has actuated their measures, has been to establish an influential dominion in the crown, through the means of an independent American revenue, at the disposition of a royal sign manual, uncontroled by parliament. In the third place, I have endeavoured to vindicate the character and conduct of a large party of persons of the first distinction and importance in this country, on the subject of some groundless charges, and insidious insinuations, which have been very unjustly thrown out against them. If I have not, in some degree, succeeded in these points, I shall have thrown away much labour, and shall have given you the trouble of reading some long letters to very little purpose. If I have made any impression by these preliminaries, I should then begin to flatter myself, that out of them, some road may yet be attempted, towards a national recon-

ciliation between Great-Britain and America; for it is this great point of a national reconciliation, which I ever have, and ever shall strive for, as the only fundamental remedy to the present evils. I am confident, that this is still practicable upon grounds of reason, honour, and justice.

Having, as I think, brought to demonstration the real motives which have actuated the administration in this American war, I shall henceforward assume those proofs as grounds of argument to proceed upon. The application of them is very short and direct. His Majesty's ministers have devised, advised, and pursued the measures of the American war, with the view, and to the intent, of establishing an independent dominion and revenue for the crown in America, uncontrouled by parliament. The accomplishment of these objects, if they could have been thus accomplished, would have been equally destructive to the liberty and constitution of Great-Britain, as to the liberty and constitution of America. Therefore, those ministers, from whom such measures have proceeded, are the common enemies of both countries. The direction of the blow was aimed through the sides of America, to the heart of the British constitution, and to the deepest roots of our domestic safety. The pretext of a national and parliamentary revenue from America, was insidiously put on as the mask to conceal the real object, the sign manual. This pretext was held out to the nation as the grand object of the war, and was artfully urged upon their representatives in parliament, to urge them into the adoption of the war, by the temptation of beneficial views for their constituents. America saw through all this ministerial juggle; America advertised you of it. Hear the words of America in the year 1774, to their British brethren and friends: " Admit that the ministry should be able to carry the
 " point of taxation, and reduce us to a perfect state of humiliation
 " and slavery. Such an enterprize would doubtless make some
 " addition to your national debt, which already presses down
 " your liberties, and fills you with pensioners and placemen.—
 " Remember the taxes from America; the wealth, and we may
 " add, the men, and particularly the Roman Catholics, of this vast
 " continent, will then be in the power of your enemies; nor will
 " you have any reason to expect, that, after making slaves of us,
 " many

" many among us should refuse to assist in reducing you to the same
 " abject state.—Do not treat this as chimerical.—Know, that in less
 " than half a century, the quit-rents, reserved to the crown, from
 " the numberless grants of this vast continent, will pour large
 " streams of wealth into the royal coffers; and if to this be added
 " the power of taxing America at pleasure, the crown will be
 " rendered independent on you for supplies, and will possess more
 " treasures than may be necessary to purchase the remains of li-
 " berty in your island.—In a word, take care that you do not fall
 " into the pit that is preparing for us." These are the friendly
 cautions of America to Great-Britain, in the very outset of this
 fatal war. Can you wonder then, that an insidious ministry should
 incessantly labour to excite anger and misunderstandings between
 Great-Britain and America, and to intercept all mutual commu-
 nication of sentiments and common suspicions, which might lay
 open their secret designs against both parties? Can you wonder,
 that they should be so studious to stifle all addresses, remonstrances,
 and arguments, from America, which might unfold tales of jea-
 lously to British ears; or that they should strive to divert, by the
 din of arms, the national attention from taking those warnings
 which might give the alarm at home. The interests of Great-Bri-
 tain and America have been but one common interest, and the in-
 sidious attempts of the ministry have been equally hostile to both
 parties. The cause of America is the cause of the British nation.
 The security of America is our security. America has been the
 true friend of Great-Britain; America is the true friend of Britain,
 and will ever remain so, if we will be friends to ourselves and to
 our own true and permanent interests. Every attempt of the
 ministry and of their partizans, to excite and foment disgust and
 resentment between Great-Britain and America, should be the
 ground of a jealous caution not to fall into such a snare. The cha-
 racter of a mischief-maker is always a justifiable subject of suspicion.

My reason for believing that the road is still open to reconcili-
 tion between the two countries is this, because the ministry,
 with all their arts, have not yet been able to alienate the hearts
 and affections of the two parties from each other. For where
 there has been a deep original foundation of affection, and where
 there still remains a common interest, and a ministry their com-

mon enemy, there is an instinctive sympathy, which will suspend the fatal and final alienation. In every word, and every declaration, which has come from America, the line of distinction is marked between the people of Great-Britain and the ministry. The war is stiled the ministerial war, as in truth it is, and always has been; the troops are stiled the ministerial troops; the hostility is between America and the British ministry. The national sentiment of this country towards America, is likewise still entangled in the bonds of antient affection. Though great pains have been taken to excite disgust and animosities, yet the national mind is tardy and unsusceptible of resentment towards their antient friends, and those of their own consanguinity. The remembrance of former friendships is not yet obliterated from our minds, and I hope it never will be. We have not yet forgot the wound which they received fighting on our side, for the extension of the British empire, in the late glorious war. Prior to that æra, and before the new-sangled system of administering the government of colonies by a royal sign manual, we were content with drawing from them the wealth produced by their commerce; we restrained their trade in every way that could conduce to our emolument. We exercised an unbounded sovereignty over the sea. We named the ports and nations to which alone their merchandize should be carried, and with whom alone they should trade; and though some of these restrictions were grievous, they nevertheless did not complain; they looked up to us as the parent state, to which they were bound by the strongest ties, and were happy in being instrumental to our prosperity and grandeur. What benefits, or what protection, were they not intitled to in return; or what benefits and protection, did they or could they receive, to which these were not ample and grateful retributions? Did they not, in the last war, add all the strength of that vast continent to the force which expelled the common enemy? Did they not leave their native shores, and meet disease and death, to promote the success of British arms, in foreign climates? Did we not return them the acknowledgement of parliament for their active zeal and strenuous efforts, and even reimburse them large sums of money, which, according to our own estimates, they had advanced beyond their proportion, and far beyond

beyond their abilities? Upon what arguments then can the false charges of ingratitude on the part of America to Great-Britain, which have been suggested by an ill-designing ministry, consist with such public parliamentary testimonials to the contrary? The innovations of taxing unrepresented colonies, for the purpose of revenue in a British parliament, and of the warrants by sign manual, were brought forth by British ministers. All that America desired was, to remain upon the terms existing between the two countries in the year 1763; all that they petitioned for in the beginning of this war was, that they might be permitted to return to the condition of that happy period. If these petitions had been complied with, America had still been our's.

When all these transactions shall come hereafter to be revised in some cooler hour, I am confident, that there will not be found a man with a British heart who will not say, that, in the same circumstances, he would not have acted as the Americans have done. The fundamental rule of distributive justice throughout life is, not to do to others that which we would not have done to ourselves. Following this rule, apply a case by supposition to any British town or port, similar to the case of America. If every ship belonging to the port of Hull, trading to the Baltic, were obliged by law to offer their cargoes at the London market, both in going out and returning, would they not think themselves intitled to some immunities from the other common burthens of the state? Suppose then, that such a monopoly of trade had been for many years accepted, and acquiesced in by the respective parties, as equivalent to the ordinary proportion of contributory supply; if then, upon a sudden innovation, a Parliament of Londoners were to say, "Tax the port of Hull, not in common with ourselves and our constituents, but singly and separately by themselves, for our relief;" what would you say to this? Now hear the words of America upon this actual case, in a memorial to Great-Britain, in the year 1775, which was unheard and unnoticed; and then decide: "It is alledged, that we contribute nothing to the common defence. To this we answer, that the advantages which Great-Britain receives from a monopoly of our trade, far exceeds our proportion of the expence necessary for that purpose. But should these advantages be inadequate thereto, let the restrictions on

"the trade be removed, and we will cheerfully contribute such proportion when constitutionally required." What cause of offence was there in these words, that they should not be received, heard, and canvassed? Do they contain any violation of the principles of national justice, generosity, or gratitude? Certainly not. Then why were they not received and heard? Plainly for this reason, that any ostensible parliamentary contributions from America, to the common national supply, would not have been disposable, by a surreptitious sign manual, to the secret services of ministerial influence. This field of canvassing the merits of the American question generally would be boundless; therefore I shall not pursue it, that I may not over-charge or embarrass the main object which I have in the view of my present arguments. My object is, to seek out for some foundation of national reconciliation between Great-Britain and America, by palliating animosities, and by obviating the charges of injustice and ingratitude, which an invidious administration have laboured to establish against America, in despite of truth and recorded facts.

The conduct of America has been grievously misrepresented. Their accusers are an Administration, the tenor of whose conduct has been found to be no better than one uninterrupted system of simulation and deceit, and whose obvious purpose it is, to prevent a national reconciliation, which might in its consequences bring to light the secret and unknown deeds of darkness. The suspicions justly attached to the characters and conduct of such accusers, ought to weigh in the balance of favour towards the party accused; more especially when the accusers have secret and interested views of their own, and when they are well known to have suppressed all evidence and intercourse of communication, which might have elucidated the truth. Add to all this, that the system of ministerial influence in that parliament, where America has had no representatives, but every motive of interest adverse to them, is acknowledged to be absolute in its effect, and irresistible. The accusers, being interested parties themselves, have usurped the place of judges in their own cause, and have condemned America to fire and sword, unheard.

These are irrefragable truths, and will, sooner or later, find their way to the generous hearts and judgments of the British nation, who

who have hitherto been deceived; America knows that they have been deceived. They have seen the serpent instilling poison into the ears of their unsuspecting friends and brethren, for secret purposes. I firmly believe, that their hearts are still open to a national reconciliation. They do not impute their injuries to the people of England, but to the common enemy, who has entertained secret designs equally hostile to both parties.—Remember the sign manual.—Well might that great man, the Earl of Chatham, who had penetration and foresight to dive into the deepest recesses of ministerial subtlety, say on this subject, thirteen years ago, “I rejoice that America has resisted. Three millions of people, so dead to all the feelings of liberty, as voluntarily to submit to be slaves, would have been fit instruments to make slaves of the rest.” Who does not now rejoice, as one gain at least amongst all our losses, that ministers have been baffled in their secret designs of establishing in America an unlimited dominion and revenue to the crown, independent of parliament?

Thinking, as I have always thought, that the foundation and prosecution of this war against America has been unjust; and being confident in the integrity and generosity of my country, that they would not have given the least national countenance to unjust measures, believing them to be unjust; I have taken some pains to lay open those insidious arts, and the motives of them, which ministers have practised, for the purposes of deception, that I may contribute my feeble effort to vindicate my country at large from so grievous a charge, as that of supporting an unjust cause, knowing it to be unjust. I do it likewise with another view, more immediately leading towards some future, and, I hope, not distant national reconciliation with America; for as long as America remains convinced, that all her injuries and persecutions are owing to a ministry, possessing an uncontrollable influence over parliament, and not to the body of the British nation at large, so long will the door be open to national reconciliation. America, under all her sufferings, has adhered to the firm belief of these truths; neither have they, in the utmost bitterness of their woes, accused their British friends of having been accessory or consenting, but in as much as they have been deceived and misled, or over-ruled by the most cogent and uncontrouled mini-

sterial influence in parliament. This temperate forbearance of national reproaches, under such severe trials, will not fail soon to meet with a just retribution, and recompence of a reciprocal national affection. The people of England have already begun more than to suspect the concealments and deceptions which have been practised. Justice will at length prevail, and, I hope, that Great-Britain and America will reap the triumph over the common enemy, in a mutual national reconciliation.

If there be any sense of justice left amongst men, what shall be said of an administration who have inflexibly persisted in this American war, to the destruction of, so many thousands of lives, and to such universal misery and devastation, knowing and being convinced in their minds and judgment all the while, that every real and pretended object of their pursuit, was *less beneficial to their own country, and less safe to all parties,* than those offers from America which might have been secured to this country without shedding one drop of blood, but which they refused, insulted, and rejected with contempt. When I bring this charge, to the internal conviction of their own minds, against the acts which they recommended and enforced to parliament, I do not mean to shelter myself under the construction, that the arguments on our side of the question were so cogent, that men of political experience, and versed as they were in all the nicest intricacies of the dispute, and in all the true state of facts, could not withhold their conviction. I mean to adduce proof positive, public, avowed, and proclaimed under their own authority.

The foundation of the present American war, as laid in the year 1774, rests specifically upon the refusal of administration (and, thro' their means, of parliament) to comply with the terms of the fourth resolution of the Congress assembled at Philadelphia in September 1774. The claims which they assert in that resolution as their rights, and the offers which they made to this country as a ground for peace, are contained in the following words: They say, "That they are intitled to a free and exclusive power of legislation in their several provincial legislatures, where their right of representation can alone be preserved in all cases of *taxation* and *internal policy*, subject only to the negative of their sovereign in such a manner as has been heretofore used and accustomed.

But

" But from the necessity of the case, and a regard to the mutual
 " interests of both countries, we *cheerfully consent to the opera-*
 " *tion of such British acts of parliament* as are bonâ fidê restrained
 " to the regulation of our external commerce, for the purpose of
 " securing the commercial advantages of the whole empire to the
 " mother-country, and the commercial benefits of its respective
 " members, excluding every idea of taxation, internal or external,
 " for raising a revenue on the subjects in America without their con-
 " sent." This resolution is a breviatè of all the ostensible grounds
 and pretences for the war, viz. the controul of the provincial
 legislatures,—parliamentary taxation,—and the restrictions upon
 trade. I appeal to the memory of every member in parliament,
 and of every person who attended our debates, whether this re-
 solution was not invidiously commented upon, and twisted about
 by ministers, to every possible construction of jealousy and of-
 fence;—the claim of free provincial legislation was inadmissible
 as a claim of independence, and as destructive of the fundamen-
 tals of the British constitution;—the universal exercise of the
 right of parliamentary taxation was the very heart-string of the
 whole empire;—and the *cheerful consent to the operation of*
British acts of parliament was a language of insolence, on the
 part of subjects, intolerable to a British legislature.—These were
 the arguments used. The supreme domination and omnipotence
 of parliament (for that was the word) were to be maintained un-
 impeached and unimpeached at all events; and the *cheerful consent*
 of subjects under this omnipotent legislature was treated with the
 most ineffable contempt; but not indeed with more contempt
 than ministers were at that moment treating that very parliament,
 which was their most credulous and most obedient organ of om-
 nipotence. For you are not to suppose that ministers, that wise
 and deep politicians, were dupes to these gaudy and high-sounding
 pretexts of their own fabrication. No; such toys were well enough
 to amuse a poor nation's credulous representatives. These men
 of wisdom, experience, and enlightened principles, looked down
 with compassion upon such narrow and pedantic systems. In
 the wide expanse of their discernment, it was intuition to them,
 that liberated trade and freedom of provincial legislatures were
more beneficial, even to their own country, than the original plans
of

of settlement conceived to restrain the trade, and to controul the internal government of the colonies; and that the copious stream of voluntary gifts, flowing from free and expanded hearts, would be more safe to all parties than any arrangements calculated to form a revenue in America at the disposal of parliament. Need I now quote to you the documents of proof, or remind you that these are the public, avowed sentiments and principles of the ministers of the American war, thus proclaimed in America, and before the face of all the world? Has no man felt for the humiliation of his country, to see it laid prostrate, by a proclamation to this import, at the feet of America, humbled in the dust, and its honour thus surrendered as the hostage of expiation for the pre-meditated and pre-concerted crimes of its ministers! Need I tell you, that these, which I have cited to you, are not only the sentiments, but the very words of a proclamation, of national recantation, of every principle upon which the American war has been supported;—a proclamation issued by commissioners, acting under the authority of an act of parliament, and under the special instructions of the guilty and conscious ministers of this vindictive and relentless war? It is painful to me to give you a history in detail of the disgrace of my country, and to dwell upon the public exposure of a great nation, set, as it were, to do penance in the persons of their parliamentary commissioners, at the gates of America, and in view of the whole world present and to come, for the deceptions which have been imposed upon them by their ministers, who, having betrayed their confidence, thus insult them in their disgrace. The act is public, recorded, and irrevocable. You see the rewards which ministers have kept in reserve for their faithful parliament. Had they succeeded in their objects of an independent revenue and dominion, a British parliament would have been reduced to the insignificant condition of a Castilian Cortes; being defeated, they have at once made a public sacrifice of every ostensible principle of the war, and of the honour of parliament itself, for having reposed trust in their professions, with an unlimited, but too credulous confidence; while they themselves, thinking their deep designs still impenetrable, are brooding, with secret and corroding regret, over the loss of the only objects of their affection, viz. an independent revenue and

and

and dominion, and meditating further plans of vengeance for the defeat.

The state of this proclamation, of which I have been thus led to anticipate the explanation, is this: The Commissioners appointed under the late act of parliament for quieting the troubles in America, soon after their arrival at Philadelphia, sent a letter directed to his Excellency Henry Laurens, the President, and other members of Congress, bearing date the 9th of June 1778, and signed Carlisle, William Eden, George Johnstone. This letter, among many other propositions, contained the following offers:—"To extend every freedom to trade, that our respective interests can require," and "to establish the power of the respective legislatures in each particular state; to settle its revenue, its civil and military establishment; and to exercise a perfect freedom of legislation and internal government." These are most precisely the identical offers which were contained in the fourth resolution of the American Congress, in the year 1774, previous to the commencement of this bloody and desolating war. In the course of subsequent transactions, the Commissioners, viz. the Earl of Carlisle, Sir Henry Clinton, William Eden, Esq; and George Johnstone, Esq; publish a proclamation, in which they recite the terms of accommodation offered to Congress, and assign the following argumentative explanation of the principles and motives upon which those offers were made—"Those propositions we have made in the hope, that they may become *more beneficial to our own country*, in the present situation of affairs, than the original plans of settlement, conceived to restrain the trade, and controul the internal government of the colonies, *and more safe for all parties*, than any arrangements calculated to form a revenue in America, at the disposition of parliament," &c. If these are sound, fundamental, and liberal truths now standing upon their own internal arguments, *as more beneficial even to our own country, and more safe for all parties*, they were equally so in the year 1774, when these very offers were indignantly vilified and refused to the humble petitions of America. Now let ministers answer to God and to their country for the blood which they have shed. Why have they wasted millions upon millions of the national revenue and resources? Why have they sacrificed

the

the lives of thousands upon thousands of mankind? Why have they carried misery and desolation throughout the whole continent of America? Why have they armed their savages with tomahawks, and put poniards into the hands of negroes? Why have they pursued objects through every cruelty, confessedly not *even beneficial to their own country, nor safe to any of the parties,* and which they now proclaim to all the world, that it would have been the truest wisdom in their country by choice to have avoided? That they have been forewarned of these truths by every friend to their country, a thousand and a thousand times over, is known to all the world; therefore they have not the excuse of ignorance or inadvertence to plead. That the numberless irresistible and irrefragable arguments which have been incessantly urged to them upon these topics, could not fail to produce this conviction, no man doubted, even before this self-convicting proclamation. We had full and sufficient proof of this at the time of opening the conciliatory bills to the House; the arguments for which were stated upon the very same doctrines as those contained in this proclamation; and a parliamentary reversal of all the measures which had been adopted at the recommendation of the ministry for four years together, was proposed, and justified, upon the admission of the solidity and truth of every principle and argument, which had been urged by the opposers of the war, from the very commencement of it; but that transaction having passed only in loose words spoken in debate, and in the person of a minister, there was no remaining record of the public disgrace. In this case the nation is held out to all the world in the act of recantation; renouncing, by public proclamation, every principle upon which their ministers had pretended to justify the foundation, or the pursuit, of any one avowed object of the war. This is national penance and humiliation indeed!

It may be my misfortune to be too jealous of the honour of my country; but to my apprehension, the arguments of the proclamation imply no small degree of contempt for the dupery of parliament, in having swallowed such gross absurdities as those which are reprobated in the proclamation. *The original plans of settlement conceived to controul internal government in the Colonies;* which, in the preamble to the late Massachusetts's charter-act of the

the year 1774, were conceived, by that credulous parliament, to be *absolutely necessary to the internal welfare, peace, and good government of the said province, and to the continuance of the mutual benefits arising from the commerce and correspondence between this kingdom and the said province*, are now derided, as the narrow, illiberal, pedantic follies of dark and ignorant times, and, *not even beneficial to our own country*. The next object held out in the proclamation for derision, is the minister's own conciliatory proposition, and therefore the parliament, who with implicit confidence gave their support to it, *an arrangement calculated to form a revenue in America at the disposition of the parliament*. This can mean nothing but Lord North's conciliatory proposition, as commonly called; which, if it was any thing intelligible, was probably an attempt towards *an arrangement*, for it was not a tax direct. The Stamp Act was a tax. The Tea Act was a tax. All acts of parliament upon this subject have been taxes, either for regulation of trade, or for revenue; but for this proposition of Lord North, there could not be found words in the language so perfectly adapted to draw out the features of derision as those of the proclamation, *arrangements calculated to form a revenue*, and so forth, in contrast to the productive, constitutional, and approved mode by free requisitions. This is a new spectacle to the world. A British Chancellor of the Exchequer, a First Minister set at the head of three kingdoms, and lately of thirteen provinces, is held out to America, and exposed to all the world, in a proclamation, under his own authority, as the calculator of *arrangements unsafe for all parties*.

There are some words in this proclamation which I hardly know in what sense to take; they seem intended, as it were, to soften and to qualify the abrupt and blunt avowal of the self-convicting doctrines included, and evidently betray a consciousness, that this proclamation not only surrenders up every pretended principle of justice on the part of the administration, who have carried on this war, but that it will open the eyes of all mankind, to the wilful criminality of their conduct, and lead to this obvious inference, that the British ministry have knowingly, and against the conviction of their own minds, sacrificed the true interests of their own country, and violated all the rights of mankind, in the

pursuit of their own clandestine and illicit objects. The qualifying words which I allude to are these; *in the present situation of affairs*; that is to say, the ministry having failed in their secret designs, and being beaten. What has their being baffled and beaten, (which they so delicately express as the present situation of affairs) to do with the justice of the foundations of the war? Is freedom of provincial legislation in all cases of taxation and internal policy, *more beneficial to our own country, and more safe to all parties*, than parliamentary interference and controul, because the ministry are beaten? Are free requisitions preferable to any arrangements calculated to form a parliamentary revenue, only because the ministry have been foiled in their attempt of establishing an independent revenue for the crown? No! There is no coherence in the argument of such wretched pleas to qualify their guilt. The blood of thousands of their fellow-creatures, wilfully and premeditatedly shed in an unjust cause, will be required at their hands, who thus proclaim to all mankind, that they have not scrupled to sacrifice the beneficial interests of their country, and the safety of its dependencies, till they had taken their full stretch of vengeance, in their attempts to destroy, and to lay waste, to the utmost of their malignant power, the lives, liberty, property, and all the rights of mankind.—When men are once immersed in wilful and premeditated crimes, the more they struggle, the deeper they plunge; every word that proceeds from them betrays their conscious and unrepenting guilt. Thus it is with these shallow, qualifying words, *the present situation of affairs*, which are but the flimsy palliatives of conscious guilt but too surely they betray the malignant nature of that abundant store from which they proceed, and that it is necessity, and not remorse, which has extorted the concession.

If the disgrace of ministers had been the whole of the matter, there would have been but little cause of regret; but unfortunately for us, the irretrievable disgrace of having waged a cruel war, for unjustifiable and destructive ends, is fixed upon our country, by a public avowal upon principle, that the terms offered by America in the year 1774, before the war, ought to have been accepted as foundations of peace, from their own intrinsic equity and merit, as being *more beneficial to our own country, and more*

safe

safe to all parties. Ten thousand proclamations after this will never set us, in the opinion of mankind, upon the ground of justice in this contest. The truth is plainly this; when the ministry had lost their objects, dominion and the sign manual, they set no value upon the pretexts. Their cloak then became troublesome, and they threw it away. Could there possibly be any doubt that the real objects of the war have been dominion and the sign manual, this proclamation would clench conviction; for had the ostensible objects of the war been the real ones in the view of ministers, the concessions which are now made, as upon the reason and justice of the case, might as easily have been made at the time when these very terms were offered in the 4th resolution of the Congress of the year 1774. If indeed the shedding a deluge of human blood be a matter of indifference to ministers, they have but little to regret; for if they had been successful in the utmost degree, even to reduce America under their feet, the argument of the proclamation declares, that they would have voluntarily surrendered every ostensible object of the war; which screws up the dilemma clearly to this alternative, either that this war of unexampled barbarity and devastation was carried on by the ministry for no motives at all, or that the real motives were different from those which were held out ostensibly. Dominion, and the sign manual, have been those motives, thus pursued in blood.

What retribution shall now be thought due to America, for all the blood of theirs which ministers have cruelly and wantonly shed, and for all the devastation which they have committed to the utmost stretch of malignant fury? If the magnanimity and justice of the British nation be not extinguished; if the agonies of childless parents, the desolation of widows, and the tears of orphans, can touch the feelings of their hearts; if the bitter woes of cruel and unmerited injuries, committed upon the descendants of their own blood, can move them to vindicate the violated rights of humanity, against the devices of wicked ministers, and evil counsellors; if the ties of common interest and consanguinity were ever dear to them; or if the renewal of friendship and fraternal affection be still grateful to their hearts; hear the last and just appeal of America.

" When will our British brethren open their ears to the calls
 " of justice and to the cause of humanity? In vain have we ap-
 " plied to them, to guard them against the insidious arts of an ad-
 " ministraton, as treacherous in their designs upon them, as cruel
 " and vindictive in their acts towards us. All our remonstrances
 " have been represented as factious and seditious, and have been
 " perverted to disgust by those very ministers, whose malignant
 " designs they were intended to disclose. But the reality of the
 " truths contained in them stands now confessed. The contest
 " has been severe to us, but the dark designs of those wicked mi-
 " nisters have at length been defeated, and the redemption of
 " British as well as American liberty has been purchased at the
 " price of our blood. The common enemy is overthrown; and
 " in the rage of the disappointment, they have confessed their
 " guilt. They have now openly avowed, by public proclamation,
 " that the pretended objects of their pursuit would not even have
 " been beneficial to their own country, nor safe for its dependen-
 " cies. Why have you not believed us, when we have advertised
 " you of these things, before they were thus cruelly written and
 " recorded in the characters of our blood? We have reposed
 " the highest confidence in the generosity and good sense of the
 " people of England. We have known that it has been the craft
 " of your ministers, to urge on their own secret and sanguinary
 " designs, through the instrumentality of a parliament, over which
 " they have obtained a most uncontrollable ascendant. They have
 " persuaded the British nation to distrust our most earnest appeals,
 " to reject our petitions, and to turn aside from our affectionate
 " applications to them, with the most unfeeling indifference. Yet
 " we may with confidence appeal not only to our words, but to the
 " whole tenor of our actions, for proof, that, from the very outset
 " of this contest with your ministry, whom we have always confi-
 " dered as our open and your secret enemies, we have studied in
 " every part of our conduct, to preserve inviolate the national
 " connection and affection between us. Your ministers may have
 " persuaded you to disbelieve those professions of affection and at-
 " tachment which we have made personally to you; yet if these
 " things had not really been so, why should our own Congress
 " have been so earnest to remind the people of America of those
 " affections,

"affections, and to cultivate in them the continuance of such
 "sentiments, towards the parent state? Hear the words of the
 "first Congress in the year 1774, in a memorial addressed to their
 "constituents the people of America, giving an account of the
 "motives which had regulated their consultations and conduct."
 'Regarding with the tender affection which we knew to be so
 'universal among our countrymen, the people of that kingdom
 'from which we derive our origin, we could not forbear to regu-
 'late our steps by an expectation of receiving full conviction that
 'the colonists are equally dear to them. Between these provinces
 'and that body, there subsists the social band which we ardently wish
 'may never be dissolved, and which cannot be dissolved, until their
 'minds shall become *indisputably hostile* or their *inattention* shall
 'permit those who are thus hostile, to persist in prosecuting, with
 'the powers of the realm, the destructive measures already oper-
 'ating against the colonists; and in either case shall reduce the
 'latter to such a situation, that they shall be compelled to re-
 'nounce every regard but that of self-preservation.' "These
 "were not the hollow and insincere professions of which we have
 "been falsely accused, but the truest testimonies of national sincer-
 "ity and attachment. These were the effusions of our hearts,
 "in the trying hours of danger and dismay. Can you find in
 "these words, the machinations of designing leaders, and ambi-
 "tious demagogues, practising, upon their credulous country, the
 "insidious arts of deceit, so well known to British ministers?
 "Would men of this description, and with the designs imputed
 "to them by your ministry, knowing a tender affection towards
 "the parent state to be universal among their countrymen, have
 "thus cherished it in the fond expectation of an equal return?
 "Would they have recommended to their country the most per-
 "severing attachment to those principles, until they should be re-
 "duced to such a situation as to be compelled to renounce every
 "regard but that of self-preservation? Have your ministers
 "acted in the same spirit of reconciliation, of moderation, and for-
 "bearance? Have they interposed the peaceful offices of me-
 "diation to palliate mutual offences, to abate resentments, and to
 "compose animosities? Have they been the blessed peace-makers,
 "or have they not been false calumniators, excitors of jealousy
 "and

" and discord, and the remorseless ministers of dark and sanguinary revenge? Did they not reject our petitions unheard, and cast us out from the national protection, thereby driving us to the reluctant necessity of independence? Were they not the first to avail themselves of foreign alliances, and to introduce unfeeling mercenaries into this civil contest, while we had refrained from calling in the aid of those powers, who were the natural rivals of your grandeur? Have they not prosecuted, with all the powers of the realm, every destructive measure against us, thereby compelling us finally to renounce every regard but that of self-preservation? In addition to all this catalogue of crimes and cruelties, they now proclaim before the whole world, that they have done all these things, knowing, at the same time, that the avowed objects of their pursuit were not even beneficial to their own country, nor safe for its dependencies; thus insulting their country, and deriding its credulity, for lending themselves to their unjust and secret designs. All deception is therefore now done away. Then let the British nation rouse themselves, and vindicate the national honour and justice. Here let them lay the corner-stone of a national reconciliation with America. War can have no shadow of a pretext now, but henceforth must become mere revenge. Let the people of Great-Britain step forth and arrest the bloody hand of undisguised revenge. Let this be the first pledge of future concilement, and the token to us that their minds are not indisputably hostile. All that is now left in their power to do, can amount but to a poor recompence for those numberless miseries, which, through their inattention, a British ministry have been suffered to heap upon our devoted heads. Let it not be recorded of those who have been the assertors of the rights of mankind, and who have vindicated the violated laws of justice, against the ministers of tyrants, that they should knowingly, and with their eyes open, suffer their own ministers to proceed in the violation of all the rights of mankind, on the lives and property of their own brethren and descendants, after a full and acknowledged conviction. Be once more yourselves again, and let justice lay the foundation-stone of peace."

But who can give us assurance that these are *now* the sentiments

ments of America? I reply that you should require that account at the hands of your ministers. That these *have been* the sentiments of America, I have just now given you the proofs; and I am confident, from the general sentiments of my country, that the apprehension of their being no longer so, is, on our part, not unattended with regret. If then our country does but entertain a secret wish, to be rescued from a part of those evils, into which their ministers have plunged them; if they are prepared to receive temperate counsels, and to abandon the suggestions of false pride, and dark revenge, which their ministers are at this moment secretly instilling into their ears, the most distant chance which can be suggested, for restoring the state of national affairs, may be intitled to a dispassionate and calm discussion. I do not mean to speak in any degree as desponding of the restoration of national affairs, under wiser counsels, but lamenting, that whatever change of system may henceforward take place, or whatever reversal of past measures may now be decided upon, yet, that all future remedy must come too late, to restore the thousands of lives, and the millions of property, which have been sacrificed to the cruelty and pride of ministers; or to efface the regret of my country, for having entrusted the powers of the realm, to the most destructive purposes, into such false and faithless hands.

That no consideration of national interests has animated the ministry in any part of their measures, is no less evident in their concessions to America, than in their conduct of the war. The surrender of all the beneficial interests of their country, under the act of navigation, appears to have been totally spontaneous and voluntary on the part of the ministry. There is not the least shadow of an attempt to bargain for any equivalent concession. Under what clause of the conciliatory act can this conduct be justified? The surrender of parliamentary taxation is justified specially under an act for that purpose. The offer of perfect freedom of legislation, and internal government, is justified by an act of parliament, evidently leading that way, by the repeal of the Massachusetts' charter-act of the year 1774. But with respect to the act of navigation, no instructions given by the ministry to the commissioners can be justified, farther than to authorize them to treat and consult, and after such treaty and consultation, to come

to

to any compromise which may be necessary in their judgment and discretion. Unfortunately for us, this act of navigation was not a ministerial interest, it was only a national one. The ministry saw very clearly, that no objects were surrendered by this their sudden and voluntary concession of the act of navigation, which were in any degree worthy of their attention; only such trifles, as the navy of England, the honour of the British flag and name, the commerce, manufactures, revenue, and land-rents of the country, our fisheries, foreign possessions, and domestic security; objects, which, according to their estimation, are not to be held in comparison with the right of appointing governors in America, or the sign manual. I confess to you, that the loss of this act of navigation is a gloomy topic with me, whenever I stumble upon the recollection of it. I do not know whether I should say too much, if I were still farther to confess, that it is the only British interest in America, which I ever took to my heart; but it is gone, irrecoverably gone, and hath not left its fellow behind, though ministers knew not the value of it.

I give but little credit to the good will of ministers, for the pretended relaxation of their conduct towards America; but I flatter myself with the best prospects of some national reconciliation between the two countries, from the ready and universal acquiescence of all ranks of people in this kingdom to the system of concession and accommodation, which has been lately professed by the ministry, and which has been sincerely patronized by the public. We are so far upon the road towards a national reconciliation, that this country has universally declared in favour of an amicable negotiation with America. But still there is one rub, which however, in my opinion, appears by no means unsurmountable. I mean the alliance between America and France. I will endeavour to lay before you what I conceive to be the state of the treaties between those two parties, and to distinguish such parts of those treaties as may remain, consistently with a national reconciliation between Great-Britain and America, from such other parts of them as must necessarily be relinquished, before that reconciliation can take place. There are two treaties subsisting between them, which have been announced to the public, by the declaration of the French court, and by publication of the American Congress, viz. a treaty of commerce, and a treaty of alliance. As to the former, the most strenuous

strenuous advocate for the rights and interests of this country, is no longer intitled to make objection unless it should contain any exclusive articles. The commissioners under the conciliatory acts have made, on the 10th of June 1778, a formal surrender of all the beneficial interests of their country under the act of navigation, by the words, "To extend every freedom to trade which our respective interests can require." The condition expressed in the proposition does not refer to any mutual, combined, or united interest, but to the *respective* interest of each party, and therefore amounts to an absolute concession. Again, in the proclamation which I have commented upon in the former part of this letter, (bearing no date in any printed copy that I have seen, but appearing by the context to have been issued in the latter end of June 1778) they confirm this surrender as more beneficial to our own country than "to restrain the trade of the colonies." Here the words stand simply and unqualified by any reference whatsoever. Again, on the 26th of August 1778, the commissioners reciting, in a declaration of that date, the extent of the offers made by themselves to the Congress, confirm this offer in the following words, viz. "To extend every freedom to trade," generally, and without any words of construction or limitation. Therefore, the surrender of the act of navigation is public, absolute, and unconditional, through the hands of commissioners, acting under an act of parliament, and according to the instructions given to them from the administration. This ministerial surrender of the act of navigation, as executed in form, under the conciliatory acts, amounts to a national ratification of the commercial treaty between America and France. For this country cannot claim any right to rescind any open commercial treaty entered into by America, having divested themselves of all their right and title to oppose any such treaty, by the general and unlimited concession to America of extending every freedom to trade. Your legal attornies have publicly and solemnly ratified that act, under national authority. Ministers, in this unconditional surrender of the act of navigation, have cut off the right hand of their country, and we must submit. There is no redress.

As to the treaty of alliance between America and France, I conceive it to have been, on the part of America, a reluctant act

of self-defence; and on the part of France, I conceive it to have been an absolute and direct violation of the laws of nations, with respect to Great-Britain. On this latter ground, I think my country has a right to demand, that this alliance be relinquished on the part of France. And if I can shew cause to believe that, on the part of America, it was an act of reluctant necessity, I shall hope that this conclusion may be then justified,—that the hearts and wishes of America would readily concur in peace with Great-Britain, upon the terms of the relinquishment of the treaty of alliance, I mean on the part of France. For undoubtedly they themselves will never make a sacrifice of their honour, by breaking a treaty contracted in their necessity, how much soever they may regret that necessity. This treaty, which is now become an alliance between America and France, appears, when it left Europe, not to have been a treaty of alliance, but a treaty of *eventual* alliance. My proofs of this are, first, from the declaration of the French ambassador, *Monf. de Noailles*, on the 19th of March last, in which he says, that the plenipotentiaries of France and America have signed a treaty of friendship and commerce, but without stipulating for any exclusive advantages for France; and he adds, that the King of France has in consequence taken *eventual* measures in concert with the United States of North-America. Again, *Monsieur Gerard*, who was appointed by the court of France to attend upon this treaty in its passage to America, soon after his arrival, on the 6th of August 1778, introduces it to the Congress with these words, “The hostile designs of the common enemy have given, to engagements *purely eventual*, an immediate, positive, permanent, and indissoluble force.”—On the same day the Congress return their answer in the following words: “We ardently wish to sheathe the sword, and to spare the farther effusion of blood; but we are determined, by every means in our power, to fulfil those *eventual engagements, &c.*” This *eventual* treaty was signed by the American commissioners at Paris, just in that period of time while they were kept in suspense as to the nature, extent, intentions, or sincerity, of the supposed conciliatory propositions, which had been announced by the minister three months before. These conciliatory propositions were studiously withheld, while the ministry were using their utmost endeavours

to raise 15,000 men from Scotland, Manchester, &c. and to plunge the nation into the general adoption of the war, by entangling private individuals in subscriptions of money, to be put directly into the hands of the crown, unconnectedly with parliament, for the purpose of supporting the authority of Great-Britain *over the rebellious Colonies*. Such were the terms and objects held out for these subscriptions. But when the bills themselves made their appearance in parliament, which was not till after this *eventual* treaty was signed, their contents were found to be an absolute surrender of all the authority of the parliament of Great-Britain over the Colonies. What then is the charge against this *eventual* treaty? It is this; that America, with an evil mind, engaged in, and consented to, a treaty of alliance with France, having the fullest reason to be confident, that every possible concession, necessary towards establishing a safe and permanent peace, would be made? Upon what grounds were they to conclude this? Did the minister declare that he was preparing a bill for surrendering every claim of parliamentary supremacy over the colonies, viz. parliamentary taxation, parliamentary controul, and the act of navigation? No!—Were they to conclude that the ministry in the cabinet were meditating this universal surrender of all the authority of Great-Britain, from their public and well-known conduct, in employing all their partizans abroad, with the utmost fury, to engage in private subscriptions the *friends to their King and country, in order to support the authority of Great-Britain over her rebellious Colonies?* Surely such conduct on the part of the ministry could not justify the construction of any supposed amicable and pacific dispositions towards America. The only authentic manifestation of the ministerial intentions was conveyed through the King's speech, at the opening of the preceding session of parliament, on November 20th 1777, which declared the necessity of preparing for *such farther operations of war, as the obstinacy of the rebels might render expedient*. The addresses of the two Houses of parliament expressed their full satisfaction and concurrence with such measures. Could it then be expected that the Americans should construe all these concurring testimonies, of the continuance of hostile measures, as so many pledges that the ministers intended to relinquish hostility, and to proceed by the road of

conciliation and unlimited concession? It is an insult upon the understandings of mankind, to pretend, that an explicit declaration of war from the throne is to be considered as a fiction, preparatory to the surrender of every parliamentary claim of legislation and supremacy, and of every beneficial interest of this country. No one can expect that the Americans should have resigned themselves with implicit confidence, in the sincerity and good faith of a ministry, who, in every public act of their own and of their partizans, discovered the certain and unequivocal marks of duplicity. However, under all these justifiable causes of suspicion, they still did not run headlong into an *actual* treaty of alliance with France; as long as the terms of the conciliatory propositions were undivulged, and as long as the mode of the negotiation carried any pretence of being conducted unconnectedly with force of arms, they refused to bind their country to an *actual* alliance; but they transmitted to America a treaty *purely eventual*, which was to receive positive and permanent force, upon the continuation of hostile measures and designs, on the part of the British ministry towards America. It is therefore the British ministry again, who have given the ratification of force and effect to this *eventual* treaty of alliance, while the Americans seem, on the other hand, to have been reluctant, to the very last moment, to shut the door to reconciliation.

It is no secret, that the court of France have acted a cold and unfriendly part towards the Americans, till they had, by their own exertions, established their own cause. There are three millions of people in America as fully convinced of that proposition, as the commissioners themselves, who call the interposition of France insidious. The same three millions of people are equally convinced, that there is no other unsurmountable obstacle to a national reconciliation with Great-Britain, but the fatal interposition of a British ministry, more insidious than the court of France: and, I am confident, that of all the millions of people throughout the French dominions, without excepting the minister himself who signed the *eventual* treaty, there is no one who is unapprized or unconvinced of these truths. It is folly to suppose, that recent, reluctant, and self-interested obligations, on the part of France, should take full and instantaneous possession of the hearts

hearts and affections of three millions of people in America, to the exclusion even of regret upon the loss of ancient hereditary connections and fraternal consanguinity. But there is no road left open for a pacific interview which might lead to reconciliation. There is a British ministry possessing every avenue, and interposing fire and sword. The catalogue of obligations from the court of France towards America is yet but recent, and little more than a blank. It is the British ministry who, by every thought, word, and act, are labouring to fill up the blanks of that catalogue. It was the continuation of the war against America, after the offer of the conciliatory bills, which first gave force and effect to the *eventual* alliance with France; and, therefore, it is the farther prosecution of the same hostile and vindictive measures on the part of the ministers of this country, which alone can drive America still closer into the arms of France, and cement that alliance for ever.

In the whole conduct of America, there is universally the mark of reluctant necessity. If an alliance with France had been their original choice and preference, they need not have concluded an *eventual* treaty. Observe another incident upon the arrival of this *eventual* treaty with America, which cursorily may appear *a trifle light as air*; yet, to my judgment, it bears the mark of deep impression—Monf. Gerard, who attended on the part of his own court, as the anxious candidate for this *eventual* alliance, introduces it in terms denoting his triumphant satisfaction: “The connections formed, by the King my master, with the United States of America, is so agreeable to him, that he could no longer delay sending me to reside among you, for the purpose of cementing those *eventual engagements* which have acquired *immediate, positive, permanent, and indissoluble* force.”—The Congress return their answer in terms of firmness and constancy, but not of triumph—“We lament that lust of domination which gave birth to the present war, and hath prolonged and extended the miseries of mankind: we ardently wish to sheathe the sword; and spare the farther effusion of blood; *but* we are determined, by every means in our power, to fulfil those *eventual engagements* which have acquired positive and permanent force.” They acknowledge that the *eventual engagements* are become

positive

positive and permanent, but upon the terms *immediate and indissoluble*, they are silent: they neither exult in the one, nor declare their assent to the other. If any one does not see in these features the secret tokens of kindness and remaining regret, (*veteris vestigia flammæ*) I think it must be owing either to dullness of apprehension, or to unfeelingness of heart.

I will now enumerate a few plain propositions, of which I hope that I have given sufficient proof: first, that the people of Great-Britain and America are well disposed towards each other, and towards a national reconciliation; secondly, that the conduct of America, in the negociation of the *eventual* alliance, carries evident marks of reluctance corresponding to that limited obligation, which they acknowledge as due to France, for having assisted them in the campaign subsequent to the convention of Saratoga; making abatement for the coldness and inefficacy of their professions, during the campaign of 1777, when their affairs were at the severest trial; thirdly, that America is desirous of peace, or, to use their own words in their answer to Mons. Gerard, *ardently wish to sheathe the sword, and to spare the farther effusion of blood*. In correspondence with this wish of America for peace, Mons. Gerard declares, on the part of his court, in his address to the Congress, that the procuring peace to America is the *object of the alliance*. Upon these grounds, I think, without any deep refinement or research, one simple proposition offers itself, which is, To withdraw the British fleets and armies from America, and to make an offer of peace to America, upon this condition, That the *eventual* treaty of alliance shall be relinquished on the part of France. Who will make any objection? Not America! For if independence and peace be their objects, it can be no grievance to them, to be emancipated from any dependence upon France, and to be released from that *eventual* treaty into which they have entered with so much apparent reluctance. Will France object? In their hearts I believe they will; but I think they will be at a loss for some specious pretext. Will they say to their new allies, whom they treated with coldness and neglect till after the convention of Saratoga, "We know that you *ardently wish to sheathe the sword, and to stop the farther effusion of blood*, but we refuse the condition required on our
" part

" part for the establishment of your peace, although our minister
 " has declared in our name to Congress, that your repose and
 " peace were *the objects of that alliance* ; you have incurred the
 " penalty of the bond, and we will not relax. We are fresh for
 " the contest of war. You have endured much. Let the Bri-
 " tish ministry continue thair ravages of fire and sword through-
 " out your country, if it be their option, as no doubt it will
 " be. *Eventual engagements are become positiv eand permanent,*
 " and they shall remain *indissoluble.*" If that should be the lan-
 guage from France to America, let it work. The very adhe-
 rence to the treaty, on the part of France, must be a breach of the
 fundamental principle of it ; viz. peace to America. There is no
 evasion from this dilemma. If the court of France relinquish
 the treaty of alliance, the Gordian knot is united ; if they refuse,
 it is cut.

So much for this treaty of eventual alliance. But we are not
 upon solid ground yet. Ministers are groping and undermining
 still. The parliament shall not consent. Taxation is gone ; le-
 gislation is gone ; the act of navigation (to my bitterest regret) is
 surrendered. But ministers have still a pretext left. This pre-
 text has not yet received a name. It is some equivocal creation
 between dependence and independence, which is obscurely and
 vaguely hinted at, on the part of the commissioners, in all their
 proclamations and negociations with the Congress, and supposed
 to be necessary to something which they call an *union of force*.
 This ambiguous thing, when dragged out into day-light, will prove
 to be neither more nor less than a scheme to plunge the nation into
 three or four more campaigns, at the additional expence of thirty
 or forty millions, the farther loss of thirty or forty thousand of our
 fellow-subjects, the general devastation of America to the utmost
 stretch of ministerial rage, and the final object, supposed to be at-
 tainable by these means, is stiled an *union of force*. The truth is,
 that this *union of force*, which is infinitely more desirable than the
 dependence of any one nation upon another, might be within our
 reach ; if we would act wisely and consistently. But our ministers
 are striving to lead us in this, as they have done in every thing
 else, to the total destruction of the very object which they pretend
 to pursue. An *union of force* with any nation, can only be
 secured

secured by obtaining the good will of that nation: and therefore the principles of a federal alliance, founded upon mutual affection, common interest, and common consent, must be the only solid basis for an *union of force*. Mutual affection and common interests will bind two nations together, to every effect of an *union of force*, whether they be independent of each other, or one of them dependent upon the other. Observe the course of the reasoning on the part of the commissioners. They say to America, in a letter to Congress, dated July 13, 1778, "We are not inclined "to dispute with you about the meaning of words, but so far as "you mean the *entire privilege* of the people of North-America "to dispose of their property, and to govern themselves without "any reference to Great-Britain, *beyond what is necessary to pre- "serve that union of force*, in which our mutual safety and advantage consists, we think so far their *independence is fully acknowledged* in the terms of our letter of the tenth of June." The passage thus alluded to in the letter from the Commissioners to the Congress of the tenth of June, is their offer "to establish the "power of the respective legislatures in each particular state, to "settle its *revenue*, its civil and *military establishments, &c.*" The Commissioners, after this, proceed to state argumentatively the grounds and principles upon which this *union of force* is to be established. "In the mean time, we assure you, that no circumstance will give us more satisfaction, than to find that the *extent* "of our future *connection*, is to be determined on principles of "mere *reason*, and considerations of *mutual interest*, on which we "are likewise willing to rest the *permanence* of any arrangements "which we may form." If I can understand any course of reasoning, this amounts to a virtual abdication of American dependence, and reduces the whole point to the principles of a federal alliance. The force of a nation is the command of its men and money. The British Commissioners have fully acknowledged the independence of America over their *revenue* and *military establishments*, which are the only branches conspiring to any *union of force*, therefore they have given up the article of independence, as far as relates to an *union of force*. By that cession they have cut off all the claims of this country over the common force, except what shall arise from the common interest and common consent

consent of the parties. There is therefore no way left to effect an *union of force* between the two countries, consistent with the solemn surrender to America of the rights of the purse and of the sword, but upon the principles of federal alliance.

If I could have had my choice of all the arguments in the world, to support the proposition of giving an offer of peace to America, upon the condition of the *eventual* treaty of alliance between France and America being relinquished, I would have taken those very arguments, from the letter of the Commissioners just now cited. The Commissioners have, to every substantial effect, fully acknowledged the independence of America. The proposition, therefore, which I have stated, is only supplementary to this, viz. If America is to become substantially independent of Great-Britain, let them be independent of France and of all the world. Agreed, say the Commissioners, if we can but settle this point of the *union of force*; and all that we require is, "that the extent of our future *connection* should be determined upon the principles of *mere reason*, and considerations of *mutual interest*; on which we are likewise willing to rest the *permanence* of any arrangements we may form." The answer then is shortly this: If America, as the condition of peace, can prevail with the court of France to relinquish the *eventual* treaty of alliance, they will then be free to act as the principles of *mere reason*, and as the considerations of *mutual interest* shall guide them, which is all that the parliamentary commissioners require. The commissioners have, in the most argumentative and explicit manner, abdicated every other claim, and rest all the future *connection* with America, and the *permanence* of any such future *connection*, upon the considerations of *mere reason* and *mutual interest*.

What then have we left to fight for? Every national interest, and all parliamentary claims, have been relinquished by ministers long ago. Even that stumbling-block of independence is now swept away. Ministers do not contend, on the part of their country, for any future claim of rights over America. The utmost *extent* now proposed by them for any future *connection* with America, is to be determined upon principles of *mere reason* and considerations of *mutual interest*. If these are their real principles, why have they not, and why do they not proceed upon the broad

and strait road to peace? There must be some lurking motive which we have not yet fathomed. That lurking motive is still one of the same which has guided their counsels and conduct in every thought, word, and deed. They are still hankering, to the very last expiring struggle, after that unconquerable and everlasting attachment of their hearts, dominion under the royal name.

A very few words to supply the context will make the whole system perfectly intelligible. Parliament, indeed, shall make an absolute surrender of the purse and of the sword to America, saving and reserving to the crown, the command over the money and men of America, as necessary to an *union of force*. This substitution of the crown is no strain upon the construction; it is always tacitly understood, unless it is expressly relinquished. It emerges, of course, upon any question of executive or federal powers. I will now quote to you the words of a proclamation of the British commissioners in America, in which (without even a transient thought of parliament) they plead very pathetically for the re-admission of royal prerogatives into America. You may then judge, whether I have given an unfair or uncandid construction of it. It is another part of the same proclamation of which I have spoken so much already: the words are as follow: "The Congress, the assemblies, and the people of America, will judge for themselves, whether that *union of force*," (viz. under the crown) "which we, on our part, deem of so much advantage to Great-Britain, may not be of equal advantage to them. And whether the internal peace of their own system will not be more secure under the title and majesty of the King of Great-Britain, whose prerogatives are exercised within strict limitations, and whose authority will insure the regular execution of every law, that may be provided by the representatives of the people, &c." These are new doctrines, to be held out in a proclamation by parliamentary commissioners. The nation has been immersed in profound darkness and errors for many years; they have been instructed to believe, that they were fighting for some national rights, or for parliamentary supremacy; but they have been grievously deceived, and misled: Dominion and Prerogative have been the Alpha and Omega. I believe we are now got to the very bottom of all bottoms. Parliament may surrender
its

its supremacy and legislation, and taxation, and the act of navigation, and all the beneficial interests of the nation : but if ministers could prevail, to establish the crown at the head of all the executive and fœderal powers of the whole continent of America, independent and uncontroled by parliament, all would again be well for them. Thirty or forty millions of money at the nation's cost, and thirty or forty thousand lives, are matters of very trivial considerations in the pursuit of such objects, for the purpose of augmenting the power of the ministers of the crown ; but certainly for no purpose beneficial to our own country. These are the objects which ministers have invariably pursued, from the first to the last. Such propositions as these being avowed and recited in a public proclamation, viz. to invest the crown with all the executive and fœderal powers of the whole continent of North-America, independent of a British parliament, and this after the surrender of every national interest and parliamentary claim, brings up the charge to proof positive—and I will venture to say, that they never will voluntarily relinquish those objects, till they shall have attempted to wreck their vengeance upon America, for their defeat, by a savage and universal devastation of the whole continent ; or until they shall have brought on some national convulsion at home, perhaps the destruction of their country.

It is a matter of astonishment to me that ministers, how little soever they may value the interests of their country, should not at least begin to entertain some apprehensions for themselves. It is a hazardous responsibility which no wise man would take upon himself, To lead a country to ruin. They have already involved us in a war with one branch of the House of Bourbon, and Spain is under arms.* When the day of terror and consternation comes, will

* The following List may be depended upon as authentic.

Lista de la Esquadra que esta al presente armada, y preparada para hacerse à la Vela, en Cadix, los 12 Sept. 1778.

<i>Navios.</i>	<i>Canones.</i>	<i>Navios.</i>	<i>Canones.</i>
La Santissima Trinidad	- 122	El San Nicholas de Bari	- 80
El Fenix	- - - - 80	La Princefa	- - - - 70
El Rayo	- - - - 80	El San Joseph	- - - - 70
El San Fernando	- - - 80	El San Lorenzo	- - - 70
El San Luis	- - - - 80	La Santa Isabel	- - - 70

will the nation stand their friend, in return for that unvaried system of falsehood and deception; under which they have wasted millions upon millions, destroyed thousands upon thousands of their fellow-subjects, and have made an universal sacrifice of the beneficial interests, the honour and reputation of their country?—Will an obsequious parliament protect them?—Let them not trust too far to that. The day may come when a ministerial majority may hide their diminished heads: that complacent majority are best suited to success and fair weather. If the storm begins to gather, the tables may be turned, and ministers themselves may be bought and sold. Thus much for what is called the ministerial majority. However, things are not yet come to that pass, that this ministerial majority is the whole body of parliament. The country members, and country gentlemen, carry respect and confidence wherever they go. They may be liable to deceptions as other men are, but it is not possible to suppose that they

<i>Navios,</i>	<i>Canones.</i>	<i>Navios,</i>	<i>Canones.</i>
El San Francisco de Asis	- 70	El Vencedor	- - - - 70
El Santo Domingo	- - 70	El San Miguel	- - - - 70
El San Patqual Baylon	- 70	El San Eugenio	- - - 70
El San Julian	- - - - 70	El Santiago Espana	- - 60
El San Francisco de Paula	70	El Dragon	- - - - 60
El San Raphael	- - - 70	El Astuto	- - - - 60
La Galicia	- - - - 70	El San Isidoro	- - - - 60
La Gallardo	- - - - 70	La America	- - - - 60
El Diligente	- - - - 70	El San Leandro	- - - 54
El San Pedro Apostol	- - 70	<i>Fragatas.</i>	
El Guerrero	- - - - 70	La Liebre	- - - - 36
El Poderoso	- - - - 70	La Santa Lucia	- - - - 36
El San Isidro	- - - - 70	La Santa Rufina	- - - 36
El Victorioso	- - - - 70	La Santa Cecilia	- - - 36
El Angel de da Guarda	- 70	El Carmen	- - - - 30
El San Pablo	- - - - 70	La Santa Barbara	- - - 30
El Oriente	- - - - 70	La Santa Monica	- - - - 30
El Atlante	- - - - 70	La Esmeralda	- - - - 30
El Velasco	- - - - 70	La Santa Clara	- - - - 30
El Glorioso	- - - - 70	El Chebequin Andaluz	- - 30
El Terrible	- - - - 70	<i>Y 7 ò 8 Urcas, & 40, 30 y 20</i>	
El Monarca	- - - - 70	<i>canones.</i>	

they can have any interest, adverse to the good of their country. If their country falls, they must fall too. They are the most disinterested parliamentary guardians of their country, because they are most interested in its safety and welfare.—Will ministers take refuge in the crown for protection?—They have but little merit to claim there; they have made a sacrifice of every true and permanent interest of the crown, to procure for themselves the influence of unlimited dominion under the royal name. They have stript the crown of thirteen provinces, and of three millions of subjects. They have played a deep game, but they have left the crown to pay the forfeit; and I will venture to foretell, that there the end will be, of the fidelity of such servants to the crown. Ministers after defeat will be as little attached to the ruins of power, as in the fullness of success, and in the meridian of that power, they could have been to the real interests of their country. There is no man now left to stand their friend. Their own situation is become as desperate as that to which they have reduced their country. They have neither brought that success which they so confidently promised, nor that peace which they so insidiously simulated. Until they shall restore their country to honour, safety, and peace, they will have no title to security against its future resentments.

I shall now conclude this long chain of facts and arguments, which I have endeavoured to arrange and discuss, according to the best of my abilities, in the order of their connection and dependence upon each other. Arguments which are founded upon facts of deep, and national importance, can never be uninteresting in their result. If I have in any degree been successful in arranging these facts and arguments, towards any result which may facilitate the restoration of peace, and national reconciliation between Great-Britain and America, and to the establishment of the honour and permanent interests of my country, it is the utmost limit of my ambition. The facts and arguments, which I have stated to you, are of such interesting importance, as will, by their own weight, claim your most serious and considerate attention. I have nothing therefore now left, but to intreat for myself your candid interpretation, and the continuation of those favourable

favourable sentiments, for which I am already so deeply indebted to you. Believe me to be, a lover of my country, a friend to peace, and to the rights of mankind.

I am,

With the greatest Respect and Consideration,

GENTLEMEN,

Your much obliged, and

faithful humble Servant,

D. HARTLEY.

Sodbury, Oct. 29, 1778.

To

The Right Worshipful the Mayor and Corporation,

To the Worshipful the Wardens, and

Corporation of the Trinity-House, and to the

Worthy Burgesses of

The Town of KINGSTON-UPON-HULL.

⚡ The Binder will observe, in folding the Signatures G, H; M, N; and P, Q, that they are printed as Half-Shee in Quarters in order that each Letter may be folded separate.

Microfilmed

