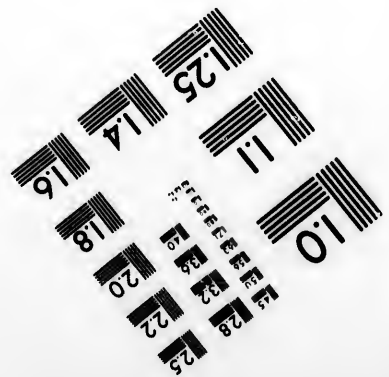
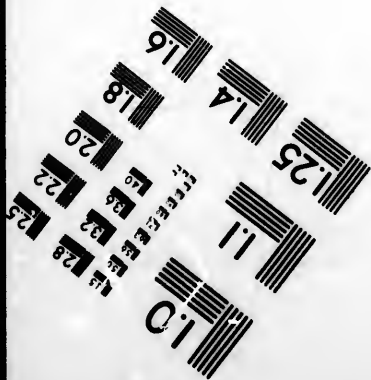
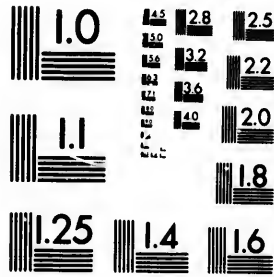


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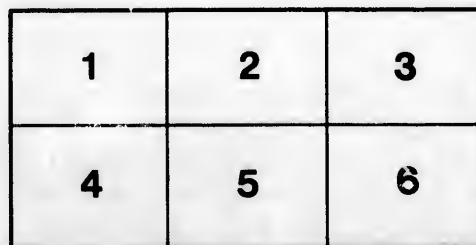
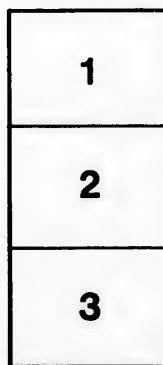
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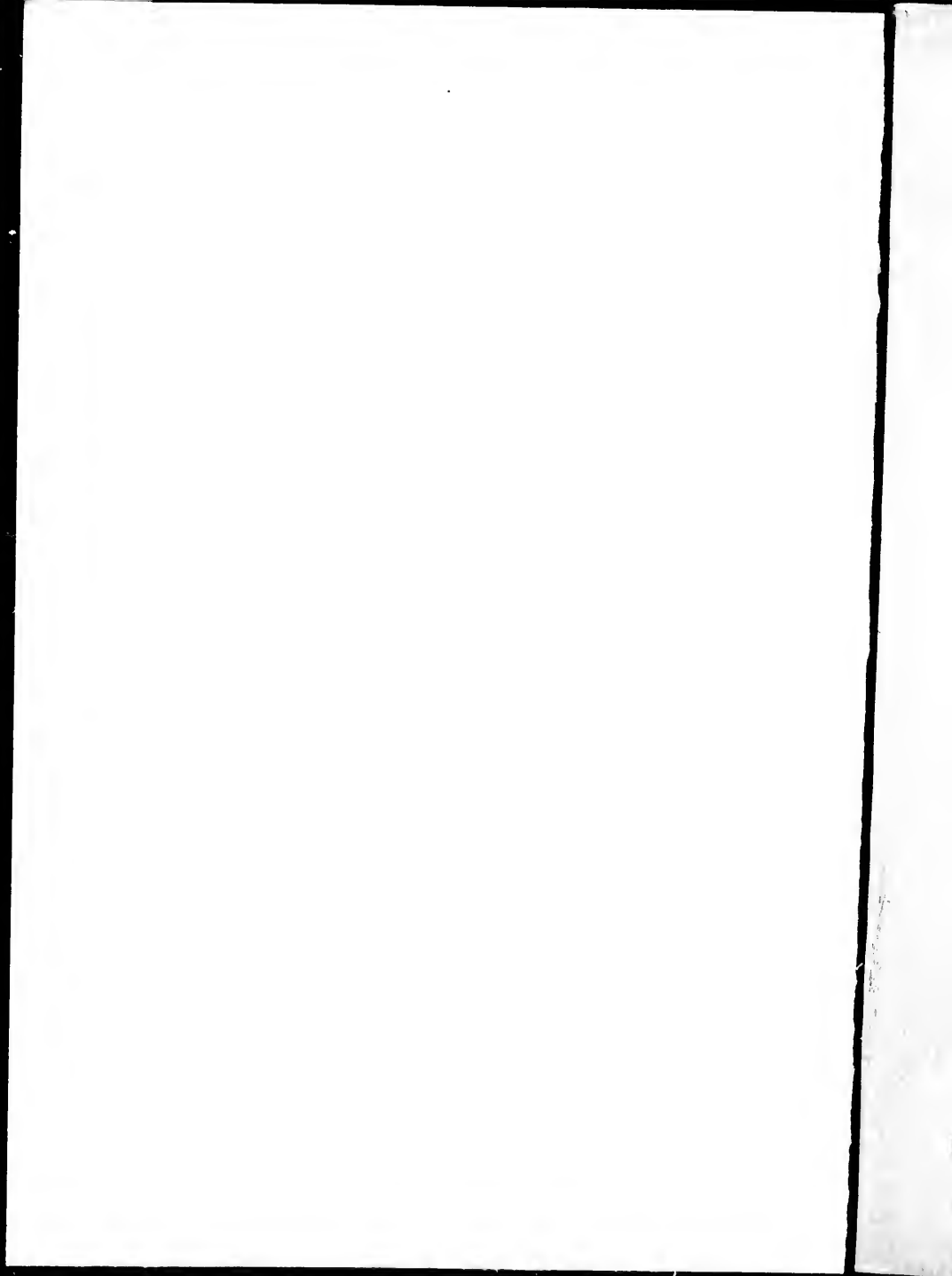
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BY
EDMUND BURKE

EDITED BY
ROBERT ANDERSEN



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CONCILIATION WITH THE COLONIES

THE SPEECH BY EDMUND BURKE

EDITED BY

ROBERT ANDERSEN

MASTER OF ENGLISH IN THE EPISCOPAL ACADEMY, PHILADELPHIA



BOSTON NEW YORK CHICAGO
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PREFACE.

THE importance attaching to the study of the Speech on Conciliation is indicated by the fact that the Committee have assigned it for study in the years 1897-1908.

In this edition, the editor, in addition to preparing the notes explanatory of the text, has aimed at exhibiting its logical form and structure. Such a plan of editing and of study gives an excellent opportunity of impressing, by the force of Burke's example, some of the fundamental processes of composition — and it is to be remembered that the most persistent demand which the colleges are at present making of the teacher of English is the demand for skill in this art — for “clearness and accuracy of expression.” The Speech is valuable as a model: it is commonly accepted as a masterpiece: it is constructed on such a definite, orderly plan; its various parts are so nicely articulated; it is, indeed, such a finely developed organism, — that the study of its details cannot fail to impress the pupil with the importance of the rhetorical principles upon which it is constructed. What claimed Burke's attention in the construction of his work will impress the pupil in the construction of his own.

The method of study proposed is indicated on pages ix-xiv — *i. e.*, in the careful reading of groups of paragraphs as they express successive units of thought; in the construction of the skeleton analysis; in the study of appropriate rhetorical notes, together with such of the exercises as the teacher finds time for. The teacher will see on examination that some of the work appointed may be omitted; but, according to the idea and purpose of the editor, the construction of the skeleton outline is an essential. It is not

sufficient for the pupil to attempt to follow the outline mentally, without writing it out. To do that much is, so far, good; but to construct it in detail, preserving the relative rank of the thought in the manner indicated, will force the pupil, as he sees it growing under his hand, to apprehend the truth that this great literary work is wrought out in accordance with steady, consistent purpose, with definite plan and method, — a truth that will appear more clearly in the carefully constructed analysis than it can possibly appear from a mere reading of the Speech, however careful. Let the pupil apprehend that truth and he will have made a great, practical gain. Purpose, plan, method, are the foundations of all good composition.

With the reading of the Speech, and the construction of the analysis, there should go as much synthetic work — composition — as possible. The study of Burke's theme; of his paragraph structure; of his outline, or plan, will naturally suggest that the pupil be given practice in finding definite themes under general subjects; in writing paragraphs upon narrowly limited themes; in making skeleton outlines of compositions on these themes. The importance of this work cannot be overrated: it is in the highest degree formative: to require it of the pupil is to help him to value and attain the power of direct and definite thought. Help in this work is given occasionally at the foot of the page, where, under the general term *Exercise*, the editor has grouped a variety of suggestions, which may, according to the teacher's opportunity, prove valuable. It is well to have the exercises, as far as possible, written, so as to guard against the looseness that sometimes occurs in oral recitations. Such constructive work may, of course, take the place of the ordinary class compositions. The exercises are intended to be suggestive only: the teacher who is in sympathy with the purpose of the present study may make his own exercises.

EDMUND BURKE.

BIOGRAPHICAL SKETCH.

EDMUND BURKE was born in Dublin, probably in January, 1729, although the precise date is in question. At fifteen he entered Trinity College, Dublin, where he remained five years, and in 1750 went to London to study law, — the profession for which his father, an attorney, had destined him. Finding the law dry and irksome, he abandoned its pursuit, and was compelled, by the withdrawal of his father's allowance, to devote himself to literature and politics. His two works, "A Vindication of Natural Society" and "A Philosophical Inquiry into the Origin of our Ideas on the Sublime and Beautiful," soon gained him marked distinction as a writer. In 1765 he was elected to Parliament, holding his seat throughout the exciting and critical times that culminated in the American Revolution and the recognition of American independence. From 1765 till 1794, when he retired from Parliament, his extraordinary genius and political wisdom made him one of the most conspicuous of the able men with whom he was associated. He died at Beaconsfield, England, July 9, 1797.

His appointment as private secretary to Lord Rockingham, and his election to Parliament a few months after, brought him into immediate touch with the mightiest problems of the day. He became the active opponent of the king's policy, which was to concentrate all power in the king's hands; the ministers were to be nominees of the court, carrying out his plans and answerable to him alone. Backed up by Parliament, the king had determined to force America into submission. They contended, inasmuch as English law was supreme in the colonies as well as in

England itself, that Parliament had a *right* to tax America. Establishing themselves in the notion of their right, they proceeded to enforce the right by the Stamp Act and other acts of taxation, regardless of the claims and petitions of the colonies. America could be kept in subjection only by the employment of an army. To silence the demand for constitutional rights by the employment of the military was, in Burke's judgment, a most serious menace to the cause of liberty in England itself. Since the struggle between America and Parliament was on a demand for a constitutional right, the victory of the army over the Americans might in the end be the downfall of liberty in England itself. To him this was a real fear: the idea runs through several of his speeches and writings. His efforts, however, were unavailing, — king and Parliament persisted. Fortunately for England, the colonies were successful, and the royal policy of coercing the people in their demand for a constitutional right received its death-blow.

Shortly after the conclusion of the American Revolution, Burke was stirred up by what he believed to be the cruel and unjust policy of Warren Hastings in India, and by the fact that he believed the East India Company to be exerting a corrupt influence among members of Parliament. Acting upon this belief, he made probably the most strenuous effort of his life, — the impeachment of Hastings. During the proceedings — which lasted for fourteen years — Burke labored incessantly. At the end of this period Hastings was acquitted, the question of his guilt being viewed in different lights. The probability is that the policy of the East India Company was blamable for much that was charged upon Hastings. "Never," says Lord John Russell, "has the great object of punishment — the prevention of crime — been attained more completely than by this trial. Hastings was acquitted, but tyranny, deceit, and injustice were condemned." To Burke more than to any other belongs the credit of this achievement.

His views on the French Revolution have brought against

him the charge of inconsistency. As was said, he had been the boldest, the most generous advocate of liberty in 1776, and yet thirteen years after, he had nothing but execration for those miserable subjects who in France were suffering from far greater wrongs than the Americans. It was charged that he had no sympathy but for the misery of kings or queens, and that he forgot the suffering millions of the wretched common people. Whatever the explanation, his passionate denunciation of revolutionary leaders and principles became in the end a sort of frenzy. As the horrors of the Revolution increased, they excited him to such a degree as to render him incapable of judging the case dispassionately. The Revolution was a "foul, monstrous thing, wholly out of the course of moral nature," — "generated in treachery, frauds and falsehood, hypocrisy, and unprovoked murder;" the revolutionists were mere "quacks and impostors," "a nation of murderers," "murderous atheists," etc. All this may have been more or less true, but the fact remains that his denunciation was one-sided and intemperate. His temper in this exciting crisis was quite unlike the calm wisdom of his treatment of the American question. His violence has been attributed by some of his biographers, in part, to the effect on his mind of the death of his only son, — a youth for whom he had a most passionate affection, — and in part to the fact that his intense love for the established order of things was shocked beyond measure by the utter license into which the revolutionists were betrayed. It is probable, too, that he had not formed an adequate notion of the corruption and incompetency of the French government and society. His pamphlet, "Reflections on the Revolution in France," made him the most popular man of his day among the sovereigns of Europe, although it was the occasion of his losing many of his friends in Parliament.

His sense of right and justice made him careless of results to himself. He accompanied William Gerard Hamilton when the latter was made Secretary to Ireland; and on

his return received through the influence of Hamilton a pension of three hundred pounds. It soon appeared, however, that the pension was intended as a bribe to bind him to a slavish devotion to the will of his patron. Burke indignantly resigned the pension. In those days no man might oppose the king and hope for preferment. And yet, knowing this, Burke was for years the head and front of opposition to the king's policy; so that in spite of his acknowledged ability he was never in the ministry, nor indeed in any other considerable office. When, in 1778, it was proposed in Parliament to relax some of the trade restrictions imposed upon Ireland, Bristol, the city for which Burke was at that time sitting in Parliament, with other trading cities, raised a violent opposition. Burke, however, had the courage to speak and vote in favor of the bill. His action in this particular, together with his advocacy of Catholic toleration, gave offence to his constituents. Two years after, he lost his seat in Parliament.

Literature and literary men had always been his delight: it was this love that had turned him aside from the study of the law; it was this that, in the midst of the most engrossing parliamentary responsibilities, made him seek the companionship of that famous club that included Reynolds, Garrick, Goldsmith, Gibbon, Johnson, and Boswell. His speeches have become of greater influence in the literary world than they ever were in the political. His intensity of purpose, his high sense of justice, impressed him profoundly with the responsibility of his work as a pleader: hence the whole of his genius, his enthusiasm, energy, imagination, were poured into the volume of his eloquence.

The best recent accounts of Burke are by Mr. John Morley, "Edmund Burke: English Men of Letters;" and "Edmund Burke, A Historical Study." The student will also find an excellent sketch by the same author, article "Burke," in the "Encyclopædia Britannica;" and he may profitably consult Leslie Stephen's "English Thought in the Eighteenth Century," volume ii., chapter ix.

LOGICAL FORM OF THE SPEECH.

THE STRUCTURE OF THE INTRODUCTION.

In the Introduction, the author proposes that Parliament originate measures looking towards concession or conciliation with the colonies.

Read the Introduction, — *i. e.*, to the end of paragraph 13.

Show the logical structure of the Introduction by making a skeleton analysis of the thought. The following is given as a specimen of the method of arranging divisions and subdivisions: —

I. Renewed opportunity is given for deliberating upon a plan for governing America.

1. We are therefore called upon to attend to the matter.

II. The awfulness of the subject so oppressed me that

1. I instructed myself in everything that related to the colonies.

2. I formed fixed ideas as to the general policy of the British Empire.

State accurately and clearly in a single sentence the essential thought of the whole Introduction.

Study Notes I.—V. of Rhetorical Principles, page xv.

What is the exact meaning of the word "partaker" occurring in par. 2?

EXERCISES ON THE INTRODUCTION.

Express in single sentences the essential thought of the following paragraph groups: Paragraphs 1 and 2; 3, 4, and 5; 6, 7, and 8; 9 and 10; 11, 12, and 13.

THE STRUCTURE OF THE DEVELOPMENT.

In the Development, the author sets forth the arguments in favor of conciliation under the two general heads of (A) Whether Parliament ought to concede, and (B) What Parliament's concession ought to be.

Study Note VI. of Rhetorical Principles, page xx.

Remembering, then, that the one purpose for which the author is contending is that Parliament should adopt a policy of conciliation, read par. 14.

Read pars. 15 and 16, and continue the construction of the skeleton analysis. Designate the main divisions by Roman numerals, subdivisions by Arabic, minor divisions by italic letters, according to the following specimen:—

A

WHETHER PARLIAMENT OUGHT TO CONCEDE.

I. The Population of the Colonies.

1. Two millions of Europeans with 500,000 others. (Par. 15.)

2. Burke's reasons for putting the population in the forefront. (Par. 16.)

a. No narrow system will be applicable.

b. Care is needed in dealing with such an object.

Read pars. 17–30 inclusive. Here the author gives another reason for concession, viz.: II. The Industries of the Colonies. Add this to the analysis, and show the form and structure of the thought by continuing the skeleton analysis, thus:—

II. The Industries of the Colonies.

1. The Commerce. (Pars. 17–28 inclusive.)

Express in your own words the idea contained in the sentence (par. 10), "Refined policy ever has been the parent of confusion."

- a. Two comparative statements of export trade. (Pars. 19–24 inclusive.)
 - b. Reflections upon the wonderful increase. (Par. 25.)
 - c. Increase in the case of Pennsylvania, and reference to imports. (Pars. 26, 27, and 28.)
2. Agriculture. (Par. 29.)
- a. At the beginning of the century, colonies imported corn.
 - b. For some time past the Old World has been fed by the New.
3. Fisheries. (Par. 30.)
- a. The energy with which they have been prosecuted.
 - b. It has been due not to the constraints of our government.

Read pars. 31–35 inclusive. Here the author has paused in his direct argument to answer those who contend that, if America is so important, it is worth fighting for. Burke's retort is that America certainly is worth fighting for, if fighting a people be the best way of gaining them, but that he is in favor of more prudent management. The teacher may provide for this thought in the outline, by making a fourth subdivision, "Objections to the Employment of Force," under II., The Industries of the Colonies. After this digression or negative argument, the author returns (in par. 36) to his direct argument.

Read pars. 36–46 inclusive. Here the author assigns another reason for Conciliation, viz. : —

III. The Temper and Character of the People.

Add this to the analysis, together with the six subdivisions.

Study Note VII. of Rhetorical Principles, page xx.

Read carefully pars. 47–64 inclusive, remembering that in this argument the details or subdivisions come first, as shown in Note VII. of Rhetorical Principles.

Add the following to the analysis:—

1. Three ways in which (pars. 47–64) Parliament may proceed relative to this rebellious spirit of the colonies, — to change it, to prosecute it as criminal, to comply with it as necessary.

2. But to change it is impossible; to prosecute it is inexpedient; therefore

IV. Compliance is a necessity. (Par. 64.)

See Note VIII. of Rhetorical Principles, page xxi.

Read pars. 65–68. Continue the construction of the analysis, thus:—

B

WHAT PARLIAMENT'S CONCESSION OUGHT TO BE.

I. The Nature of the Concession demanded by the Colonies.

1. They are taxed by a Parliament in which they are not represented. (Par. 65.)

a. Burke limits himself (pars. 66, 67) to the policy of the question.

2. Burke's idea is, therefore, to admit the colonists to an interest in the Constitution. (Par. 68.)

Read pars. 69–76 inclusive. They contain objections to Burke's idea, together with his answer. Add to the analysis the words (a) "Objections to the idea," as a minor division, under 2, Burke's idea.

Read pars. 77–90 for the third subdivision under the *Nature* of the concession and continue the analysis with proper subdivisions.

See Note IX. of Rhetorical Principles, page xxi.

Read par. 91 and continue the analysis. This paragraph gives the second main division under B, viz. :—

II. The Actual Concession proposed by Burke.

Read pars. 92–112, arranging the thought as subdivisions and minor divisions under II., The Actual Concession proposed by Burke.¹ Express the meaning of each

¹ To do this may make the outline too long, and it may, at the discretion of the teacher, be omitted.

resolution as briefly as is consistent with clearness and accuracy.

See Note X. of Rhetorical Principles, page xxii.

EXERCISES ON THE DEVELOPMENT.

What is the precise meaning of the word "circumstance" in par. 14?

What are *abstract* ideas of right? (Par. 14.)

Commit to memory par. 25.

What is a seminal principle? (Par. 25.)

Give an accurate statement of Burke's objections to Force as a means of governing a people. (Pars. 32-35 inclusive.)

What does the word "restive," par. 37, mean? Do not assume that you know. Look it up.

Commit to memory par. 38.

Amplify the statement contained in par. 45, "Obedience is what makes government, and not the names by which it is called."

Write a brief abstract of pars. 47-64.

Restate carefully the idea (in par. 61) contained in the sentence, "Sir, these considerations have great weight . . . that very litigation."

Commit to memory par. 88.

xiv THE STRUCTURE OF THE AUTHOR'S PLAN

THE STRUCTURE OF THE CONCLUSION.

Read par. 113 to the end. The thought contained in the Conclusion may be arranged under four main divisions:—

- I. Resolutions proposed by Burke. (Pars. 113-122.)
- II. Objections Answered. (Pars. 123-127.)
- III. Burke's Objections to Lord North's Plan. (Pars. 128-136.)
- IV. Comparison of the Two Plans. (Pars. 137-141.)
- V. The Peroration. 142 to the end.

Complete the analysis by adding the above with proper subdivisions and minor divisions of the thought.

Study Note XI. of Rhetorical Principles, page xxii.

THE STRUCTURE OF THE AUTHOR'S PLAN.

For the study of this subject, see Note XII. of Rhetorical Principles, page xxiii.

THE PARAGRAPH STRUCTURE OF THE SPEECH.

See Note XIII. of Rhetorical Principles, page xxvii.

EXERCISE. Give a Summary of the rhetorical principles illustrated by the author's Introduction; by the Development; by the Conclusion; the Plan; Paragraph Structure.

EXERCISES ON THE CONCLUSION.

Express in your own words the argument in par. 125.

What is the author's Theme in the Peroration?

In a single sentence give the essential idea of the whole Speech.

TOPICAL OUTLINE OF THE SPEECH.¹

The Speech consists of three well defined parts :

THE INTRODUCTION — to the end of Paragraph 13.

THE DEVELOPMENT — Paragraphs 14–112 inclusive.

THE CONCLUSION — Paragraph 113 to the end.

THE INTRODUCTION.

- I. Renewed opportunity to consider the question.
- II. The awfulness of the subject.
- III. The demand for a fixed policy.
- IV. Burke's proposition is peace.
- V. Parliament has already granted that conciliation is admissible.

THE DEVELOPMENT.

- A. Whether Parliament ought to concede.
- B. What Parliament's concession ought to be.

A.

Whether Parliament ought to concede.

The argument of the author is that Parliament ought to concede, because of —

- I. The population of the Colonies.
- II. The industries.
 1. The commerce.
 2. The agriculture.
 3. The fisheries.

¹ To those who are not disposed to study the speech with the minuteness suggested in the LOGICAL FORM OF THE SPEECH, page ix, the topical outline will be of service.

4. Objections to the employment of force in overcoming the opposition of the Colonies.
 - a. It is temporary.
 - b. It is uncertain.
 - c. It impairs the object.
 - d. Parliament has had no experience.

III. The temper and character of the people (which is determined by—)

1. Descent.
2. Their form of government.
3. The form of religion in the North.
4. The haughty spirit in the South.
5. Education of the people.
6. Their remoteness.

(Here the author changes the form of his argument, giving the details of his argument first, and from these draws a conclusion :)

1. The three ways of dealing with this spirit are, to change it by removing the cause ; to prosecute it as criminal ; to comply with it as a necessity.
2. But to change it is impossible ; to prosecute it as criminal is inexpedient and impossible. The author concludes therefore that nothing is left for Parliament to do but to comply with the demand for concession. It is this conclusion which becomes the last argument in favor of concession, viz. :

IV. Compliance with the demand for concession is a necessity.

B.

What Parliament's Concession should be.

- I. The nature of the concession demanded :
 1. The Colonies are taxed without representation.
 2. Burke's idea is that the people should be admitted to an interest in the Constitution.

3. Precedents for conciliation.
 - a. Ireland.
 - b. Wales.
 - c. Chester.
 - d. Durham.
- II. The *Actual* Concession proposed, — to pass a resolution acknowledging that —
 1. The Colonies have no representation in Parliament.
 2. They have therefore been *touched and grieved* by taxation.
 3. No method has yet been devised for giving them representation.
 4. The Colonies have legal assemblies — capable of raising taxes.
 5. These assemblies have in times past granted “aids” to his majesty.
 6. Experience shows that these “aids” have been more profitable than the measures for taxing the Colonies.

THE CONCLUSION.

- I. Resolutions proposed by Burke.
 1. To repeal the acts that interfere with the local courts and legislatures.
 2. To order that judges shall hold their offices during good behavior and be removed for good cause only and by due process of law.
 3. To make the Courts of Admiralty more convenient.
- II. Burke's answer to the objection that —
 1. If the concession be made to the Colonies in the matter of taxation, they will make further demands.
 2. The plan will destroy the unity of empire.

III. Burke's objections to Lord North's plan.

1. The plan is a mere project.
2. It would be fatal to the Constitution.
3. It will not give satisfaction to the Colonies.
4. It will bring in greater difficulties.

IV. Comparison of the two plans.

V. The peroration.

The safety of the kingdom lies in the devotion of the people of the Colonies to the Constitution and in their affection for the Mother Country.

RHETORICAL PRINCIPLES ILLUSTRATED BY THE SPEECH.

THE INTRODUCTION.

I.

IN an argument, the Introduction may have an important function. What it is in the Speech on Conciliation will now be considered.

The Introduction contains, as has been seen, various contrasts of the plan pursued by Parliament with the one proposed by Burke. He tells them that he has a definite plan, — they have not; that his opinions have been steadfast, — theirs wavering; under Parliament's government "things have been hastening to an incurable alienation of the colonies," — Burke's plan proposes to restore "the former unsuspecting confidence in the mother country." By reason of the plan pursued by Parliament — or, rather, by reason of their frequent change of plan — "America has been kept in continual agitation;" the one advocated by Burke means to give peace.

II.

The contrasts are not, of course, arranged as above: to have done so would probably have offended his hearers, whereas his desire, as will be seen hereafter, was quite the reverse of this. Nevertheless, without placing the two

EXERCISE.

Find other points of contrast in the two plans.

methods of government in offensive contrast, the author has 30 skilfully arranged the points of difference, that his own plan stands out with prominence. Without giving details, he sets forth clearly and unmistakably what he intends to show. "I mean," he says, "to give peace;" and again, "I make no difficulty in affirming that the proposals of conciliation and concession ought to originate from us;" *i. e.*, he means to show that Parliament, abandoning its policy of coercion, should give the colonies peace by originating proposals of concession and conciliation.

The author has thus a definite object in view, and has given it an exact statement in the Introduction. This, indeed, is the first common function of the Introduction.

But if the above — *i. e.*, to give an exact statement of his object — had been his only purpose, the author would probably have made his Introduction shorter. For the simple purpose of stating his meaning clearly, the single sentence, "I make no difficulty in affirming that the proposals of concession should originate from us," would have been sufficient. It will be seen, however, that to have introduced his theme so bluntly might have excited only disgust and opposition, instead of the interest, attention, and coöperation which he desired. Hence that another reason existed for the long Introduction may easily be inferred. A further examination of the Speech will show what the reason is.

Occurring with such frequency as to give a distinct tone to what the author says, are expressions of the same general nature as the following: "I had no sort of reason to rely upon the strength of my natural abilities for the proper execution of that trust;" he assures them that he "bows under the high authority of the House;" he does not hazard "a censure upon the motives of former Parliaments;" he looks upon their present opportunity to reconsider the subject as "a providential favor;" he admonishes them that they are called upon to attend to America as by a

“superior warning voice.” “It is,” he says, “an awful subject, or there is none this side of the grave.”¹

III.

In spite, however, of all that he had done to conciliate their favor, and to centre their thought upon the gravity of the subject, Burke could not be certain that his efforts thus far would induce Parliament to give his plan calm, unprejudiced consideration: he might find that the House did not regard their opportunity “as a providential favor;” he might find their prejudice stronger than their reason; and consequently that some further effort might still be necessary before it would be safe to trust the details of his plan to their judgment. He proceeds, therefore, to argue that his plan commends itself to their consideration in the fact that the House, by accepting the resolution moved by Lord North, had thereby declared conciliation (*i. e.*, the plan he was urging) to be admissible; he reminds them also that they had gone further, — that they had declared conciliation to be admissible previous to any submission on the part of America; and, still further, that the House had gone “a good deal beyond even that mark,” and had admitted that the “complaints of the former mode of exerting the right of taxation had not been altogether unfounded.”

The author has kept this argument as the climax in his effort to conciliate their favor. It is easy to see, if he could show the plan for which he was contending to be based upon a principle which Parliament had already admitted and acted upon, that he had presumably done much to overcome prejudice, to awaken interest in his plan, and thereby to lessen the labor of persuading Parliament to adopt it.

EXERCISE.

¹ What sentiments does the author desire to arouse towards himself and his subject by the employment of these and similar expressions?

Find other expressions indicating the same general purpose.

To arouse interest, to overcome prejudice, to gain favorable consideration for his project, appears therefore to have been the author's serious purpose, — a purpose that he has endeavored to effect by his respectful attitude towards the high authority of the House, by directing their minds to the gravity of the subject, and by showing that the principle for which he was contending, they had already admitted.

It appears, therefore, that the twofold purpose¹ for which the author employs the Introduction is, as has been shown, first, to set forth clearly the purpose for which the Speech was written; second, to gain for his plan — and for himself in urging it — the goodwill of his auditors, their favorable consideration beforehand.

¹ This twofold purpose may be taken as governing the construction and employment of prose Introductions. From the study of the Speech thus far certain inferences may be drawn: —

First. When the subject is easily understood, when its meaning is clear from its mere statement, when the minds of the hearers are favorably disposed to the speaker's views, the Introduction may be dispensed with altogether, or at most made only so long as to prevent inartistic or inelegant bluntness.

Second. Where the subject is complex, difficult to understand; where, on account of its importance, it needs a full and careful statement; or where, on the other hand, prejudice and indifference are to be encountered, — the Introduction affords the opportunity of explaining the one and of overcoming the other. In such cases the Introduction is of vital consequence.

Third. The Introduction existing simply as an aid to the Development, it follows that nothing may properly form part of it but what is essentially connected with the author's purpose in the Development. However interesting in itself, matter that does not in some way bear upon the discussion has no right in the Introduction. Cicero's dictum expresses the true idea: "Nor is the exordium of a speech to be sought from without, or from anything unconnected with the subject, but to be derived from the very essence of the cause."

Fourth. The Introduction should not be written until the Development has been written, or at least definitely planned. This is for the obvious reason that, until the author has determined upon the latter, the question as to *how* his subject shall be most successfully introduced cannot be intelligently settled.

IV.

When the author (par. 13) states that he means to give peace, and affirms that, in order thereto, Parliament should originate a policy of conciliation and concession, he states what is known in Rhetoric as the Theme. The Theme is the definite statement of the purpose for which the work is written. In the present case, and generally in arguments, the Theme is a proposition, a statement to be proved. It is a clear-cut, definite statement: it may be expressed in a single sentence. Thus it serves as a limit to the subject and to the speaker. Everything admitted to the Development must in some way bear upon the truth of the one definite Theme which the author has proposed. How well the author keeps to this requirement will be seen as the thought is studied.

V.

There is a great difference between the Theme and the Subject. The Subject is general, under which a number of specific Themes may be suggested. A Theme is fixed upon only when the general subject is limited to a particular line of discussion, thus; under the general subject, "American Affairs," Burke might have proposed several themes, for instance: "The Americans should be allowed to govern themselves;" "Parliament's misgovernment is directly responsible for the condition of affairs in the colonies;" "The Americans should be restrained by force of arms;" "The restrictive measures should be made more severe;" "Parliament should originate proposals of concession to the colonies." In each of these cases the general topic, American Affairs, is limited to a particular line of discussion, and hence each becomes a Theme.¹

EXERCISE.

State other Themes under the general topic, American Affairs.

THE DEVELOPMENT.

VI.

The Introduction has prepared the way for the most important part of the Speech, — the Development. The latter, in fact, is not so much a *part* of the Speech as that it *is* the Speech. It sets forth the Development of the author's purpose, and his purpose is to convince the House of the truth of his Theme, viz., that Parliament, abandoning its policy of coercion, should make proposals of concession and conciliation to the colonies. This is the single Theme that the author sets before his hearers. Thus limited, he will naturally keep from the Development everything that does not bear upon the Theme under discussion; and, by a natural inference, will endeavor to exhibit his Theme completely and fully. The study of the author's thought will show how successfully he meets both requirements.¹

VII.

After the third argument, "the Temper and Character of the people," the fourth might naturally be expected. But it is not immediately given. The reason is, that the author (in pars. 47-64) has changed the form of his reasoning. The arguments given thus far are known in rhetoric as Deductive, *i. e.*, arguments in which the general truth or

¹ The editor's purpose is not to discuss the Development from the standpoint of a technical argument. Throughout the Speech evidences of the *technique* of the trained reasoner and pleader are found, but they are of such special application that they might prove to the preparatory student unprofitable in themselves, and serve only to divert the mind from lessons that are plainer and of wider scope. It is rather the purpose, by directing attention to the thought, to show that the Development has been constructed upon a skilfully laid plan, — a plan that will appear clear and direct as the Theme was definite and single. The more closely Burke's work is analyzed, the more clearly will appear his estimate of singleness of purpose and definiteness of method.

principle is stated first, while particulars and details come afterwards.

In pars. 47-64, however, the author, changing the form of his argument, gives the details first, and from these draws a conclusion ; and the conclusion is the fourth main argument. This mode of reasoning is called Inductive. The author leads his hearers from point to point towards a conclusion that he has had in mind from the beginning. The skill and art he shows in changing the form of his argument at this point will be discussed in Note XII.

VIII.

The last point in the author's argument was, that compliance was a necessity. He has thus proved that Parliament ought to concede, first, because of the Population ; second, because of their Industries ; third, because of the Temper and Character of the people ; fourth, because compliance is a necessity, — Parliament has no other course left : it is driven to concession and conciliation by the necessity of the case. This finishes the first leading division of the author's argument, given in par. 14. The author then proceeds to answer B, What Parliament's Concession ought to be.

IX.

It will be observed that thus far the author has not stated the actual concession that he has in mind, but simply the Nature of the Concession. Citing the examples of Ireland, Wales, Durham, and Chester, he shows the authority of the crown to have been acknowledged and respected just in proportion to their enjoyment of the benefits of the English Constitution. As shown, therefore, by the appeal to the British Constitution, the Nature of the Concession demanded for the colonies is an extension of their rights and privileges as English subjects. " Why not apply these principles to America," asks the author, " especially as America is infinitely greater ? " (Par. 88.)

X.

This is really the end of the author's direct argument. He has answered the second of the leading questions into which he divided the Development, and is now ready for the third part of the Speech, — the Conclusion. This extends from par. 113 to the end of the Speech. "The question now is," says the author, "whether you will abide by experience or by a mischievous theory."

THE CONCLUSION.

XI.

An examination of the Conclusion, particularly pars. 113-122, shows that, —

First, it bears strict relation to what has formed the subject of discourse. It comes in consequence of the ideas worked out in the Development; it comes as a direct inference from the truths of the Development. If the Development be true, then the Conclusion must follow. This arrangement is part of the author's plan: the thought is so arranged as to lead the hearer to the Conclusion which the author has had in mind from the beginning. Thus Burke argues that, inasmuch as Conciliation has been proved to be the proper course of action, every law that has been passed to uphold a contrary system should be repealed. Accept the truth of the argument and you must accept the reasonableness of the Conclusion. Burke's Conclusion, therefore, as far as pars. 113-122, comes as a necessary consequence of what he has shown in the Development. From an artistic point of view, this is the end of the Speech: Burke himself says, "Here I should close."

But, second, an argument addressed simply to the understanding, particularly if, as in the present case, the hearers be prejudiced and obstinate, may sometimes fail to effect the desired object. Hence the speaker labors to overcome objections. Moreover, orators and pleaders have recognized the

occasional necessity of an appeal to the feelings and emotions. Burke employs this method of appeal in the Peroration, par. 142 to the end. Here he dwells with earnestness upon the love of the people, upon their attachment to the English Constitution, as the sure basis of all service to the empire. The purpose of the appeal is to stimulate the hearers to take the action desired. Burke's knowledge of his hearers perhaps led him to this final effort.¹

THE AUTHOR'S PLAN.

XII.

The Plan upon which the Speech is constructed presents features that require careful study. It is desirable, for this study, that the student have before him the outline which he has been directed to construct throughout the reading.

First. It is evident that the Development proceeds according to a clearly defined Plan. Evidences of this orderly arrangement of thought occur throughout the course of the Speech. It is simple in its parts and definite in its methods.

Second. We shall consider more in detail the Plan of the Development, — the essential part of the Speech. The Development has kept to the one Theme proposed in the Introduction, viz., that Parliament should make proposals of concession. As was suggested in the Introduction and Development, the author, having limited himself to a Definite Theme, has kept from the discussion everything irrelevant. Looking over the outline or plan of the thought, it will be

¹ The Conclusion does not exist for itself independent of the Development. Its purpose is simply in line with the Development: whatever is effective in this line is in place; whatever is not thus in line has no place in the Conclusion.

The same general considerations that govern the construction and use of the Introduction govern the Conclusion, — it must be long enough to effect its legitimate purpose; i. e., to enable the pleader to set forth any consequences that may flow from the truths which he has urged in the Development.

seen that nothing there presented may be omitted without impairing the argument. Every division and subdivision of the argument has its part in effecting the one purpose of the author. Besides, the study of the thought will show how complete and conclusive the argument is. The Development, therefore, has Unity and Completeness.

Third. The Arrangement of thought is made with the studied purpose of gaining the best effect. Evidences of this purpose are found in the fact that attention is centred upon one thought at a time. The author does not distract the mind by any confusion or overlapping of the arguments: the lines between the arguments are distinctly marked; and yet, while this is true, the different arguments are made to fit each other so nicely that they make a *chain* of reasoning. Thus, out of No. I., Population, there naturally grow the next two; while from the Temper and Character of the people there naturally grows No. IV. The hearer is thus made to follow the speaker in a series of logical, natural steps. Again, evidence of the author's studied arrangement of thought is found in his continued effort after Climax. Climax consists in arranging thought in the order of strength, with a view to increasing the force of the presentation. Numerous evidences of this occur. It is found in the Introduction, where, in his effort to gain favorable consideration for his Plan, the author finally shows that what he is contending for the House has already admitted. It is found again in his leading divisions of the Development: the question as to whether Parliament ought to concede is naturally preparatory to what Parliament ought to concede. It is found in the arrangement of arguments under A. Observe the increasing strength of the arguments: first, the Population — 2,500,000. This number, great as it is, might not have appealed to the prejudiced Englishman: the question of their commercial interest might, however. Hence the author places their Industries as an argument of additional strength. This in turn is followed by the Temper and Char

acter of the people: they are not men of slavish spirit, — there prevails among them a fierce and intractable spirit of liberty. The Climax is evident when in pars. 45 and 47 the author asks, What shall we do with this spirit? There are only three things they can attempt, — to change the spirit, to prosecute it as criminal, to comply with it as a necessary evil. But they can't change it, — unalterable conditions are against the change: they can't prosecute it as criminal, because they can't bring a prosecution against a whole nation. Consequently there is only one thing left, and that is to comply with the spirit, to submit to it as to a necessary evil.

It was doubtless with the purpose of making this Climax still more forcible that the author (pars. 47-64) changed the form of his argument from the Deductive to the Inductive, because the latter proceeds from particulars to an inference; and the inference finally given, which the hearers themselves have been led to draw, forms an argument the most forcible of all. The last argument would have lost much of its force if it had been arranged as the others were.

Finally, the studied effort of the author after the best effect in the arrangement of thought is shown in the employment of the principle of Suspense. Everything in the early part of the Speech points towards a concession which Burke is going to propose, but it is not until the final paragraphs of the Development that the actual concession is set forth. Had the author stated the actual concession in the beginning, interest in it, as may easily be seen, would have gradually waned, and, by the time the Speech were finished, the proposed concession might, perhaps, have been forgotten. According to the arrangement of the author, the mind is kept looking on and on towards a concession to be proposed, but only after the mind has been stimulated by arguments in favor of concession is the concession actually given. This arrangement of thought is the Principle of Suspense. It seems clear from these particulars that the Plan shows a studied effort after the best attainable effect.

Fourth. The author writes under strong feeling. He appears to be thoroughly in earnest, to be completely under the sway of the idea which he is urging. One has only to read to be impressed with this characteristic of the Speech. Take it at almost any point, and the deep onward sweep of its thought carries our sympathies with it. Paragraphs (taken at random) that show this depth of feeling are the following: 25, 30, 38, 40, 45, 79, 88, 142.

The features that have been touched upon as characteristic of this Speech are among those from which language acquires in great degree "clearness, precision, fitness, and effectiveness."¹

¹ There are two steps in composition-writing which, to untrained minds, are especially irksome and difficult, — the selection of a definite, narrowly limited Theme, and the construction of a Plan; and yet, of all its processes, Composition gains most from the selection of the one and the construction of the other. In this Speech the student has followed the plan of a Master in the Art of Composition, has observed the definiteness of his Theme, the skill shown in the plan. To the common testimony of literary men regarding the importance of earnest, painstaking arrangement of thought, it may be added that the study of every work of serious purpose shows it to proceed according to a plan carefully constructed. Even to trained minds, thought does not always occur in logical sequence and proportion. For the best arrangement, labor even to these is essential. It is of still greater importance to those who are beginners in the Art. To construct a plan with a logical, effective arrangement of parts, means labor, but it is labor that must be borne. It is when the thought lies before us in an outline or plan that we can, as it were, see it in its force or weakness; see it in its various relations; see it to be proper or improper in arrangement and proportion. We can, in a word, criticise it, and put to ourselves the question whether our thought and our method are the best suited to effect our purpose. For the beginner in composition the plan is a necessity.

The observations made upon the plan of Burke's Speech have a general application to the student's work and composition.

1. The Development should keep to a single definite Theme.
2. The Development should proceed according to a definite plan.
3. The Thought should be arranged with a view to the best effect.
4. The student should write with earnestness.
5. In making the outline the mind should be occupied with the masses and arrangement of thought.

THE PARAGRAPH STRUCTURE OF THE SPEECH.

XIII.

Clearness and Force are aided by the Structure of the author's Paragraphs. A Paragraph is a chain of sentences leading to the development of the single thought that forms its topic. An unsystematic, haphazard collection of sentences, without unity of purpose, does not therefore conform to the definition. Since its purpose is to develop a single idea or theme, the place and number of Paragraphs will be determined in part by the divisions under which the thought is logically grouped. Each important thought will have its Paragraph; each Paragraph its thought. Constructed according to this plan, they add to the effectiveness of the work by indicating precisely the thought under discussion. The theme will be more or less clear according to the nature of the composition. In Narrative and Descriptive writing, it is frequently difficult to express the Paragraph theme in words; but in works of a formal kind, such as the Speech on Conciliation, the difficulty does not exist.

In the Construction of the Paragraph three general qualities are essential, — Unity, Proportion, and Sequence.

Unity requires that everything admitted to the Paragraph be directed to one end, — the development of the single idea that forms the Paragraph subject. In fact this requirement is simply an extension of the idea of Unity that governs the construction of the discourse as a whole. As to the Unity of the Paragraph, while authors of Burke's day were not so particular as those of recent times, yet the study of the Speech will show with what earnestness the author has adhered to its essential requirements.

Proportion requires that, the thought best suited for developing the idea having been determined upon, a proper relation be maintained between the principal and subordinate parts, — that what is important be given importance, both in

the position it occupies in the Paragraph and in the space it occupies; and that what is of subordinate importance be correspondingly subordinated.

Sequence requires that the thoughts of the Paragraph follow each other in natural logical order. This order should be towards a climax in interest and importance. This quality of Burke's plan of work has been pointed out: it appears in the Speech as a whole and in its several parts.

EXERCISE.

Test these requirements in paragraphs taken at random.
Do the same with pars. 30-40.

Show the sequence of thought in par. 66 by making a *chain* of short sentences expressing the successive ideas.

EDMUND BURKE'S SPEECH

ON MOVING HIS RESOLUTIONS FOR CONCILIATION
WITH THE AMERICAN COLONIES. HOUSE OF COM-
MONS, MARCH 22, 1775.

HISTORICAL NOTE.

Incensed at the violent proceedings in the colonies, and particularly at those in the city of Boston, Parliament proceeded to retaliate. First, they passed the Boston Port Bill, forbidding all vessels to leave or enter Boston harbor. The hope was, of course, to punish Boston by crippling its trade. As is well known, other cities in the vicinity offered the use of their ports to the Boston merchants. But this — much as it showed sympathy for Boston — could not save the latter from serious inconvenience and loss. The act failed, however, to effect all that Parliament had designed. The second act in retaliation was the Massachusetts Bill, which took the government of the colony from the hands of the people and gave it into the power of the King or his agents; third, the Transportation Bill, which directed that Americans committing murder in resisting law should be sent for trial to England. The effect of all these laws was to lead to a still closer union than ever among the colonies in their purpose of resisting English encroachment. The outgrowth of this purpose was the first Continental or General Congress, which met in Philadelphia, September, 1774. They at once agreed upon a Declaration of Rights, commended the people of Massachusetts for their brave resistance, demanded the repeal of various Acts which they regarded as infringements of their rights, and issued a call for another Congress to meet in the May following. The union of the American Colonies in the sentiment and purpose of resisting the invasion of their rights was now general. By this time the English statesman had begun to realize that this united resistance was a source of great danger. Chatham, a warm friend of the colonies, more than once, in violent

denunciation of the Acts of Parliament, praised the colonies for their boldness ; and, declaring that effectual opposition to America was under the circumstances impossible, urged that the obnoxious laws be repealed. Throughout the discussions, Burke, who had entered Parliament about the time of the repeal of the Stamp Act, had been on the side of liberal and fair treatment of the colonies.

In the midst of the stormy debates that occurred, Lord North, who had been offensively active in urging the King's and Parliament's policy of coercion, brought into the House what he called a plan for conciliating the differences with the colonies. It provided, in brief, that when any of the colonies should propose to make provision, according to its "condition, circumstances, and situation," for contributing to the common defense and for the support of the civil government, Parliament would refrain from laying any taxes upon such a colony, except such as were necessary for the regulation of commerce.

Burke charged that the Ministry knew this to be a mere trick for the purpose of disuniting the colonies. Since Parliament was to be the judge of what was the proper proportion for each colony to pay, according to its "condition, circumstances, and situation," he represented that the scheme would prove a sort of auction in which Parliament would give the exemption from taxes to the colonies bidding highest for the privilege. Moreover, he urged that the plan was likely to produce greater disorders than before, because, under the conditions of the plan, neither the amount of the tax nor the purpose to which it was to be applied was in the hands of the colony.

Nevertheless, the word Conciliation had been used, and shortly after, March 22, 1775, Burke brought in his scheme of conciliation, which in his judgment would be effective in removing the ground of difference between Parliament and the colonies. This scheme is set forth in the Speech on Conciliation.

Meantime stirring events were occurring in the colonies : the Provincial Congress, which now governed Massachusetts, had ordered the enrollment of 20,000 minute-men ; provisions, arms, and ammunition were being purchased and collected : General Gage, alarmed at the threatening aspect of affairs, had begun to erect fortifications for his defence ; and within a month of the time when Burke delivered his Speech on Conciliation, Lexington was fought.

EDMUND BURKE'S SPEECH.

I HOPE, Sir, that notwithstanding the austerity¹ of the Chair, your good nature will incline you to some degree of indulgence towards human frailty. You will not think it unnatural that those who have an object depending, which strongly engages their hopes and fears, should be somewhat inclined to superstition. As I came into the House full of anxiety about the event² of my motion, I found, to my infinite surprise, that the grand penal bill,³ by which we had passed sentence on the trade and sustenance of America, is to be returned to us⁴ from the other House. I do confess I could not help looking on this event as a fortunate omen. I look upon it as a sort of providential favor, by which we are put once more in possession of our deliberative capacity upon a business so very questionable in its nature, so very uncertain in its issue. By the return of this bill, which seemed to have taken its flight forever, we are at this very instant nearly as free to choose a plan for our American Government as we were on the first day of the session.

THE INTRO-
DUCTION
§§ 1-13.

I. Renewed
Opportu-
nity for De-
liberation.

¹ *austerity, i. e.*, your dignity as Chairman of the House.

² *event* = outcome or result.

³ *grand penal bill, i. e.*, "an Act to restrain the trade and commerce of the Provinces of Massachusetts Bay and New Hampshire and the colonies of Connecticut and Rhode Island and Providence Plantation in North America, to Great Britain, Ireland, and the British Islands in the West Indies; and to prohibit such Provinces and colonies from carrying on any fishery on the Banks of New Foundland and other places therein mentioned under certain conditions and limitations." The latter part of this bill was especially hateful to the colonies, in view of what Burke says about the importance of the fisheries.

⁴ *is to be returned to us, i. e.*, the bill had, according to English parliamentary procedure, been sent to the House of Lords for consideration; but failing of approval, it had been returned with an amendment to the House in which it had originated.

If, Sir, we incline to the side of conciliation, we are not at all embarrassed (unless we please to make ourselves so) by any incongruous mixture of coercion and restraint. We are therefore called upon, as it were by a superior warning

We are called upon to attend to America.

voice, again to attend to America; to attend to the whole of it together; and to review the subject with an unusual degree of care and calmness.

2. Surely it is an awful subject, or there is none so on this side of the grave. When I first had the honor of a seat in this House, the affairs of that continent pressed themselves upon us as the most important and most delicate¹ object of Parli-

II. The "Awfulness" of the Subject.

mentary attention. My little share in this great deliberation oppressed me. I found myself a partaker in a very high trust; and, having no sort of reason to rely on the strength of my natural abilities for the proper execution of that trust, I was obliged to take more than common pains to instruct myself in everything which relates to our colonies. I was not less under the necessity of forming some fixed ideas concerning the general policy of the British Empire. Something of this sort seemed to be indispensable, in order, amidst so vast a fluctuation of passions and opinions, to concentrate my thoughts, to ballast my conduct, to preserve me from being blown about by every wind² of fashionable doctrine. I really did not think it safe or manly to have fresh principles to seek upon every fresh mail which should arrive from America.

3. At that period³ I had the fortune to find myself in perfect concurrence with a large majority in this House. Bowing under that high authority, and penetrated with the sharpness and strength of that early impression, I have continued ever since, without

My Sentiments have been Undeviating.

¹ delicate, *i. e.*, requiring care in its treatment.

² by every wind. See Ephesians iv. 14.

³ At that period; referring to the repeal of the Stamp Act early in 1766.

the least deviation, in my original sentiments. Whether this be owing to an obstinate perseverance in error, or to a religious adherence to what appears to me truth and reason, it is in your equity to judge.

4. Sir, Parliament, having an enlarged view of objects, made during this interval more frequent changes in their sentiments and their conduct than could be justified in a particular person upon the contracted scale of private information. But though I do not hazard anything approaching to a censure on the motives of former Parliaments to all those alterations, one fact is undoubted — that under them the state of America has been kept in continual agitation. Everything administered as remedy to the public complaint, if it did not produce, was at least followed by, an heightening of the distemper; until, by a variety of experiments, that important country has been brought into her present situation¹ — a situation which I will not miscall, which I dare not name, which I scarcely know how to comprehend in the terms of any description.

Parliament
has made
Frequent
Changes.

5. In this posture, Sir, things stood at the beginning of the session. About that time, a worthy member² of great Parliamentary experience, who, in the year 1766, filled the chair of the American committee with much ability, took me aside; and, lamenting the present aspect of our politics, told me things were come to such a pass that our former methods of proceeding in the House would be no longer tolerated: that the public tribunal (never too indulgent to a long and unsuccessful opposition) would now scrutinize our conduct with unusual severity: that the very vicissi-

¹ her present situation. At the very time Burke was speaking, the people of the colonies were preparing for war in earnest, collecting powder, weapons, and provisions, recruiting and arming the "minute-men." General Gage, alarmed at the threatening aspect of affairs, had begun to erect fortifications; Lexington was fought within a month.

² worthy member; Mr. Rose Fuller.

tudes and shiftings of Ministerial measures, instead of convicting their authors of inconstancy and want of system, would be taken as an occasion of charging us with a predetermined discontent, which nothing could satisfy; whilst we accused every measure of vigor as cruel, and every proposal of lenity as weak and irresolute. The public, he said, would not have patience to see us play the game out with our adversaries; we must produce our hand. It would

III. The
Demand
for a Fixed
Policy.

be expected that those who for many years had been active in such affairs should show that they had formed some clear and decided idea of the principles of colony government; and were capable of drawing out something like a platform¹ of the ground which might be laid for future and permanent tranquillity.

6. I felt the truth of what my honorable friend represented; but I felt my situation too. His application might have been made with far greater propriety to many other gentlemen. No man was indeed ever better disposed, or worse qualified, for such an undertaking than myself. Though I gave so far in to his opinion that I immediately threw my thoughts into a sort of Parliamentary form, I was by no means equally ready to produce them. It generally argues some degree of natural impotence of mind, or some want of knowledge of the world, to hazard plans of government except from a seat of authority. Propositions are made, not only ineffectually, but somewhat disreputably,² when the minds of men are not properly disposed for their reception; and, for my part, I am not ambitious of ridicule; not absolutely a candidate for disgrace.

7. Besides, Sir, to speak the plain truth, I have in general no very exalted opinion of the virtue of paper government; nor of any politics in which the plan is to be wholly separated from the execution. But when I saw that anger

¹ platform = plan.

² disreputably, *i. e.*, the maker of the proposition falls into disrepute or discredit.

and violence prevailed every day more and more, and that things were hastening towards an incurable alienation of our colonies, I confess my caution gave way. I felt this as one of those few moments in which decorum yields to a higher duty. Public calamity is a mighty leveller; and there are occasions when any, even the slightest, chance of doing good must be laid hold on, even by the most inconsiderable person.

8. To restore order and repose to an empire so great and so distracted as ours, is, merely in the attempt, an undertaking that would ennoble the flights of the highest genius. and obtain pardon for the efforts of the meanest understanding. Struggling a good while with these thoughts, by degrees I felt myself more firm. I derived, at length, some confidence from what in other circumstances usually produces timidity. I grew less anxious, even from the idea of my own insignificance. For, judging of what you are by what you ought to be, I persuaded myself that you would not reject a reasonable proposition because it had nothing but its reason to recommend it. On the other hand, being totally destitute of all shadow of influence, natural or adventitious, I was very sure that, if my proposition were futile or dangerous — if it were weakly conceived, or improperly timed — there was nothing exterior to it of power to awe, dazzle, or delude you. You will see it just as it is; and you will treat it just as it deserves.

9. The proposition is peace. Not peace through the medium of war; not peace to be hunted through the labyrinth of intricate and endless negotiations; not peace to arise out of universal discord fomented, from principle, in all parts of the empire; not peace to depend on the juridical determination of perplexing questions, or the precise marking the shadowy boundaries of a complex government. It is simple peace; sought in its natural course, and in its ordinary haunts. It is

IV. My
Proposition is
Peace.

peace sought in the spirit of peace, and laid in principles purely pacific. I propose, by removing the ground of the difference, and by restoring the *former unsuspecting confidence*¹ of the colonies in the *Mother Country*, to give permanent satisfaction to your people; and (far from a scheme 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 British government.

10. My idea is nothing more. Refined policy ever has been the parent of confusion; and ever will be so, as long as the world endures. Plain good intention, which is as easily discovered at the first view as fraud is surely detected at last, is, let me say, of no mean force in the government of mankind. Genuine simplicity of heart is an healing and cementing principle. My plan, therefore, being formed upon the most simple grounds imaginable, may disappoint some people when they hear it. It has nothing to recommend it to the pruriency of curious ears. There is nothing at all new and captivating in it. It has nothing of the splendor of the project² which has been lately laid upon your table by the noble lord in the blue ribbon.³ It does not propose to fill your lobby with squabbling colony agents,⁴ who will require the interposition of your mace, at every instant, to keep the peace amongst them. It does not institute a magnificent auction of

¹ **unsuspecting confidence.** This expression was used by the Congress at Philadelphia to express the state of feeling in the colonies after the repeal of the Stamp Act.

² **the project.** See Historical Note — referring to Lord North's project.

³ **lord in the blue ribbon;** referring to Lord North — a Knight of the Garter. The badge of the order was a blue ribbon.

⁴ **colony agents.** Since the colonies had no direct representatives in Parliament they engaged some particular member to look after their interests. Burke was such an agent for a short time for New York.

finance, where captivated provinces come to general ransom by bidding against each other, until you knock down the hammer, and determine a proportion of payments beyond all the powers of algebra to equalize and settle.

11. The plan which I shall presume to suggest derives, however, one great advantage from the proposition and registry of that noble lord's project. The idea of conciliation is admissible. First, the House, in accepting the resolution moved by the noble lord,¹ has admitted, notwithstanding the menacing front of our address,² notwithstanding our heavy bills of pains and penalties — that we do not think ourselves precluded from all ideas of free grace and bounty.

V. Parliament has already granted the Conciliation is Admissible.

12. The House has gone farther; it has declared conciliation admissible, *previous* to any submission on the part of America. It has even shot a good deal beyond that mark, and has admitted that the complaints of our former mode of exerting the right of taxation were not wholly unfounded. That right thus exerted is allowed to have something reprehensible in it, something unwise, or something grievous; since, in the midst of our heat and resentment, we, of ourselves, have proposed a capital alteration; and in order to get rid of what seemed so very exceptionable, have instituted a mode that is altogether new; one that is, indeed, wholly alien from all the ancient methods and forms of Parliament.

13. The *principle* of this proceeding is large enough for

¹ resolution moved by the noble lord; referring to Lord North's scheme of conciliation.

² menacing front of our address. Lord North had moved that an address be presented to his Majesty, thanking him for submitting papers relating to disturbances in America; declaring that Massachusetts Bay was in a state of rebellion; beseeching his Majesty to take effectual measures to enforce obedience; and finally assuring him of their fixed determination to stand by his Majesty at the risk of their lives and property against all rebellious attempts.

my purpose. The means proposed by the noble lord for carrying his ideas into execution, I think, indeed, are very indifferently suited to the end; and this I shall endeavor to show¹ you before I sit down. But, for the present, I take my ground on the admitted principle. I mean to give peace. Peace implies reconciliation; and where there has been a material dispute, reconciliation does in a manner always imply concession on the one part or on the other. In this state of things I make no difficulty in affirming that the proposal ought to originate from us. Great and acknowledged force is not impaired, either in effect or in opinion, by an unwillingness to exert itself. The superior power may offer peace with honor and with safety. Such an offer from such a power will be attributed to magnanimity. But the concessions of the weak are the concessions of fear. When such an one is disarmed, he is wholly at the mercy of his superior; and he loses forever that time and those chances, which, as they happen to all men, are the strength and resources of all inferior power.

14. The capital leading questions on which you must this day decide, are these two: First, whether you ought to concede; and secondly, what your concession ought to be. On the first of these questions we have gained, as I have just taken the liberty of observing to you, some ground. But I am sensible that a good deal more is still to be done. Indeed, Sir, to enable us to determine both on the one and the other of these great questions with a firm and precise judgment, I think it may be necessary to consider distinctly the true nature and the peculiar circumstances of the object which we have before us; because after all our struggle, whether we will or not, we must govern America according to that nature and to those circumstances, and not according to our own imaginations, nor according to abstract ideas of right — by no means

THE DEVELOPMENT
 §§ 14-112.
Whether you ought to concede? What your concession ought to be?

¹ I shall endeavor to show. See page 69.

according to mere general theories of government, the resort to which appears to me, in our present situation, no better than arrant trifling. I shall therefore endeavor, with your leave, to lay before you some of the most material of these circumstances in as full and as clear a manner as I am able to state them.

15. The first thing we have to consider with regard to the nature of the object is the number of people in the colonies. I have taken for some years a good deal of pains on that point. I can by no calculation justify myself in placing the number below two millions of inhabitants of our own European blood and color, besides at least five hundred thousand others, who form no inconsiderable part of the strength and opulence of the whole. This, Sir, is, I believe, about the true number. There is no occasion to exaggerate where plain truth is of so much weight and importance. But whether I put the present numbers too high or too low is a matter of little moment. Such is the strength with which population shoots in that part of the world, that, state the numbers as high as we will, whilst the dispute continues, the exaggeration ends. Whilst we are discussing any given magnitude, they are grown to it. Whilst we spend our time in deliberating on the mode of governing two millions, we shall find we have millions more to manage. Your children do not grow faster from infancy to manhood than they spread from families to communities, and from villages to nations.

A. WHETHER YOU OUGHT TO CONCEDE?
I. THE POPULATION.

16. I put this consideration of the present and the growing numbers in the front of our deliberation, because, Sir, this consideration will make it evident to a blunter discernment than yours, that no partial,¹ narrow, contracted, pinched, occasional system will be at all suitable to such

¹ partial system. Observe how the author characterizes Parliament's system. *He* desired to give permanent tranquility.

an object. It will show you that it is not to be considered as one of those *minima*¹ which are out of the eye and consideration of the law; not a paltry excrescence of the state; not a mean dependant, who may be neglected with little damage and provoked with little danger. It will prove that some degree of care and caution is required in the handling such an object; it will show that you ought not, in reason, to trifle with so large a mass of the interests and feelings of the human race. You could at no time do so without guilt; and be assured you will not be able to do it long with impunity.

17. But the population of this country, the great and growing population, though a very important consideration, will lose much of its weight if not combined with other circumstances. The commerce of your colonies is out of all proportion beyond the numbers of the people. This ground of their commerce indeed has been trod² some days ago, and with great ability, by a distinguished person at your bar. This gentleman,³ after thirty-five years — it is so long since he first appeared at the same place to plead for the commerce of Great Britain — has come again before you to plead the same cause, without any other effect of time, than that to the fire of imagination and extent of erudition which even then marked him as one of the first literary characters of his age, he has added a consummate knowledge in the commercial interest of his country, formed by a long course of enlightened and discriminating experience.

18. Sir, I should be inexcusable in coming after such a person with any detail, if a great part of the members who

¹ *minima* = things of trifling consequence.

² *ground has . . . been trod* = the matter has been treated or presented.

³ *this gentleman*; Mr. Glover — author of the two epics *Leonidas* and the *Atheniad*, and the tragedies *Boadicea* and *Medea*.

now fill the House had not the misfortune to be absent when he appeared at your bar. Besides, Sir, I propose to take the matter at periods of time somewhat different from his. There is, if I mistake not, a point of view from whence, if you will look at the subject, it is impossible that it should not make an impression upon you.

19. I have in my hand two accounts; one a comparative state¹ of the export trade of England to its colonies, as it stood in the year 1704, and as it stood in the year 1772; the other a state of the export trade of this country to its colonies alone, as it stood in 1772, compared with the whole trade of England to all parts of the world (the colonies included) in the year 1704. They are from good vouchers; the latter period from the accounts on your table, the earlier from an original manuscript of Davenant, who first established the Inspector-General's office, which has been ever since his time so abundant a source of Parliamentary information.

20. The export trade to the colonies consists of three great branches: the African — which, terminating almost wholly in the colonies, must be put to the account of their commerce, — the West Indian, and the North American. All these are so interwoven that the attempt to separate them would tear to pieces the contexture of the whole; and, if not entirely destroy, would very much depreciate the value of all the parts. I therefore consider these three denominations to be, what in effect they are, one trade.

21. The trade to the colonies, taken on the export side, at the beginning of this century, that is, in the year 1704, stood thus: —

Exports to North America and the West Indies	£483,265
To Africa	86,665
	<hr/>
	£569,930

¹ comparative state = statement.

22. In the year 1772, which I take as a middle year between the highest and lowest of those lately laid on your table, the account was as follows : —

To North America and the West Indies . .	£4,791,734
To Africa	866,398
To which, if you add the export trade from Scotland, which had in 1704 no existence .	364,000
	<hr/>
	£6,022,132

23. From five hundred and odd thousand, it has grown to six millions. It has increased no less than twelve-fold. This is the state of the colony trade as compared with itself at these two periods within this century ; — and this is matter for meditation. But this is not all. Examine my second account. See how the export trade to the colonies alone in 1772 stood in the other point of view ; that is, as compared to the whole trade of England in 1704 : —

The whole export trade of England, including that to the colonies, in 1704	£6,509,000
Export to the colonies alone, in 1772 . . .	6,024,000
	<hr/>
Difference,	£485,000

24. The trade with America alone is now within less than £500,000 of being equal to what this great commercial nation, England, carried on at the beginning of this century with the whole world ! If I had taken the largest year of those on your table, it would rather have exceeded. But, it will be said, is not this American trade an unnatural protuberance, that has drawn the juices from the rest of the body ? The reverse. It is the very food that has nourished every other part into its present magnitude. Our general trade has been greatly augmented, and augmented more or less in almost every part to which it ever extended ; but with this material difference. that of the six

millions which in the beginning of the century constituted the whole mass of our export commerce, the colony trade was but one-twelfth part; it is now (as a part of sixteen millions) considerably more than a third of the whole. This is the relative proportion of the importance of the colonies at these two periods; and all reasoning concerning our mode of treating them must have this proportion as its basis; or it is a reasoning weak, rotten, and sophistical.

25. Mr. Speaker, I cannot prevail on myself to hurry over this great consideration. It is good for us to be here.¹ We stand where we have an immense view of what is, and what is past. Clouds, indeed, and darkness, rest upon the future. Let us, however, before we descend from this noble eminence, reflect that this growth of our national prosperity has happened within the short period of the life of man. It has happened within sixty-eight years. There are those alive whose memory might touch the two extremities. For instance, my Lord Bathurst might remember all the stages of the progress. He was in 1704 of an age at least to be made to comprehend such things. He was then old enough *acta parentum jam legere, et quæ sit poterit cognoscere virtus.*² Suppose, Sir, that the angel of this auspicious youth, foreseeing the many virtues which made him one of the most amiable, as he is one of the most fortunate, men of his age, had opened to him in vision that when in the fourth generation³ the third Prince of the House of Brunswick had sat twelve years on the throne of that nation which, by the happy issue of moderate and healing counsels, was to be made Great Britain,⁴ he should

¹ It is good for us to be here. See Mark ix. 5.

² *acta parentum jam legere, etc.* = "to read the deeds of his forefathers and to know what manly worth is." From Virgil's Fourth Eclogue, 26, 27.

³ fourth generation; George III. was the grandson of George II.

⁴ made Great Britain; Scotland was united with England in 1707.

see his son, Lord Chancellor of England, turn back the current of hereditary dignity to its fountain, and raise him to a higher rank¹ of peerage, whilst he enriched the family with a new one — if, amidst these bright and happy scenes of domestic honor and prosperity, that angel should have drawn up the curtain, and unfolded the rising glories of his country, and, whilst he was gazing with admiration on the then commercial grandeur of England, the genius should point out to him a little speck, scarcely visible in the mass of the national interest, a small seminal principle, rather than a formed body, and should tell him: “Young man, there is America — which at this day serves for little more than to amuse you with stories of savage men, and uncouth manners; yet shall, before you taste of death, show itself equal to the whole of that commerce which now attracts the envy of the world. Whatever England has been growing to by a progressive increase of improvement, brought in by varieties of people, by succession of civilizing conquests and civilizing settlements in a series of seventeen hundred years, you shall see as much added to her by America in the course of a single life!” If this state of his country had been foretold to him, would it not require all the sanguine credulity of youth, and all the fervid glow of enthusiasm, to make him believe it? Fortunate man, he has lived to see it! Fortunate, indeed, if he lives to see nothing that shall vary the prospect, and cloud the setting of his day!

26. Example, Sir, if turning from such thoughts I resume a comparative view once more. You have seen it on a large scale; look at it on a small one. I will point out to your attention a particular instance of it in the single province of Pennsylvania. In the year 1704 that province called for £11,459 in value of your commodities, native and foreign. This was the whole. What did it demand in 1772? Why, nearly fifty times as much; for in that

¹ higher rank; Bathurst was made Earl in 1772.

year the export to Pennsylvania was £507,909, nearly equal to the export to all the colonies together in the first period.

27. I choose, Sir, to enter into these minute and particular details, because generalities, which in all other cases are apt to heighten and raise the subject, have here a tendency to sink it. When we speak of the commerce with our colonies, fiction lags after truth,¹ invention is unfruitful, and imagination cold and barren.

28. So far, Sir, as to the importance of the object, in view of its commerce, as concerned in the exports from England. If I were to detail the imports, I could show how many enjoyments they procure which deceive² the burthen of life; how many materials which invigorate the springs of national industry, and extend and animate every part of our foreign and domestic commerce. This would be a curious subject indeed; but I must prescribe bounds to myself in a matter so vast and various.

29. I pass, therefore, to the colonies in another point of view, their agriculture. This they have prosecuted with such a spirit, that besides feeding plentifully their own growing multitude, their annual export of grain, comprehending rice, has some years ago exceeded a million in value. Of their last harvest I am persuaded they will export much more. At the beginning of the century some of these colonies imported corn³ from the mother country. For some time past the Old World has been fed from the New. The scarcity which you have felt would have been a desolating famine, if this child of your old age, with a true filial piety, with a Roman charity, had

¹ fiction lags after truth—three clauses in which the author amplifies and enforces the idea that imagination cannot suggest anything more wonderful than the real facts of the case.

² deceive = beguile.

³ corn = grain.

2. AGRICULTURE.

not put the full breast¹ of its youthful exuberance to the mouth of its exhausted parent.

30. As to the wealth which the colonies have drawn from the sea by their fisheries, you had all that matter
 3. FISH-
 ERIES. fully opened at your bar. You surely thought those acquisitions of value, for they seemed even to excite your envy; and yet the spirit by which that enterprising employment has been exercised ought rather, in my opinion, to have raised your esteem and admiration. And pray, Sir, what in the world is equal to it? Pass by the other parts, and look at the manner in which the people of New England have of late carried on the whale fishery. Whilst we follow them among the tumbling mountains² of ice, and behold them penetrating into the deepest frozen recesses of Hudson's Bay and Davis's Straits, whilst we are looking for them beneath the arctic circle, we hear that they have pierced into the opposite region of polar cold, that they are at the antipodes, and engaged under the frozen Serpent³ of the south. Falkland Island,⁴ which seemed too remote and romantic an object for the grasp of national ambition, is but a stage and resting-place in the progress of their victorious industry. Nor is the equinoctial heat more discouraging to them than the accumulated winter of both the poles. We know that whilst some of

¹ Put the full breast; an allusion to the story of the Roman, who, condemned to death by starvation, was nourished by his daughter from her own breast.

² tumbling mountains; a picturesque epithet of the author referring to a phenomenon seen occasionally by sailors; *i. e.*, icebergs having melted away under water, or being honeycombed by it, become heavier above than below and hence "tumble" over.

³ frozen Serpent of the South; a constellation of the antarctic region. The word "frozen" is Burke's picturesque touch.

⁴ Falkland Island. 250 miles northeast of Terra del Fuego

them draw the line and strike the harpoon on the coast of Africa, others run the longitude¹ and pursue their gigantic game along the coast of Brazil. No sea but what is vexed² by their fisheries; no climate that is not witness to their toils. Neither the perseverance of Holland, nor the activity of France, nor the dexterous and firm sagacity of English enterprise ever carried this most perilous mode of hardy industry to the extent to which it has been pushed by this recent people; a people who are still, as it were, but in the gristle, and not yet hardened into the bone of manhood. When I contemplate these things; when I know that the colonies in general owe little or nothing to any care of ours, and that they are not squeezed into this happy form by the constraints of watchful and suspicious government, but that, through a wise and salutary neglect, a generous nature has been suffered to take her own way to perfection; when I reflect upon these effects, when I see how profitable they have been to us, I feel all the pride of power sink, and all presumption in the wisdom of human contrivances melt and die away within me. My rigor relents. I pardon something to the spirit of liberty.

31. I am sensible, Sir, that all which I have asserted in my detail is admitted in the gross; but that quite a different conclusion is drawn from it. America, gentlemen say, is a noble object. It is an object well worth fighting for. Certainly it is, if fighting a people be the best way of gaining them. Gentlemen in this respect will be led to their choice of means by their complexions³ and their habits. Those who understand the military art will of course have some pre-

4. OBJEC-
TIONS TO
THE EMPLOY-
MENT OF
FORCE.

¹ run the longitude; an expression the precise meaning of which, as used by Burke, is difficult to determine. It is not current among nautical men of this day.

² vexed = agitated.

³ complexions = temperament

dilection for it. Those who wield the thunder of the state may have more confidence in the efficacy of arms. But I confess, possibly for want of this knowledge, my opinion is much more in favor of prudent management than of force; considering force not as an odious, but a feeble instrument for preserving a people so numerous, so active, so growing, so spirited as this, in a profitable and subordinate connection with us.

32. First, Sir, permit me to observe that the use of force alone is but *temporary*. It may subdue for a moment, but it does not remove the necessity of subduing again; and a nation is not governed which is perpetually to be conquered.

33. My next objection is its *uncertainty*. Terror is not always the effect of force, and an armament is not a victory. If you do not succeed, you are without resource; for, conciliation failing, force remains; but, force failing, no further hope of reconciliation is left. Power and authority are sometimes bought by kindness; but they can never be begged as alms by an impoverished and defeated violence.

34. A further objection to force is, that you *impair the object* by your very endeavors to preserve it. The thing you fought for is not the thing which you recover; but depreciated, sunk, wasted, and consumed in the contest. Nothing less will content me than *whole America*. I do not choose to consume its strength along with our own, because in all parts it is the British strength that I consume. I do not choose to be caught by a foreign enemy at the end of this exhausting conflict; and still less in the midst of it. I may escape; but I can make no insurance against such an event. Let me add, that I do not choose wholly to break the American spirit; because it is the spirit that has made the country.

35. Lastly, we have no sort of *experience* in favor of force as an instrument in the rule of our colonies. Their

growth and their utility has been owing to methods altogether different. Our ancient indulgence has been said to be pursued to a fault. It may be so. But we know, if feeling is evidence, that our fault was more tolerable than our attempt to mend it; and our sin far more salutary than our penitence.

36. These, Sir, are my reasons for not entertaining that high opinion of untried force by which many gentlemen, for whose sentiments in other particulars I have great respect, seem to be so greatly captivated. But there is still behind a third consideration concerning this object which serves to determine my opinion on the sort of policy which ought to be pursued in the management of America, even more than its population and its commerce — I mean its *temper and character*.

III. THE
TEMPER
AND CHAR-
ACTER OF
THE PRO-
PLE.

37. In this character of the Americans, a love of freedom is the predominating feature which marks and distinguishes the whole; and as an ardent is always a jealous affection, your colonies become suspicious, restive, and untractable whenever they see the least attempt to wrest from them by force, or shuffle from them by chicanery, what they think the only advantage worth living for. This fierce spirit of liberty is stronger in the English colonies probably than in any other people of the earth, and this from a great variety of powerful causes; which, to understand the true temper of their minds and the direction which this spirit takes, it will not be amiss to lay open somewhat more largely.

38. First, the people of the colonies are descendants of Englishmen. England, Sir, is a nation which still, I hope, respects, and formerly adored, her freedom. The colonists emigrated from you when this part of your character¹ was most predominant; and they

¹ Descent.

¹ part of your character, *i. e.*, in the times leading up to the establishment of the Commonwealth.

took this bias and direction the moment they parted from your hands. They are therefore not only devoted to liberty, but to liberty according to English ideas, and on English principles. Abstract liberty, like other mere abstractions, is not to be found. Liberty inheres in some sensible object;¹ and every nation has formed to itself some favorite point, which by way of eminence becomes the criterion of their happiness. It happened, you know, Sir, that the great contests for freedom in this country were from the earliest times chiefly upon the question of taxing. Most of the contests in the ancient commonwealths turned primarily on the right of election of magistrates; or on the balance among the several orders of the state. The question of money was not with them so immediate. But in England it was otherwise. On this point of taxes the ablest pens, and most eloquent tongues, have been exercised; the greatest spirits have acted and suffered. In order to give the fullest satisfaction concerning the importance of this point, it was not only necessary for those who in argument defended the excellence of the English Constitution to insist on this privilege of granting money as a dry point of fact, and to prove that the right had been acknowledged in ancient parchments and blind usages to reside in a certain body called a House of Commons. They went much farther; they attempted to prove, and they succeeded, that in theory it ought to be so, from the particular nature of a House of Commons as an immediate representative of the people, whether the old records had delivered this oracle or not. They took infinite pains to inculcate, as a fundamental principle, that in all monarchies the people must in effect themselves, mediately or immediately, possess the power of granting their own money, or no shadow of liberty can subsist. The colonies draw from you, as with their life-blood, these ideas and principles.

¹ **sensible object** = an external object, — an object that may be perceived by the senses.

Their love of liberty, as with you, fixed and attached on this specific point of taxing. Liberty might be safe, or might be endangered, in twenty other particulars, without their being much pleased or alarmed. Here they felt its pulse; and as they found that beat, they thought themselves sick or sound. I do not say whether they were right or wrong in applying your general arguments to their own case. It is not easy, indeed, to make a monopoly of theorems and corollaries. The fact is, that they did thus apply those general arguments; and your mode of governing them, whether through lenity or indolence, through wisdom or mistake, confirmed them in the imagination that they, as well as you, had an interest in these common principles.

39. They were further confirmed in this pleasing error by the form of their provincial legislative assemblies. Their governments are popular¹ in a high degree; some are merely popular; in all, the popular representative is the most weighty; and this share of the people in their ordinary government never fails to inspire them with lofty sentiments, and with a strong aversion from² whatever tends to deprive them of their chief importance.

2. Form of Government.

40. If anything were wanting to this necessary operation of the form of government, religion would have given it a complete effect. Religion, always a principle of energy, in this new people is no way worn out or impaired; and their mode of professing it is also one main cause of this free spirit. The people are Protestants; and of that kind which is the most adverse to all implicit submission of mind and opinion. This is a persuasion not only favorable to liberty, but built upon it. I do not think, Sir, that the reason of this averseness in

3. Religion in the North.

¹ governments are popular, *i. e.*, controlled by the *people*.

² aversion *from*. A precise etymological form which was once insisted on.

the dissenting churches from all that looks like absolute government is so much to be sought in their religious tenets, as in their history. Every one knows that the Roman Catholic religion is at least coeval with most of the governments where it prevails; that it has generally gone hand in hand with them, and received great favor and every kind of support from authority. The Church of England too was formed from her cradle under the nursing care of regular government. But the dissenting interests have sprung up in direct opposition to all the ordinary powers of the world, and could justify that opposition only on a strong claim to natural liberty. Their very existence depended on the powerful and unremitted assertion of that claim. All Protestantism, even the most cold and passive, is a sort of dissent. But the religion most prevalent in our northern colonies is a refinement on the principle of resistance; it is the dissidence of dissent,¹ and the protestantism of the Protestant religion. This religion, under a variety of denominations agreeing in nothing but in the communion of the spirit of liberty, is predominant in most of the northern provinces, where the Church of England, notwithstanding its legal rights, is in reality no more than a sort of private sect, not composing most probably the tenth of the people. The colonists left England when this spirit was high, and in the emigrants was the highest of all; and even that stream of foreigners which has been constantly flowing into these colonies has, for the greatest part, been composed of dissenters from the establishments of their several countries, who have brought with them a temper and character far from alien to that of the people with whom they mixed.

41. Sir, I can perceive by their manner that some gentlemen object to the latitude of this description, because in the southern colonies the Church of England forms a large

¹ **dissidence of dissent** = dissent of dissent; dissent carried to its utmost.

body, and has a regular establishment. It is certainly true. There is, however, a circumstance attending these colonies which, in my opinion, fully counterbalances this difference, and makes the spirit of liberty still more high and haughty than in those to the northward. It is that in Virginia and the Carolinas they have a vast multitude of slaves. Where this is the case in any part of the world, those who are free are by far the most proud and jealous of their freedom. Freedom is to them not only an enjoyment, but a kind of rank and privilege. Not seeing there, that freedom, as in countries where it is a common blessing and as broad and general as the air, may be united with much abject toil, with great misery, with all the exterior of servitude; liberty looks, amongst them, like something that is more noble and liberal. I do not mean, Sir, to commend the superior morality of this sentiment, which has at least as much pride as virtue in it; but I cannot alter the nature of man. The fact is so; and these people of the southern colonies are much more strongly, and with an higher and more stubborn spirit, attached to liberty than those to the northward. Such were all the ancient commonwealths; such were our Gothic ancestors; such in our days were the Poles; and such will be all masters of slaves, who are not slaves themselves. In such a people the haughtiness of domination combines with the spirit of freedom, fortifies it, and renders it invincible.

4. The
Haughty
Spirit in
the South.

42. Permit me, Sir, to add another circumstance in our colonies which contributes no mean part towards the growth and effect of this untractable spirit. I mean their education. In no country perhaps in the world is the law so general a study. The profession itself is numerous and powerful; and in most provinces it takes the lead. The greater number of the deputies sent to the Congress were lawyers. But all who read, and most do read, endeavor to obtain some smattering in that science. I have been told by an eminent bookseller, that in no

5. Educa-
tion.

branch of his business, after tracts of popular devotion, were so many books as those on the law exported to the Plantations. The colonists have now fallen into the way of printing them for their own use. I hear that they have sold nearly as many of Blackstone's Commentaries in America as in England. General Gage marks out this disposition very particularly in a letter on your table. He states that all the people in his government are lawyers, or smatterers in law; and that in Boston they have been enabled, by successful chicane,¹ wholly to evade many parts of one of your capital penal constitutions. The smartness of debate will say that this knowledge ought to teach them more clearly the rights of legislature, their obligations to obedience, and the penalties of rebellion. All this is mighty well. But my honorable and learned friend² on the floor, who condescends to mark what I say for animadversion, will disdain that ground. He has heard, as well as I, that when great honors and great emoluments do not win over this knowledge to the service of the state, it is a formidable adversary to government. If the spirit be not tamed and broken by these happy methods, it is stubborn and litigious. *Abeunt studia in mores.*³ This study renders men acute, inquisitive, dexterous, prompt in attack, ready in defence, full of resources. In other countries, the people, more simple, and of a less mercurial cast, judge of

¹ by successful chicane, *i. e.*, trickery, sharp practice. When the order was issued forbidding the holding of town meetings after August, 1774, the last meeting held prior to that date was adjourned to meet at a definite time. By the rule of Parliamentary practice, an adjourned meeting is a continuation of the original meeting; hence by this legal fiction these adjourned meetings could not be regarded as called *after* August 1, 1774, and were therefore not illegal.

² learned friend; Attorney-General Thurlow — who was making notes of points on Burke's Speech.

³ *abeunt studia in mores*; a quotation from Ovid which, freely translated, means "pursuits pass into character."

an ill principle in government only by an actual grievance ; here they anticipate the evil, and judge of the pressure of the grievance by the badness of the principle. They augur misgovernment at a distance, and snuff the approach of tyranny in every tainted breeze.

43. The last cause of this disobedient spirit in the colonies is hardly less powerful than the rest, as it is ^{6. Remote-} not merely moral, but laid deep in the natural ^{ness.} constitution of things. Three thousand miles of ocean lie between you and them. No contrivance can prevent the effect of this distance in weakening government. Seas roll. and months pass, between the order and the execution ; and the want of a speedy explanation of a single point is enough to defeat a whole system. You have, indeed, winged ministers of vengeance, who carry your bolts in their pounces¹ to the remotest verge of the sea. But there a power steps in that limits the arrogance of raging passions and furious elements, and says, *So far shalt thou go, and no farther.* Who are you, that you should fret and rage, and bite the chains of nature ? Nothing worse happens to you than does to all nations who have extensive empire ; and it happens in all the forms into which empire can be thrown. In large bodies the circulation of power must be less vigorous at the extremities. Nature has said it. The Turk cannot govern Egypt and Arabia and Kurdistan as he governs Thrace ; nor has he the same dominion in Crimea and Algiers which he has at Brusa and Smyrna. Despotism itself is obliged to truck and huckster. The Sultan gets such obedience as he can. He governs with a loose rein, that he may govern at all ; and the whole of the force and vigor of his authority in his centre is derived from a prudent relaxation in all his borders. Spain, in her provinces, is, perhaps, not so well obeyed as you are in yours. She complies, too ; she submits ; she watches times. This is the immutable condition, the eternal law of extensive and detached empire.

¹ pounces = claws or talons.

44. Then, Sir, from these six capital sources — of descent, of form of government, of religion in the northern provinces, of manners in the southern, of education, of the remoteness of situation from the first mover of government — from all these causes a fierce spirit of liberty has grown up. It has grown with the growth of the people in your colonies, and increased with the increase of their wealth; a spirit that unhappily meeting with an exercise of power in England which, however lawful, is not reconcilable to any ideas of liberty, much less with theirs, has kindled this flame that is ready to consume us.

45. I do not mean to commend either the spirit in this excess, or the moral causes which produce it. Perhaps a more smooth and accommodating spirit of freedom in them would be more acceptable to us. Perhaps ideas of liberty might be desired more reconcilable with an arbitrary and boundless authority. Perhaps we might wish the colonists to be persuaded that their liberty is more secure when held in trust for them by us, as their guardians during a perpetual minority, than with any part of it in their own hands. The question is, not whether their spirit deserves praise or blame, but — what, in the name of God, shall we do with it? You have before you the object, such as it is, with all its glories, with all its imperfections on its head. You see the magnitude, the importance, the temper, the habits, the disorders. By all these considerations we are strongly urged to determine something concerning it. We are called upon to fix some rule and line for our future conduct which may give a little stability to our politics, and prevent the return of such unhappy deliberations as the present. Every such return will bring the matter before us in a still more untractable form. For, what astonishing and incredible things have we not seen already! What monsters have not been generated from this unnatural contention! Whilst every principle of authority and resistance has been pushed, upon both sides, as far as it would go, there is nothing so

solid and certain, either in reasoning or in practice, that has not been shaken. Until very lately all authority in America seemed to be nothing but an emanation from yours. Even the popular part of the colony constitution derived all its activity and its first vital movement from the pleasure of the crown. We thought, Sir, that the utmost which the discontented colonists could do was to disturb authority; we never dreamt they could of themselves supply it — knowing in general what an operose business it is to establish a government absolutely new. But having, for our purposes in this contention, resolved that none but an obedient Assembly should sit, the humors of the people there, finding all passage through the legal channel stopped, with great violence broke out another way. Some provinces have tried their experiment, as we have tried ours; and theirs has succeeded. They have formed a government sufficient for its purposes, without the bustle of a revolution or the troublesome formality of an election. Evident necessity and tacit consent have done the business in an instant. So well they have done it, that Lord Dunmore¹ — the account is among the fragments on your table — tells you that the new institution is infinitely better obeyed than the ancient government ever was in its most fortunate periods. Obedience is what makes government, and not the names by which it is called; not the name of Governor, as formerly, or Committee, as at present. This new government has originated directly from the people, and was not transmitted through any of the ordinary artificial media of a positive constitution. It was not a manufacture ready formed, and transmitted to them in that condition from England. The evil arising from hence is this; that the colonists having once found the possibility of enjoying the advantages of order in the midst of a strug-

¹ Lord Dunmore; Governor of Virginia. His testimony was the more important because he was regarded as a bitter enemy of the colonies.

gle for liberty, such struggles will not henceforward seem so terrible to the settled and sober part of mankind as they had appeared before the trial.

46. Pursuing the same plan of punishing by the denial of the exercise of government to still greater lengths, we wholly abrogated the ancient government¹ of Massachusetts. We were confident that the first feeling, if not the very prospect, of anarchy would instantly enforce a complete submission. The experiment was tried. A new, strange, unexpected face of things appeared. Anarchy is found tolerable. A vast province has now subsisted, and subsisted in a considerable degree of health and vigor for near a twelvemonth, without Governor, without public council, without judges, without executive magistrates. How long it will continue in this state, or what may arise out of this unheard-of situation, how can the wisest of us conjecture? Our late experience has taught us that many of those fundamental principles, formerly believed infallible, are either not of the importance they were imagined to be, or that we have not at all adverted to some other far more important and far more powerful principles, which entirely overrule those we had considered as omnipotent. I am much against any further experiments which tend to put to the proof any more of these allowed opinions which contribute so much to the public tranquillity. In effect, we suffer as much at home by this loosening of all ties, and this concussion of all established opinions, as we do abroad; for in order to prove that the Americans have no right to their liberties, we are every day endeavoring to subvert the maxims which preserve the whole spirit of our own. To prove that the Americans ought not to be free, we are obliged to depreciate the value of freedom itself; and we

¹ abrogated the ancient government. In 1774, Parliament forbade the people of Massachusetts to hold town meetings, changed the charter of the colony, and gave the appointment of judges into the hands of the King or his agents.

never seem to gain a paltry advantage over them in debate without attacking some of those principles, or deriding some of those feelings, for which our ancestors have shed their blood.

47. But, Sir, in wishing to put an end to pernicious experiments, I do not mean to preclude the fullest inquiry. Far from it. Far from deciding on a sudden or partial view, I would patiently go round and round the subject, and survey it minutely in every possible aspect. Sir, if I were capable of engaging you to an equal attention, I would state that, as far as I am capable of discerning, there are but three ways of proceeding relative to this stubborn spirit which prevails in your colonies, and disturbs your government.

Three Ways
of Dealing
with this
Rebellious
Spirit.

These are — to change that spirit, as inconvenient, by removing the causes; to prosecute it as criminal; or to comply with it as necessary. I would not be guilty of an imperfect enumeration; I can think of but these three. Another has indeed been started, — that of giving up the colonies; but it met so slight a reception that I do not think myself obliged to dwell a great while upon it. It is nothing but a little sally of anger, like the forwardness of peevish children, who, when they cannot get all they would have, are resolved to take nothing.

48. The *first* of these plans — to change the spirit, as inconvenient, by removing the causes — I think is the most like a systematic proceeding. It is radical in its principle; but it is attended with great difficulties, some of them little short, as I conceive, of impossibilities. This will appear by examining into the plans which have been proposed.

49. As the growing population in the colonies is evidently one cause of their resistance, it was last session mentioned in both Houses, by men of weight, and received not without applause, that in order to check this evil it would be proper for the crown to make no further grants of land. But to this scheme there are two objections.

The first, that there is already so much unsettled land in private hands as to afford room for an immense future population, although the crown not only withheld its grants, but annihilated its soil. If this be the case, then the only effect of this avarice of desolation, this hoarding of a royal wilderness, would be to raise the value of the possessions in the hands of the great private monopolists, without any adequate check to the growing and alarming mischief of population.

50. But if you stopped your grants, what would be the consequence? The people would occupy without grants. They have already so occupied in many places. You cannot station garrisons in every part of these deserts. If you drive the people from one place, they will carry on their annual tillage, and remove with their flocks and herds to another. Many of the people in the back settlements are already little attached to particular situations. Already they have topped the Appalachian mountains. From thence they behold before them an immense plain, one vast, rich, level meadow; a square of five hundred miles. Over this they would wander without a possibility of restraint; they would change their manners with the habits of their life; would soon forget a government by which they were disowned; would become hordes of English Tartars;¹ and, pouring down upon your unfortified frontiers a fierce and irresistible cavalry, become masters of your governors and your counsellors, your collectors and controllers, and of all the slaves that adhered to them. Such would, and in no long time must be, the effect of attempting to forbid as a crime and to suppress as an evil, the command and blessing of providence, *Increase and multiply*. Such would be the happy result of the endeavor to keep as a lair of wild beasts that earth which God, by

¹ English Tartars; alluding probably to the host of Mongol and Tartar warriors, who under Jengis Khan swept over Asia in almost irresistible force.

an express charter, has given to the children of men. Far different, and surely much wiser, has been our policy hitherto. Hitherto we have invited our people, by every kind of bounty, to fixed establishments. We have invited the husbandman to look to authority for his title. We have taught him piously to believe in the mysterious virtue of wax and parchment.¹ We have thrown each tract of land, as it was peopled, into districts, that the ruling power should never be wholly out of sight. We have settled all we could; and we have carefully attended every settlement with government.

51. Adhering, Sir, as I do, to this policy, as well as for the reasons I have just given, I think this new project of hedging-in population to be neither prudent nor practicable.

52. To impoverish the colonies in general, and in particular to arrest the noble course of their marine enterprises, would be a more easy task. I freely confess it. We have shown a disposition to a system of this kind, a disposition even to continue the restraint after the offence, looking on ourselves as rivals to our colonies, and persuaded that of course we must gain all that they shall lose. Much mischief we may certainly do. The power inadequate to all other things is often more than sufficient for this. I do not look on the direct and immediate power of the colonies to resist our violence as very formidable. In this, however, I may be mistaken. But when I consider that we have colonies for no purpose but to be serviceable to us, it seems to my poor understanding a little preposterous to make them unserviceable in order to keep them obedient. It is, in truth, nothing more than the old and, as I thought, exploded problem of tyranny, which proposes to beggar its subjects into submission. But remember, when you have completed your system of impoverishment, that nature still proceeds in her ordinary course; that discontent will in-

¹ wax and parchment = the observance of legal forms and modes of procedure.

crease with misery; and that there are critical moments in the fortune of all states when they who are too weak to contribute to your prosperity may be strong enough to complete your ruin. *Spoliatis arma supersunt.*¹

53. The temper and character which prevail in our colonies are, I am afraid, unalterable by any human art. We cannot, I fear, falsify the pedigree of this fierce people, and persuade them that they are not sprung from a nation in whose veins the blood of freedom circulates. The language in which they would hear you tell them this tale would detect the imposition; your speech would betray² you. An Englishman is the unfittest person on earth to argue another Englishman into slavery.

54. I think it is nearly as little in our power to change their republican religion as their free descent; or to substitute the Roman Catholic as a penalty, or the Church of England as an improvement. The mode of inquisition and dragooning is going out of fashion in the Old World, and I should not confide much to their efficacy in the New. The education of the Americans is also on the same unalterable bottom with their religion. You cannot persuade them to burn their books³ of curious science; to banish their lawyers from their courts of laws; or to quench the lights of their assemblies by refusing to choose those persons who are best read in their privileges. It would be no less impracticable to think of wholly annihilating the popular assemblies in which these lawyers sit. The army, by which we must govern in their place, would be far more chargeable to us, not quite so effectual, and perhaps in the end full as difficult to be kept in obedience.

55. With regard to the high aristocratic spirit of Vir

¹ *Spoliatis arma supersunt*; a quotation from Juvenal, VIII. 124, meaning "to the despoiled, their arms remain."

² **language would betray**; a probable allusion to Matthew xxvi. 73, or to Judges xii. 6.

³ **burn their books.** See Acts xix. 19.

ginia and the southern colonies, it has been proposed, I know, to reduce it by declaring a general enfranchisement of their slaves. This object has had its advocates and panegyrist; yet I never could argue myself into any opinion of it. Slaves are often much attached to their masters. A general wild offer of liberty would not always be accepted. History furnishes few instances of it. It is sometimes as hard to persuade slaves to be free, as it is to compel freemen to be slaves; and in this auspicious scheme we should have both these pleasing tasks on our hands at once. But when we talk of enfranchisement, do we not perceive that the American master may enfranchise too, and arm servile hands in defence of freedom? — a measure to which other people have had recourse more than once, and not without success, in a desperate situation of their affairs.

56. Slaves as these unfortunate black people are, and dull as all men are from slavery, must they not a little suspect the offer of freedom from that very nation which has sold them to their present masters — from that nation, one of whose causes of quarrel with those masters is their refusal to deal any more in that inhuman traffic? An offer of freedom from England would come rather oddly, shipped to them in an African vessel which is refused an entry into the ports of Virginia or Carolina with a cargo of three hundred Angola¹ negroes. It would be curious to see the Guinea captain attempting at the same instant to publish his proclamation of liberty, and to advertise his sale of slaves.

57. But let us suppose all these moral difficulties got over. The ocean remains. You cannot pump this dry; and as long as it continues in its present bed, so long all the causes which weaken authority by distance will continue.

¹ Angola; on the west coast of Africa, noted for its activity in the slave trade.

“Ye gods,¹ annihilate but space and time,
And make two lovers happy!”

was a pious and passionate prayer; but just as reasonable as many of the serious wishes of grave and solemn politicians.

58. If then, Sir, it seems almost desperate to think of any alterative course for changing the moral causes, and not quite easy to remove the natural, which produce prejudices irreconcilable to the late exercise of our authority — but that the spirit infallibly will continue, and, continuing, will produce such effects as now embarrass us — the *second* mode under consideration is to prosecute that spirit in its overt acts as *criminal*.

59. At this proposition I must pause a moment. The thing seems a great deal too big for my ideas of jurisprudence. It should seem to my way of conceiving such matters that there is a very wide difference, in reason and policy, between the mode of proceeding on the irregular conduct of scattered individuals, or even of bands of men who disturb order within the state, and the civil dissensions which may, from time to time, on great questions, agitate the several communities which compose a great empire. It looks to me to be narrow and pedantic to apply the ordinary ideas of criminal justice to this great public contest. I do not know the method of drawing up an indictment against a whole people. I cannot insult and ridicule the feelings of millions of my fellow-creatures as Sir Edward Coke insulted² one excellent individual (Sir Walter Raleigh) at the bar. I hope I am not ripe to pass sentence on the gravest public bodies, intrusted with magistracies of great authority and dignity, and charged with the safety of their

¹ Ye gods; of uncertain origin.

² Sir Edward Coke insulted; referring to Raleigh's trial, when Coke, then attorney-general, assailed him with bitter injustice. denouncing him in the words: —

“Thou hast an English face, but a Spanish heart.”

fellow-citizens, upon the very same title that I am. I really think that, for wise men, this is not judicious; for sober men, not decent; for minds tinctured with humanity, not mild and merciful.

60. Perhaps, Sir, I am mistaken in my idea of an empire, as distinguished from a single state or kingdom. But my idea of it is this; that an empire is the aggregate of many states under one common head, whether this head be a monarch or a presiding republic. It does, in such constitutions, frequently happen — and nothing but the dismal, cold, dead uniformity of servitude can prevent its happening — that the subordinate parts have many local privileges and immunities. Between these privileges and the supreme common authority the line may be extremely nice. Of course disputes, often, too, very bitter disputes, and much ill blood, will arise. But though every privilege is an exemption, in the case, from the ordinary exercise of the supreme authority, it is no denial of it. The claim of a privilege seems rather, *ex vi termini*,¹ to imply a superior power; for to talk of the privileges of a state or of a person who has no superior is hardly any better than speaking nonsense. Now, in such unfortunate quarrels among the component parts of a great political union of communities, I can scarcely conceive anything more completely imprudent than for the head of the empire to insist that, if any privilege is pleaded against his will or his acts, his whole authority is denied; instantly to proclaim rebellion, to beat to arms, and to put the offending provinces under the ban. Will not this, Sir, very soon teach the provinces to make no distinctions on their part? Will it not teach them that the government, against which a claim of liberty is tantamount to high treason, is a government to which submission is equivalent to slavery? It may not always be quite convenient to impress dependent communities with such an idea.

¹ *Ex vi termini* = by the meaning of the term.

61. We are, indeed, in all disputes with the colonies, by the necessity of things, the judge. It is true, Sir. But I confess that the character of judge in my own cause is a thing that frightens me. Instead of filling me with pride, I am exceedingly humbled by it. I cannot proceed with a stern, assured, judicial confidence, until I find myself in something more like a judicial character. I must have these hesitations as long as I am compelled to recollect that, in my little reading upon such contests as these, the sense of mankind has at least as often decided against the superior as the subordinate power. Sir, let me add, too, that the opinion of my having some abstract right in my favor would not put me much at my ease in passing sentence, unless I could be sure that there were no rights which, in their exercise under certain circumstances, were not the most odious of all wrongs and the most vexatious of all injustice. Sir, these considerations have great weight with me when I find things so circumstanced, that I see the same party at once a civil litigant against me in point of right and a culprit before me, while I sit as a criminal judge on acts of his whose moral quality is to be decided upon the merits of that very litigation. Men are every now and then put, by the complexity of human affairs, into strange situations; but justice is the same, let the judge be in what situation he will.

62. There is, Sir, also a circumstance which convinces me that this mode of criminal proceeding is not, at least in the present stage of our contest, altogether expedient; which is nothing less than the conduct of those very persons who have seemed to adopt that mode by lately declaring a rebellion in Massachusetts Bay, as they had formerly addressed¹ to have traitors brought hither, under an Act of Henry the Eighth, for trial. For though rebellion is declared, it is not proceeded against as such, nor have any steps been taken towards the apprehension or conviction of

¹ addressed = petitioned.

any individual offender, either on our late or our former Address; but modes of public coercion have been adopted, and such as have much more resemblance to a sort of qualified hostility towards an independent power than the punishment of rebellious subjects. All this seems rather inconsistent; but it shows how difficult it is to apply these juridical ideas to our present case.

63. In this situation, let us seriously and coolly ponder. What is it we have got by all our menaces, which have been many and ferocious? What advantage have we derived from the penal laws we have passed, and which, for the time, have been severe and numerous? What advances have we made towards our object by the sending of a force which, by land and sea, is no contemptible strength? Has the disorder abated? Nothing less. When I see things in this situation after such confident hopes, bold promises, and active exertions, I cannot, for my life, avoid a suspicion that the plan itself is not correctly right.

64. If, then, the removal of the causes of this spirit of American liberty be for the greater part, or rather entirely, impracticable; if the ideas of criminal process be inapplicable — or, if applicable, are in the highest degree inexpedient — what way yet remains? No way is open but the third and last — to comply with the American spirit as necessary; or, if you please, to submit to it as a necessary evil.

IV. COMPLIANCE IS A NECESSITY.

65. If we adopt this mode, — if we mean to conciliate and concede — let us see of what nature the concession ought to be. To ascertain the nature of our concession, we must look at their complaint. The colonies complain that they have not the characteristic mark and seal of British freedom. They complain that they are taxed in a Parliament in which they are not represented. If you mean to satisfy them at all, you must satisfy them with regard to this complaint. If you mean to please

B. WHAT YOUR CONCESSION OUGHT TO BE. I. Nature of the Concession.

1. Taxed without Representation.

any people, you must give them the boon which they ask; not what you may think better for them, but of a kind totally different. Such an act may be a wise regulation, but it is no concession; whereas our present theme is the mode of giving satisfaction.

66. Sir, I think you must perceive that I am resolved this day to have nothing at all to do with the question of the right of taxation. Some gentlemen startle — but it is true; I put it totally out of the question. It is less than nothing in my consideration. I do not indeed wonder, nor will you, Sir, that gentlemen of profound learning are fond of displaying it on this profound subject. But my consideration is narrow, confined, and wholly limited to the policy of the question. I do not examine whether the giving away a man's money be a power excepted and reserved out of the general trust of government, and how far all mankind, in all forms of polity, are entitled to an exercise of that right by the charter of nature; or, whether, on the contrary, a right of taxation is necessarily involved in the general principle of legislation, and inseparable from the ordinary supreme power. These are deep questions, where great names militate against each other, where reason is perplexed, and an appeal to authorities only thickens the confusion; for high and reverend authorities lift up their heads on both sides, and there is no sure footing in the middle. This point is the great

“Serbonian bog,¹

Betwixt Damiata and Mount Casius old,
Where armies whole have sunk.”

I do not intend to be overwhelmed in that bog, though in such respectable company. The question with me is, not whether you have a right to render your people miserable, but whether it is not your interest to make them happy.

¹ great Serbonian bog; a quotation from *Paradise Lost*, II. 592-594.

It is not what a lawyer tells me I *may* do, but what humanity, reason, and justice tell me I *ought* to do. Is a politic act the worse for being a generous one? Is no concession proper but that which is made from your want of right to keep what you grant? Or does it lessen the grace or dignity of relaxing in the exercise of an odious claim because you have your evidence-room full of titles, and your magazines stuffed with arms to enforce them? What signify all those titles, and all those arms? Of what avail are they, when the reason of the thing tells me that the assertion of my title is the loss of my suit, and that I could do nothing but wound myself by the use of my own weapons?

67. Such is steadfastly my opinion of the absolute necessity of keeping up the concord of this empire by an unity of spirit, though in a diversity of operations, that, if I were sure the colonists had, at their leaving this country, sealed a regular compact of servitude; that they had solemnly abjured all the rights of citizens; that they had made a vow to renounce all ideas of liberty for them and their posterity to all generations; yet I should hold myself obliged to conform to the temper I found universally prevalent in my own day, and to govern two million of men, impatient of servitude, on the principles of freedom. I am not determining a point of law, I am restoring tranquillity; and the general character and situation of a people must determine what sort of government is fitted for them. That point nothing else can or ought to determine.

68. My idea, therefore, without considering whether we yield it as a matter of right or grant as matter of ^{2. Burke's Idea.} favor, is to *admit the people of our colonies into an interest in the Constitution*; and, by recording that admission in the journals of Parliament, to give them as strong an assurance as the nature of the thing will admit, that we mean forever to adhere to that solemn declaration of systematic indulgence.

69. Some years ago the repeal of a revenue Act, upon its understood principle, might have served to show that we intended an unconditional abatement of the exercise of a taxing power. Such a measure was then sufficient to remove all suspicion, and to give perfect content. But unfortunate events since that time may make something further necessary; and not more necessary for the satisfaction of the colonies than for the dignity and consistency of our own future proceedings.

70. I have taken a very incorrect measure of the disposition of the House if this proposal in itself would be received with dislike. I think, Sir, we have few American financiers.¹ But our misfortune is, we are too acute, we are too exquisite² in our conjectures of the future, for men oppressed with such great and present evils. The more moderate among the opposers of Parliamentary concession freely confess that they hope no good from taxation, but they apprehend the colonists have further views; and if this point were conceded, they would instantly attack the trade laws. These gentlemen are convinced that this was the intention from the beginning, and the quarrel of the Americans with taxation was no more than a cloak and cover to this design. Such has been the language even of a gentleman of real moderation,³ and of a natural temper well adjusted to fair and equal government. I am, however, Sir, not a little surprised at this kind of discourse whenever I hear it; and I am the more surprised on account of the arguments which I constantly find in company with it, and which are often urged from the same mouths and on the same day.

71. For instance, when we allege that it is against reason to tax a people under so many restraints in trade as the

¹ **American financiers** = financiers skilled in dealing with affairs in America.

² **too exquisite** = too careful, over-careful, over-anxious.

³ **a gentleman of real moderation**; a Mr. Rice.

Americans, the noble lord in the blue ribbon shall tell you that the restraints on trade are futile and useless — of no advantage to us, and of no burthen to those on whom they are imposed ; that the trade to America is not secured by the Acts of Navigation,¹ but by the natural and irresistible advantage of a commercial preference.

72. Such is the merit of the trade laws in this posture of the debate. But when strong internal circumstances are urged against the taxes ; when the scheme is dissected ; when experience and the nature of things are brought to prove, and do prove, the utter impossibility of obtaining an effective revenue from the colonies ; when these things are pressed, or rather press themselves, so as to drive the advocates of colony taxes to a clear admission of the futility of the scheme ; then, Sir, the sleeping trade laws revive from their trance, and this useless taxation is to be kept sacred, not for its own sake, but as a counter-guard and security of the laws of trade.

73. Then, Sir, you keep up revenue laws which are mischievous, in order to preserve trade laws that are useless. Such is the wisdom of our plan in both its members. They are separately given up as of no value, and yet one is always to be defended for the sake of the other ; but I cannot agree with the noble lord, nor with the pamphlet² from whence he seems to have borrowed these ideas concerning the inutility of the trade laws. For, without idolizing them, I am sure they are still, in many ways, of great use to us ; and in former times they have been of the greatest. They do confine, and they do greatly narrow, the market for the Americans ; but my perfect conviction of this does not help me in the least to discern how the

¹ **Acts of Navigation**, by which every other nation was forbidden to bring to England or to its colonies anything but the actual products of that country. Hence the greater amount of the carrying trade was in the hands of England itself.

² **the pamphlet** ; written by Dr. Tucker, of Gloucester.

revenue laws form any security whatsoever to the commercial regulations, or that these commercial regulations are the true ground of the quarrel, or that the giving way, in any one instance of authority, is to lose all that may remain unconceded.

74. One fact is clear and indisputable. The public and avowed origin of this quarrel was on taxation. This quarrel has indeed brought on new disputes on new questions; but certainly the least bitter, and the fewest of all, on the trade laws. To judge which of the two be the real radical cause of quarrel, we have to see whether the commercial dispute did, in order of time, precede the dispute on taxation? There is not a shadow of evidence for it. Next, to enable us to judge whether at this moment a dislike to the trade laws be the real cause of quarrel, it is absolutely necessary to put the taxes out of the question by a repeal. See how the Americans act in this position, and then you will be able to discern correctly what is the true object of the controversy, or whether any controversy at all will remain. Unless you consent to remove this cause of difference, it is impossible, with decency, to assert that the dispute is not upon what it is avowed to be. And I would, Sir, recommend to your serious consideration whether it be prudent to form a rule for punishing people, not on their own acts, but on your conjectures? Surely it is preposterous at the very best. It is not justifying your anger by their misconduct, but it is converting your ill-will into their delinquency.

75. But the colonies will go further.¹ Alas! alas! when will this speculation against fact and reason end? What will quiet these panic fears which we entertain of the hostile effect of a conciliatory conduct? Is it true that no case can exist in which it is proper for the sovereign to accede to the desires of his discontented subjects? Is

¹ the colonies will go further, *i. e.*, the objection of the opponents of Burke's scheme.

there anything peculiar in this case to make a rule for itself? Is all authority of course lost when it is not pushed to the extreme? Is it a certain maxim that the fewer causes of dissatisfaction are left by government, the more the subject will be inclined to resist and rebel?

76. All these objections being in fact no more than suspicions, conjectures, divinations, formed in defiance of fact and experience, they did not, Sir, discourage me from entertaining the idea of a conciliatory concession founded on the principles which I have just stated.

77. In forming a plan for this purpose, I endeavored to put myself in that frame of mind which was the most natural and the most reasonable, and which was certainly the most probable means of securing me from all error. I set out with a perfect distrust of my own abilities, a total renunciation of every speculation of my own, and with a profound reverence for the wisdom of our ancestors who have left us the inheritance of so happy a constitution and so flourishing an empire, and, what is a thousand times more valuable, the treasury of the maxims and principles which formed the one and obtained the other.

3. Precedents for Conciliation.

78. During the reigns of the kings of Spain of the Austrian family, whenever they were at a loss in the Spanish councils, it was common for their statesmen to say that they ought to consult the genius of Philip the Second. The genius of Philip the Second¹ might mislead them, and the issue of their affairs showed that they had not chosen the most perfect standard; but, Sir, I am sure that I shall not be misled when, in a case of constitutional difficulty, I consult the genius of the English Constitution. Consulting at that oracle² — it was with all due humility and piety —

¹ Philip the Second, 1556-1598.

² consulting at that oracle; referring, of course, to the ancient practice of appealing to the oracle of a god for guidance as to a proposed course of action.

I found four capital examples in a similar case before me; those of Ireland, Wales, Chester, and Durham.

79. Ireland, before the English conquest, though never governed by a despotic power, had no Parliament. How far the English Parliament itself was at that time modelled according to the present form is disputed among antiquaries; but we have all the reason in the world to be assured that a form of Parliament such as England then enjoyed she instantly communicated to Ireland, and we are equally sure that almost every successive improvement in constitutional liberty, as fast as it was made here, was transmitted thither. The feudal baronage and the feudal knighthood, the roots of our primitive Constitution, were early transplanted into that soil, and grew and flourished there. Magna Charta, if it did not give us originally the House of Commons, gave us at least a House of Commons of weight and consequence. But your ancestors did not churlishly sit down alone to the feast of Magna Charta. Ireland was made immediately a partaker. This benefit of English laws and liberties, I confess, was not at first extended to all Ireland. Mark the consequence. English authority and English liberties had exactly the same boundaries. Your standard could never be advanced an inch before your privileges. Sir John Davis¹ shows beyond a doubt that the refusal of a general communication of these rights was the true cause why Ireland was five hundred years in subduing; and after the vain projects of a military government, attempted in the reign of Queen Elizabeth, it was soon discovered that nothing could make that country English, in civility and allegiance, but your laws and your forms of legislature. It was not English arms, but the English Constitution, that conquered Ireland. From that time Ireland has ever had a general Parliament, as she had before a partial Parliament. You changed the people; you

¹ Sir John Davis (or Davies). In 1603 he was solicitor-general to Ireland, and in 1612 published a work on the political state of that country.

altered the religion ; but you never touched the form or the vital substance of free government in that kingdom. You deposed kings ; you restored them ; you altered the succession to theirs, as well as to your own crown ; but you never altered their Constitution, the principle of which was respected by usurpation, restored with the restoration of monarchy, and established, I trust, forever by the glorious Revolution. This has made Ireland the great and flourishing kingdom that it is, and, from a disgrace and a burthen intolerable to this nation, has rendered her a principal part of our strength and ornament. This country cannot be said to have ever formally taxed her. The irregular things done in the confusion of mighty troubles and on the hinge of great revolutions, even if all were done that is said to have been done, form no example. If they have any effect in argument, they make an exception to prove the rule. None of your own liberties could stand a moment, if the casual deviations from them at such times were suffered to be used as proofs of their nullity. By the lucrative amount of such casual breaches in the constitution, judge what the stated and fixed rule of supply has been in that kingdom. Your Irish pensioners would starve, if they had no other fund to live on than taxes granted by English authority. Turn your eyes to those popular grants from whence all your great supplies are come, and learn to respect that only source of public wealth in the British Empire.

80. My next example is Wales. This country was said to be reduced by Henry the Third. It was said more truly to be so by Edward the First. But though then conquered, it was not looked upon as any part of the realm of England. Its old Constitution, whatever that might have been, was destroyed, and no good one was substituted in its place. The care of that tract was put into the hands of Lords Marchers¹—a form of government of a very singular

¹ **Lords Marchers** = the lords of the marches, or borders of a territory : they had kingly authority.

kind; a strange heterogeneous monster, something between hostility and government; perhaps it has a sort of resemblance, according to the modes of those terms, to that of Commander-in-chief at present, to whom all civil power is granted as secondary. The manners of the Welsh nation followed the genius of the government. The people were ferocious, restive, savage, and uncultivated; sometimes composed, never pacified. Wales, within itself, was in perpetual disorder, and it kept the frontier of England in perpetual alarm. Benefits from it to the state there were none. Wales was only known to England by incursion and invasion.

81. Sir, during that state of things, Parliament was not idle. They attempted to subdue the fierce spirit of the Welsh by all sorts of rigorous laws. They prohibited by statute the sending all sorts of arms into Wales, as you prohibit by proclamation (with something more of doubt on the legality) the sending arms to America. They disarmed the Welsh by statute, as you attempted (but still with more question on the legality) to disarm New England by an instruction. They made an Act to drag offenders from Wales into England for trial, as you have done (but with more hardship) with regard to America. By another Act, where one of the parties was an Englishman, they ordained that his trial should be always by English. They made Acts to restrain trade, as you do; and they prevented the Welsh from the use of fairs and markets, as you do the Americans from fisheries and foreign ports. In short, when the Statute Book was not quite so much swelled as it is now, you find no less than fifteen acts of penal regulation on the subject of Wales.

82. Here we rub our hands. — A fine body¹ of precedents for the authority of Parliament and the use of it! — I admit it fully; and pray add likewise to these precedents

¹ A fine body; the exclamation of one who is in favor of coercion

that all the while Wales rid this kingdom like an *incubus*, that it was an unprofitable and oppressive burthen, and that an Englishman travelling in that country could not go six yards from the high road without being murdered.

83. The march of the human mind is slow. Sir, it was not until after two hundred years discovered that, by an eternal law, providence had decreed vexation to violence, and poverty to rapine. Your ancestors did, however, at length open their eyes to the ill-husbandry of injustice. They found that the tyranny of a free people could of all tyrannies the least be endured, and that laws made against a whole nation were not the most effectual methods of securing its obedience. Accordingly, in the twenty-seventh year of Henry the Eighth the course was entirely altered. With a preamble stating the entire and perfect rights of the Crown of England, it gave to the Welsh all the rights and privileges of English subjects. A political order was established; the military power gave way to the civil; the Marches were turned into Counties. But that a nation should have a right to English liberties, and yet no share at all in the fundamental security of these liberties — the grant of their own property — seemed a thing so incongruous, that, eight years after, that is, in the thirty-fifth of that reign, a complete and not ill-proportioned representation by counties and boroughs was bestowed upon Wales by Act of Parliament. From that moment, as by a charm, the tumults subsided; obedience was restored; peace, order, and civilization followed in the train of liberty. When the day-star¹ of the English Constitution had arisen in their hearts, all was harmony within and without —

— “*simul alba nautis*²
Stella refulsit,

¹ day-star. See 2 Pet. i. 19.

² *simul alba nautis*; a quotation from Horace, Ode l. 12-27-32. Freely translated it means: As soon as the bright star has gleamed forth to the sailors, the troubled water recedes

Defluit saxis agitatus humor ;
 Concidunt venti, fugiuntque nubes,
 Et minax (quod sic voluere) ponto
 Unda recumbit."

84. The very same year the County Palatine¹ of Chester received the same relief from its oppressions and the same remedy to its disorders. Before this time Chester was little less distempered than Wales. The inhabitants, without rights themselves, were the fittest to destroy the rights of others ; and from thence Richard the Second drew the standing army of archers with which for a time he oppressed England. The people of Chester applied to Parliament in a petition penned as I shall read to you : —

35. "To the King, our Sovereign Lord, in most humble wise shewen unto your excellent Majesty the inhabitants of your Grace's County Palatine of Chester : (1) That where the said County Palatine of Chester is and hath been always hitherto exempt, excluded, and separated out and from your High Court of Parliament, to have any Knights and Burgesses within the said Court ; by reason whereof the said inhabitants have hitherto sustained manifold disherisons,² losses, and damages, as well in their lands, goods, and bodies, as in the good, civil, and politic governance and maintenance of the commonwealth of their said county ; (2) And forasmuch as the said inhabitants have always hitherto been bound by the Acts and Statutes made and ordained by your said Highness and your most noble progenitors, by authority of the said Court, as far forth as other countie, cities, and boroughs have been, that

from the rocks, the winds die away, and the clouds scatter. And because they [the gods] have so willed, the threatening wave subsides upon the deep.

¹ **County Palatine** = a county in England in which the count or woman had within his domain the power of a king. The word Palatine is the English form of the Latin "Palatinus," belonging to the king, or to the Palatine Hill.

² **disherisons** = disinheritance.

have had their Knights and Burgesses within your said Court of Parliament, and yet have had neither Knight **ne**¹ Burgess there for the said County Palatine; the said inhabitants, for lack thereof, have been oftentimes touched and grieved with Acts and Statutes made within the said Court, as well derogatory unto the most ancient jurisdictions, liberties, and privileges of your said County Palatine, as prejudicial unto the commonwealth, quietness, rest, and peace of your Grace's most bounden subjects inhabiting with'in the same."

86. What did Parliament with this audacious address? — Reject it as a libel? Treat it as an affront to government? Spurn it as a derogation from the rights of legislature? Did they toss it over the table? Did they burn it by the hands of the common hangman? — They took the petition of grievance, all rugged as it was, without softening or temperament,² unpurged of the original bitterness and indignation of complaint — they made it the very preamble to their Act of redress, and consecrated its principle to all ages in the sanctuary of legislation.

87. Here is my third example. It was attended with the success of the two former. Chester, civilized as well as Wales, has demonstrated that freedom, and not servitude, is the cure of anarchy; as religion, and not atheism, is the true remedy for superstition. Sir, this pattern of Chester was followed in the reign of Charles the Second with regard to the County Palatine of Durham, which is my fourth example. This county had long lain out of the pale³ of free legislation. So scrupulously was the example of Ches-

¹ **ne** = an A.-S. conjunction meaning *nor*.

² **temperament**; used in the sense of "modification."

³ **out of the pale**. The English pale was that part of Ireland in which English law was recognized and administered. What does the author mean, therefore, by the metaphor "out of the pale of free legislation"?

ter followed that the style of the preamble is nearly the same with that of the Chester Act ; and, without affecting the abstract extent of the authority of Parliament, it recognizes the equity of not suffering any considerable district in which the British subjects may act as a body, to be taxed without their own voice in the grant.

88. Now if the doctrines of policy contained in these preambles, and the force of these examples in the Acts of Parliaments, avail anything, what can be said against applying them with regard to America? Are not the people of America as much Englishmen as the Welsh? The preamble of the Act of Henry the Eighth says the Welsh speak a language no way resembling that of his Majesty's English subjects. Are the Americans not as numerous? If we may trust the learned and accurate Judge Barrington's account of North Wales, and take that as a standard to measure the rest, there is no comparison. The people cannot amount to above 200,000 ; not a tenth part of the number in the colonies. Is America in rebellion? Wales was hardly ever free from it. Have you attempted to govern America by penal statutes? You made fifteen for Wales. But your legislative authority is perfect with regard to America. Was it less perfect in Wales, Chester, and Durham? But America is virtually represented. What! does the electric force of virtual representation more easily pass over the Atlantic than pervade Wales, which lies in your neighborhood—or than Chester and Durham, surrounded by abundance of representation that is actual and palpable? But, Sir, your ancestors thought this sort of virtual representation, however ample, to be totally insufficient for the freedom of the inhabitants or territories that are so near, and comparatively so inconsiderable. How then can I think it sufficient for those which are infinitely greater, and infinitely more remote?

89. You will now, Sir, perhaps imagine that I am on the point of proposing to you a scheme for a representation of

the colonies in Parliament. Perhaps I might be inclined to entertain some such thought; but a great flood stops me in my course. *Opposuit natura.*¹ — I cannot remove the eternal barriers of the creation. The thing, in that mode, I do not know to be possible. As I meddle with no theory, I do not absolutely assert the impracticability of such a representation; but I do not see my way to it, and those who have been more confident have not been more successful. However, the arm of public benevolence is not shortened,² and there are often several means to the same end. What nature has disjoined in one way, wisdom may unite in another. When we cannot give the benefit as we would wish, let us not refuse it altogether. If we cannot give the principal, let us find a substitute. But how? Where? What substitute?

90. Fortunately I am not obliged, for the ways and means of this substitute, to tax my own unproductive invention. I am not even obliged to go to the rich treasury of the fertile framers of imaginary commonwealths³ — not to the Republic of Plato, not to the Utopia of More, not to the Oceana of Harrington. It is before me — it is at my feet,

“ And the rude swain⁴
Treads daily on it with his clouted shoon.”

I only wish you to recognize, for the theory, the ancient constitutional policy of this kingdom with regard to representation, as that policy has been declared in Acts of Parliament; and as to the practice, to return to that mode which

¹ *Opposuit natura* = nature has opposed. Juvenal, X. 152.

² arm is not shortened. An allusion to Isaiah lix. 1.

³ imaginary commonwealths; three works of fiction, describing a state of society, laws, morals, government, altogether perfect and harmonious.

⁴ and the rude swain; a quotation from Milton's *Comus*, lines 634, 635, “and the dull swain treads on it daily with his clouted shoon.”

a uniform experience has marked out to you as best, and in which you walked with security, advantage, and honor, until the year 1763.

91. My Resolutions therefore mean to establish the equity and justice of a taxation of America by *grant*,¹ and not by *imposition* ;² to mark the *legal competency* of the colony Assemblies for the support of their government in peace, and for public aids in time of war ; to acknowledge that this legal competency has had a *dutiful and beneficial exercise* ; and that experience has shown the *benefit of their grants*, and the *futility of Parliamentary taxation as a method of supply*.

92. These solid truths compose six fundamental propositions. There are three more Resolutions corollary to these. If you admit the first set, you can hardly reject the others. But if you admit the first, I shall be far from solicitous whether you accept or refuse the last. I think these six massive pillars will be of strength sufficient to support the temple of British concord. I have no more doubt than I entertain of my existence that, if you admitted these, you would command an immediate peace, and, with but tolerable future management, a lasting obedience³ in America. I am not arrogant in this confident assurance. The propositions are all mere matters of fact, and if they are such facts as draw irresistible conclusions even in the stating, this is the power of truth, and not any management of mine.

93. Sir, I shall open the whole plan to you, together with such observations on the motions as may tend to illustrate them where they may want explanation.

¹ by *grant*, *i. e.*, by the grant of the colonial Assemblies themselves.

² by *imposition*, *i. e.*, by means of a tax imposed on them by Parliament.

³ *lasting obedience*. Observe how frequently throughout the Speech the author impresses the idea of the importance of a *lasting obedience*, a *permanent peace*.

94. The first is a Resolution :

“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.”

95. This is a plain matter of fact, necessary to be laid down, and (excepting the description) it is laid down in the language of the Constitution ; it is taken nearly *verbatim* from Acts of Parliament.

96. The second is like unto the first —

“That the said Colonies and Plantations have been 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 said 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 within the same.”

97. Is this description too hot, or too cold ; too strong, or too weak ? Does it arrogate too much to the supreme legislature ? Does it lean too much to the claims of the people ? If it runs into any of these errors, the fault is not mine. It is the language of your own ancient Acts of Parliament.

“Non meus hic sermo,¹ sed quæ præcepit Ofellus,
Rusticus, abnormis sapiens.”

It is the genuine produce of the ancient, rustic, manly, homebred sense of this country. — I did not dare to rub

¹ **Non meus hic sermo** ; a quotation from Horace, Lib. II Sat. II. 2-3, meaning, “This language is not mine, but that which Ofellus taught : rustic, but wise beyond what is usual.”

off a particle of the venerable rust that rather adorns and preserves, than destroys, the metal. It would be a profanation to touch with a tool the stones which construct the sacred altar of peace. I would not violate with modern polish the ingenuous and noble roughness of these truly Constitutional materials. Above all things, I was resolved not to be guilty of tampering, the odious vice of restless and unstable minds. I put my foot in the tracks of our forefathers, where I can neither wander nor stumble. Determining to fix articles of peace, I was resolved not to be wise beyond what was written;¹ I was resolved to use nothing else than the form of sound words, to let others abound in their own sense, and carefully to abstain from all expressions of my own. What the law has said, I say. In all things else I am silent. I have no organ but for her words. This, if it be not ingenious, I am sure is safe.

98. There are indeed words expressive of grievance in this second Resolution, which those who are resolved always to be in the right will deny to contain matter of fact, as applied to the present case, although Parliament thought them true with regard to the counties of Chester and Durham. They will deny that the Americans were ever "touched and grieved" with the taxes. If they consider nothing in taxes but their weight as pecuniary impositions, there might be some pretence for this denial; but men may be sorely touched and deeply grieved in their privileges, as well as in their purses. Men may lose little in property by the act which takes away all their freedom. When a man is robbed of a trifle on the highway, it is not the two-pence lost that constitutes the capital outrage. This is not confined to privileges. Even ancient indulgences, withdrawn without offence on the part of those who enjoyed such favors, operate as grievances. But were the Americans then not touched and grieved by the taxes, in some measure, merely as taxes? If so, why were they almost

¹ what was written. See 1 Cor. iv. 6.

all either wholly repealed, or exceedingly reduced? Were they not touched and grieved even by the regulating duties of the sixth of George the Second?¹ Else, why were the duties first reduced to one third in 1764, and afterwards to a third of that third in the year 1766? Were they not touched and grieved by the Stamp Act? I shall say they were, until that tax is revived. Were they not touched and grieved by the duties of 1767, which were likewise repealed, and which Lord Hillsborough tells you, for the Ministry, were laid contrary to the true principle of commerce? Is not the assurance given by that noble person to the colonies of a resolution to lay no more taxes on them an admission that taxes would touch and grieve them? Is not the Resolution of the noble lord in the blue ribbon, now standing on your Journals, the strongest of all proofs that Parliamentary subsidies really touched and grieved them? Else why all these changes, modifications, repeals, assurances, and resolutions?

99. The next proposition is —

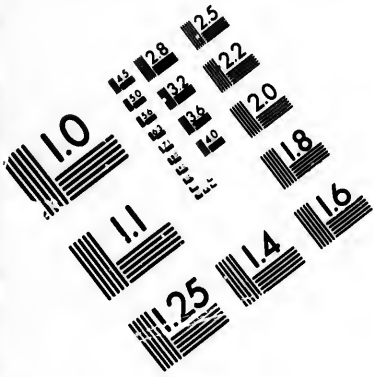
“That, from the distance of the said Colonies, and from other circumstances, no method hath hitherto been devised for procuring a representation in Parliament for the said Colonies.”

100. This is an assertion of a fact. I go no further on the paper, though, in my private judgment, a useful representation is impossible — I am sure it is not desired by them, nor ought it perhaps by us — but I abstain from opinions.

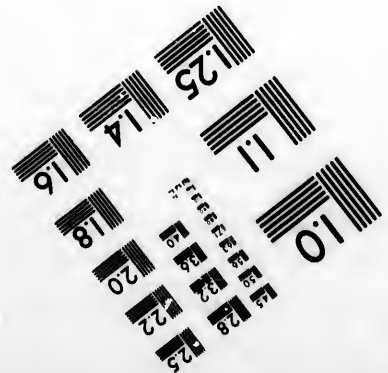
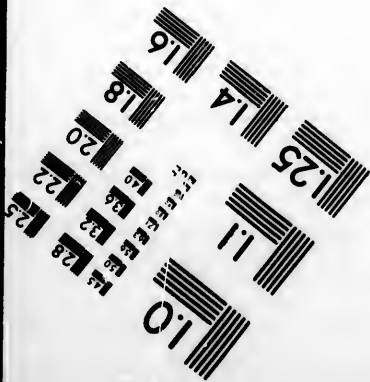
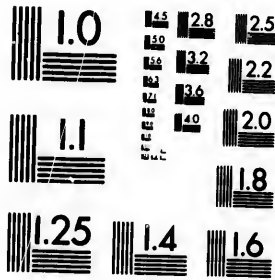
101. The fourth Resolution is —

“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

¹ the Sixth of George the Second, *i. e.*, the sixth Act.



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



1.5 2.8
3.2 2.5
3.6 2.2
2.0
8

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such colonies, duties and taxes towards defraying all sorts of public services."

102. This competence in the colony Assemblies is certain. It is proved by the whole tenor of their Acts of Supply in all the Assemblies, in which the constant style of granting is, "an aid to his Majesty;"¹ and Acts granting to the crown have regularly for near a century passed the public offices without dispute. Those who have been pleased paradoxically to deny this right, holding that none but the British Parliament can grant to the crown, are wished to look to what is done, not only in the colonies, but in Ireland, in one uniform unbroken tenor every session. Sir, I am surprised that this doctrine should come from some of the law servants of the crown. I say that if the crown could be responsible, his Majesty -- but certainly the Ministers, -- and even these law officers themselves through whose hands the Acts passed, biennially in Ireland, or annually in the colonies -- are in an habitual course of committing impeachable offences. What habitual offenders have been all Presidents of the Council, all Secretaries of State, all First Lords of Trade, all Attorneys and all Solicitors-General! However, they are safe, as no one impeaches them; and there is no ground of charge against them except in their own unfounded theories.

103. The fifth Resolution is also a resolution of fact --

"That the said General Assemblies, 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 principal Secretaries of State; and that their right to grant the same, and their cheerfulness and sufficiency in the said

¹ **aid to his Majesty**; aids were originally grants of money made by tenants to their lords of their own free will, and on particular occasions. They afterwards became real taxes. The word is here used in its original sense.

grants, have been at sundry times acknowledged by Parliament."

104. To say nothing of their great expenses in the Indian wars, and not to take their exertion in foreign ones so high as the supplies in the year 1695 — not to go back to their public contributions in the year 1710 — I shall begin to travel only where the Journals give me light, resolving to deal in nothing but fact, authenticated by Parliamentary record, and to build myself wholly on that solid basis.

105. On the 4th of April, 1748, a Committee of this House came to the following resolution :

"Resolved : That it is the opinion of this Committee that it is just and reasonable that the several Provinces and Colonies of Massachusetts Bay, New Hampshire, Connecticut, and Rhode Island, be reimbursed the expenses they have been at in taking and securing to the Crown of Great Britain the Island of Cape Breton and its dependencies."

106. These expenses were immense for such colonies. They were above £200,000 sterling ; money first raised and advanced on their public credit.

107. On the 28th of January, 1756, a message from the King came to us, to this effect :

"His Majesty, being sensible of the zeal and vigor with which his faithful subjects of certain Colonies in North America have exerted themselves in defence of his Majesty's just rights and possessions, recommends it to this House to take the same into their consideration, and to enable his Majesty to give them such assistance as may be a proper reward and encouragement."

108. On the 3d of February, 1756, the House came to a suitable Resolution, expressed in words nearly the same as those of the message, but with the further addition, that the money then voted was as an encouragement to the colonies to exert themselves with vigor. It will not be necessary to go through all the testimonies which your own records have

given to the truth of my Resolutions. I will only refer you to the places in the Journals :

Vol. xxvii. — 16th and 19th May, 1757.

Vol. xxviii. — June 1st, 1758 ; April 26th and 30th, 1759 ;
March 26th and 31st, and April 28th, 1760 ;
Jan. 9th and 20th, 1761.

Vol. xxix. — Jan. 22d and 26th, 1762 ; March 14th and 17th,
1763.

109. Sir, here is the repeated acknowledgment of Parliament that the colonies not only gave, but gave to satiety. This nation has formally acknowledged two things : first, that the colonies had gone beyond their abilities, Parliament having thought it necessary to reimburse them ; secondly, that they had acted legally and laudably in their grants of money, and their maintenance of troops, since the compensation is expressly given as reward and encouragement. Reward is not bestowed for acts that are unlawful ; and encouragement is not held out to things that deserve reprehension. My Resolution therefore does nothing more than collect into one proposition what is scattered through your Journals. I give you nothing but your own ; and you cannot refuse in the gross what you have so often acknowledged in detail. The admission of this, which will be so honorable to them and to you, will, indeed, be mortal to all the miserable stories by which the passions of the misguided people have been engaged in an unhappy system. The people heard, indeed, from the beginning of these disputes, one thing continually dinned in their ears, that reason and justice demanded that the Americans, who paid no taxes, should be compelled to contribute. How did that fact of their paying nothing stand when the taxing system began ? When Mr. Grenville¹ began to form his system of American revenue, he stated in this House that the colonies were then in debt two millions six hundred

¹ Mr. Grenville ; George Grenville, said to be the author of the Stamp Act.

thousand pounds sterling money, and was of opinion they would discharge that debt in four years. On this state,¹ those untaxed people were actually subject to the payment of taxes to the amount of six hundred and fifty thousand a year. In fact, however, Mr. Grenville was mistaken. The funds given for sinking the debt did not prove quite so ample as both the colonies and he expected. The calculation was too sanguine; the reduction was not completed till some years after, and at different times in different colonies. However, the taxes after the war continued too great to bear any addition, with prudence or propriety; and when the burthens imposed in consequence of former requisitions were discharged, our tone became too high to resort again to requisition. No colony, since that time, ever has had any requisition whatsoever made to it.

110. We see the sense of the crown, and the sense of Parliament, on the productive nature of a *revenue by grant*. Now search the same Journals for the produce of the *revenue by imposition*. Where is it? Let us know the volume and the page. What is the gross, what is the net produce? To what service is it applied? How have you appropriated its surplus? What! Can none of the many skilful index-makers that we are now employing find any trace of it? — Well, let them and that rest together. But are the Journals, which say nothing of the revenue, as silent on the discontent? Oh no! a child may find it. It is the melancholy burthen and blot of every page.

111. I think, then, I am, from those Journals, justified in the sixth and last Resolution, which is —

“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 said Colonies, and more beneficial and conducive to the public service, than the mode of giving and granting aids in Parliament to be raised and paid in the said Colonies.”

¹ on this state = statement.

112. This makes the whole of the fundamental part of the plan. The conclusion is irresistible. You cannot say that you were driven by any necessity to an exercise of the utmost rights of legislature. You cannot assert that you took on yourselves the task of imposing colony taxes from the want of another legal body that is competent to the purpose or supplying the exigencies of the state without wounding the prejudices of the people. Neither is it true that the body so qualified, and having that competence, had neglected the duty.

113. The question now on all this accumulated matter, THE CON-
CLUSION.
§ 113 to
end. is: whether you will choose to abide by a profitable experience, or a mischievous theory; whether you choose to build on imagination, or fact; whether you prefer enjoyment, or hope; satisfaction in your subjects, or discontent?

114. If these propositions are accepted, everything which has been made to enforce a contrary system must, I. Resolu-
tions
proposed
by Burke. I take it for granted, fall along with it. On that ground, I have drawn the following Resolution, which, when it comes to be moved, will naturally be divided in a proper manner:

“That it may be proper to repeal an Act made in the seventh year of the reign of his present Majesty, entitled, An Act for granting certain duties in the British Colonies and Plantations in America; for allowing a drawback¹ of the duties of customs upon the exportation from this Kingdom of coffee and cocoa-nuts of the produce of the said Colonies or Plantations; for discontinuing the drawbacks payable on china earthenware exported to America; and for more effectually preventing the clandestine running of goods in the said Colonies and Plantations. And that it may be proper to repeal an Act made in the fourteenth year of the reign of his present Majesty, entitled, An Act to discon-

¹ drawbacks were sums of money allowed to a merchant on the re-exportation of goods upon which duties had been paid.

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tinue, in such manner and for such time as are therein mentioned, the landing and discharging, lading or shipping of goods, wares, and merchandise at the town and within the harbor of Boston, in the Province of Massachusetts Bay, in North America. And that it may be proper to repeal an Act made in the fourteenth year of the reign of his present Majesty, intituled, An Act for the impartial administration of justice in the cases of persons questioned for any acts done by them in the execution of the law, or for the suppression of riots and tumults, in the Province of Massachusetts Bay, in New England. And that it may be proper to repeal an Act made in the fourteenth year of the reign of his present Majesty, intituled, An Act for the better regulating of the Government of the Province of the Massachusetts Bay, in New England. And also that it may be proper to explain and amend an Act made in the thirty-fifth year of the reign of King Henry the Eighth, intituled, An Act for the Trial of Treasons committed out of the King's Dominions."

115. I wish, Sir, to repeal the Boston Port Bill, because —independently of the dangerous precedent of suspending the rights of the subject during the King's pleasure —it was passed, as I apprehend, with less regularity and on more partial principles than it ought. The corporation of Boston was not heard before it was condemned. Other towns, full as guilty as she was, have not had their ports blocked up. Even the Restraining Bill¹ of the present session does not go to the length of the Boston Port Act. The same ideas of prudence which induced you not to extend equal punishment to equal guilt, even when you were punishing, induced me, who mean not to chastise, but to reconcile, to be satisfied with the punishment already partially inflicted.

116. Ideas of prudence and accommodation to circumstances prevent you from taking away the charters of Con-

¹ Restraining Bill. See note on grand penal bill, paragraph 1.

necticut and Rhode Island, as you have taken away that of Massachusetts Colony, though the crown has far less power in the two former provinces than it enjoyed in the latter, and though the abuses have been full as great, and as flagrant, in the exempted as in the punished. The same reasons of prudence and accommodation have weight with me in restoring the Charter of Massachusetts Bay. Besides, Sir, the Act which changes the charter of Massachusetts is in many particulars so exceptionable that if I did not wish absolutely to repeal, I would by all means desire to alter it, as several of its provisions tend to the subversion of all public and private justice. Such, among others, is the power in the Governor to change the sheriff at his pleasure, and to make a new returning officer for every special cause. It is shameful to behold such a regulation standing among English laws.

117. The Act for bringing persons accused of committing murder, under the orders of government to England for trial, is but temporary. That Act has calculated the probable duration of our quarrel with the colonies, and is accommodated to that supposed duration. I would hasten the happy moment of reconciliation, and therefore must, on my principle, get rid of that most justly obnoxious Act.

118. The Act of Henry the Eighth, for the Trial of Treasons, I do not mean to take away, but to confine it to its proper bounds and original intention; to make it expressly for trial of treasons — and the greatest treasons may be committed — in places where the jurisdiction of the crown does not extend.

119. Having guarded the privileges of local legislature, I would next secure to the colonies a fair and unbiased judicature, for which purpose, Sir, I propose the following Resolution:

“That, from the time when the General Assembly or General Court of any Colony or Plantation in North America shall have appointed by Act of Assembly, duly confirmed, a set-

tled salary to the offices of the Chief Justice and other Judges of the Superior Court, 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 behavior, 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, or of the Colony in which the said Chief Justice and other Judges have exercised the said offices."

120. The next Resolution relates to the Courts of Admiralty.¹ It is this :

"That it may be proper to regulate the Courts of Admiralty or Vice-Admiralty authorized by the fifteenth Chapter of the Fourth of George the Third, in such a 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 in the same."

121. These courts I do not wish to take away; they are in themselves proper establishments. This court is one of the capital securities of the Act of Navigation. The extent of its jurisdiction, indeed, has been increased, but this is altogether as proper, and is indeed on many accounts more eligible, where new powers were wanted, than a court absolutely new. But courts incommodiously situated, in effect, deny justice; and a court partaking in the fruits of its own condemnation is a robber. The Congress complain, and complain justly, of this grievance.

122. These are the three consequential propositions. I have thought of two or three more, but they come rather too near detail, and to the province of executive government, which I wish Parliament always to superintend, never to assume. If the first six are granted, congruity will carry the latter three. If not, the things that remain

¹ Admiralty Courts had jurisdiction in maritime cases.

unrevealed will be, I hope, rather unseemly incumbrances on the building, than very materially detrimental to its strength and stability.

123. Here, Sir, I should close; but I plainly perceive some objections remain which I ought, if possible, to remove. The first will be that in resorting to the doctrine of our ancestors as contained in the preamble to the Chester Act, I prove too much; that the grievance from a want of representation, stated in that preamble, goes to the whole of legislation as well as to taxation; and that the colonies, grounding themselves upon that doctrine, will apply it to all parts of legislative authority.

124. To this objection, with all possible deference and humility, and wishing as little as any man living to impair the smallest particle of our supreme authority, I answer, *that the words are words of Parliament and not mine*, and that all false and inconclusive inferences drawn from them are not mine, for I heartily disclaim any such inference. I have chosen the words of an Act of Parliament which Mr. Grenville, surely a tolerably zealous and very judicious advocate for the sovereignty of Parliament, formerly moved to have read at your table in confirmation of his tenets. It is true that Lord Chatham considered these preambles as declaring strongly in favor of his opinions. He was a no less powerful advocate for the privileges of the Americans. Ought I not from hence to presume that these preambles are as favorable as possible to both, when properly understood; favorable both to the rights of Parliament, and to the privilege of the dependencies of this crown? But, Sir, the object of grievance in my Resolution I have not taken from the Chester, but from the Durham Act, which confines the hardship of want of representation to the case of subsidies, and which therefore falls in exactly with the case of the colonies. But whether the unrepresented counties were *de jure* or *de facto* bound, the preambles do not accurately distinguish, nor indeed was it

II. Objec-
tions an-
swered.

necessary; for, whether *de jure* or *de facto*, the Legislature thought the exercise of the power of taxing as of right, or as of fact without right, equally a grievance, and equally oppressive.

125. I do not know that the colonies have, in any general way, or in any cool hour, gone much beyond the demand of immunity in relation to taxes. It is not fair to judge of the temper or dispositions of any man, or any set of men, when they are composed and at rest, from their conduct or their expressions in a state of disturbance and irritation. It is besides a very great mistake to imagine that mankind follow up practically any speculative principle, either of government or of freedom, as far as it will go in argument and logical illation. We Englishmen stop very short of the principles upon which we support any given part of our Constitution, or even the whole of it together. I could easily, if I had not already tired you, give you very striking and convincing instances of it. This is nothing but what is natural and proper. All government, indeed every human benefit and enjoyment, every virtue, and every prudent act, is founded on compromise and barter. We balance inconveniences; we give and take; we remit some rights, that we may enjoy others; and we choose rather to be happy citizens than subtle disputants. As we must give away some natural liberty to enjoy civil advantages, so we must sacrifice some civil liberties for the advantages to be derived from the communion and fellowship of a great empire. But, in all fair dealings, the thing bought must bear some proportion to the purchase paid. None will barter away the immediate jewel¹ of his soul. Though a great house is apt to make slaves haughty, yet it is purchasing a part of the artificial importance of a great empire too dear to pay for it all essential rights and all the intrinsic dignity of human nature. None of us who would not risk his life rather than fall

¹ immediate jewel. See *Othello*, III. 3, line 156.

under a government purely arbitrary. But although there are some amongst us who think our Constitution wants many improvements to make it a complete system of liberty, perhaps none who are of that opinion would think it right to aim at such improvement by disturbing his country, and risking everything that is dear to him. In every arduous enterprise we consider what we are to lose, as well as what we are to gain; and the more and better stake of liberty every people possess, the less they will hazard in a vain attempt to make it more. These are *the cords of man*.¹ Man acts from adequate motives relative to his interest, and not on metaphysical speculations. Aristotle, the great master of reasoning, cautions us, and with great weight and propriety, against this species of delusive geometrical accuracy in moral arguments as the most fallacious of all sophistry.

126. The Americans will have no interest contrary to the grandeur and glory of England, when they are not oppressed by the weight of it; and they will rather be inclined to respect the acts of a superintending legislature when they see them the acts of that power which is itself the security, not the rival, of their secondary importance. In this assurance my mind most perfectly acquiesces, and I confess I feel not the least alarm from the discontents which are to arise from putting people at their ease, nor do I apprehend the destruction of this empire from giving, by an act of free grace and indulgence, to two millions of my fellow-citizens some share of those rights upon which I have always been taught to value myself.

127. It is said, indeed, that this power of granting, vested in American assemblies, would dissolve the unity of the empire, which was preserved entire, although Wales, and Chester, and Durham were added to it. Truly, Mr. Speaker, I do not know what this unity means, nor has it ever been heard of, that I know, in the constitutional policy

¹ cords of man. See Hosea xi. 4.

of this country. The very idea of subordination of parts excludes this notion of simple and undivided unity. England is the head ; but she is not the head and the members too. Ireland has ever had from the beginning a separate, but not an independent, legislature, which, far from distracting, promoted the union of the whole. Everything was sweetly and harmoniously disposed through both islands for the conservation of English dominion, and the communication of English liberties. I do not see that the same principles might not be carried into twenty islands and with the same good effect. This is my model with regard to America, as far as the internal circumstances of the two countries are the same. I know no other unity of this empire than I can draw from its example during these periods, when it seemed to my poor understanding more united than it is now, or than it is likely to be by the present methods.

128. But since I speak of these methods, I recollect, Mr. Speaker, almost too late, that I promised, before I finished, to say something of the proposition of the noble lord on the floor, which has been so lately received and stands on your Journals. I must be deeply concerned whenever it is my misfortune to continue a difference with the majority of this House ; but as the reasons for that difference are my apology for thus troubling you, suffer me to state them in a very few words. I shall compress them into as small a body as I possibly can, having already debated that matter at large when the question was before the Committee.

III. Burke's objections to Lord North's Plan.

129. First, then, I cannot admit that proposition of a ransom by auction ; because it is a mere project. It is a thing new, unheard of ; supported by no experience ; justified by no analogy ; without example of our ancestors, or root in the Constitution. It is neither regular Parliamentary taxation, nor colony grant. *Experimentum in corpore vili*¹ is a good rule, which will ever make me adverse

¹ *Experimentum in corpore vili* : "The experiment should be in a worthless body."

to any trial of experiments on what is certainly the most valuable of all subjects, the peace of this empire.

130. Secondly, it is an experiment which must be fatal in the end to our Constitution. For what is it but a scheme for taxing the colonies in the ante-chamber of the noble lord and his successors? To settle the quotas and proportions in this House is clearly impossible. You, Sir, may flatter yourself you shall sit a state auctioneer, with your hammer in your hand, and knock down to each colony as it bids. But to settle, on the plan laid down by the noble lord, the true proportional payment for four or five and twenty governments according to the absolute and the relative wealth of each, and according to the British proportion of wealth and burthen, is a wild and chimerical notion. This new taxation must therefore come in by the back-door of the Constitution. Each quota must be brought to this House ready formed; you can neither add nor alter. You must register it. You can do nothing further; for on what grounds can you deliberate either before or after the proposition? You cannot hear the counsel for all these provinces, quarrelling each on its own quantity of payment, and its proportion to others. If you should attempt it, the Committee of Provincial Ways and Means, or by whatever other name it will delight to be called, must swallow up all the time of Parliament.

131. Thirdly, it does not give satisfaction to the complaint of the colonies. They complain that they are taxed without their consent; you answer, that you will fix the sum at which they shall be taxed. That is, you give them the very grievance for the remedy. You tell them, indeed, that you will leave the mode to themselves. I really beg pardon — it gives me pain to mention it — but you must be sensible that you will not perform this part of the compact. For, suppose the colonies were to lay the duties, which furnished their contingent, upon the importation of your manufactures, you know you would never suffer such a tax

to be laid. You know, too, that you would not suffer many other modes of taxation; so that, when you come to explain yourself, it will be found that you will neither leave to themselves the quantum nor the mode, nor indeed anything. The whole is delusion from one end to the other.

132. Fourthly, this method of ransom by auction, unless it be *universally* accepted, will plunge you into great and inextricable difficulties. In what year of our Lord are the proportions of payments to be settled? To say nothing of the impossibility that colony agents should have general powers of taxing the colonies at their discretion, consider, I implore you, that the communication by special messages and orders between these agents and their constituents, on each variation of the case, when the parties come to contend together and to dispute on their relative proportions, will be a matter of delay, perplexity, and confusion that never can have an end.

133. If all the colonies do not appear at the outcry, what is the condition of those assemblies who offer, by themselves or their agents, to tax themselves up to your ideas of their proportion? The refractory colonies who refuse all composition¹ will remain taxed only to your old impositions, which, however grievous in principle, are trifling as to production. The obedient colonies in this scheme are heavily taxed; the refractory remain unburdened. What will you do? Will you lay new and heavier taxes by Parliament on the disobedient? Pray consider in what way you can do it. You are perfectly convinced that, in the way of taxing, you can do nothing but at the ports. Now suppose it is Virginia that refuses to appear at your auction, while Maryland and North Carolina bid handsomely for their ransom, and are taxed to your quota, how will you put these colonies on a par? Will you tax the tobacco of Virginia? If you do,

¹ composition. Our word *compounding* is more familiar. It is an allusion to the practice of agreeing upon a sum to be paid by an insolvent debtor to a creditor.

you give its death-wound to your English revenue at home, and to one of the very greatest articles of your own foreign trade. If you tax the import of that rebellious colony, what do you tax but your own manufactures, or the goods of some other obedient and already well-taxed colony? Who has said one word on this labyrinth of detail, which bewilders you more and more as you enter into it? Who has presented, who can present you with a clue to lead you out of it? I think, Sir, it is impossible that you should not recollect that the colony bounds are so implicated in one another, — you know it by your other experiments in the bill for prohibiting the New England fishery, — that you can lay no possible restraints on almost any of them which may not be presently eluded, if you do not confound the innocent with the guilty, and burthen those whom, upon every principle, you ought to exonerate. He must be grossly ignorant of America who thinks that, without falling into this confusion of all rules of equity and policy, you can restrain any single colony, especially Virginia and Maryland, the central and most important of them all.

134. Let it also be considered that, either in the present confusion you settle a permanent contingent, which will and must be trifling, and then you have no effectual revenue; or you change the quota at every exigency, and then on every new repartition you will have a new quarrel.

135. Reflect, besides, that when you have fixed a quota for every colony, you have not provided for prompt and punctual payment. Suppose one, two, five, ten years' arrears. You cannot issue a Treasury Extent¹ against the failing colony. You must make new Boston Port Bills, new restraining laws, new acts for dragging men to England for trial. You must send out new fleets, new armies. All is to begin again. From this day forward the empire

¹ **Treasury Extent**; a severe kind of execution for debts due the crown, by which the body, land, and goods of the debtor might be taken.

is never to know an hour's tranquillity. An intestine fire will be kept alive in the bowels of the colonies, which one time or other must consume this whole empire. I allow indeed that the empire of Germany raises her revenue and her troops by quotas and contingents; but the revenue of the empire, and the army of the empire, is the worst revenue and the worst army in the world.

136. Instead of a standing revenue, you will therefore have a perpetual quarrel. Indeed, the noble lord who proposed this project of a ransom by auction seems himself to be of that opinion. His project was rather designed for breaking the union of the colonies than for establishing a revenue. He confessed he apprehended that his proposal would not be to *their taste*. I say this scheme of disunion seems to be at the bottom of the project; for I will not suspect that the noble lord meant nothing but merely to delude the nation by an airy phantom which he never intended to realize. But whatever his views may be, as I propose the peace and union of the colonies as the very foundation of my plan, it cannot accord with one whose foundation is perpetual discord.

137. Compare the two. This I offer to give you is plain and simple. The other full of perplexed and intricate mazes. This is mild; that harsh. This is found by experience effectual for its purposes; the other is a new project. This is universal; the other calculated for certain colonies only. This is immediate in its conciliatory operation; the other remote, contingent, full of hazard. Mine is what becomes the dignity of a ruling people — gratuitous, unconditional, and not held out as a matter of bargain and sale. I have done my duty in proposing it to you. I have indeed tired you by a long discourse; but this is the misfortune of those to whose influence nothing will be conceded, and who must win every inch of their ground by argument. You have heard me with goodness. May you decide with wisdom! For my part, I feel my mind greatly disburthened

by what I have done to-day. I have been the less fearful of trying your patience, because on this subject I mean to spare it altogether in future. I have this comfort, that in every stage of the American affairs I have steadily opposed the measures that have produced the confusion, and may bring on the destruction, of this empire. I now go so far as to risk a proposal of my own. If I cannot give peace to my country, I give it to my conscience.

138. But what, says the financier, is peace to us without money? Your plan gives us no revenue. No! But it does; for it secures to the subject the power of REFUSAL, the first of all revenues. Experience is a cheat, and fact a liar, if this power in the subject of proportioning his grant, or of not granting at all, has not been found the richest mine of revenue ever discovered by the skill or by the fortune of man. It does not indeed vote you 152,750*l.* 11*s.* 2*d.*, nor any other paltry limited sum; but it gives the strong box itself, the fund, the bank — from whence only revenues can arise amongst a people sensible of freedom. *Posita luditur arca.*¹ Cannot you, in England — cannot you, at this time of day — cannot you, a House of Commons, trust to the principle which has raised so mighty a revenue, and accumulated a debt of near 140,000,000 in this country? Is this principle to be true in England, and false everywhere else? Is it not true in Ireland? Has it not hitherto been true in the colonies? Why should you presume that, in any country, a body duly constituted for any function will neglect to perform its duty and abdicate its trust? Such a presumption would go against all governments in all modes. But, in truth, this dread of penury of supply from a free assembly has no foundation in nature; for first, observe that, besides the desire which all men have naturally of supporting the honor of their own government, that sense of dignity and that security to property which

¹ *Posita luditur arca*; a quotation from Juvenal (Satire I. 89-90): "The chest itself is staked."

ever attends freedom has a tendency to increase the stock of the free community. Most may be taken where most is accumulated. And what is the soil or climate where experience has not uniformly proved that the voluntary flow of heaped-up plenty, bursting from the weight of its own rich luxuriance, has ever run with a more copious stream of revenue than could be squeezed from the dry husks of oppressed indigence by the straining of all the politic machinery in the world?

139. Next, we know that parties must ever exist in a free country. We know, too, that the emulations of such parties — their contradictions, their reciprocal necessities, their hopes, and their fears — must send them all in their turns to him that holds the balance of the State. The parties are the gamblers; but Government keeps the table, and is sure to be the winner in the end. When this game is played, I really think it is more to be feared that the people will be exhausted, than that government will not be supplied; whereas, whatever is got by acts of absolute power ill obeyed, because odious, or by contracts ill kept, because constrained, will be narrow, feeble, uncertain, and precarious.

“Ease would retract¹

Vows made in pain, as violent and void.”

140. I, for one, protest against compounding our demands. I declare against compounding, for a poor limited sum, the immense, ever-growing, eternal debt which is due to generous government from protected freedom. And so may I speed in the great object I propose to you, as I think it would not only be an act of injustice, but would be the worst economy in the world, to compel the colonies to a sum certain, either in the way of ransom or in the way of compulsory compact.

141. But to clear up my ideas on this subject: a revenue

¹ ease would retract. *Paradise Lost*, IV. 96, 97.

“ease would recant

Vows made in pain, as violent and void.”

from America transmitted hither — do not delude yourselves — you never can receive it; no, not a shilling. We have experience that from remote countries it is not to be expected. If, when you attempted to extract revenue from Bengal, you were obliged to return in loan what you had taken in imposition, what can you expect from North America? For certainly, if ever there was a country qualified to produce wealth, it is India; or an institution fit for the transmission, it is the East India Company. America has none of these aptitudes. If America gives you taxable objects on which you lay your duties here, and gives you, at the same time, a surplus by a foreign sale of her commodities to pay the duties on these objects which you tax at home, she has performed her part to the British revenue. But with regard to her own internal establishments, she may, I doubt not she will, contribute in moderation. I say in moderation, for she ought not to be permitted to exhaust herself. She ought to be reserved to a war, the weight of which, with the enemies that we are most likely to have, must be considerable in her quarter of the globe. There she may serve you, and serve you essentially.

142. For that service — for all service, whether of revenue, trade, or empire — my trust is in her interest in the British Constitution. My hold of the colonies is in the close affection which grows from common names, from kindred blood, from similar privileges, and equal protection. These are ties which, though light as air, are as strong as links of iron. Let the colonists always keep the idea of their civil rights associated with your government, — they will cling and grapple to you, and no force under heaven will be of power to tear them from their allegiance. But let it be once understood that your government may be one thing, and their privileges another, that these two things may exist without any mutual relation, the cement is gone — the cohesion is loosened — and

everything hastens to decay and dissolution. As long as you have the wisdom to keep the sovereign authority of this country as the sanctuary of liberty, the sacred temple consecrated to our common faith, wherever the chosen race and sons of England worship freedom, they will turn their faces towards you. The more they multiply, the more friends you will have; the more ardently they love liberty, the more perfect will be their obedience. Slavery they can have anywhere—it is a weed that grows in every soil. They may have it from Spain; they may have it from Prussia. But, until you become lost to all feeling of your true interest and your natural dignity, freedom they can have from none but you. This is the commodity of price of which you have the monopoly. This is the true Act of Navigation which binds to you the commerce of the colonies, and through them secures to you the wealth of the world. Deny them this participation of freedom, and you break that sole bond which originally made, and must still preserve, the unity of the empire. Do not entertain so weak an imagination as that your registers and your bonds, your affidavits and your sufferances, your cockets¹ and your clearances, are what form the great securities of your commerce. Do not dream that your letters of office, and your instructions, and your suspending clauses, are the things that hold together the great contexture of the mysterious whole. These things do not make your government. Dead instruments, passive tools as they are, it is the spirit of the English communion that gives all their life and efficacy to them. It is the spirit of the English Constitution which, infused through the mighty mass, pervades, feeds, unites, invigorates, vivifies every part of the empire, even down to the minutest member.

¹ **Cockets . . . clearances.** These are terms relating to the routine business of the Custom House. A cocket is a document certifying that merchandise has been duly entered; a clearance is a permit for a vessel to leave port.

143. Is it not the same virtue which does everything for us here in England? Do you imagine, then, that it is the Land Tax Act which raises your revenue? that it is the annual vote in the Committee of Supply which gives you your army? or that it is the Mutiny Bill which inspires it with bravery and discipline? No! surely no! It is the love of the people; it is their attachment to their government, from the sense of the deep stake they have in such a glorious institution, which gives you your army and your navy, and infuses into both that liberal¹ obedience without which your army would be a base rabble, and your navy nothing but rotten timber.

144. All this, I know well enough, will sound wild and chimerical to the profane herd of those vulgar and mechanical politicians who have no place among us; a sort of people who think that nothing exists but what is gross and material, and who, therefore, far from being qualified to be directors of the great movement of empire, are not fit to turn a wheel in the machine. But to men truly initiated and rightly taught, these ruling and master principles which, in the opinion of such men as I have mentioned, have no substantial existence, are in truth everything, and all in all. Magnanimity in politics is not seldom the truest wisdom; and a great empire and little minds go ill together. If we are conscious of our station, and glow with zeal to fill our places as becomes our station and ourselves, we ought to auspicate all our public proceedings on America with the old warning of the church, *Sursum corda!*² We ought to elevate our minds to the greatness of that trust to which the order of providence has called us. By adverting to the dignity of this high calling our ancestors have turned a savage wilderness into a glorious empire, and have made the most extensive and the only honorable con-

¹ liberal; this word is used in its strict etymological sense of free, not grudgingly or of compulsion.

² *Sursum corda* = Lift up your hearts.

quests — not by destroying, but by promoting the wealth, the number, the happiness, of the human race. Let us get an American revenue as we have got an American empire. English privileges have made it all that it is ; English privileges alone will make it all it can be.

145. In full confidence of this unalterable truth, I now, *quod felix faustumque sit*,¹ lay the first stone of the Temple of Peace ; and I move you —

146. “ 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.”

¹ *quod felix faustumque sit* == and may it be happy and fortunate.

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