

try and the North American Colonies. It was known that the king held the most decided opinions on both these questions—that he would have pursued Wilkes to the utmost reach of power whatever might be the unpopularity; and that he would assert the right of taxation over the Colonies, whatever might be the danger of rebellion and war. The ministry of the duke of Grafton was committed, in a great degree, to an agreement with the will of the sovereign, less perhaps from conviction than from an imperfect view of the consequences of persisting in a doubtful career. At this juncture lord Chatham, having ceased to be at the head of affairs, was free to pursue his own declared sentiments on the subject of American taxation, and to form an independent judgment on the case of Wilkes. He had become reconciled to his brother-in-law, lord Temple, and was looked upon as having joined the Grenville party. But though he agreed with George Grenville on the unconstitutional proceedings of the House of Commons in the matter of the Middlesex election, he was totally opposed to him on the subject of America. The Rockingham party, of whose policy Burke was now the great parliamentary expositor, held fast to the popular principles in the dispute with the freeholders of Middlesex, but repudiated any such assertion of authority over the Colonies as George Grenville had maintained. Junius not only supported but prompted Wilkes in every act that could damage the ministry. But he also spoke in the most contemptuous terms of any individual or any party that deemed the Colonists anything but rebels, to be trodden down as troublesome vermin. Ostensibly he was an adherent of George Grenville. Had he any real principles? He was not a politician, in the higher sense of the word. He had some selfish ambition to gratify; he had some private grievances to revenge. He might be a writing puppet, moved by some one of higher mark—a Francis, or a Iyer, prompted by a Temple. He might be a man of noble birth, mining like a mole; whose vanity was gratified by the notoriety which he demanded,—pleased with acquiring another self-consciousness than that which belonged to his proper person. Whoever he was, he had essentially a paltry mind. He had not the mind of any man that had won or was winning a great name—a Chatham or a Burke, even a Barré or a Shelburne. He was “a good hater;” but his dislikes had more of the real meanness than of the false grandeur of hatred. His true nature was disclosed in his private letters to his printer. Of Mansfield, the lord chief justice, he says, “I will never rest till I have destroyed or expelled that wretch.” Mr. Chamier, a member of the club which Johnson, Reynolds, Burke, and Goldsmith

made illustrious, is “to be run down,” to annoy lord Barrington, the secretary-at-war, who had appointed him his deputy. With the airs of an aristocrat he writes to Garrick, “Mark me, vagabond. Keep to your pantomimes, or be assured you shall hear of it.” With the determination of an assassin, he says of the duke of Bedford, “I am sure I can threaten him privately with such a storm as would make him tremble even in his grave.” In consonance with his whole system, he recommends Woodfall to deny the authenticity of one of his letters which had been printed: “Suppose you were to say—We have some reason to suspect that the last letter signed Junius in this paper was not written by the real Junius?” To show how the coward trembled even in his triple armour of concealment, we have only to quote from one letter to his publisher: “I must be more cautious than ever. I am sure I should not survive a discovery three days; or, if I did, they would attain me by bill. I am persuaded you are too honest a man to contribute in any way to my destruction.” Attain him by bill! as if he were a Bolingbroke or an Ormonde. He was a man of rank, and had their penalties of forfeiture in his mind, according to the belief of one who has looked carefully into the subject.* In our view, the fear of attainder was only one of the many pretences by which an inordinately vain man sought to raise his personal importance in the eyes of the humble friend to whom he left all the real peril consequent upon his own audacity. “I hope these papers have reimbursed you. I never will send you anything that I think dangerous; but the risque is yours, and you must determine for yourself.”

The duke of Grafton, in 1769, was thirty-four years of age. He had the misfortune to be divorced from his wife by no fault of his own; and he subsequently made no secret of keeping a mistress—the great of that day not having been shamed into decency by the decorum of the Court. These circumstances are paraded by Junius without reserve. His descent from Charles II. was objected to him as a crime. But there was a greater sin which Grafton had just committed. He had quitted Nancy Parsons, and married a niece of the duchess of Bedford. The family union was the symptom of political union; and the hatred of Junius to the two ducal houses strengthened with their strength. His letter to the duke of Bedford appeared immediately after outrages committed upon the duke at Exeter and at Honiton. Bull-dogs were set upon him, as he rode through the latter town, and he was pelted with stones by an outrageous mob, who cried “Wilkes and Liberty,”—“the Peace-

* “Quarterly Review,” vol. xc. p. 101.

maker."* Junius took up the hint. The duke was assaulted on the 30th of July. On the 19th of September appeared a letter in which "the Peacemaker," who as ambassador to France negotiated the Peace of Paris, was accused of having made disadvantageous terms for his country upon the receipt of pecuniary compensations. With reference to the Devonshire outrages, we have this passage: "Your friends will ask, perhaps, whither shall this unhappy old man retire? Can he remain in the metropolis, where his life has been often threatened, and his palace so often attacked? If he returns to Woburn, scorn and mockery await him. He must create a solitude round his estate, if he would avoid the face of reproach and derision. At Plymouth his destruction would be more than probable; at Exeter, inevitable." Lord Brougham has devoted a paper to the vindication of the character of John, fourth duke of Bedford,—“to rescue the memory of an able, an amiable, and an honourable man, long engaged in the public service, both as a minister, a negociator, and a viceroy—long filling, like all his illustrious house, in every age of our history, an exalted place among the champions of our free constitution—from the obloquy with which a licentious press loaded him when living.” Lord Brougham makes the complete refutation which he gives to the falsehoods of Junius, a test of “the claims of a noted slanderer to public confidence.”†

The celebrated Address of Junius to the king may properly close our notice of this over-estimated writer. Of that depth of political information which it has been the fashion to attribute to Junius, this address exhibits no trace. It is a tedious homily, displaying no accurate perception of the character of George III., and touching none of the points on which he was really open to animadversion. He is blamed for his encouragement of “the natives of Scotland;” for removing on his accession the ablest servants of the crown for “a little personal motive of pique and resentment”—not alluding to the design of governing by “the king’s friends;” of hastily concluding a peace with “the natural enemies of this country.” The contest with Wilkes is gone over, without any stronger argument than very dull sarcasm upon the king’s ministers. Allusion is made to Charles I., but only to point to the treachery of his Scotch subjects. The peroration is like the bounce at the end of a squib: “The name of Stuart, of itself, is only contemptible; armed with the sovereign authority, their principles are formidable. The prince who imitates their conduct should be

* Journal of the Duke—in “Cavendish Debates,” p. 620.

† “Sketches of Statesmen who flourished in the time of George III.”

warned by examples; and, while he plumes himself upon the security of his title to the crown, should remember that, as it was acquired by one revolution, it may be lost by another.” Mr. Woodfall was prosecuted for this Address; and was tried before lord Mansfield, in June 1770. The jury had been charged to consider first, the printing and publishing the paper; secondly, the sense and meaning of it. But the Chief-justice told them that as to the charge of its being malicious, seditious, &c., these were inferences in law about which no evidence need be given. The jury returned a verdict of “Guilty of printing and publishing only.” The Court of King’s Bench decided that a new trial should be granted, but the original newspaper not being produced, the proceedings fell to the ground. Out of this trial grew a material alleviation of the Libel Law.

On the 9th of May, the Parliament was prorogued. It was the day after the final decision on the Middlesex election. In the speech from the throne the members were exhorted, “with more than ordinary earnestness,” to exert their utmost efforts for the maintenance of the public peace. The excitement throughout the country was considerable, but it rarely took the form of tumult. It was manifest, however, that the supposed victory of the government would not give the nation that quiet which sanguine courtiers anticipated. Lord Chatham came forth from his long retirement, and attended the king’s levée on the 7th of July—“he himself, *in propria persona*, and not in a strait waistcoat,” as Walpole writes. From the MS. Memoirs of the duke of Grafton we find that Chatham, when called by the king into his closet, objected to the course which had been pursued in the case of Wilkes, and stated “that he doubted whether his health would ever again allow him to attend Parliament, but if it did, and if he should give his dissent to any measure, that his majesty would be indulgent enough to believe that it would not arise from any personal consideration.”

On the 9th of January, 1770, the Parliament was opened by the king. With a singular want of perception of the ridiculous, the first words of the royal speech were these: “My Lords and Gentlemen,—It is with much concern that I find myself obliged to open the Session of Parliament with acquainting you, that the distemper among the horned cattle has lately broke out in this kingdom.” The petitions which had been presented from corporations and counties received no notice in this speech. Junius, with some justice, said to the duke of Grafton, “While the whole kingdom was agitated with anxious expectation upon one great point, you meanly evaded the question; and instead of the firmness and de-

cision of a king, gave us nothing but the misery of a ruined grazier." But a voice more terrible than that of Junius was to rouse the government from its seeming unconcern. In the House of Lords, Chatham moved an amendment to the Address, pledging the peers that they would take into their most serious consideration the causes of the discontents which so generally prevailed, and particularly the late proceedings in the House of Commons touching the incapacity of John Wilkes, Esq., to be elected a member of the present Parliament. The scene in the Upper House on this occasion must have been as exciting as any in the history of our country. The speech by which Chatham introduced the amendment, as well as the speech of lord Mansfield, and lord Chatham's reply, were first published in 1792, from a report of Mr. Francis, afterwards sir Philip Francis, upon whom rests the prevailing opinion that he was Junius. We may judge by the following passage of the tendency of Chatham's speech: "The liberty of the subject is invaded, not only in the provinces, but here at home! The English people are loud in their complaints; they demand redress; and, depend upon it, my lords, that, one way or another, they will have redress. They will never return to a state of tranquillity till they are redressed. Nor ought they. For in my judgment, my lords, and I speak it boldly, it were better for them to perish in a glorious contention for their rights, than to purchase a slavish tranquillity at the expense of a single iota of the Constitution." Lord Mansfield spoke, contending that the proposed amendment was an attack upon the privileges of the other House of Parliament. This produced a reply from lord Chatham. When men speak of the eloquence of this wondrous orator, they quote such passages of this speech as the following.

On the usurpation of power by the House of Commons:—"The Constitution of this country has been openly invaded in fact; and I have heard, with horror and astonishment, that very invasion defended upon principle. What is this mysterious power, undefined by law, unknown to the subject, which we must not approach without awe, nor speak of without reverence,—which no man may question, and to which all men must submit? My lords, I thought the slavish doctrine of passive obedience had long since been exploded; and, when our kings were obliged to confess that their title to the Crown, and the rule of their government, had no other foundation than the known laws of the land, I never expected to hear a divine right, or a divine infallibility, attributed to any other branch of the Legislature. My lords, I beg to be understood. No man respects the House of Commons more than I do,

or would contend more strenuously than I would, to preserve to them their just and legal authority. Within the bounds prescribed by the Constitution, that authority is necessary for the well-being of the people. Beyond that line every exertion of power is arbitrary, is illegal; it threatens tyranny to the people, and destruction to the state. Power without right is the most odious and detestable object that can be offered to the human imagination. It is not only pernicious to those who are subject to it, but tends to its own destruction. The House of Commons, we are told, have a supreme jurisdiction, and there is no appeal from their sentence; and that wherever they are competent judges, their decision must be received and submitted to, as, *ipso facto*, the law of the land. My lords, I am a plain man, and have been brought up in a religious reverence for the original simplicity of the laws of England. By what sophistry they have been perverted, by what artifices they have been involved in obscurity, is not for me to explain. The principles, however, of the English laws are still sufficiently clear; they are founded in reason, and are the masterpiece of the human understanding; but it is in the text that I would look for a direction to my judgment, not in the commentaries of modern professors. The noble lord assures us that he knows not in what code the law of Parliament is to be found; that the House of Commons, when they act as judges, have no law to direct them but their own wisdom; that their decision is law; and if they determine wrong, the subject has no appeal but to Heaven. What then, my lords? Are all the generous efforts of our ancestors, are all those glorious contentions, by which they meant to secure to themselves, and to transmit to their posterity, a known law, a certain rule of living, reduced to this conclusion, that instead of the arbitrary power of a King, we must submit to the arbitrary power of the House of Commons? If this be true, what benefit do we derive from the exchange? Tyranny, my lords, is detestable in every shape, but in none so formidable as when it is assumed and exercised by a number of tyrants. But, my lords, this is not the fact; this is not the Constitution. We have a law of Parliament. We have a code in which every honest man may find it. We have Magna Charta. We have the Statute Book, and the Bill of Rights."

Could the mischief of the decision of the House of Commons not be redressed:—"If we are to believe the noble lord, this great grievance, this manifest violation of the first principles of the Constitution, will not admit of a remedy. It is not even capable of redress, unless we appeal at once to Heaven! My lords, I have better hopes of the Constitution, and a firmer confidence in the

wisdom and constitutional authority of this House. It is to *your* ancestors, my lords, it is to the English barons, that we are indebted for the laws and Constitution we possess. Their virtues were rude and uncultivated, but they were great and sincere. Their understandings were as little polished as their manners, but they had hearts to distinguish right from wrong; they had heads to distinguish truth from falsehood; they understood the rights of humanity, and they had spirit to maintain them. My lords, I think that history has not done justice to their conduct, when they obtained from their sovereign that great acknowledgment of national rights contained in Magna Charta: they did not confine it to themselves alone, but delivered it as a common blessing to the whole people. They did not say, these are the rights of the great barons, or these are the rights of the great prelates. No, my lords, they said, in the simple Latin of the times, 'nullus liber homo' [no free man], and provided as carefully for the meanest subject as for the greatest. These are uncouth words, and sound but poorly in the ears of scholars, neither are they addressed to the criticism of scholars, but to the hearts of free men. These three words, 'nullus liber homo,' have a meaning which interests us all. They deserve to be remembered,—they deserve to be inculcated in our minds,—they are worth all the classics. Let us not, then, degenerate from the glorious example of our ancestors. Those iron barons (for so I may call them when compared with silken barons of modern days) were the guardians of the people; yet their virtues, my lords, were never engaged in a question of such importance as the present. A breach has been made in the Constitution,—the battlements are dismantled,—the citadel is open to the first invader,—the walls totter,—the Constitution is not tenable. What remains, then, but for us to stand forward in the breach, and repair it, or perish in it?"

That memorable debate of the Peers on the 9th of January was closed by an event which was not unexpected, but which formed a striking exception to the ordinary course of the actions of great statesmen. It is clear from the Chatham Correspondence that the Lord Chancellor Camden, and the marquis of Granby, were to a certain extent under the influence of Chatham. His confidential correspondent, Mr. John Calcraft, writes to him on the 28th of November, to beg "that they may be put on their guard" not to attend a particular council. "Fearing neither of our friends are the best politicians, I cannot help harbouring doubts but they may get entangled at this council, for no pains will be spared." Camden, Granby, and Conway, as well as Grafton, in the spring of 1769, held to the necessity of not attempting any taxation of

America, by import duties. They were overruled. Grafton remained in power, and Camden and Granby did not quit their employments. The schism in the cabinet was made more serious by the question of Wilkes. After Chatham's speech on the 9th of January, Camden rose from the woolsack, and thus threw off all restraint:—"I accepted the great seal without conditions; I meant not, therefore, to be trammelled by his majesty—I beg pardon, by his ministers—but I have suffered myself to be so too long. For some time I have beheld with silent indignation the arbitrary measures of the minister. I have often drooped and hung down my head in council, and disapproved by my looks those steps which I knew my avowed opposition could not prevent. I will do so no longer, but openly and boldly speak my sentiments. I now proclaim to the world that I entirely coincide in the opinion expressed by my noble friend—whose presence again reanimates us—respecting this unconstitutional vote of the House of Commons. If, in giving my opinion as a judge, I were to pay any respect to that vote, I should look upon myself as a traitor to my trust, and an enemy to my country. By their violent and tyrannical conduct, ministers have alienated the minds of the people from his majesty's government—I have almost said from his majesty's person—inso-much, that if some measures are not devised to appease the clamours so universally prevalent, I know not, my lords, whether the people, in despair, may not become their own avengers, and take the redress of grievances into their own hands."

In the House of Commons, the marquis of Granby voted for the amendment which had been proposed in opposition to the government. The Lord Chancellor, and the Commander-in-Chief, were thus in open hostility with the other members of the Cabinet. Such an anomalous state could not long endure. Chatham, Temple, and their friends, were waiting the issue with extreme solicitude. Granby had been earnestly entreated to retain his command of the army in spite of his vote. "The king, it seems, and the duke of Grafton are upon their knees to lord Granby not to resign," writes Temple to Chatham.* Chatham grieves that twenty-four hours' respite has been granted to a minister's entreaties. † He was at last set at rest by Granby's resignation. But he regrets that the Chancellor had dragged the great seal for an hour at the heels of a desperate minister. ‡ His high office had been offered to Mr. Charles Yorke, the son of the lord chancellor Hardwicke. It was a prize he had long coveted; but to accept it would be to desert his party. He declined. Three days after he went to the levée at St. James's; and, at the earnest entreaties of the king, he

* "Chatham Correspondence," vol. iii. p. 391. † *Ibid.*, p. 392. ‡ *Ibid.*, p. 398.

kissed the royal hand as Chancellor. Camden was dismissed. Yorke, borne down by agitation of mind, died, as was supposed by his own hand, on the 20th of January. On the 22nd there came on another great debate in the House of Lords on the State of the Nation, in which Chatham announced his cordial union with the party of Rockingham. It was on this occasion that Chatham recommended a specific plan of Parliamentary Reform. "The boroughs of this country have properly enough been called 'the rotten parts' of the Constitution. But in my judgment, my lords, these boroughs, corrupt as they are, must be considered as the natural infirmity of the Constitution. Like the infirmities of the body, we must bear them with patience, and submit to carry them about with us. The limb is mortified, but the amputation might be death. Let us try, my lords, whether some gentler remedies may not be discovered. Since we cannot cure the disorder, let us endeavour to infuse such a portion of new health into the Constitution as may enable it to support its most inveterate diseases. The representation of the counties is, I think, still preserved pure and uncorrupted. That of the greatest cities is upon a footing equally respectable; and there are many of the larger trading towns which still preserve their independence. The infusion of health which I now allude to would be to permit every county to elect one member more, in addition to their present representation. The knights of the shires approach nearest to the constitutional representation of the country, because they represent the soil. It is not in the little dependent boroughs, it is in the great cities and counties, that the strength and vigour of the Constitution resides; and by them alone, if an unhappy question should ever arise, will the Constitution be honestly and firmly defended. It would increase that strength, because I think it is the only security we have against the profligacy of the times, the corruption of the people, and the ambition of the crown."

The continued debate on the State of the Nation was deferred till the 2nd of February. On the 28th of January, the duke of Grafton resigned. The king was not unprepared for this event. On the 23rd of January he thus wrote to lord North: "Lord Weymouth and lord Gower will wait upon you this morning to press you in the strongest manner to accept the office of First Lord Commissioner of the Treasury. My mind is more and more strengthened in the rightness of the measure, which would prevent every other desertion. You must easily see that if you do not accept, I have no peer at present that I would consent to place in the duke of Grafton's employment." "The rightness of the measure" was to be tested by twelve years of national calamity.

CHAPTER VII.

Lord North's Administration.—Retrospect of Colonial affairs.—Opposition to the Revenue Act.—Debates in Parliament on American proceedings.—Measures of coercion proposed.—Lord Hillsborough.—Virginia.—Outrages in Boston.—Repeal of duties, except that on teas.—Encounter with the military at Boston.—Renewal of the conflict regarding Wilkes.—Remonstrance of the City of London.—Beckford's Address to the King.—Printers arrested for publishing Debates.—Released by the City authorities.—Riots.—The Lord Mayor and an Alderman committed.—Officers of State.

THE domestic agitations during the period of the duke of Grafton's ministry required to be given in an unbroken narrative. We now take up the more truly important relation of those events in the North American Colonies, and of the mode in which they were dealt with by the imperial government. These facts form the prologue to the tragedy of the American Revolution.

In 1768 a third Secretary of State was appointed. The office of Secretary of State for Scotland had been abolished; but now a new place was created for the earl of Hillsborough—the Secretaryship of the Colonies. It was a position of authority which demanded a rare union of firmness and moderation. But the Secretary was a member of a cabinet divided in judgment on the great question of American taxation; and lord Hillsborough was of the party of the duke of Bedford, who held opinions on that subject, not exactly in consonance with that championship of our free constitution which has been claimed for him.* Hillsborough had to deal with colonial subjects of the British Crown, whose indignation at the Stamp Act had been revived by Charles Townshend's fatal measure for granting duties in America on glass, red and white lead, painter's colours, paper, and tea. These duties were not to be collected until the 20th of November, 1767. That day passed over in quiet in Boston; but the inhabitants had previously assembled, and had entered into resolutions to forbear the use of many articles of British produce or manufacture. The principle of resistance to the Revenue Act of 1767 was declared in a work largely circulated, entitled "Letters from a Farmer in Pennsylvania." The author was John Dickinson. Franklin republished these letters in London, although they were opposed to his earlier

* See ante.