

body. Of the new administration and their supporters friend was against friend. Fox had great difficulty to persuade Burke not to vote against the motion, but to leave the House; and Sheridan describes Burke on a subsequent debate for shortening the duration of parliaments, as having "attacked William Pitt in a scream of passion, and swore parliament was, and always had been, precisely what it ought to be, and that all people who thought of reforming it wanted to overturn the constitution." * Arguments such as those proclaimed by the younger Pitt, in 1782, were left to smoulder with occasional flickerings of combustion, under the subsequent policy of himself and his followers, till, after the lapse of fifty years, they burst out into a flame, which realized the prophecy of his father, in 1775, that either the Parliament will reform itself from within, or be reformed with a vengeance from without." Chatham assigned a term for the realization of this prediction. To the question of lord Buchan, "what will become of poor England, that doats on the imperfection of her pretended constitution?" he answered, "the gout will dispose of me soon enough to prevent me from feeling the consequences of this infatuation." He assigned the end of the century as the period when the necessity for a general reform could no longer be resisted. † Whether the Reform was to come from within or from without, it is clear that in 1782 the younger Pitt, if he had taken a statesman's view either of the power of the aristocracy or the influence of the people, could not have considered that the time had arrived for carrying to its logical conclusion of a practical change, the unquestionable theory of the inequality of the representation. It may be doubted whether Burke could have affirmed, except in a paroxysm of that temporary violence which sometimes clouded his marvellous comprehension of the great elements of a political question, that "Parliament was, and always had been, precisely what it ought to be." But we may well understand how, in his intimate knowledge of a composition of Parties, he might believe that an agitation for Reform would then be dangerous because it would be useless. It has been truly said of Burke, "that he recognized in all its bearings that great doctrine, which even in our own day is too often forgotten, that the aim of the legislator should be not truth, but expediency." ‡ We must not too hastily accept the epigrammatic reproof of his contemporary, the most delightful of writers, but no very sound judge of political action or political philosophy, that he was "too fond of the right to pursue the expedient."

* Russell—"Memorials of Fox," vol. i. p. 322.

† Note in "Parliamentary History," vol. xvii. col. 223.

‡ Buckle. "History of Civilization," vol. i. p. 416

Three days after the debate on Mr. Pitt's motion for reform, a discussion of a very interesting nature came on in the House of Commons. A Circular Letter had been issued by the earl of Shelburne, addressed to the chief magistrate of the principal cities and towns, submitting for their opinion a plan for augmenting the domestic force of the nation, by raising battalions or companies of volunteers in each locality, who were not to be moved from their places of abode except in times of actual invasion or rebellion. This plan had the support of the leading men of both parties; but some alarmists apprehended danger from arming the people, and the ministers were called upon to remember what were the consequences of putting arms into the hands of the Irish volunteers. Mr. Fox said that from the conduct of the Irish associations, the people of this country might learn a great and a laudable example of public virtue, activity and perseverance. He was answered that the volunteers of Ireland had subverted the government of their country, and overturned its constitution.* The House manifested great anxiety to stop the line of discussion. There was at that moment a crisis in the affairs of Ireland which called for the greatest forbearance and the most strenuous attempts at conciliation. We have deferred any passing glance at the affairs of Ireland, that we might present such a general view as would naturally lead to a brief narrative of the great constitutional change of 1782.

Five years before the publication of the "Drapier's Letters," in 1724, a Bill was passed by the English Parliament, denying, in its preamble, the right of the Irish House of Lords to an appellat jurisdiction, and declaring "that the king's majesty, by and with the advice of the lords spiritual and temporal, and commons of Great Britain, in Parliament assembled, had, hath, and of right ought to have, full power and authority to make laws and statutes of sufficient force and validity to bind the people and the kingdom of Ireland." † In spite of the restrictions upon its commerce, Ireland had continued to improve in wealth, and consequently in a desire for independence. When Arthur Young wrote his Tour in 1779, he said that during the previous twenty years, the towns of Ireland had been newly built over, and in a manner far superior to what was the case before. The Protestants were necessarily the sole exponents of the desire to emerge from a dependent condition; for the Roman Catholics were in complete subjection to those who alone were privileged to sit in Parliament, and who filled every office in the state. These discontents were constantly ex-

* "Parliamentary History," vol. xxxiii. col. 1 to 10.

† 6 Geo. I. c. 5.

cited by the appointments of Englishmen to the higher posts, whether ecclesiastical or civil. Swift kept up the natural jealousy during the administration of sir Robert Walpole; and under the less politic rule of the Pelhams, the desire for equal liberty and privileges took the form of a contest between the English government and the Irish House of Commons as to the applications of a surplus revenue. This dispute took place in 1753. "From this era," says Mr. Hallam, "the great parliamentary history of Ireland began, and was terminated, after half a century, by the Union." *

On the 7th of April, 1778, the British House of Commons, on the motion of lord Nugent, went into Committee on the Acts relating to the trade and commerce of Ireland; and he moved a resolution, that all goods and merchandise should be permitted to be exported direct from that kingdom to any of the plantations and settlements of Great Britain, with the exception of wool and woollen manufactures. Lord North gave his cordial consent to the proposal; and this resolution, as well as two others, permitting the importation of colonial produce to Ireland, removing the prohibition against the exportation of glass, and repealing the duties on cotton yarn of Irish manufacture, was carried unanimously. Then commenced that violent opposition from the great trading towns, with the exception of London, to which Burke referred in his letter to the people of Bristol. † The Bills which were brought in were contested in every stage; and finally a very imperfect measure—a mere promise of relief—was obtained in that Session. Popular clamour was too strong for honest statesmanship. The discontents in Ireland grew serious. The leading politicians of the Irish Parliament became naturally restless in obtaining only a pitiful instalment of their just demands. Towards Ireland George III. manifested the same exclusive spirit which he had constantly manifested towards America. He thought that every concession, however small, ought to be received with gratitude from the inferior to the superior power, and he thus wrote in November to lord North: "Experience has convinced me that this country gains nothing by granting indulgences to her dependencies; for opening the door encourages a desire for more, which, if not complied with, causes discontent, and the former benefit is obliterated." There was a national spirit rising in Ireland, which made it unsafe to dole out fragments of justice. The difficulties of the government in carrying on the war with America and France gave a new power to the Irish patriotic party. There were no English troops in Ireland. The Militia Acts were there ineffective. A descent

* "Constitutional History," chap xviii.

† *Ante*, p. 417.

upon the northern coast was expected; and when the inhabitants of Belfast and Carrickfergus applied to the Lord-Lieutenant for forces to protect them, they were told that only sixty troopers could be sent from Dublin. The people resolved to defend themselves. They organized bodies of volunteers, without waiting for any sanction or encouragement from the State. On the 11th of May, 1779, the marquis of Rockingham stated in the House of Lords, that the independent corps and companies then in arms in Ireland amounted to ten thousand men, "all acting under illegal powers, under a kind of supposition that all government was at an end."

The Irish Parliament met in October, 1779. In the June of that year a motion of lord Shelburne, to address his majesty on the subject of the trade with Ireland, had been rejected in the British House of Lords, by a large majority. At this juncture a leader of the Irish Parliament arose, who, in all the great qualities of eloquence, vigour, and integrity, which sometimes gives to one man the power to speak and act for an entire nation, was especially fitted to be the champion of his country. Henry Grattan was then in his thirty-fourth year. He had listened to the orations of Chatham, and in a brief estimate of his character appears to have conceived the idea of what a kindred genius might accomplish. "There was in this man something that could create, subvert, or reform; an understanding, a spirit, and an eloquence, to summon mankind to society, or to break the bonds of slavery asunder, and rule the wildness of free minds with unbounded authority; something that could establish or overwhelm empires, and strike a blow in the world that should resound through its history." * Singular, almost grotesque, in his delivery, Grattan had borrowed none of the studied graces of Chatham, the most perfect master of elocution; but he brought to the debates of a popular assembly the same power of reaching the point "by the flashings of his mind." The opportunity was come for exhibiting that power with a boldness and fervour which Chatham never exceeded, and which had the same character of intense nationality as the impassioned harangues of the great Englishman. On the 12th of October, Grattan moved an amendment to the Address, in which the magical words "Free Trade" carried the House with him, the members of the government not even calling for a division. In the same way he carried a vote for a money bill only of six months, instead of the usual period of two years. The government saw the necessity of yielding in the matter of Free Trade, lord North himself proposing, on the 12th of December, 1779, three Bills for the relief of the

* *Miscellaneous Works of Grattan*, p. 10.

commerce of Ireland, which were carried without opposition. This concession, like concessions to the North American colonies, came too late. "We have gotten commerce but not freedom," exclaimed Grattan, on the 19th of April, 1780, when he moved "that the king's most excellent Majesty, and the Lords and Commons of Ireland, are the only power competent to make laws to bind Ireland." The motion was then lost, by an amendment that the consideration of the question be adjourned. The question at issue of the legislative independence of Ireland has passed away; but there are passages in Grattan's speech in this memorable debate which have an enduring value. We take a few sentences as an example of the solidity of his views and the force of his expressions: "As any thing less than liberty is inadequate to Ireland, so it is dangerous to Great Britain. We are too near the British nation, we are too conversant with her history, we are too much fired by her example, to be anything less than her equal—anything less, we should be her bitterest enemies. . . . There is no policy left for Great Britain but to cherish the remains of her empire, and do justice to a country that is determined to do justice to herself, certain that she gives nothing equal to what she receives from us when we gave her Ireland. . . . It is not merely the connection of the crown, it is a constitutional annexation, an alliance of liberty, which is the true meaning and mystery of the sisterhood, and will make both countries one arm and one soul, replenishing from time to time in their immortal connection, the vital spirit of law and liberty from the lamp of each other's light. Thus combined by the ties of common interest, equal trade, and equal liberty, the constitution of both countries may become immortal; a new and milder empire may arise from the errors of the old; and the British nation assume once more her natural station—the head of mankind."*

In the course of the debate on the Irish Trade Bills in April, 1778, lord North referred to the penal laws of Ireland against Roman Catholics. He was of opinion that the Irish Parliament would see where the grievance lay, and redress it. This salutary recommendation was tardily acted upon by the Irish Parliament; but in December, 1781, upon notice being given by a member that he should bring in a Bill for the relief of the Roman Catholics, Mr. Grattan said that they deserved every encouragement, for they had united with their Protestant fellow subjects when the country was threatened with invasion, and had joined with them in a common endeavour to secure Free Trade. He quoted the observation

* "Speeches of Henry Grattan," edited by his Son, vol. i. p. 51.

of a member of the British Parliament, that Ireland could never prosper till its inhabitants were a People. The Bill for allowing Roman Catholics to enjoy property, freely to exercise their religion, educate their children, have no impediments to marriage, and retain the means of self-defence, was finally passed in February, 1782, Grattan exclaiming, as "the mover of the Declaration of Rights, I would be ashamed of giving freedom to but six hundred thousand of my countrymen, when I could extend it to two millions more." Grattan again brought forward this Declaration on the 22nd of February, two days after the question of Roman Catholic relief had been settled. The orator felt that he was supported by a physical force, much more effectual than argument: "The strength which, at your back, supports your virtue, precludes your apostacy; the armed presence of the nation will not bend." The motion was then rejected by a majority of sixty-nine. But there were eighty-eight thousand men in arms in the four provinces—thirty-four thousand in Ulster, eighteen thousand in Munster, fourteen thousand in Connaught, twenty-two thousand in Leinster. Their commander-in-chief was the earl of Charlemont; noblemen of wealth and influence were amongst their generals. The delegates of a hundred and forty-three corps had met at Dungannon on the 15th of February, and without a dissentient voice had adopted the Resolution that had been proposed to Parliament by Grattan,—that no power but the King, and the Lords and Commons of Ireland could bind that kingdom. Grattan failed in carrying his great motion upon its second proposition. He was not to be deterred from a third attempt, under more favourable auspices. At the end of February the administration of lord North was in a minority in the British Parliament. On the 14th of March, in the Irish House of Commons, a vote was passed that the Speaker should write a Circular Letter to each member, requiring him to appear in his place on that day, as he should tender the rights of the Irish Parliament. On the 27th of March, the Rockingham ministry entered upon office. The earl of Carlisle was removed from the Lord-Lieutenancy, with his Secretary Mr. Eden. The duke of Portland was appointed to the Vice-Royalty. On the first day that the new ministry took their places in the House of Commons, the late Irish Secretary, after giving a lengthened and alarming narrative of the proceedings of the Volunteers and of the Irish House of Commons, proceeded to move the repeal of the Act of the 6th of George I. He did not wish, he said, to precipitate matters, but something must be done, without the loss of a moment, to prevent consequences which it was not for him so much as to think of—to

anticipate the wishes of Ireland, previous to the discussion of Mr. Grattan's motion on the 16th. Mr. Fox was naturally indignant at such a motion having been made without any consultation with the king's present advisers, who had turned their attention, he said, to measures which would conciliate the affections of the Irish people. The ex-Secretary, having been severely reprov'd by many members for the indecency of his proceeding, withdrew the motion. On the next day Mr. Fox presented a Message from his majesty, expressing his concern that discontents and jealousies prevailed amongst his loyal subjects in Ireland, and earnestly recommending the House to take the same into their most serious consideration, in order to such a final adjustment as may give a mutual satisfaction to both kingdoms. A similar Message was delivered to the Lords by earl Shelburne.

The dreaded 16th of April arrived. The administration had earnestly desired an adjournment of the great question then to be discussed; but Lord Charlemont wrote to Fox that he should greatly fear the consequences of any postponement. Grattan was ill; but he was inflexible in determining that there should be no adjournment "unless the duke of Portland would pledge himself that all the claims of Ireland should be agreed to."* Mr. Hutchinson, the new Secretary, when the House of Commons met on the 16th, delivered a Message similar to that delivered to the British Parliament. Mr. Grattan, upon the motion for an Address, as moved by Mr. Ponsonby, rose; and considering that the battle was won, thus commenced one of his splendid harangues:—

"I am now to address a free people: ages have passed away, and this is the first moment in which you could be distinguished by that appellation.

"I have spoken on the subject of your liberty so often, that I have nothing to add, and have only to admire by what heaven-directed steps you have proceeded until the whole faculty of the nation is braced up to the act of her own deliverance.

"I found Ireland on her knees; I watched over her with an eternal solicitude; I have traced her progress from injuries to arms, and, from arms to liberty. Spirit of Swift! spirit of Molyneux! your genius has prevailed! Ireland is now a nation! In that new character I hail her! and, bowing to her august presence, I say, *Esto perpetua!*

"She is no longer a wretched colony, returning thanks to her governor for his rapine, and to her king for his oppression; nor is she now a squabbling, fretful sectary, perplexing her little wits, and

* Letter of Fitzpatrick, in "Memorials of Fox," vol. i. p. 395.

firing her furious statutes with bigotry, sophistry, disabilities, and death, to transmit to posterity insignificance and war.

"Look to the rest of Europe, and contemplate yourself, and be satisfied."

Grattan's motion for an Amendment to the Address embraced all the points of the previous Declaration of Rights. "No one man," wrote Fitzpatrick to Fox, "presumed to call in question a single word advanced by Grattan, and spoke only to congratulate Ireland on her emancipation, as they called it." The triumph was soon completed by the pressure of that national will which no sane administration could resist. On the 17th of May, Mr. Fox presented to the House of Commons the Resolutions of the Lords and Commons of Ireland on the King's Message of the 16th of April, and he moved the repeal of that statute of George I. which asserted the dependence of Ireland. A Bill for this repeal passed both Houses without a division. Lord Holland ascribes the adjustment of 1782 to the confidence which Mr. Fox and Mr. Grattan placed in each other, as well as to "the force of circumstances, and the skill of negotiation." The mutual confidence of two great men, and the skill of negotiation, would have little availed, if the Parliament of England had not acquired sufficient wisdom not to risk another civil war, with another possible dismemberment of a portion of the empire, for the sake of another assertion of legislative supremacy.

The Parliament of Ireland was overflowing with gratitude to Mr. Grattan. They desired to vote him a hundred thousand pounds for the purchase of an estate. He at first refused to receive any such public acknowledgment of his services, but eventually accepted half the amount. There was another orator in the Irish Parliament who regarded with embittered feelings the testimonies of national gratitude to one whose political experience had been far less than his own. Mr. Flood maintained that the mere repeal of the Act of George I., which was simply a declaratory law, left the question of the English supremacy undisturbed. At the time of the repeal of that statute a case of appeal from Ireland remained undecided in the Court of King's Bench, and lord Mansfield gave judgment, as he had before done, in the usual course of law. A violent contest sprang up in Ireland, which renewed the old distrust of England. Grattan lost some of his popularity. Flood laboured to stimulate the ancient jealousies. The government of lord Shelburne took the proper measure of endeavouring to quiet the alarm, by bringing in a bill, in January, 1783, "for removing and preventing all doubts which have arisen, or

might arise, concerning the exclusive rights of the Parliament and Courts of Ireland in matters of legislature and judicature, and for preventing any writ of errors or appeal, from any of his majesty's Courts in that kingdom, from being received, heard, or adjudged, in any of his majesty's Courts in the kingdom of Great Britain."

CHAPTER XVI.

Overtures for Peace between Franklin and Shelburne.—Rival negotiators from England.—Death of Lord Rockingham.—Resignation of the Secretaryship by Mr. Fox.—The Siege of Gibraltar.—Naval affairs.—Lord Howe.—Loss of the Royal George.—Howe's relief of Gibraltar after the first bombardment.—Negotiations for Peace concluded.—The Preliminaries laid before Parliament.—Parliamentary censures of the terms of Peace.—Lord Shelburne being defeated, resigns.—The king and the American minister.—Washington's farewell to his army, and his retirement.

IN securing the tranquillity of Ireland, by yielding in time to a force which could not be resisted, the administration were free to negotiate for peace, with a prospect of more favourable terms than the general issue of the war might authorise them to demand if the sister-kingdom were hostile. Ireland responded to an act of justice by an instant exhibition of cordiality. Her Parliament voted a hundred thousand pounds for the levy of twenty thousand seamen. The overtures for peace were first opened by Dr. Franklin, in a letter which he wrote to lord Shelburne. They had been known to each other during Franklin's diplomatic sojourn in London; and Franklin wrote to Shelburne on the 22nd of March, before the ministry was settled, to congratulate him on the returning good disposition of England in favour of America. When Shelburne replied, he was Secretary of State; and he adopted the course of sending a confidential friend, Mr. Oswald, to Paris, who was fully apprised of his mind, and to whom Franklin might give entire credit.* This gentleman assured Franklin that the new ministry sincerely wished for peace, and if the Independence of the United States were agreed to, there was nothing to hinder a pacification. Franklin declared that America could only treat in concert with France; and Mr. Oswald had, consequently, an interview with the count de Vergennes. This unofficial negotiator returned to England; and was authorized by a minute of the Cabinet to proceed again to Paris, to acquaint Dr. Franklin that it was agreed to treat for a general peace. A more regular envoy was sent very quickly after Oswald. Mr. Thomas Grenville, the second son of George Grenville, was the bearer of a letter to Franklin from Mr. Fox. Oswald again went back to London, and again returned, to discuss the most important

* Franklin's Works, vol. ix. p. 241.