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SPEECH  
ON  
AMERICAN TAXATION

— (BY) —

EDMUND BURKE.

NEW YORK:  
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# AMERICAN TAXATION,

A SPEECH, DELIVERED APRIL 19, 1774.

✓  
BY EDMUND BURKE.



EDITED WITH NOTES BY

ALBERT F. BLAISDELL, A.M.,

AUTHOR OF "OUTLINES FOR THE STUDY OF ENGLISH CLASSICS," "MEMORY  
QUOTATIONS," "SHAKESPEARE SPEAKER," ETC.

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## AMERICAN TAXATION.

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THESE two speeches ("Taxation" and "Conciliation") both deserve to be studied with the utmost diligence by every American scholar.—*Chauncey A. Goodrich.*

OF all Burke's writings none are so fit to secure unqualified and unanimous admiration as the speeches on this momentous struggle. (American Revolution). They compose the most perfect manual in our literature for one who approaches the study of public affairs, whether for knowledge or for practice.—*John Morley.*

### INTRODUCTORY NOTE.

THE measures of the different British ministers regarding American taxation, from the passage of the Stamp Act, in 1765, to the repeal of all the taxes except that on tea in 1770, are well known to every student of American history. Lord North's policy in respect to America was arbitrary and fluctuating. After the destruction of tea in Boston harbor violent measures prevailed! In March, 1774, laws were passed depriving Massachusetts of her charter, and closing the port of Boston against all commerce. Some, however, who had supported Lord North in these measures, thought they should be accompanied by an act indicative of a desire to conciliate. Accordingly, Mr. Rose Fuller, of Rye, who usually voted with the Ministry, moved on the 19th of April, 1774, "that the House resolve itself into a committee of the whole House, to take into consideration the duty of three-pence per pound on tea, payable in all his Majesty's dominions in America," with a view to repealing the same. Mr. Burke seconded the proposal, and sustained it in the following speech. The applause so lavishly bestowed upon this speech was richly deserved. The matter is most admirably arranged. The language is racy and pungent. It is marked by deep research, sound reasoning, cutting sarcasm, graphic description, and fervid declamation. Burke consented to the publication of this speech at the earnest solicitation of his friends. It seems to have been from a gen-

erous wish to give the British Ministry an opportunity of doing their best to restore tranquillity, and from an indisposition to appear equally unwilling to soften down the terms in which he had spoken, that Burke deferred the publication of the speech until the beginning of the following year. It was several times reprinted, and, like most of the great orator's publications, provoked an "Answer," which is not worthy of attention.

1. SIR:—I agree with the Honorable Gentleman<sup>1</sup> who spoke last, that this subject is not new<sup>2</sup> in this House. Very disagreeably to this House, very unfortunately to this nation, and to the peace and prosperity of this whole empire, no topic has been more familiar to us. For nine long years, session after session, we have been lashed round and round this miserable circle of occasional arguments and temporary expedients. I am sure our heads must turn, and our stomachs nauseate with them. We have had them in every shape; we have looked at them in every point of view. Invention is exhausted; reason is fatigued; experience has given judgment; but obstinacy is not yet conquered.

2. The Honorable Gentleman has made one endeavor more to diversify the form of this disgusting<sup>3</sup> argument. He has thrown out a speech composed almost entirely of challenges. Challenges are serious things; and as he is a man of prudence as well as resolution, I dare say he has very well

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NOTE.—The Editor has omitted such passages in this speech, as are of no special interest to students of the present day. The wording has not been changed, nor have any sentences been abridged.

1. Honorable gentleman.—Charles Wolfran Cornwall, became a Lord of the Treasury in 1774, chosen Speaker of the House of Commons in 1780. Lord Chatham said of him: "Such men are not found every day."

2. Subject is not new.—The present debate had begun in the dullest possible style. Many speakers had already well tried the patience of the House. The members had begun to disperse to the adjoining apartments, or places of refreshment. Hence the short, lashing, petulant exordium, contrasting strongly with those of the great speeches on the Economical Reform, and the Nabob of Arcot's Debts. It was necessary to arrest the attention of the House in the dullest part of a debate. The report of it spread rapidly, and members crowded back till the hall was filled to the utmost. It resounded throughout the speech with the loudest applause. The student should observe the contrast between this preamble and that of the speech which follows. The latter is full of touches of that trifling which was so common in the speaking of the last century; what Hazlitt terms, 'calling out the Speaker to dance a minuet with him before he begins.'

3. Disgusting.—This epithet simply means "wearisome," "tedious." "More disgusting than his own rent-roll,—Goldsmith."

weighed those challenges before he delivered them. I had long the happiness to sit at the same side<sup>4</sup> of the House, and to agree with the Honorable Gentleman on all the American questions. My sentiments, I am sure, are well known to him; and I thought I had been perfectly acquainted with his. Though I find myself mistaken, he will still permit me to use the privilege of an old friendship; he will permit me to apply myself to the House under the sanction of his authority; and, on the various grounds he has measured out, to submit to you the poor opinions which I have formed upon a matter of importance enough to demand the fullest consideration I could bestow upon it.

3. He has stated to the House two grounds of deliberation; one narrow and simple, and merely confined to the question on your paper: the other more large and more complicated; comprehending the whole series of the Parliamentary proceedings with regard to the latter ground, he states it as useless, and thinks it may be even dangerous, to enter into so extensive a field of inquiry. Yet, to my surprise, he had hardly laid down this restrictive proposition, to which his authority would have given so much weight, when directly, and with the same authority, he condemns it; and declares it absolutely necessary to enter into the most ample historical detail.<sup>5</sup> His zeal has thrown him a little out of his usual accuracy. In this perplexity what shall we do, Sir, who are willing to submit to the law he gives us? He has reprobated in one part of his speech the rule he had laid down for debate in the other; and, after narrowing the ground for all those who are to speak after him, he takes an excursion himself, as unbounded as the subject and the extent of his great abilities.

4. Sir, When I cannot obey all his laws, I will do the best I can. I will endeavor to obey such of them as have the

4. At the same side.—Cornwall was a renegade from Lord Shelburne's party, and had spoken with effect on the side of the opposition in the debates on the American question.

5. Historical detail.—It is to this demand of Cornwall that we are indebted for the second part of this speech—the history of American taxation—one of the most interesting passages in English literature.

sanction of his example ; and to stick to that rule, which, though not consistent with the other, is the most rational. He was certainly in the right when he took the matter largely. I cannot prevail on myself to agree with him in his censure of his own conduct. It is not, he will give me leave to say, either useless or dangerous. He asserts, that retrospect is not wise ; and the proper, the only proper, subject of inquiry, is 'not how we got into this difficulty, but how we are to get out of it.' In other words, we are, according to him, to consult our invention, and to reject our experience. The mode of deliberation he recommends is diametrically opposite to every rule of reason and every principle of good sense established amongst mankind. For that sense and that reason I have always understood absolutely to prescribe, whenever we are involved in difficulties from the measures we have pursued, that we should take a strict review of those measures, in order to correct our errors, if they should be corrigible ; or at least to avoid a dull uniformity in mischief, and the unpitied calamity of being repeatedly caught in the same snare.

Sir, I will freely follow the Honorable Gentleman in his historical discussion, without the least management for men or measures, farther than as they shall seem to me to deserve it. But before I go into that large consideration, because I would omit nothing that can give the House satisfaction, I wish to tread the narrow ground to which alone the Honorable Gentleman, in one part of his speech, has so strictly confined us.

5. HE desires to know, whether, if we were to repeal this tax, agreeably to the proposition of the Honorable Gentleman who made the motion, the Americans would not take post<sup>6</sup> on this concession, in order to make a new attack on the next body of taxes ; and whether they would not call for a repeal of the duty on wine as loudly as they do now for the repeal of the duty on tea? Sir, I can give no security on this

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6. Take post, etc.—To take their stand on it as an argument for future concessions,

subject. But I will do all that I can, and all that can be fairly demanded. To the *experience* which the Honorable Gentleman reprobates in one instant, and reverts to in the next; to that experience, without the least wavering or hesitation on my part, I steadily appeal; and would to God there was no other arbiter to decide on the vote with which the House is to conclude this day!

6. When Parliament repealed the Stamp Act in the year 1766, I affirm, first, that the Americans did *not* in consequence of this measure call upon you to give up the former Parliamentary revenue which subsisted in that country; or even any one of the articles which compose it.<sup>7</sup> I affirm also, that when, departing from the maxims of that repeal, you revived the scheme of taxation, and thereby filled the minds of the Colonists with new jealousy, and all sorts of apprehensions, then it was that they quarreled with the old taxes, as well as the new; then it was, and not till then, that they questioned all the parts of your legislative power; and by the battery of such questions have shaken the solid structure of this empire to its deepest foundations.

7. Of those two propositions I shall, before I have done, give such convincing proof, that however the contrary may be whispered in circles, or bawled in newspapers, they never more will dare to raise their voices in this House. I speak with great confidence. I have reason for it. The Ministers are with me. *They* at least are convinced that the repeal of the Stamp Act had not, and that no repeal can have, the consequences which the Honorable Gentleman who defends their measures is so much alarmed at. To their conduct I refer him for a conclusive answer to his objection. I carry my proof irresistibly into the very body of both Ministry and Parliament; not on any general reasoning growing out of collateral matter, but on the conduct of the Honorable Gentleman's Ministerial friends on the new revenue itself.

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7. **Compose it.**—There is reason to believe that the Colonies would not have made any opposition to duties imposed for the mere regulation of trade.

8. The act of 1767, which grants this tea duty, sets forth in its preamble, that it was expedient to raise a revenue in America, for the support of the civil government there, as well as for purposes still more extensive. To this support the act assigns six branches of duties. About two years after this act passed, the Ministry, I mean the present Ministry, thought it expedient to repeal five of the duties and to leave (for reasons best known to themselves) only the sixth standing. Suppose any person, at the time of that repeal, had thus addressed the Minister :<sup>s</sup> ‘Condemning, as you do, the repeal of the Stamp Act, why do you venture to repeal the duties upon glass, paper, and painters’ colors? Let your pretence for the repeal be what it will, are you not thoroughly convinced, that your concessions will produce, not satisfaction, but insolence, in the Americans; and that the giving up these taxes will necessitate the giving up of all the rest?’ This objection was as palpable then as it is now; and it was as good for preserving the five duties as for retaining the sixth. Besides, the Minister will recollect, that the repeal of the Stamp Act had but just preceded his repeal; and the ill policy of that measure, (had it been so impolitic as it has been represented,) and the mischiefs it produced, were quite recent. Upon the principles therefore of the Honorable Gentleman, upon the principles of the Minister himself, the Minister has nothing at all to answer. He stands condemned by himself, and by all his associates, old and new, as a destroyer, in the first trust of finance, of the revenues; and in the first rank of honor, as a betrayer of the dignity of his country.

9. Most men, especially great men, do not always know their well-wishers. I come to rescue that noble Lord out of the hands of those he calls his friends; and even out of his own. I will do him the justice he is denied at home. He has not been this wicked or imprudent man. He knew that a repeal had no tendency to produce the mischiefs

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8. The Minister.—Lord North, then Chancellor of the Exchequer, was minister at the time of this repeal, March 5, 1770.

which give so much alarm to his Honorable friend. His work was not bad in its principles, but imperfect in its execution : and the motion on your paper presses him only to complete a proper plan, which, by some unfortunate and unaccountable error, he had left unfinished.<sup>9</sup>

10. I hope, Sir, the Honorable Gentleman who spoke last, is thoroughly satisfied, and satisfied out of the proceedings of Ministry on their own favorite act, that his fears from a repeal are groundless. If he is not, I leave him, and the noble Lord who sits by him, to settle the matter, as well as they can, together ; for if the repeal of American taxes destroys all our government in America—He is the man !—and he is the worst of all the repealers,<sup>10</sup> because he is the last.

11. BUT I hear it rung continually in my ears, now and formerly,—‘ the preamble ! what will become of the preamble, if you repeal this tax ? ’—I am sorry to be compelled so often to expose the calamities and disgraces of Parliament. The preamble of this law, standing as it now stands, has the lie direct given to it by the provisionary part of the act ; if that can be called provisionary which makes no provision. I should be afraid to express myself in this manner, especially in the face of such a formidable array of ability as is now drawn up before me, composed of the ancient household troops of that side of the House, and the new recruits<sup>11</sup> from this, if the matter were not clear and indisputable. Nothing but truth could give me this firmness ; but plain truth and clear evidence can be beat down by no ability. The Clerk will be so good as to turn to the act, and to read this favorite preamble :

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9. Left unfinished.—To give this paragraph its proper effect, we must suppose it to be concluded with “cheers and laughter.”

10. Worst of all the repealers.—Lord North. Lord Rockingham had repealed only one duty, while Lord North had repealed five. These four paragraphs must be understood in their true spirit of open irony in the form of an ‘argumentum ad hominem.’ Their pungency is increased by the ingenious turn given to it by Burke, that he is defending Lord North against his own friends and adherents.

11. New recruits.—Alluding to the deserters from the various sections of the Whig party, who by this time had gone over to the Court in large numbers.

Whereas it is *expedient* that a revenue should be raised in your Majesty's dominions in America, for making a more *certain* and *adequate* provision for defraying the charge of the *administration of justice and support of civil government*, in such provinces where it shall be found necessary; and towards *further defraying* the expenses of *defending, protecting, and securing the said dominions*.

12. You have heard this pompous performance. Now where is the revenue which is to do all these mighty things? Five-sixths repealed—abandoned—sunk—gone—lost forever. Does the poor solitary tea duty support the purposes of this preamble? Is not the supply there stated as effectually abandoned as if the tea duty had perished in the general wreck? Here, Mr. Speaker, is a precious mockery<sup>12</sup>—a preamble without an act—taxes granted in order to be repealed—and the reasons of the grant still carefully kept up! This is raising a revenue in America! This is preserving dignity in England! If you repeal this tax in compliance with the motion, I readily admit that you lose this fair preamble. Estimate your loss in it. The object of the act is gone already; and all you suffer is the purging the statute-book of the opprobrium of an empty, absurd, and false recital.

13. It has been said again and again, that the five taxes were repealed on commercial principles. It is so said in the paper in my hand<sup>13</sup>; a paper which I constantly carry about; which I have often used, and shall often use again. What is got by this paltry pretence of commercial principles I know not: for if your government in America is destroyed by the *repeal of taxes*, it is of no consequence upon what ideas the repeal is grounded. Repeal this tax too upon commercial principles if you please. These principles will serve as well now as they did formerly. But you know that, either your

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12. *Precious mockery*.—Used thus ironically by Locke. '*Precious limbs* was at first an expression of great feeling; till vagabonds, draymen, etc., brought upon it the character of coarseness and ridicule.'—Lord Thurlow, *Letter to Cowper*.

13. *Paper in my hand*.—Lord Hillsborough's circular letter to the Governors of the Colonies, concerning the repeal of some of the duties laid in the Act of 1767.



objection to a repeal from these supposed consequences has no validity, or that this pretence never could remove it. This commercial motive never was believed by any man, either in America, which this letter is meant to soothe, or in England, which it is meant to deceive. It was impossible it should. Because every man, in the least acquainted with the detail of commerce, must know, that several of the articles on which the tax was repealed, were fitter objects of duties than almost any other articles that could possibly be chosen ; without comparison more so, than the tea that was left taxed ; as infinitely less liable to be eluded by contraband. Some of the things taxed were so trivial, that the loss of the objects themselves, and their utter annihilation out of American commerce, would have been comparatively as nothing. But is the article of tea such an object in the trade of England, as not to be felt, or felt but slightly, like white lead and red lead, and painters' colors? Tea is an object of far other importance. Tea is perhaps the most important object, taking it with its necessary connections, of any in the mighty circle of our commerce. If commercial principles had been the true motives to the repeal, or had they been at all attended to, tea would have been the last article we should have left taxed for a subject of controversy.

14. Sir, it is not a pleasant consideration ;<sup>14</sup> but nothing in the world can read so awful and so instructive a lesson, as the conduct of Ministry in this business, upon the mischief of not having large and liberal ideas in the management of great affairs. Never have the servants of the state looked at the whole of your complicated interests in one connected view. They have taken things by bits and scraps, some at one time and one pretence, and some at another, just as they pressed, without any sort of regard to their relations or

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14. Not a pleasant consideration.—Burke here makes a landing place, unusual, out of a broad generalization arising from a particularly striking point in his argument. The student should note the effective use of familiar terms in the body of the paragraph, and its contrast with the rhetorical sentence which concludes it. In the next paragraph he returns to the argument on the preamble, after a digression on the interests of the East India Company.

dependencies. They never had any kind of system, right or wrong; but only invented occasionally some miserable tale for the day, in order meanly to sneak out of difficulties, into which they had proudly strutted. And they were put to all these shifts and devices, full of meanness and full of mischief, in order to pilfer piece-meal a repeal of an act, which they had not the generous courage, when they found and felt their error, honorably and fairly to disclaim. By such management, by the irresistible operation of feeble counsels, so paltry a sum as three-pence in the eyes of a financier, so insignificant an article as tea in the eyes of a philosopher, have shaken the pillars of a commercial empire that circled the whole globe.

**15.** Do you forget that, in the very last year, you stood on the precipice of general bankruptcy? Your danger was indeed great. You were distressed in the affairs of the East India Company; and you well know what sort of things are involved in the comprehensive energy of that significant appellation. I am not called upon to enlarge to you on that danger, which you thought proper yourselves to aggravate, and to display to the world with all the parade of indiscreet declamation. The monopoly<sup>15</sup> of the most lucrative trades, and the possession of imperial revenues, had brought you to the verge of beggary and ruin.<sup>16</sup> Such was your representation—such, in some measure, was your case. The vent of ten millions of pounds<sup>17</sup> of this commodity, now locked up

**15. Monopoly.**—The whole commerce of the East with Great Britain was in the hands of the company.

**16. Verge of beggary and ruin.**—The Company had agreed to the payment of £400,000, per annum to government. But in 1772, while many of their servants had returned to England with large fortunes, the Company became so involved in difficulties as not only to be unable to pay this sum, but to make it necessary that £1,400,000, should be advanced to them by the public. The exhaustion of the country, and the expenses incurred in the war with Hyder Ali and France, involved the Company in fresh difficulties; and they were obliged, in 1783, to present a petition to Parliament, setting forth their inability to pay their annual sum of £400,000., praying to be excused therefrom, and to be supported by a loan of £900,000. At this crisis Fox brought in his India Bill, on which Burke made one of the most memorable of his speeches, the last but one of the five parliamentary orations which he gave to the world through the press.

**17. Ten millions of pounds.**—In 1772 official reports showed that the warehouses of the Company contained 16,000,000 pounds of tea.

by the operation of an injudicious tax, and rotting in the warehouses<sup>18</sup> of the Company, would have prevented all this distress, and all that series of desperate measures which you thought yourself obliged to take in consequence of it. America would have furnished that vent, which no other part of the world can furnish but America; where tea is next to a necessary of life; and where the demand grows upon the supply.

16. I hope our dear-bought East India committees have done us at least so much good, as to let us know, that, without a more extensive sale of that article, our East India revenues and acquisitions can have no certain connection with this country. It is through the American trade of tea that your East India conquests are to be prevented from crushing you with their burden. They are ponderous indeed: and they must have that great country to lean upon, or they tumble upon your head. It is the same folly that has lost you at once the benefit of the West and of the East. This folly has thrown open folding-doors to contraband; and will be the means of giving the profits of the trade of your colonies to every nation but yourselves. Never did a people suffer so much for the empty words of a preamble. It must be given up. For on what principles does it stand? This famous revenue stands, at this hour, on all the debate, as a description of revenue not as yet known in all the comprehensive (but too comprehensive!) vocabulary of finance—*a preamble tax*. It is indeed a tax of sophistry, a tax of pedantry, a tax of disputation, a tax of war and rebellion, a tax for anything but benefit to the imposers, or satisfaction to the subject.

17. Well! but whatever it is, gentlemen will force the Colonists to take the teas. You will force them? Has seven years' struggle yet been able to force them? O but it seems, 'We are in the right. The tax is trifling—in fact it is rather an exoneration than an imposition; three-fourths of the

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18. Rotting in the warehouses.—The absurd regulations which made it necessary for the Company to keep a year's supply of tea in their warehouses, helped to raise its price and spoil its quality.

duty formerly payable on teas exported to America is taken off; the place of collection is only shifted; instead of the retention of a shilling from the draw-back<sup>19</sup> here, it is three-pence custom paid in America.' All this, Sir, is very true. But this is the very folly and mischief of the act. Incredible as it may seem, you know that you have deliberately thrown away a large duty which you held secure and quiet in your hands, for the vain hope of getting one three-fourths less, through every hazard, through certain litigation,<sup>20</sup> and possibly through war.

18. Could anything be a subject of more just alarm to America, than to see you go out of the plain high-road of finance, and give up your most certain revenues and your clearest interests, merely for the sake of insulting your Colonies? No man ever doubted that the commodity of tea could bear an imposition of three-pence. But no commodity will bear three-pence, or will bear a penny, when the general feelings of men are irritated, and two millions of people are resolved not to pay. The feelings of the Colonies were formerly the feelings of Great Britain. Theirs were formerly the feelings of Mr. Hampden<sup>21</sup> when called upon for the payment of twenty shillings. Would twenty shillings have ruined Mr. Hampden's fortune? No! but the payment of half twenty shillings, on the principle it was demanded, would have made him a slave. It is the weight of that preamble, of which you are so fond, and not the weight of the duty, that the Americans are unable and unwilling to bear.

19. It is then, Sir, upon the *principle* of this measure, and nothing else, that we are at issue. It is a principle of politi-

19. Drawback.—Drawbacks were given upon two different occasions. When the home manufactures were subject to any duty or excise, either the whole or a part of it was frequently drawn back upon their exportation; and when foreign goods liable to a duty were imported in order to be exported again, either the whole or a part of this duty was sometimes given back upon such exportation.—Smith's *Wealth of Nations*, book iv, ch. i.

20. Certain litigation.—In the general sense of quarreling, not in the special and more common one, of proceeding at law.

21. Hampden.—Reference is made to the patriot John Hampden (1594-1643). The refusal of this celebrated man to pay "ship money" when illegally demanded by Charles I., is known to every student of history. Consult Macaulay's *Essay on Hampden*.

cal expediency. Your Act of 1767 asserts, that it is expedient to raise a revenue in America; your Act of 1769, which takes away that revenue, contradicts the Act of 1767; and, by something much stronger than words, asserts, that it is not expedient. It is a reflection upon your wisdom to persist in a solemn Parliamentary declaration of the expediency of any object, for which, at the same time, you make no sort of provision. And pray, Sir, let not this circumstance escape you; it is very material; that the preamble of this act, which we wish to repeal, is not *declaratory of a right*, as some gentlemen seem to argue it; it is only a recital of the *expediency* of a certain exercise of a right supposed already to have been asserted; an exercise you are now contending for by ways and means, which you confess, though they were obeyed, to be utterly insufficient for their purpose. You are therefore at this moment in the awkward situation of fighting for a phantom; a quiddity; a thing that wants, not only a substance, but even a name; for a thing, which is neither abstract right, nor profitable enjoyment.

20. They tell you, Sir, that your dignity is tied to it. I know not how it happens, but this dignity of yours is a terrible incumbrance to you; for it has of late been ever at war with your interest, your equity, and every idea of your policy. Show the thing you contend for to be reason; show it to be common sense; show it to be the means of attaining some useful end; and then I am content to allow it what dignity you please. But what dignity is derived from the perseverance in absurdity, is more than ever I could discern. The Honorable Gentleman has said well—indeed, in most of his *general* observations I agree with him—he says, that this subject does not stand as it did formerly. Oh, certainly not! Every hour you continue on this ill-chosen ground, your difficulties thicken on you; and therefore my conclusion is, remove from a bad position as quickly as you can. The disgrace, and the necessity of yielding, both of them, grow upon you every hour of your delay.

21. Sir, the Honorable Gentleman having spoken what he thought necessary upon the narrow part of the subject,

I have given him, I hope, a satisfactory answer. He next presses me<sup>22</sup> by a variety of direct challenges and oblique reflections to say something on the historical part. I shall, therefore, Sir, open myself fully on that important and delicate subject; not for the sake of telling you a long story, but for the sake of the weighty instruction that, I flatter myself, will necessarily result from it. I shall not be longer, if I can help it, than so serious a matter requires.

**22.** Permit me then, Sir, to lead your attention very far back; back to the act of Navigation;<sup>23</sup> the corner-stone of the policy of this country with regard to its Colonies. Sir, that policy was, from the beginning, purely commercial; and the commercial system was wholly restrictive. It was the system of a monopoly. No trade was let loose from that constraint, but merely to enable the Colonists to dispose of what, in the course of your trade, you could not take; or to enable them to dispose of such articles as we forced upon them, and for which, without some degree of liberty, they could not pay. Hence all your specific and detailed enumerations: hence the innumerable checks and counterchecks; hence that infinite variety of paper chains by which you bind together this complicated system of the Colonies. This principle of commercial monopoly runs through no less than twenty-nine acts of Parliament, from the year 1660 to the unfortunate period of 1764.

**23.** In all those acts the system of commerce is established, as that from whence alone you proposed to make the Colonies contribute (I mean directly and by the operation of your superintending legislative power), to the strength of the empire. I venture to say, that during that whole period, a Parliamentary revenue from thence was never

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<sup>22.</sup> Next presses me.—We pass now to the second part of this speech. It is probably the best known section of all Burke's speeches and writings. It bears marks of careful elaboration previous to delivery.

<sup>23.</sup> Act of Navigation.—Passed by Cromwell in 1651, with the design of taking the carrying trade out of the hands of the Dutch. It prohibited amongst other things the importation into England and her Colonies, by foreign vessels, of any commodities which were not the growth and manufacture of the countries to which these vessels belonged. The policy of this act, now totally repealed, was preserved in subsequent ones.

once in contemplation. Accordingly, in all the number of laws passed with regard to the Plantations, the words which distinguish revenue laws, specifically as such, were, I think, premeditatedly avoided. I do not say, Sir, that a form of words alters the nature of the law, or abridges the power of the lawgiver. It certainly does not. However, titles and formal preambles are not always idle words; and the lawyers frequently argue from them. I state these facts to show, not what was your right, but what has been your settled policy.<sup>24</sup>

24. Sir, they who are friends to the schemes of American revenue say, that the commercial restraint is full as hard a law for America to live under. I think so too. I think it, if uncompensated, to be a condition of as rigorous servitude as men can be subject to. But America bore it from the fundamental act of Navigation until 1764.—Why? Because men do bear the inevitable constitution of their original nature with all its infirmities. The act of Navigation attended the Colonies from their infancy;<sup>25</sup> grew with their growth and strengthened with their strength. They were confirmed in obedience to it, even more by usage than by law. They scarcely had remembered a time when they were not subject to such restraint. Besides, they were indemnified for it by a pecuniary compensation. Their monopolist happened to be one of the richest men in the world. By his immense capital, primarily employed, not for their benefit, but his own, they were enabled to proceed with their fisheries, their agriculture, their ship-building, in such a manner as got for the start of the slow languid operations of unassisted nature. This capital was a hot-bed to them. Nothing in the history of mankind is like their progress.

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24. Your right . . . your settled policy.—This is the key to Burke's whole argument on the American question.

25. From their infancy.—This is not strictly correct. 'On the contrary, the charters granted to the founders of the settlement in Virginia distinctly empower the colonists to carry on a direct intercourse with foreign states. Nor were they slow to avail themselves of this permission; for they had, as early as 1620, established tobacco warehouses in Middelburg and Flushing.' The Navigation act of Cromwell and of Charles II. founded the monopoly system.

For my part, I never cast an eye on their flourishing commerce, and their cultivated and commodious life, but they seem to me rather ancient nations grown to perfection through a long series of fortunate events, and a train of successful industry, accumulating wealth in many centuries, than the Colonies of yesterday ; than a set of miserable outcasts,<sup>26</sup> a few years ago not so much sent as thrown out, on the bleak and barren shore of a desolate wilderness three thousand miles from all civilized intercourse.

**25.** All this was done by England, whilst England pursued trade, and forgot revenue. You not only acquired commerce, but you actually created the very objects of trade in America ; and by that creation you raised the trade of this kingdom at least four-fold. America had the compensation of your capital, which made her bear her servitude. She had another compensation, which you are now going to take away from her. She had, except the commercial restraint, every characteristic mark of a free people in all her internal concerns. She had the image of the British constitution. She had the substance. She was taxed by her own representatives. She chose most of her own magistrates. She paid them all. She had in effect the sole disposal<sup>27</sup> of her own internal government. This whole state of commercial servitude and civil liberty, taken together, is certainly not perfect freedom ; but comparing it with the ordinary circumstances of human nature, it was a happy and a liberal condition.

26. Miserable outcasts.—The original relation between the government of the mother-country and the New England Colonists was that of tyrant and refugee. The Puritans established the four Colonies of New England ; the Catholics, treated with much greater injustice, that of Maryland ; and the Quakers, that of Pennsylvania. 'Upon all these different occasions,' says Adam Smith, 'it was not the wisdom and policy, but the disorder and injustice of the European Governments, which peopled and cultivated America.'

27. Sole disposal, etc.—'The Colony Assemblies had not only the legislative, but a part of the executive power. In Connecticut and Rhode Island they elected the Governor. In the other Colonies they appointed the revenue officers who collected the taxes imposed by those respective Assemblies, to whom those officers were immediately responsible. There is more equality, therefore, among the English Colonists, than among the inhabitants of the mother-country.'—Adam Smith's *Wealth of Nations*, book iv. ch. 7.



**26.** Whether you were right or wrong in establishing the Colonies on the principles of commercial monopoly, rather than on that of revenue, is at this day a problem of mere speculation. You cannot have both by the same authority. To join together the restraints of an universal internal and external monopoly, with an universal internal and external taxation, is an unnatural union; perfect uncompensated slavery. You have long since decided for yourself and them; and you and they have prospered exceedingly under that decision.

**27.** This nation, Sir, never thought of departing from that choice until the period immediately on the close of the last war. Then a scheme of government<sup>28</sup> new in many things seemed to have been adopted. I saw, or I thought I saw, several symptoms of a great change, whilst I sat in your gallery, a good while before I had the honor of a seat in this House. At that period the necessity was established<sup>29</sup> of keeping up no less than twenty new regiments, with twenty colonels capable of seats in this House. This scheme was adopted with very general applause from all sides, at the very time that, by your conquests in America, your danger from foreign attempts in that part of the world was much lessened, or indeed rather quite over. When this huge increase of military establishment was resolved on, a revenue was to be found to support so great a burden. Country gentlemen, the great patrons of economy,<sup>30</sup> and the great resisters of a standing armed force, would not have entered with much alacrity into the vote for so large and so expensive an army, if they had been very sure that they were to continue to pay for it. But hopes of another kind

28. *Scheme of government.*—Reference is made to the plan which was formed, and its execution begun, to abolish the charters of the Colonies and “make them all royal governments.” Sundry chapters in Bancroft’s *History* (fifth and sixth volumes of the old edition) should be studied by those who wish to understand this speech in all its bearings.

29. *Necessity was established.*—The great accession of French territory inhabited by French subjects in Lower Canada, certainly justified some increase of the military establishment.

30. *Patrons of economy.*—The cry against standing armies and corrupt expenditure was a watchword of the country party in the early part of the century.

were held out to them ; and in particular, I well remember, that Mr. Townshend, in a brilliant harangue<sup>31</sup> on this subject, did dazzle them, by playing before their eyes the image of a revenue to be raised in America.

**28.** Here began to dawn the first glimmerings of this new Colony system. It appeared more distinctly afterwards, when it was devolved upon a person to whom on other accounts, this country owes very great obligations. I do believe, that he had a very serious desire to benefit the public. But with no small study of the detail, he did not seem to have his view, at least equally, carried to the total circuit of our affairs. He generally considered his objects in lights<sup>32</sup> that were rather too detached. Whether the business of an American revenue was imposed upon him altogether ; whether it was entirely the result of his own speculation ; or, what is more probable, that his own ideas rather coincided with the instructions he had received ; certain it is, that, with the best intentions in the world, he first brought this fatal scheme into form, and established it by act of Parliament.

**29.** After the war,<sup>33</sup> and in the last years of it, the trade of America had increased far beyond the speculations of the most sanguine imaginations. It swelled out on every side.

31. Townshend in a brilliant harangue.—‘No man in the House of Commons was thought to know America so well; no one was so resolved on making a thorough change in its constitutions and government. “What schemes he will form,” said the proprietary of Pennsylvania (February 11, 1763), “we shall soon see.” But there was no disguise about his schemes. He was always for making thorough work of it with the Colonies.’—*Bancroft*.

32. Objects in light, etc.—Burke’s intimacy with Sir Joshua Reynolds the great painter, should be remembered. The art of painting often furnished Burke with admirable illustrations. ‘The works of malice and injustice are quite in another style. They are finished with a bold, masterly hand; touched as they are with the spirit of those vehement passions that call forth all our energies, whenever we oppress and persecute.’ ‘A group of regicide and sacrilegious slaughter was indeed boldly sketched, but it was only sketched. It unhappily was left unfinished, in this great history-piece of the massacre of innocents. What hardy pencil of a great master will finish it,’ etc.

33. After the war.—The enforcement of the Navigation act had preceded the Stamp act. The important trade in British manufactures which the English colonists carried on with those of France and Spain, was certainly against the letter of the Navigation act, though not, perhaps, against its spirit. The trade was afterwards allowed, though under duties that were virtually prohibitory.

It filled all its proper channels to the brim. It overflowed with a rich redundance, and breaking its banks on the right and on the left, it spread out upon some places where it was indeed improper, upon others where it was only irregular. It is the nature of all greatness<sup>34</sup> not to be exact; and great trade will always be attended with considerable abuses. The contraband will always keep pace in some measure with the fair trade. It should stand as a fundamental maxim, that no vulgar precaution ought to be employed in the cure of evils, which are closely connected with the cause of our prosperity. Perhaps this great person turned his eyes somewhat less than was just towards the incredible increase of the fair trade; and looked with something of too exquisite a jealousy towards the contraband. He certainly felt a singular degree of anxiety on the subject; and even began to act from that passion earlier than is commonly imagined. For whilst he was first lord of the admiralty, though not strictly called upon in his official line, he presented a very strong memorial to the lords of the treasury, heavily complaining of the growth of the illicit commerce in America.

**30.** Some mischief happened even at that time from this over-earnest zeal. Much greater happened afterwards, when it operated with greater power in the highest department of the finances. The bonds of the act of Navigation were straightened so much, that America was on the point of having no trade, either contraband or legitimate. They found, under the construction and execution so used, the act no longer tying, but actually strangling them. All this coming with new enumerations of commodities; with regulations which in a manner put a stop to the mutual coasting intercourse of the Colonies: with the appointment of courts of admiralty<sup>35</sup> under various improper circum-

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34. Nature of all greatness.—Compare the fine amplification of this by Erskine; 'it is the nature of everything that is great and useful, both in the animate and inanimate world, to be wild and irregular,' etc., in the Speech for Stockdale (1789).

35. Courts of Admiralty.—Were employed in enforcing the Navigation act, so as to deprive the offenders of trial by jury. This injudicious proceeding touched the sensibilities of the Colonists perhaps more keenly than anything else.

stances ; with a sudden extinction of the paper currencies;<sup>36</sup> with a compulsory provision for the quartering of soldiers ; the people of America thought themselves proceeded against as delinquents, or, at best, as people under suspicion of delinquency ; and in such a manner as, they imagined, their recent services in the war<sup>37</sup> did not at all merit. Any of these innumerable regulations, perhaps, would not have alarmed alone ; some might be thought reasonable ; the multitude struck them with terror.

**31.** BUT the grand manœuvre in that business of new regulating the Colonies, was the 15th act of the fourth of George the Third ; which, besides containing several of the matters to which I have just alluded, opened a new principle ; and here properly began the second period of the policy of this country with regard to the Colonies ; by which the scheme of a regular Plantation parliamentary revenue was adopted in theory, and settled in practice. A revenue not substituted in the place of, but superadded to, a monopoly ; which monopoly was enforced at the same time with additional strictness, and the execution put into military hands.

**32.** This act, Sir, had for the first time the title of ‘granting duties in the Colonies and Plantations of America ;’ and for the first time it was asserted in the preamble, ‘that it was *just and necessary*, that a revenue should be raised there.’ Then came the technical words of ‘giving and granting ;’ and thus a complete American revenue act was made in all the forms, and with a full avowal of the right, equity, policy, and even necessity of taxing the Colonies,

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36. Sudden extinction of paper currencies.—The colonial assemblies during the war had issued notes, which were made a legal tender. To remedy the inconvenience produced by their natural depreciation, Mr. Grenville passed an act which took away from them the nature of a legal tender. Most of the bullion of the Colonies being employed in the trade to England, the extinction of the paper currencies must have caused a general stoppage in trade.

37. Recent services in the war.—The Colonies had entered warmly into the war against France, and such was their zeal, that of their own accord they advanced for carrying it on much larger sums than were allotted to their quota by the British Government.

without any formal consent of theirs. There are contained also in the preamble to that act these very remarkable words—the Commons, etc.—‘being desirous to make *some* provision in the *present* session of Parliament *towards* raising the said revenue.’ By these words it appeared to the Colonies, that this act was but the beginning of sorrow ;<sup>38</sup> that every session was to produce something of the same kind ; that we were to go on, from day to day, in charging them with such taxes as we pleased, for such a military force as we should think proper. Had this plan been pursued, it was evident that the provincial assemblies, in which the Americans felt all their portion of importance, and beheld their sole image of freedom, were *ipso facto* annihilated. This ill prospect before them seemed to be boundless in extent, and endless in duration. Sir, they were not mistaken. The Ministry valued themselves when this act passed, and when they give notice of the Stamp Act, that both of the duties came very short of their ideas of American taxation. Great was the applause<sup>39</sup> of this measure here. In England we cried out for new taxes on America, whilst they cried out that they were nearly crushed with those which the war and their own grants had brought upon them.

**33.** Sir, it has been said in the debate, that when the first American revenue act (the Act in 1764, imposing the port duties) passed, the Americans did not object to the principle.<sup>40</sup> It is true they touched it but very tenderly. It was

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38. Beginning of sorrows.—Cf. Matt. xxiv. 8. The student will notice that Burke frequently used impressive phrases of the Bible. They are woven into the warp and woof of those passages marked by grave simplicity.

39. Great was the applause.—Throughout the country, public opinion was from first to last in favor of taxing America. Rockingham to Burke, Sept. 24, 1775: ‘I see and lament that the generality of the nation are aiding and assisting in their own destruction; and I conceive that nothing but a degree of experience of the evils can bring about a right judgment in the public at large.’

40. Did not object to the principle.—It is far from being true that the Colonists ‘did not object to the principle’ of the Act of 1764; nor is Mr. Burke correct in saying that they ‘touched it very tenderly.’ The first Act of the British Parliament for the avowed purpose of raising a revenue in America was passed April 5, 1764. Within a month after the news reached Boston, the General Court of Massachusetts met, and on the 13th of June, 1764, addressed a letter to their agent in England, giving him spirited and decisive instructions on the subject. Remon-

not a direct attack.<sup>41</sup> They were, it is true, as yet novices ; as yet unaccustomed to direct attacks upon any of the rights of Parliament. The duties were port duties, like those they had been accustomed to bear ;<sup>42</sup> with this difference, that the title was not the same, the preamble not the same, and the spirit altogether unlike. But of what service is this observation to the cause of those that make it ? It is a full refutation of the pretence for their present cruelty to America ; for it shows, out of their own mouths, that our Colonies were backward to enter into the present vexatious and ruinous controversy.

**34.** There is also another circulation abroad, (spread with a malignant intention, which I cannot attribute to those who say the same thing in this House,) that Mr. Grenville gave the Colony agents an option for their assemblies to tax themselves, which they had refused. I find that much stress is laid on this, as a fact. However, it happens neither to be true nor possible. I will observe first, that Mr. Grenville never thought fit to make this apology for himself in the innumerable debates that were had upon the subject. He might have proposed to the Colony agents, that they should agree in some mode of taxation as the ground of an act of Parliament. But he never could have proposed that they should tax themselves on requisition, which is the assertion of the day. Indeed, Mr Grenville well knew, that the Colony agents could have no general powers to consent to it ; and they had no time to consult their assemblies for particular powers, before he passed his first revenue act. If you compare dates, you will find it impossible. Burdened as the agents knew the colonies were at that time, they could

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strances were likewise sent from Massachusetts, Virginia and New York to the Privy Council. James Otis also published during this year his pamphlet against the right of Parliament to tax the Colonies, while unrepresented in the House of Commons. This was printed in London in 1765, about the time when the Stamp Act was passed.

41. It was not a direct attack.—The opposition of the Colonists was not that direct calling in question of the power of Parliament to impose taxes which was forced from them by the Stamp Act.

42. Accustomed to bear.—The duties on rum, sugar, and molasses, imported from the West Indies ; and on tobacco and indigo exported from the American Continent to any of the other plantations.

not give the least hope of such grants. His own favorite governor<sup>43</sup> was of opinion that the Americans were not then taxable objects.

**35.** It is said no conjecture could be made of the dislike of the Colonies to the principle. This is as untrue as the other. After the resolution of the House, and before the passing of the stamp act, the Colonies of Massachusetts Bay and New York did send remonstrances, objecting to this mode of Parliamentary taxation. What was the consequence? They were suppressed; they were put under the table, notwithstanding an order of council to the contrary, by the Ministry which composed the very council that had made the order: and thus the House proceeded to its business of taxing without the least regular knowledge of the objections which were made to it. But to give that House its due, it was not over-desirous to receive information, or to hear remonstrance. On the 15th of February, 1765, whilst the stamp act was under deliberation, they refused with scorn even so much as to receive four petitions presented from so respectable Colonies as Connecticut, Rhode Island, Virginia, and Carolina; besides one from the traders of Jamaica. As to the Colonies, they had no alternative left to them, but to disobey; or to pay the taxes imposed by that Parliament which was not suffered, or did not suffer itself even to hear them remonstrate upon the subject.

**36.** THIS was the state of the Colonies before his Majesty thought fit to change his Ministers. It stands upon no authority of mine. It is proved by uncontrovertible records. The Honorable Gentleman has desired some of us to lay our hands upon our hearts, and answer to his queries upon the historical part of this consideration; and by his manner (as well as my eyes could discern it) he seemed to address himself to me.

**37.** Sir, I will answer him as clearly as I am able, and with great openness; I have nothing to conceal. In the

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43. Own favorite Governor.—Sir Francis Bernard, Governor of Massachusetts.

year sixty-five, being in a very private station, far enough from any line of business, and not having the honor of a seat in this House, it was my fortune, unknowing and unknown to the then Ministry, by the intervention of a common friend,<sup>44</sup> to become connected with a very noble person, and at the head of the treasury department. It was indeed in a situation of little rank and no consequence, suitable to the mediocrity of my talents and pretensions. But a situation near enough to enable me to see, as well as others, what was going on ; and I did see in that noble person such sound principles, such an enlargement of mind, such clear and sagacious sense, and such unshaken fortitude, as have bound me, as well as others much better than me, by an inviolable attachment to him from that time forward. Sir, Lord Rockingham very early in that summer received a strong representation from many weighty English merchants and manufacturers, from governors of provinces and commanders of men-of-war, against almost the whole of the American commercial regulations : and particularly with regard to the total ruin which was threatened to the Spanish trade. I believe, Sir, the noble Lord soon saw his way in this business. But he did not rashly determine against acts which it might be supposed were the result of much deliberation. However, Sir, he scarcely began to open the ground, when the whole veteran body of office took the alarm. A violent out-cry of all was raised against any alteration. On one hand, his attempt was a direct violation of treaties and public law ; on the other, the act of navigation and all the corps of trade-laws were drawn up in array against it.

**38.** The first step the noble Lord took, was to have the opinion of his excellent, learned, and ever lamented friend, the late Mr. Yorke, then Attorney-General, on the point of law. When he knew that formally and officially, which in substance he had known before, he immediately dispatched orders to redress the grievance. But I will say it for the

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<sup>44</sup> Common friend.—This expression should always be used instead of our vulgarism, “a mutual friend.”



then minister, he is of that constitution of mind, that I know he would have issued, on the same critical occasion, the very same orders, if the acts of trade had been, as they were not, directly against him ; and would have cheerfully submitted to the equity of Parliament for his indemnity.

39. On the conclusion of this business of the Spanish trade, the news of the troubles on account of the stamp act arrived in England. It was not until the end of October that these accounts were received. No sooner had the sound of that mighty tempest reached us in England, than the whole of the then opposition, instead of feeling humbled by the unhappy issue of their measures, seemed to be infinitely elated, and cried out, that the Ministry, from envy to the glory of their predecessors, were prepared to repeal the stamp act. Near nine years after, the Honorable Gentleman takes quite opposite ground, and now challenges me to put my hand to my heart, and say, whether the Ministry had resolved on the repeal till a considerable time after the meeting of Parliament. Though I do not very well know what the Honorable Gentleman wishes to infer from the admission, or from the denial, of this fact, on which he so earnestly adjures me ; I do put my hand on my heart, and assure him, that they did *not* come to a resolution directly to repeal. They weighed this matter as its difficulty and importance required. They considered maturely among themselves. They consulted with all who could give advice or information. It was not determined until a little before the meeting of Parliament ; but it was determined, and the main lines of their own plan marked out, before that meeting. Two questions arose—(I hope I am not going into a narrative troublesome to the House—)

[A cry of, 'Go on, go on.']

40. The first of the two considerations was, whether the repeal should be total, or whether only partial ; taking out everything burdensome and productive, and reserving only an empty acknowledgment, such as a stamp on cards or dice. The other question was, on what principle the act should be repealed ? On this head also two principles were

started. One, that the legislative rights of this country, with regard to America, were not entire, but had certain restrictions and limitations. The other principle was, that taxes of this kind were contrary to the fundamental principles of commerce on which the Colonies were founded; and contrary to every idea of political equity; by which equity we are bound, as much as possible, to extend the spirit and benefit of the British constitution to every part of the British dominions. The option, both of the measure, and of the principle of repeal, was made before the session; and I wonder how any one can read the King's speech at the opening of that session, without seeing in that speech both the repeal and the declaratory act very sufficiently crayoned out. Those who cannot see this can see nothing.

41. Surely, the Honorable Gentleman will not think that a great deal less time than was then employed ought to have been spent in deliberation, when he considers that the news of the troubles did not arrive till towards the end of October. The Parliament sat to fill the vacancies on the 14th day of December, and on business the 14th of the following January.

42. Sir, a partial repeal, or, as the *bon ton* of the court then was, a *modification*, would have satisfied a timid, unsystematic, procrastinating Ministry, as such a measure has since done such a Ministry. A modification is the constant resource of weak, undeciding minds. To repeal by the denial of our right to tax in the preamble, would have cut, in the heroic style, the Gordian knot with a sword. Either measure would have cost no more than a day's debate. But when the total repeal was adopted; and adopted on principles of policy, of equity, and of commerce; this plan made it necessary to enter into many and difficult measures. It became necessary to open a very large field of evidence commensurate to these extensive views. But then this labor did knight's service. It opened the eyes of several to the true state of the American affairs;<sup>45</sup> it enlarged their ideas; it

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45. American affairs.—Burke himself probably knew more about America than any one in England. He had read every accessible authority on the subject at the commencement of the Seven Years'

removed prejudices ; and it conciliated the opinions and affections of men. The noble Lord, who then took the lead in administration, my Honorable Friend under me, and a Right Honorable Gentleman, exerted the most laudable industry in bringing before you the fullest, most impartial, and least garbled body of evidence that was ever produced to this House. I think the inquiry lasted in the committee for six weeks ; and, at its conclusion, this House, by an independent, noble, spirited, and unexpected majority ; by a majority that will redeem all the acts ever done by majorities in Parliament ; in the teeth of all the old mercenary Swiss of state,<sup>46</sup> in despite of all the speculators and augurs of political events, in defiance of the whole embattled legion of veteran pensioners and practised instruments of a Court, gave a total repeal to the stamp act, and (if it had been so permitted) a lasting peace to this whole empire.

**43.** I state, Sir, these particulars, because this act of spirit and fortitude has lately been, in the circulation of the season, and in some hazarded declamations in this House, attributed to timidity. If, Sir, the conduct of Ministry, in proposing the repeal, had arisen from timidity with regard to themselves, it would have been greatly to be condemned. Interested timidity disgraces as much in the cabinet, as personal timidity does in the field. But timidity, with regard to the well-being of our country, is heroic virtue. The noble Lord who then conducted affairs, and his worthy colleagues, whilst they trembled at the prospect of such distresses as you have since brought upon yourselves, were not afraid steadily to look in the face that glaring and dazzling influence at which the eyes of eagles have blenched.<sup>47</sup> He

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War, when the attention of the public was strongly drawn to it, for his Account of the European Settlements in America (1757), which has been recognized from the first as a standard authority.

**46. Mercenary Swiss.**—From the days of the battles of Granson and Morat in 1476, and Nanci in 1477, the Swiss mercenaries were highly valued throughout western Europe. Comp. Goldsmith's *Traveller*:—

‘No product here the barren hills afford,  
But man and steel, the soldier and his sword.’

**47. Influence at which the eyes of eagles have blenched.**—Alluding to the famous ‘eagle eye’ of Chatham, which was often compared to that of Conde, and his submission to influence in 1766. ‘Blench, to shrink, to start back, to give way ; *not used.*’—*Johnson*. It occurs several times in Shakspeare, but is not used by Milton.

looked in the face one of the ablest, and, let me say, not the most scrupulous, oppositions, that perhaps ever was in this House; and withstood it, unaided by even one of the usual supports of administration. He did this when he repealed the Stamp Act. He looked in the face a person he had long respected and regarded, and whose aid was then particularly wanting; I mean Lord Chatham. He did this when he passed the Declaratory act.

44. It is now given out for the usual purposes by the usual emissaries, that Lord Rockingham did not consent to the repeal of this Act until he was bullied into it by Lord Chatham; and the reporters have gone so far as publicly to assert, in an hundred companies, that the Honorable Gentleman under the gallery, who proposed the repeal in the American committee, had another set of resolutions in his pocket directly the reverse of those he moved. These artifices of a desperate cause are at this time spread abroad, with incredible care, in every part of the town, from the highest to the lowest companies; as if the industry of the circulation were to make amends for the absurdity of the report.

45. Sir, whether the noble Lord is of a complexion to be bullied<sup>48</sup> by Lord Chatham, or by any man, I must submit to those who know him. I confess, when I look back to that time, I consider him as placed in one of the most trying situations in which, perhaps, any man ever stood. In the House of Peers there were very few of the Ministry, out of the noble Lord's own particular connection, that did not look to some other future arrangement, which warped his politics. There were in both Houses new and menacing appearances, that might very naturally drive any other, than a most resolute minister, from his measure or from his station. The household troops openly revolted. The allies

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48. Of a Complexion to be bullied.—Constantly used by Burke in this sense = bodily temperament. 'Their complexion, which might defy the rack, cannot go through such a trial.'—*Letter to Member of the Assembly*. 'Our complexion is such, that we are palled with enjoyment and stimulated with hope.'—*Appeal from New to Old Whigs*. He contrasts moral with *complexional* timidity.

of Ministry endeavored to undermine their credit, and to take ground that must be fatal to the success of the very cause which they would be thought to countenance. The question of the repeal was brought on by Ministry in the committee of this House, in the very instant when it was known that more than one court negotiation was carrying on with the heads of the opposition. Everything, upon every side, was full of traps and mines. Earth below shook; heaven above menaced; all the elements of Ministerial safety were dissolved. It was in the midst of this chaos of plots and counter-plots; it was in the midst of this complicated warfare against public opposition and private treachery, that the firmness of that noble person was put to the proof. He never stirred from his ground; no, not an inch. He remained fixed and determined, in principle, in measure, and in conduct. He practised no managements. He secured no retreat. He sought no apology.

46. I will likewise do justice, I ought to do it, to the Honorable Gentleman who led us in this House. Far from the duplicity wickedly charged on him, he acted his part with alacrity and resolution. We all felt inspired by the example he gave us, down even to myself, the weakest in that phalanx. I declare for one, I knew well enough the true state of things; but, in my life, I never came with so much spirits into this House. It was a time for a *man* to act in. We had powerful enemies; but we had faithful and determined friends; and a glorious cause. We had a great battle to fight; but we had the means of fighting; not as now, when our arms are tied behind us. We did fight that day, and conquer.

47. I remember, Sir, with a melancholy pleasure, the situation of the Honorable Gentleman who made the motion for the repeal; in that crisis, when the whole trading interest of this empire, crammed into your lobbies, with a trembling and anxious expectation, waited, almost to a winter's return of light, their fate from your resolutions. When, at length, you had determined in their favor, and your doors, thrown open, showed them the figure of their deliverer in

the well-earned triumph of his important victory, from the whole of that grave multitude there arose an involuntary burst of gratitude<sup>49</sup> and transport. They jumped upon him like children on a long absent father. They clung about him as captives about their redeemer. All England, all America, joined to his applause. Nor did he seem insensible to the best of all earthly rewards, the love and admiration of his fellow-citizens. *Hope elevated and joy brightened his crest.*<sup>50</sup> I stood near him; and his face, to use the expression of the Scripture of the first martyr\*—his face was as if it had been the face of an angel. I do not know how others feel; but if I had stood in that situation, I never would have exchanged it for all that kings in their profusion could bestow. I did hope that that day's danger and honor would have been a bond to hold us all together for ever. But, alas! that, with other pleasing visions, is long since vanished.

48. Sir, this act of supreme magnanimity has been represented, as if it had been a measure of an administration, that having no scheme of their own, took a middle line, pilfered a bit from one side and a bit from the other. Sir, they took *no* middle lines. They differed fundamentally from the schemes of both parties; but they preserved the objects of both. They preserved the authority of Great Britain. They preserved the equity of Great Britain. They made the Declaratory Act; they repealed the Stamp Act. They did both *fully*; because the Declaratory Act was *without qualification*; and the repeal of the Stamp Act *total*. This they did in the situation I have described.

49. Now, Sir, what will the adversary say to both these Acts? If the principle of the Declaratory Act was not good, the principle we are contending for this day is monstrous. If the principle of the repeal was not good, why are we not at war for a real, substantial, effective revenue?

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\* Stephen—the first martyr for his Master's cause—was stoned to death. See Acts vii.

49. Burst of gratitude.—The Stamp Act was repealed March 18, 1765. "An event that caused more universal joy throughout the British dominions, than perhaps any other that can be remembered."

50. Hope elevated, etc.—Cf. *Paradise Lost*, ix. 633.

If both were bad, why has this Ministry incurred all the inconveniencies of both and of all schemes? Why have they enacted, repealed, enforced, yielded, and now attempt to enforce again?

50. SIR, I think I may as well now, as at any other time, speak to a certain matter of fact, not wholly unrelated to the question under your consideration. We, who would persuade you to revert to the ancient policy of this kingdom, labor under the effect of this short current phrase, which the court leaders have given out to all their corps, in order to take away the credit of those who would prevent you from that frantic war you are going to wage upon your Colonies. Their cant is this: 'All the disturbances in America have been created by the repeal of the Stamp Act.' I suppress for a moment my indignation at the falsehood, baseness, and absurdity of this most audacious assertion. Instead of remarking on the motives and character of those who have issued it for circulation, I will clearly lay before you the state of America, antecedently to that repeal; after the repeal; and since the renewal of the schemes of American taxation.

51. It is said, that the disturbances, if there were any, before the repeal, were slight; and without difficulty or inconvenience might have been suppressed. For an answer to this assertion I will send you to the great author and patron of the Stamp Act, who certainly meaning well to the authority of this country, and fully apprized of the state of that, made, before a repeal was so much as agitated in this House, the motion which is on your journals; and which, to save the clerk the trouble of turning to it, I will now read to you. It was for an amendment to the address of the 17th of December, 1765:

'To express our just resentment and indignation at the *outrages, tumults, and insurrections* which have been excited and carried on in North America; and at the resistance given, by *open and rebellious* force, to the execution of the laws in that part of His Majesty's dominions, etc., etc.

52. Here was certainly a disturbance preceding the repeal ; such a disturbance as Mr. Grenville thought necessary to qualify by the name of an *insurrection*, and the epithet of a *rebellious* force : terms much stronger than any by which those, who then supported his motion, have ever since thought proper to distinguish the subsequent disturbances in America. They were disturbances which seemed to him and his friends to justify as strong a promise of support, as hath been usual to give in the beginning of a war with the most powerful and declared enemies. When the accounts of the American governors came before the House, they appeared stronger even than the warmth of public imagination had painted them ; so much stronger, that the papers on your table bear me out in saying, that all the late disturbances, which have been at one time the Minister's motives for the repeal of five out of six of the new court taxes, and are now his pretences for refusing to repeal that sixth, did not amount—why do I compare them?—no, not to a tenth part of the tumults and violence which prevailed long before the repeal of that act.

53. Ministry cannot refuse the authority of the commander-in-chief, General Gage, who, in his letter of the 4th of November, from New York, thus represents the state of things :

'It is difficult to say, from the *highest to the lowest*, who has not been *necessary* to this *insurrection*, either by writing or *mutual agreements*, to oppose the act, by what they are pleased to term all legal opposition to it. Nothing effectual has been proposed, either to prevent or quell the tumult. *The rest of the Provinces are in the same situation* as to a positive refusal to take the stamps ; and threatening those who shall take them, *to plunder and murder them* ; and this affair stands *in all the Provinces*, that unless the Act, from its own nature, enforce itself, nothing but a *very* considerable military force can do it.'

54. It is remarkable, Sir, that the persons who formerly trumpeted forth the most loudly, the violent resolutions of



assemblies; the universal insurrections; the seizing and burning the stamped papers; the forcing stamp officers to resign their commissions under the gallows; the rifling and pulling down of the houses of magistrates; and the expulsion from their country of all who dared to write or speak a single word in defence of the powers of Parliament; these very trumpeters are now the men that represent the whole as a mere trifle; and choose to date all the disturbances from the repeal of the stamp act, which put an end to them. Hear your officers abroad, and let them refute this shameless falsehood, who, in all their correspondence, state the disturbances as owing to their true causes, the discontent of the people, from the taxes. You have this evidence in your own archives—and it will give you complete satisfaction; if you are not so far lost to all Parliamentary ideas of information as rather to credit the lie of the day than the record of your own House.

55. SIR, I have troubled you sufficiently with the state of America before the repeal. Now I turn to the Honorable Gentleman who so stoutly challenges us to tell, whether, after the repeal, the Provinces were quiet? This is coming home to the point. Here I meet him directly; and answer most readily, *They were quiet*. And I, in my turn, challenge him to prove when, and where, and by whom, and in what numbers, and with what violence, the other laws of trade, as gentlemen assert, were violated in consequence of your concession? or that even your other revenue laws were attacked? But I quit the vantage-ground on which I stand, and where I might leave the burden of the proof upon him; I walk down upon the open plain, and undertake to show, that they were not only quiet, but showed many unequivocal marks of acknowledgment and gratitude. And to give him every advantage, I select the obnoxious Colony of Massachusetts Bay, which at this time is so heavily a culprit before Parliament—I will select their proceedings even under circumstances of no small irritation. For, a little imprudently, I must say, Governor Bernard mixed in the admini-

istration of the lenitive of the repeal no small acrimony arising from matters of a separate nature. Yet see, Sir, the effect of that lenitive, though mixed with these bitter ingredients ; and how this rugged people can express themselves on a measure of concession.

‘If it is not in our power,’ (say they in their address to Governor Bernard,) in so full a manner as will be expected, to show our respectful gratitude to the mother-country, or to make a dutiful and affectionate return to the indulgence of the King and Parliament, it shall be no fault of ours ; for this we intend, and hope we shall be able fully to effect.’

**56.** Would to God that this temper had been cultivated, managed, and set in action ! other effects than those which we have since felt would have resulted from it. On the requisition for compensation to those who had suffered from the violence of the populace, in the same address, they say

‘The recommendation enjoined by Mr. Secretary Conway’s letter, and in consequence thereof made to us, we will embrace the first convenient opportunity to consider and act upon.’

They did consider ; they did act upon it. They obeyed the requisition. I know the mode has been chicaned upon ; but it was substantially obeyed ; and much better obeyed than I fear the Parliamentary requisition of this session will be, though enforced by all your rigor, and backed with all your power. In a word, the damages of popular fury were compensated by legislative gravity. Almost every other part of America in various ways demonstrated their gratitude.<sup>51</sup> I am bold to say, that so sudden a calm recovered after so violent a storm is without parallel in history. To say that no other disturbance should happen from any other cause, is folly. But as far as appearances went, by the judicious sacrifice of one law, you procured an acquiescence in all that remained. After this experience, nobody shall per-

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51. Their gratitude.—South Carolina voted Pitt a statue; and Virginia a statue to the King, with an obelisk. Cf. Bancroft, v. 457.

suade me, when a whole people are concerned, that acts of lenity are not means of conciliation.

I hope the Honorable Gentleman has received a fair and full answer to his question.

57. I HAVE done with the third period of your policy ; that of your repeal ; and the return of your ancient system, and your ancient tranquility and concord. Sir, this period was not as long as it was happy. Another scene was opened, and other actors appeared on the stage. The state, in the condition I have described it, was delivered into the hands of Lord Chatham—a great and celebrated name ; a name that keeps the name of this country respectable in every other on the globe. It may be truly called—

Clarum et venerabile nomen  
Gentibus, et multum nostræ quod proderat urbi.<sup>52</sup>

58. Sir, the venerable age of this great man, his merited rank, his superior eloquence, his splendid qualities, his eminent services, the vast space he fills in the eye of mankind ; and, more than all the rest, his fall from power, which, like death canonizes and sanctifies a great character, will not suffer me to censure any part of his conduct. I am afraid to flatter him ; I am sure I am not disposed to blame him. Let those, who have betrayed him by their adulation, insult him with their malevolence. But what I do not presume to censure, I may have leave to lament. For a wise man, he seemed to me at that time to be governed too much by general maxims. I speak with the freedom of history, and I hope without offence. One or two of these maxims, flowing from an opinion not the most indulgent to our unhappy species, and surely a little too general, led him into measures that were greatly mischievous to himself ; and for that reason, among others, perhaps fatal to his country ; measures, the effects of which, I am afraid, are for ever incurable.

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52. A name illustrious and revered by nations,  
And rich in blessings for our country's good.

The quotation is found in Lucan's *Pharsalia*, and forms a part of the character of Pompey, as put by the poet in the mouth of Cato.

**59.** He made an administration,<sup>53</sup> so checkered and speckled ; he put together a piece of joinery, so crossly indented and whimsically dove-tailed ; a cabinet so variously inlaid ; such a piece of diversified mosaic ; such a tessellated pavement without cement ; here a bit of black stone, and there a bit of white ; patriots and courtiers ; King's friends and republicans ; whigs and tories ; treacherous friends and open enemies ; that it was indeed a very curious show ; but utterly unsafe to touch, and unsure to stand on. The colleagues whom he had assorted at the same boards, stared at each other, and were obliged to ask,<sup>54</sup> 'Sir, your name?'—'Sir, you have the advantage of me'—'Mr. Such-a-one'—'I beg a thousand pardons—' I venture to say, it did so happen, that persons had a single office divided between them, who had never spoke to each other in their lives, until they found themselves, they knew not how, pigging together,<sup>55</sup> heads and points, in the same truckle-bed.<sup>56</sup>

**60.** Sir, in consequence of this arrangement, having put so much the larger part of his enemies and opposers into power, the confusion was such, that his own principles could not possibly have any effect or influence in the conduct of affairs. If ever he fell into a fit of the gout, or if any other cause withdrew him from public cares, principles directly the contrary were sure to predominate. When he had executed his plan, he had not an inch of ground to stand upon. When he had accomplished his scheme of administration, he was no longer a minister.

53. This passage has been called a specimen of "dictionary eloquence."

54. *Were obliged to ask.*—This dramatic manner must have been frequent in Burke's speeches, though there are naturally few traces of it in those which he prepared for the press.

55. *Rigging together.*—Lying huddled together, like pigs. One of the vulgarisms which, in the opinion of critics, too often disfigure Burke's pages.

56. *Heads and points in the same truckle-bed.*—Supposed to allude to the Right Honorable Lord North and George Cooke, who were made joint paymasters in the summer of 1776, on the removal of the Rockingham administration. As a handful of pins shaken together will be found to have heads and points confounded, so two persons get more space in a narrow bed by lying opposite ways. Cf. Erskine, *Speech for Baillie*: 'Insulated passages, culled out and set *heads and points* in their wretched affidavits.'

**61.** When his face was hid<sup>57</sup> but for a moment, his whole system was on a wide sea, without chart or compass. The gentlemen, his particular friends, who, with the names of various departments of ministry, were admitted to seem as if they acted a part under him, with a modesty that becomes all men, and with a confidence in him, which was justified, even in its extravagance, by his superior abilities, had never, in any instance, presumed upon any opinion of their own. Deprived of his guiding influence,<sup>58</sup> they were whirled about, the sport of every gust, and easily driven into any port; and as those who joined with them in manning the vessel were the most directly opposite to his opinions, measures, and character, and far the most artful and most powerful of the set, they easily prevailed, so as to seize upon the vacant, unoccupied, and derelict minds of his friends; and instantly they turned the vessel wholly out of the course of his policy. As if it were to insult as well as to betray him, even long before the close of the first session of his administration, when everything was publicly transacted, and with great parade, in his name, they made an act declaring it highly just and expedient to raise a revenue in America. For even then, Sir, even before this splendid orb was entirely set,<sup>59</sup> and while the western horizon was in a blaze with his descending glory, on the opposite quarter of the heavens arose another luminary, and, for his hour, became lord of the ascendant.

**62.** This light too is passed and set for ever. You understand, to be sure,<sup>60</sup> that I speak of Charles Townshend,<sup>61</sup> officially the re-producer of this fatal scheme; whom I can-

57. When his face was hid.—Isaiah liv. 8. Pitt's face was hid for three consecutive years.

58. Deprived of his guiding influence.—Macaulay thinks that on the whole, 'the worst administration which has governed England since the Revolution was that of George Grenville.'

59. For even then, Sir, even before, etc.—This passage is acknowledged to contain the most gorgeous image in modern oratory. Burke perhaps borrowed the germ of it from Smollett's *Humphrey Clinker*.

60. To be sure.—Used as we now use "of course."

61. I speak of Charles Townshend.—With this affectionate panegyric should be compared the just portraiture of Horace Walpole, in his *Memoirs*, who would rank him with Churchill's 'Men void of Principle, etc.

not even now remember without some degree of sensibility. In truth, Sir, he was the delight and ornament of this House,<sup>62</sup> and the charm of every private society which he honored with his presence. Perhaps there never arose in this country, nor in any country, a man of a more pointed and finished wit; and (where his passions were not concerned) of a more refined, exquisite, and penetrating judgment. If he had not so great a stock, as some have had who flourished formerly, of knowledge long treasured up, he knew better by far, than any man I ever was acquainted with, how to bring together, within a short time, all that was necessary to establish, to illustrate, and to decorate that side of the question he supported. He stated his matter skillfully and powerfully. He particularly excelled in a most luminous explanation and display of his subject. His style of argument was neither trite and vulgar, nor subtle and abstruse. He hit the House just between wind and water.<sup>63</sup> And not being troubled with too anxious a zeal for any matter in question, he was never more tedious, or more earnest, than the pre-conceived opinions and present temper of his hearers required; to whom he was always in perfect unison. He conformed exactly to the temper of the House; and he seemed to guide, because he was always sure to follow it.

**63.** I beg pardon, Sir, if, when I speak of this and of other great men, I appear to digress in saying something of their characters. In this eventful history of the revolutions of America, the characters of such men are of much importance. Great men are the guide-posts and land-marks in the state. The credit of such men at court, or in the nation, is the sole cause of all the public measures. There are many young members in the House who never saw that prodigy, Charles Townshend; nor of course know what a ferment he

62. The delight and ornament of this House.—'It was Garrick writing and acting extempore scenes of Congreve.'—*Walpole*.

63. Between wind and water.—When a ship heels over to leeward a part of her bottom is uncovered. An attacking enemy bearing down on the wind naturally aims at this strip along her side, which is 'between wind and water.'

was able to excite in everything by the violent ebullition of his mixed virtues and failings. For failings he had undoubtedly—many of us remember them; we are this day considering the effects of them. But he had no failings which were not owing to a noble cause; to an ardent, generous, perhaps an immoderate, passion for fame; a passion which is the instinct of all great souls. He worshiped that goddess wheresoever she appeared; but he paid his particular devotions to her in her favorite habitation, in her chosen temple, the House of Commons. Besides the characters of the individuals that compose our body, it is impossible, Mr. Speaker, not to observe that this House has a collective character of its own. That character too, however imperfect, is not unamiable. Like all great public collections of men, you possess a marked love of virtue, and an abhorrence of vice. But among vices, there is none which the House abhors in the same degree with *obstinacy*. Obstinacy, Sir, is certainly a great vice; and in the changeful state of political affairs it is frequently the cause of great mischief. It happens, however, very unfortunately, that almost the whole line of the great and masculine virtues, constancy, gravity, magnanimity, fortitude, fidelity, and firmness, are closely allied to this disagreeable quality, of which you have so just an abhorrence; and, in their excess, all these virtues very easily fall into it. He, who paid such a punctilious attention to all your feelings, certainly took care not to shock them by that vice which is the most disgusting to you.

**64.** That fear of displeasing those who ought most to be pleased, betrayed him sometimes into the other extreme. He had voted, and, in the year 1765, had been an advocate, for the Stamp Act. Things and the disposition of men's minds were changed. In short, the Stamp Act began to be no favorite in this House. He therefore attended at the private meeting, in which the resolutions moved by a Right Honorable Gentleman were settled; resolutions leading to the repeal.<sup>64</sup> The next day he voted for that repeal and

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64. Leading to the Repeal.—The resolutions embraced also the principle of the Declaratory Act, without which it is not probable that

he would have spoken for it too, if an illness had not prevented it.

**65.** The very next session, as the fashion of this world<sup>65</sup> passeth away, the repeal began to be in as bad an odor in this House as the Stamp Act had been in the session before. To conform to the temper which began to prevail, and to prevail most amongst those most in power, he declared, very early in the winter, that a revenue must be had out of America. Instantly he was tied down to his engagements by some, who had no objection to such experiments, when made at the cost of persons for whom they had no particular regard. The whole body of courtiers drove him onward. They always talked as if the King stood in a sort of humiliated state, until something of the kind should be done.

**66.** Here this extraordinary man, then Chancellor of the Exchequer, found himself in great straits.<sup>66</sup> To please universally was the object of his life; but to tax and to please, no more than to love and to be wise, is not given to men. However, he attempted it. To render the tax palatable to the partisans of American revenue, he made a preamble stating the necessity of such a revenue. To close with the American distinction, this revenue was *external* or port-duty; but again, to soften it to the other party, it was a duty of *supply*. To gratify the *Colonists*, it was laid on British manufactures; to satisfy the *merchants of Britian*, the duty was trivial, and (except that on tea, which touched only the devoted East India Company) on none of the grand objects of commerce. To counterwork<sup>67</sup> the American contraband, the duty on tea was reduced from a shilling to three-pence.

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Townshend would have supported them. "The Stamp Act," says Macaulay, "was indefensible, not because it was beyond the constitutional competence of Parliament, but because it was unjust and impolitic, sterile of revenue, and fertile of discontent."

65. Fashion of this world.—Cf. 1 Cor. vii. 31; 1 John ii. 17.

66. In great straits.—Townshend had laughed at the weakness of the Rockingham ministry, but his own "tessellated" ministry was the first since the Revolution to endure the disgrace of being defeated on a Money bill.

67. To counterwork.—Properly a military term, meaning to raise works in opposition to those of the enemy. Pope's *Essay on Man*, ii. 239:

'That counterworks each folly and caprice.'



But to secure the favor of those who would tax America, the scene of collection was changed, and, with the rest, it was levied in the Colonies. What need I say more? This fine-spun scheme had the usual fate of all exquisite policy. But the original plan of the duties, and the mode of executing that plan, both arose singly and solely from a love of our applause. He was truly the child of the House. He never thought, did, or said anything, but with a view to you. He every day adapted himself to your disposition ; and adjusted himself before it, as at a looking-glass.

**67.** He had observed that several persons, infinitely his inferiors in all respects, had formerly rendered themselves considerable in this House by one method alone. They were a race of men<sup>68</sup> (I hope in God the species is extinct) who, when they rose in their place, no man living could divine, from any known adherence to parties, to opinions, or to principles ; from any order or system in their politics ; or from any sequel or connection in their ideas, what part they were going to take in any debate. It is astonishing how much this uncertainty, especially at critical times, called the attention of all parties on such men. All eyes were fixed on them, all ears open to hear them ; each party gaped, and looked alternately for their vote, almost to the end of their speeches. While the House hung in this uncertainty, now the *Hear-hims*<sup>69</sup> rose from this side—now they rebelled from the other ; and that party, to whom they fell at length from their tremulous and dancing balance, always received them in a tempest of applause. The fortune of such men was a temptation too great to be resisted by one, to whom a single whiff of incense withheld gave much greater pain, than he received delight in the clouds of it, which daily rose about him from the prodigal superstition of innumerable

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68. **Race of men.**—The class known in Parliamentary slang as ‘outsiders,’ ‘loose fish,’ etc. Or, by the transfer of an epithet formerly appropriated to electors, ‘independent’ members. An ‘independent’ member has been described as one who can never be depended on. Such men have naturally ever been unpopular with the organizers of parties.

69. **The Hear-hims.**—The ‘Hear him, hear him’ of applauding auditors has now become, ‘Hear, hear.’

admirers. He was a candidate for contradictory honors ; and his great aim was to make those agree in admiration of him who never agreed in anything else.

**68.** Hence arose this unfortunate act, the subject of this day's debate ; from a disposition which, after making an American revenue to please one, repealed it to please others, and again revived it in hopes of pleasing a third, and of catching something in the ideas of all.

**69.** THIS revenue act of 1767 formed the fourth period of American policy. How we have fared since then—what woful variety of schemes have been adopted ; what enforcing, and what repealing ; what bullying, and what submitting ; what doing, and undoing ; what straining, and what relaxing ; what assemblies dissolved for not obeying, and called again without obedience ; what troops sent out to quell resistance, and on meeting that resistance, recalled ; what shiftings, and changings, and jumbings of all kinds of men at home, which left no possibility of order, consistency, vigor, or even so much as a decent unity of color in any one public measure—It is a tedious, irksome task. My duty may call me to open it out some other time ; on a former occasion <sup>70</sup> I tried your temper on a part of it ; for the present I shall forbear.

**70.** After all these changes and agitations,<sup>71</sup> your immediate situation upon the question on your paper is at length brought to this. You have an act of Parliament, stating, that 'it is *expedient* to raise a revenue in America.' By a partial repeal you annihilated the greatest part of that revenue, which this preamble declares to be so expedient. You

**70.** On a former occasion.—In moving his eight resolutions relating to the disorders in North America, May 8, 1770.

**71.** After all these changes and agitations.—The speech is here summed up with great force and perspicuity. The peroration, 'If you do not fall in, etc.,' which immediately follows, continues this style, in arguments of a more general character. Of these arguments Mr. Hazlitt says, they are 'so sensible, so moderate, so wise and beautiful, that I cannot resist the temptation of copying them out, though I did not at first intend it.' The peroration is a brilliant specimen of direct appeal. Vehemently as the power is exerted, it is done so easily and temperately, as to suggest an infinite fund in store. The words are eloquent, but the eloquence appears to reside not in them but in the subject.

have substituted no other in the place of it. A Secretary of State has disclaimed, in the King's name, all thoughts of such a substitution in future. The principle of this disclaimer goes to what has been left, as well as what has been repealed. The tax which lingers after its companions militates with the assurance authentically conveyed to the Colonies ; and is an exhaustless source of jealousy and animosity. On this state, which I take to be a fair one ; not being able to discern any grounds of honor, advantage, peace, or power, for adhering, either to the act or to the preamble, I shall vote for the question which leads to the repeal of both.

**71.** If you do not fall in with this motion, then secure something to fight for, consistent in theory and valuable in practice. If you must employ your strength, employ it to uphold you in some honorable right, or some profitable wrong. If you are apprehensive that the concession recommended to you, though proper, should be a means of drawing on you further but unreasonable claims,—why then employ your force in supporting that reasonable conception against those unreasonable demands. You will employ it with more grace ; with better effect ; and with great probable concurrence of all the quiet and rational people in the provinces ; who are now united with, and hurried away by, the violent ; having indeed different dispositions, but a common interest. If you apprehend that on a concession you shall be pushed by metaphysical process to the extreme lines, and argued out of your whole authority, my advice is this ; when you have recovered your old, your strong, your tenable position, then face about—stop short—do nothing more—reason not at all—oppose the ancient policy and practice of the empire, as a rampart against the speculations of innovators on both sides of the question ; and you will stand on great, manly, and sure ground. On this solid basis<sup>72</sup> fix

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<sup>72.</sup> On this solid basis.—Alluding to the famous remark of Archimedes, to which Burke often appears to have had recourse as an illustration in his parliamentary speeches. It must have been after some such passage as this that Lord John Townshend exclaimed aloud, *Heavens ! what a man this is ! Where could he acquire such transcendent powers ?*

your machines, and they will draw worlds towards you. Recover your old ground, and your old tranquility—try it—I am persuaded the Americans will compromise with you. When confidence is once restored, the odious and suspicious *summum jus*<sup>73</sup> will perish of course. The spirit of practicability, of moderation, and mutual convenience, will never call in geometrical exactness as the arbitrator of an amicable settlement. Consult and follow your experience. Let not the long story, with which I have exercised your patience, prove fruitless to your interests.

72. For my part, I should choose (if I could have my wish) that the proposition of the Honorable Gentleman for the repeal could go to America without the attendance of the penal bills. Alone I could almost answer for its success. I cannot be certain of its reception in the bad company it may keep. In such heterogeneous assortments, the most innocent person will lose the effect of his innocency. Though you should send out this angel of peace, yet you are sending out a destroying angel<sup>74</sup> too: and what would be the effect of the conflict of these two adverse spirits, or which would predominate in the end, is what I dare not say: whether the lenient measures would cause American passion to subside, or the severe would increase its fury. All this is in the hand of Providence. Yet now, even now, I should confide in the prevailing virtue and efficacious operation of lenity, though working in darkness, and in chaos, in the midst of all this unnatural and turbid combination: I should hope it might produce order and beauty in the end.

73. Let us, Sir, embrace some system<sup>75</sup> or other before we

73. *Summum jus*.—The origin of the maxim *Summum jus summa injuria* is lost in antiquity. 'That over-perfect kind of justice which has obtained, by its merits, the title of the opposite vice.' Macaulay compares the Stamp Act with Acts of Attainder and Confiscation. 'Parliament was legally competent to tax America, as Parliament was legally competent to confiscate the property of all the merchants in Lombard Street, or to attain any man of high treason, without examining witness against him, or hearing him in his own defence.'

74. Destroying angel.—1 Chron. xxi. 12.

75. Let us embrace some system.—This final appeal is said to have fallen with immense weight on the audience. Burke not only knew that on a prepared audience the blow must be redoubled to produce a corresponding effect, but as this paragraph proves, he was able to do it at will.

end this session. Do you mean to tax America, and to draw a productive revenue from thence? If you do, speak out; name, fix, ascertain this revenue; settle its quantity; define its objects; provide for its collection; and then fight when you have something to fight for. If you murder—rob! if you kill—take possession! and do not appear in the character of madmen, as well as assassins, violent, vindictive, bloody, and tyrannical, without an object. But may better counsels guide you!

74. Again, and again, revert to your own principles—*Seek Peace, and ensue it*<sup>76</sup>—leave America, if she has taxable matter in her, to tax herself. I am not here going into the distinctions of rights, not attempting to mark their boundaries. I do not enter into these metaphysical distinctions; I hate the very sound<sup>77</sup> of them. Leave the Americans as they anciently stood, and these distinctions, born of our unhappy contest, will die along with it. They and we, and their and our ancestors, have been happy under that system. Let the memory of all actions, in contradiction to that good old mode, on both sides, be extinguished for ever. Be content to bind America by laws of trade; you have always done it. Let this be your reason for binding their trade. Do not burden them by taxes; you were not used to do so from the beginning. Let this be your reason for not taxing. These are the arguments of states and kingdoms. Leave the rest to the schools; for there only they may be discussed with safety. But, if intemperately, unwisely, fatally, you sophisticate and poison the very source of government, by urging subtle deductions, and consequences odious to those you govern, from the unlimited and illimitable nature of supreme sovereignty, you will teach them by these means to call that sovereignty itself in question. When you drive

76. *Seek peace and ensue it*.—Ps. xxxiv. 14. A favorite quotation of Burke's.

77. *I hate the very sound*.—Burke, says Bentham, had good cause to hate metaphysics; 'The power he trusted to was *oratory, rhetoric*, the art of misrepresentation, the art of misdirecting the judgment by agitating and inflaming the passions. Others have accused him of metaphysical subtleties.

him hard, the boar will surely turn upon the hunters. If that sovereignty and their freedom cannot be reconciled, which will they take? They will cast your sovereignty in your face. Nobody will be argued into slavery.<sup>78</sup> Sir, let the gentlemen on the other side call forth all their ability; let the best of them get up, and tell me, what one character of liberty<sup>79</sup> the Americans have, and what one brand of slavery they are free from, if they are bound in their property and industry, by all the restraints you can imagine on commerce, and at the same time are made pack-horses of every tax you choose to impose, without the least share in granting them. When they bear the burdens of unlimited monopoly, will you bring them to bear the burdens of unlimited revenue too? The Englishman in America will feel that this is slavery—that it is *legal* slavery, will be no compensation, either to his feelings or his understanding.

75. A noble Lord,<sup>80</sup> who spoke some time ago, is full of the fire of ingenuous youth; and when he has modeled the ideas of a lively imagination by further experience, he will be an ornament to his country in either House. He has said that the Americans are our children, and how can they revolt against their parent? He says, that if they are not free in their present state, England is not free; because Manchester, and other considerable places, are not represented. So then, because some towns in England are not represented, America is to have no representative at all. They *are* our children; but when children ask for bread,<sup>81</sup> we are not to give a stone. Is it because the natural resistance of things, and the various mutations of time, hinder our government, or any scheme of government, from being any more than a sort of approximation to the right—is it therefore that the Colonies are to recede from it infinitely? When this child of ours wishes to assimilate to its parent,

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78. Argued into slavery.—Burke's happy expression reminds me of the equally happy phrase of Sherlock, 'Never a man was persuaded out of his religion.'

79. What one character of liberty.—In the primary significance of 'a mark, a stamp'—*Johnson*.

80. Noble Lord.—Lord Carmothen.

81. Ask for bread.—*Matt. vii. 9.*

and to reflect with a true filial resemblance the beautiful countenance of British liberty; are we to turn to them the shameful parts of our Constitution? are we to give them our weakness for their strength? our opprobrium for their glory? and the slough of slavery, which we are not able to work off, to serve them for their freedom?

**76.** If this be the case, ask yourselves this question, Will they be content in such a state of slavery? If not, look to the consequences. Reflect how you are to govern a people, who think they ought to be free, and think they are not. Your scheme yields no revenue; it yields nothing but discontent, disorder, disobedience; and such is the state of America, that after wading up to your eyes in blood, you could only end just where you began; that is, to tax where no revenue is to be found, to—my voice fails me; my inclination indeed carries me no farther—all is confusion beyond it.

**77.** On this business of America, I confess I am serious, even to sadness. I have had but one opinion concerning it since I sat, and before I sat, in Parliament. The noble Lord<sup>82</sup> will, as usual, probably attribute the part taken by me and my friends in this business, to a desire of getting his place. Let him enjoy this happy and original idea. If I deprived him of it, I should take away most of his wit, and all his argument. But I had rather bear the brunt of all his wit, and indeed blows much heavier, than stand answerable to God for embracing a system that tends to the destruction of some of the very best and fairest of his works. But I know the map of England, as well as the noble Lord, or as any other person; and I know that the way I take is not the road to preferment. My excellent and honorable friend under me<sup>83</sup> on the floor has trod that road with great toil for upwards of twenty years together. He is not yet arrived at the noble Lord's destination. However, the tracks of my worthy friend are those I have ever wished to follow; because I know they lead to honor. Long may we tread the same road together; whoever may accompany us, or who-

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<sup>82</sup> Noble Lord.—Lord North.

<sup>83</sup> Friend under me.—Mr. Dowdeswell.

ever may laugh at us on our journey! I honestly and solemnly declare, I have in all seasons adhered to the system of 1766, for no other reason, than that I think it laid deep in your truest interests; and that, by limiting the exercise, it fixes, on the firmest foundations, a real, consistent, well-grounded authority in Parliament. Until you come back to that system, there will be no peace for England.



## TEST QUESTIONS FOR REVIEW.

1. Who was Edmund Burke?
2. When and where was he born?
3. What famous men of his day were born in Ireland?
4. Mention the names of other celebrated men and women who were natives of the "Emerald Isle."
5. What can you say of Burke's early education?
6. To what city did he go while a young man, and for what purpose?
7. What profession did he adopt, and with what success?
8. How did he employ his leisure time?
9. What was his first literary work?
10. What can you say of his "Essay on the Sublime and Beautiful?"
11. On what publication did he now begin literary work?
12. What can you say of his subsequent work for the "Annual Register?"
13. What standing in the literary world did this give Burke?
14. What personal traits also helped the future orator?
15. With what famous men did he now begin to associate?
16. How old was Burke when he entered Parliament?
17. What subordinate positions in public life had he held which introduced him to influential men?
18. In a general way, what can you say of Burke's subsequent share in the political struggles of the English Parliament?
19. What policy did he pursue with reference to the American Colonies?
20. Give the titles of his two great speeches in support of this policy.
21. What part did Burke have in the impeachment of Warren Hastings?
22. When did the great orator retire from Parliament?
23. What domestic calamity probably shortened his life?
24. What famous letter did Burke write a few years before his death?
25. How old was he when he died?
26. In a general way, give the marked characteristics of his oratory.
27. What can you say of Burke's character as a man?
28. Did his personal integrity and high sense of honor give additional power to his oratory?
29. Why was not Burke a popular orator?
30. Give a short account of his personal appearance.
31. How does the speech on "American Taxation" compare with his other oratorical efforts?
32. Give some of the historical facts which led to this speech.
33. What was the state of the American Colonies at this time?
34. What other great men and orators in Parliament at this time took an active part in these political struggles?
35. How do Burke's speeches compare in oratorical skill and learning with other speeches of his time?
36. Why are they read and studied after a hundred years, while the speeches of Pitt, Sheridan and others are rarely read?
37. Repeat from memory several famous selections from Burke, which have become a part of our literature.

## SELECTIONS TO COMMIT TO MEMORY.

Good order is the foundation of all good things.

THE arguments of tyranny are as contemptible as its force is dreadful.

SOME persons, by hating vice too much, come to love men too little.

TRUE humility is the low, but deep and firm foundation of all real virtue.

THE dignity of every occupation wholly depends upon the quantity and the kind of virtue that may be exerted in it.

THE blood of man should never be shed but to redeem the blood of man. It is well shed for our family, for our friends, for our God, for our country, for our kind. The rest is vanity; the rest is crime.

HE that wrestles with us strengthens our nerves and sharpens our skill.

RAGE and frenzy will pull down more in half an hour, than prudence, deliberation and foresight can build up in a hundred years.

It can not be too often repeated, line upon line, precept upon precept, until it comes into the currency of a proverb, *to innovate is not to reform.*

WHAT is liberty without wisdom and without virtue? It is the greatest of all possible evils; for it is folly, vice and madness, without tuition or restraint.

THOSE who execute public *pecuniary* trusts ought, of all men, to be most strictly held to their duty.

STRONG instances of self-denial operate powerfully on our minds; and a man who has no wants has obtained great freedom and firmness, and even dignity.

ALL persons possessing any portion of power ought to be strongly and awfully impressed with an idea that they act in *trust*, and that they are to account for their conduct in that trust to the one great master, author and founder of society.

THE road to eminence and power, from obscure condition, ought not to be made too easy, nor a thing too much of course. The temple of honor ought to be seated on an eminence. If it be opened through virtue, let it be remembered that virtue is never tried but by some difficulty and some struggle.















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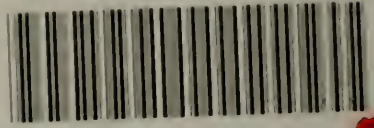
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