

Mr. WILKES's Speech, concluded from our last.

THE next in the commission was only distinguished by a set of principles wonderfully adapted to the spirit of coercion and cruelty hitherto prevailing, the principles of penal law. (b) I have only heard of one other principle belonging to this gentleman, the principle, as well as practice, of passive obedience in the northern department. But, Sir, this gentleman carried with him the real secret of the negotiation, and perhaps more extensive powers than were given to his colleagues. He knew of the order to evacuate Philadelphia, an order so disgraceful to our arms, so contrary to sound policy, long before it was suspected by either of the other commissioners, but he would not trust them. The other (c) commissioner, who went from among us, possessed a superior understanding, an happy temper, and a thorough knowledge of business. If success had been attainable, I am persuaded to his wisdom, prudence, and temperate conduct, England had been indebted for the restoration of the blessing of peace. But alas! Sir, all the splendid and unauthorised offers of the commissioners were, without hesitation, rejected. The happy moment was passed. The honourable gentleman knows the real friendship I bear him, and the esteem I have of his rare and amiable qualities. In public life I have always found him manly, firm, and consistent; in private engaging, social, and friendly. Through the whole of this business he has followed the strict path of duty, and held one uniform language to us and to the Americans. I have been to used to see him in the minority here, that he will excuse me, if I figure to myself that in America likewise he continued in a minority with the commissioners, and that many things were transacted which he disapproved, but to which he was obliged to submit. He might think himself precluded, as we are here by many strange acts of the present majority of this house. On that supposition I shall not scruple to treat the proceedings of the commissioners with freedom, and hold myself secure of his indulgence.

I mentioned, Sir, the unauthorised offers made to congress. The commissioners went exceedingly beyond the powers given them by the act of parliament, the only source of their power. Did they, Sir, dare to accept secret powers from the crown more ample than those granted by the legislature? their conduct is very suspicious. I well remember six propositions were held out to congress by the commissioners letter of the 9th of June. The three first, to consent to a cessation of hostilities by sea and land, to restore free intercourse as well as to revise mutual affection, and to extend every freedom to trade that our respective interests can require, were founded in the authority of the act of parliament, which created the commission. The three last were a direct usurpation on the rights of the legislative body.

An offer was made by the commissioners to concur in measures calculated to discharge the debts of America, and to raise the credit and value of the paper circulation. It was artfully worded, but perfectly understood, Sir, both in America and at home, that we were to take on our shoulders, already bowed down to the earth, the burthen of the American debts, of the mighty fraud raised by congress to fight their battles against us.

The debts of the two countries were to be consolidated into one enormous mass, and provided for by a compliant parliament in the same manner. So extravagant an idea must fill every man with surprise and indignation. I give the country gentlemen joy on this occasion. They never shrink from their matter, however unrelenting he may prove to them, to their country. They will now surely acknowledge with gratitude the fairness, the sincerity, the great tenderness, and kindness of their favourite minister. At the first impetus of an American war, the noble lord with the blue riband expressly held out to them a solid and substantial revenue by the taxation of America, in aid of their land-tax, and other heavy burthens, now, so far from attempting to lighten their load, he offers America to throw on the shoulders of England the additional weight of all her accumulated taxes. The most short-sighted of all animals is undoubtedly our country gentlemen of the time very bold. He has scarcely the sagacity of his pointer. Formerly he was very cautious, and reticent, and could not be driven

(b) The principles of penal law, a large volume, published by White, in Fleet-street, was written by William Eden, Esq; member for Westbury, a lord of trade; one of the under secretaries of state for the northern department; and auditor, and one of the directors of Greenwich hospital.

(c) Governor Johnson.

forward. Now he is perfectly tame, fawns on his feeder, and is easily managed. Mr. Pitt first seized him, and, after some little struggling, plunged him over head and ears in the German war. The noble lord has gone further, and transported him, weary and exhausted, beyond the Atlantic, where he is likely to continue much longer than he was in Germany.

The commissioners likewise agreed that no military force should be kept up in the different states of North-America, without the consent of the general congress, or particular assemblies. This was in effect making them a sovereign, independent state, if no military force is to compel the refractory, or quell the rebellious. This concession is certainly not warranted by any clause in the act appointing commissioners, and was a manifest, unnecessary usurpation of the power of this pitant parliament.

The last offer is a gross affront to the very being of parliament, and to the people, who alone can constitute a house of commons. The commissioners offer a reciprocal deputation of an agent or agents, from the different states, who shall have the privilege of a seat and voice in the parliament of Great-Britain; or if sent from Britain, in that case to have a seat and voice in the assemblies of the different states to which they may be deputed respectively, in order to attend the several interests of those by whom they are deputed. In the three conciliatory acts not a syllable is to be found of any such intention in the legislature. Were agents from the different states of America to have a voice in this house to tax Great-Britain, when by the same conciliatory acts they themselves, and America could not be taxed?

It is possible, Sir, that the commissioners might be as little in earnest to secure effectually to the Americans what was offered, as they were at the time to demonstrate their good faith. They ventured, Sir, to assure the congress, that the three conciliatory acts passed with singular unanimity. The contrary is known to be fact. I now, Sir, see many gentlemen in their places, who opposed all the three bills. When a bill of great importance passes with unanimity, I believe, Sir, that you think it your duty to give it a further weight by the addition of nemine contradicente in the votes. In the votes, Sir, you have not given that sanction to any of the three conciliatory bills. By the words singular unanimity, an Englishman would conclude that this was the singular instance of unanimity that session, in respect to the three acts, which were considered as one, and passed on the same day. The learned Scottish secretary of the commissioners must think differently, for I find eight instances, and perhaps there are more, in the same session of resolutions and orders passed, and entered in the votes nemine contradicente. Of this number are those respecting the calling out the militia, the relieving the roman catholics from certain penalties and disabilities, and lord Chatham's annuity act. With the same regard to truth, he makes the commissioners declare in their proclamation, that the French monarchy ever has been, and in its constitution ever must be, an enemy to all freedom of laws and religion. I own, Sir, I was surpris'd at such an assertion from a gentleman, who had acquired great reputation beyond the Tweed, as professor of moral philosophy in the university of Edinburgh. I thought that the French nation were formerly called Franks, from the freedom of their constitution. I have read in the (d) authors, that the people of France were wont to be bound by such laws only, as they had publicly agreed to in their parliaments, and that the people were consulted about the heads of all new laws, and after they had given their consent, they set their hands and seals to each article. Such was the power of the people, till the tyranny of their kings in later times swallowed up all the rights of that nation. I beg pardon, Sir, for this digression at so late an hour, but it was on a favourite topic, the rights of the people. I return to that important state paper, the letter of the commissioners to the congress, of the 9th of June. The letter tells them, that notwithstanding the pretended name, or present form of the French offer to North-America, yet it is notorious, that these were made in consequence of the plans of accommodation previously concerted in Great-Britain, and with a view to prevent our reconciliation, and putting this destructive war. This last too is alluded. The conciliatory propositions were not made by the noble lord with the blue riband till the 19th of February, and the French treaty was actually signed the 6th preceding, and the preliminaries

(d) Lord Macpherson, who wrote the account of Denmark; translated an excellent treatise on this subject of the famous Buzelin, Francis Hotman, called Francis Galles.

were agreed to December, 16th. The parliament had been prorogued from the 10th of December to the 10th of January, notwithstanding the strong opposition of the minority, for in that period peace might have been obtained. The truth of the case is that France trifled with the Americans till after the news of the capitulation at Saratoga: There was much ill-humour on both sides, but it was not improved on our part, as it ought to have been. A British general and an entire army becoming prisoners, made her believe seriously in the independence of America. Before that period, she had treated it as visionary, a mere phantom of a heated brain. The weak, infant connection of France with America is at length grown into maturity. Spain was more in earnest, and from the beginning had effectually assisted the congress by vast supplies of every kind from the Havannah. The capitulation was signed at Saratoga on the 16th of October. The news of that event came to Versailles the first week in December, and on the 16th preliminary articles were adjusted. France on that occasion, from a strange inactivity, suffered a remarkable expression to be made public, that it was manifestly the interest of France, that the power of England should be diminished by the separation of America from it. This was the language of sound policy on her part. When the love of liberty in the French court was held forth in great parade, it became ridiculous in the extreme. We know that there is no more love of liberty in the French court, than in our own; but I rejoice that liberty will have a resting place, a sure asylum in America, from the persecution of almost all the princes of the earth.

The conduct of our ministers, Sir, has effected the separation of America. She never will return, nor are you equal to coercive measures. By the attempt you will bring on an immediate certain French, and probably a not distant Spanish war. I am alarmed for the consequences to this country in its present exhausted state. Will the first minister or finance tell us, that he sees his way through it, even for the next four, or six, years? I have tears for our own honour and security, mentioned in the speech, as calling loudly upon us, when I consider our distracted and dilapidated kingdom, and compare it with the condition of the French monarchy, and the active spirit of a nation containing twenty-two millions of persons, united by affection to one sovereign. England, in conjunction with America, had nothing to fear. When some considerable merchants waited on the first lord of the admiralty, his lordship said, I have ships enough, but want men. Can you provide them for me? The American resources are gone. Without her resources, all her weight even thrown into the opposite scale, that scale must preponderate. Acknowledge the independence of America, you have a chance of detaching her from France, of forming perhaps with her a most advantageous commercial treaty and federal union. I really think you might then avail a general war. Since the accession of the present king, I know that the first idea, the favourite object of the French court, has steadily been to bring the finances of that kingdom into perfect order; but the favourable moment of lambing her ancient rival, by the American contest was not to be neglected. France has totally succeeded. The fact cannot be dissembled nor disguised. America is in my opinion irrecoverably lost. It is indifferent to her, whether you think proper to acknowledge her independency, or to call her children your subjects, and her provinces your colonies. The rest of the world will hear those appellations with derision. You will not be able to enforce any one act, except what your armies are quartered and your fleets stationed. The very expense of those fleets and armies must exhaust this country. You experienced this for four years with raw, undisciplined farmers and countrymen. You are now to combat hardy, experienced soldiers. Let your therefore yield to prudence, withdraw your fleets and armies, give up this unjust, barbarous, and destructive war, and enquire who deluded you into this unhappy system of policy.

The honourable gentleman, Sir, who seconded the amendment, in a divine strain of eloquence, scarcely paralleled, never surpassed within these walls, has treated the speech with unreserved indignation. He pronounced it false, demonstrated it to be so, and called it the king's libel on parliament. His was a most abundant harvest. He has left me a very small gleanings only respecting the clandestine supply of arms said to be given by the court of France to the Americans. Sir, it was not clandestine. Frequent and considerable supplies were given in the most public manner, in the face of day. I have the honour more than once of informing the house, of several American armed vessels, and

ships of war powder, by royal order, on occasions, and names of the time. Much more, as usual. The honourable amendment in their kings, who the bank of whiggish-prudence and the memor Yet one remembrance forbear. The services only, empire remain. Nothing was of the Brunswick only lost us has seems mould for se-ure, e-house. In of the empire the world, tial, human now ignom some of our ter part of o into this fa grand inque Some rema ble gentlemen on the late noble earls. The letter of ped of g longer posse secret influen spect, and a lord. I have instance very gentleman. noble lord i personal inju but from hi the ingloriou Ex illo f Spes Das He boasted heard him d wish'd it mi here lies the The expressi (s), but the a deep crim first cast. H dious excise exciseman go ed the nation was guilty of money in ne and a half fo nation, by v Coricans, as Americans. red, which I late great ing and king being at an e air of that English peer, aining no in considerable to be admitte inguished? I ate public f (e) The or con, a Mr. T who was ex 1660. In the account of his Council. P have bear of putting Sir Theophi hat he did fir ed: that he c had he did de ights be laid us Thomas S ing. Page 3 At his exec tar-feld, I f very mean a words of a d he had this id the free grace ed me in a a cause no ng could be e