A

LETTER

TO THE

First Belfast Company of Volunteers,

IN THE

PROVINCE OF ULSTER.

THE THIRD EDITION.

DUBLIN:

Printed by P. BYRNE, No. 35, COLLEGE-GREEN,
oppoſite the Statue of King William.

MDCCLXXXII.

Houses of the Oireachtas

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GENTLEMEN,

I DID not ſee till lately the addreſs from the firſt Belfaſt company of volunteers to the other corps of the province of Ulſter, or I ſhould have taken an earlier occaſion of attending to ſo intereſting a publication, in which ſome notice has been taken of my public conduct in the late queſtions concerning the conſtitution and commerce of Ireland. I believe it is unneceſſary for me to ſay, that my anxious endeavours have never been wanting to promote the great objects of your addreſs; and I have beheld, with great ſatisfaction, the gradual progreſs of public opinion in their favor. When ſome years ago, in conjunction with your reſpectable countryman Lord Nugent, I introduced a bill for a partial emancipation of the

House of Lords Oireachtas

commerce of Ireland, I ſoon perceived, from the numerous difficulties we had to encounter, that arguments drawn from the nature of trade, the authorities of the beſt writers, as well as the practice of the moſt enlightened nations, were inſufficient to the great purpoſe we had in view, unleſs Ireland, by a vigorous exertion, did juſtice to herſelf, and by doing ſo, added wealth and power to the Britiſh empire at large. I ſaw the exertion made—the conſequences were ſuch as every man knew they muſt be.—We heard no more of addreſſes to cramp the induſtry and reſtrain the commerce of a ſiſter kingdom; the parliament of Great Britain reſtored to its free agency, and conſulting its own wiſdom, and not the prejudices of a part of its conſtituents, by one liberal and comprehenſive act, admitted Ireland to a participation of every commercial privilege, it remained in our power to offer you. Perhaps in ſome of the regulations conſequent to this change of ſyſtem, Ireland may have reaſon to complain. I enter not into the detail, I ſpeak only of the principle of equality which was the profeſſed baſis of thoſe regulations. When this great meaſure had taken place, I was often aſked, by perſons unconnected with your

kingdom.

kingdom. Will not Ireland be ſatisfied now? Shall we hear ſtill of Iriſh grievances? My anſwer was ſuch, as the reaſon of the thing, and your declarations ſuggeſted to me. "That the "conceſſion made by one parliament might be "retracted by another; that no merchant would "embark his property on ſuch a precarious ſecu-"rity; that a free trade was illuſory, unleſs ſe-"cured by a free conſtitution." When I recur to the hiſtory of this memorable tranſaction, I beg not to be underſtood, that the miniſter, through whoſe hands it principally paſſed, appears to me blamable for not gratifying by the ſame act every wiſh and pretenſion of Ireland. I voted againſt him in ſeveral Iriſh queſtions, but I could not but be ſenſible that he had a very dificult taſk to execute; that he was bound to attend to the temper, and accommodate himſelf to the feelings of both countries, and guard againſt a colliſion between them. Had he attempted four years ago to do more, he might perhaps have been diſappointed in his attempt, and involved the peace of both countries, in the conſequences of that diſappointment. Whoever judges of the miniſter of a free country in very critical conjunctures, without a reference to the opinions of the day on which he is called upon to act, will often condemn him without

without reaſon; and I will venture to add, that if you compare the late miniſter's conduct reſpecting Ireland with that of any of his predeceſſors, ſince the days of king William, you will, I think, admit, that inſtead of deſerving blame, for not doing more in favour of Ireland, he is entitled to your good opinion for laying the foundation, on which, I truſt, a ſure fabric of public liberty and future opulence will be erected. I do not make this obſervation to gratify my private feelings, but to inculcate this practical truth on your minds, that whatever you have obtained, you owe to your own virtuous endeavours; that while your objects are, as they have hitherto been, founded in juſtice, and in the conſtitution, you cannot fail of ſucceſs; and that your only danger is from the adoption of a belief, that all is already obtained which you want for yourſelves and your poſterity. In mentioning the recent tranſaction which makes the ſubject of your addreſs, I beg to premiſe, that I ſpeak with the utmoſt deference to the judgments of thoſe who differ with me in opinion; I look up to many of them as ornaments to their country and to human nature, but we live under a government where public queſtions may be freely diſcuſſed; I neither aſſert nor think, that Ireland

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has been betrayed; but my conviction tells me, that ſhe deceives herſelf, if ſhe ſuppoſes her liberties are yet built on a ſure and immoveable foundation; or that the beſt ſecurity has been given for the future enjoyment of them, which the nature of the caſe, and the circumſtances of the preſent time, enable you to obtain. A minute review of the tranſaction, will corroborate the ſentiments you have promulged in your addreſs. I never remember any matter more eagerly expected, ſince I ſat in parliament, than the opening of Mr. Fox's plan to appeaſe the diſcontents of Ireland; to me, who knew particularly the anxious ſtate of the public mind, every day's delay appeared a circumſtance of danger, but delay was my only apprehenſion. The parliament of Ireland had wiſely put itſelf at the head of an armed community, to obtain a recognition of the rights which belonged to it, and I knew that the parliament of Great Britain was too prudent, under ſuch circumſtances, to decline acceding to it. That the conceſſions Mr. Fox propoſed to the Houſe of Commons, were unclogged by any ſpecies of condition; that inſtead of attempting to negociate and make a bargain, he placed an implicit reliance on your generoſity,

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is a proof, that he knew the temper of a free people; and I gave my humble tribute of thanks to him, and to his colleagues, for their manly conduct. How then has it happened, that ſo fair a proſpect has been darkened, and that public diſcontents again begin to prevail? It required no prophetical ſpirit to foretel that it could not be otherwiſe. You know very well, that when Mr. Fox propoſed a reſolution for a repeal of the declaratory act, he accompanied it with another, ſtating, in the firſt part, an undoubted truiſm, under a ſtipulation of equal trade and equal liberty, "That the intereſts of "the two kingdoms are inſeparable;" in the ſecond part, "That their connections ought to "be founded on a ſolid aud permanent baſis." What poſſible interpretation could be put upon theſe words, but that further meaſures were intended to be taken to aſcertain the political relation of the two countries to each other? Ireland had done her part, ſhe had ſtated the extent of her expectations, ſhe had declared her determination to abide at all events by the fate of a ſiſter kingdom, if her legiſlative independence was admitted; and no miniſter could be wild enough to ſuppoſe, that her parliament would, almoſt at the ſame inſtant that

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ſhe aſſerted her rights without reſerve, admit that in any poſſible caſe Great Britain ſhould legiſlate for her. When I talk of poſſible caſes, I always mean to except the power to regulate the ſucceſſion to the crown, which is the only inſtance I know of, in which a power of controlling every part of the Britiſh dominions, is and ought for ever to remain in the Britiſh parliament; but this is effectually provided for by the Iriſh act, declaring the perpetual annexation of the crowns of both kingdoms to each other. However theſe words may ſince have been cavilled at; the intention of them at the time was undoubtedly this, that Great Britain would ſecure by acts of her own the liberties of Ireland, and in the mean time would prove her ſincerity by repealing the 6th of George I. If the repeal then only has taken place, and no further meaſures are purſued to ſecure the connexion on a ſolid and permanent baſis, is it not a confeſſion on the part of this country, that the miniſters have left the great work of ſettlement incomplete, and that the doctrine contained in your addreſs is founded in truth, and a regard to the joint intereſts of both kingdoms? Unconnected as I was with the miniſters of the day, but anxious to co-oporate with them in

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their Iriſh meaſures, I obſerved to the Houſe, that "unleſs the repeal of the declaratory act "was attended by an expreſs renunciation of "the right to bind Ireland by Britiſh acts of par-"liament, I knew that Ireland would not be "ſatisfied; that the bill of repeal might be ſo "framed as to anſwer this great object, but that "unleſs the reaſons for originally paſſing it were "diſclaimed in the preamble, or that enacting "words were introduced into the body of the bill, "which might bind the faith and honour of all "future parliaments, it could not but be receiv-"ed by the Iriſh nation as an half-meaſure, as a "conceſſion owing to the circumſtances of the "day, which might or might not be adhered to "in future times; that while a long bead-roll of "laws, purporting to bind Ireland, remained in "our ſtatute-book unrepealed, it would leave "the queſtion of right on the worſt poſſible iſſue "between the two kingdoms, each having con-"ſtitutional arguments to reſort to in favour of "its reſpective pretenſions, and that doubtful "claims had been in every age the curſe of man-"kind. That the repeal propoſed would only "carry things back to the ſituation they were "in before the 6th of George the Firſt, at "which period Great Britain was in full exer-"ciſe of the power of binding Ireland; that

"no

" no man could ſeriouſly think, that becauſe the " act " for the better ſecuring the dependence " of Ireland" was at an end; that therefore the " dependence itſelf was at an end; or in other " words, that by taking away the regulation, you " take away the thing which was propoſed to be " regulated. That the angry act which paſſed " ſome years ago, for annihilating the aſſembly " of New York, in caſe of a non-compliance " with the mutiny bill, might as well be argued " to be the foundation of all Britiſh authority in " America: as both ſtatutes were of a ſimiliar " ſort, and were enacted for ſimiliar purpoſes, " to produce ſubmiſſion to claims as old as the " common law, and which could not be deſtroy- " ed by implication. That the ſame motives " which induce parties in a private tranſaction of " importance to guard againſt ambiguity and li- " tigation, by reducing the agreement to writ- " ing, ought to prevail among nations. That " the act of union with Scotland was a proof that " nations may conclude on a certain footing: " that the Scotch nation had ſecured its privi- " leges by a legal, which is the only ſecurity, " that nothing in that tranſaction was left to oral " tradition to ſupply, or to the hiſtory of the " times to expound; that the record ſpoke for

" itſelf, and no article of it ever had been or ever
" would be infringed, until honor and faith were
" baniſhed from the globe, becauſe the two
" nations know what they owe to each other,
" and the law is the common umpire between
" them. That I thought a country, circum-
" ſtanced as Ireland is, inferior in ſtrength, and
" dependent in ſo many circumſtances on the
" councils of Great Britain, would not conſent to
" hold, on a mere conſtructive ſecurity, the en-
" joyment of every thing that is dear to her;
" that I conſidered the omiſſion of Ireland in the
" marine mutinity bill, to which the houſe had
" agreed with a ſingle diſſenting voice on a moti-
" on from me but a few weeks before (though
" no Iriſh law at that time exiſted for the govern-
" ment of the many recruits which are raiſed in
" Ireland for the marines) as a ſure indication
" of the willingneſs of parliament to abandon all
" interference in the internal concerns of Ireland,
" that the great object after that to be provid-
" ed for was, that the Iriſh merchant might in fu-
" ture navigate the high ſeas, wherever his own
" induſtry might lead him to the beſt market,
" unreſtrained by any power which could be in-
" tereſted in checking his proſperity, and ſub-
" ject only to the neceſſary reſtriction of not
" holding

" holding intercourſe with the enemies of his ſo-
" vereign; that the ſimple repeal of a bullying
" ſtatute, which originated in a conflict about the
" judicature of Ireland, was at beſt a very awk-
" ward, if not inadequate mode of ſettling the
" controverſy about the independence of her
" legiſlature."

As this argument, which I happened to be the firſt perſon who ſtarted in either kingdom, has ſince been moſt ably enlarged upon by Mr. Flood, I am aſhamed to detain you by repeating any part of it: the force of it, however ill expreſſed by me, was abundantly felt; ſeveral members expreſſed their acquieſcence in it; and Mr. Fox declared, that as giving ſatisfaction to Ireland was the great object he had in view, he ſhould ſo frame the bill as to anſwer that deſirable purpoſe. You remember, Gentlemen, that much time elapſed between the agreement of the Houſe of Commons to the two reſolutions, and the production of the bill of repeal. The world naturally ſuppoſed, that the interval was employed in conſulting the firſt lawyers of both kingdoms, and that an act of final ſettlement would ariſe out of ſo much conſultation and correſpondence. You may judge therefore of my ſurpriſe, and that

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of many others, when we found that ſuch expectations had been raiſed to ſo little purpoſe, and that the miniſterial plan conſiſted of a ſimple repeal of the declaratory act. A ſurpriſe which nothing could heighten but the anſwer I received from perſons in the higheſt authority, to a propoſal I made of amending it in the manner I have deſcribed. "Ireland does not wiſh it—"Ireland is ſatisfied with the bill in its preſent "form: we are ſo aſſured by thoſe who ſtand "higheſt in the confidence of the nation, with "whom the Iriſh adminiſtration is in the habit of "conſulting." To ſuch information I thought myſelf bound to ſubmit. I know there are perſons in Ireland who ridicule the idea of a renunciation by Great Britain, and who aſk with a pride, I think much miſplaced, "ſhall Ireland "owe any part of her conſtitutional ſecurity to "a Britiſh act of parliament? If ſhe does, the "ſame power which gives may reſume. If ſhe "calls for a renunciation of any authority, ſhe "indirectly admits its exiſtence." As to the former queſtion, I have no doubt of anſwering, yes; if the bill is *bona fide*, what it profeſſes to be. If indeed the preamble ſtated the rightful claim of Great Britain to bind you, ſuch a bill would be inadmiſſible, even although in the enacting part, the

the exerciſe of it was renounced, becauſe if grounded on expediency, although apparently relinquiſhed, it might be conſidered as a freſh declaration of the right; or if the renunciation was confined to any particular part or ſubject of legiſlation, as for inſtance, to the internal concerns of Ireland, it might be conſtrued unfavourable to the freedom of your navigation, becauſe omitted in the act. But if the proviſion is general, and the language in which it is expreſſed is unambiguous, it muſt be a complete ſecurity, as no nation could think of reviving a claim, of which, by ſo ſolemn an act of her own, ſhe had diveſted herſelf. As to the latter queſtion, ſuch a ſophiſm cannot, I think, have impoſed upon any man. There is a clear diſtinction in the nature of things, between rights and claims, which has marked in all ages the conduct of nations towards each other, as well as of ſubjects at many memorable periods towards the governments under which they lived. You may ſafely admit, that Great Britain has long claimed a right to bind you by her laws, becauſe that is only the admiſſion of an hiſtorical fact, and does not imply that ſhe had a particle of juſt right. The king of Pruſſia, in every tranſaction with the Houſe of Auſtria, demands a

confirmation

confirmation of the original ceſſion of Sileſia to his family; Can ſuch a demand be tortured into an admiſſion on his part, that Auſtria has a right to re-enter upon that ancient part of her dominions? If that reaſoning is juſt, Magna Charta was a prerogative meaſure, and the barons who called upon king John to do them juſtice in the field, by that call admitted all his uſurpations to be legal. How much would their plain ſenſe have revolted againſt ſuch a fallacy? Their object was rational and wiſe; they wiſhed to maintain their loyalty to their king, but they wiſhed alſo to maintain their own liberties: they knew that both king and people are equally unhappy, *ubi jus eſt vagum et incognitum*, that the limits of power ought to be permanently fixed; that ſubjects ought equally to know what they owe to the ſovereign, and the ſovereign what he owes to his ſubjects. The caſe of confederated nations under a common ſovereign, calls equally for plain and immoveable landmarks of law. Who can contemplate the unhappy war in which we are at preſent involved with the colonies, without perceiving that it aroſe from the undefined and unexplained nature of their governments? That if ſuch an happy occaſion of temperately adjuſting our reſpective pretenſions had ariſen

between

between Great Britain an d America, as the preſent moment offers to Great Britain and Ireland, an ocean of kindred blood had been ſaved: but the hiſtory of this war furniſhes us with an exact precedent of what ought to be done. The parliament of Great Britain did, in expreſs terms, for ever abandon all right to tax America: I do not recollect, that the competency of parliament to paſs ſuch an act was called in queſtion, though ſome objected to the policy of it: but no man will ſeriouſly contend, that if peace had taken place with the colonies, on the foundation of that ſtatute, any American would have apprehended a future exerciſe of the power of taxing; though it is within the compaſs of poſſibility, that one parliament may revoke the meaſures of another. Admitting that poſſibility to have weight, does it follow that becauſe you cannot guard againſt every poſſible contingency, that you ſhould not take every precaution which human prudence can ſuggeſt? In ſhort, if an expreſs and direct ſecurity was to be given to America, againſt the encroachments of a power which ſhe dreaded, why was a conſtructive one deemed ſufficient for Ireland? Were the difference not founded in reaſon and in law, but exiſted only in the ima-

ginations of men, a wiſe government ought carefully to avoid it; for that policy muſt be fatal to ſociety, which furniſhes a pretence to ſuppoſe that in proportion as the ſubject is orderly in his deportment, obedient to the laws, and loyal to his ſovereign, his rights are to be conſidered as doubtful, and the tenure of his liberty becomes inſecure. I perceive a diſpoſition to judge ſeverely of the motives of every man who preſumes to think or to ſay, that no part of this tranſaction has been unwiſe or equivocal; and the generous feelings of the Iriſh nation, not their ſound ſenſe, is appealed to, to reſiſt any further attempt to clear up the terms under which they and their poſterity are to remain in future connected with Great Britain. If the ſubject was not of the utmoſt moment, if it was not equally the intereſt of both kingdoms to ſettle the controverſy on ſuch grounds that no raſh miniſter may hereafter venture to revive it, I ſhould think, I did the office of a bad citizen even in expreſſing theſe ſentiments to you: but the people of Ireland are not now to learn, that antient claims are reluctantly parted with by any people: that the parliament of Great Britain has immemorially exerciſed the right of binding Ireland

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by laws, and that your anceſtors have acquieſced under and ſubmitted to thoſe laws: they are not now to learn, that the councils of every government are fluctuating and uncertain, but that the love of power is a feature which diſtinguiſhes them at all times. If they want an inſtance, they cannot but recollect, that the ſame Britiſh parliament which repealed the ſtamp act, impoſed three years afterwards a tea act, which could never have happened, if indirect and conſtructive promiſes were held in the ſame ſacred light as poſitive and ſpecific engagements: but politicians, who will try to evade the one, are not ſo daring as to violate the other. That any ſuch attempt as I now allude to will be made under the preſent circumſtances, or perhaps in the preſent age, while the ſtrength of Ireland is equal to her ſpirit, and the particulars which diſtinguiſhed the hiſtory of laſt winter, are freſh in every man's memory, I moſt readily admit; but he muſt have read hiſtory with very little attention, who will venture to aſſert, or who will adviſe his country to act upon the aſſertion, that ſuch a caſe is impoſſible ever to happen. Your iſland has made a wonderful effort in arming and diſciplining a whole people, but you have had two ſtrong and equally honour-

able motives for doing ſo; you had your coaſt to defend againſt a foreign enemy, and a conſtitution to ſecure againſt a foreign juriſdiction. A peace will naturally remove the firſt of theſe apprehenſions, and when the bulk of the nation is perſuaded that the independency of your legiſlature is placed beyond the reach of violence or of ſeduction, it is in the natural courſe of things, that the military aſſociations, to which you owe ſo much, will inſenſibly decline. Peace too, by reducing the intereſt of money, will enable the Iriſh merchants to borrow, and avail themſelves of that free commerce, by which, from the adverſe circumſtances of the laſt three years, you ſcarcely perceive yourſelves to be benefitted. The encreaſe of a commercial, always operates to the abatement of the military ſpirit of a country: as labour riſes in value, the ſacrifice of time, which the keeping up of military habits requires, will be much enhanced; and if any plan like that of the Engliſh militia ſhall be adopted, the bulk of the people will inſenſibly begin to think, that to them the buſineſs of arms excluſively belongs. The public ſpirit of Ireland may perhaps retard, but cannot prevent the opperation of that jealouſy, which the difference of a militia paid by, and a militia gratuitouſly

tuitouſly ſerving the public, will occaſion: and you cannot be ignorant, that thoſe weak men among us, who ſee matter of alarm in the extent and ſpirit of your aſſociations, have uniformly wiſhed, by raiſing one armed body againſt another, to ſeparate the national force which they could not break. You who live on the ſpot, are the beſt judges whether any ſuch conſequences are likely to ariſe for ſome time; but I ſee enough to convince me, that ſuch a thing may happen. If then, on one hand, I may ſuppoſe the national force of Ireland may decline, on the other hand it may be preſumed, that Great Britain, by rigid œconomy, and accommodating her conduct in every reſpect to her circumſtances, may, after a few years peace, recover a great proportion of her ſtrength, To her commerce alone ſhe muſt look, as the foundation of both revenue and navy; and being for the firſt time deprived of ſeveral branches ſhe formerly enjoyed, ſhe will naturally watch thoſe which remain in her power with a more ſharp-ſighted jealouſy than ever. Perhaps the fears formerly expreſſed of a free trade to Ireland, may in ſome inſtances prove true at the period which I ſuppoſe, and a preference be given at a foreign market

market to ſome articles of Iriſh manufacture. Inſtead of exerting himſelf to recover the ground he has loſt by improving the quality of his goods, we know a merchant's firſt idea is to apply for a prohibition and a monopoly. What reception will the miniſter of Great Britain give to ſuch an application? Were Scotland the object of jealouſy to the Engliſh merchant, the miniſter would tell him to look into the articles of Union, which had expreſly bound up the queſtion between the nations for ever. Has Ireland ſuch a fixed conſtitution to boaſt of? In what page of the ſtatute-book of either kingdom is it to be found? Have you enabled the Britiſh miniſter to point out to the merchant, that the thing he applies for is impoſſible? The Merchant will naturally ſay, "that he knows "of many Engliſh laws which are yet in force "againſt Ireland, becauſe he never heard that "an act of parliament could be got rid of but "by an actual repeal: that as theſe reſtrictions "operated before the declaratory act was in be-"ing, they muſt have equal authority after it is "expunged and forgotten: that he knows at "the time of the repeal, it was not conſidered "as a renunciation of the right in either king-"dom." He will produce the declarations of miniſters,

miniſters, who at the very moment of propoſing the meaſure, held up the neceſſity of one controlling authority thro' the whole empire; he will ſay alſo, "that the Iriſh legiſlature, having "theſe ſpeeches in their hands, yet admitted that "a repeal was ſufficient without a renunciation: "that although particular bodies of men had "thanked Mr. Flood for his advice, no ſtep was "taken in conſequence of it; and that the bulk "of the nation, though they found they had not "obtained that conſtitution which they conſider-"ed as their birthright, yet diſclaimed any fur-"ther call on the juſtice of Great Britain."

Perhaps in addition to theſe arguments, drawn from hiſtory and from law, it may be ſuggeſted to the miniſter, that the experiment may ſafely be tried; that if he uſes general words in applying the reſtraint, he may afterwards declare that Ireland is or is not comprehended, according to the event; If the Iriſh nation, abating as ſhe grows richer in her eagerneſs for liberty, and unwilling to riſque a conteſt with a kingdom to which ſhe is ſo cloſely allied, acquieſces for a moment, the boaſted acquiſitions of 1782 are at one ſtroke annihilated; one precedent lays the ground-work of another, and the trade of Ireland again will be trampled upon by every com-

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bination of petty traders, who fancy they ſee their own advantage in her humiliation. If, on the contrary, her ſpirit continues high; if ſhe claims her rights in that firm but temperate language, which the conſciouſneſs of a good cauſe never fails to inſpire; the miniſter who is unjuſt enough to make the attempt, will afterwards be ſo mean as to diſclaim it; It will be called a clerical error, or the unmeaning jargon of the Cuſtom-Houſe; The apology may perhaps be accepted, and a further attempt againſt the rights of Ireland be adjourned till a more favourable occaſion. Whoever ſees no danger from the ſtate of things which I have endeavoured to deſcribe, muſt be a bolder man than I profeſs to be. He is much miſtaken if he thinks that an encreaſe of weight thrown into the popular ſcale of Great Britain, will diminiſh the riſque; The freeſt governments are always the moſt jealous of their dependencies; the reſpect they ſhew to the privileges of others, is not proportioned to the anxiety they profeſs for their own, and the more immediately we are connected with, and dependent on the people who elect us, the more liable we ſhall be to act under theſe impreſſions, which muſt ever be of a popular caſt in a trading kingdom, unleſs guarded againſt by fixed barriers

riers of law. But we are told, all this may poſſibly be true, but the honor of the Iriſh nation is committed: that it would ill become a parliament, who were parties to the tranſaction in queſtion, to impeach their own act; that it would ſully the national character, and hazard a rupture between the two kingdoms. If this is really your ſituation, far be it from me to addreſs you in the language of congratulation; but I deny theſe aſſertions to be grounded. In the firſt place, your honor is bound to Great Britain in this ſenſe, that being called upon to ſtate all your demands, you ought not now to add to the number of them. I admit this to be true in its fulleſt extent, but the independency of your legiſlature was the *ſine qua non* of your demand; and if by miſmanagement, or any other cauſe, that is not fully ſecured, the objection does not apply. You do not demand any new conceſſion, when you require that thoſe of laſt winter may be more ſatisfactorily explained. In the next place, to ſuppoſe that the Lords and Commons of Ireland being pledged to their country to obtain a free conſtitution, could afterwards pledge themſelves to Great Britain to accept of leſs; that in other words, they could bind themſelves to a ſimple repeal, when that repeal did not

amount to a renunciation, is to ſuppoſe the groſſeſt abſurdity; becauſe the demand of redreſs implies the demand of every thing which is requiſite to that redreſs. No man of honor can think a promiſe haſtily made to one man, can vacate a ſolemn engagement previouſly entered into with another. No body of men ever was ſo circumſtanced, as the parliament of Ireland is contented to be at this moment; that from a punctilio of honor to Great Britain, it is their duty to overlook what they owe to the people of Ireland. I do not impute ſuch a ſentiment to any individual, in either of thoſe reſpectable aſſemblies for which I profeſs the greateſt veneration, and whoſe over-ſight, as it appears to me, I ſincerely lament, but cannot attribute to any bad motive. I only ſtate the abſurd conſequences to which the argument immediately leads, that Ireland not having obtained the object of her requiſition, is yet precluded from any further means of attaining it. Your addreſs has, I think, ſhewn from the proceedings, that literally and in point of fact, neither Houſe did enter into any ſuch raſh ſtipulation: but I do not depend ſolely upon that; I admit, for the ſake of argument, that your parliament has made ſuch a falſe ſtep, Is the body of the

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nation bound to acquieſce under it? Would every effort on their part to retrieve it be unconſtitutional? This appears to me one of the few caſes in which the immediate interpoſition of the people is to be juſtified. The queſtion is really this, Shall Ireland have a parliamentary conſtitution or not? for that body is improperly called a parliament, whoſe deliberations are liable to be controlled by any authority upon earth. If in the beginning of this great buſineſs, while both Houſes were ſitting, you took the management of it upon yourſelves, is there any motive of delicacy towards parliament, which hinders you from ſetting the laſt hand to it during a receſs? If there is, I hope a ſpeedy meeting of the Iriſh parliament will remove the difficulty. Many reaſons, I ſhould ſuppoſe, will make this meaſure neceſſary. The Iriſh ſuitor muſt feel an inequality in the adminiſtration of juſtice, if the Houſe of Lords is not open every winter, as the Britiſh is, for the determination of appeals; and as the ſettlement of Iriſh eſtates can be regulated in future only by Iriſh acts, the circumſtances of private families, and the neceſſary circulation of property, will require very frequent meetings of parliament, which is become in modern times a general court of con-

veyancing for the ſubject; but I apprehend alſo, that the late meaſure of adopting Engliſh laws into the ſtatute-book of Ireland, not by particular enumeration, but by general deſcription, cannot long remain exactly as it now is, as nothing but the urgency of the moment, and the neceſſity of ſecuring private titles, could juſtify the ſending the ſubjects of Ireland to read the Engliſh ſtatutes, and ſearch in them for the rule of their actions. Surely when a time for more deliberation is permitted, it will be thought better to paſs diſtinctly and ſeparately Iriſh laws with ſimilar proviſions. That the trade of the two kingdoms muſt be put in many, and perhaps moſt inſtances, on an equal footing, or the ſame foreign treaty which applies to the one will not be applicable to the other, I readily admit. But it is by no means a matter of indifference how this is done; for if you do it by reference to Engliſh ſtatutes, and by a general proviſion, that ſuch as confer equal benefits, and impoſe equal reſtraints ſhall be in force in Ireland, you transfer the power of deciding how long they ſhall ſo continue, with regard to yourſelves, from your own legiſlature to another. But when I am writing to a corps of Ulſter volunteers, I cannot omit the critical

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ſituation of the linen trade, and my apprehenſions of its decline, if it exiſts much longer, by connivance only, and without the ſanction of law; as thoſe who are concerned in it muſt feel, that the aſſurances of the linen board under which they at preſent act, are inadequate to their ſecurity, and that in a country govered by law, parliament alone is competent to give them complete relief. But if theſe reaſons are not deemed ſufficient, it appears to me that the late arrangements make annual ſeſſions of your parliament indiſpenſably neceſſary. While Great Britain exerciſed the power of making laws for you, to grant money, and to regulate the internal police of the kingdom, were the only objects of deliberation to your parliament: from foreign politics you were totally excluded, your foreign trade was regulated by negociations on which you never were conſulted, and of which you ſcarcely knew any thing; you were involved in the conſequences of every war which Great Britain thought it her intereſt to undertake, but though you partook of every burthen, you never ſhared till a late period any of the advantages reſulting from her ſucceſs. How different is your ſituation now? For the firſt time you aſſume that rank and importance

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which belongs to you in the councils of the empire. Great Britain, deſerted by every nation which ſhe has ſucceſſively loaded with obligations, finds in a neglected ſiſter ſuch reſources, as a liberality of conduct towards her could alone draw forth, and which no foreign alliance could ſupply; while Ireland thinks herſelf repaid for every effort by the conſideration, that the value of her friendſhip is properly underſtood, and that in every future queſtion of war and of peace, of commerce and of politics, the ſenſe of the Iriſh public will have its due weight. If this change of ſyſtem appears to you as it does to me, a new æra of happineſs to both kingdoms, how painful is the recollection, that any thing ſhould be wanting to ſecure an enjoyment of it.

Two meaſures have been propoſed for this purpoſe; the one by an Iriſh law, declaring that in caſe the king of Great Britain ſhall aſſent to an act of parliament purporting to bind Ireland, then and from thenceforward the law which annexes the crown of Ireland inſeparable to that of England ſhall *ipſo facto* be repealed. The other, by obtaining an engliſh law, to diſclaim all legiſlative authority over Ireland. With reſpect to

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the former, I am far from combating the expediency of an Iriſh bill of rights; ſuch a meaſure, properly framed, may be of great advantage, but I cannot believe the Iriſh parliament will readily give it a ſanction, which eventually ſeparates the kingdoms, and impeaches the title of future kings, on a contingency taking place, owing perhaps to careleſſneſs, and not to ſyſtem; to the ignorance of individuals, not to the politics of the body to which they belong; yet in both caſes the penalty would attach, becauſe it is impoſſible to diſcriminate them in drawing the bill. It ſeems alſo not conſiſtent with juſtice, to point your reſentment at the monarch, for an offence committed againſt your rights by the deliberative parts of our conſtitution, in which he muſt be entirely paſſive ſince the diſuſe of the royal negative. It is neceſſary alſo to take care, that in your attempts to guard againſt the interpoſition of Great Britain in Iriſh concerns, you may not do towards her what you juſtly inveigh againſt in your own caſe; for an Iriſh law, preſcribing to the Britiſh monarch in what manner he ſhall exerciſe his prerogative with reſpect to acts of the Britiſh legiſlature, will undoubtedly bear that conſtruction. Theſe are matters of intricate and nice ſpeculation, which I hope never

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to hear diſcuſſed between the two kingdoms, becauſe good will and good humour never can ariſe from the diſcuſſion. Allow me to add, that were the intereſts of Great Britain out of the queſtion, nothing could be more dangerous to your internal peace, than to unſettle the minds of the people on the ſubject of their allegiance, by pointing out new and conſtructive caſes of forfeiture in the crown. You well know that much miſchief has ariſen in former times, from the heat and violence to which ſimilar doctrines gave occaſion. When the death of princes, and other inevitable cauſes, produce ſuch a ſtate of things, it muſt be ſubmitted to with reſignation; but to encourage it under authority of parliament, and in a caſe which does not require that particular ſanction, will I think appear to you upon mature conſideration improper. I ſometimes ſee in print congratulations to Ireland, on the revolution of 1782, and the phraſe is not ill choſen, as to a people eager for liberty, and mindful of their great deliverer, it recalls the memorable revolution of 1688. That tranſaction was original in its nature, it remains on the page of hiſtory a leſſon to all future times, to reſpect the rights of the people. It reſts on its own merits, and appeals to no for-

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ther paſſage of hiſtory for its juſtification, but as it was above all law, ſo no law has attempted to recogniſe the principles by which it was brought about, or to define the caſes in which allegiance ſhall ceaſe to be a duty, and reſiſtance become juſtifiable in the ſubject.

High as the pulſe of the public beat for liberty after that memorable æra, and anxious as the nation was to prevent in future the miſchiefs which they had ſo lately eſcaped, yet this mode of obtaining ſecurity was never reſorted to. The parliament aboliſhed the dangerous branches of the prerogative which king James and his predeceſſors had abuſed: they reduced the theory of our conſtitution to ſuch clear and fixed principles, that no ſovereign could err in future but by deſign. But here they wiſely ſtopt; if they never attempted defining the caſes in which the crown ſhould again be forfeited, I have a right to conclude, that they regarded the expedient as unneceſſary or dangerous; *unneceſſary*, becauſe when the meaſure of oppreſſion is full, the ſubject will ſeek his ſafety in reſiſtance, whether invited to it by an act of parliament or not: *dangerous*, inaſmuch as it furniſhes pretences to revolt and diſobedience,

which the beſt governments in hiſtory have been ſhaken by, as well as the worſt, and which never riſe to ſo formidable an height as when coloured by ſome miſtaken principle of the conſtitution.

If I err in the ſentiments I have juſt offered, you will not think the error a very blameable one, into which I have been led by my regard to the principles of the revolution; I have ſtated the more ſtrongly my objections to the bill in queſtion, or rather to the particular mode by which it was propoſed to enforce it, becauſe I ſhould be ſorry that your thoughts and attention were diverted from a meaſure which I think both ſafe and practicable to one, which perhaps you ought not to deſire, and which you might be unable to attain. Beſides the idea of this bill is founded on a preſumption, that Ireland has not ſufficiently aſſerted her rights, in that reſpect, it is impoſſible to add to what has been done. But the aſſertion of a party in his own cauſe, is not equal to the admiſſion of his adverſary: Ireland may for ever proteſt againſt the claim, but no renunciation of it can be effectual which does not proceed from Great Britain; this is the meaſure which I have

at heart, becauſe I know if Great Britain unequivocally ſpeaks out, ſhe will not at any future moment violate her engagement. I am confident men's minds were fully prepared for this very meaſure in the laſt ſeſſion of parliament; I am confident it would have been aſſented to, had the claim been made by thoſe who had authority to do ſo in your behalf. If you are diſappointed that it did not take place, do not attribute to want of ſincerity in us what aroſe from inadvertency in ſome of you. Great Britain was as well diſpoſed as one country can be, to gratify the wiſhes of another; but it was too much to expect of her to give more to Ireland than Ireland ſeemed to require; nor if you were ſatisfied with a weaker ſecurity for your liberties, was it her buſineſs to obtrude a more effectual one upon you. Depend upon it the error lay here. Great Britain being willing to concede the ſubſtance, never meant to diſpute with you about the mode; that was the buſineſs of the miniſters to prepare, and parliament took it upon truſt that they would not recommend any meaſure which ſhould fail of giving compleat ſatisfaction; for the univerſal deſire of our Houſe of Commons was, to cloſe for ever the account with Ireland. If then perfect freedom was laſt

year within your reach, why ſhould it be leſs ſo now? In no material circumſtances is the ſtate of things altered; Great Britain ſtill ſtruggles againſt an hoſt of enemies, ſometimes with ſucceſs, but always with honor, an object of greater admiration in her diſtreſs, than in the fulleſt career of her former victories. At home indeed another revolution has happened, and that adminiſtration is at an end whoſe power, whoſe abilities, and whoſe popularity, Mr. Flood ſuppoſed would give an advantage againſt Ireland in the diſcuſſion of a queſtion of right. If a partial and imperfect ſatisfaction given to Ireland has produced the vote of a large army, and an addition of twenty thouſand ſeamen to the navy, it muſt enſure the continuance of that policy in Great Britain which in the outſet has ſo fully anſwered her expectations. To talk of a civil war, as the poſſible conſequence of the meaſure recommended in your addreſs, is highly injurious to the Britiſh character. Do we accept with cordiality and gratitude your generous exertions for our relief, and becauſe you require to be clearly and unequivocally free, can we harbour a wiſh to your prejudice? I will hazard my opinion very freely; whenever the miniſters of Great Britain feel that it is the general

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ſenſe of the people of Ireland, that a clear renunciation of her legiſlative authority ſhould take place, they will bring forward the neceſſary meaſures for that purpoſe. Great Britain cannot make a cheaper ſacrifice, for ſhe ſurrenders only a vexatious claim, which no honeſt miniſter will think himſelf warranted to act upon, and which no wiſe one will dare to employ. To you, on the contrary, it is every thing which makes exiſtence a bleſſing, it involves your preſent intereſts, and thoſe of your lateſt poſterity; it comprehends equally the two great objects of property and perſonal liberty, and as far as any human arrangement can do ſo, it binds the two kingdoms for ever to each other by a firm compact, to which each may appeal, and which never can be miſtaken. With this ſecurity in your hands, could Lord Abingdon's bill produce the ſmalleſt ferment among you? but till you have attained it, anxiety and doubt muſt for ever prevail; every cuſtom-houſe regulation will be an object of your jealouſy, and every miniſters words reſpecting Ireland, a matter of moment to your happineſs. The people will not for ever bear ſo uneaſy a ſtate of ſuſpenſe. The period of a general election is not very remote, they will then naturally enquire, what meaſures are wanting

wanting for their further ſecurity, and enforce thoſe meaſures upon the new parliament: but that moment may perhaps not be ſo propitious as the important one you now have in your power, and which fleets away unnoticed and unimproved. If there is one political proſpect to which I look with pecular pleaſure, it is the riſing greatneſs of a country to which I, and thoſe who belong to me, have long been indebted for almoſt every advantage which they poſſeſs. I am aware, that ſcarcely an event can happen to blot and mar that flattering proſpect but a conflict with Great Britain. Let no man, however he may ſlight my abilities, think ſo ill of my heart, as to ſuppoſe that I ſhould not deprecate ſuch a conflict as the greateſt perſonal calamity. I ſolemnly declare, that the meaſure recommended in this letter, appears to me the ſureſt method of guarding againſt it. My ardent wiſh is to preſerve for ever the connexion of the two kingdoms, and to make them ſubſervient to each other's proſperity; but I know that the only connexion which can be laſting between them is a connexion of freedom, a connexion of common intereſt, a connexion of mutual benefits, and not a connexion of power.

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I have now done, and ſhall make no apology for the length of my letter, which I have obtruded on you unaſked; the common intereſt which attaches us to the ſame cauſe, muſt be my excuſe. I deſire to lead no man's opinion, but I have a right to declare my own. My conduct ſhall be implicitly directed by that which the Iriſh nation ſhall think fit to purſue: if ſhe ſhall upon mature reflection, determine to leave the great queſtion of her rights in its preſent ſituation, my lips ſhall be cloſed on the ſubject for ever. If, on the contrary, the ſentiments which you have declared ſhall ſpread, as I ſuſpect they will, thro' every part of the kingdom; if it ſhall become the univerſal ſenſe to make one more, and I hope a final effort for a ſettlement with Great Britain, no zeal, no energy ſhall be wanting on my part to contribute to its ſucceſs: convinced, as I have long been, that by adhering to that line of conduct, I ſhall diſcharge the double duty which I owe to my ſovereign and to my country.

Houses of the Oireachtas

Houses of the Oireachtas