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A

COLLEGE EXERCISE,

Delivered *December* 16, 1765.

He that would serve his country effectually, must
root out, and cast from him, every passion and
disease of his own mind. HIEROCLES.

L O N D O N :

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A

COLLEGE EXERCISE,

Delivered *December 16, 1765.*

WERE I to indulge my fancy concerning the *persons*, who may probably meet in an ensuing great assembly; and the *reasonings* that may then be used, in case a *certain question* is started: I should speculate to this effect.

I would suppose, that the *persons*, there to be convened, may be distinguished into four sorts; *viz.* the *good*, the *bad*, the *ins*, and the *outs*. By the *good* I would mean those who are *desirous to serve* their country; and are blessed with such a measure of *knowledge*, and *integrity*, that they *can*, and *dare* do it. And of this sort I am apt to think there will be more than either
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splenetic persons, or politicians usually, are willing to allow. I think I could produce the testimony of three fourths of the kingdom, that there will certainly be three such; and perhaps, a round dozen: and it will be granted me, that *no name is too great*, for the epithet of *good*. Nay, I am persuaded there will be many whom, to our loss, we don't know: who, like virgin ore, are sterling in the mine; and want only day-light, to be resplendent.

Of the second sort, *viz.* the *bad*, it will be granted me, that if there be one, there will be too many: and how few soever, if there be any, they will be formidable; from the known activity of their principle. Such are the children of this world; who are wiser in their generation than the children of light! If it were possible for an *emissary of France* to steal into so august an assembly, I should not scruple to rank him in this second class; for he is not an *open enemy*. And *à fortiori*, if any *native* of these kingdoms, which God forbid! should be capable of acting designedly in *that capacity*; I would give him a *distinguished place* also. Nay I should be apt to call him a bad man, who is blinded by any private interest: or who, even for want of due information concerning the question before him, or, of temper
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in managing it, should give advantage to the enemies of his country.

But, (to quit an unpleasant subject,) the third class, *viz.* the *ins*, may include a Ministry, with all such as are attached to them, merely because they are in place, and power. These are a sort of deities of whom I have no knowledge! I am convinced I am not intitled to blame the present, as a body, for overt acts. And, perhaps, their future praise, or dispraise; their inrollment into the first or second of the foregoing lists, will depend upon their behaviour on a certain occasion. I have a pleasure in thinking they will rise to the first, the *class of the great and good*: but it requires little conjuration to say, that they will be abhorred by posterity, if they should enroll in the second. In general, the case of Ministers is to be lamented; that men will needs suppose them all to have a lesson, which they must practise, though it be not always for the public good. May the present Ministry, and may all future Ministers show, that this is a mere slander!

The fourth class that I distinguished, was the *outs*; which may be supposed to be very numerous; and I should think, that every person in it may be considered *not merely* as
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a candidate for the *third* class; but also, for *either* the *first*, or the *second*. Sure I am, that the preceding three classes will comprehend them all.

It is the goodness of providence which has not pleased to intrust man with the distinguishing spear of *Itburriel*. For we can suppose it would be an infinite pain to know the black hearts, and like-complexioned deeds of those about us! The sad effects of inattention, appetite, habit, and a falsely supposed necessity, are better hid behind the veil; 'till a new principle takes place in the man, and brings him back to bounds exceeded! And perhaps there are few men, even of ordinary understandings, but find pain enough in seeing and hearing the evil that comes unfought for before them. Our senses and our reason are keen enough for every useful purpose. And as the supposed question, concerning the Colonies, is perhaps the weightiest that was ever debated in any assembly since empire began: let us exercise those weapons, in reducing any actors in such a debate, to their respective primary classes.

It should seem, that the supposed question of t—x—g the Colonies may be debated either upon the *general principles of govern-*
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ment; or, from *particular resemblances*, and *analogy*.

With regard to the first, we have reason to approve that mode of argumentation, so long as we suppose the age regardful of *civil*, as well as *moral principles*; and every man actuated with, and acting by them. — For such men are possessed of the rule and standard, to which the supposed, or real, merit of the question will quickly be brought; and soon determined. Such will be above the scruple of form; and will not, from the lower analogy of the *common law*, stand inquiring whether a petition can be received, (which, well wire-drawn, may be made to imply an exception to the jurisdiction of the court) so long as there remains *one grievance unredressed*. For the man whom I would call good, well knows, that it is *every Englishman's right to petition* for redress of grievances, whether real or imaginary: And that there are but *two courts in this K--gd--m* to petition; *viz.* the *real court* of the Nation, and the *personal court* of Parliament; and that this latter is a *delegated court*, which, as it is appointed shortly to meet; so also, in no long space of time now, it will undergo a dissolution. I am perfectly clear, as I hinted before, that no *Frenchman*, whether of *birth or principle*, can act

in such a debate. But if it were possible, he would certainly *act consistently*, in rejecting the matter with a high hand. He must insist, that no petition against the stamps is admissible: and insinuate that the colonies are the scum of the earth; a set of mutinous wretches; the sons of their fathers! Nay, he would use every argument, but the very words, to produce an appeal to the *commonwealth*, or *real court of the nation*: for the intent of his *mission* must be to set the *commonwealth by the ears*; and then to employ the preparations that perhaps are making, to invade you.

I suppose there are good hopes that no minister in *place*, or *power*, will think himself obliged to adopt the reasonings of the enemies of his country, in order to puzzle the cause; or throw dirt at any that may be *out of place*: and of this latter denomination, the best will be glad to hear the calm and deliberate sentiments of their country; and not be affected if a measure, that was once held to be right, should upon re-examination be found to be not expedient. For all good men will support them in this proposition; that the colonies ought to *contribute in a rational way*, to the support of government: and surely it is not a capital
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affair;

affair, to differ, or even to be mistaken, in sketching out the *mode* of it.

But it is time to come to the *second topic*, upon which the supposed question may be debated: *viz.* that of *similitude, or analogy*. And this may be either *foreign, or domestic*; and *each* of these will be both *antient, and modern*.

I should conceive, that the example of *foreign countries*, whether *antient* or *modern*, can be *nothing to the purpose*; unless it were possible to bring them from governments like our own. The states of *Greece*, and of *Rome*, seem to have been the only states of antiquity in which there was any *talk of liberty*; but this liberty was explained to be only in a *ruling party*; which was called *People, or Betters, or Monarchs*, according to the species of government: and though there are instances also of *mix'd monarchies*, amongst the ancients; yet I will be bold to say, that neither these, nor any of the former, proceeded upon principles of *universal liberty*. As a proof of this, they all had their *slaves* and *vassals*, and what else they *pleas'd*; who were not suffered to wear even the name of *Citizens*, or to be considered as part of the commonwealth. And this is clear from *Aristotle*, the soundest politician of antiquity:

and abundantly clear from the *Roman* authors. *Justinian*, tyrant as he was, seems to have given the first blow to slavery, by reducing the various subordinations of men made free, (who were gradations of vassals) to one only. But he was far from completing the stroke: witness the later governments of *Europe*, founded principally upon his plan; and governed, in a manner, by his laws.

I suppose, therefore, that all good men will enter a *protest against such* analogy, or examples: especially when they consider, that the *Coloni*, with the *Romans*, were originally farmers, or husbandmen, who tilled the ground; and even in *Italy* were *not usually full members of the commonwealth*. And therefore it is no wonder that the *Coloniæ*, which were also tillers of ground, and often conquered enemies, who by a sound policy were made to migrate in bodies to other places, were not till late, and by way of extraordinary favour, endowed with the rights of *Roman citizens*; and that, *never entirely*. But lest I should seem to affirm vaguely, and upon fancy; I will subjoin a brief summary of their nature, differences, and rights, as I find them collected by *Struvius*.

“ *Coloniæ ex civitate Romana quasi propagatæ sunt, et jura institutaque omnia populi*

populi Romani, *non sui arbitrii*, habent. Romulum istæ auctorem produnt, qui in agrum hostium devictorum colonos mittere instituit. Sequenti tempore coloniis deducendis constituti triumviri, & quatuorviri, iidemque comitiis tributis designati: & quidem in certos annos eorum potestas fuit definita. Quod si igitur nova colonia deducenda, numerus colonorum definiebatur, & iussi nomina dare qui agros accipere vellent. Exinde orta lex agraria, quæ Spurio Cassio consule A. U. C. 268 promulgata, nunquam deinde sine maximis motibus fuit agitata. Colonia per duumviros, sub vexillo, ex urbe ducebatur; qui & aratro urbem, agrumque, circumscribebant. Singulis colonis certa jugera assignabantur. Iphis triumviris copia apparitores, cum reliquo apparatu assignabantur. *Distinguebantur* autem coloniae, ut aliæ essent *Latinae*, aliæ *civium Romanorum*. Illæ *jus tantum Latii* habebant; ideoque *cives Romani*, si in *colonias Latinas* adscripti, *jus civitatis amittebant*. Hæ autem *jura* quidem *civium Romanorum* habebant, sed *privata tantum*; nec *censûs*, nec *suffragii jura*. Belli tempore milites, ex formula, dare tenebantur: ordinabantur autem eorum tum sacra, tum civilia, per curatores agrarios, qui illis decuriones, augures, & pontifices constituebant. *Census quoque per juratos censes*, ex formulâ, in coloniis agebatur. Senatum in coloniis constituebant

stituebant decuriones. Ex horum ordine sumebantur magistratus, quales erant decemviri, vel quatuorviri, vel seviri, qui alternis vicibus regebant; & juri dicundo præerant. Prætores etiam aediles, & quæstores magistratus eorundem erant proprii. Legibus utebantur Romanorum; licet & suo jure peculiari usæ, à triumviris lato. Habebant istæ quoque ex *illustribus Romanis* suos *Patronos*, ex instituto Romuli, qui *causam illorum in senatu agerent*.

(Struvii Histor. jur. p. 129, 130, ubi plur.)

• And now at length we are come to *our own country*; the government of which, being almost the only government in the known world founded upon the principles of universal liberty; and wherein slavery, and even vassalage, at length, is abolished by law: *resemblances*, if any can be found, would be most *apposite*; and consequently, the *argument from analogy* most *strong*.

It is very clear to me, that as our colonies are *not the colonies of antiquity*: so *neither* are they the colonies of *any modern nation*, our *own excepted*. And were I of the British colonies, I should be vastly inclined to drop even the name of colonist; and to style myself an *Englishman*, or *Briton*, of *North America*. They are our own flesh
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and blood; and if one may judge either from their *understanding*, their *courage*, or their *generosity*, some of the best amongst us. I suppose I don't exceed when I state the number of them, exclusive of the late conquered provinces, at two millions of souls, which are perhaps a fourth part more than Scotland, and equal in number to *Ireland*; and near a third part of the whole number of souls in England. I don't pretend to be correct in these numbers: but sure I am, I don't exceed: and I may be allowed to add to this sum, the people of the new acquired countries; and to remark in general, that the tract of land to which they seem to be intitled, is more than equal to two thirds of all *Europe*, put together; and may one day constitute the greatest empire in the world; when we of this island shall be sunk into ignorance, slavery, and barbarity, after our elders and our betters, the Assyrians, Persians, Greeks, and Romans. The idea of such an empire, though it were advanced no farther than an embryo, surely deserves to have some respect shewn to it; and even to have a ground of lasting friendship laid between us: and I suppose we shall not do it too great a favour; if we consider it at present, upon the footing of the neighbouring kingdoms of Ireland, and of Scotland; and from thence draw our analogy.

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In speaking of Ireland, it may be well to use words that are of more authority than our own. A learned commentator upon the English law, says, that “Ireland is *still a distinct kingdom*; though a dependent, subordinate kingdom——that in general, it agrees with England in it’s laws——that the *inhabitants* are for the most part *descended* from the *English*, who *planted it as a kind of colony*, after the *conquest* of it by Hen. II. at which time they carried over the English laws along with them.—And as Ireland thus *conquered, planted, and governed*, still continues in a *state of dependence*; it must necessarily conform to, and be obliged by such laws as the superior state thinks proper to prescribe.” At the same time, “Ireland hath *a parliament of its own*, and makes and alters laws; and *our statutes do not bind them, because they do not send representatives to our parliament*. But their persons are the *king’s subjects*, like the inhabitants of *Calais, Gascoigny, and Guienne*, whilst they continued under the king’s subjection.—It is true Poyning’s law (10. H. 7.) enacts, that all acts of parliament before made in England, should be of force within the realm of Ireland. But it follows, that no acts of the English parliament made since 10. H. 7. do now bind the people of Ireland; unless specially named, or included under general words:

words: and on the other hand it is equally clear, that where Ireland is particularly named, or is included under general words, they are bound by such acts of parliament." The declaration of 6 Geo. c. 5. is express, "That the *kingdom of Ireland* ought to be subordinate unto, and dependent upon the imperial crown of *Great Britain*, as being inseparably *united* thereto: and that the King's Majesty, with the consent of the lords and commons of *Great Britain* in parliament, hath power to make laws to bind the people of Ireland."

This in general: as to the particular branch of *raising money among the Irish*, I need not say what is the practice; and I suppose the British colonies would not object greatly to it. They would surely be content, and it is likely they will expect, that their *assemblies*, (which seem to be *parliaments* to all intents and purposes,) should be allowed to tread after the Irish parliament, in this essential act of freewill; as well as in certain steps of legislation. Our American children, being now grown to a state of *adolescence*; are grown to a *will of their own*: and, when they become men, it is probable they will exert it. In the mean time, if we are wise parents, we shall endeavour to direct their will to our mutual

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interest.—But enough of Ireland; and perhaps too much of the law concerning her, unless it were more consistent with itself: and to save time, I will suppose it is in any one's power, (that pleases) to compare these outlines, with what the same author says of the *American colonies*. (Vide Blackstone's Comment. p. 104, 105. join p. 93—102.) for I must hasten to pay my compliments to the twin sister of Ireland, the *bonny* SCOTLAND.

I hope the antient kingdom of Scotland will not be offended with an admirer of her virtues, who is about to compare her with the modern kingdom of North America. The former may be likened to a virgin at *her full age*, who being possessed of a fair inheritance, actuated by reason, and desirous of peace, security, and a happy offspring, hath wedded herself to a rich and powerful neighbour; and consequently joined his interest with her own. The latter is a girl *entering into her teens*, heiress to immense possessions, who will be tempted to flirt with the whole herd of political fops; and perhaps, may choose the least deserving for a partner; or else may pine away, in a fop-blown celibacy: whereas her guardians, if they are attentive to their duty, will rather

rather think of marrying her betimes into her own family.

Allegory apart! I beg leave to submit my opinion, whether the *American colonies*, and the *kingdom of Ireland*, ought not to be incorporated (both of them) with *Great Britain* without delay? and whether they are not intitled to as many of the twenty-five Articles of Union, as are suited to their respective circumstances?---Can we suppose, that our inveterate enemies the French, nay the whole Roman pale, are so blind as not to see where we are vulnerable? Was there not a time when they actually *bargained* for Ireland? and have they not often *played upon us* the notion of the independency of Ireland? What has since expelled them Scotland, but the arms of Great Britain exerted under a *parliamentary union*? and what but an *equitable and parliamentary union*, can prevent North America from struggling for a rational independency? and may not, nay will not, our enemies avail themselves of any struggle; perhaps, to our destruction? Were I an American, I would endeavour an union; were I an Irishman, I would beg it; as I am an Englishman, I pray for it.

And, surely, there is no difficulty in the affair. Is it not in the power of the crown to effect it? Has not his Majesty a right to the advice of the whole community? and is he not able, jointly with his parliament, to call to this, his great council, *additional representatives*, upon an equitable plan; who may thenceforward be, and continue, one with the whole?

The feasibility with respect to Ireland, has already been proved, in times which are not without instructive examples. And suppose, (which I mention with entire submission, and only to excite a better, and more rational scheme,) suppose, I say, under the blessing of Providence, a *limited number*, viz. thirty or forty respectable persons, from the several provinces and capital towns of America, and a suitable number from Ireland, were now called to the House of *Commons*; and one third of that number, to be also *limited by parliament*, were called to the House of *Lords*; and every one meet, as there is no doubt they would, upon an *honest plan*: what Frenchman, nay what demon, could obstruct an union, or blast the prosperity of united empire?

As the matter now stands, are we not a jumble of discordant atoms, in a state of
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primeval chaos, without form, and void even of the first principle of *civil existence*, which is *unity* of commonwealth? But when that darkness which seems to dwell upon the face of our deep, shall be scattered by the breath of Wisdom; will not truth and order, and the all benignant sun of liberty burst forth, and actuate the mass? Are not *civil and religious liberty*, the sun of the rational world, which hath been eclipsed by the magicians of the earth, in its progress to the western hemisphere? and shall we, who have been blessed with a genial ray, consent to spread the horrid veil on the face of a new world, planted by our own children, watered with our own blood, and ready to burst forth into a most fragrant spring, with all its hopeful train of blessings?

What will any *family* compact, which with the iron hand of tyranny grasps even mighty nations of slaves, avail against a *national* compact of free men, acting in the form of a mixed monarchy? Nay, were we to suppose France and Spain in a state of freedom, (which may one day be the case;) what would they be, measured against the united kingdoms of the British Islands, and North America? Is not nature against
France

France and Spain? Is not their situation against them? and do not facts enable us to say, that with regard to empire, their star is set; to rise no more, if virtue be not wanting on our part?

But it is time have done,

DIXI.



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