

AN  
IMPARTIAL SKETCH  
OF THE  
DEBATE  
IN THE  
HOUSE OF COMMONS

OF  
IRELAND,  
ON A MOTION MADE ON FRIDAY, AUGUST 12, 1785,

BY THE  
RIGHT HONOURABLE THOMAS ORDE,  
SECRETARY to His GRACE  
CHARLES, DUKE of RUTLAND,  
LIEUTENANT-GOVERNOR, and GOVERNOR-GENERAL,

FOR LEAVE TO BRING IN

A BILL

For effectuating the Intercourse and Commerce between *Great Britain*  
and *Ireland*, on permanent and equitable Principles, for the mutual  
Benefit of both Countries.

Together with an impartial SKETCH of the principal SPEECHES  
on the Subject of the BILL, that were delivered in the House on  
*Monday, August 15, 1785.*

And a Copy of the BILL presented to the House of Commons of Ireland, of  
the Eleven IRISH PROPOSITIONS, of the TWENTY RESO-  
LUTIONS of the British Parliament, the ADDRESS of both Houses of  
that Parliament to the KING, and his MAJESTY'S ANSWER.

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By WILLIAM WOODFALL.

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L O N D O N;

Printed and sold by W. WOODFALL, No. 62, Dorset-street, Salisbury-square;  
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M.DCC.LXXXV.



Houses of the Oireachtas



## To the P U B L I C K.

THE magnitude and importance of the subject in negotiation between the Parliaments of Great Britain and Ireland, and the extreme desirableness that the two kingdoms should clearly understand each other, were the considerations that first suggested to the Reporter the idea of paying a visit to Dublin, with a view to endeavour, as far as his abilities and judgment would enable him, to collect and to state the sentiments of the Representatives of the People of Ireland, individually delivered in Parliament upon so interesting an occasion. He flattered himself, that if he should have the good fortune to prove, in any degree, equal to the task, he should perform an acceptable piece of service to both countries; and he was the rather induced to undertake it, from the acknowledged want of a publication, that either professed or attempted impartially to report the general turn of the arguments upon each side of any question, that came under discussion in the House of Commons of Ireland. Under these impressions he attended the debates, of which he has aimed at giving a sketch in the following pages; and he trusts, that, however deficient in point of execution the publication may appear, there will not be found in it the smallest portion of prejudice or party colouring. In order to render his sketch as authentic as possible, he has spared no pains to procure every assistance within his reach; and, he is proud to acknowledge, he has been honoured with a very considerable share. It is necessary, however, that he should signify, that he has rather sought to collect the sentiments of the Speakers, than fastidiously endeavoured to affect a superior degree of accuracy, by stating minutely the trifling occurrences incident to all, and inseparable from most debates, that run into any length.-----Hence he has purposely omitted to enumerate every single and specific interruption given to Gentlemen while on their legs, and has merely noticed such as contributed to elucidate the argument, and to explain the particular fact, to which they alluded. He has, also, contented himself with  
stating



stating on which side of the question several Gentlemen spoke, whom he either heard indistinctly, or who did not accompany the delivery of their opinion with any arguments or observations that were new, or more pointedly applied than they had been before by other Speakers. If it shall be found, that he has neither marred the meaning, nor weakened the reasoning of those Gentlemen who principally distinguished themselves on each side of the question, and that the sense of the debate, in general, is fairly and substantially conveyed by this publication, his object and his design will have been fully accomplished.

☞ *In order to give the Reader a complete idea of the Parliamentary Proceeding respecting Ireland, a copy of the BILL, introduced by Mr. O R D E, a copy of the ELEVEN PROPOSITIONS as they were sent from Ireland to Great Britain, and a copy of the TWENTY RESOLUTIONS of the two Houses of the British Parliament, with their joint ADDRESS to His MAJESTY, and his Majesty's ANSWER, are annexed.*

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E R R A T A.

Page 29, line 21, for *the extension*—read, *the extinction*.

Page 33, line 37, for *God—the community*—read, *God and the community*.

Page 59, l. 7, for “*envelope*”—read, “*enveloped*.”

Page 64, after *East-Indies*, in the 2d line, add, “*during the existence of a chartered company, and from ever carrying on a trade to those parts, even after its expiration, except under British regulations.*”

Page 184, l. 10, “*for* “*Let us tell them*”—read, “*Let me tell them.*”

Page 189, l. 25,—dele “*he observed.*”

Page 190, lines 29 and 30, instead of “*The Bill regulated their trade universally with Portugal, with Spain, with all the world;*” read, “*The Bill subjected to British regulations their trade in the produce of their colonies, with Portugal, with Spain, with all the world.*”

Page 194, l. 3, “*When known, and Ireland unprejudiced*”—dele *and*.



# S K E T C H

O F T H E

D E B A T E,

On FRIDAY AUGUST 12, 1785.

**M**R. *Orde* began with observing that the task he had to perform was extremely important and extremely delicate; he said, he was glad however that the time was come to put an end to doubts and misrepresentations, and to prove the consistency of his conduct in not offering to the House any thing disagreeing with the declaration that he had so often made; That he never would bring forward any thing that was an infringement of the constitution of Ireland. He had on all occasions, he would readily acknowledge, received a peculiar degree of indulgence from the House, but he that day stood in need of a more than ordinary share of that indulgence, as he really felt great pain in rising; not that he had any doubts of the merit of the Proposition he had to offer, but his embarrassment arose from a consciousness of his own inability to do it justice. In considering it, every man ought, he said, to divest himself of what he had already heard, to throw aside all prejudice and to come to the discussion with his mind open and free from bias of every kind. For his part he would not attempt a parade of words; plausibility was necessary where there was a doubt of truth, but on the present business there was not any occasion for it—he intreated therefore an impartial hearing. A Requisition he was induced to make, from the great degree of misconstruction that had gone abroad, as well as manifested itself in that House on various recent occasions. He apologized for standing forward, declaring, that the charges of contradiction that had been advanced against him made it necessary; he therefore avowed his real responsibility for the measure he should propose. He said this to avoid misrepresentation; he spoke to Ireland, and he wished to be heard in Great Britain, because there was nothing that he dared not honestly avow, nor would he propose any thing, that he was not convinced would conduce to the benefit of Ireland. He stood there the assertor of the justice and fairness of the  
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proposition he should have the honour to offer, and he begged to be understood, as not acting merely officially, but that his heart went with it. If it did not, he would not have endeavoured to bring it forward, as it was impossible for him to have any other object in his perseverance, but credit and the satisfaction of doing what was right; indeed upon no other ground could he expect the support of his friends. In order to state the question fairly, it became necessary for him to take a review of what had been done; but before he did so, he thought it right to say a few words on the subject of the Propositions; as to the House being pledged to the Propositions as originally voted, no Gentleman could assert that they were to be considered in that point of view; it was impossible but that some shades of difference should appear in the Resolutions upon the table, but the substance of the Propositions the House yet had it in its power to maintain. He would not, he said, move that the Address of the last session should be read; the House need not be reminded of it, nor of any of their own past proceedings on the subject. The House was not in consequence pledged to particular points, though it was to preserve the substance of the Eleven Propositions, because that would have been to have precluded all discussion in England. With regard to government's being pledged to any thing, he begged leave to remind the House, that the business had been undertaken at their desire by the government on both sides of the water. The Eleven Propositions of the Parliament of Ireland were indeed a ground-work on which Government wished to lay a fair foundation for an edifice to be erected for the purpose of containing an inexhaustible store of benefits and happiness for both countries, and he still hoped to see it brought to perfection. Other materials had however since been added, but they were congenial to the first, and if properly arranged, the only business that would remain to be performed would be, for the wisdom of the legislatures to form a pile from the general mass, and cement it together, so that it might defy the injuries of time and last for ever. The Bill that had been brought into the British Parliament by the Minister gave them an idea how the business stood in Great Britain, and the Bill that he should move to bring in, would give the House a full idea of the business as it stood there. One complaint that had been made, had not, he said, been well founded, namely, that they had not heard



heard evidence upon their resolving the Propositions at first. In order to examine and ascertain the validity or invalidity of this complaint, it was indispensibly necessary to consider the essential difference between the two countries. What came from that House, in the first instance, was to be a Proposition to England as the foundation of a treaty, and in the nature of things, concessions were to be made on the part of England, and their question was, what they could concede? Hence the Proposition of Ireland was before the Parliament of Great Britain for explanation on certain points, and for arrangement on others, to which England was to answer, that all might be drawn into form; thence it became indispensibly necessary for Great Britain to go into evidence, though it had not been necessary for Ireland to do so. Their Propositions had arisen from an Address of that House at the close of the last session, and Gentlemen would recollect, that the circumstances which led to that Address, and in which the present government upon its arrival found the kingdom were such, that it was impossible to proceed without some system to rescue the country from so much uncertainty and distress. Government therefore, at the desire of that House, had taken up the present measure; for one he had approved of it, and given it his consent, but Gentlemen would recollect it was a proposition of expectation from the other side; almost every part of it led to concession—it was all beneficial to Ireland, and therefore they were almost unanimous.

On this account it became necessary on the other side the water to investigate it with more attention, and to consider what they should concede in a system, which at least the force of prejudice taught them to look upon with apprehension. Much consequent discussion ensued, and Twenty Resolutions, containing the whole purport and spirit of the Eleven Propositions of Ireland, together with the conditions on which England was ready to assent to them, had been passed, and had been brought into the English Parliament in the form of a bill. Such modifications as had been made in the British Parliament must necessarily have arisen out of the Propositions. The question had been different there from what it was in Ireland. The question in Great Britain had been, how far they could go towards agreeing with the Eleven Propositions. The result, however, after all the modifications and conditions, the British Parliament had thought necessary had been a Bill, the foundation of which



was acknowledged to be the Irish Propositions. Having succeeded so far as to bring in a Bill, Ministers had stopped in order to submit the system to the consideration of this country, and had waited its decision, that they might not seem to carry the system without its consent, but to proceed according to its opinion, hoping to bring the whole to an unanimous conclusion. He would therefore advise that their proceedings should be brought into a similar shape; and as some explanations were certainly necessary on their part, that they should put the whole together for comparison; for which reason a Bill was necessary. After bringing in a Bill, and printing it, it was his intention to pause, in order to know the sentiments of the country respecting it. Thus they would bring their proceedings to a point in like manner as the British Parliament had done, and see what remained between the two countries that prevented an agreement. To this mode of proceeding he saw no real objection, but had heard many suggested. It had been said that it would preclude examination and was hurrying the business; an assertion, that he begged leave to deny, because, so far from hurrying the business, he wished for more deliberation. He would move for leave to bring in a Bill, under the title of, “ a Bill for effectuating the  
 “ intercourse and commerce between Great Britain and  
 “ Ireland on permanent and equitable principles, for the  
 “ mutual benefit of both countries.” This would put the matter in train for general information and investigation, and would leave it open for the collection of general opinion; a bill so introduced could not pass in either country, but that the general opinion might be known. As to the Bill’s pledging Ireland, as it had been said, and that Great Britain would still remain free while they bound themselves, and likewise that it precluded examination, that was not the case. He should be sorry, indeed, to hurry it after deliberation on the other side the water. He wished to follow the example of the English Parliament, and that the House might decide on the best information to be had, let them hear every person who wished to be heard,—let them receive every petition that could be brought, and let them listen to all the evidence that could be offered. For all these reasons he proposed proceeding by Bill, and when the Bill was before them, they should be no longer harrassed with ill-founded apprehensions.

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The Resolutions they had voted were, he said, loose in their nature, and would be useless after a Bill was brought in. It was also to be remembered, that they were not of record, and that they had been used here merely to collect the general sense of the country. It must further be owned that a Bill was necessary in order to avoid misrepresentation and to bring the matter to a precise point. He spoke of the allowance for intension between two sister and not two rival kingdoms, that ought to be entertained, and said he trusted that the House was determined at all events to judge from reason and not from prejudice. On his part, he promised them that he would propose nothing against the constitution; he had no authority to introduce any thing that would bear an interpretation of that sort; so far from it, he should act against authority if he attempted it. But it really was not in his contemplation, and he was extremely anxious to prove it, by explaining the features of the Bill, to which he begged leave to invite examination, and to desire a full, a minute, and an impartial scrutiny into all its parts.

As to the objection that a Bill would pledge the country, he must observe, the passing a Bill on either side, amounted to nothing more than a proposition drawing nearer to a point upon which each might form a more accurate decision. What he should propose was, a conditional Bill which must be again confirmed before it could pass into a law: To this he could conceive no objection, as any change to be made on the other side of the water must necessarily be in favour of Ireland. The Bill was to be formed on the principles of their own Resolutions, and whatever modifications, alterations, and additions had been already made to those Resolutions, would, he doubted not, appear to be for the mutual benefit of both countries. He trusted that a Bill so formed, could not fail to preserve the commercial interests and constitutional and legislative rights of Ireland.

Having endeavoured to press this idea very forcibly on the House, Mr. Orde desired to remind gentlemen of the necessity which appeared to form some liberal system, in order to ascertain and regulate the future commercial connection between the two countries. He reminded the House of the Resolution of the British parliament on the 17th of May 1782, which was unanimously agreed to, and was conceived in the following words:

That it is the opinion of this House, " that it is indispensable to the in-  
 " terest



“ interest and happiness of both kingdoms, that the connection between  
 “ them should be established by mutual consent upon a solid and perma-  
 “ nent footing; and that an humble Address shall be presented to his Ma-  
 “ jesty, that his Majesty will be graciously pleased to take such measures as  
 “ his Majesty in his royal wisdom shall think most conducive to that im-  
 “ portant end.”

nor was he said, the necessity of the establishment of some liberal system more manifest than the good consequences that must necessarily result from it. He mentioned the uncertainty on points of trade that at present existed, and its bad effects. It cramped, confined and kept back the industry of the people of Ireland, and materially affected and injured the interests of the empire. He stated the nature of the connexion between Great Britain and Ireland in commercial affairs, describing it to be a state of rivalry, at which Foreigners only could rejoice, and shewed how indispensibly necessary it was to draw the two kingdoms closer in commercial respects. The state of different countries and of our own, made it, he said, the mutual interest of Great Britain and Ireland not to continue rivals. Indeed they could not remain as they were, and it was from its being the sense of the House that they could not, that the Address of the last session had been voted, and in consequence of that Address the eleven Propositions. The object of the Propositions had been to open each country to the other, and to form a partnership and common cause between them; to make a free intercourse between both, by removing prohibitions and prohibitory duties, and to induce Great Britain to agree to a share of equality on imports and exports, and a due and equally favourable construction of the navigation act. He pointed out the advantages that Ireland would derive under the operation of a system like that which he had described. She would obtain security and permanency to the benefits of intercourse with Great Britain, in exports to it and supply from it. It was sufficient to mention the article of coals to illustrate the extent of this benefit. She would also receive the materials of manufacture, and a constant preference would be given to her produce, though in some respects at the expence of Great Britain. This it was needless to add would be peculiarly advantageous to her staple manufacture, the manufacture of linen. It was proposed that a return should be made on the part of this country, by a fair and equal assistance to the strength  
 of



of the empire, and that by an appropriation of the surplus of the Hereditary Revenue, subject to limitations and conditions.

Having said a few words upon this point, he observed that other matters had been mentioned for arrangement, though that arrangement had not been completed. The East India trade, he said, was proposed to be placed upon an equal footing between the two countries. By this, he meant to be carried on upon the same principle, by both, as far as the exclusive monopoly held by the East India company would permit. These were, he declared, the circumstances under which the Propositions had been made to England for the assent of the British Parliament. He considered the Resolutions here as a Proposition only with the concurrence of the government and the approbation of Parliament. For his part, he said, he could have wished that still more liberal terms of adjustment could have been consonant to the feelings and supposed interests of both countries. His ideas and his hopes had gone to open ports, and a total dereliction of duties between the two kingdoms. He could have wished that every sort of distinction was wiped away, and a full and free community of rights and commerce established between them. But as the different circumstances of each and the different maturity of their trade rendered such an adjustment impracticable, it was necessary to look out for something near it, and the next best system that could be adopted, undoubtedly was, a principle of equality established on a certain standard. The carrying this idea into effect was not, he said, without its difficulties; but it was easy to account for the alarm with which the system had been received in England. Particular interests were naturally alarmed, and it was necessary to attend to them in some instances, not less than to resist them in others. Individuals there naturally looked at their own private aims, and not at the general advantage. Numberless complaints had in consequence been made against the system, and the minister had been obliged to listen to those complaints, tho' the instances in which he resisted, outnumbered those in which he gave way. His situation however, had been extremely arduous, his chief view having been to please and to do justice to both kingdoms.

Notwithstanding all the alterations and modifications that had been made, Mr. Orde said, the system was still as advantageous to this country as it ever had been before. Another difficulty,



difficulty, that presented itself in the way of the minister, had been the conduct of the opposition in both Houses of the British Parliament. They had endeavoured to increase the minister's embarrassments, by adding to the alarms and apprehensions that prevailed without doors, and by a declaration that they held it to be their duty to consider the interests and advantages of Great Britain alone, and thence had determined never to do any thing that might advance the interest of Ireland. He alluded to the insidious amendments that had been offered by the opposers of government, and stated what had been the minister's conduct throughout the whole of the proceeding. He asked, did it appear that the minister had, on any point, given way unnecessarily? on the contrary, was it not evident that, actuated by the most liberal principles he had uniformly stood up the advocate and friend of Ireland, conscious that, in that character, he could best promote the mutual interests of the two kingdoms? After all, he could venture to say, that little or no diminution to the interest of Ireland would follow, from the alterations that had been adopted, though a gratification had been afforded to England by the guards and reserves that had been provided, the nature of which arose from the nature of the agreement endeavoured to be effected between two countries so situated. They ought not, he said, to enter into a detail till they had fixed a point to which they could refer the whole, and, therefore, a bill was the properest mode of proceeding. It was their duty, at the present moment, to take a large view of the business, and not to dwell on the consideration of minute particulars. It was necessary to consider the great object, to hold in view the mutual benefit on the whole, and to regard the increased ability and importance of the empire. In short, it was necessary to fix the general principle before they proceeded to detail, as such an equality as was meant to be the basis of the system, was to be found rather in large masses than in fractions. Hence the comparison of smaller articles with each other was wrong, as it could afford no just criterion of entire equality. From a view of the English Bill, he said, he was encouraged to propose such provisions as might carry into effect almost every essential point of their own Propositions. He would speak of the surplus of the Hereditary Revenue hereafter. Great alarms, he observed, had been taken at the multiplication of the Resolutions, from eleven to twenty; But it was to be remembered that various amendments



mendments had been proposed, by opposition, in England, and some of them carried, which necessarily increased the number of the Resolutions; because the system, in consequence, became so involved, that it had been the boast of opposition, that, by their alterations and additions, they had effected their grand purpose of perplexing the business, and of creating discontents in Ireland, without allaying those that existed in Great Britain. He trusted, however, that their aim could not succeed and that he should be able, in the course of the business, to expose their mischief and misrepresentations. Much, indeed most, that had been said in objection to the present state of the business was, that there were conditions annexed to the original Propositions; they would, hereafter, see what conditions opposition would have introduced, that were inadmissible. As to the constitutional and commercial rights of Ireland, many additions had been proposed in the British Parliament that would have invaded both. He would propose none to that House which might not arise fairly and justly from the system, and be considered as a necessary consequence of it. It had been made an objection, that the conditions had not been mentioned there first. In answer to that, it was to be urged that the Propositions from thence had been agreed to upon certain conditions which did not diminish their advantages: and this, he trusted, would be admitted, if he could prove that we should have a full participation of the trade and commerce of Great Britain on similar conditions with herself; and, that could surely never be considered as a question of Constitution or Legislation. In order to explain and elucidate this argument, he went into a statement of the conditions in question, and proceeded to justify and defend them. They differed not, he said, from the conditions of the former colonial settlement in 1780, as to principle, but only in extent; there was nothing new in them, except as circumstances had improved for Ireland. The system of arrangement would give that country a larger right to colony trade, and, consequently, it was necessary to accompany it with more extensive conditions. He asked how it was possible for conditions to be avoided under any new arrangement whatever. Would the House have wished to have avoided all conditions? Suppose that the ten resolutions, originally voted, had passed solely, must there have been no essential conditions? Was not that the spirit of the whole, as binding on both, as supposed to bind to per-

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manency by mutual interest? Were not they to exact an engagement of conditions from Great Britain? Was she not to make it a condition to admit Irish goods at their own duties, to reduce her duties in divers instances, and to conform to a variety of stipulations? Was not this to be a mutual legislation? Did not Ireland legislate for Great Britain in the Propositions? Was it their meaning to make no condition, and only to take away all power of legislation from Great Britain, to forbid her to lay duties on the export of coals, on the import of linens, &c. &c.? The thing could not exist without conditions; their trade was now under conditions by the agreement of the year 1780: conditions, exactly similar in nature as far as they went, and therefore there was no question at all in the present instance of legislation or constitution. The question was merely of the goodness of the bargain—a question which could be ascertained only by an examination of the bill, as there was no occasion for pedantic reference to treaties or compacts, nor no necessity, in their case, for example. He advised them to consider what the conditions enabled them to do: so far from binding their posterity, they did not even bind themselves irrevocably. The conditions were optional; Ireland had a constant annual option of renewing laws for duties. He wished the country always to have the liberty of parting with the arrangement rather than submit to what she thought inconveniences. He was, nevertheless, not afraid that this would destroy the permanency of the agreement, because the nature of the permanency was *mutual benefit*. That was the foundation; that must be the cause of continuance; that must perpetuate the compact. He said he was glad to see it so, and that there would be a concurrent power in both countries to judge of the whole and any parts. The additions were, certainly, for the advantage of Ireland, as they gave her a greater power of determining for herself than before; therefore, he declared he had no dread of these conditions, nor could he be at all afraid of any resolution like that offered to be moved the preceding day, asserting the public independence of the legislative rights of the Parliament of Ireland. But, when he had stated the Bill, and especially that part of it, he trusted it would be found that such a resolution would be either nugatory or perfectly unnecessary.

Mr.



Mr. Orde next proceeded to an investigation of the eleven Propositions of Ireland, and twenty of Great Britain, in order to shew that they differed more in *form* than in *substance*. He began by considering the nature of the navigation acts, as adopted by Mr. Yelverton's Bill, and to prove that England was now proceeding consonant to the spirit of that Bill, but upon an enlarged scale, and much more to the advantage of Ireland, he read an extract from the intended Bill to the following purport :

“ And whereas by an act passed in this kingdom, in the 21st and 22d years of his Majesty's reign, intituled, An act for extending certain of the provisions contained in an Act, intituled an Act for confirming all the Statutes made in England, reciting “ that it is the earnest and affectionate desire, as well as “ the true interest of his Majesty's subjects of this kingdom, to promote, as “ far as in them lies, the Navigation, Trade, and Commercial Interests of Great “ Britain, as well as Ireland, and that a similarity of laws, manners, and “ customs must naturally conduce to strengthen and perpetuate that affection “ and harmony which does, and ought at all times to subsist between the “ people of Great-Britain and Ireland;” it is enacted that all such clauses and provisions contained in any statutes theretofore made in England or Great-Britain, concerning commerce, as import to impose equal restraints on the subjects of England and Ireland, and to entitle them to equal benefits; and also all such clauses and provisions contained in any statute made as aforesaid, as equally concern the seamen of England and Ireland, or of Great-Britain and Ireland, save so far as the same have been altered or repealed, should have been accepted, used, and executed in this kingdom according to the present tenor thereof respectively.

“ In order therefore to carry into further effect the earnest and affectionate desire of his Majesty's subjects in this kingdom to promote the navigation, trade and commercial interests of both kingdoms; and in order to provide for securing to the subjects of both a full and equal enjoyment in all times to come of the exclusive privileges of the trade and navigation of the empire,”

“ Be it declared by, &c. That that it shall be held and adjudged to be a fundamental and essential condition of the present settlement, that all privileges, advantages and immunities, which are now, or may hereafter be enjoyed, by ships built in Great-Britain, or by ships belonging to his Majesty's subjects residing in Great-Britain, or by ships manned by British seamen, or by ships manned by certain proportions of British seamen, shall to all intents and purposes whatever, be enjoyed in the same manner, and under the same regulations and restrictions respectively, by ships built in Ireland, or by ships belonging to any of his Majesty's subjects residing in Ireland, or by ships manned by Irish seamen, or by ships manned by certain proportions of Irish seamen; and that all laws which shall hereafter



hereafter be enacted by the Parliament of Great-Britain for securing exclusive privileges, advantages and immunities to the ships and mariners of Great-Britain, and of the British Colonies, Settlements and Plantations, shall secure the same privileges, advantages and immunities, in all respects, and in as full and ample manner to the ships and mariners of Ireland, as to the ships and mariners of Great-Britain, and of the British Colonies, Settlements and Plantations; and that the like exclusive privileges shall from time to time be confirmed and secured in the same manner, and under the same restraints and regulations, in this kingdom, as in Great Britain, to the ships and mariners of Great Britain, Ireland, and the British Colonies, Settlements and Plantations.

“ And be it declared, that it shall be held and adjudged to be a fundamental and essential condition of the present settlement, that Irish sail-cloth shall be deemed British, within the meaning of every act, respecting the furnishing of ships therewith, and be entitled to equal preference or advantages as British, for the use of the British navy.”

Having read these clauses from the manuscript, Mr. Orde proceeded to state his Bill as applying to the eleven Propositions: he began with reading the first, which was a general idea comprised in the title of his Bill; he next spoke of the second, which had been adopted and put into effect by the Bill, except with respect to East-India goods, which was provided for in a subsequent part of it, as he would state in due order. When he came to the fourth, he read the English Resolution of May, 1782, respecting the connexion between the two countries. By the seventh, prohibitions, meeting prohibitions were expunged. This was in favour of England, with regard to woollens and wool; but he must observe that no new Prohibitions were henceforth to be laid, and thence the result would be in favour of Ireland. The linen was to be secured, duty free, for ever, into England, and, therefore, they gave her the wool; they secured, also, the supply of coals, hops, salt, and bark to this country. The ninth, under which an effectual preference was to be given to articles of the growth, produce and manufacture of each country, afforded a security to the linen manufacture of Ireland. He considered the tenth Resolution as connected with this system; and that the eleventh was a pledge for the performance of it. That resolution he should propose under the limitation and condition under which it had been confirmed in that House. He said, the amount of the surplus of the annual revenue was to be taken, not from the actual receipts and expenses, but from an annual estimate, backed by the opinion  
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of that House in an annual supply; he explained this by stating that the surplus of the Hereditary Revenue, being to be made an object to be appropriated to the strength of the empire, by its being applied towards the annual expence of the navy, he should propose that it should depend upon the estimate of expence agreeing with the report of expence; and if there were any excess, it should be deducted out of the surplus of the Hereditary Revenue. This he should propose the more readily, because if there should be any excess, it must be the fault of government. Having said this, he took notice of some opinions that had been explained and suggested in the house on a preceding day, on the subject of the conduct of the Parliament of Great Britain touching the tenth Resolution, and assured the house, that those opinions had been erroneous and ill-founded. There had, he admitted, been a difficulty in wording the Resolution, and an offer had been made of an alteration in respect to its constructive and phraseological arrangement, but that had been abandoned on the idea, that it was most adviseable to refer to the Parliament of Ireland for an explanation of its own Resolution. He desired to add, that it was his wish that nothing should be considered as complete on either side, till a mutual declaration of perfect satisfaction with the conditions and every part of them should have passed in the Parliaments of both countries respectively. By this means there would be to the last moment a fair and full opportunity for explaining doubts and removing difficulties, if any should arise, or be started in the course of the discussion, that the introduction of a Bill would necessarily introduce. It only remained for him, he said, to mention the particulars added to the Bill, which tended to nothing but necessary securities to Great Britain. Ireland, he was persuaded, was not so unreasonable as to desire a participation of benefits on other terms. Most of these securities were obviously proper, and had only in view the prevention of smuggling; but he would not take up the time of the House, by going into a detail of those additions to his bill that related to smuggling. It was, a common cause between the two countries. The Minister, he observed, had not interfered with the foreign trade of this country, except as far as was absolutely necessary in protection of the produce of the Colonies of Great Britain, and as that trade was given as an indulgence to Ireland, the condition of preference was founded



founded on a principle of fairness and equality, but in point of trading with America as a foreign country, the Bill would in no respect interfere with the rights of Ireland. The condition of 1780 was, he said, the same as the conditions of the present adjustment, by the arrangement then the duty was reserved to Great Britain; but by the present arrangement the two countries would be further put upon an equal footing with respect to imports. They would also, as he had stated, have a security of that Colony trade, which was not, by the agreement of 1780, permanently secured to Ireland, and the security of their linen trade into Great Britain, would likewise be effectuated. In his Bill, he said, it was intended that there should be an exception respecting the duty on rum, which should continue to stand as it did before, and as it did at that instant. He spoke of the mode of enforcing this and other covenants, and read the following clauses of his Bill :

Clause 17. And be it further declared and enacted, that it shall be held and adjudged to be a fundamental and essential condition of the present settlement, that the people of this kingdom now and at all times to come, shall have the benefit of trading to and from the British Colonies and Plantations in the West Indies and America, and to and from the British settlements on the coast of Africa, and in all articles of their growth, produce, or manufacture, in as full and ample manner as the people of Great-Britain; and shall likewise have the benefit of trading in the like ample manner to and from all such Colonies, Settlements, and Plantations, which Great-Britain may hereafter acquire or establish; and also to and from such British settlements as may exist in the countries beyond the Cape of Good Hope, to the Straights of Magellan, whenever the commerce to the said countries shall cease to be carried on by an exclusive company, having liberty to import into the port of London only, and therefore that the commerce to and from the said Colonies, Settlements, and Plantations, shall at all times be carried on between Ireland and the said Colonies, Plantations, and Settlements, under the like regulations, restrictions, and prohibitions, as between Great-Britain and the said Colonies, Plantations and Settlements, and so that all articles imported from the said Colonies, Plantations, and Settlements, into Ireland, shall be made subject to the same duties as the like articles are, or from time to time shall be subject to on importation into Great-Britain; and that all articles exported from Ireland to any of the said Colonies, Plantations and Settlements, may be made liable to such duties, and entitled to such drawbacks only, and put under such regulations as may be necessary, in order that the same may not be exported with less duties or impositions than the like articles shall be burthened with when exported from Great-Britain, and that the importation of the articles of the growth, produce or manufacture of the said Colonies, Plantations  
and



and Settlements in America, the West-Indies, and the coast of Africa, shall be favoured by this kingdom in as full and ample manner as by Great-Britain, against the interference of similar articles from foreign colonies; and that the importation of such articles of the growth, produce or manufacture of any British colonies or settlements beyond the Cape of Good Hope, to the Streights of Magellan, shall be favoured in like manner as by Great-Britain, against the interference of similar articles from any countries beyond the said Cape to the said Streights.—And be it therefore enacted, that such persons to be appointed as aforesaid, shall prepare a like schedule or schedules of such duties, prohibitions and regulations, as may now be necessary for the said purpose, respecting the British colonies and plantations, the West-Indies and America, and the British settlements on the coast of Africa, to be laid before the House of Commons of this kingdom in the next session of Parliament, or as soon after as conveniently may be.

Clause 18. Provided always, and it is hereby declared and enacted, that it is not essential to, nor is it intended by the present settlement that any duty should at any time be imposed on the exportation of linens or provisions from this kingdom to any British Colony, Plantation or Settlement, or any additional duty on the importation into this kingdom of rum from any such Colony, Plantation, or Settlement, or of any material of manufacture which is now or may hereafter be allowed to be imported duty free, into either kingdom.

Clause 19. And be it declared, that it shall be held and adjudged to be a fundamental condition of the present settlement, that all rum, peltry, whale-fins, or oil imported from the countries belonging to the United States of America, or as the produce of fisheries carried on by the subjects of the said States, shall be subject to the same duties on importation into this kingdom, as the same are or may be subject to on importation in like manner into Great-Britain. And be it therefore enacted, that the persons to be appointed as aforesaid, shall prepare a schedule or schedules of such duties as may be now necessary to be imposed for that purpose, and lay the same before the House of Commons of this kingdom on the first day of the next session of Parliament, or as soon after as conveniently may be.

While America remained a Colony, trade with her, Mr. Orde observed, had been granted to Ireland. Now, that America was independent, it must be considered as a foreign state, and the trade was free, only a protection was afforded by this arrangement to certain enumerated articles, such as Oil, Peltry, Whale Fins, and New-England Rum, of which a compleat supply could be had. He begged however to be fully understood, that the question of the constitution had never been wished to be disturbed or interfered with; and, if the house would refer to the British Bill, they would see that it was proposed to make it



it a fundamental and essential condition of the settlement, that the full right of the participation of trade with the colonies of Great Britain, as well the present as the future, should be made its great object. The house therefore would consider, that so long as that should be enjoyed in Great Britain, in whom most indisputably and of necessity existed the regulation, Ireland would enjoy the same benefit. He would here repeat, and he said he could not too often repeat, that the conditions of the system were purely optional, yet they certainly would be expected to be complied with, till Ireland should refuse to continue to enact in conformity to them, when she should be of opinion that they became detrimental to her interests; notwithstanding which option he declared, he never would desert this rooted persuasion, that the system would be lasting between both countries, because it was founded on mutual benefit. There were some few particulars, he said, that still remained to be mentioned, which were among the advantages that would result from the system to Ireland. He alluded to the export of Irish sail-cloth, (the clause of the Bill that referred to which, he had already repeated) and said, what would be proposed would remove a distinction, and enable Ireland to furnish British ships with Irish sail-cloth, as it was in future to be considered as British sail-cloth; he also again alluded to the export of linen and provisions, duty free, and the trade to the Colonies, both at present and in future, given in full possession, the equal right of fishing upon the Coasts of Great Britain, &c. &c. He observed, likewise, that what the English had done with regard to copy-rights and patents might possibly be thought proper to be imitated by the Parliament of Ireland; but that would remain for their future consideration. With regard to the East Indies, he said, it had been the wish of Government to have put that trade upon a footing of mutual participation, but, for obvious reasons, such an idea was found to have been impracticable. The House, he had no doubt, therefore, would agree with him, that respect must be paid to the charter of the East-India Company. Hence by the Bill Ireland was to trade with the East-Indies in like manner as Great-Britain did, but when there should be no chartered Company she would trade with the East-Indies exactly as she traded to the other British Colonies. But there was one most essential advantage which the Bill gave Ireland in this respect, and that was,



was, the Bill allowed the export of Irish produce and manufacture to the East-Indies, as freely and as fully as British produce and manufacture. He stated this advantage alone to be of more value than all Ireland gave up, since she could not enjoy it if she did not give it up: nay, so beneficial to her did it appear to him, that he thought it more so, than if Ireland took the trade to the Indies wholly upon herself on the same terms as Great Britain now held it.

Mr. *Flood* asked the Right Hon. gentleman, if his Bill was a copy of the Bill that had been introduced in the British House of Commons by the Minister?

Mr. *Orde* replied, nearly.

Mr. *Flood* wished to know what the differences were, and to have them pointed out.

Mr. *Orde* then said, it differed in some points, but it agreed in essentials, and in making it a condition that Great Britain should extend all the advantages of her trade, commerce, and navigation laws to Ireland. If any thing of doubt now remained on the mind of any gentleman, he had only to lament that he had in vain endeavoured to put every thing in the clearest point of view, and he must say again and again that it never was, never had been, nor never could be intended, that Ireland should abandon in any sort whatsoever her constitutional right of legislating exclusively for herself, both externally and internally. But to put it out of dispute, he would end with reading the concluding clause or two of the Bill which must, in his opinion, remove all apprehensions with regard to the Constitution: for, though he thought those apprehensions unnecessary, he could have no hesitation to satisfy scruples that were so extremely honourable; they deserved attention, and called for explanation. Those clauses would shew, upon record, that Parliament neither intended, nor had it in their power to relinquish the smallest portion of the nation's legislative independence; they would also shew in what manner it should be known when Ireland should consider the settlement to be infringed; and, as some partiality towards England might be supposed to rest with the Ministers of the Crown, that question was left to the decision of the two Houses of the Irish Parliament. He repeated it, that Ireland was not called upon to bind herself to follow the laws of another country except as they were to their advantage, and that she would have the power of relieving herself annually.

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Here Mr. Orde read the following concluding clauses of the Bill.

“ AND whereas no law made by the present Parliament can, or ought to limit or restrain the free and unquestioned exercise of the discretion of any succeeding Parliaments, who must be competent equally, as is the present, to every act of legislation whatever, and to deliberate upon, enact, or decline to enact, any of the regulations or provisions to be considered as essential and fundamental conditions of this settlement.”

“ And whereas the continuance of the present settlement must depend on the due observance, in both kingdoms, of the several matters herein declared to be fundamental and essential conditions thereof, according to their true intent, spirit and meaning.”

“ Be it declared, that the continuance of the present settlement, and the duration of this act, and of every thing herein contained, shall depend upon the due observance in the kingdom of Great Britain of the several matters herein declared to be fundamental and essential conditions of the said settlement, according to the true intent, meaning and spirit of thereof.

“ Provided nevertheless, that all the said fundamental and essential conditions, shall in all times be held and deemed to be, and to have been duly observed in the kingdom of Great Britain, unless it shall have been expressly declared by a joint address of both Houses of Parliament of this kingdom to his Majesty, that the same have not been duly observed.”

Having read these distinctly, Mr. Orde apologized to the House for having so long occupied their attention by a speech that he feared had proved extremely dull, tedious, and heavy, qualities of which he was conscious it must unavoidably partake. He had, however, thought it his duty to defy the imputation of dullness, so long as he left nothing unsaid, that appeared to him to convey information or explanation to his hearers: he concluded with thanking the House for their indulgence, and saying that with their permission he would move, that leave be given to bring in “ *a BILL for effectuating the intercourse and commerce between GREAT BRITAIN and IRELAND, on permanent and equitable principles, for the mutual benefit of both kingdoms.*”

The Chancellor of the Exchequer seconded the motion.

Mr. Orde rose again to declare, that he had it in command from his Grace the Lord Lieutenant, to present a copy of the minutes of the evidence adduced at the bars of the two Houses of the British Parliament, and of all the papers printed by their orders; a schedule of which he promised to deliver the next day.

The papers were laid on the table accordingly.

Mr.



Mr. *Connolly* said, he had before declared the business to be intricate and mysterious ; he now found it to be extremely delicate. Instead of conciliating, and as he had said, dovetailing the two countries, it would in his opinion, have a contrary effect ; it would take away their constitution and leave them no commerce at all. He had the day before said, he would move a long adjournment, and propose an address to his Majesty to explain the reasons of it, but his idea was now totally changed : Having heard the Bill, he would object to the motion for leave to bring it in. The Bill bartered away the constitution of Ireland. It was well known he had been no advocate for the attainment of that constitution ; but that House having asserted the constitution, and the constitution having been recognized, he had no right to give his consent to alter or relinquish it, nor had any member of that House any such right, and the kingdom he was persuaded, would never submit to such a sacrifice. The Bill proposed to be brought in by the right honorable Gentleman, notwithstanding the mazes and the labyrinth into which he had endeavoured to lead the House, with a view to disguise and gloss over its real purport, it was evident, was in substance and effect, the same with the Bill upon the table : the bill brought into the British Parliament, by the minister. It ought, therefore, to be opposed in the first instance. They had better not suffer the Hydra that threatened ruin to both kingdoms to grow up ; let them meet the mischief in its infancy and strangle it in the cradle. He had voted for the original Propositions, because he thought a permanent system for the benefit of the two countries ; but the Bill, now opened to the House by the right honorable Gentleman, instead of dovetailing and uniting them, could tend only to their mutual discontent and separation. Mr. *Conolly* talked of the bad policy of Great Britain in considering Ireland as her rival in commerce, and by her conduct keeping three millions of people in that kingdom, many of them in a starving and miserable condition, rather than having five millions of useful and industrious subjects, for so many, he said, he was persuaded the country was capable of maintaining, and maintaining well, if proper encouragement were given. He said, he would again refer to the allusion, he had made on a preceding day ; the whole business of the Propositions was one continued drama produced by the pen of the same author, the Minister of Great Britain ; whether it was to be tragick or comick remained to be proved. The writer of the dramatis per-



sonæ had first made Mr. Ireland speak, and then Mr. England spoke in his Resolutions; he had spoken a second time in the Bill upon the table, and now the self-same author made Mr. Ireland speak again to agree to the Bill, and say, "I don't think either constitution or trade worth troubling my head about; if I keep them, you'll only torment me *de die in diem*, so that it is better to give up both at once." Mr. Ireland however, now spoke, he hoped for the last time, and that they should see the curtain drop and hear no more of the drama. He would not wish to injure Great Britain. He believed no man there would. But as an Irishman, an honest man, and a friend to his country, he despised, he rejected the right honourable Gentleman's Bill; he would meet it in its teeth, and give the motion for bringing it in a direct negative; as an Englishman, also, he would do the same, for he was persuaded the interests of the empire would be injured by it, and, in so doing, he acted upon no principle of party. He had been two and twenty years a member of that House, and he had voted with government whenever he could, because he always thought it right to support the government of the country. It was well known, that he had done the same, when he was a member of the English Parliament, excepting in regard to one measure only, the American war, which he had uniformly opposed: he defied any man, therefore, to ascribe his vote of that day or of any day to a party motive. The right hon. Gentleman, he observed, had made it a matter of exultation to state the opposition of England, as having thrown difficulties in the way of the minister, and had imputed the objectionableness of the plan to them. The triumph was as ill-timed, as the imputation was ill-founded. The opposition in the parliament of Great Britain had indeed objected to the plan, on the ground that he should himself vote against the bringing in the Bill upon, viz. because it would lay the foundation of lasting jealousies and perpetual discontent between the two countries. He was aware it had been said that the Duke of Portland had declared, in the English House of Lords, that it had never been the intention of the Cabinet, over which he presided, to make any further commercial concessions to Ireland. He had the best authority to deny that the noble Duke, for whose many publick and private virtues he entertained the most profound respect, had ever made such an assertion, and he defied any man to prove that he had. It was impossible that the noble Duke could have done so, and he would tell the House why: During Lord Northington's



Northington's administration, three Bills had been brought into that House for the protection of Irish manufactures: one imposing a duty on beer, the other a duty upon iron wire, and the third on refined sugar imported from Great Britain. In those three instances further benefits were granted to Ireland, which was an unanswerable proof that the noble Duke could not have said what had been imputed to him in the newspapers. Mr. Conolly concluded with repeating his intention of giving the motion a direct negative.

Mr. Orde rose as soon as Mr. Conolly sat down, and declared, that he had not made it matter of exultation, that the opposition in the two Houses of the British Parliament, had thrown difficulties in the way of the minister. The fact undoubtedly was so, but he considered it as a matter to be lamented, rather than a matter of triumph.

Mr. O'Neil, (*John*) declared, that the present moment was of the most important concern to the country; the constitution was at stake. The whole of the Resolutions upon the table were obnoxious, but the fourth was peculiarly disgraceful. He wished therefore some gentleman before the House rose, would make a motion expressive of the abhorrence the House entertained of that Resolution. They ought not to suffer the settlement of the constitution in 1782 to be disturbed, much less to be overthrown. Under that impression, he said, he would give his negative to the motion of the Right Hon. gentleman.

Sir *E. Newenham* reprobated the entire principle of the intended Bill, as being the grossest insult that could be offered to an independent nation; and said, that even the introduction of it would be a disgrace to Parliament. As a friend to both countries, he wished neither the Propositions or Resolutions had ever been moved for; that Great Britain suffered already by obstinately persevering in taxing without representation.

Mr. *Grattan*. Sir, I can excuse the Right Hon. member who moves you for leave to bring in the Bill, he is an Englishman, and contends for the power of his own country while I am contending for the liberty of mine; he might have spared himself the trouble of stating his own Bill. I read it before, I read it in the twenty Resolutions, I read it in the English Bill, which is to all intents and purposes the same: and which he might read without the trouble of resorting to his own. His comment is of little moment, a Lord Lieutenant's Secretary is an unsafe commentator



mentator on an Irish constitution; the former merit of the Right Hon. gentleman in pressing for the original Propositions and contending against the present, which he now supports, may have been very great, and I am willing to thank him *for his past services*; they may be a private consolation to himself. No more—I differ from him in his account of this transaction. He *was pledged* to his eleven propositions; his offer was the Propositions, our's the taxes; he took the latter, but forgets the former. I leave both, and come to his system. Here it becomes necessary to go back a little—I begin with your free trade obtained in 1779; by that you recovered your right to trade with every part of the world, whose ports were open to you, subject to your own unstipulated duties, the British plantations only excepted; by that, you obtained the benefit of your insular situation, the benefit of your western situation, and the benefit of your exemption from intolerable taxes. What these advantages might be, no man could say, but any man who had seen the struggle you had made during a century of depression, could foresee, that a spirit of industry operating upon a state of liberty in a young nation, must in the course of time produce signal advantages—the sea is like the earth, to nonexertion a *waste*, to industry a *mine*; this trade was accompanied with another, a plantation trade; in this, you retained your right to trade directly with the British plantations in a variety of articles, without a reference to British duties; by this, you obtained a right to trade with the British plantations directly in each and every other article, subject to the rate of British duty; by this, you obtained a right to select the article, so that the general trade should not hang on the special conformity; and by this, you did not covenant to affect, exclude, or postpone the produce of foreign plantations—the reason was obvious, you demanded two things, a free trade and a plantation trade; had the then minister insisted on a covenant to exclude the produce of foreign plantations, he had given you a plantation trade instead of a free trade, (whereas your demand was *both*) and his grant had been *inadequate, unsatisfactory* and *inadmissible*,—these points of trade being settled, a third in the opinion of some remained; namely, the intercourse with England or the channel trade—A successful political campaign, an unsuccessful harvest, the poverty of not a few, together with the example of England brought forward in the year 83, a number of famishing  
 manufacturers



manufacturers with a demand of protecting duties ; the extent of their demand was idle, the manner of conveying that demand tumultuary, but not being wholly resisted nor yet adequately assisted, they laid the foundation of another plan, which made its appearance in 1785, opposite indeed to their wishes and fatal to their expectation ; this was the system of reciprocity, a system fair in its principle and in process of time likely to be beneficial but not likely to be of any great present advantage, other than by stopping the growth of demand, allaying a commercial fever and producing settlement and incorporation, with the people of England ; this system was founded, on the only principle which could obtain between two independent nations—*equality*, and the equality consisted in similarity of duty ; now as the total abatement of duties on both sides, had driven the Irishman out of his own market, as the raising our duties to the British standard had driven the Englishman out of the Irish market, a third method was resorted to, the abatement of British duty to the Irish standard: but then this equality of duty was inequality of trade, for as the Englishman with that duty against him had beaten you in the Irish market, with that duty in his favour he must keep you out of the English : so that under this arrangement the English manufacturer continued protected, and the Irish manufacturer continued exposed, and the abatement of duty was no more than disarming the argument of retaliation. Had the arrangement stopped here, it had been unjust indeed, but as Ireland was to covenant that she would not raise her duties on British manufactures, England on her part was to covenant, that she would not diminish her preference in favour of Irish linen, and the adjustment amounted to a covenant, that neither country in their respective markets would affect the manufacture of the other by any operative alteration of duty ; however, the adjustment did not stop at the home manufacture, it went to plantation produce, and here you stood on two grounds, law and justice ; law, because you only desired that the same words of the same act of navigation should have the same construction on one side the Channel as they have on the other ; how they had ever borne a different one, I cannot conceive, otherwise than by supposing that in your ancient state of dependency you were not intitled to the common benefit of the mother tongue ; the answer to this argument was unsatisfactory “ that England had altered the law,”



law," but if England had *so* altered the law, it ceased to impose the same restrictions and confer the same advantages; and then a doubt might arise whether the act of navigation was the law of Ireland, so that you seemed entitled to the construction or free from the act; now it is of more consequence to England that you should be bound by the act of navigation; than to Ireland to have the benefit of the fair construction of it. But you stood on still better ground, *justice*; was it just that you should receive plantation goods from England, and that England should not receive them from you? here if you don't find the law equal, you may make it so: for as yet you are a free Parliament.

I leave this part of the subject; equality of duty but no present equality of trade. I come to that part of the adjustment which is *inequality of both*;—and first, the part which relates to the *primum* of your manufactures. When the original Propositions were argued, Gentlemen exclaimed, "England reserves her Wool, and Ireland does not reserve her Woollen Yarn," it was answered, "Ireland may if she pleases," what will those Gentlemen now say, when England reserves both;—the *primum* of her manufactures, and of yours; and not only woollen yarn but linen yarn, hides, &c? To tell me that this exportation is beneficial to Ireland is to tell me nothing, the question is not about stopping the export, but giving up the regulation, in instances where England retains the power of regulation, and the act of prohibition. To tell me, that this exportation is necessary for England is to tell me nothing, but that you are material to England and therefore should have obtained at least equal terms. I own, to assist the manufactures of Great Britain as far as is not absolutely inconsistent with those of Ireland is to me an *object*; but still the difference recurs, she is not content with voluntary accommodation on your part, but *exact*s perpetual export from you in the very article, in which she retains absolute prohibition—"no new prohibition"—every prohibition beneficial to England was laid before—none in favour of Ireland. Ireland till 1779 *was a province*, and every province is a victim, your provincial state ceased, but before the provincial regulations are done away, this arrangement establishes a principle of *uti possidetis*, that is, Great Britain shall retain all her advantages, and Ireland shall retain all her disadvantages. But I leave this part of the adjustment where reciprocity is disclaimed in the outset of treaty



treaty and the rudiment of manufacture ; I come to instances of more striking inequality, and first your situation in the East. You are to give a monopoly to the present or any future East India Company during its existence, and to the British nation for ever after ; it has been said that the Irishman in this is in the same situation as the Englishman, but there is this difference, the difference between having, and not having the trade ; the British Parliament has judged it most expedient for Great Britain to carry on her trade to the East, by an exclusive Company ; the Irish Parliament is now to determine it most expedient for Ireland to have no trade at all in these parts. This is not a surrender of the political rights of the constitution, but of the natural rights of man ; not of the privileges of Parliament, but “ of the rights of nations,”—“ not to fail beyond the Cape of Good Hope and the Straits of Magellan” an awful interdict ! Not only European Settlements, but neutral countries excluded, and God’s providence shut out in the most opulent boundaries of creation ; other interdicts go to particular places for local reasons, because they belong to certain European States, but here are neutral regions forbidden and a path prescribed to the Irishman on open sea. Other interdicts go to a determinate period of time, but here is an eternity of restraint, you are to have no trade at all during the existence of any Company, and no free trade to those countries after its expiration ; this resembles rather a judgment of God than an act of the legislature, whether you measure it by immensity of space or infinity of duration, and has nothing human about it except its presumption.

What you lose by this surrender, what you forfeit by giving up the possibility of intercourse with so great a proportion of the inhabited Globe, *I cannot presume to say* ; but this I can say, that Gentlemen have no right to argue from present want of capital against future trade, nor to give up their capacity to trade because they have not yet brought that capacity into action, still less have they a right to do so without the shadow of *compensation*, and least of all on the affected compensation which, trifling with your understanding as well as interest, suffers a vessel to go to the West, in its way to the East. I leave this uncompensated surrender—I leave your situation in the East which is *blank*—I leave your situation in the East which is the surrender of trade itself ; and I come to your situation in the West which is a surrender of its freedom. You are to give a monopoly

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to the British plantations at their own taxes; before, you did so only in certain articles, with a power of selection, and then only as long as you pleased to conform to the condition, and without any stipulation to exclude foreign produce. It may be very proper to exclude foreign produce by your own temporary laws, and at your own free will and option, but now you are to *covenant* to do so *for ever*, and thereby you put the trade out of your own power *for ever*, and you give to the English, West as well as East, an eternal monopoly for their plantation produce in the taxing and regulating of which you have no sort of deliberation or interference, and over which Great Britain has a compleat supremacy. Here you will consider the advantage you receive from that monopoly, and judge, how far it may be expedient to set up against yourselves that monopoly for ever; there is scarcely an article of the British plantations that is not out of all proportion dearer than the same article is in any other part of the Globe, nor any one article that is not produced elsewhere, for some of which articles you might establish a mart for your manufactures. Portugal, for instance, capable of being a better market for our drapery than Great Britain; this enormity of price is aggravated by an enormity of tax, what then is this covenant? to take these articles from the British plantations, and from none other, at the present high rates and taxes, and to take them at all times to come, subject to whatever further rates and taxes the Parliament of Great Britain shall enact. Let me ask you, why did you refuse Protecting Duties to your own people? because they looked like a monopoly; and will you give to the East India merchant, and the West India planter something more? a monopoly where the monopolist is in some degree the law-giver. The principle of equal duty or the same restriction is not the shadow of security; to make such a principle applicable the objects must be equal, but here the objects are not only dissimilar but opposite; the condition of England is great debt and greater capital, great incumbrances, but still greater abilities; the condition of Ireland, little capital but a small debt, poverty but exemption from intolerable taxes. Equal burthens will have opposite effects, they will fund the debt of one country and destroy the trade of the other; high duties will take away *your* resource, which is exemption from them, but will be a fund for Great Britain: thus the colony principle in its extent is dangerous to a very great degree.



gree. Suppose Great Britain should raise her colony duties to a still greater degree, to answer the exigency of some future war, or to fund her present debt, you must follow, for by this bill you would have no option in foreign trade; you must follow, not because you wanted the tax, but lest your exemption from taxes should give your manufactures any comparative advantage. Irish taxes are to be precautions against the prosperity of Irish manufactures! You must follow because your taxes here would be no longer measured by the wants of the country or the interest of her commerce, because we should have instituted a false measure of taxation; the wants and the riches of another country, which exceeds you much in wants, but infinitely more in riches. I fear we should have done more, we should have made English jealousy the barometer of Irish taxes. Suppose this country should in any degree establish a direct trade with the British plantations, suppose the apprehensions of the British manufacturers in any degree realized, *they* may dictate *your* duties, they may petition the British Parliament to raise certain duties, which shall not affect the articles of their intercourse, but may stop yours; or, which shall affect the articles of their intercourse a little and annihilate yours; thus they may by one and the same duty raise a revenue in England, and destroy a rival in Ireland. Camblets are an instance of the former, and every valuable plantation import an instance of the latter; your option in foreign trade had been a restraint on England, or a resource to Ireland, but under this adjustment you give up your foreign trade, and confine yourself to that which you must not presume to regulate. The exclusion of foreign plantation produce would seem sufficient, for every purpose of power and domination, but to aggravate, and it would seem, to *insult*, the Independent States of North America are most ungraciously brought into this arrangement, as if Ireland was a British colony, or North America *continued* a part of the British dominion; by the resolutions almost all the produce of North America was to be imported to Ireland, subject to British duties; the bill is more moderate, and only enumerates certain articles, but what right has Great Britain to interfere in our foreign trade, what right has she to dictate to us on the subject of *North American trade*? How far this country may be further affected by clogging her plantation trade and surrendering her free trade, I shall not for the present stop more minutely to inquire, but I must stop to protest against one



circumstance in this arrangement, which should not accompany any arrangement, which would be fatal to settlement itself, and tear asunder the bands of faith and affection; the circumstance I mean, is the opening of the settlements of the Colony trade, and free trade of 1779: this adjustment takes from you the power of choosing the article, so that the whole covenant hangs on the special circumstance, and takes from you your option in the produce of foreign plantations, and even of America. It is a revision in peace of the settlements of war, it is a revocation in peace of the acquisition of war. I here ask by what authority? By what authority is Ireland obliged now to enter into a general account for past acquisitions? Did the petition of the Manufacturers desire it? Did the addresses of the last session desire it? Did the Minister in this session suggest it? No; I call for *authority*, whereby we can be justified in waving the benefit of past treaties, and bringing the whole relative situation of this country into question in an arrangement, which only professes to settle her channel trade? I conceive the settlements of the last war are sacred; you may make other settlements with the British nation, but you will never make any so beneficial as these are; they were the result of a conjuncture miraculously formed, and fortunately seized. The American war was the Irish harvest. From that period, as from the lucky moment of your fate, your commerce, constitution, and mind took form and vigour; and to that period, and to a first and salient principle must they recur for life and renovation. 'Tis therefore I consider those settlements as sacred, and from them I am naturally led to that part of the subject which relates to compensation, the payment which we are to make for the losses which we are to sustain; certainly compensation cannot apply to the free trade supposing it uninvaded, first, because that trade was your right; to pay for the recovery of what you should never have lost, had been to a great degree unjust and derogatory; secondly, because that free trade was established in 1779, and the settlement then closed and cannot be opened now; to do so were to destroy the faith of treaties, to make it idle to enter into the present settlement, and to render it vain to enter into any settlement with a British Minister. The same may be said of the Colony trade; that too was settled in 1779 on terms then specified, not now to be opened, clogged, conditioned or circumscribed; still less does compensation apply to the free constitution of 1782.

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His Majesty then informed you from the throne “ these things come unaccompanied with any stipulation,”—besides, the free constitution like the free trade was your right. Freemen wont pay for the recovery of right ; payment had derogated from the claim of right ; so we then stated to ministry. It was then thought that to have annexed subsidy to constitution had been a barren experiment on public poverty, and had marred an illustrious experiment on the feelings of the nation, and had been neither satisfaction to Ireland, nor revenue to Great Britain. This bolder policy, this happy art, which saw how much may be got by tax, and how much must be left to honour, which made a bold push for the heart of the nation, and leaving her free to acquire, took a chance for her disposition to give, had its effect, for since that time until the present *most unfortunate attempt*, a great bulk of the community were on the side of government, and the parliamentary constitution was a guarantee for public peace.

See then what you obtained without compensation,—a Colony trade, a free trade, the independency of your Judges, the government of your army, the extension of the unconstitutional powers of your council, the restoration of the judicature of your lords, and the independency of your legislature !

See now what you obtain by compensation—a covenant not to trade beyond the Cape of Good Hope and the Straits of Magellan ; a covenant not to take foreign plantation produce, but as the Parliament of Great Britain shall permit ; a covenant not to take certain produce of the United States of North America, but as Great Britain shall permit ; a covenant not to take British plantation produce, but as Great Britain shall prescribe ; a covenant to make such acts of navigation as Great Britain shall prescribe ; a covenant never to protect your own manufactures, never to guard the primum of those manufactures !—These things are accompanied, I do acknowledge with a covenant on the part of England to disarm your argument for protecting duties, to give the English language in the act of navigation the same construction in Ireland, and to leave our linen markets without molestation or diminution. One should think some God presided over the liberties of this country who made it frugality in the Irish nation to continue free, but has annexed the penalties of fine as well as infamy to the surrender of the constitution ! From this consideration of commerce,



mercé, a question much more high, much more deep, the invaluable question of constitution arises, in which the idea of protecting duties, the idea of reciprocal duties, countervailing duties, and all that detail vanish, and the energies of every heart, and the prudence of every head, are called upon to shield this nation, that long depressed, and at length by domestic virtue and foreign misfortune emancipated, has now, to defend her newly-acquired rights and her justly-acquired reputation; the question is no less than that, which three years ago agitated, fired and exalted the Irish nation—the independency of the Irish Parliament! By this Bill we are to covenant that the Parliament of Ireland shall subscribe whatever laws the Parliament of England shall prescribe, respecting your trade with the British Plantations, your trade in the produce of Foreign Plantations, and part of your trade from the United States of North America. There is also a sweeping Covenant or Condition, whereby we are to agree to subscribe whatever laws the Parliament of England shall prescribe respecting Navigation; the adjustment subjects also your reversionary trade to the East to the same terms—over all these objects you are to have no propounding, no deliberative, no negative, no legislative power whatsoever. Here then is an end of your Free Trade and your Free Constitution; I acquit the people of England; an ill-grounded jealousy for their trade seems aggravated by a well-founded alarm for your liberty; unwilling to relinquish, but when relinquished, too magnanimous and too wise to resume abdicated tyranny; they feel in these Propositions an honourable sollicitude for the freedom of Ireland and the good faith of Great Britain, and see the darling principles and passions of both countries wounded in an arrangement which was to compose them for ever: To a proposal therefore so little warranted by the great body of the people of England, so little expected by the people of Ireland, so little suggested by the Minister, and so involving to whatever is dear to your interest, honour and freedom, I answer, *no*. I plead past settlements, I insist on the faith of nations, the objection should have been made when these settlements was making; but now the logic of Empire comes too late; no accommodation, no deprecation on this subject: Assertion, national assertion, national *reassertion*! If three years after the recovery of your freedom, you *bend*—your children, corrupted by your example, *will surrender*;—but if you stand firm and inexorable, you  
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make a seasonable impression on the people of England, you give a wholesome example to your children, you afford an awful instruction to his Majesty's Ministers, and make (as the Old English did in the case of their Charter) the attempt on Irish liberty its confirmation and establishment!

However, lest certain glosses should seem to go unanswered, I shall, for the sake of argument, wave past settlements and combat the reasoning of the English Resolutions, the Address, his Majesty's answer, and the reasoning of this day. It is here said, that the laws respecting Commerce and Navigation should be similar, and *inferred*, that Ireland should subscribe the laws of England on those subjects: that is the same law, the same legislature, but this argument goes a great deal too far—it goes to the Army, for the Mutiny Bill should be the same; it was endeavoured to be extended to the collection of your Revenue, and is in train to be extended to your taxes; it goes to the extinction of the most invaluable part of your Parliamentary capacity; it is an union, an incipient and a creeping union; a virtual union, establishing one will in the general concerns of Commerce and Navigation, and reposing that will in the Parliament of Great Britain; an union where our Parliament preserves its existence after it has lost its authority, and our people are to pay for a Parliamentary Establishment, without any proportion of Parliamentary Representation. In opposing the Right Hon. Gentleman's Bill, I consider myself as opposing an union *in limine*, and that argument for union which makes similarity of law and community of interest (reason strong for the freedom of Ireland!) a pretence for a condition which would be dissimilarity of law, because extinction of constitution, and therefore hostility, not community of interest; I ask on what experience is this argument founded?—Have you ever since your redemption refused to preserve a similarity of law in Trade and Navigation? Have you not followed Great Britain in all her changes of the Act of Navigation, during the whole of that unpalatable business, the American War? Have you not excluded the cheap produce of other Plantations, in order that Irish poverty might give a monopoly to the dear produce of British Colonies? Have you not made a better use of your liberty than Great Britain did of her power? But I have an objection to this argument, stronger even than its want of foundation, in reason and experiment; I hold it to be nothing less than  
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an intolerance of the Parliamentary Constitution of Ireland, a declaration that the full and free external legislation of the Irish Parliament is incompatible with the British Empire. I do acknowledge that by your external power, you might discompose the harmony of Empire, and I add, that by your power over the Purse, you might dissolve the State, but to the latter you owe your existence in the Constitution, and to the former, your authority and station in the Empire; this argument, therefore, rests the connection upon a *new and a false principle*—goes directly against the root of Parliament—and is not a difficulty to be accommodated, but an error to *be eradicated*; and if any body of men can still think that the Irish Constitution is incompatible with the British Empire, doctrine which I abjure as sedition against the Constitution—but if any body of men are justified in thinking that the Irish Constitution is incompatible with the British Empire,—perish the Empire!—live the Constitution! Reduced by this false dilemma to take a part, my second wish is the British Empire, my first wish and bounden duty is the liberty of Ireland—but we are told this imperial power is not only necessary for England but safe for Ireland. What is the present question? what but the abuse of this very power of regulating the trade of Ireland by the British Parliament excluding you, and including herself by virtue of the same words of the same Act of Navigation? And what was the promovent cause of this arrangement? what but the power you are going to surrender, the distinct and independant external authority of the Irish Parliament, competent to question that misconstruction? What is the remedy now proposed? *the evil*,—go back to the Parliament of England—I ask again, what were the difficulties in the way of your Eleven Propositions? what but the jealousy of the British Manufacturers on the subject of trade? And will you make them your Parliament, and that too for ever, and that too on the subject of their jealousy, and in the moment they displayed it—safe! I will suppose that jealousy realized, that you rival them in some market abroad, and that they petition their Parliament to impose a Regulation which shall affect a tonnage which you have and Great Britain has not; how would you then feel your situation, when you should be obliged to register all this? And how would you feel your degradation, when you should see your own Manufacturers pass you by as a cypher in the Constitution, and deprecate their ruin at



at the bar of a Foreign Parliament—safe! Whence the American war? Whence the Irish restrictions? Whence the misconstruction of the Act of Navigation? Whence but from the evil of suffering one country to regulate the Trade and Navigation of another, and of instituting, under the idea of general Protectores, a proud domination, which sacrifices the interest of the whole to the ambition of a part, and arms the little passions of the Monopolist with the sovereign potency of an imperial Parliament; for great nations when cursed with unnatural sway follow but their nature when they invade; and human wisdom has not better provided for human safety than by limiting the principles of human power. The surrender of Legislature has been likened to cases that not infrequently take place between two equal nations covenanting to suspend in particular cases their respective legislative powers for mutual benefit; thus Great Britain and Portugal agree to suspend their legislative power in favour of the Wine of the one and the Woollen of the other, but if Portugal had gone farther, and agreed to subscribe the laws of England, this covenant had not been treaty but conquest; so Great Britain and Ireland may covenant, not to raise high duties on each others manufactures, but if Ireland goes farther, and covenants to subscribe British law, this is not a mutual suspension of the exercise of legislative power, but a transfer of the power itself from one country to another, to be exercised by another hand; such covenant is not reciprocity of trade, it is a surrender of the government of your trade, inequality of trade and inequality of constitution. I speak however as if such transfer could take place, but in fact it could not, any arrangement so covenanting is a mere nullity, it could not bind you, still less could it bind your successors, for man is not omnipotent over himself, neither are Parliaments omnipotent over themselves to accomplish their own destruction and propagate death to their successors; there is in these cases a superiour relationship to our respective Creators—God—the Community, which in the instance of the individual, arrests the hand of suicide, and in that of the political body, stops the act of surrender; and makes man, the means of propagation, and Parliament the organ to continue liberty, not the engine to destroy it. However, though the surrender is void, there are two ways of attempting it, one by a surrender in form, the other by a surrender in substance;

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appointing another Parliament your substitute, and consenting to be its register or stamp, by virtue of which to introduce the law and edict of another land; to cloath with the forms of your law, foreign deliberations, and to preside over the disgraceful ceremony of your own abdicated authority; both methods are equally surrenders and both are wholly void. I speak on principle, the principle on which you stand—*your creation*. We, the limited Trustees of delegated power, born for a particular purpose, limited to a particular time, and bearing an inviolable relationship to the people who sent us to Parliament, cannot break that relationship, counteract that purpose, surrender, diminish, or derogate from those privileges we breathe but to preserve. Could the Parliament of England covenant to subscribe your laws? Could she covenant that Young Ireland should command and Old England should obey? If such a proposal to England were mockery; to Ireland it cannot be constitution. I rest on authority as well as principle, the authority on which the revolution rests; Mr. Locke, who in his chapter on the abolition of Government, says, that the transfer of legislative power is the abolition of the state, *not a transfer*. Thus I may congratulate this House and myself, that it is one of the blessings of the British Constitution, that it can not perish of a rapid mortality nor die in day, like the men who should protect her; any act that would destroy the liberty of the people is dead-born from the womb; men may put down the public cause for a season, but another year would see Old Constitution advance the honours of his head, and the good institution of Parliament shaking off the tomb to reascend in all its pomp and pride, and plenitude and privilege!

Sir, I have stated these Propositions and the Bill as a mere transfer of external legislative authority to the Parliament of Great Britain, but I have understated their mischief, they go to taxation, taxes on the trade with the British plantations, taxes on the produce of foreign plantations, taxes on some of the produce of the United States of North America; they go to port duties, such as Great Britain laid on America; the mode is varied, but the principle is the same.—Here Great Britain takes the stamp of the Irish Parliament, Great Britain is to prescribe, and Ireland is to obey! We anticipate the rape by previous surrender, and throw into the scale our honor, as well as our liberty. Do not imagine that all these Resolutions are mere acts of regulation; they



they are solid substantial revenue, great part of your additional duty. I allow the Bill excepts rum and tobacco ; but the principle is retained, and the operation of it only kept back. I have stated that Great Britain may by these Propositions crush your commerce, but shall be told that the commercial jealousy of Great Britain is at an end. But are her wants at an end ? are her wishes for Irish subsidy at an end ? No—and may be gratified by laying colony duties on herself, and so raising on Ireland an imperial revenue to be subscribed by our Parliament, without the consent of our Parliament, and in despite of our people. Or if a minister should please to turn himself to a general excise, if wishing to relieve from the weight of further additional duties the hereditary revenue now alienated, if wishing to relieve the alarms of the English manufacturers, who complain of our exemption from excises, particularly on soap, candles, and leather : he should proceed on those already registered articles of taxation, he might tax you by *threats*, suggesting that if you refuse to raise an excise on yourself, England would raise colony duties on both. See what a mighty instrument of coercion this Bill and these Resolutions—*stir* and Great Britain can crush you—*stir* and the minister can crush you in the name of Great Britain—he can crush your imports—he can crush your exports,—he can do this in a manner peculiarly mortifying, by virtue of a clause in a British act of Parliament that would seem to impose the same restrictions on Great Britain—he can do this in a manner still more offensive by the immediate means of your own Parliament, who would be then an active cypher, and notorious stamp in the hands of Great Britain, to forge and falsify the name and authority of the people of Ireland. I have considered your situation under these Propositions with respect to Great Britain : see what would be your situation with respect to the Crown ? You would have granted to the King a perpetual Money Bill, or a Money Bill to continue as long as the Parliament of Great Britain shall please, with a covenant to increase it as often as the British Parliament shall please. By the Resolutions a great part of the additional duty would have been so granted—the trade of the country is made dependant on the Parliament of Great Britain, and the Crown is made less dependant of the Parliament of Ireland, and a code of prerogative added to a code of empire. If the merchant after this should petition you to lower your duties on the



articles of trade, your answer "trade is in covenant." If your constituents should instruct you to limit the Bill of Supply, or pass a short Money Bill, your answer, "the purse of the nation like her trade is in covenant."—No more of six months Money Bills—no more of instructions from constituents—that connection is broken by this Bill, —pass this, you have *no constituent*—you are not the representative of the people of Ireland, but the register of the British Parliament, and the equalizer of British duties!

In order to complete this chain of power, one link (I do acknowledge) was wanting—a perpetual Revenue Bill, or a covenant from time to time to renew the Bill for the collection thereof. The twentieth Resolution and this Bill founded upon it attain that object. Sir, this House rests on three pillars—your power over the annual Mutiny Bill—your power over the annual Additional Duties—your power over the Collection of the Revenue. The latter power is of great consequence, because a great part of our revenues are granted for ever. Your ancestors were slaves; and for their estates, that is, for the act of settlement granted the hereditary revenue, and from that moment ceased to be a parliament; nor was it till many years after that Parliament revived; but it revived as you under this Bill would continue; without parliamentary power; every evil measure derived argument, energy and essence from this constitutional fund. If a country gentleman complained of the expences of the crown, he was told a frugal government could go on without a Parliament, and that we held our existence, by withholding the discharge of our duty. However, though the funds were granted for ever, the provision for the collection was inadequate—the smuggler learned to evade the penalties, and Parliament, though not necessary for granting the Hereditary Revenue, became necessary for its collection.—Here then we rest on three pillars—the annual Mutiny Bill—the annual Additional Supply—and the annual Collection of the Revenue. If you remove all these, this fabric falls; remove any one of them, and it totters; for it is not the mace, nor the chair, nor this dome, but the deliberative voice resident therein that constitutes the essence of Parliament. Clog your deliberations, and you are no longer a Parliament, with a thousand gawdy surviving circumstances of shew and authority.

Contemplate for a moment the powers which this Bill presumes to perpetuate—a perpetual repeal of trial by jury—  
a perpetual



a perpetual repeal of the great charter—a perpetual writ of assistance—a perpetual felony to strike an exciseman!

The late Chief Baron Burgh speaking on the revenue bill, exclaimed, “ you give to the dipping rule what you should deny to the sceptre.”

All the unconstitutional powers of the excise we are to perpetuate, the constitutional powers of Parliament we are to abdicate. Can we do all this? can we make these bulky surrenders, in diminution of the power, in derogation of the pride of Parliament, and in violation of those eternal relationships, which the body that represents should bear to the community which constitutes?

The pretence given for this unconstitutional idea is weak indeed; that as the benefits are permanent, so should be the compensation. But trade laws are to follow their nature—revenue laws to follow their's. On the permanent nature of commercial advantages depends the faith of trade, on the limited nature of revenue laws depends the existence of Parliament. But the error of the argument arises from the vice of dealing. It is a market for a constitution, and a logic applicable to barter only, is applied to freedom.—To qualify this dereliction of every principle and power, the surrender is made constitutional; that is, the British market for the Irish constitution, the shadow of a market for the substance of a constitution! You are to reserve an option—*trade or liberty*,—if you mean to come to the British market you must pass under the British yoke. I object to this principle in every shape, whether you are, as the Resolution was first worded, directly to transfer legislative power to the British Parliament; whether, as it was afterwards altered, you are to covenant to subscribe her acts; or whether, as it is now softened, you are to take the chance of the British market, so long as you wave the blessings of the British constitution—terms dishonourable, derogatory, incapable of forming the foundation of any fair and friendly settlement, injurious to the political morality of the nation; I would not harbour a slavish principle, nor give it the hospitality of a night's lodging in a land of liberty! Slavery is like any other vice, tolerate and you embrace; you should guard your constitution by settled maxims of honour, as well as wholesome rules of law; and one maxim should be, never to tolerate a condition which trenches on the privilege of Parliament, or derogates from the pride of the island:—*Liberal in matters of revenue, practicable in matters of commerce;*



commerce; on these subjects I would be inexorable; if the genius of Old England came to that bar, with the British constitution in one hand, and in the other an offer of all that England retains, or all that she has lost of commerce, I should turn my back on the latter, and pay my obeisance to the blessings of her constitution, for that constitution will give you commerce, and it was loss of that constitution that deprived you of commerce. Why are you not now a woollen country? because another country regulated your trade. — Why are you not now a country of re-export? because another country regulated your navigation. I oppose the original terms as slavish, and I oppose the conditional clause as an artful way of introducing slavery, of soothing an high spirited nation into submission by the ignominious delusion that she may shake off the yoke when she pleases, and once more become a free people. The direct unconstitutional Proposition could not have been listened to, and therefore resort is had to the only possible chance of destroying the liberty of the people, by holding up the bright reversion of the British constitution, and the speculation of future liberty, as a consolation for present submission. But, would any gentleman here wear a livery to-night, because he might lay it aside in the morning? or would this House substitute another, because next year it might resume its authority, and once more become the Parliament of Ireland? I do not believe we shall get the British—but I do not want to make an experiment on the British market, by making an experiment likewise on the constitution and spirit of the people of Ireland. But do not imagine if you shall yield for a year, you will get so easily clear of this inglorious experiment; if this is not the British market, why accept the adjustment? and if it is, the benefit thereof may take away your deliberative voice. You will be bribed out of your constitution by your commerce—there are two ways of taking away free-will, the one by direct compulsion, the other by establishing a præpollent motive. Thus a servant of the Crown may lose his free-will, when he is to give his vote at the hazard of his office, and thus a Parliament would lose its free will, if it acted under a conviction that it exercised its deliberative function at the risk of its commerce. No one question would stand upon its own legs, but each question would involve every consideration of trade, and indeed the whole relative situation of the two countries. And I beseech you to consider that situation,  
and



and contemplate the powers of your own country, before you agree to surrender them. Recollect that you have now a right to trade with the British plantations, in certain articles, without reference to British duties—that you have a right to trade with the British plantations in every other article, subject to the rate of British duties—that you have a right to get clear of each and of every part of that bargain—that you have a right to take the produce of foreign plantations, subject to your own unstipulated duties—that you have a right to carry on a free and unqualified trade with the United States of North America—that you have a right to carry on an experimental trade in countries contiguous to which Great Britain has established her monopolies—the power of trade this, and an instrument of power and station and authority in the British empire! Consider that you have likewise a right to the exclusive supply of your own market, and to the exclusive reserve of the rudiment of your manufactures. That you have an absolute dominion over the public purse, and over the collection of the revenue—if you ask me how you should use these powers, I say for Ireland, with due regard to the British nation; let them be governed by the spirit of concord, and with fidelity to the connexion; but when the mover of the Bill asks me to surrender those powers, I am astonished at him. I have neither ears, nor eyes, nor functions to make such a sacrifice. What! that free trade, for which we exerted every nerve in 1779, that free constitution for which we pledged life and fortune in 1782! Our lives are at the service of the empire—but—our liberties! No—we received them from our Father, which is in Heaven, and we will hand them down to our children. But if gentlemen can entertain a doubt of the mischief of these propositions, are they convinced of their safety? the safety of giving up the government of your trade? no! the mischief is prominent, but the advantage is of a most enigmatical nature. Have gentlemen considered the subject, have they traced even the map of the countries, the power or freedom of trading with whom they are to surrender for ever? Have they traced the map of Asia, Africa, and America? Do they know the French, Dutch, Portuguese, and Spanish settlements? Do they know the neutral powers of those countries, their produce, aptitudes and dispositions? Have they considered the state of North America? its present state, future growth, and every opportunity in the  
 endless



endless succession of time attending that nurse of commerce and asylum of mankind? Are they now competent to declare on the part of themselves and all their posterity that a free trade to those regions will never in the efflux of time be of any service to the kingdom of Ireland? If they have information on this subject it must be by a communication with God, for they have none with man; it must be *inspiration* for it cannot be *knowledge*. In such circumstances to subscribe this agreement; without knowledge, without even the affectation of knowledge, when Great Britain with all her experience and every means of information from East Indies, West Indies, America, and with the official knowledge of Ireland at her feet, has taken six months to deliberate, and has now produced twenty Resolutions with an history to each, amounting to a code of empire, not a system of commerce: I say in such circumstances for Ireland to subscribe this agreement would be infatuation, an infatuation to which the nation could not be a party, but would appear to be concluded or indeed huddled with all her posterity into a fallacious arrangement, by the influence of the Crown without the deliberation of Parliament, or the consent of the people! This would appear the more inexcusable because we are not driven to it, adjustment is not indispensable; the great points have been carried; an inferior question about the home market has been started and a commercial fever artificially raised, but while the great points remain undisturbed the nations cannot be committed; the manufacturers applied for protecting duties and have failed; the minister offered a system of reciprocity and succeeded in Ireland, but has failed in England; he makes you another offer inconsistent with the former, which offer the English do not support and the Irish deprecate.

We can go on, we have a growing prosperity and as yet an exemption from intolerable taxes; we can from time to time regulate our own commerce, cherish our manufactures, keep down our taxes, and bring on our people, and brood over the growing prosperity of Young Ireland. In the mean time we will guard our Free Trade and Free Constitution as our only *real resources*; they were the struggles of great virtue, the result of much perseverance, and our broad base of public action! We should recollect that this House may now with peculiar propriety interpose, because you did with great zeal and success, on this very subject of trade, bring on the people, and you did with great prudence



dence and moderation on another occasion, check a certain description of the people, and you are now called upon by consistency to defend the people. Thus mediating between extremes, you will preserve this island long, and preserve her with a certain degree of renown. Thus faithful to the constitution of the country you will command and insure her tranquillity, for our best authority with the people is, protection afforded against the ministers of the crown. It is not public clamour but public injury that should alarm you; your high ground of expostulation with your fellow subjects has been your services; the free trade you have given the merchant, and the free constitution you have given the island! Make your THIRD GREAT effort, preserve them, and with them preserve unaltered, your own calm sense of public right, the dignity of the Parliament, the majesty of the people, and the powers of the island! Keep them unfulfilled, uncovenanted, uncircumscribed, and unstipendiary! These paths are the paths of glory, and let me add, these ways are the ways of peace; so shall the prosperity of your country, though without a tongue to thank you, yet laden with the blessings of constitution and of commerce, bear attestation to your services, and wait on your progress with involuntary praise!

Mr. *Mason*, (in answer to Mr. Grattan) said, he was not surprized that the right hon. Gentleman should be exceedingly jealous of any measure that appeared to him to infringe, even in the slightest degree, that constitutional independence which he himself had restored to his Country; but that jealousy was a passion which applies itself more powerfully to the imagination, than it does to the understanding of the persons possessed with it, and is apt, as Shakespeare tells us, to make the food it feeds on. This, said he, was precisely the case of the right honourable Gentleman on that occasion, as he would venture to assert, that this attack on the constitution of Ireland, which the right honourable Gentleman had repelled with so much ability and zeal, had no real existence, but was merely the creature of his own imagination.

He said, he should not be surprized if the commercial regulations of the Bill then moved for should occasion a great diversity of opinion, or that some of them, when considered singly, and not as composing part of a system, should appear exceptionable; for if, in a treaty of that nature, every article was in favour of one of the parties, there would be an end of that equality which must necessarily be



the basis of any permanent agreement between the two nations ;—but that the objections that had been urged against those regulations on constitutional grounds appeared to him entirely void of foundation ; to be fraught with absurdity and mischief, and calculated to answer the worst of purposes ; to spread a false alarm through all parts of the kingdom, to irritate the public without just cause against the British Parliament, and to persuade the people, that the constitutional independence of their country was in danger at the very moment that it was most secure ;—at the very moment that all the branches of the legislature in both kingdoms were vying with each other, which of them should assert the independence of Ireland in the strongest terms ; at the very time when the Minister of Ireland had moved for a Bill, intended to contain a clause for that purpose ; when the Minister of Great Britain had actually presented a Bill declaring that the Parliament of Ireland alone was competent to make laws to bind that kingdom, in any case whatever ; and when both the Houses of Parliament in Great Britain had concurred in presenting an Address to the Throne, containing the like explicit declaration ; nay, even the stipulation required by Great Britain, that Ireland should adopt her future commercial regulations, was the strongest acknowledgement of their independence ; for why had she departed on that occasion from her established practice of regulating the commerce of every part of the empire by her own Parliament only ? Why had she then relinquished that power which she had exercised without controul for 120 years ? Because she acknowledged the independence of Ireland ; because she well knew that no act of her Parliament would be considered as valid by the people of Ireland, if it were not confirmed by the Irish legislature.

He said, that he had listened with attention to the several clauses of the intended Bill, and should not hesitate to assert, that if there was any one clause more absolutely necessary than the rest, any one with which it was impossible to dispense, it was that very clause which the right honourable Gentleman had reprobated ; for what was the object of the pending negotiation between Great Britain and Ireland ? It was to form upon principles of justice and equality a final and permanent adjustment of commercial intercourse between the two countries. Now if they took into consideration only the commercial regulations at present existing, they might form a system that would be just and equal ;  
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but in order to render it permanent also, they must go somewhat farther—they must look forward to futurity, and take care not only that the commercial regulations of both kingdoms were the same at that day, but that they should ever be the same at all times hereafter. If they did not that, their system could neither be final or permanent, and their eternal adjustment would last but for a session. A perpetual conformity of commercial regulations was necessary to render the system permanent, which could never be preserved unless the parliament of one country should agree to adopt the commercial regulations that should, from time to time, be established in the other; the question therefore was reduced to the single point, in which of the two kingdoms the future commercial regulations of the empire ought properly to originate? Should they originate in Ireland, a country that as yet had but little experience in matters of commerce, in the infancy of its trade, manufactures and industry? or should they originate in Great Britain, the greatest commercial nation upon earth, the seat of empire, and of course the kingdom on which must depend their treaties of commerce with foreign nations? She was mistress of the Colonies to which the principal part of their trade would be directed, and mistress of the navy that must protect that trade. There was surely no man so blindly prejudiced in favour of his country as not to acknowledge that the future commercial regulations of the empire ought rather to originate in Great Britain than in Ireland.

When Mr. Yelverton proposed his bill for adopting in Ireland all such commercial laws of Great Britain as conferred equal benefits, and imposed equal burdens on the subjects of both kingdoms, the motion was received with general applause; now the only purport of the clause in question was, to extend to futurity the provisions of that Bill, which they all approved of, and to recommend it to succeeding Parliaments to adopt such future commercial regulations as should be founded on the same principles of justice and equality.

He next begged leave to remind the House of the terms on which they then enjoyed the privilege of trading with the British plantations; the terms, he said, were, that they should conform from time to time to such rules and restrictions as Great Britain should enact for regulating the West India trade, and also that they should adopt such duties on all commodities exported from Ireland to the plantations,



and imported from them, as Great Britain imposed upon the same articles—not only the duties existing at that day, but also those that Great Britain should think proper to lay on at any future time; and accordingly, though they passed one equalizing Bill in 1780, they were forced to pass another in the following session, in order that their duties might correspond with those which Great Britain had imposed within that interval. Those, said he, were the terms dictated by Great Britain, and accepted by Ireland on that occasion. Did the right honourable Gentleman's pride revolt against that stipulation? Did he reject with scorn those humiliating conditions, as infringing on the legislative independence of Ireland? No, he received this concession like the rest of his fellow citizens, with satisfaction and gratitude;—yet that stipulation was surely more offensive than that which was the subject of the present debate; for in order to avail themselves of the treaty which they were then about to conclude, nothing was required but that Ireland shall adopt such commercial regulations of the British Parliament as should confer equal benefits, and impose equal burdens on the subjects of both kingdoms, and should tend at the same time to increase the shipping and mariners of the empire. But in order to enjoy the commerce of the plantations, they bound themselves not only to adopt her regulations, but also to impose such duties as Great Britain should prescribe on all commodities, whether native or foreign, exported to the West Indies, and on every article imported from thence, rum only excepted. He therefore contended for it, that that was the more offensive stipulation of the two, as if ever a country was to be jealous of the interference of a foreign legislature, she ought surely to be most so in matters that related to the imposition of taxes.

He supposed it would be said, that by accepting of the trade to the plantations, on the terms he had stated, Ireland bound herself to nothing;—that she had it always in her power to refuse to impose the same duties with Great Britain, and that the only consequence of that refusal would be a suspension of their trade to the West Indies, with respect to that article, the duty on which they refused to equalize; but he said, that in the present case they stood precisely on the same ground, for that it would be always in the power of the Parliament of Ireland to reject the commercial regulations of Great Britain, and that the only consequence of that rejection would be, a dissolution of the present treaty.

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No man, he said, could be so ignorant as to imagine that Great Britain required by this stipulation that they should pass any law, rendering it compulsory on future Parliaments to register the commercial edicts of Great Britain; every man of common sense must know that this was impossible;—that it was not in the power of a Parliament by any act of theirs to bind succeeding Parliaments, or even to bind themselves in a subsequent session. All they bound ourselves to by accepting of those conditions, was to adopt such laws as had been passed by Great Britain since Mr. Yelverton's Bill, imposing equal burdens, and conferring equal benefits on the subjects of both kingdoms, and then to recommend it to succeeding Parliaments to follow their example, and to adopt from time to time such further regulations as should be founded on the same principles of justice and equality.—But notwithstanding their recommendation and example, every future Parliament would have its option, either to adopt or reject those regulations. How then, said he, in the name of God, can this stipulation affect the supremacy of the Irish Legislature?

He expressed his hope that the treaty if concluded, would be final and permanent, but desired the House would recollect that they were not about to form an indissoluble contract, like the treaty of union between England and Scotland; for the moment the act of union passed, the Parliament of Scotland was annihilated, or rather merged in that of Great Britain; and if the articles of union had proved highly oppressive to the people of Scotland, they were left without resource, except what they should find in the moderation of the British Parliament, or the hazards of a civil war; the body of men to whom they would otherwise have applied for redress no longer existed—their Parliament was no more; but the Parliament of Ireland, notwithstanding that treaty, would remain in full vigour, and would always be able to reject, if they pleased, the regulations of Great Britain.

He said, that he was confident it would ever be their interest to adopt those regulations; for though they could not be too jealous of the monopolizing spirit of that kingdom, whilst she assumed the right of making laws to bind them, and of promoting her own commerce by the destruction of theirs; from the time that, in consequence of the present treaty, the commerce of both countries would become the same, and their interests so united, it would be impos-

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sible for Great Britain to make any laws injurious to the trade of Ireland, which would not be equally fatal to her own ; they should run no hazard by adopting the policy of the wisest commercial people in Europe. But if, contrary to every reasonable expectation, Great Britain should happen to pass any laws injurious to the commerce of the empire—if Old England should fall into a state of dotage, and grow too foolish to understand or to pursue her real interests, it would then be in the power, and become the duty of the Parliament of Ireland to declare off from any commercial connection with that devoted people ; and the worst that could happen to them was, that after having enjoyed for centuries together a full participation of the British commerce, and increased both the wealth and consequence of the nation by that participation, they might be forced in the end to break-off the connection, and stand precisely in the same situation, with respect to Great Britain, that they did at that day.

*Mr. W. B. Ponsonby* said, as this question was merely a motion for introducing a bill, he would not hesitate to vote for it. He thought deliberating upon the subject but a proper degree of respect to the manner and person who introduced it, and when the Bill was before the House, they would be best able to judge whether it affected their constitutional rights or not. He professed himself as warm a friend to those rights as any man, and declared, he would ever support the Constitution ; but he said, he would reserve himself till he saw the Bill, and if it should then appear, that it militated against the constitution, he should resist it.

*Sir Nicholas Lawless*—Sir, since this kingdom has happily recovered her constitutional and commercial rights, it has ever appeared to me that a system somewhat of the nature of the Propositions, agreed unto by both Houses of our Parliament, was necessary to the support of a political and friendly union between this country and Great Britain. From a conviction, Sir, of such necessity, I supported the original Resolutions, and should have been happy to have seen them returned agreeable to this country. The Right Honourable Gentleman has now given us the outline of the Bill he means to introduce, and I confess, I cannot see it in the alarming light in which it appears to some gentlemen ; and indeed from the highly honourable character of our Chief Governor, and the opinion which I entertain of the candour and integrity of the Minister in this House, I cannot think that they could be induced to forward a Bill so very opposite in its nature and tendency to the repeated decla-  
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tions of regard to our rights which we have heard him make. For these reasons, Sir, I wish that leave may be given to bring in the Bill, and that after its introduction sufficient time may be given to all whom it may more immediately concern, and indeed to the country in general, to consider it in every point of view; and if upon consideration it shall be found to trench upon our constitutional or commercial rights, I give my word that I shall be one of the last men in this House to give it my assent; but as I hope that its tendency will be found directly contrary, and that I wish to strengthen as much as possible the chain of connection between both countries, and perhaps it may at this time be more particularly desirable to shew the world that we are in perfect harmony with the sister country, and wish so to continue—for these reasons, Sir, I repeat it, I am for giving the Right Honorable Gentleman leave to bring in his Bill.

*Mr. Gardiner* rose and declared that he meant not to enter into the subject at large, as he thought the Right Honorable Gentleman had said as much as it was possible to say upon it. The only question before them was, as to the admission of the Bill, and whether it was derogatory to that House to admit it. He did not think it was; but, if he had been of opinion that the Bill was likely to infringe the rights of the constitution, no man would have been more ready to have opposed its introduction than himself. His notion was, and indeed he was convinced, that it would never be possible for Ireland to participate in the commerce of Great Britain, unless she consented to regulate that commerce by a similarity of laws. Occasions must occur, in process of time, which would excite jealousies and rivalships equally destructive to both countries, unless their commerce was carried on under the same laws. Nor was the practice new; it had already obtained; they were at that time obliged to follow English laws. He begged to know, whether Gentlemen thought it possible to arrange and establish a system of mutual commerce with Great Britain on any other terms. He believed no man would answer that the idea was practicable. If the case were so, and Gentlemen nevertheless refused to admit the Bill, merely because it called upon Ireland henceforward to pass such laws, in respect of trade and navigation as the Parliament of Great Britain should think necessary to pass, he would beg leave to ask the House, why had they entered at all upon the subject, or addressed the Crown respecting it? It struck him, that no reasonable objection could be urged against the mode proposed for the regulation



gulation of the commerce of the country in future, because, in point of fact, Ireland had been acting under similar laws with Great Britain ever since her attainment of her Free Trade. The capital objection to the Twenty Resolutions, he observed, nevertheless was, that they were to be bound by British laws; a strange objection truly, when it was considered that their Plantation Trade had hitherto been, and was to continue to be subject to a similar obligation. That Resolution therefore could not put them into a worse situation than they were in at present; these, he said, were his plain ideas. Another matter that he would just observe upon, was, who were to be the judges of the infraction of the compact between the two countries? By the Bill, it was declared that the three estates of Great Britain, the King, the Lords and the Commons, must pronounce by a positive statute, that Ireland had broken the Treaty before any breach of it could be charged upon her; whereas, on the contrary, if Ireland thought Great Britain had violated it, an address of the two Houses of the Irish Parliament, was deemed to be a sufficient authority for charging the breach upon her. This was a guard and security to Ireland against the influence that Ministers who guided the Crown might be supposed to have over it, and consequently an advantage on the part of Ireland. There was, however, he said, one objection against the system, and that was, while it guarded the raw materials of England, it left those of Ireland open and unguarded; but that was rather a matter to be discussed when the Bill was in a Committee than at present, and was no reason for refusing to suffer the Bill to be introduced in order to be discussed and examined; he therefore should give his consent to the motion, having so much confidence in the House, on all occasions, and in its integrity and vigilance, most especially when matters of consequence to the interests of their country came under consideration, that he had no doubt that they would deal with the measure as it should, upon examination, be found to deserve. For which reason, he trusted, that even at this late season, they would meet it manfully, and not stifle it in its birth, in compliance with the advice of those Gentlemen who had declared they should vote against the introduction of the Bill.

*Sir Henry Cavendish.* Sir, I have attended with great anxiety to the opening of this business, and I confess, I have attended with a great deal of partiality to what fell from the

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Right Hon. Gentleman over the way, and my earnest wish was to coincide with him if I possibly could. I am well aware of, and indeed I lament the unpleasant situation into which this business has plunged the Administration—an Administration I have always supported, because I believed they had abilities equal to their situation, and honesty equal to any thing. The motion for leave to bring in a Bill is reckoned very strong ground, and it is an excellent motion for quieting the Parliamentary consciences of Gentlemen, but it is to be considered, whether the Bill to be brought in is to contain anything derogatory to the legislative rights of Ireland. Sir, the Right Hon. Gentleman has been peculiarly candid in stating what is to be the subject matter of it; and though I know he thinks that part respecting the legislative rights of the Parliament of Ireland, does not militate against those rights. Tho' he thinks the enacting the Fourth of the Twenty Propositions passed in England is nothing more than a necessary condition, yet as I am of a very different opinion from him in that particular, it is for that reason I shall vote against giving the Right Hon. Gentleman leave to bring in the Bill, which I think is the most fair, manly, and honest way of acting, rather than paying him the empty compliment of giving him leave to have the Bill brought in, and then vote against the passing it through the House. Therefore, Sir, I shall give a negative at once to the present question. I am sorry I cannot indulge that partiality I have for the present Administration, but my interest as a man, as an Irishman, the interest, and honour of the nation call aloud upon me to reject a measure so destructive in my opinion to the legislative rights of Ireland. I cannot readily suppose that this House will pass the Bill. This I will say, if they shall, they will have betrayed the trust reposed in them by their country; they will have rendered themselves odious to every honest man in the kingdom, but I trust, and believe they will not so far disgrace themselves. But if this Bill should pass into a law, then I say every legal constitutional step ought to be taken to get it repealed as soon as possible. The people of this kingdom have too much spirit and honesty to sit down quiet under such a law. Sir, it requires no skill, no abilities to rouse the people of this kingdom against this measure: they are already roused; the difficulty will be to appease them. If any thing I ever said in this House could be remembered, Gentlemen will recollect, that I have always been an ene-

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my to improper applications from the people, and have stood forward in opposition to indecent expressions in this House upon that subject tending to rouse the people to an illegal resistance of the authority of this House. If I could speak to the people of Ireland, if I could extend my voice from one end of the Kingdom to the utmost verge of the other, I would recommend patience and peace. If this Bill should pass, I would recommend constitutional petitions to both Houses of Parliament, constitutional petitions to the King for the repeal of it. I would repeat those petitions decently, and fervently, if the first application did not succeed. If Parliament should not listen to such a constitutional method of applying for the repeal of the Bill, a question would then come before the Publick of a serious nature indeed. A question so serious, and so very much affecting the existence of this kingdom as an independent nation, that I shall not now go into the consideration of it. I should lament the necessity of going into the consideration of the origin of Government, of the compact upon which societies are formed by which the people give up a part of their liberty for the protection of the remainder. May there never be occasion to agitate that question! May it sleep for ever! It leads me however to make an application to the Placemen and Pensioners of this House, and give me leave to say, I speak of some of them with respect—some there are who act from principle, and would disdain to barter the rights of their country for the emoluments of office—some Pensioners too there are who have done service to their country, some who are pensioned in consequence of Addresses of this House; but should this Bill pass, their occupation would be gone, there would be no necessity for Government to apply to Members for their votes upon any question; we should be an House of Registry, only—a record of the Edicts of Great Britain. Votes would not be wanted, salaries would not be given, pensions would cease, and the few necessary offices for transacting the public business would alone remain, and they too in all probability, in the course of a few years, would be in the hands of Britons. Therefore I would recommend it to Gentlemen to oppose Administration on this occasion one and all, and not a man of you will be turned out. This, Sir, is no question of party. Look at the conduct of Gentlemen on both sides of the water, Gentlemen of the same party support, and oppose the measure; oppose



oppose it in England, support it in Ireland. It is no question of family; one brother with an Irish voice pleads for the independence of this kingdom, and rejects the Bill;—another brother, for whom I entertain a very great esteem, and who always acts like an honest man, is of a different opinion, and thinks he is supporting the rights of Ireland. It is not a question of the Administration of this country or of Great Britain, it is an Irish question, it is a question of national independence, it is a question of the legislative existence of this kingdom, it is a question Irishmen will not give up but with their lives. I say nothing of the commercial part of the Bill; I don't pretend to understand it. Many regulations, however, of the commercial part of it do appear to me to be beneficial to Ireland, and very possibly we may never have a better offer as to commerce; but what is commerce without liberty to enjoy it? What is property without liberty? The question lies in the narrowest compass; several Propositions were offered to your consideration, we agreed to them: We gave 140,000 l. a year taxes for the offer; the Propositions went to England, they were altered; additions, regulations, modifications were added to them, and they were rendered inadmissible in this country by the conditions annexed. We were duped into the grant of 140,000 l. Government here were duped, for they thought the Eleven Propositions would be agreed to; here then is the compact with the conditions, will you have them, or will you reject them? I answer, reject them. For one, Sir, under all these circumstances, coupled as they are together, I will not accept the Compact, and I spurn at the Conditions.

*Mr. Burgh*, (of Oldtown) rose and declared, that to give leave to bring in such a Bill, as Mr. Orde had stated, would be to admit that the House could for a moment entertain the principles contained in it, that they would consent to barter Constitution for Commerce, and at the loss of both. It would be to admit, that they had confidence in those who had negotiated, and who were to negotiate. He hesitated not to say, that he had no confidence in the Right Hon. Gentleman, and that, because the Right Hon. Gentleman had first proposed to them Eleven Propositions, and now proposed a Bill founded on Twenty Resolutions, allowed, by the address of both Houses of the British Parliament to his Majesty, to be essentially different. He could have no confidence in the Right Hon. Gentleman, because



he had not, at the outset of the business, consulted the merchants of Ireland, though their interests were necessarily so deeply involved in a commercial treaty; and because he had likewise refused the House time to enter into any such enquiry and consultation. He could have no confidence in the Right Hon. Gentleman, because he had not ventured to shew himself in the British House of Commons, when in London, though the subject was, at that time, depending and under agitation, though his character was daily canvassed, and was rested on the difference between a *Mart* and an *Emporium*. Mr. Burgh said, he had been confounded and mortified at his deficiency of understanding in not being able to perceive any distinction where the great man and the high-minded virtuous Prime Minister of Great Britain could find one broad enough to rest and defend the character of the Prime Minister of Ireland, (his friend, his confident and his associate, in principle and politics.) He had, he said, in all humility, taken pains to trace out the distinction. He had even turned to Doctor Johnson's Dictionary for that purpose, and it had been some consolation to him to find that the difference had baffled the discriminating sagacity of the Doctor, who fairly construed one word by the other. He apprehended that, if Mr. Orde had gone to the House, instead of sculking and hiding his head in some corner of the Treasury, he would not, probably, have differed with Mr. Pitt on the Constitutional Propositions *there*, although he did so about Reform *here*. He owned he never had heard any reason why the Right Hon. Gentleman could pretend to the confidence of that country, [Ireland] except one, assigned by a noble Marquis, in the House of Lords in Great Britain, that he had indeed! the prospect of a reversion of an Estate in another.

To admit the Bill (he said) would be to admit confidence in Mr. Pitt, who first sent over Eleven Propositions to Ireland, and afterwards brought in Twenty in Great Britain, totally different, containing every alteration in respect to Constitution and Commerce, and even Geography, who had himself introduced the Fourth Proposition, legislating for Ireland, without even the words, "To be passed by the Parliament of Ireland," inserted in amendment, that certainly did not take its rise among the friends of Mr. Pitt, who had, as Prime Minister, coming out of the Cabinet, moved the Address, declaring these alterations to be made after the maturest deliberation, and to be essential and indispensable,

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To accede to the motion of the Right Hon. Gentleman, and to suffer the Bill to be brought in, would be to admit confidence in the Parliament of Great Britain, as to the Constitution and Commerce of Ireland, at the very instant that the two Houses of the British Parliament were their rivals in both, as they had been for near a century. The fourth Proposition, as to external, and the fifth as to internal legislation, were relied on by both Houses of the Parliament of Great Britain; they had been acknowledged to be the motive, the *sine qua non* of the whole negotiation, and all the alterations made in the Eleven Propositions had passed the Commons, the Lords and the Cabinet, (that was to advise the King in the final disposal of the business,) and had been followed up by an Address, declaring those alterations to be essential and indispensable, so as to preclude every hope and thought on the part of Ireland, to negotiate further. Could they conceive, therefore, that Mr. Orde would bring in any Bill founded on any other principles than those so declared to be essential and indispensable, or that it would be admitted in England if he did? What was the plain undeniable construction of the Address that had been carried up to the Throne? Did it not propose that they should barter Constitution for Commerce? What other meaning could be put upon those words of it, stating, in substance, that they should continue to enjoy the Colony Trade (theirs already, by the act of 1780,) by passing the same laws and regulations as the British Parliament should do? Supposing that trade, to the exclusion of others, to be ever so advantageous, was not that to admit it to be bartered, and to say they had no objection to give up their Constitution, if they could get an advantageous price for it? But, it was said, this was no more than they did in 1780. Let it be remembered, however, that then they had no free Constitution. Then, when they suffered their Commerce to be restrained by British laws, it would have been absurd indeed not to have suffered it to have been extended. By their independence obtained in 1782, they had a right to the choice of cheaper markets and to trade with *all* the world. To enter, therefore, into such a Compact at present, would be to barter, and to barter basely, to except of a limited Commerce and Foreign Legislature, and to give up, in exchange, free Commerce and free Constitution, which, by the way, was the only security they could have for



for retaining any Commerce at all, even the dole they were now called upon to bargain for. This Bill, Mr. Burgh said, would put them in a worse situation than even the 6th of George I. That left them, at least, *internal Regulation*; but this was to submit their most internal œconomy to regulations made by the British Parliament. They were not only to have British Laws, but British Officers to enforce them, “their Officers were not to be trusted.” It had been well said on the other side of the water, that as Great Britain was to have the profits of our Commerce, it would be patriotic in an Irish Revenue Officer to connive at abuses. It was very true, it would be the only resource, now, as before, that the country could have against British Restrictions. Let but the Bill pass, it would not be the Member of Parliament who could any longer make, nor the Magistrate who could any longer enforce, laws that could serve their country. They would necessarily become the accomplices of the destruction of her Commerce, and, if attempting the only means to preserve that Commerce from destruction was patriotic, the smuggler was the only patriot they would admit of. This country, it was irksome to him to be obliged to say, had been hitherto enabled to exist by smuggling only. At a medium of eleven years previous to 1779, her remittances to Great Britain to Absentees, and for Pensions, Salaries, &c. amounting to upwards of eleven hundred thousand pounds, while the balance in favour of all the trade which Great Britain allowed her with the whole world was barely six hundred thousand pounds. How was the deficiency made up, and from whence was the drain supplied? Must it not have been by clandestine trade? Ireland, relieved from the open restrictions of her liberal and affectionate sister, Great Britain, and enabled only to exist by smuggling with France, (the rival and enemy of Great Britain!) Why should Great Britain wish to continue and renew a situation, so irksome, so destructive to Ireland, so prejudicial to her own interest, so advantageous to her enemies, so subversive of those resources she ought to restore and cherish? It was, he declared, irksome to him, in the highest degree, to be obliged to say, he could not trust the Parliament of Great Britain, but truth and duty compelled him to it. “But it was asked, did not that Parliament declare, that they never would infringe the Constitution of Ireland, that they meant to extend its Commerce?” Before



fore they trusted them with their Constitution, let them see how far the Parliament of Great Britain had been hitherto to be relied on with regard to their commerce. Without observing that, in the very same Address, the two Houses of the British Parliament stated, that the alarming alterations were essential and indispensibly necessary. Let them consider what had been the consequence of former Addresses and Professions. In the year 1698, the balance in favour of Ireland, on account of the flourishing state of her Woollen Manufacture, was four hundred and twenty thousand pounds. The Parliament of England, desirous to deprive her of this trade, and to substitute the Linen Manufacture in its room, addressed the King to declare to all his subjects of Ireland they should receive “ all countenance, favour and protection from his Royal influence, for the encouragement and promotion of the said Linen Manufacture to all the advantage and profit that kingdom could be capable of.” His Majesty answered that he would take care to do what their Lordships desired. At the same time the Commons addressed his Majesty, desiring him to encourage the Linen Manufacture of Ireland, to which they declared they should *always* be ready to give that Manufacture their *utmost assistance*. The Lords Justices of Ireland also, by command from England, declared, at the same time, to the Irish Parliament, that the Linen and Hempen Manufacture would be encouraged, &c. That the condition was complied with, by the giving up of the Woollen Manufacture in Ireland, was pretty evident, since, in consequence of the English Minister having found a majority in the Irish House of Commons of that day, of 74 to 34, (on which, no doubt, he prided himself), for receiving a Bill for laying additional duties on Woollen Exports from that Kingdom, Ireland, instead of a balance of four hundred and twenty thousand pound in its favour, was, in the course of four years, so reduced that it could not pay its establishments civil or military, and was in as bad a situation as it had since been (with its boasted Linen Manufacture) in the year 1779, and the Commons were, in the very next Session, 1703, obliged to lay “ its deplorable state” before the Queen; notwithstanding which, in that very reign, and in every reign since, \* discouragement, rivalry and restriction

\* From the 9th and 12th of Anne—7th of Geo. I.—26th of Geo. II. to 10th and 18th Geo. III.



had been experienced by them in their Sail-cloth, Printed Linen and Linen Manufacture of different species. Notwithstanding these assurances and this compact ratified by the three Estates of the British Parliament, had not Mr. Orde that day come forward and proposed the restitution of part of that ceded Manufactory, the Sail-cloth Manufactory as an inducement for Ireland to treat with Great Britain? Was not this first to rob them, and then to attempt to bribe them with their own? Now, if in a transaction, in which it would have been dishonourable between two private Merchants to have thus acted, the successive Parliaments of Great Britain had so obviously broken her former parliamentary engagements, what should they say of a proposal to confide to her present declarations, not only their Commerce but their Constitution?

It had been said, that they might now enter into a declaration of their legislative rights and so give them an effectual security. Had not that been done in 1718? Did that secure them? What had been their "imperial and independent legislature from that time" for above half a century, till the American and Volunteer Resolutions in 1782? Could then too great a jealousy and apprehension for the Constitution and Commerce be entertained by the House so recently (within three years) after their emancipation?

He owned, he could not subscribe to the justice of the great principle on which the whole negotiation had been founded—the giving at present the overplus of their hereditary revenue to Great Britain. Why would Great Britain counteract them in the affectionate wish of considering *all* their resources and exertions as for her advantage? Why did she lay a clog upon that prosperity which must be her own? Why did she not seek to restore them to that situation, that wealth, and strength pointed out to them by their natural resources, from which her restrictions alone had debarred them? If they had been impeded by those restrictions, if with advantages of climate, situation, &c. they were so far behind her in every improvement, ought she not to feel that she alone was the cause of their being so? What would have been their situation at that day, if their Commerce had been open since the latter end of the last century, and had been suffered to go on *pari passu* with her own? What resources had she not lost in them? Having impeded their natural exertions, and reduced them to a state of poverty, weakness



weakness and misery unparalleled in any other country, ought she not in natural justice to have remunerated instead of enacting? Ought she not at least to have waited, and have left them to their full resources until they should have recovered the situation from which she had depressed them. Entitled by their birth right, possessed in virtue of Magna Charta of the freedom of their ports, were they now to pay for the restitution of their natural advantages and rights, instead of receiving a recompence for their having been so long withheld from them? And yet what were the arguments in Great Britain? "They were not to be allowed commerce on account of the cheapness of their labour!" What was that cheapness of labour owing to? To the want of employment, and to the consequent misery of the people. What was the cause of that misery? The restrictions laid on their manufactures and commerce by Great Britain. Ought she first to do them the injury, and then make use of it as an argument against them? What was the other objection? "The goodness and situation of their ports for commerce:" so that, it seems, they were to be restrained in commerce on account of the disadvantages they had derived from Great Britain, and they were to be restrained from commerce on account of the blessings they had derived from Heaven! Was this the affection! Was this the justice! Was this the liberality! Was this the magnanimity promised and expatiated on by the right honourable Gentleman! Had it not been (he asked) the principle of the British Bill to deny them the power of extricating themselves by the application of bounties to their weakened manufactures? the means by which their own had been brought to perfection! Mr. Burgh compared the conduct of Great Britain to Ireland to a decayed farmer, who, having an affectionate and active son or brother, desiring nothing more than to live with him to cultivate the farm and to increase the profits for their mutual benefit, should say to him; No you shalt work in this field, because I sowed it when I was young; and you must not work in that part of the farm, because I enclosed it some years ago; and you must not plow with any improved machines, because they are mine. And though your being well fed, and clothed and comfortable would make you stronger, and enable you to turn out more work in the year; yet you shall continue to live in the inside of a dunghill, and go naked



and feed on water and potatoes, (when you can get them) to shew you I will be consistent with my former conduct towards you. In this way did Great Britain reason with regard to her greatest, her most natural, her last resource! Why would she not make up to herself the loss of America in that country? Why would she, in a great imperial theme, proceed on the confined notions, on the local prejudices and on the narrowness of mind of the manufacturers of this or that town? Had she not had enough of restrictions on trade? Was it by taxation that she lost the trade of America? No: it was by perverting her military, and even her naval system to the restriction of trade; so much was that pernicious system deep rooted in her councils! She lost the trade of America, by adhering to the principles of an exciseman; and she was preparing to lose and destroy that of Ireland, by adopting the principles of a pedlar. What was the reason, he asked, of a distinction introduced between the two kingdoms? Was it because a sea ran between them? What could have been wanting to the prosperity of the two countries united by nearness of situation, similarity of constitution, of language, of habits, and of laws? What the best means for the attainment of riches, of strength and security? The extension of naval power! How has Heaven provided that blessing for both by throwing a sea between them, by giving to both all the advantages and all the resources of their insular situation, and multiplying those advantages and resources? What then should they think of that country which, instead of rejoicing in this double bulwark of her constitution, commerce and strength, should bear to it an eye of jealousy and an hand of oppression, and counteract by the adoption of the most narrow prejudices, the wisest and most favourable disposition of Providence!

Mr. Burgh concluded by observing, that he could not possibly be actuated by any ill-will to the right honourable Gentleman as a private man; but, as he looked upon his application to them of that day as a proposal to surrender and betray the constitution and commerce of the country, as he thought that to propose treason was to impute it, and that the Bill was an insult on the understanding and the integrity of the House, rather than vote that it should be brought into the House, he had much rather consent to vote the right honourable Gentleman out of it for having proposed it.

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The *Attorney General* began by calling for the Resolution agreed to unanimously on the 20th of December, 1779, which was read, and was in these words :

“ Resolved, Nem. Con. that a liberty to trade with the British Colonies in America and the West-Indies, and the British Settlements on the Coast of Africa, in like manner as the trade is carried on between Great Britain and the said Colonies and Settlements, will be productive of very great commercial benefits, will be a most affectionate mark of the regard and attention of Great Britain to our distresses, and will give new vigour to the zeal of his Majesty’s brave and loyal people of Ireland, to stand forward in support of his Majesty’s person and government, and the interest, the honour, and the dignity of the British empire.”

The *Attorney General* proceeded to refer to the events of 1779, and had said only a few words, when he was interrupted by

Mr. *Conolly*, who said, I think it necessary to stop the Right Hon. Gentleman to inform him, that in 1779 we had not a free constitution.

*Attorney General*.—I will assure the Right Hon. Gentleman that I did not in any sort, allude to any thing which had fallen from him ; but since he has done me the honour to interrupt me, I shall probably be induced to allude to him before I sit down ; and the Right Hon. gentleman having called my attention to him, has a claim upon me for precedence, I shall therefore in the first instance dismiss him. The Right Hon. gentleman has stated that this is a subject of so much delicacy and intricacy, so much envelope in difficulty and mystery, that it is nearly incomprehensible. And in the same breath he announces the whole system to be injurious to the trade and commerce of this country, and subversive of the legislative independence. The Right Hon. gentleman calls out for time to enable the people to understand the subject, and will not consent to the introduction of a bill which is to point out to them what they are to understand. The Right Hon. gentleman will not consent to the introduction of a bill which he has never read, and which he professes his inability to understand, because it is a bill which he asserts to be ruinous to the trade, and subversive of the constitution of Ireland.

Mr. *Conolly*.—The Right Hon. gentleman mistakes my argument.



*Attorney General.*—Possibly I may have mistated the argument. I do not think however, that I have mistated it; however, if my Right Hon. friend feels any thing like uneasiness at the repetition of his arguments, or at any observation which I have made upon them, he knows my respect and regard for him to be so great, that I never can proceed in any thing which may give him one moment's pain. I am satisfied he acts upon every occasion to the best of his judgment for the advantage of this country. I shall therefore proceed as I had intended when I first rose.

As my Right Hon. friend, Mr. Grattan, alluded to the memorable æra of 1779, I thought it necessary to remind him of the unanimous sense of the House and the Nation upon the subject at that time, and to remind him, that the grant of the Colony trade was at that time deemed an act of liberality, which ought to attach us warmly to Great Britain. I thought it necessary to remind him of his language and conduct at that time, that the emulation of that day was, who should stand forward to express his gratitude to Great Britain, and his admiration of the unexampled ability and address with which Lord North had conducted the cause of Ireland. How it has happened that the extension and permanent establishment of the principle, which at that time was the subject of overstrained applause and gratitude, has now become a topic of popular clamour and discontent. How it has happened that a voluntary and precarious grant of the Colony trade, in 1779, was considered an affectionate mark of British liberality, and that an extended and irrevocable grant of the same trade, in 1785, is considered as an insult and an injury. How my Right Hon. Friend will reconcile his conduct and his language in 1779, to his conduct and his language on this day, by what twist of argument he will be able to reconcile to the nation, opinions so violently contrasted and inconsistent, I am free to acknowledge I want sagacity to discover.

That I may not incur the hazard of contradiction, when I state what was in 1779 considered perfect freedom of trade, I will recur to the words of a Gentleman now in my eye, (Mr. Flood) delivered in this assembly on the 20th of December, 1779: "What is a Free Trade? I was one of the first and most decided in using the term. It is a trade to the whole world, subject to the restraints of your own legislature, and that of the country with which you trade; consequently in Britain, and the British Colonies, subject  
to



to the restrictions of the British legislature. This, says he, is a principle as clear as the sun, which shines upon our reviving empire, and wide as the universe, if the universe were wider than it is." This, Sir, is the honourable gentleman's definition of a Free Trade; and upon his own principles, clear as the sun, and wide as the universe, I meet him upon the present question. From 1779 to 1784, we rested satisfied upon the subject of trade; but in 1784, it was discovered that the commercial intercourse between Great Britain and Ireland was unequal; that she poured her manufactures in upon us, and shut our manufactures out from her markets. But above all, it was complained that by the construction which she put upon her navigation laws, we were prohibited from importing into England the produce of her colonies, whilst she claimed a right, and we acquiesced in the claim, to import into this country, from England, the produce of the whole world. The remedy proposed was, to commence a war of Prohibitory Duties, but the good sense of the House saw how destructive such a measure must be, and rejected it by as respectable a majority as ever appeared within these walls. An Honourable Member then thought it necessary to move an address to the throne, that the servants of the crown might be directed to employ the interval between that time and the present session in digesting a plan of commercial intercourse between Great Britain and Ireland, upon equitable and liberal principles. I have heard Gentlemen say, they considered that address as alluding to Protecting Duties, but I will not pay their memories a compliment at the expence of their understandings; it is impossible they could have understood that this address alluded to Protecting Duties, the words of the address speak the sense of it very plainly, and Protecting Duties had been just rejected, as a wild and nonsensical project.

A system of commercial intercourse therefore was called for, by the Parliament of Ireland, and I trust I shall not hear it again asserted, that this has been a subject obtruded upon the nation. The unanimous address of the Commons gives the lie direct to that assertion; accordingly the outline of the system which had been called for, was submitted to the House in eleven Propositions, early in this session. The leading features of it were, "That the markets of both countries should be open to the manufactures of each  
other



other upon equal terms; that therefore no new prohibition or additional duties should be imposed in either country upon the manufactures of the other; that Great Britain should secure and make permanent to us, the grant of the Colony trade, which by the settlement of 1779, as my Right Hon. Friend has termed it, was precarious and revocable, and that she should relax her Navigation laws in our favour." For the present I shall not go into the detail of this system, but I must remind Gentlemen, that England by this agreement binds herself to secure to this country the monopoly of her market in the article of linens. And I must remind them also, that a Gentleman of the first abilities, a leader of English opposition, did state emphatically in the British Senate, that Britain, by so doing, gave up her best protection against the future caprices of this country.

As to the liberty of sending our manufactures to the British markets, I freely own I have not very sanguine expectations of advantage from it. But, Sir, I prize the advantages of a relaxation in her navigation laws very highly. I think that without such a relaxation we have little prospect indeed of any foreign trade. Because, if the Irish merchant has not the certain issue of the English market for foreign commodities, he has no spur to enterprize and speculation. But if England relaxes her navigation laws in our favour, she has a right to expect that we shall protect and cherish the ships and mariners of the empire, as she has protected them. She has a right to expect that we will follow her in a code of laws, which have been the source of her commercial opulence, the prime origin of her maritime strength, and therefore it is folly to suppose that England will ever conclude any treaty of commerce with any nation on the earth, without ample security for the protection and encouragement of British ships and mariners, and for the protection and encouragement of her own plantations. This security she has a right to expect from us, and without it, it is vain to hope that she will ever conclude any treaty with us, and I must remind gentlemen, that our trade with England is of greater value than our trade with the rest of the world. If we were to lose it, in six months, you would not have gold in circulation for the common occasions of life.

This is the outline of the system proposed and approved of almost universally, early in the session, and I call upon any man to shew me where the principle or spirit of this system has



has been departed from in the English propositions, or in the Bill introduced by the English Minister.

But it was necessary to combat the prejudices of the British manufacturers, and the opposition of a party, many of whom do, I am satisfied, oppose any extension of the trade and commerce of Ireland upon principle, and therefore it is, that the British Minister, and the men who supported him, were forced into the detail of this subject in their resolutions.—A detail which must necessarily have followed, even if the British Parliament had kept clear of it in this first stage of the business.

God forbid that I should impute wrong motives to any man ; I am satisfied that it is the principle of some of the leading men of the present opposition in England, not to extend the trade and commerce of this country. And if I did not chuse to keep this subject clear of any thing which might look like a question of English party, I would prove to the conviction of every man who hears me, that the weight of Ireland in the scale of the empire must for ever prove an obstacle to the great object of their political career.

With respect to the East India trade, I must inform the Right Hon. gentleman, that it is a question, in my mind, of no doubt or difficulty, that we have by a law of Ireland confirmed the monopoly of the East India Company ; and therefore, so long as their charter lasts, we are bound by it. And were this charter expired, I believe our prospect of a trade to India, even if it were the interest of this country to interfere with Great Britain, is very remote indeed.

The Right Hon. gentleman has said, that we gain but a speck of advantage in the permission granted to East India ships to touch at Irish ports in their passage out ; and yet this was one very great cause of the clamour raised in England against the system ; for Mr. Wedgwood, and two other men, who were examined upon the subject, at the bar of the House of Lords, did not hesitate to declare, that glass, and some other articles, were likely to be exported from Ireland to the East Indies, and in such quantities as would prove extremely injurious to the manufactures of England.

As to the East India trade, the gentleman is much mistaken. Whenever the charter of the company shall expire, Ireland will, upon the same terms as the subjects of Great Britain, be enabled to trade with all the British possessions in the East as to British colonies, and to all the independent states without restriction.

Mr.



Mr. *Grattan* rose to explain. He said that we were to be prevented for ever from trading with the East Indies.

*Attorney General*.—The Right Hon. gentleman is totally and radically mistaken, and there cannot be a stronger argument for the introduction of the Bill than he has furnished; for it now appears that he is altogether mistaken in his idea of the fundamentals of it. He has objected to this system, that we stipulate not to trade with the colonies of foreign states. Now I request of gentlemen to attend to this objection. It is modestly desired on the part of this country, that Great Britain should grant irrevocably to us a right to trade with her colonies and plantations, and leave it in our discretion, at any time, to trade with foreign colonies and plantations, to the prejudice of Britain and British plantations; nay more, it is desired that England should open her ports to receive the product of the West Indies through the medium of Ireland, and trust to the scrupulous honour of Irish merchants not to deceive her, by imposing the produce of foreign colonies upon Great Britain in her own markets, to the utter ruin of the British plantations. But can any thing be more just, if we are to share with England her colony trade, than that we should give to her colonies a monopoly of our market? It has been insinuated, that we could trade to more advantage with the colonies of foreign states; but what foreign states will allow us to trade with their colonies? Who is to protect us if foreign states shall refuse to do us justice? or who is to assert our rights if they shall be violated? But admit for a moment, that we could trade with the colonies of foreign states, in exclusion to the colonies of Britain, would not this be an act of open hostility, and call for retaliation?

The right honourable Gentleman is mistaken as to the settlement of 1779—it was a voluntary grant, revocable at pleasure; and one great argument in favour of the present settlement is, that by it that grant is rendered irrevocable.

I now come to the great argument of those who oppose this system—the argument, if it deserves the name, which has been trumpeted forth by the enemies of Ireland in both countries, to inflame her pride, and to prejudice her against this settlement. It is asserted again and again, that this treaty is an insult to Ireland—that it strikes directly at the independence of her legislature. This is the first instance in which Ireland has ever treated, and it is a new idea to me, that England, by opening and carrying on a treaty with her



as with an independent state insults her pride, and strikes at her independence. But what is desired of her on the part of England? So long as you continue to trade with us, as you have proposed, we desire of you, by laws of your enacting, to cherish, and protect, and encourage the ships and mariners of the empire, as we have done. We only desire of you, by laws of your own, to adopt a code of laws, the policy of which stands admitted by all the nations of Europe—a code of laws which is the great source of the strength and wealth of the empire. So long as you continue to trade with our colonies, we desire that you will regulate that trade, as we do. But if you do not chuse to adopt our navigation code—if you do not chuse to protect the ships and mariners of the empire by your laws, as we protect them by ours—if you do not chuse to regulate your trade with our plantations, as we regulate ours, why then there is an end of the agreement—you then make your option, not to trade with us, and with our plantations, upon the terms which are necessary for the general security of the empire.

Here give me leave to recur to that principle, clear as the sun and wide as the universe, which I have taken the liberty to borrow from an honourable Member—freedom of trade, is liberty to trade with foreign nations, subject to the restrictions of your own legislature, and the legislature of the country with which you trade. Here I meet that honourable Member with his own principle, clothed in his own words: And if the principle is questioned, it is impossible to form a commercial treaty with any nation on earth. But I will shew you the principle recorded again and again in your own Statute Book, from 1779 to 1785—session after session you have recorded it. What was the principle admitted in 1779—admitted and proclaimed by the whole nation in peals of applause and gratitude? We will import the produce of the British Colonies and Plantations upon the terms of enacting from time to time, by our laws, specific taxes imposed by Great Britain upon British subjects; and accordingly, session after session, this agreement has been recited in your Money Bill. The British tax is recited, and the British tax is enacted. What is your option here? Have you an option as to the quantum of tax? No; you enact the British tax, or you give up the trade. I defy the ingenuity of man to distinguish the two cases in point of constitution. What does England desire

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now?—You have proposed to trade with me in a more extended way, than you have done—I agree to it, provided you agree on your part to make the same regulations from time to time, to protect and encourage the mariners and ships of the empire, as I do here.—Where is the insult here, or where is the attack upon your independence? I say again, where is the departure from the honourable Member's principle, clear as the sun, and wide as the universe?—where is the departure from the principle, sanctified and recorded again and again in your own Statute Book? An honourable Member has alluded to the Methuen Treaty. What is that treaty? It consists of two articles only—Portugal agrees to receive English woollens, and England agrees, from time to time, to enact specific taxes upon the wines of Portugal. Is not this the same principle again? Why the honourable Member may as well say, that England is insulted, and that England surrendered her independence, because she agreed not to raise more than a stated revenue upon the importation of Portugal wines. Because she binds herself to give a preference to the wines of Portugal in the British market; at all times over the wines of France. In short, if the Irish nation will never condescend to promise a compliance with any condition of a treaty, the Irish nation must determine never to make any commercial treaty, or any treaty whatever.

It has been said, we cannot confide in the present Minister; but if we cannot confide in him, I do not know in what part of the British dominions we can find the man in whom we *can confide*. As to the leading men who oppose him, I am satisfied it is a first principle with them not to make any concession to this country which is to add to her weight in the scale of the empire.—In 1779, when Lord North proposed his Resolutions in favour of Ireland, they would not assent, nor would they dissent—they would reserve themselves. In 1785, when Mr. Pitt, with the liberality of a great and firm mind, stood forth to combat the prejudices of the manufacturers of Great Britain, for the general advantage of the empire, they echoed the clamours and the prejudices of these men, and having failed in their prospect of damning the measure in England, they instantly changed their ground, and applied themselves to the pride and the prejudices of this country; and, as I have been informed, they have somewhat prematurely indulged their merriment at our expence—they have somewhat prematurely indulged their



their merriment at the expence of a few individuals, whom they suppose to have swallowed the bait. And this country will be the laughing-stock of every nation in Europe, if she becomes the dupe of so palpable and shallow an artifice. Here, Sir, I desire to be understood, not to state this as a conduct in any degree reprehensible—I am satisfied these gentlemen act upon system, but no man shall persuade me that they are friends of Ireland. Let gentlemen recollect the language held by the leader of English opposition, and by a gentleman foremost in his confidence on the same day; one gentleman stated, that Captain Brooke was an interested witness, and therefore not to be credited, because this was an agreement wholly and exclusively beneficial to Ireland. And in the next half hour his friend stated, that he had written to all his friends in Ireland to be upon their guard, for that it was an agreement ruinous to the commerce and the constitution of this country—I listen to the one and the other with perfect indifference. I do not pretend to say, that a few individuals in Great Britain may not perhaps feel a temporary inconvenience from this settlement; but I am perfectly assured, that it will be highly advantageous to the empire. There is no solid advantage which this country can acquire that will not ultimately tend to the strength and wealth of the British empire, and therefore he is a narrow and flimsy politician, who will sacrifice the strength of the empire to the narrow prejudices of interested individuals. A spirit of monopoly is the first principle of a merchant or a manufacturer. Whilst man continues to be a creature of passion and interest, self-interest will be his first consideration; and therefore in a great national system of commerce, a merchant or a manufacturer is perhaps the last man from whom you may expect information. The great object of his life is to accumulate wealth for himself; but in what manner national wealth is accumulated, his education or his pursuits do not enable him to see; and therefore, upon a great national system, a merchant or a manufacturer is perhaps the last man to whom I would apply for information. Let me remind gentlemen of the evidence delivered at the bar of this House in the course of the last session. How many of your merchants and manufacturers informed you, that this would never be a nation of trade, foreign or domestic, until you imposed prohibitory duties on the importation of British woollens. In a country whose imports from England do not exceed one million, and whose exports to England



exceed two millions and an half. The merchants and manufacturers came forward to press you to commence a war of prohibitory duties. An Hon. Gentleman says, he has no confidence in the Irish Administration, and he assigns one reason for his want of confidence, that my Right Hon. friend when he was at London never appeared in the House of Commons to clear up a doubt whether he had used the word *mart*, or the word *emporium* when he first stated his eleven Propositions to this House. There is another reason, and I will say it is the true reason why that gentleman has no confidence in the Irish administration—he has no connexion with them ;—but being closely connected with them, it shall always be my pride, as a gentleman of this country, to acknowledge my obligations to the Duke of Rutland, and to my Right Hon. friend. This country owes more to them than to any men who have ever filled their stations. In the course of this very interesting business, they have displayed the most unwearied assiduity, and unshaken firmness and integrity.

Before I sit down I must remind the House, that my Right Hon. friend (Mr. Conolly) has, by authority from a noble Duke, disavowed the declaration which was imputed to him, because it rescues a nobleman for whom I entertain a very affectionate respect, from some imputations which I have heard thrown upon him, and which from my knowledge of his strict honour and integrity, I have always asserted to be false and groundless. We all recollect when a motion was made in this House, with respect to the East Indies, that my predecessor in office declared, that it was improper to fritter away piece-meal a great system of trade, which Administration meant to bring forward. And I know Lord Northington's honour, integrity and firmness to be such, that he never would have suffered such a declaration of a gentleman in his confidence to have remained uncontradicted, if the British Cabinet had determined not in any sort to concede any extension of commerce to this country ; and therefore I am happy, for the sake of a nobleman whose principles I admire, and whose worth and honour will ever remain un sullied, that my Right Hon. friend has publicly disavowed the declaration imputed to the noble Duke.

The Attorney-general concluded with saying, that whatever might have been intimated at different times concerning the possibility of Ireland standing alone, and distinct from England, he was free to declare, that situate as  
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she was, in the neighbourhood of powerful Popish countries, with a great majority of her people of the Popish religion, she could not exist one hour as a Protestant state, if the protection of England was withdrawn.

Mr. *Forbes*.—I condole with this House on the convincing proof the conduct of the ostensible Minister has this night afforded, that the national character is sunk in the opinion of the people of England; for I am certain that every gentleman, who hears me, will agree in the truth of this observation, that three years ago no English Minister would have presumed to have proposed such a measure to an Irish House of Commons, as that submitted this night to our consideration by the Right Hon. Secretary. I shall give my negative to this motion, because I cannot subscribe to the truth of the assertion of the Right Hon. and learned gentleman who spoke last, that there was no material departure in the system now proposed from the principles of the eleven Propositions, the Minister has departed from them most materially, by introducing into his system the principles of the 4th English Resolution, which are subversive of our legislative independence, and which, by depriving us of the power of regulating our trade, as well as the means of preserving it, render any commercial acquisitions precarious and uncertain. I shall give my negative to this motion, as I do not wish to commit the two countries, which must be the case if the Right Hon. Secretary's Bill is passed into a law: I have no resentment against the people of Great Britain for their conduct on this subject; if they were wrong, we were the cause of their falling into error; we sent them over the eleven Propositions without any circumstance attending them, which could command respect from the people of England; not one manufacturer or merchant in Ireland was consulted on the subject; we did not send to England any reasons or evidence to prove, either that the eleven Propositions would be advantageous, or that they could not be injurious to the common interest of both countries. Great Britain saw, that they were not a measure of the people of Ireland; of course English prejudices operated against them, as we had not sent over any thing to counteract the influence of those prejudices. I shall give my negative to this motion, as I do not wish to administer to the support of a system of policy, which bears too strong a resemblance to that pursued respecting America. When the stamp act was repealed, America was re-united to Great Britain; but the despotic principles of a certain desperate  
faction,



faction, which, I fear, now prevails in England, could not be reconciled to a re-union founded on the basis of British liberty; they revived their system, imposed the tea duty, persevered in their principles, and lost America. The power of legislating for Ireland was relinquished in 1782, but the same desperate faction, mortified by the prospect of renovation of the British empire, in consequence of the wise and liberal policy adopted respecting Ireland wish to resume that power; but taught by fatal experience in America the folly of a direct invasion: they now only ask us to *lend* them our power of legislating for Ireland, and tell us, that if we do not like the use which they make of it, they will restore it to us, or we may resume it. Should a request be made to any individual among us by another, to lend him the safeguard of his honor, his liberty, property, and independence, and that his request should be accompanied with an assurance, that if he did not approve of the use made of it, he might re-possess himself of it, whenever he thought proper. Is there a man among us, who could be so absurd as to place the least confidence in such a clause of re-assumption? Much reliance has been placed by the last speaker on the condition contained in the English act of 1780, known here by the title of the act of Free Trade; but allowing, merely for argument sake, that the principle "that we should participate in the colony trade, only on condition that we implicitly adopt English regulations and English laws is there admitted, shall we because we adopt English laws in one branch of our commerce, and respecting only a part of the colony trade, introduce them universally and implicitly into our commercial system?—Shall we extend this policy so far as to make it the constitution of our country?—But the fact was, as gentlemen must recollect, that the Minister in 1780 did not dare even to lay on our table any English Resolutions, or English Bill, containing such a condition, much less to propose to our Parliament to enter into any covenant of that nature; the Resolution introduced at that time by Ministry in this House, was framed in a manner very different from the English Resolution at that period on the subject of the Colony trade. But it is urged, that all objections to the 4th Resolution are obviated, as whenever we think proper to decline passing the same laws as England, respecting trade and navigation, we have only to refuse to comply with this condition of the treaty, and then we are released from our covenant. But are we not now possessed



possessed of independence absolutely? Why then put it in condition? The title to our independence is clear; why then shall we embarrass it with this condition? Why make experiments on our constitution? But it should be recollected, that we cannot release ourselves from this covenant, without passing an act for that purpose; should the Parliament of England be disinclined to such a measure, the Minister of England dare not advise the King of Ireland to give his assent to such an act of our Parliament. But I shall be answered, that we have the remedy in our own hands in this House, by refusing to pass Bills annually for adopting taxes and the regulations of trade similar to those in England. I answer—if an honest and incorrupt Parliament, like the present, *shall pass* this Bill, contrary to the sense of the people, it is not unreasonable to suppose, that a future Parliament, less honest, and less incorrupt, may be prevailed on to *adhere* to this system, contrary also to the sense of the people. But from the circumstances attending this option, which it is urged we are to have by this Bill, I contend, that when the measure proposed is adopted, we shall, *in effect*, have absolutely and irrevocably surrendered our power of legislating on the great subjects of trade and navigation. For what is the alternative offered to us?—either to submit to the registry of whatever English acts may from time to time be passed relating to trade and navigation, or to dissolve all commercial intercourse with Great Britain, to be in effect proscribed by her, for not only any commercial advantage we might by possibility obtain by this treaty, but all those which we have for a century past received from England are to be now put in condition; all the acts for years past by which we had admission into the different ports of the British dominions will now be repealed, and every commercial treaty invaded and ripped up; if then at any future period we fail in adopting one clause of an English act, we forfeit our title to all our commerce with every part of the British dominions in all quarters of the world: all the ports of the British dominions will be shut against our ships. When in a future Parliament an attempt shall be made to legislate on the subject of trade and navigation differently from England, an English Secretary will rise, and ask you, if you had considered the consequences of not adopting the English acts on those subjects *in toto*? If you were prepared to have every port in the British dominions shut against you? If it was not better to register this act, though injurious



jurious in some instances to your rights or liberties, than submit to this dreadful alternative—British proscription;—and, using the language of the last speaker (respecting the objections proceeding from this side of the House to the system in point of constitution) he will say, do not make such a sacrifice to punctilious pride. The corrupt would avail themselves of those arguments for a pretext, and many honest, but timid men, might acquiesce; precedent would be heaped on precedent, till a superstructure was raised on the foundation of this Bill, which would terminate in despotism on one part, and dependance on the other. Therefore the dread of this forfeiture or penalty, will prevent Ireland's disengaging herself from this settlement, and induce her to submit to hard conditions in the same manner as a severe penalty operates as a powerful sanction of any law. When this Bill is passed into a law, we shall have transferred our power of legislating to the English Parliament. I will admit, that literally speaking, the settlement contained in it may not be irrevocable, or perpetually binding on Ireland; the reassumption of our legislative independence may not be made by this Bill physically impossible, but circumstances in future, as I have stated, may render it politically impracticable. To enable gentlemen to form an idea of the contemptible situation to which our Parliament may be reduced by adopting this system, let us only conceive for a moment that the Bill now proposed had been passed last session; we all recollect the clause in the Revenue Bill introduced this session, which was copied from an English act of Parliament, for the prevention of smuggling; it was known in our House by the reprobating appellation of the *hanging clause*; upon its first reading, it made the feelings of every constitutional character recoil, an amendment to do away its malignity was proposed and adopted; but if the Bill moved for this night had been law at that period, the Secretary would have risen, and have threatened us, if we voted that amendment, with the forfeiture of the participation of all the British commerce; to what a dreadful alternative should we have been reduced! If we adopt this system, we shall exhibit a phenomenon in politics; for after having hazarded in 1782 every thing that was dear to us, to recover the independence of our Parliament, the first use we shall have made of that independence, is to pass an act for its surrender. We should recollect the in-

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famy and contempt, in which the Scotch Parliament, who voted the union, were involved; we cannot wish to emulate their conduct or to be successors to their contempt. We should remember, that the terms now proposed by the 4th and 5th Resolutions were contained in point of principle in the conciliatory Propositions offered to America in 1775, and rejected with scorn and indignation; indeed they were more favourable than the present, for though the English Parliament was to ascertain the quantum of supply, or the amount of the taxes, as is to be done in the proposed system respecting the amount of each English tax or duty, which we are to adopt, yet privileges were reserved to America, which are not reserved to us; she was to decide on the mode and subject of taxation, and of course the power of originating her Bills was to reside in her own legislature. We should be cautious of treating with the Minister of England, having already discovered his insincerity in this transaction. On the 7th of February, the Agent or Representative of Mr. Pitt required this House to pledge themselves to the eleven Propositions, as a system, respecting every part and principle of which the British Minister had made up his mind; but at this very period, and for long after, the friend of the British Minister, Mr. Jenkinson, and the committee of the English council were enquiring into and examining as to the expediency of adopting the leading principles of these eleven Propositions, concerning which he had taught us to believe (through the mouth of his Secretary) that he, Mr. Pitt, was clearly decided and absolutely determined. The fourth Resolution originated with Mr. Pitt, and not in the suggestion or urgency of the English opposition; when he introduced this resolution it had not even the palliating words, "by laws to be passed by the Irish Parliament;" these were inserted by the suggestion of opposition, who moved an amendment to expunge the exceptional parts of the fourth Resolution, which Mr. Pitt resisted, and with success. This circumstance is a full refutation of the imputation attempted to be cast on many respectable members of the English opposition, that in this transaction they had sacrificed every thing to party; if that had been their only object they would not have moved this amendment, and thereby have endeavoured to render the system more palatable to Ireland; they would on the contrary have suffered this Resolution to be sent over to Ireland in its native deformity,



mity, with all its imperfections on its head, which would have insured its rejection here and the Minister's defeat; but with this Minister at the head of the British Cabinet, in which sit the author of the Perpetual Mutiny Bill, and another Nobleman, who encouraged Conventions and Congresses, and exhorted our Volunteers not to lay down their arms till a Reform had been obtained, yet acquiesced under all the ministerial persecutions last winter of the friends of Reform in Ireland, we are told from the Treasury Bench that the members of the present British Cabinet are the only friends of Ireland. I need only have appealed to the measure now before us for a confutation of this assertion. Rather an invidious comparison has been drawn between the present Lord Lieutenant and the Duke of Portland; in the address of 1782, that Nobleman used no ministerial influence to carry any favourite system; he left the Parliament and the people to themselves to declare their wishes without reserve; he said, if he did not approve of them, he would resign, but approving of them he transmitted them to England, declaring, at the same time, that he would not hold the government of this country unless they were in every instance complied with; his conduct was more meritorious than that of our present Viceroy, at the same time I respect the private character of the Duke of Rutland. The imputation that the opposition in this house to the proposed system originates in party, recoils on its authors on the Treasury Bench; if their present measure is not a matter of party, why press it contrary to the wishes of both countries? I disclaim all party, the legislative independence of Ireland is not to be degraded by being made a matter of party; 'tis the common cause of the people of Ireland, 'tis a cause in which they have the alliance of God and Nature, with such support they cannot fail of success, let them only be true to themselves. The memorable words of Lord Chatham respecting America are in this instance applicable to his son; "if the Ministers persevere in misadvising and misleading the King, I will not say that they can alienate the affections of his subjects of Ireland from his crown, but I will affirm, that they will make the crown of Ireland not worth his wearing."

Mr. *Hardy* began his speech with declaring, that he could not give his assent to the motion made by the Right Hon. Secretary for leave to bring in a Bill, nor could he consent



to Ireland's entering into any commercial negotiation whatever with Great Britain as long as the Fourth Resolution remained on the Journals of the British House of Commons. It was idle in his opinion to enter into any discussion of the commercial arrangement till that was completely and utterly abandoned. He considered it as totally inadmissible on the part of Ireland, and if it were possible that she could accede to it, from that moment she must relinquish her claim to the only character in which she was said to treat with Great Britain, namely, that of an independent kingdom, for the acceptance of the proposition would put an end to her independency. Having said this, he combated the idea of the Secretary that it was not to be considered in that hostile point of view, nor to be regarded in any other light than a general condition incident to all treaties between two countries totally independent of each other. He denied the force of this reasoning, and contended, that no person, however conversant in diplomatic knowledge, could fairly, or with any propriety of argument, compare this negotiation to any treaty of that description; or could produce an instance where this supposed similarity could be said to exist. Great Britain and Ireland entering on a *final* and irrevocable arrangement of all commercial matters between them, could never be assimilated to two separate and distinct kingdoms under different Monarchs who might be disposed to form a treaty of commerce, or any treaty whatever with each other. Great Britain and Ireland were two distinct nations under one common head, with an uniformity of laws, with an uniformity of interests between them; the subjects of each participated of all the rights of common citizenship; it was evident therefore, at the first blush of the argument, that two such countries could never be said to stand on the same footing in the formation of the commercial arrangement now proposed, or any adjustment of their respective interests, that two separate and unconnected kingdoms would stand. A treaty between them would be totally different, and the consequences incident to any possible infraction of the treaty, completely so. He then considered the federal language which is generally held between two unconnected States treating with each other. That all the lofty and high sounding words of union and final arrangement between two unconnected kingdoms are very often only words of course, and signify nothing; but in a treaty of this nature between Great Britain and Ireland,



there is no such insignificancy annexed to them, they cannot be departed from with that facility suggested by the Right Hon. Secretary, who seemed to think that the respective Parliaments of both countries might annihilate this arrangement whenever it became disagreeable to them, without any violent inconvenience to either; on the contrary, those words form the almost entire essence and spirit of the negotiation, they are of the most serious nature that can be well imagined, and Gentlemen in giving their votes this night ought not to lose sight of them for an instant. How long was a treaty between two nations sometimes in amity with, and sometimes adverse to each other, to last? Exactly as long as suited their own convenience. How long was a treaty between Great Britain and Ireland to last; or supposing that one nation violated the treaty, what would be the consequence? Would they be just as they were before, and all to begin again? No, the nation which happened to be the strongest, and reaped the greatest advantages from the treaty, would take care that *that* should not happen. If by any revolution in human affairs, Ireland happened to gain more strength and power than Great Britain, what would the complaints of Great Britain avail, if Ireland did not adhere to the treaty, and what would the murmurs of this country avail if Great Britain gradually, and in instances not immediately perceptible, thought proper to adopt regulations in commerce, exclusively beneficial to herself? Who would be the Umpire between the two nations.—There could be no Umpire.—Great Britain would insist that all her regulations were for our benefit, and that of the Empire, and there never would be wanting a party, and a strong party too, in that house, who would support her in her explanations of her conduct, Parliamentary Grotiuses, who would labour most abundantly to prove that the most outrageous, unblushing deviations from the treaty, were perfectly consonant to the good faith of the treaty, and the *jus publicum imperii*. He then touched on the deception that was practised, and the delusory arts that were resorted to, in complimenting Ireland with the name of an Independent Kingdom, at the very time that she was called upon to adopt, and implicitly adopt every commercial statute and regulation of another, and her being told that in yielding to such adoption, she was required to do no more than what had been acceded to, in a variety of instances between two foreign States treating with each other.



other. He never heard of such a compact, nor did he conceive how it could well be made, for it was more perhaps, than any government in the utmost plenitude of its power, would think itself authorized to establish. It had been attempted also, to compare this negotiation to a common treaty of commerce, entered into between two States, without any previous hostility on either side, but merely to prevent dissension, and a collision of interests in future. Could such an argument exist a moment, when it was considered that such treaties are not final, or scarcely ever expressed to be so? On the contrary, they are made for a certain number of years, and either expire, or are renewed, just as it suits the interests of the contracting parties. He quoted the treaty with Russia of 1766, and some others, as proofs of this assertion, and repeated that he had never read or heard of any treaty between two countries which went like the present, to the entire, unqualified adoption of every commercial regulation which one State thought proper to impose on the other. If such a treaty had existed, and been grossly violated, war would have been the consequence. Were Ireland and Great Britain to go to war on any infraction of this, supposing it to be carried into execution? He hoped and trusted that no such day would ever arrive; but if Ireland was so simple as now to submit to be governed by Great Britain in every commercial regulation, he would venture to augur that the good faith of the treaty would not be adhered to. The very imbecility of such a surrender would provoke and almost apologize for the contemptuous invasion of the compact that would follow in consequence of it. War, there might not be perhaps between the two kingdoms, but there would be something equally painful to every generous mind; eternal murmurs, and eternal sullen acquiescence on the part of Ireland. He meant nothing disrespectful to Great Britain in saying this, nor could he be supposed to insinuate that Great Britain would naturally be more prone to such a violation than Ireland. Were Ireland the superior country, Ireland would act exactly as Great Britain. An impatience to extend itself is the characteristic of power in all situations, and it would be found equally so in this, as in every other instance. He then took notice of Mr. Orde's assertion, that the original system contained in the Eleven Propositions was not in the slightest degree departed from, it was still the same, though many of the Propositions had been totally altered,



altered, and their number increased from eleven to twenty. This he said was such an extraordinary assertion, that he did not know what to make of it, especially when one considered that the fourth Resolution, which establishes for ever a controlling power in Great Britain in all commercial matters, was not to be found in the original system; that the monopoly of the East India Company was not to be found in that system, nor in the most distant manner alluded to; that the stipulation to lay on such duties as would extremely fetter our intercourse with America, was not to be found in that system; and yet the Right Hon. Secretary insisted on it, that it was still the same system. This he said, was such a mode of reasoning, as he had never read or heard of, except in one instance, and that was to be found in Martinus Scriblerus, where a very ingenious set of Philosophers undertook to shew how a man could be conscious to himself that he was the same individual at forty years of age, that he had been at twenty, though the particles which composed his body had undergone a total change within that time. This they proved by a very humble and familiar illustration, viz. The case of Sir John Cutler's black worsted Stockings, which had been so often darned with silk, that they at length became a pair of silk Stockings. Those Stockings, said they, were certainly the same individual Stockings, both *before* and *after* the darning, though perhaps, at the last darning, there was not a single thread left of the original pair. The Secretary's mode of reasoning was exactly in that manner. The original Propositions as they left Ireland, were generally considered as Irish Propositions, but since they had been in England, they had undergone so many amendments or darnings, that they had become English Propositions; and though at the last amendment or darning, the whole substance of the original system was totally altered, yet says the Right Hon. Secretary, "take my word for it Gentlemen, they are to all intents and purposes the same original Propositions, just as they left this house in February last."

Having dwelt on this idea, and touched on other matters not very material, Mr. Hardy said that he would, with the indulgence of the house, say a word or two, not only to the Bill lately introduced by Mr. Pitt, in the British House of Commons, and circulated with such industry through Dublin, but also to the joint addresses of both houses of the British Parliament; the Bill which was moved for by the  
Secretary



Secretary being, as far as he could judge from the general outline given in that Gentleman's speech, extremely connected with both these subjects. As to the Bill introduced by the Chancellor of the Exchequer in England, he was not disposed at that time to pay it the slightest attention; for even supposing that it was infinitely more favourable to Ireland than the Twenty Propositions, how could any one say that it might not be totally or at least materially altered before it received the Royal assent. If he was to argue from what had past, he could draw no other conclusion, for if ever a Minister was celebrated for abandoning his first ideas on any particular subject, the present first Lord of the Treasury certainly was. That Gentleman's talents he highly respected, but uncommon and brilliant as those talents were, what had his administration been but an administration of experiments? What security therefore could that House have in a Bill which was but in its infancy, and which as to any substantial benefits held out to Ireland in it, might be as compleatly abandoned as the system proposed by the Right Hon. Secretary. It was, in his opinion, considering the purposes for which it had been sent to Ireland, a Bill of deception and calculated merely to convoy in company with the addresses of the two houses, the twenty amended Propositions through the Parliament of Ireland; as to those addresses he wished to pay them, and the Parliament from whence they came, every respect in his power, but if it was meant under shelter of those addresses to pass the Propositions into a law, he would say in direct and unqualified terms, that it was an insidious manœuvre, a poor pitiful fraud! What occasion for this extraordinary profusion of compliments to the Irish nation, or why this extraordinary, and as it should seem with some Gentlemen, this irresistible fondness for our independent legislature, and the recognition of its rights? Had they not been solemnly recognized, repeatedly acknowledged already? Did they require the support of such a joint address? An address made on the spur of the moment, and for no other purpose, he believed, than to furnish some Gentlemen with a pretext, a paltry apology for not adhering to their original declaration in favour of the original system. Such was the manner in which the Minister thought proper to accommodate himself to the constitutional delicacy, and fading patriotism of these gentlemen. But was this the mode which they took to compose



compose their minds on this occasion? Were this address, and this bill which had been read but once, and might end no man could tell how, to be regarded as the panacea of the Minister, the great auxiliaries by whose aid he was to carry this business through the house? If the commerce and constitution of Ireland had fallen in the way of thieves, was this the oil which this good Samaritan, this benevolent Secretary was to pour into their wounds? He had complained much of misrepresentation both here and on the other side of the water, and that words were given to him in the British House of Commons which he had never made use of here. Now, after every allowance in his favour, and paying every compliment to his magnanimity in not paying much attention to what was merely personal to himself, where was his boasted friendship to Ireland at the time when he himself was in London, and beheld his own commercial system, that system which was adorned with every colour that his eloquence and the prompt adulatory eloquence of his friends could bestow on it, that system on the strength and permanency of which 140,000l. was in one of our old paroxysms of unthinking gratitude voted away almost without debate, when he beheld that system daily and hourly invaded, and yet he never went to the House of Commons to tell the people of Great Britain what had been done in Ireland with regard to that system, to acquaint them with the temper and disposition in which he had left this House, what we would insist on, and the probable discontentments and jealousies that would arise in consequence of any dereliction of that system? Mr. Hardy dwelt for some time on this point, and said, that though the Right Hon. Gentleman's representations might have failed of success, yet he would have been justified to himself, to both countries, to all posterity, if he had taken such a part; but he declined acting in that manner, and seemed satisfied now with telling the House, that Mr. Pitt had great difficulties to encounter, not only on the part of the manufacturing and commercial interests of Great Britain, but on the part of the Opposition in England, which he says endeavoured to counteract all his efforts in behalf of Ireland. Mr. Hardy took up this idea, and said, that he acknowledged that many an opposition in England had taken advantage of popular clamour which had been raised against the Minister. The Right Hon. Gentleman might, if he pleased, bear testimony and ample testimony to the truth of that



that observation, for if ever a party took advantage of national delusion the very party with which the Right Hon. Gentleman stood connected certainly did. And yet, notwithstanding the recency of this transaction, notwithstanding such unequivocal and damning proof of the misconduct of the Gentleman's own connections, he now accused and most improperly accused the opposition in England of doing that which on a former occasion he knew his own friends actually did. But giving every latitude to his argument, and allowing the possible interference and machinations of party in their utmost extent, was any man in his senses to be told that the commercial and manufacturing bodies in England *required* the aid of opposition to point out *to them* in what respects this system militated against their interests. The abilities of the Gentleman, who is deservedly considered as the head of that opposition, were perhaps unparalleled in all parliamentary history, but did it require those abilities or the warning voice of that Gentleman to cry, "woe to the commercial interests of Great Britain!" Was it the nature of commerce to sleep, to lie in dull oblivion of its own interests, and see with any eyes but its own? Did it, like the Philosophers in the island of Laputa, require perpetual flappers to warn it against precipices and surrounding dangers? In the year 1778, when the first extension of trade was given to Ireland, the commercial spirit of England even then took the alarm, and unaided most certainly by the opposition of that day. It had always been the case, and ever would be the case as long as commerce existed in Great Britain, and it was idle to lay *that* to the charge of any accidental floating party in the state, or to mere casual parliamentary hostility which had its foundation in the nature of things, in the recesses of the human heart, in the disposition and habits of mankind, since the first sail waved over the ocean. Mr. Hardy observed, that a noble Lord in one house of the British Parliament said, the business was too big for party. An observation equally pointed and pertinent, for the fact was undoubtedly so. He then touched on the restrictions which were laid on the commerce of Ireland in King William's time, and quoted a declaration of Lord Godolphin, that such restrictions were laid purely in compliance with the prejudices of the commercial interest, and totally against the inclinations of the King and of the Ministry. He said, that he did not indeed consider Mr. Pitt as great a statesman as Lord Godolphin, but in an

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arrangement of this nature he believed him to possess as large and liberal a mind; and even granting that the original plan of commercial adjustment had his entire concurrence, what inference or what consolation could Ireland draw from that, or Lord Godolphin's declaration, but this: That in commercial matters Ireland must not altogether depend on any ministerial interference or any Minister's promises or exertions, she must rest on herself, her own spirit and industry; she must watch circumstances and seasons most opportune for the advancement of her interests, for she could never flatter herself that when those interests and the commercial interests of Great Britain came, or were even supposed to come into any thing like competition, the Minister would not from his superior and natural regards for that country, or perhaps from mere personal considerations give way to the latter. What was the case then, or why did the Right Hon. Secretary move for leave to bring in a Bill not founded on the original system? Why, but because Mr. Pitt abandoned that system, and had he not abandoned it, he could not in all probability have remained at the head of the Treasury. But the Treasury was a sacrifice too great to be made to the kingdom of Ireland; the Right Hon. Secretary therefore who proposed the system to the House was given up, the amiable Chief Governor, under whose auspices he brought forward that system was given up; why were they? the question was easily answered—Because, if they had not Mr. Pitt could not have kept his ground, he must have gone out. Every man of candour would acknowledge that to be the case, notwithstanding all the Right Hon. Gentleman's honeyed words, and the circuitous manner in which he had opened the business of that day. Was then the kingdom of Ireland to hang its fate like a solitary zealot of a party on the ministerial existence of any man? Was it before the last echo of its victory had died away, and in the sight of those who led her on to that victory, to sit down like the unfortunate Carthaginian general after all his conquests, a wretched mendicant at the threshold of any man? What had party to do in the business at all? What had any personal considerations of Mr. Pitt or Mr. Fox, or the Duke of Portland, to say to such a momentous awful business as the commercial arrangement between the two countries? Men of superior talents might occasionally divide the Parliament and the people of Great Britain between them, but to involve kingdoms in the warfare of personal ambition, was an idea from which every



every well-regulated mind would shrink with horror. This was no Opposition question, and he beseeched that part of the House, which he should ever look up to with reverence and regard, the independent country gentlemen, not to be deluded by the assertions which had been artfully circulated, that it was a party question, or connected with a party in England—it stood on far more solid foundations—it did not look to the present hour, or the present Minister of the day, nor did it solicit the humiliation or disgrace of any man, or court any momentary triumph.—Having pursued this idea for some time, he compared the circumstances under which the union had been brought forward with those of the commercial adjustment, and entered into a sort of detailed history of the manner in which Lord Somers, when actually out of place, had undertaken and conducted that business. He said, he wished that some portion of the wisdom and moderation of Lord Somers had operated in that adjustment, as it did in the union. He contrasted his conduct with that of the Secretary. The Parliament of Scotland sat several months to adjust the union, the Parliament of Ireland took three or four days to regulate their plan of commercial arrangement; such was the portion of time allowed by administration here for the Representatives of a people who had almost forgot what commerce was, to form a commercial treaty, which was declared to be as permanent as any treaty could possibly be.

He said this whole business had been conducted in such a manner, and had in its progress given rise to such contradictory sentiments and opinions, even amongst those who co-operated in it, such a variety of constructions had been put on different parts of it here and elsewhere, there was so much incongruity and so much uncertainty, that the only method left in his opinion for the Parliament of Ireland to take was, to put a stop at once to a Bill founded on such ill-digested and discordant materials. It was evident to every person, that the Minister, when he first entered on the business, did not know the extent to which he was going; nor could any one have imagined, that in an adjustment which involved the dearest interests of both countries, and particularly those points on which Great Britain was tremblingly alive and irritable, that he could have proceeded in the hazardous manner in which he had. Without concert, without communication, without any sort of previous knowledge of the disposition or habits of



any one commercial or manufacturing body in Great Britain he proposed a plan of commercial arrangement to Ireland without being able at the same time in the slightest degree to pronounce whether such a plan, or any part of such a plan would be acceptable to Great Britain or not. With a shew of compliment to Ireland he suffered her to take the lead in the business, and why? Only eventually to make her feel her complete inferiority, for the Parliament of Great Britain had now taken the business entirely out of their hands, and it was on *their* plan, *their* adjustment, not their own original system, that the Parliament of Ireland was called upon to proceed. So that, in fact, it had been much better, if this Bill was to go forward, if the Irish Parliament had never entered into, or adopted any commercial system whatever; in that case, they had only to accept or reject the twenty Propositions, as sent from Great Britain, whereas if this Bill passed into a law, they would not only have accepted those twenty Propositions, but they would have the mortification to reflect, that they had been obliged to relinquish the plan of their own adoption, and that plan universally allowed to be, in every respect more beneficial to their commercial, and not in the least degree interfering with their constitutional interests.

Mr. Hardy then apologized to the House, for having trespassed so long on their patience. He said, he would not, in that stage of the Bill, go into the commercial detail, though he had given that part of the subject as full and as undivided attention, as he ever gave to any subject whatever. But he objected to the principle of the Bill; he thought it inadmissible on the part of Ireland, and therefore he voted against the Right Hon. Secretary's motion.

Mr. Flood said in substance as follows. I do not at all wonder that this system should end in an open attack upon the rights of Ireland in commerce and in Constitution, because in its origin it appeared to me to be a covered attack upon both. On this principle, I opposed it in its commencement. I have been reproached with being in a minority of one upon this subject; I shall be no longer reproached on that ground.

The King's speech, under the sanction of which the system was introduced, declared, that it was only to adjust matters which had not been before adjusted. Yet the very  
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second of the original ten Propositions, in contradiction to this, went only to objects that had been before adjusted in 1780 and in 1782—namely, *foreign trade and British Colonial trade.*

As to foreign trade, one word dispatches that, viz. the word, Independence. Independent Ireland, has every right of foreign trade, which Britain herself possesses. For this, therefore, she had no compact to make with Britain. This had been adjusted in 1782. British Colony trade was adjusted in 1780. The British Parliament, in 1780, declared, by resolution, that the unshaken loyalty of Ireland, entitled her, to participate in *every* advantage of British Colony trade. The British act of Parliament, in pursuance of this resolve, authorized Ireland to trade to the British Colonies with *like* advantages with Britain herself. In equity and good faith, what can we have to ask that this did not give? Or can Britain now say that she withheld any thing without impeaching her own candour? Britain boasted the liberality of that transaction. Ireland illuminated.

Now I ask did not most of you imagine, that in 1780, Ireland was put in a better situation, than ever she had possessed before, as to British Colony trade? And, of this I am sure, that there is not a man among you who will not admit, that it would be absurd to hold, that you were not at least restored, to every advantage of British Colony trade, that Ireland had ever possessed. Now I say that till the 15th of Charles the II<sup>d</sup>, you could export any thing to, and import any thing from, the British Colonies, as freely as England herself: and, that, after landing it in Ireland, you could reship it for any other country; and for England, as well, as for any other. In 1780 therefore, you were either restored to that liberty, or it must follow, that, that boasted transaction was a deception; and that instead of giving you immunities you never had before; it did not even restore you, to what you had formerly possessed. This liberty therefore of reshipping British Colony produce (the only boon which this system boasts) did in every consideration of reason and good faith accompany the transaction of 1780, and was therefore, not, now to be adjusted. Nay it is absurd to suppose, that, in 1780, that was withheld from Ireland, which Ireland had possessed, till the 15th year of Charles the II<sup>d</sup>; which every one of the thirteen States of America did possess to the hour of their  
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separation? and which New Brunswick possesses now? and would it not be more absurd to suppose so if in fact, it is as much the interest of Britain, as it can be of Ireland, that Ireland should be allowed that liberty? Now it is even more so, and I prove it thus. This liberty can be of no advantage to Ireland except in this contingency: Except Ireland has a surplus of Colony produce over and above her own consumption—That is one necessary fact—Another is, that, at the same article of time, that should happen, which rarely can happen, namely, that British Colony produce should be dearer in Britain than in Ireland, or in any other neighbouring country—For if that were not the case, Ireland would lose by sending it to Britain. Now it is absurd to suppose that Ireland would do that. What follows? That at the moment when the liberty of sending Colony produce to England would be useful to Ireland, it would be doubly the interest of Britain, to receive it from Ireland. For 1st, Britain as a consumer would be relieved by it, and 2d, the British merchant, in his commission, would be a gainer. In another capacity Britain would be a gainer also—that is to say, as head of the empire, she would profit by the encrease of trade, consequent on this intercourse, between her Colonies and Ireland; a member of the empire. Who after this will say, that this liberty was not included in the transaction of 1780; or, if it was not, that Ireland ought to purchase it now, with the surplus of her hereditary revenue, with the degradation of her condition, and with the sacrifice of her commercial legislation?

As to Ireland's not having paid for the transaction of 1780, I say the argument would be a sordid one, if it were founded in fact, which it is not. The sentiment of the British parliament in 1780 was a wiser and more statesman-like conception. It was, that the unshaken loyalty of Ireland entitled her, to those advantages; and, surely, that is a price above all prices. But Ireland paid for it in two ways besides, and in each of them more than the value of the object. 1st, Ireland gave to the British Colonies (that is to Britain) a monopoly of her consumption in *those articles*, in which she *then obtained*, that free trade. Now I say, universally, that any nation pays too dear for any one market, when she gives up all other markets for one. And particularly that the nation pays too dearly for the sugar market of the British Colonies, who gives up all other sugar markets



markets for the British; which is neither the best nor the cheapest. 2dly, I add, that Ireland paid in taxes for the direct trade more than it was worth, and I prove it thus: 10 per cent. is a good profit in general on trade, and no trade can afford to pay the whole nor the greater part of its clear profit in tax. To apply this. We paid for that direct trade an estimated sum of tax to the amount of above 100,000*l.* a year. Now this would be the whole clear profit, at 10 per cent of 2,000,000*l.* worth of trade. Could the whole clear profit be afforded in tax—or can the whole encrease of traffic, by the direct trade, amount, in any series of years, to any thing like the enormous sum of two millions? Most certainly not.

Thus the first of the original ten Propositions was a mere preamble; and the second, which began the business, began it in a direction, unfair to Ireland; and inconsistent with the King's speech. Ireland was drawn, unaware, to treat for the things already settled; and thereby impliedly to relinquish the two settlements of 1780 and of 1782—This was not enough. Ireland had used non-importation and non-consumption agreements, towards the attainment of those settlements; and when her parliament was acknowledged to be independent, she applied to her Parliament, for duties of protection or preference, similar to those which Britain had long enjoyed, in favour of her home manufacture, in her home market. To cut all this up, by the root, was the object of the 3d and 4th of the original ten Propositions. The third therefore makes Ireland propose not only that there should be no prohibitory statutes, but that there should never be any popular or private associations, against importation, use or sale. Such associations had been made, and had been found beneficial by Ireland; they had not been made, and they had been complained of as injurious, by Britain. Yet Ireland is drawn in these Propositions, to make it one of her preliminaries, that there never should be such associations again. But, at the same time, Ireland is made to forget, that she had never prohibited the export of raw materials to Britain, whereas Britain had prohibited the export to Ireland of the raw materials she most valued. And, therefore, though Ireland in her *supposed* 3d Proposition is industrious, to preclude all prohibitions against import (by which kind of prohibitions Ireland had profited) she forgets to preclude, prohibitions against export, of which Ireland complained.

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Can any thing be more clear than that these Propositions never originated in Ireland? But the boldest stroke of all was, in the very moment that Ireland was soliciting higher duties on import, in order to give protection and preference to her manufactures; to make this kingdom propose, in the 4th of the original ten Resolves, that, she not only should not now, but that she never should hereafter have such duties of protection. Yet the 4th Proposition does this—for it requires that the lowest existing duties, viz. the Irish, should hereafter be the port duties for both kingdoms. Now experience had proved that they were too low to protect Ireland, and therefore Ireland had prayed, that they might be raised. This 4th Proposition therefore, makes Ireland propose a perpetual negative on her own application. So far was well—but a fear began to be entertained that as these low duties would certainly leave the Irish market open to British imports (perhaps to the ruin of Irish manufacture, and therefore finally to the damage of Britain) so, by possibility, these low duties might now and then suffer some Irish manufacture to escape into the British market. Before the 4th Proposition should be established therefore, it was thought adviseable, in the latter end of the third Proposition, to find an expedient, by which Britain should have higher Protecting Duties than Ireland, without appearing to mean it. Now what was that expedient? The principle of countervailing duties—That is to say, that the port duties, though too low for the protection of Ireland, should be equal; but that the country, that had the highest internal duties on consumption, might add to the port duty, a countervailing duty in proportion to its internal imposts; whereby the before equal duties would become unequal. Now to solve this problem, we have only to ask, which of these kingdoms, now has, and which of them, as richer, must always be able to have, the highest internal duties on consumption? Undoubtedly Britain. What follows? That Ireland was made, in the countervailing principle, to propose, that Britain should have higher duties against Irish imports, then Ireland should have against British imports; which was, first, contrary to what Ireland had desired; and, secondly, was in itself unreasonable; because certainly the weaker manufacturing country required more protection than the stronger; though she was content with a protection equal to what Britain had long enjoyed, and by the long enjoyment of which, she



she had gained such advantage ground, as Ireland could never recover, nor Britain ever lose.

Thus Ireland was made to propose in the 2d, 3d and 4th of the original ten Propositions, either implicitly or expressly, a total renunciation of every principle she had held, and of every settlement and advantage she had obtained in that æra of about five years, in which Ireland gloried more, than in any other period perhaps of her existence. Yet a bolder stroke remained behind—and that was, by the tenth of the original Resolves, to make Ireland propose, to pay tribute, for this negative on all her desires, and for this renunciation of all her principles and attainments—and to pay tribute in a manner peculiarly revolting, and repugnant, to those principles and attainments. In the first place, she was made to propose, that Ireland should make a perpetual grant to the British navy, which Britain had never made to her own navy; and, which, no free country, ought to make to armaments, that must be under the command of the crown. Ireland too, had, in this case peculiar reason to decline any such idea. Above an hundred years ago, in the fever of the restoration, and in the infatuation of this kingdom, Ireland had made a perpetual grant, for the support of an Irish marine. This England never permitted to be applied. Why? Because she wished that Ireland should have no marine—because she wished to have a monopoly of Navy to herself—for what purpose, let her subsequent conduct to Ireland explain. What followed? English ministers, in spite of law, disappropriated this fund, and applied it to an overgrown land army, rather than to a marine. The defence of this land army Britain had, and Ireland had the burden. With what grace could Britain, after this, come to Ireland and say, you do not support a marine; when Britain herself prevented Ireland from doing so? When a monopoly of navy was the choice of Britain, what right had she to say, that Ireland ought to pay Britain, for her having her own choice? When British ministers, contrary to legal appropriation, had applied the marine fund of Ireland to a land army for the convenience of Britain, what right had they to come to Ireland to demand a new marine fund; and that, not for an Irish marine, but for the British navy? which was in effect to demand, that Ireland should for ever abdicate any marine, and make a formal recognition, that she never ought to have a sea-guard of her own? As to the fact



of protection, does Britain keep a frigate for the protection of Ireland? Or when the Stag Frigate was in our bay, was it for the protection of our trade? But admitting that Britain ever so much and at ever so great charge did protect Ireland by her Navy, I ask, has she not reason and is it not well worth her while to do so without any such tribute and humiliation as this? Ireland is willing to oblige Britain in every way she can; but yet with conscious dignity. What nation would not protect Ireland without tribute, to whom Ireland were to give what she does give to Britain? She gives her the nomination of her monarch, and therein of her whole administration, throughout every department; a third estate in her legislature; the creation of her peerage; the influence over placemen and pensioners in the House of Commons; she gives her a mighty army; the use of near a million and an half of yearly revenue; five million a year in imports and in exports; above a million a year in absentee expenditure, which, at the grievous issue of one million a year from Ireland, carries above 200,000*l.* a year in taxes into the British exchequer; she gives her the use of three millions of people in peace and war, and of seventeen millions of English acres in an happy climate and of an happy soil, and so situated as to be the best friend or the worst enemy in the world to Britain. In giving her the nomination of her monarch, Ireland gives to Britain, in effect, the power of treating for her, with all the world; and of declaring peace and war for her with all mankind. What follows? That Ireland can have no enemies but those who are made so by Britain. And what follows from that? That Britain is bound by every principle of honour, as well as of interest, to protect Ireland, against those enemies, which Britain creates to her. What astonishment then must thinking men have felt, at Ireland's being brought for a moment to entertain such an idea? and this too, at what time? in three years after the assertion of her national independence. For I ask, what country has ever been free, that could not protect itself? What country can be independent, that relies for ever, on the protection of another nation? Is not a confession that you cannot protect yourself a virtual cancelment of all pretensions to independence? That such a tribute therefore should have been the virgin fancy of Independent Ireland, must have been astonishing. And that it should have originated within three years of the last war, must encrease one's astonishment:



ment: for in last war you had the strongest experience that the fact was false, on which the principle was grounded. Did the British navy protect Ireland last war? No—it did but protect Great Britain. Did the British army protect Ireland? No—it was gone to America. Did the Irish army protect Ireland? No—it was gone to protect Great Britain. What then did protect Ireland? Ireland herself—in other words, her Volunteers. They defended Ireland—and by defending Ireland they enabled Ireland to send her army to defend Great Britain—that is, they in effect protected both kingdoms—yet the fashion has of late been with some men in both kingdoms to revile that illustrious body. The curse of ingratitude has fallen on the nation, and the Independence of Ireland having thrown away its staff has begun to totter.

I have spoken of the 10th Resolve, as it stood numbered, in the original Propositions. It became the 11th, as the Propositions went from the Irish Parliament to Britain. This change, in the number and arrangement, arose, from the addition of one Proposition, and one only in Ireland; which was but prefatory to the tenth, and therefore was inserted before it. As it has been asserted, I cannot doubt, the intention of it to have been œconomy and limitation. Yet it was so expressed, that I thought it, as likely, to lead to further new taxes at least, as to prevent the further accumulation of debt. At all events, the fact is, that the Right Hon. the Secretary, just took advantage of that added Resolve, so far, as to make it a ground on which to ask 140,000l. a year of new taxes, and to get them—Why? That our income might be equal to our expence. And to what end? That we might, in consequence, give away the specified surplus of hereditary revenue. That is, he said thus in effect, “Your establishments which are formed by British Ministers, are too great for your revenue; we have refused to retrench; and yet we expect a part of your inadequate revenue to be sent to Britain.—Neither will we quarrel with you, for saying, that the income ought to be equal to the expence of Government, provided the equality is not to arise from retrenchment but from new taxes. On the contrary, we will join you heartily in raising 140,000l. a year of new taxes, to enable you to part with the specified surplus of your old duties.” But no sooner had the Right Hon. Secretary got the new taxes, under the cover of this Resolution, than the Resolution as to all other Purposes was laid aside; nor did



did he condescend to have a question put upon that added Resolve in the British Parliament. Thus sunk into contumelious annihilation, the only Resolve that originated in Ireland. It was received in fraud, and it was dropped in insult.

Such, and so inadmissible were these Propositions, before they entered the British Parliament. Hence it was, that they were hurried thro' the Irish Parliament, that no man might have time to see to the bottom of them, or to explain them to the public. Short as the moment was, I saw a glimpse of their tendency, and endeavoured to obtain time, that a preoccupied public, might have leisure to understand them; all was fever for a short time—but they had scarce got to Britain, before the public began to recover from it's error. The contrary was reported to Ministers, and believed in Britain. What was the consequence? Ireland was thought to have fallen into such a state of infatuation and dejection, that any thing might be attempted with success. Hence, in the 20 Propositions, a bolder hand appears every where. The Right Hon. Secretary, when he first mentioned the idea of tribute, did it with a trembling diffidence; and mentioned it, not as a condition on the part of Britain; but as his presentiment, of spontaneous generosity on the part of Ireland. Then delicately and timorously was it ushered in, at the end of the Propositions in the first stage—but in the last exhibition, it stands immediately after the preamble, and in the van of that host of Propositions to which the original ten have encreased. Here too it stands in a different form; as a peremptory demand and absolute condition, to be fulfilled in all it's parts (implying distrust) before a step is to taken by Britain. In the consideration of this tribute, the 20th Proposition must be combined with this second Resolve, in order to see the whole alteration. Now what are the alterations that have been made in the Irish grant by the 20th Proposition? 1st. The grant was conditional, and the 20th makes it absolute. In war, at all events, the specified surplus was to be given to the British navy as the Resolves left Ireland; but in peace, nothing might be given. Thus Ireland seemed to be at a certainty not to give more, with a possibility of not giving so much.—But by the 20th Proposition, this certainty is taken away, and the reverse is established. That is to say, it is made certain that Ireland shall never give less, but that in war, she should lie open to an unlimited demand. In other words, it is made certain that

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on the first war there should be a rupture between the nations, which, considering the distrust that this system would inspire, might probably be fatal. Thus the nature and quantum of the Irish grant was altered. The application too, by the Irish Parliament, was conceived to be reserved as a right to be exercised from time to time, and to be adapted to circumstances that no man can foresee. The 20th Proposition cuts off this free exercise of Parliamentary authority in the application of it's grant, and requires the application to be made, now and for ever, by one act. Lastly, a perpetual revenue bill in effect is demanded—perpetual duties are unconstitutional enough in themselves, and derogatory enough from Parliament.—A perpetual bill for collecting perpetual duties would make the matter much worse. Were the whole hereditary revenue to go as usual to Irish services, what man would suffer a perpetual revenue bill for it's collection? Any question, approaching to such an idea, has been always received with peculiar alarm. How monstrous then was the idea contained in this proposition? And what does it demand? No less, than that Ireland should make a perpetual revenue bill for the whole hereditary revenue, because she was about to give away a part of that revenue to Britain. It is difficult to state any thing more extravagant than this.

The 2d, of the 20 Propositions, declared, that, on the full performance of the condition of tribute, a full participation of commerce should be given to Ireland. This is doubly falsified by what follows: This makes the tribute the *sole* condition, and yet, afterwards, condition is added to condition, insomuch, that in the British Bill, founded on the Propositions, there are twenty three indispensable and fundamental conditions. It is falsified again by the very next, as well as by subsequent clauses of restriction, that prove that the participation is not to be full. To speak at present of the third, what does that except? Not less than all the countries between the Cape of Good Hope and the Streights of Magellan, containing in the least exaggerated estimate a fourth part of the terraqueous globe, over and above what Britain has any title of property to in that region. We read with surprize of a Roman Pontiff granting one hemisphere to one prince, and another hemisphere to another prince, and here we see half an hemisphere cut off from Ireland in a parenthesis; and that, in a resolution purporting to extend the commerce of Ireland. This parenthesis in the 3d, is detail-  
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ed in the 9th Proposition. As to both, I shall only say this, that if Ireland is now under no restriction as to her East-Indian commerce, such a restraint is not fit to be a part of a system of commercial extension, for which Ireland should be expected to pay; and if Ireland be under any restriction as to her East Indian commerce, it is only by a law of her own, and by a voluntary and unstipulated act of her Parliament in favour of the British East India company, merely because it is British. Such a conduct on the part of Ireland, shews how little such hard conditions are either necessary or deserved. It is foolish in any nation to bind itself, for ever, to the existing monopoly of any other nation; but to bind itself to the future and possible, but unexisting monopolies of any other nation, would be a folly much more than common. Many people think, that it would not be right for Britain to perpetuate this monopoly, as to herself.—Now such a contract, on the part of Ireland, would have a tendency to perpetuate that monopoly, whilst the freedom of Ireland, from such a compact, might, according to some able opinions, be a means of dissolving that monopoly by degrees, if such a measure were deemed to be beneficial. At all events, it cannot be the interest of Ireland to be for ever bound during the existence of such monopolies—nor after they shall cease, to give up her legislation as to so large a portion of *foreign* trade, by subjecting herself to the duties, regulations and prohibitions that may from time to time, be laid by the British Parliament, on the produce of that immense region which lies between the Cape of Good Hope and the Straits of Magellan.

If the trade of Ireland could be extended by exclusion, the 3d and 9th Propositions would deserve our thanks, as far as the Asiatic world and its circumjacentcies are concerned. But this third Proposition takes in another object. It strikes at our trade in all foreign spirits, and consequently must injure our whole trade and intercourse with France, Spain, Portugal and America. Add to this, as to America, the 16th Proposition which has for its object *foreign* trade only; and, as a branch of that, subjects our imports from the independent states of America to such duties, regulations and prohibitions as the British Parliament shall from time to time think fit to impose on Britain; as to all articles similar to those that are produced in the British Colonies or Settlements. Now, what articles can America send to us, to which, similar articles are not, or, may not be produced  
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in some of the Colonies or Settlements of Britain? A great revolution took place, as to the relative situation of America and Ireland, about the year 1782. In a commercial consideration in 1785, the chief object that Ireland could possibly have was America. The rest of the world, comparatively speaking, was mortgaged and pre-occupied. The new states were unengaged. Much Irish blood circulates in America, and there is no small partiality towards Ireland in those states. Was this a thing for Ireland to throw away? Or was it the sound and permanent interest of Britain, that Ireland should so throw it away? If there be a string, by which Britain can recover the affections of America, it is a string which Ireland holds out to her. The 5th Proposition, of the 20, extends to all our imports from Colonies *foreign* as well as British, and subjects them to the same duties, regulations and prohibitions which the British Parliament shall think proper to adopt in Britain. This neither consists with Free Trade, nor with independent legislation. The 8th extends to all those exports of Ireland that in 1780 were exempted, and subjects them, in going to the British Colonies or Settlements, to such duties, drawbacks and regulations, as that they may not be exported with less incumbrance of duty or imposition than the like goods going from Great Britain. This subjects our export trade to the Colonies to disadvantages from which it is at present free.—Is this extension and grace? Is this a thing to be paid for? We have just attained the trade of candles to the West-Indies—This would destroy it. Capital is a greater advantage than poverty—The only advantage of the latter, is freedom from incumbrance—And this Proposition deprives Ireland of that. Is this for the interest of the empire? Certainly not; unless the interest of the empire be the ruin of Ireland; and if so, the prosperity of the empire would not be the interest of Ireland. Now these, in my mind, are noxious doctrines, and a system that suggests them cannot meet with my support.

The 10th of the 20 Propositions, retains all qualified prohibitions now existing in British or Irish statutes. In British statutes there are many—And the acts ought to have been specifically referred to, that their extent might be considered. In Irish statutes, where are there any prohibitions, qualified or unqualified, as to any thing, that is British? The reciprocity in this instance, is like the reciprocity in the rest; a one-handed reciprocity; and, in a system, professing  
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enmity to prohibition (and even to Protecting Duties, as bearing a shadow of prohibition) the consistency of this reserve, in favour of qualified prohibitions, is not instantly perceptible. But the 10th Proposition does not stop here. It proceeds to an eminent extension of the countervailing principle. It requires not only that the internal duties of the importing country, but also the bounties of the exporting country, should be brought to account, and that the countervailing duty should be encreased by both.—I have stated the first part of this system, and it's effect as to Ireland. I will now state the second part, that is founded on bounty: The infancy of our manufactures, and the poverty of our people has forced us into a variety of bounties, and encouragements, in order to give some spring to the languor of the Nation. The Linen Board, the Dublin Society, Parliamentary Donations, directly and indirectly, are made use of for this purpose—Our linen, woollen, silk, cotton, glass manufactures; in a word, almost every thing respecting manufacture or husbandry, receives some encouragement. What follows? Every encouragement of this sort, will, by the 10th Proposition, be carried to account against our trade, and will raise the amount of that countervailing duty which is meant to protect the market of Britain against the admission of Irish manufacture: Thus, all our bounties, so necessary to our weakness, must be relinquished, or will become a burden on our export, and a barrier against the egress of our manufactures, to that market of Britain; which is the only thing that is offered to Ireland, in exchange for the market of the world. Is this just or wise? But if this countervailing principle were less exceptionable, on these grounds, than it is, it would be sufficiently exceptionable, from the impracticability of it's execution. Even where an internal duty on *manufacture* is to be countervailed, there would be a difficulty, because there would often be a great difference in the value and excellence of the manufactures of the respective countries. In one of the simplest instances that can be; suppose, a duty of a shilling on a barrel of British malt, to be countervailed as to Irish malt—a shilling on both would be nominally equal, but really unequal; because the Irish malt is vastly inferior in value. In manufactures of a more complicated nature, the disparity would perpetually increase, and always against Ireland; the trade of which must undoubtedly consist, for the most part, in lower and less excellent fabrics. Instances might be mentioned, that would  
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overthrow every shadow of equality. But the matter would be still worse where the duty on a *raw material* is to be countervailed, on the import of the manufacture of such material—for this would not be a simple consideration of fact as it were, like the other, but a matter of nice and intricate speculation, concerning the operation of the duty on the material, with respect to the manufacture throughout all its stages. How this could be brought to any satisfactory solution, between the two countries, I cannot discern. In one instance, it is said, in the examination before the committee of the British Privy Council, that a duty of three per cent. on the material, tho' drawn back on the export of the manufacture, yet leaves a burden on the manufacture of eight per cent.—The manufacturers of candles, in that examination, enumerate a number of minute circumstances, to shew what an high Protecting Duty they ought to have against the import of Irish candles; which, at the same time, will shew the grounds on which they would calculate a countervailing duty on that subject, and how impossible it would be to satisfy the two countries, in the execution of that principle. The extreme difference in the rates and valuations of the two kingdoms, in many instances, would be a ground of endless altercation.—As to the equalization of duties, we have had some experiment that should teach us the difficulty of it. As to sugars, in the first session of equalization, three different duties, at different periods of it, were proposed, and carried as equal: All of them might have been wrong, and only one of them could possibly have been right. Since that, the proportion of duty has been altered again, and therefore, it is fair to say, that they were all wrong—and of this, there is no doubt, that, tho' the Right Hon. Member, who was one of the negociators of this system, has been five years engaged in the subject, the sugar duties remain yet unequalized. With regard to iron, what has happened? A duty has been laid here on our iron export, to make amends for the disparity of duty on the imported material. Ireland, says, that she has been defrauded in this calculation, on this principle. Our duty was laid, as if Britain made use only of imported iron which pays high duty—whereas, it is certain, that, she makes use of a great quantity of British iron not paying the duty—it is said, a third part of her consumption is domestic iron. If so, it is evident, that the Irish duty was taken at a third too high, or at 33 per cent. disadvantage to our iron export. Yet, what does Mr. Wedgewood say? That Bri-



tain is defrauded in the business, and that Ireland has evaded the equalization. What hope can there be that the two kingdoms should ever be agreed, on such a principle as this? Nothing that is subtle and intricate, can ever be the foundation of settlement and concord. As to the single instance, last mentioned, that of iron, how is the difference of duty on the raw material to be countervailed, throughout all the stages of that manufacture, from an hob nail, to the spring of a watch? If there is to be a different countervailing duty, for each stage, what end of it? If an average is to be struck, on what principle is the medium to be taken? If a satisfactory duty to all sides could be found (which is hopeless) how long might it continue satisfactory or equal? It is said that a discovery has been just made, by which, old and cast iron can be rendered as fit for use as ever; so that Britain may have little or no occasion for imported iron. This would at once make the equalizing duty absurd. If Ireland should find plenty of iron at home, that would alter the state of the question another way. Every new material that may be discovered throughout the whole extent of the globe; every new quality of an old material; great changes in the political, as well, as discoveries in the physical world, may laugh to scorn the vanity of man, when he attempts to give a fixed and unchangeable form to things that God and nature have ordained to be fluctuating. An incident has happened, during the pendency of this system, which proves its insufficiency. Both nations have been obliged to pass, with precipitation, a Bill to prevent the exportation of hay; which, had this system been adopted, they neither of them could have done. Here then, is one case occurring in a short period (how many more may occur hereafter) which was never foreseen either in the 10, the 11, the 16, the 18, nor finally in the 20 Propositions—for, at different times, I think, these Propositions, in their various stages, have assumed these several numbers. As to the fourth Proposition, there is such an extravagant absurdity, in saying, that it does not interfere with your legislative authority, that if a majority in both houses of the British Parliament could hold such a doctrine, it would be a demonstration, to all the rest of the world, that we ought to reject the Proposition. And why? Because, it would prove that in a case where the rights of Ireland, and the power of Britain were in question, the British Parliament could not judge as they would judge in any other case. In such a case, it would prove, that all ideas of equality, and all the common measures of

reason



reason ceased to operate. What would follow ? That, in making laws, imposing the same restraints, and conferring the same benefits, their original error would pursue their proceedings. Indeed, *a priori*, it is sufficiently evident, that the state of the two kingdoms is so different, that the *same* restraints, and the *same* benefits would *not* be *equal*, but, in many instances, extremely *unequal*; and, if in all cases, the inequality, as to Ireland, were to be as great, as the impairment of our legislature by the 4th Proposition, is manifest, a code of greater inequality would not be easily to be found. The point is too clear to be proved, except by an appeal to the conscious, and common understandings of men, in self-evident interrogatories. If the condition contained in the 4th Proposition, is of no efficacy, why, is it declared to be fundamental and indispensable ? If it leaves the Irish Parliament as much at liberty as it has at present, is it of any efficacy ? And if it does not, is it not an impairment of its legislation ? Has the crown the same legislative authority with the houses of Parliament ? Certainly not. What is the difference ? The crown has not the originating and deliberative power of legislation.—It has only a final negative: To this, the fourth Proposition would reduce the Irish Parliament as to external legislation. Would this make no difference ? The Commons have an ample legislation, as to money, than the Lords. Why ? Because the Lords can neither originate nor alter. But the negative that would be left by the fourth Proposition to the Irish Parliament, would not be the free negative of the crown. The negative of the Irish Parliament would be shackled by compact ; and could not be exercised but under the impeachment and danger of a violation of treaty. A violation of treaty is allowed to be a just cause of war. If the British Parliament declared that Ireland had been guilty of a flagrant breach of treaty, the King of Britain at their desire must declare war with Ireland, and the King of Ireland must join him—If the two houses of the Irish Parliament declared that Britain had been guilty of a flagrant breach of treaty and desired the King of Ireland to declare war with Britain, could he do so ? or would the King of Britain join him ? certainly not. No ; nor the army of Ireland neither ; nor that part of the British Navy that was paid by Ireland. What legislative authority has Ireland, here ; or what reciprocity ?

Neither is external legislation only invaded: Internal legislation as to duties and regulations on import and on export ;



export ; and on articles foreign as well as colonial, is trenched upon and mortgaged. As to the liberty of trade, the commerce of Africa, Asia, America, the East and the West Indies, is laid under restraint, or monopoly. I will not follow the system through its minor inequalities. Thus far it was necessary to go, and strictly argumentative. The twenty British Propositions are on your table, so also is the British Bill founded on those Propositions. It is evident, if the Irish Bill does not correspond as to those points that the British Parliament have declared to be indispensable, that it is absurd to proceed upon it. The Right Hon. Secretary says, that the Irish Bill is founded on the eleven Propositions that left this House. Were it so, who is not now satisfied, that we ought to reject it? But the clause he has recited (after many times coming to it, and many times retiring from it) that clause, I say, embodying the fourth Proposition (as well as evident references, to others of the twenty Propositions) shews, that it is not so. At least it proves that it is not so, unless in the same sense and latitude, in which it has been said, in the British Parliament, that the British Bill is founded, on those pretended and miscalled Irish Propositions. The art, that has been used, in changing perpetually, the number and arrangement of the Propositions; and again in some variation of arrangement and matter in the British Bill; and a still greater variation, in both, in the Bill now offered, is evident. It is meant to puzzle; but its consequence must be, to revolt and to repell. Were you lulled by this variation into the reception of the Bill, the doctrine in its passage would be; that it was absurd to receive, if you did not mean to proceed in it; and that it was absurd to proceed, without acceding to the indispensable conditions. In a word what follows? That we ought to put an end to the business, and the sooner that we do it the better. The publick has been too long agitated already—The only good that has resulted, is, that both nations, may see, that there is nothing in commerce about which they ought to quarrel. Temper has been shewn on both sides, and I hope it will remain. The importance of the subject demanded free discussion, and that neither kingdom should feel resentment, or chagrin, at the deliberation of the other. In private and in publick, I have always said so, from the commence



commencement of this question; and, the event, has confirmed me in that sentiment.†

Mr. *Marcus Beresford*.—At this late hour of the debate, and after the able manner in which the whole system has been stated by my two Right Hon. Friends, it would be idle in me, and trespassing on your patience, were I to enter into a statement of the system in general, but I trust I shall obtain an indulgent hearing when I confine myself wholly to reply to the principal argument, which has fallen from the opposers of this system. The Right Hon. Gentleman on the second bench (Mr. Grattan), certainly challenges my attention; first, as his speech was the most able, and conveyed in the most brilliant language. The Right Hon. Gentleman set out with stating the history of the Free Trade in 1779; he stated that in 1779, we obtained a Free Trade to all the world, the Colonies of Great Britain excepted; to that I must beg leave to add another exception, the monopoly of the India trade was never surrendered.—Taking the trade then, as stated by the Right Hon. Member, that if we give up the trade of the British Colonies, we are at liberty to trade with all the rest of the world; I will ask the honourable Gentleman, will he state with what part of the world we are likely to trade with equal advantage as with the British Colonies? or will he state that we shall trade with any foreign Colonies at all?—Does not the Right Hon. Gentleman, and almost every individual in this house know, that the French, and almost every other nation of Europe who possessed Colonies, retain their Colonial trade for themselves, and even supposing they should admit us to the trade with their Colonies, will the Right Hon. Member ensure us, that their terms will be better than those offered by Great Britain. The Right Hon. Gentleman stated, that when we received the Colony trade in 1780, we did not give up the right we had to trade with foreign Colonies; I will admit we did not expressly, but it certainly was an implied part of the bar-

† [Mr. Flood, in the course of his speech, took notice of a declaration made on a former occasion by the Attorney General, who had said, he never would support any measure detrimental to the interests of Ireland. Which declaration the Attorney General rose and repeated. Mr. Flood also said, a Right Hon. Gentleman opposite to him [the Chancellor of the Exchequer] had voted against a declaration of Rights; and before he sat down, he took notice of what Mr. Orde had said relative to Patents, Copy-rights and other minute particulars.]

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gain, for it is impossible Great Britain can admit you to the trade of her West Indian islands, unless you confine your trade to her Colonies alone; if then, we cannot have both, which is it most advantageous to possess? Will the Right Hon. Gentleman state how we are to carry on trade with foreign Colonies in time of war; does he imagine Great Britain will afford us the protection of her navy, to carry on a trade so prejudicial to her interests. The Right Hon. Gentleman has stated, that we are at liberty to select what articles we chuse to trade in with the British Colonies, and equalize the duties on such articles only, as it is our interest to trade in. Now if that fact be true, that we can make exceptions in one article, and equally true that we can do it in many, suppose then, we equalize the duties on one article only, what is the consequence; you might export the manufactures of Ireland to the British West Indies, without taking any of the produce of the islands in return. Is it probable that Great Britain could ever intend to communicate the trade of the British Colonies to this country, on terms so disadvantageous to the British merchant—so much for what has fallen from the Right Hon. Gentleman, with regard to the trade with British and foreign Colonies.

But before I take leave of that bench, I must advert to what has fallen from another Right Hon. Gentleman; he stated with an air of triumph, that a noble Duke on the other side of the water, had not made use of expressions attributed to him in the public prints; and how did he endeavour to prove it? by shewing, that leading men in Lord Northington's administration, had stated in this, that a general system of commerce was to be settled between Great Britain and Ireland, and that it was impossible for his Grace to state in the British House of Lords, that no further concessions were to be granted to Ireland, when his Ministers in this House stated, that a great system was in agitation. But as I was present at the debate alluded to, I must beg leave to state that the noble Duke did say, "*that whatever might be floating in the minds of individuals of that cabinet, he knew of no determination of the cabinet to make any further concessions to Ireland, and that if any had been determined on, he would have implored to have himself laid at his Majesty's feet, to resign his office, that he might not be made the instrument of such capital disgrace and capital ruin*". The declaration then of Lord Northington's administration, if not authorized by the Cabinet of Great Britain, was calculated only to deceive this country, and I among others, was fool enough



enough to credit their assertions. An Honourable and learned Member has said, that the attempt of my Right Hon. and learned Friend to defend this system, has convinced him that it is indefensible; if the attempt of my Right Hon. Friend has convinced him that the system is indefensible, his attempt to answer him has proved his arguments unanswerable;—he has drawn a paralel between this country and America, and has asserted that the dismemberment of America arose from the passing of laws similar to those which are now under consideration in the British Parliament, and has stated the Tea Act as an example. Sorry am I to hear this country compared to America in this house, but the case is certainly different; the Parliament of Great Britain attempted to tax America without her consent; here Great Britain only submits to the consideration of Ireland, if she will covenant to enact by her own Parliament laws, similar to those enacted in Great Britain, with regard to the Plantation trade and Navigation, if you will take the trade of Great Britain on the same terms which she enjoys it herself. Another Honourable Member began with stating, that the settlement of 1779, was as permanent as any could be made between nation and nation; and he at the same time states, that the King's Speech at the opening of the session declares, that those matters are now to be settled, which were before settled, that is to say, those things are now to be finally settled, which were so settled before; he states that we can at present trade with the Colonies, but if that trade is not permanent, what security have we in the enjoyment of it.— He has stated in a humorous stile of punning that we paid England, to abolish the circulating trade thro' Great Britain into Ireland; and that we are now again going to pay, in order to establish a circuitous trade thro' Ireland into Great Britain, endeavouring to confound the difference between a circuitous trade thro' Ireland to Great Britain, and *vice versa*, as if we were ignorant that the former is as advantageous, as the latter is disadvantageous; but I trust I know what reception this stile of speaking may meet in this house. He has said that as the appointment of the revenue officers throughout the Colonies is vested in the government of Great Britain, the Irish merchant cannot trade on equal terms with the English; to that I reply, that it is not in the power of any revenue officers to injure the fair trade, and that a revenue officer is as liable to an action for any illegal act under colour of his office, from an Irish, as an



an English merchant. He talked much of the stipulation to pay for the navy of Great Britain, and he has said the country was protected during the war by the Volunteers; I admit it was, and I can boast the honour of having been inrolled among Volunteers, at a time that others might come to their meetings with haughty triumph and insolent contempt to ask *was the country arrayed?* But I must beg leave to distinguish between those Volunteers who defend the country in time of war, and those who assume the name, and meet in Congress and Conventions; and here let me have some degree of title to be heard in answer to his argument about the origination of Bills, for I have never been an advocate for the originating of Bills out of this house, I have never brought Bills from Conventions to this house, but have ever stood up for its privileges, and I trust ever shall — He has talked much of your voting a perpetual Money Bill, is he then ignorant that the Hereditary Revenue is already perpetual? He has asked if you were to propose to England to adopt laws of your making; would she acquiesce?—No, she would not;—what shadow of pretence have you to make laws for her Colonies?—And here let me observe, the Honourable Member has sometimes stated, that the 4th Proposition referred to your foreign trade, whereas it refers only to your trade with the British Colonies and the navy of Great Britain. The boon granted by Great Britain, is the trade to the West Indies, which she only requires you should take on the same terms on which the British merchant enjoys it. How does Great Britain maintain these Colonies and that trade she imparts to you by her navy? And what is the bulwark of that navy but the navigation acts? these she requires you to adopt for the strength of the navy of the Empire. It has been said that we give up our discretionary power when we adopt this Proposition; to that I reply, that in all treaties between independent nations, you give up part of your discretion, and England furnishes in this very treaty, a most striking example, when she binds herself to give a continual preference to your linen manufacture. Tho' Russia or Germany should hold out ever such advantageous offers to induce her to admit their linens on equal terms; still she gives up her discretion of acceding to these terms. Every case in which Great Britain calls on you to adopt laws similar to those which she enacts, is in favour of Ireland. The Honourable Gentleman says, that England is to be the sole judge, if these laws confer equal benefits. If these Propositions are adopted, let me see who will dare to put that

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construction on them? If any one should, to use the phrase of the Hon. Member, I will not cease to *hunt* the Slave. I meant to have followed the Hon. Gentleman thro' other parts of his Speech, but I must take the liberty of observing, he has been so extremely prolix, I cannot follow him or his example.

The *Chancellor of the Exchequer* said, he could not sit silent when he heard a measure in which he was proud to have had a considerable part, represented by so many gentlemen as injurious to the independence of the Irish legislature, and a barter of the constitution for commerce. He should think himself, indeed, unworthy of a seat in that House, or of the name of Irishman, if he could consent to barter an atom of the constitution of his country for all the commerce in the world; but he was so fully satisfied the present measure did not violate it, in the smallest degree, that he could not repress his surprise at its being supposed to do so. When gentlemen said, that it violated the constitution, they forgot that they had recorded a similar violation of it in every session, since the freedom of their legislation had been established. His Right Hon. friend (the Attorney General) had quoted the resolution of that House in 1779. He would now read a part of the statute of 1781, made in consequence of that resolution :

“ And whereas such part of the trade between this kingdom and the British Colonies in America, the West Indies, and British Settlements on the coast of Africa, as was not enjoyed by this kingdom, previous to the last session of Parliament, can be enjoyed and have continuance so long, and in such case only, as goods to be imported from the said Colonies, Plantations, or Settlements into this kingdom, or to be exported from this kingdom to the said Colonies, Plantations or Settlements shall be liable to equal duties and drawbacks, and be subject to the same securities, regulations and restrictions as the like goods are liable and subject to, upon being imported from the said Colonies, Plantations or Settlements into Great Britain, or exported from thence to such Colonies, Plantations or Settlements respectively; be it enacted by the authority aforesaid, for the advancement of the said trade, that duties, drawbacks, prohibitions, &c. be granted, &c.”

This statute passed at a time when the spirit of the nation was as high as ever it had been, and her jealousy of the constitution as great, and has been repeated every session since. Now, Sir, the condition as to regulating trade is as express in this statute as in the present bill. [*Mr Grattan interrupting*, desired to know what trade?]—*The Chancellor proceeded*, the Plantation trade—the very trade now in agitation; and if accepting trade on conditions would destroy the constitution, our constitution has been long since destroyed,



ed, even in the very year of its emancipation. But the Right Hon. Gentleman acknowledges the condition which he inveighs against as being most dangerous now, to be similar to that one which he then and ever since has deemed so innocent. He only dwells on its extending to foreign trade, that is, to foreign colonies, as if the greater or less extent could change its constitutional or unconstitutional nature; but will Gentlemen consider the matter, stripped of all oratory and declamation? Great Britain has colonies, she offers full communication of her trade to Ireland, on condition of Ireland trading on the same terms as she does herself; one of those terms is equal duties and regulations, which the gentlemen admit to be fair and harmless, for we have complied with it in part these two sessions; another of the terms is the giving a like protection, as Great Britain gives to their produce against the produce of foreign colonies. This too is fair, but it destroys our constitution—what pitiful reasoning! It does not destroy us to receive a monopoly of their consumption; but to give them a monopoly of our consumption, annihilates our independence. No man of common sense can hesitate that it is fair we should receive the trade on the same terms as Britain. The Colonies are hers—she has a right to annex those terms. The trade with them is a gift from her, and the gift is conditional; she offers to take us into partnership in their trade; she, an old established country, raised by commerce alone to an height above any other European power, invites us to partake of the means that raised her to wealth and greatness, to a full and equal share in that trade which cost her millions to obtain and will cost her millions to preserve; and this she does without desiring any thing towards that cost, or for their maintenance, or any return, save a small share of what may arise from our profits in that new partnership. But when gentlemen argue on bad ground, even their own arguments often make against them, and an Hon. Gentleman (Mr. Flood) at the same time that he exerts all his eloquence to persuade us that the confining ourselves to the British Colonies or accepting the trade on such conditions is injurious to the constitution, not only admits but contends, that we have done it already, and that we have done it on the solemn faith of compact. Hear his reasoning; he says, that the transaction of 1780 was a compact, and not a gift, and he says it was a compact, because we gave a consideration;

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three considerations, each of more value than the gift; we gave monopoly for monopoly, that is, in other words, we agreed to prohibit the goods of other colonies, the very thing that is now held up as a surrender of legislature, and the fact is, we did, and still do prohibit, by heavy duties, the same as Britain pays, all foreign colony produce. In theory, therefore, we have agreed to what he now says cannot be agreed to without ruin, and in practice we have actually done the very thing without injury, if not with benefit to our trade. His other considerations are curious; we gave revenue, that is, we received liberty to import an article, sugars, that would bear a considerable revenue, which we must have otherwise imposed, elsewhere, and thus he strangely construes the accepting the means of a revenue into giving one. His third consideration is still more wonderful; we gave loyalty. Good Heavens! in an Irish House of Commons does he say that we gave our duty to our Prince as a partner for a grant of trade?

Mr. *Flood* interrupted to say, that he had quoted the Resolution of the British Parliament, when he stated, that the loyalty of Ireland was deemed a consideration.

The *Chancellor of the Exchequer* resumed. To such wretched shifts are gentlemen driven, who attempt to support what is not supportable, and would vainly endeavour to persuade you that this measure trenches on the independence of our legislature; you need not adopt any laws that Great Britain may pass for the regulation of commerce; if you do not approve them, you may reject them whenever you think proper; you do but reject the benefit of the condition, and return to the situation in which you now are; but the same Member has proved most strongly the necessity of introducing the Bill, for when such abilities as his can totally misconceive its tendency, it ought to be introduced, in order to be fully understood. He has observed largely on each Proposition, and nothing was ever so mistated, misrepresented and misunderstood, as every part of them has been by him. It would be absurd to follow him through all his errors, many of them the most ignorant child would be ashamed to advance; but I will point out a few, not perhaps so obvious without examination.

Let me first take notice of his having alluded to me, and said, that I voted against a declaration of Rights. I deny it; I declared my opinion of the independence of our legislature from this very seat, early in the debate on that day; but did he vote for it? *He did not*, and I repeat the Hon-



Gentleman did not vote for it, but lamented that the subject had been brought in that day.

*Mr. Flood*—I appeal to the House, whether I did not enter into a long declaration on the subject.—Here the Speaker interfered to order.

*The Chancellor*—I shall leave this subject as a lesson to the Hon. Gentleman, never for the future to charge facts that are unfounded. I shall now proceed to the Hon. Gentleman's observations. He says "mark the cunning with which the resolutions are drawn, to the injury of Ireland; there is no new prohibition to be allowed on the import from one country to another." This is certainly a great evil, especially if we consider that the Exportation of Irish products to England amounts to TWO MILLIONS and an HALF annually—and the Exportation of British products to Ireland amount but to ONE MILLION, so it is injurious to a country which may by prohibitions lose two millions and an half, to stipulate against prohibitions, and the country that sends more than she takes, is not wise in guarding against mutual prohibition!

Another discovery the Hon. Gentleman has made is that countervailing duties are unfair—why? Because the Brewery of Ireland will thereby be effectually protected. The Hon. Gentleman complains of the report of the English Privy Council, who say that to put Ireland and England on a footing of exact reciprocity as to linen, Ireland ought to give a bounty on the exportation of English Linens, because England gives a bounty on the exportation of Irish Linens. Can any thing be more just? Yet England makes no such a demand, but is ready by this adjustment to give additional security to our Linen trade for ever. If indeed the adjustment were to take away the benefit from Ireland, it would be a good cause for rejecting it; but as it for ever confirms all the advantages we derive from our Linen trade, and binds England from making any law that can be injurious to it; surely Gentlemen who regard that trade, and whose fortunes and rent depend on its prosperity, will not entertain a moment's doubt about embracing the offer.

Another of his curious objections is, that as we have not a navy of our own, and if we assist the navy of the empire, England will turn that navy to her own ambitious purposes. To what ambitious purposes? To the protection of that commerce and of those colonies which are now to become ours.—In the moment that she gives up her monopoly of colonies, she is accused of ambitious purposes, for her separate aggrandizement.

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The Hon. Gentleman complains, that the Bill now before the English Parliament makes it necessary that every proper and authentic document to prevent smuggling should be sent by the revenue officers of this country with any foreign or plantation goods sent from hence to England, but that the same precaution is not taken with regard to the same kind of goods sent from England to Ireland. This is the strongest argument for waiting the introduction of the Irish Bill; it speaks the consciousness of the English Parliament, that they could not prescribe to our revenue officers what documents should be satisfactory to them on receiving goods from England, but that the Irish Parliament alone in their own Bill could determine that matter. It shews the Hon. Gentleman to be totally ignorant of what either is or ought to be the substance of the Bill.

The Hon. Gentleman talks of bounties, and says, by abolishing bounties we shall no longer be able to bring corn to this city; our inland corn bounties, he says, are to be turned into Protecting Duties for England. A strange conception! But why has he fixed on corn and flour? If he had read the Resolution on which he is arguing, he would have seen that corn and flour are every where exempted.

Another argument of the Hon. Gentleman is, that the declaring that neither country hereafter can lay any new prohibition on native productions, implies cunningly that it may on foreign. What an argument! when the very first principles of the system is, that a mutual interchange of foreign commodities is for ever to take place between the two kingdoms, and one even of the Twenty Propositions declares it in precise terms—But, the Hon. Gentleman talks of prohibitions on exports, &c.; Would the Hon. Gentleman wish to leave it in the power of either nation to prohibit their native commodities from being exported to the other? would he wish to leave it in the power of England to prohibit the exportation of coals, salt, iron, bark, hops, and many other articles, or to raise a revenue on these articles when exported hither.

The Hon. Gentleman talks particularly of wool. I admit if you balance wool against wool, that his argument is right; but the just way is to balance the whole of the exports;—England engages never to prohibit the export of articles which are necessary almost to our existence, and we engage not to prohibit the export of articles which bring us in 500,000l. a year. We are to engage not to prohibit the  
export



export of Woollen and Linen Yarn, which we have exported for a whole century, and without keeping a market for the redundancy of which by export, we could *not* ensure plenty for our own manufacturers.

The Gentleman too totally mistakes the case of patents and copy-rights. British patents and copy-rights are protected in Britain by prohibition against import. The Resolutions say to us, "protect your's in like manner"; a measure never yet adopted here, which must promote genius, printing, and invention in Ireland.

I am ashamed, Sir, of taking up so much of your time on a subject which might be so easily understood by the lowest capacity; I shall therefore quit the Hon. Gentleman and come to the question of constitution, which I do not at all think involved in this subject. If Great Britain grants us a full partnership in all her trade in all her colonies, if she admits us to a full participation in the benefits of her Navigation laws, by which she has raised herself to be the greatest commercial power in the world; if she does not call upon us to contribute to the expence of the partnership, but merely to receive our share of the profits, and says, we may continue in that partnership only so long as we chuse, can any man say, the conditions of it amount to a surrender of our legislature? surely not, it is idle speculation. Let us then look at the subject, free from all imaginary dread for the constitution.

Britain imports annually from us 2,500,000*l.* of our products, all, or very nearly all, duty free, and covenants never to lay a duty on them. We import about 1,000,00*l.* of hers, and raise a revenue on almost every article of it, and reserve the power of continuing that revenue. She exports to us salt for our fisheries and provisions; hops which we cannot grow; coals which we cannot raise; tin which we have not, and bark which we cannot get elsewhere, and all these without reserving any duty, or a power to impose any on them; tho' her own subjects pay 2, 3, or 4*s.* a chaldron for her own coals, sent coastways, and in London 7*s.* We on the contrary charge a duty for our own use here on almost every article we send to her. So much for exports; now as to bounties, she almost ruined our manufacture of sail-cloth, by bounties on export of her own to Ireland. In 1750, or thereabouts, when her bounty commenced, we exported more than we imported, and in 1784 we exported none and imported 180,000 yards; she now withdraws that bounty.



bounty. And let me digress here a little on sail-cloth, which although gentlemen affect to despise when mentioned, will I trust be an immediate source of wealth by this adjustment. For 1. This bounty is to be removed. 2. The export of Sail-cloth to the Indies is to be allowed, and Great Britain exported there, in 1782, about 200,000 ells. 3. There is a British law, obliging every British and colony ship to have its first suits of British sail-cloth. Irish now is to be deemed British. 4. There is a preference of 2d. an ell given by British law to British sail-cloth, over foreign, for the British navy. Irish is now to have the same preference. 5. The surplus of the hereditary revenue is to be applied in the first place to the purchase of Irish sail-cloth. All these give a glorious prospect for that valuable manufacture—But to return, were a man to look for the country most advantageous to settle manufacture in, what would be his choice? One where labour and provisions are cheap, that is Ireland; and what would he next look for?—why to have a rich, extended and steady market near him, which England, stretched along-side affords, and to establish that market for this country, is one great object of this system. Gentlemen undervalue the reduction of British duties on our manufactures; I agree with them it may not operate soon, but we are to look forward in a final settlement, and it is impossible but that in time, with as good climate, equal natural powers, cheaper food, and fewer taxes, we must be able to sell to them. When commercial jealousy shall be banished by final settlement, and trade take its natural and steady course, the kingdoms will cease to look to rivalry, each will make that fabric which it can do cheapest, and buy from the other what it cannot make so advantageously. Labour will be then truly employed to profit, not diverted by duties, bounties, jealousies or legislative interference from its natural and beneficial course, this system will attain its real object, consolidating the strength of the remaining parts of the empire, by encouraging the communications of their market among themselves, with preference to every part against all strangers.

I need not mention the Navigation-act, the proper benefits of which we have so long looked for; I will only observe, that Great Britain could never agree to receive the British Colonies' goods from us, unless we prohibited the goods of foreign Colonies as she does, which is a powerful argument for that part of the system against the constitutional phrenzy  
that



that threatens it. Let us also observe, that now, for the first time, Great Britain offers us a right for ever in all present and future Colonies, without any reservation of power, to call on us either to procure, support, or preserve them; *she* maintains them, *we* share all the profits; and, not only their goods, but all goods of Irish produce, are to pass through Britain duty free. Can foreign nations, after this is settled, make distinction between British and Irish goods? Our manufactures will be united as our interests, and we shall laugh at Portugal folly.

I could run out for hours into the many benefits of this system; but I have tired the House too long, let me only implore you not to reject this measure, for ill-founded, visionary objections, or to sacrifice realities to shadows. If this infatuated country gives up the present offer, she may look for it again in vain; things cannot remain as they are; commercial jealousy is roused, it will increase with two independent legislatures, if they don't mutually declare the principles whereby their powers shall be separately employed, in directing the common concerns of trade; and without an united interest of commerce, in a commercial empire, political union will receive many shocks, and separation of interests must threaten separation of connexion, which every honest Irishman must shudder ever to look at as a possible event.

I will only add, that if this measure be refused, Ireland will receive more solid injury than from any other evil that ever befel her; it is in vain for Gentlemen to think we can go on as we have done for some years—or to expect to cope with England in a destructive war of bounties—our situation must every day become more difficult, and it is impossible to foresee all the ruinous consequences that may ensue.

Mr. *Pole* professed himself anxious for an opportunity of declaring his sentiments, in delivering which, whatever good opinion he might entertain of Government, he said, he would not suffer it to bias him, because the question before them was a question in which all their dearest interests were involved, and no recompence government could make, could compensate for his vote, if his heart did not consent to it. The speeches they had heard from the gentlemen who were the great leaders of Opposition, convinced him, that they opposed the motion upon principle, and thought it impossible that Great Britain and Ireland should agree upon the proposed terms of settlement: nay, they even seemed to wish



wish that they should not. He had not the vanity to think he possessed the abilities of the Right Hon. gentleman on the bench near him [Mr. Grattan ;] but to his plain understanding, what had fallen from him in argument, appeared to go in direct separation of that country from Great Britain.

Mr. *Grattan* here interrupted Mr. *Pole*, to declare, that the honourable gentleman was not warranted to draw any such inference. He had great confidence in the honourable gentleman's integrity of heart, and he had no doubt but he thought what he said ; the House, however, would judge whether he had made a fair deduction from his argument. What he had said was, that if it came to the question, whether the Empire or the Constitution was to be sacrificed ? he, as an Irishman, must answer, "Perish the Empire, live the Constitution !"—he would say more : the principle of the Bill held out impossible conditions, whence it became necessary to ask, would they go back to their former situation, or would they maintain their independence ?

Mr. *Pole* returned his thanks to the Right Hon. gentleman for having interrupted him, as it gave him an opportunity of setting him right, as to the part of his speech to which he had meant to allude ; the passage he had intended to refer to, was that in which the Right Hon. gentleman had said, what Ireland had gained from Great Britain was the acquisition of war, and had intimated, that the country might have recourse to foreign Colonies.

Mr. *Grattan* rose again to say, that he was so accustomed to hear in that House what was not strictly regular, that he had no objection to the honourable gentleman's making what use or advantage he thought fit of any expression that had fallen from him. He had certainly said, that "by the proposed Bill, Ireland was called upon to consent to a revocation in the time of peace of the acquisition of war." Those were his words, and he claimed them.

Mr. *Pole* caught at Mr. *Grattan's* last expression, and said, as the Right Hon. gentleman claims his words, it must be admitted that he had been right. Had not that been the case, he would have appealed to the Chair, whether the freedom of debate did not allow every gentleman to state, what struck him as the construction of words that had fallen in the course of discussion. He would maintain it, therefore, that the honourable gentleman's speech tended to separation ; and he begged leave to observe, that, he was not



one of those who was apt to say in that House what he would not say out of it, as it was his constant rule, never to advance in public, what he was not equally ready to advance and maintain in private. The speeches of the two great leaders of Opposition appeared to him to breathe a wish for a separation between the two countries. For his part, as to the Bill, he was neither afraid nor ashamed to say, he heartily approved of it. He did so upon principle, being persuaded that it was a good Bill for Ireland; and, if any thing could help to convince him that it was so, the very able reply made by his Right Hon. friend [the Chancellor of the Exchequer] to one of the wildest, most inconsistent, and, if he might be permitted to say so, most ignorant speeches ever uttered by a man of abilities, would have had that effect. Mr. Pole repeated, that he would not support the Bill, could he not do so consistently with his good wishes for Ireland. He believed, there were many gentlemen who would vote for it from the same motives, as he was not only persuaded they were men who acted upon principle, but men who had so much character to lose, and so considerable a stake in the country, that nothing in the power of government could compensate to them for their vote, were the Bill deserving of the imputations cast upon it by the gentlemen who opposed the motion. He hoped, therefore, and had little doubt that he should have the satisfaction of seeing it carried by a very considerable majority.

Mr. *Kearney* said, that nothing would have induced him, at so very unseasonable an hour, to have troubled the House, but the dread he was under that he should never again have an opportunity of submitting his thoughts to a free independent Parliament, if the Bill which was moved to be brought in should pass; for the question is clearly this, whether the House will this night give leave to bring in a Bill for transferring, as far as Parliament can do it, the constitutional and commercial rights of this independent kingdom, (which have been recently recovered by the virtue and the spirit of the people of Ireland) to the legislature of another country, which, untill very lately, laid the trade of Ireland under the most oppressive restrictions. It was these restrictions which caused what has been so much insisted on by the supporters of the Bill, the superior advantages which the trade of Great Britain was to us, above that of all other countries. In other words, we were not suffered to send any of our manufactures;



manufactures, except linen, to any other country, and therefore we benefited more by that trade which we were permitted to carry on, than by those which we were not. I cannot think that there is the least danger of this kingdom's ever forming a close connection with any other, except her sister kingdom, for it can most assuredly never be her interest. Let us, said he, for a moment consider the advantage which we are this night told we are to derive under this Bill:—the admission of our linens duty free into Great Britain, and rock-salt, and coal from thence duty free. I will acknowledge that the first has been of very great advantage to Ireland, but I must observe that the English have likewise greatly benefited by this trade, for what has enabled us to pay for the immense quantities of their various manufactures, which we constantly take, but the produce of linens. We are told that we ought to be much obliged to Great Britain for taking off our hands the redundancy of the raw material of our principle manufacture. I cannot look upon it in this light, for I am convinced that there cannot be produced any instance in the history of the commercial world of any country giving a preference of trade to another country, from any other motive than a regard to her own supposed interest. The idea of her acting under the influence of any other cause, is to the last degree absurd. Notwithstanding all the advantages we derived from our trade with Great Britain, were we not six years ago very nearly a bankrupt nation? He then made some remarks on the present policy of the different commercial nations of Europe, who are now wisely endeavouring to supply themselves with the different manufactures which they have hitherto got from Great Britain, and for that purpose have prohibited British manufactures, or laid heavy duties on them. What, said he, must the consequence of that be? That those British manufactures who have been employed in working for foreign markets, will turn their hands to that manufacture for which they have a demand at home, and which we have hitherto in some degree supplied them with. As to coals, said he, our getting them duty free from Great Britain has produced two consequences not very beneficial to this kingdom.—It has prevented our working our own collieries, and it has caused us to carry on all our manufactures, except the linen, in the large sea-port towns, the most improper places for them, instead of establishing them near the coal mines, as they have done in England:



besides, said he, Great Britain suffers her coal to be exported to Holland, subject to some small duty. With respect to rock-salt, without which it was said that our fisheries could not flourish, that was a mistake, for we might get French, Spanish, or Portugal salt. He concluded with making some pertinent observations on the folly of pretending to make permanent regulations for the commerce of two nations, whose commerce must, from the nature of trade, change so much, that what may be thought a wise and prudent regulation at present, may be the very contrary in the course of a few years.

Mr. *Conyngham* lamented the manner in which the question had been discussed; he thought that every man who had the interest of Ireland at heart should have endeavoured to promote harmony and cordiality between the two nations, instead of which it had been treated as if the Propositions had been made by a country inimical to Ireland. He was peculiarly concerned that his right honourable friend, who he was convinced had the good of this country sincerely at heart, should have been led on to sound the alarm, as if an attempt was made to invade the constitutional rights of this kingdom, and that at a time when the sister kingdom took every opportunity of declaring her determination to respect, equally with her own, the independence of Ireland. Old causes of complaint were brought forward, instead of adverting to the repeated acts and declarations of Great Britain since the year 1780. He declared he could not see any reason why a constitutional question should be involved in this commercial treaty. God forbid that he should join in any act to violate that constitution which we had obtained by the spirit, firmness, and wisdom of the Parliament and people, roused by the exertions and abilities of the man who had exhibited the latter with such splendour in the present debate. But after preserving the constitution, the greatest blessing that could happen to this country would be a final settlement of commerce with Great Britain, upon permanent and equitable principles. How was this to be effected if similar laws were not adopted; and now, at a time when Great Britain is negotiating commercial treaties with all the rest of the world, you create an impossibility of forming any treaty with this kingdom, from an ill-founded jealousy. If laws are similar, must not the wording be the same? And must not they be propounded in one Parliament before they are adopted by the other, as you have no Ambassadors,



Ambassadors, like other nations? But there is nothing proposed to be done in the present Bill different from what you have done in all the Bills since 1780, declaring that a similarity of laws, manners and customs must strengthen the affection that ought to subsist between the two nations? It appears to me, that you require from the English Parliament, that which you are so jealous of being thought to submit to yourselves the registering the Eleven Propositions sent from hence. Surely Great Britain has a right to object, to add, and to make her own Propositions. But I do not see but that the bill is grounded upon the Irish Propositions, with explanations on the part of Great Britain, only that the exception to the seventh clause, relative to Prohibitions not reciprocal, is omitted, which in my opinion is very favourable for Ireland. For it is a matter much contested in Great Britain, whether it is wise to prohibit entirely the exportation of wool.—Now, though wool and woollen yarn would by the present Bill be always allowed to be exported, yet the Irish manufacturer would always have the Irish yarn upon better terms than the English manufacturer. The latter however has other markets to procure that material, whereas the articles that you secure for ever to yourselves, free from future prohibitions, are essential to your manufactures—coals, rock-salt, bark, tin, hops, &c. many of them not to be obtained but in Great Britain.

As to the objection about the East India trade, there is little likelihood that this country can succeed better in that speculation than so many other nations that have made the attempt; the Irish have the power of enjoying it equally with British subjects, and our pride need not be hurt at surrendering this right by treaty to a company, if we get other advantages in return, when the same surrender was made by the Emperor, who by the treaty of Vienna engaged to abolish the Ostend company. Let us not then by an ill-grounded jealousy lose the opportunity of making an indissoluble union with our sister kingdom, of strengthening by a solid cement the remains of the empire, and restoring it to its former splendour, wealth and dignity.

Mr. *Molyneux* made a short speech in favour of the Bill, declaring himself as independent as any man in that House, and that he approved of the system because he thought it would be beneficial to Ireland.

Mr.



Mr. *Ogilvie* said, that as all the arguments brought to justify the clauses in the Bill, founded on the 4th, 5th, &c. Resolutions of the British Parliament, were drawn from the famous act of 1780, passed in consequence of the British Act, of the 20th George III. c. 10. known by the title of the act of *free trade*: He begged the House would honour him with their attention, while he should endeavour to shew them, that the above act had been mistated, for he could not suppose intentionally misrepresented, by a right honourable and learned gentlemen, (the Attorney General) whose authority, he imagined, had misled all those who had repeated his argument.—He supposed, that the Right Hon. gentleman was aware, that the Bill introduced by the Minister in England for a final settlement, clashed with the act of 1780, and could not be passed into a law, while the other continued in force, and that he had of consequence seen the necessity of representing this act, as a *favour granted by Great Britain, held at her discretion, and recallable at her pleasure*.—He most readily admitted, that the act had been a concession from Great Britain; but he positively denied, that it was revokeable at her pleasure: And the Right Hon. gentleman could not know the act, if he really thought so; for it was therein expressly enacted, “ That the importation and exportation, allowed by this act, shall commence, *and shall have continuance so long, and in such respective cases only, as the goods or any of them, &c. shall be liable by some act or acts of Parliament, to be made in the kingdom of Ireland, to equal duties and drawbacks, and shall be made subject to the same securities, regulations, and restrictions, as the like goods, &c. exported from, or imported into Great Britain, from the British Colonies in the West Indies, America and Africa.*” These, he said, were the words of the act, which he then held in his hand, by which the duration of the act was put for ever out of the power of Great Britain, and made to depend entirely on the future acts of Ireland. Great Britain could not, at any time, nor under any circumstances, recall or annul the act; but Ireland might forego the advantages granted by the act, by not performing the conditions annexed to the grant; although even here care had been taken, that she might relinquish the advantage in any one particular instance, without forfeiting the general right. The Right Hon. gentleman’s argument, therefore, to induce the House to accept the



the present Bill, as giving them a *permanent Right* to a favour which was held *now* by an act voidable at the pleasure of Great Britain, not only fell entirely to the ground, as being utterly unfounded; but unfortunately it contradicted what had been argued by the Right Hon. gentleman near him, [Mr. Orde] who had recommended the present Bill as a matter of experiment; that might be done away at any time by Great Britain, or Ireland. He was ready however to agree with another Right Hon. gentleman, [Mr. Foster] who had argued that the *principle* of the present Bill, was the same as the principle of the 20th Geo. III. c. 10. This he admitted, but that Right Hon. gentleman when he urged this similarity as an argument for the present Bill, must have forgot, that it was *expressly provided* by that act, that the *principle* should not be extended to any part of the trade carried on or enjoyed by Ireland previous to that act; and that the conditions therein stipulated, were expressly limited to the importation and exportation granted under that act. Whether this proviso was insisted on by Ireland, or was matter of concession as the other parts of the act; it did the highest honour to the liberality and justice of Great Britain, who gave freely, without taking advantage of the gratitude of Ireland, to impose any restraint on the trade she enjoyed exclusive of that grant. This proviso now stood the Magna Charta of Irish trade, and formed an insuperable obstacle to any attempt to restrain it beyond the limits prescribed by that act; but the British Bill now on their table, that had been introduced by the Minister in England, declared it, "in contradiction to this proviso," essential and indispensibly necessary to the present settlement, that Ireland should not only impose the same duties, regulations and restrictions as Great Britain, on the exportation and importation, granted by the act of 1780, but should submit to the same terms on the exportation and importation, which had been expressly exempted from these conditions by the proviso of the act; nay, the present Bill went still further, and demanded, that Ireland should be subject to the conditions of the act of 1780, her trade with foreign Colonies generally and universally, which every man must allow was a demand perfectly new. [Here somebody on the Treasury Bench calling out *no, no*, that rum was excepted.] Mr. Ogilvie said, he thanked the gentleman for anticipating what he was going to say, for that the exception strengthened his argument, as it was a partial



partial exception of rum imported from the West Indies ; but American rum was subjected to the British duty, in direct contradiction to the proviso of the act of 1780. Nor was this all, for by the Minister's Bill Ireland was to bind herself, not only to lay the same duties as Great Britain, on rum, peltry, train oil, and whale fins, imported from the *States of America* but also to *prohibit* the importation of those articles whenever Great Britain should prohibit them ; which power of prohibition was by the Bill generally extended over every part of the Colony trade, British and foreign : A requisition so entirely new, that Great Britain had not made it even at the moment of granting the *free trade* with the Colonies ; for the only power of prohibition asked at that time had been of the trade with the British Colonies or Plantations in *America*, then in actual rebellion. He thought, however, that the Parliament of Great Britain could not be fairly accused of a *breach of faith* in what they had hitherto done, as the Bill had not come to that stage when its *principle* could be discussed ; but he was extremely surpris'd that the Minister should have introduced to that Parliament a Bill that is indirect contradiction to an existing law ; which law it was not in the power of Great Britain to repeal without a *breach of faith* with Ireland ; for the continuance of the act depends on the will of Ireland ; and he challenged any man in the House to shew that Ireland had relinquished or forfeited the right she enjoyed under that act. The British Parliament therefore could not have passed the Minister's Bill into a law, without committing an act of violence, which ought never to be admitted as a possible case within those walls. Another deviation from this famous act, he observed, was the restraint to be imposed on Ireland, to prohibit her from trading with foreign colonies, as no such restraint existed under that act ; and every thing not expressly stipulated was by the proviso exempted from the conditions of the act. A right honourable Gentleman (Mr. Foster) had at first attempted to justify this prohibition by the act of eighty ; but he afterwards seem'd to abandon this ground and to rest it on the equal construction of the navigation laws of Great Britain ; there, indeed, he was ready to agree with the right hon. Gentleman, for upon an equal and fair construction of the navigation laws, as adopted by Mr. Yelverton's act, he was ready to admit that Ireland was restrained from an intercourse with foreign colonies ; but then the gentleman must admit



admit that this construction put Ireland on an equal footing with Great Britain, and opened the ports of Great Britain to Irish ships, in the same manner as it did the ports of Ireland to the ships of Great Britain. If this was denied the Irish nation was not restrained from trading with foreign colonies; if it was admitted, she had a right to the intercourse which was made the pretence for the present settlement, and was considered as one branch of the price that she was to receive for the numerous disadvantages she was to submit to in return.

He begged leave to observe further, that the right hon. Gentleman, [the Attorney General] had been mistaken in the conditions annexed to the trade with the East-Indies, if ever that trade should be opened to Ireland, of which there was very little probability indeed; for that Ireland was now to engage to carry on that trade, under such duties, restraints, and restrictions, as should be from time to time *imposed by Great Britain*. The Attorney General calling out *no, no*, Mr. Ogilvie read from the Bill the express Clause with the words he had used, and further added, that Great Britain had in this Case also reserved a power of prohibiting the Importation into Ireland, whenever she should find it her Interest to prohibit the Importation into Great Britain. Having stated this very fully, he begged that Gentlemen would attend particularly to a danger that threatened Ireland with respect to the East India Trade, if the present Settlement should take place. He said, they all knew that a Tax on Windows had last session been imposed in Great Britain as a commutation for the high duties formerly paid on tea; this tax had excited much dissatisfaction in England, where it had been considered as an additional land-tax; if the Minister to regain his lost popularity, or any other Minister to ease the internal burdens of the people, should be inclined to repeal this Act, and to impose the high duties formerly paid on tea, he would have this additional encouragement to do it, that he would tax Ireland at the same time, and that a share of the burden would be borne by this kingdom. The duties paid on tea were, as well as he recollected, stated from 1,000,000l. to a million. If only one-fourth of the above quantity was consumed in Ireland, it would raise upwards of 200,000l. a year on *Ireland*, a burden which he was persuaded every man must see would prove ruinous to this kingdom; and which would be a sufficient reason for rejecting the present system, if there were no other.

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Mr. Ogilvie said, he should not now detain the House by going into detail to shew the ruinous consequences that must arise from this settlement, if ever it took place, to the infant manufactures of Ireland, but should reserve his arguments on this part of the subject to the proper stage of the business, if ever for the misfortune of this country, the Bill should pass to a committee, which he firmly believed it never would.

*Major Doyle.*—At so *early* an hour, Sir, it would seem unnecessary to apologize for soliciting the indulgence of the House. I have, however, too much consideration for the exhausted state of other Gentlemen, as well as myself, to detain the House long, and in truth it is not necessary. But the importance of the question calls upon every man who has ever opened his lips within those walls to speak boldly his sentiments upon a system which is to decide for ever the fate of Ireland, I should therefore hold myself guilty of the most inexpressible crime against my country, were I to preserve a timid neutrality, or afford even a silent support, when its dearest interests are upon the point of being lost *for ever*. Sir, the respectable attendance at your bar, your crowded and anxious galleries, and the *uncommon brilliancy* of your audience, mark strongly the agitation of the public mind upon the event of this night's debate. But it is not only within this House that it is discernible, you see it in the dejected air of all your citizens, and in the desponding countenance of every manufacturer you meet; but I would tell them that their apprehensions are groundless; that the firm virtue of their Parliament will convince any Minister who should dare to wrestle with the Independence of Ireland, that the Parliament of Ireland is too strong for him—I would tell them, that the Members of this House will part with the liberty of Ireland only with their lives. I hope in this I should not say too much; but if am unhappily mistaken, and that by a *political suicide*, the constitution shall this day be destroyed, I shall at least have the satisfaction to think, that I have done my duty by thus publicly protesting against this disgraceful measure, and that when posterity shall with indignation revise the proceedings of this day, my name shall not be found among those who have ignominiously neglected to defend, or who have basely dared to betray the rights of our country. I have another satisfaction in the consciousness that the idea of committing the two countries, and driving the one to violence, and the other



other to retaliation, cannot be imputed to us who oppose, but to those who would force this system; for the people of England agree with those of Ireland in the most decided detestation of the measure. It is not a contest between England and Ireland, but a contest on which the rash Minister of one country is leagued with the artful Ministry of the other, in combination against the *people* of both. When I say Ministry, let none suppose I can have the most distant allusion to the amiable Nobleman who represents Majesty; were I to speak of him, it should be with that respect which I really have for his character: but, Sir, I feel for his situation;—candid himself, he suspects not the duplicity of others, and surrounded by those whose interest it is to deceive him, his name can be abused only by their use of it. Sir, I object to the admission of this bill; first, because I will not enter into treaty with those who, in the very outset of the business, mark the design to over-reach—witness the slight introduction of a constitutional usurpation into a commercial regulation.—Is there any of you who, in the private occurrence of domestic life, would conclude a bargain with a person whom you detected in the act of cheating you? And shall we be less tenacious of the nation's rights than an individual of his private interest? I object to it again, because it sets out upon a false principle. It affects to be founded upon the wishes of our people, when the petitions on your table prove it to be, in direct contradiction to them. The address moved by an Hon. and respected Friend of mine (Mr. Griffith) at the close of the session, is adduced as a proof of the nation's wish, and is said to be the foundation of this bill. Sir, the generous motives which induced him to bring forward this address did honour to the goodness of his heart, and were the effusions of genuine patriotism; but it by no means spoke the wishes of the people; on the contrary, he did not move it until after he had failed in effecting their wish for Protecting Duties; and little did the unsuspecting honesty of his nature conceive, that his laudable desire of accommodating both countries could be distorted into a system injurious to the commerce, and destructive to the constitution of Ireland. Again, I object to treating with the Right Hon. Gentleman, unless he shall produce credentials of his being fully empowered to treat.—In this I am justified by the humiliating failure of his late treaty, though opened with so much solemnity, and apparent certainty of ratification. I object again to the



mode of treaty, if even a treaty were necessary; for it is impossible that any system can be formed in the first instance in the Parliaments of both kingdoms; if any such arrangement is eligible, it should be effected by the meeting of Commissioners from each country, chosen from those most conversant in trade, (for the business has nothing to do with constitution) who after higgling and bargaining as is customary in commerce, shall form the outlines of a plan to be submitted to their respective Parliaments for ratification. This, Gentlemen, well may recollect, I suggested on the original Proposition, and I find I am confirmed by persons of the first abilities in another kingdom. I again object to the duration of the treaty. It is the nature of commerce to fluctuate and be diverted into new and unexpected channels, and is it not therefore absurd to bind, by fixed and eternal regulations, what is in a constant state of fluctuation; and moreover, I deny that we have power to bind irrevocably succeeding generations, still less to impose upon them an eternal tribute. I confess I did not see the advantages of the original resolutions so rapidly run through the House; but if I had approved them, yet I never could be a dupe to the false logic of a school-boy, who would persuade you, that in agreeing to the Eleven Propositions which did not *much* injure your trade, and did not *at all* affect your constitution, you were necessarily bound to adopt Twenty Propositions, which throughout are at war with the one, and decidedly victorious over the other. I shall defer saying any thing of the commercial impositions contained in the plan until another stage of the bill, if unhappily for the nation that opportunity should occur, and I shall content myself at present with giving a negative to the introduction of the Bill—being resolved to stand by our constitution while it can stand, and should it fall, content to fall with it.

Colonel *Moore* said, he rose to great disadvantage, but, as he seldom spoke long, he trusted for the indulgence of the House. He then used a few arguments in a favour of the motion.

Mr. *Trench* spoke as shortly against it, declaring that he thought it his duty, not less as the friend of Great Britain than of Ireland, to oppose the introduction of a Bill, which, without holding out any certain prospect of essential advantage to either country, seemed likely to injure the interests of both, by creating endless jealousies, alarms, and apprehensions on each side of the water.

Mr.



Mr. *Nevill*.—The greatness of the subject precludes any necessity for an apology, and a greater never was debated in this House. On Thursday I opposed the proposition of the Right Hon. gentleman, [Mr. Flood\*] the Secretary having so strenuously solicited for an adjournment of one day, and so solemnly pledged himself to bring forward what would tend to universal satisfaction.—I have paid the utmost attention to his speech and statement of the Bill—which statement has determined me to vote against a Bill that breathes the spirit of the English Bill, and is evidently founded on Resolutions, many of which are destructive to the liberty, honour, and commerce of Ireland.—I believe the intentions of the present Administration are fair and honourable towards this country, and also, that had Mr. Pitt had it in his power, he would have returned the Resolutions as they were sent to England, and that he was beaten out of them by the manufacturers of Great Britain, and by the inveteracy of Party—but thank God, Party has not arisen to such a height in this country, and that the Minority of this night will shew itself divested of Party—a Bill of such consequence should be carried unanimously, or not at all. I hope Ireland, who has so lately distinguished herself amongst the nations of the world, will, on this occasion, support the character she has gained. I have, Sir, in general supported Government through the session, but, on this occasion shall quit them, and recommend the Secretary in his Closet to consider well the character, independence and property of the Minority; and also, to take into remembrance, that many of his ablest, and most powerful supporters are absent, who would, in the course of the Bill, step forward and assert the liberty of the land. We have therefore gained great honour, and let us persevere.

\* A preliminary debate had taken place the preceding day upon Mr. Orde's intreating the House to indulge him for one day longer, before he stated to them the Proposition he had to offer relative to the adjustment of a Commercial Intercourse between Great Britain and Ireland. In the course of that debate Mr. Flood had desired to move a Resolution to the following purport: "That this House will retain undiminished the full and free exercise, at all times, of the sole and exclusive authority of the Irish Parliament to legislate for Ireland, commercially and externally, as well as internally."

Mr.



Mr. *Orde* rose to explain. It having been alluded to as if he had said that the Minister could have gotten better terms but did not, it became necessary for him to repeat that, the Minister, besides combating the prejudices of the manufacturers of Great Britain, had resisted the amendments proposed by opposition, some of which, had they been given way to and received, would have rendered the Resolutions inadmissible indeed. But he had never said, that the Bill, he proposed to bring in, either arose from or was founded on the twenty Resolutions of the British Parliament. What he had said, and what he must still say, was that his Bill arose from their own Propositions and was consonant to the principles of those Propositions.

Mr. *Curran* said he was too much exhausted to say much at that hour (six o'clock) on the subject. His zeal had survived his strength. He wished his present state of mind and body might not be ominous of the condition to which Ireland would be reduced, if this Bill should become a law. He could not therefore yield even to his weakness: It was a subject might animate the dead. He then took a view of the progress of the arrangement, and arraigned the insidious conduct of administration. In Ireland, it was proposed by the Minister; in England, it was reprobated by the same Minister. He had known children learn to play cards, by playing the right hand against the left,—he had never before heard of negotiation being learned in that way. He said a Bill was not a mode of negotiating; our law spoke only to ourselves—bound only ourselves. It was absurd therefore to let a Bill proceed. But the commercial part was out of the question; for this Bill imported a surrender of the constitution and liberty of Ireland. If, said he, we should attempt so base an act, it would be void, as to the people. We may abdicate our representation, but the right remains with the people, and can be surrendered only by them;—we may ratify our own infamy, we can't ratify their slavery. He feared the British Minister was mistaken in the temper of Ireland, and judged of it by former times. Formerly the business here was carried on by purchased majorities; there was a time when the most infamous measure was sure of being supported by as infamous a majority. But things were changed; the people were enlightened and strong; they would not hear a surrender of their rights, which, he said, would be the consequence if they submitted to this Bill. It contained a covenant to  
enact



enact such laws as England should think proper ; that would annihilate the Parliament of Ireland. The people here must go to the Bar of the English House of Commons for relief, and for a circuitous trade to England, we were accepting, he said, a circuitous constitution.

He said it was different totally from the cases to which it had been compared, the settlement of 1779, or the Methuen treaty : There all was specific and defined, here all was fustian and uncertain. A power to bind externally would involve a power also of binding internally. This law gave the power to Great Britain of judging what should be a breach of the compact, of construing it, in fact of taxing us as she pleased, and gave her new strength to enforce our obedience. In such an event, he said, we must either sink into utter slavery, or the people must wade to a re-assumption of their rights through civil blood, or be obliged to take refuge in an union, which, he said, would be the annihilation of Ireland, and what he suspected the Minister was driving at.

Even the Irish Minister, he said, no longer pretended to use his former language on this subject ; formerly they had been lost in a foolish admiration at the long impeded mark of oratoric pomp, with which the Secretary displayed the magnanimity of Great Britain. That kind of eloquence, he supposed, was formed upon some model, but he suspected that the light of political wisdom was more easily repeated, than the heat of eloquence ; yet they had been in raptures even with the oratory of the honourable gentleman.

However, he now had descended to an humble style, he talked no more of reciprocity, no more of emporium. Mr. Curran then went into general observations, to shew that this treaty would give no solid advantages to Ireland, but was a revocation of the grant of 1779.

He said, he loved the liberty of Ireland, he would, therefore, vote against the Bill, as subversive of that liberty ; he would also vote against it, as leading to a schism between the two nations, that must terminate in a civil war, or in an union at best. He was sorry, he said, he had troubled them so long ; but he feared it might be the last time he should ever have an opportunity of addressing a free Parliament, and if the period was approaching when the boasted Constitution of Ireland should be no more, he owned he felt a melancholy ambition in desiring that his name might be inrolled with those who endeavoured to  
save



save it in its last moment. Posterity would be grateful for the effort, though it should have failed of success.

Mr. *Browne*, (member for the university): Mr. Speaker, As I am one of those unfortunate gentlemen, who have been dragged up by the Minister, 140 miles, from the business of my profession, and driven about, as if I was one of his own hacks, I hope to be indulged by his friends in saying a few words. Surely, Sir, exclusive of every other consideration, that Minister is inexcusable, who without inevitable necessity brings up the landed gentleman from his harvest; the professional man from his vacation,—forces the suitor to drop his claim, and even (as I am informed) calls the judge from his bench. Does the success of this Bill depend upon haste; would it melt away before the heat of a summer, or its permanency be in the inverse proportion of the time taken to consider it. Would not one imagine that the Minister had called us together to announce some glad tidings, and not to ask an abject surrender of our constitution and of our commerce? What have we really come forth to see—in truth a “reed shaken with the wind,” a trembling Minister, who feels himself tottering, and would persuade us, that on his existence depends the existence of the country. This schemer, this system-monger has blown a new bubble to amuse us. This plaything of the Minister, which has been dandled about during the whole season, till it was repeatedly broke, is patched up once more. He has produced system after system, and like *Candide* has told us, of every one, that it was the best of all possible systems. The moment we had revolved it, with much labour and study, a new one was proposed, and the former vanished. Our assent was obtained by him to eleven propositions, merely to be told, that we could not have them. So that we might say, with the merry knight, he is neither fish nor flesh, and a man does not know where to find him. Every system was to be permanent, and then the chief defence of it was, that we might break it when we pleased. Every plan was to be final; the last words of the Minister, and then followed another ultimatum, like the man, who finding a good sale for “the last words of Mr. Baxter,” published “more last words of Johnny Baxter.” Irish could bear a blunder, and the two ultimatums made but one ultimatum. I beg pardon for jesting; but the subject strikes me in such various lights, sometimes melancholy, at others ludicrous, that I feel my mind divid-



ed like the figure of Roscius, between the comic and tragick muse. But Sir, to be serious; I do not believe, (without knowing individuals, but arguing merely from consequences,) that the present administration is capable of forming that wise and durable plan of commercial intercourse, which is likely to keep these countries in peace and harmony. Instead of premeditation, they appear to have commenced rashly without knowing the interests, or tempers of the two kingdoms. Instead of long consideration, all has been hurry and precipitation. Instead of concord, the English Minister has been perpetually at variance with his Irish agent. The one promised us immense advantages, the other soothed England with arguments, to prove those promises fallacious, so that when both in London, they were afraid to meet in the House of Commons. Instead of wise moderation, the feelings of this country have been outraged by the Fourth Proposition. While that insult stands recorded on the Journals of Great Britain; while it testifies such a disposition to invade our rights, in that haughty nation, it is impossible to negotiate. A still greater insult has been offered in their bringing in a Bill, before they knew our sentiments. The natural course was to send us their Resolutions, and ask whether we could agree to those conditions. But in bringing in a Bill, what did they say, but that they expected submission, and were careless as to our assent, or rather were sure of gaining it by artifice or force. And how did they gloss over this infamous Proposition? By acknowledging our independence. Words against facts. They asserted it, and invade it in the same breath. They acknowledge it, and only desire us to give it up. From the whole, I draw two consequences: The one, that England acceded to the establishment of our rights, only through the emergencies of war; and has ever since been studying to undermine the fabrick. The other that she views us with ineffable contempt; she thinks our spirit temporary; our determined voice a mere boast of language, and that the genius of Ireland unused to exertion, after one great effort, will never wake again. May we not ask, with all the indignation of virtue, what has she seen in our conduct, to encourage such attempts?

With respect to trade; we have at present a commerce free as the winds that blow. Cheared with our ships for many a league, old ocean smiles; his vast demesne is every where open to us. And now we are modestly desired to



confine ourselves to the Atlantic ; to give a monopoly to the British colonies, and to shackle our American trade, our great expected source of wealth, and all this for what ? for an intercourse with the English settlements, which was much more an object to them than to us, and for the ridiculous hopes of rivalling them in their home market.

These are the blessed effects of negotiation, and confirm this position. The weaker country that negotiates is lost. What had we to do with treaty, when every thing was in our own power. I see no harm in that declaration of an illustrious Duke, which the Minister, with a party voice so industriously dwelt upon this night, that the Portland administration meant to grant us no more. Why ? because they had granted us enough ; and it was in our own power to do the rest. They said they would not grant us any thing, but did they say, like the present, that they would take any thing from us. Who opposed the violent attack on our constitution contained in the fourth Proposition ? Not the Minister of England ; for by means of that Proposition, principally did he hope to make the whole system palatable to the British nation. Not the people of England ; all their objections related to the commercial part, but never in any of their addresses or petitions did they object to this restraint upon our legislature. No ; the men who composed the whig ministry of 1782, from whom we obtained a free recognition of our rights, and who saw in an attack upon them, the prelude to an invasion of their own. That bold and decided spirit, which distinguishes the man who has most uniformly and powerfully opposed increasing influence, was never more alive, than in opposing this execrable Proposition. Let each nation protect its own trade. I apprehend less disunion from a war of duties, than from the present insidious policy. I would go any length to prevent disunion. I think it would be ruinous to both countries. It would probably terminate in slavery ; the present Bill certainly would ; and in some situations, an honest man would be obliged to prefer the chance of liberty, to the certainty of subjection.

Mr. *Brooke* (Member for Donegal) said, he hoped the House would indulge him in saying a very few words, particularly as he thought himself called on, as he had constantly supported the Minister, to give time to bring in his Bill, as from the good opinion he entertained of the present Government, he did conceive they would introduce  
nothing



nothing that could be injurious to Ireland; he therefore concluded, that they would have introduced a Bill, founded on the Propositions which had passed that House; if they had done so, Government should have had his support, and he did imagine, the support of a great majority; but as a shadow of those Propositions did not remain, and as the Bill introduced by the Right Hon. gentleman was founded on the twenty Propositions which had passed the British Parliament, it was in his mind totally inadmissible. Mr. Brooke said, he did not abound in words, that his conduct must be demonstrated by his actions, that during the time he had the honour of a seat in that House, he had uniformly given his support for the attainment of the Constitution, as now enjoyed; and that, by the blessing of God, he never would give a vote that would fully that Constitution. He concluded, by saying, he would not barter Constitution for Commerce.

Mr. Ogle.—Mr. Speaker. From the commencement of this very important business to the present moment, I have kept an awful silence, not from any want of attention which I could possibly pay to the subject, nor from want of a decided mind, what part I would take whenever it should come before this House in a proper manner. But really, it has changed its form and shape so often, that it was impossible to know by what opinion to bind it; and has so often shifted his position, that it was equally impossible to know on what ground to stand; from whence to take a fair, a full, and comprehensive view of it. I do not hesitate to declare myself the friend of a commercial arrangement between the sister kingdoms, founded on the firm and broad basis of mutual honour, and of mutual interest. Any system founded on other principles, can never be permanent—so far from uniting, it must separate—so far from consolidating, it must dissolve. And I am the friend of such an arrangement as I wish to have formed, because I am convinced it will have the best consequences to both kingdoms—because it will prevent a commercial war—which can only end in a commercial separation—the natural consequence of which will be, (and which of all others ought to be avoided by every man who wishes well to the genuine interests of the Empire,) a national separation. But however desirable that object may be, I would not for the attainment of it, sacrifice the Constitution of Ireland to the imperial pride of Great Britain—nor



will I ever surrender the natural rights and properties of this country to the monopolizing spirit of the traders and manufacturers of England. I do not wish to impoverish Great Britain by an unfair and partial aggrandisement of Ireland, nor would I, nor will I make the Empire poor indeed, by a sacrifice of the Irish Constitution. I wish to stand between the two Countries, and to deal equal honour, and equal justice to each.

I shall vote for the admission of the Bill. Some gentlemen have said, there is fallacy in it—if I had not any other reason, that would be a sufficient one for me. I know of no mode more effectual to detect the fallacy, than by having it fairly and fully investigated. The English nation has been consulted upon their Bill—their sense has been taken upon it—so ought the Irish nation to be consulted upon our's, and so ought their sense to be taken. I must here beg leave to observe, that I think there is some inconsistency in gentlemen, who declare themselves so much the friends of the Irish nation, not to allow that nation an opportunity of considering at this time for themselves, and of giving a decided opinion on a subject of such infinite and eternal moment. It is a subject of too great magnitude to be so lightly handled, or to be cast aside in so hasty a manner—every man in the kingdom interested and concerned in it, ought to be consulted—every individual ought to give his opinion, and the sense of the community at large ought to be taken.—The sense of the nation ought to appear at your bar, and by that *sense* shall my conduct be regulated.

Mr. *Brownlow* said, the gentlemen who supported the motion had a great deal to answer for to their country, as well as to those, who had much rather some hours since have retired to their beds, than have been detained so late unnecessarily. For his part, it was sufficient to have heard the Bill read, to know that it was founded on the 4th Resolution of the two Houses of the British Parliament. That was so obvious and indisputable, that, if it would not have been improper and irregular, he would have called upon the Right Hon. gentleman to have read no more, and desired the House immediately to have come to the question, against which he held himself bound to give his vote, as a friend to the constitutional rights of his country.

Mr. *Smith*. Believe me, Sir, I do not rise to solicit your attention, or that of the House, *wantonly*, or for the purpose



pose of declamation. I wished to have offered my feeble sentiments on the present important subject several hours since; but competitors of more weight, and much more capable of doing justice to that subject, from time to time forestalled me; and a just consciousness of my inferiority made me most willingly acquiesce under their claims of pre-audience. I am but too sensible that *at present*, with an exhausted frame, a slumbering recollection, and every faculty clouded, I can but little merit the attention of the House to any thing, that I may offer on a question which has already been discussed with a splendor of eloquence, that, for a while involved us all in a blaze, and with a degree of strength, which, in my judgment, must have brought conviction to every mind not deaf to reason, and unpenetrable to argument.

Sir, I shall vote against the admission of the proposed Bill upon *three* grounds. First, because I think its probable effect would counteract the very principle which it professes; Secondly, because I think it would counteract and injure that commerce which it proposes to extend; and lastly, *and above all*, because I feel the most full and firm conviction that it would, if passed into a law, be everwise of the liberties and constitution of this country. And, Sir, in vindicating this my opinion, though I consider myself as warranted to resort to, and avail myself of the Twenty Resolutions which passed the British Houses of Parliament, yet I shall not seek to do so; I will found myself merely upon those clauses which the Right Hon. mover has stated, as composing part of the Bill, and which *alone*, ought, in my opinion, to *damn* that Bill, and cause its exclusion from this House for ever:—I mean those clauses which purport to adopt the 4th, 5th, and 9th Resolutions which passed the British Houses of Legislation.

I have said, Sir, that I consider the proposed Bill as militating against its own avowed principle. What is that principle?—to effect the mutual prosperity and happiness of the sister kingdoms, and establish everlasting harmony between both,—an object devoutly to be wished for! And how is this to be effected?—Why, Sir, by a system *odious* to the one country, and *detestable* to the other.—By a system solemnly abjured by the people of Great Britain, and universally execrated by the people of Ireland. Sir, to conceive that such a system could ever become the basis of mutual happiness, or mutual harmony, is in my opinion, the wildest



wildest idea that ever entered the minds of men. No, Sir, harmony or happiness can never result from it,—'tis a system which if adopted, must be ruinous to both countries—" 'tis sown in jealousy, and will be raised in destruction,—'tis sown in discord, (and heaven grant that) " it (may) not be raised in blood."

Sir, I also consider the proposed Bill as injurious to the commerce of this country, which however it professes to encourage and extend: but as this point has been already diffusively discussed, and as I think it premature at present to argue upon any of the commercial provisions of the present Bill, I shall decline doing so; and will press on to the third, and decisive ground upon which I shall vote against its introduction. I have already reminded the House that the Right Hon. mover of this Bill has stated a clause from it adopting the 4th Resolution, which I before alluded to, almost, if not entirely, in its very words:—and, Sir, I do contend for it, that if that clause shall ever become a law, or any part of a law, in this country, it will, so far as it can operate, be a transfer to the British Parliament, of the power of legislating for this country, and an absolute surrender of the constitution of the land. What, Sir, does it import?—Why this: that all British laws of regulation with respect to the trade wherein we are to participate, are "*to be of force*" in Ireland; and if it stopped here, the transfer of legislative power would be clear and incontrovertible: but a qualifying clause ensues, on which much reliance is had: namely, "That these laws are to be of force by acts, to be for that purpose passed by the Irish Parliament." Now, Sir, what is the natural, the fair, and I would almost say, the obvious construction of this clause? Why this, that the British Parliament shall by their laws bind the people of Ireland, not indeed *immediately*, but through the intervention of their legislature; that is, they shall make laws, not for the *people*, but for the *Parliament* of Ireland; and thus the representatives of the people of this country—the trustees of their rights—and the guardians of their liberties, are to become the betrayers of both, and the instruments of oppression to those whom it was their *bounden* duty to protect and defend.

This, Sir, is my construction of this clause, and of the resolution which it adopts.

A Right Hon. Friend of mine, whose judgment I highly respect, understands it differently. But, if its construction

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tion be *even doubtful*, it ought to damn the proposed Bill. Would you at that glorious æra, when the *redemption* of your constitution was wrought?—would you then be satisfied with doubtful language, or equivocal renunciation?—Oh, no—nothing would then be suffered to remain in doubt—nor would the shadow of uncertainty be endured—and why not be equally cautious, and equally jealous now? If a doubt can *by possibility* be entertained, as to whether this clause would, or would not amount to a surrender, (so far as in you lay) of your legislative authority—will you receive a Bill pregnant with such an horrid clause? But possibly it may be said, that the construction of the 4th Resolution, is in no wise problematical—and that it cannot be so construed, as to import a transfer of legislative authority. If it shall be so said, I answer, that one of the brightest luminaries of the law, in Great Britain, (I mean Lord Camden) has *at least* intimated a very different opinion. When solicited to declare, whether that Resolution gave the British Parliament a right to legislate for Ireland, he was silent—when pressed further, he declared that he would not, after seven years consideration, think himself competent to answer such a question.

Is it then possible to doubt, that the construction of this clause is dangerously equivocal; and that at a future day, and after the silent lapse of years, Englishmen of brilliant genius and legal information, may give it a construction evasive of the rights and constitution of Ireland? And shall such a clause be endured? or shall a Bill stigmatized by it, be received within these walls? Never, I trust, never; in cases such as the present, doubt is always danger, and suspicion little less than certainty.

Sir, Gentlemen have attempted to defend this clause by the *Free Trade* act, as it is called, of 1779, as being a precedent in point; but that was an act of our own legislature, proceeding by the energy of their own immediate power, acting as free agents, uncontrouled by any paramount authority, or disgraceful compact. Were the Parliament of Ireland voluntarily to adopt a British law, who in his senses would assure that such adoption was a grievance?—but if they were *obliged* to adopt that law, who would be hardy enough to deny that such obligation was unequivocal slavery?

It was said, that the treaty between Great Britain and Ireland should be considered as a treaty between two independent kingdoms; and, in such a case, why should it  
alarm



alarm, if one kingdom stipulated for the other's submitting to its laws of commercial regulation? And if no cause of alarm there, why any here? Shall, said Gentlemen, more jealousy prevail between two sister kingdoms, bound to each other by every tie of interest and affection, than between two stranger nations? I answer to both those questions, there should be more alarm, there should be more jealousy, if one of those sister kingdoms had ever before usurped a power of legislating for the other; and if the depending treaty imported any thing that could, by possibility, furnish a ground, at a future day, for any renewal of the old claim, or any repetition of the old usurpation. Power is an object so attractive, that no nation, and scarcely any individual, has virtue enough to resist its influence: For these reasons, Sir, I shall vote against the admission of the proposed Bill.

Mr. *Beresford* said, at that late hour he did not rise to go into any argument upon the subject of the motion, which he should support, but merely to set the Hon. Gentleman right as to a matter of fact. The Hon. Gentleman was mistaken in regard to the conduct ascribed by him to a noble and learned Lord high in office. That noble and learned Lord had not used a phrase similar to that imputed to him by the Hon. Gentleman. He was, Mr. *Beresford* said, present himself in the House of Lords in London when the transaction in question occurred, and he could speak to it with confidence. The fact was this, some of the Opposition Lords attacked the noble and learned Lord with a repetition of questions as to his construction of the Fourth Resolution, upon which the noble and learned Lord complained of their putting such interrogatories to him with a view to have his name sent abroad with an answer, and at length, after he had been teized for some time, said, if the noble Lords were to persist in interrogating him for seven years, he would deliver no opinion nor give any answer to questions so improperly put to him.

Mr. *Rowley* said, he should vote against the motion, because his constituents had declared themselves adverse to any system that had the Twenty Resolutions of the British Parliament for its foundation. His own sentiments perfectly coincided with theirs, and as it was evident, from the speech of the Right Hon. Gentleman, that the Bill he intended to bring in adopted the essential principles of the British Resolutions, he held it his duty to oppose the attempt to introduce a Bill, that must, necessarily, in its  
operation



peration and effect, prove disadvantageous to the interests of Ireland.

Mr. *Hartley* said, he did not think it by any means necessary to enter into a particular discussion of the proposed Bill, in order to judge of the nature of it; it was sufficient for him to have read the Twenty Resolutions of the British Parliament, and the Bill that had been brought into the English House of Commons, and to have heard the explanation given by the Right Honourable Gentleman with regard to the Bill that he intended to introduce. Those sufficiently explained to him the nature of the Bill that was to be offered for their adoption; and, therefore, he would vote against the motion. He said, he would make no observations on the constitutional part of the question; he rejoiced, and he congratulated his countrymen, that the ablest men in the kingdom had taken it up; they had argued so strongly, and had placed it in so clear a point of view, that it was impossible to mistake its tendency. With respect to trade, the concessions held out by Great Britain to Ireland in this commercial adjustment, the only *new* concessions, and upon which the Right Honourable Gentleman had laid so great a stress, consisted of two things: the opening of the British market to the manufactures of Ireland upon the same terms on which British manufactures are admissible there, and the giving a fair construction to the navigation acts. With regard to the first of these, the opening of the British market to Ireland, it did not appear to him to be so essential an advantage as some Gentlemen seemed to imagine; at least, he would sooner consent to forego any possible benefits that might arise from it, than receive it under circumstances so disadvantageous as those with which it was to be accompanied. It was idle to suppose, that they could undersell Great Britain in her own market, when experience proved, that Great Britain could undersell them in the market of Ireland; a circumstance which had occasioned the demand of Protecting Duties. This part of the new system, therefore, was delusive and tantalizing; it held out a prospect of future advantage, which they were incapable of availing themselves of. With regard to the other concession, the giving a fair construction to the navigation acts, that was certainly an object of some importance, though by no means so great as it had been stated to be; it opened indeed a market for any accidental redundancy Ireland might have of the produce of the British



tish West India Islands, but it was vain to expect she should ever become the carrier of that produce to Great Britain. A variety of obvious reasons would naturally suggest themselves to the minds of Gentlemen in support of the propriety and justice of this observation. With respect to the Colonies abroad, Ireland had already made a compact with Great Britain for a Colonial trade, and had paid a high price for the bargain, by confining her consumption to the produce of the British Islands, to a very great amount, not less, he believed, in the article of sugar, than five hundred thousand pounds yearly, with which she might supply herself from foreign Colonies 25 to 30 per cent. cheaper. Mr. Hartley said, he could not help taking notice of the threat that had been held out, with regard to the linen manufacture of Ireland. It had been said, that Great Britain might forbear any longer to encourage the staple of Ireland, and to take her linens. This he considered as an empty menace. Exclusive of the advantage Great Britain derived from her trade in Irish linens, which made it her interest to continue it, he could not entertain so base an opinion of that country, as to imagine that she would totally disregard the solemn compact she had entered into, when she stripped Ireland of her woollen trade and manufacture, and be guilty of so gross a breach of national faith. Admitting, therefore, that Great Britain meant to continue a friend to the linen manufacture of Ireland, he did not think she gave them, even in that particular, the absolute security she had a right to expect; because, the only engagement she held out to their linen manufacture by the proposed system was, an assurance that no duty should be imposed on Irish linens; she did not, at the same time, say, she would not reduce the duty on foreign linens; and the one assurance without the other, Gentlemen must acknowledge, did not afford that species of security sufficient to guard the linen manufacture of Ireland against the possibility of future rivalship in the British market.

Mr. Corry rose and said, I must necessarily be short at this hour; and as I have before this night expressed my opinion of the English Resolutions, and shall, if the business should go on, frequently ask the indulgence of the house, it was my intention not to have taken any part in this debate, but the frequent mention which has been made of what passed in England has induced me to rise, since I think what passes there, respecting the constitution of Ireland,



land, not an unfit object of the attention of its Parliament. A right honourable Gentleman (Mr. Beresford) has stated the words of a noble peer there (lord Camden); I was not, I own, as the right honourable Gentleman, was on the spot, to hear them; but by the most authentic accounts, both by letters and from those who were present, who have informed me, that noble person did say, that "were he to be pressed for seven years, he would not give an answer to the question, when asked his opinion whether the 4th Resolution invaded the independence of Ireland or not," (a cry of *hear* from the Treasury Bench) Then said Mr. Corry, if they are content with that statement, I am content to let them make their advantage of it, it cannot be misconstrued. Since I am up I will say one word upon the motion for leave to bring in the bill proposed; and on that question I hold it orderly to avoid all detail, since objections to the introduction of a bill ought to go to principle alone. The principle which I object to, is that contained in the 4th and in some other Resolutions of the English Parliament. The House has heard the right hon. mover adopt that principle, and has had the forbearance not to give way to any expressions of indignation. To the courtesy of the country he is indebted for that passing unnoticed, which deserves the name certainly of temerity, if not of audacity,—the attack upon your constitution; or perhaps rather to the insignificance of the offender merging in the magnitude of the offence. The same courtesy, and that delicacy towards men not present to answer for themselves, has not been very rigidly observed by the right honorable Gentleman, who in his speech twice mentioned the conduct towards Ireland of the opposition in England (here the Attorney General rose, but Mr. Corry said it was not to his speech he had alluded.) In the opening speech motives had been imputed to the opposition of England for their conduct, which was a thing no one gentleman he believed had usually taken the liberty of doing to another, and was still less likely to be well received in the absence of the persons spoken of; he said the motives or the conduct of opposition in England was no object in that House, but as they affected the interests of Ireland, and they deserved to be noticed with censure or applause there in that respect alone—

Mr. *Orde* interrupted Mr. Corry, and declared that so much had been said in the course of the debate, and such



frequent allusion made to what he had suggested relative to the conduct of the Opposition in the British Parliament, that it became highly necessary for him to remind gentlemen, that the amount of what he had said upon that subject, was, that opposition in England had generally objected to the system, and offered some amendments that were resisted, and would have been deemed wholly inadmissible in Ireland. He never had wished, and was far from intending to impute any unworthy motives to the gentlemen who formed that opposition, and who had given the Minister so much trouble.

Mr. Corry said, that if imputation of motives for their conduct had been disavowed, yet that the description given of their measures went to insinuate, that the opposition were to be looked upon as a party inimical to the interests of Ireland—

Mr. Orde again interrupted Mr. Corry, and said, he had never spoken of Opposition as a party, but as a body of Gentlemen who had opposed the Minister; and he believed the Gentlemen themselves would not wish to be stated otherwise.

Mr. Corry said, he was happy then to understand that they were totally and in all respects exculpated by the Right Hon. gentleman, but as any body of men in Great Britain, being favourable or inimical to the constitutional rights of Ireland, could not altogether be a matter of indifference in that House, he could not in justice refrain from recalling to the House, the expressions which had fallen from a very able and distinguished member of that party. Who could forget the beautiful figure the hon. Gentleman used, to express his sense of the fourth Resolution, the present subject of debate, when he stated, *the sieve of provender offered to the steed in one hand, with a bridle in the other?* Who could forget the beautiful figure the same gentleman used, to express his sense on the East India trade; a matter which had never been touched on that House, but had been thrown in as mere paper and packthread, when he spoke of *the eternal boom placed against Ireland from the Cape of Good Hope to the Streights of Magellan?* Party had been mentioned; that the Right Hon. gentleman was a party-man in the disputes of England, it was impossible he should deny; and his observations upon the parties there would be received, he doubted not, accordingly. But what had that House, or any other Member of it to do with their party?



party ? As for himself, he noticed these things in justice to those who spoke there as the friends of Ireland :—he owed them no obligation as a party, and he scorned to be a mean dependant upon any party.

Much pains, he said, had been taken in stating the system of the Minister, to place the fourth Resolution on a footing with the condition annexed to the grant of the Colony trade in 1780 ; but there was, indeed, a material difference ; that in 1780 was a liberty proposed to Ireland, to trade directly with the Colonies upon certain conditions, to which Ireland answered by address only, that she was thankful for the favour it conveyed, but bound herself to no acceptance of it. In consequence she thought fit, indeed, to make use of it at pleasure ; but, in the present case they are invited to a *compact*, in which they are to bind themselves to that trade upon certain *conditions*, and which *conditions* they, by the *compact* itself, stipulated to perform ; and at the moment they were invited to enter into this *compact*, they were told that the *conditions*, (which were a part of it,) depended upon themselves ; whenever therefore they chose to get rid of it, they might cease to perform the *conditions*, and so get rid of the *compact*. And are two nations said he, to enter into a *compact*, and that as permanent and final, in contemplation of such mean and pitiful subterfuge by which to creep out to promise to perform, what they intend to break, to falsify their word, and sacrifice their honour ; from such council the honest mind turns with contempt, while it despises the adviser. Such pitiful evasions to cover the real nature of this business, which can never appear to be any other than an insidious invasion in effect of that constitution, which Great Britain has solemnly acknowledged, however dignified the attempt may be by terms, are poor equivocations that but “ palter with us in a double sense, keeping the word of promise to our ears, but breaking it to our hope.” No, let each nation, as they have laudably been in England, as far as related to the interests of the commerce of that kingdom which they were acquainted with, be jealous of their own concerns ; but let them meet in sentiments of honourable and noble feeling towards each other. At the same time, as they take care of theirs, so let us take care of our rights and interests. He said the principle of this measure was as absurd as inadmissible ; two nations, unequal in all things, could never be equally affected by one and the same law. He would be a wretched quack who would administer to all patients,



patients, in all complaints, the same nostrum. Who had not laughed at Foote's doctor ordering his man to physic the entire eastward, and bleed the west of his hospital. No universal policy could be best in all places—the two nations must, in their wisdom, meet emergencies, and enact in consequence such laws and regulations as best suited each, if they would equally protect all, since to two countries, unequal in all things, one and the same law, equally applied, would be the very criterion of inequality in effect. But, suppose this matter as to constitution to stand as it had been stated, and that they had, as it was said, still a deliberative voice in passing the laws of England. I will admit it, said he, in its greatest extent; you will, I admit for a moment, have a deliberation upon your assent or dissent: But is that the deliberative power, that constitutionally belongs to this House; that is the deliberative power of the crown, it is true, and that only; but what is the difference between the legislative power of the crown, and of the two Houses of Parliament; have you not the power of originating your laws, the power of altering laws; and besides the power of assent or dissent; and when you reduce yourself barely to the latter, are you any longer the same Parliament, or the same in constitution?—It needs no refutation—consider too the penalty in this case, to affect your assent and dissent under this settlement, and then say, whether even as to that, you do not deliberate under the pressure of a penalty, that must in a great degree indeed destroy the power of deliberation; the penalty of the stop of every article of the trade of the country, should you refuse your implicit assent—And thus trifling injuries may in detail be heaped upon you, while in defence of each separate encroachment, you will be truly told, that any thing but unconditional submission to them is to be sure destruction, not only to your own universal trade, but havoc and ruin, to the interests and power of the Empire at large; and thus will you be induced, by repeated submission to heap up ruin on yourselves;—as a legislative body at home you will be despised, or you, Sir, perhaps sent from the empty and absurd state of the foreman of a national Grand Jury, with that bauble on your table, to plead the cause of the trade of Ireland, at the bar of those now your equals, then your superiors; a spectacle to gratify their ambition, and a sacrifice to their interests; disgraced abroad, and despised at home—and that which should accompany you “as  
love,



love, obedience, honour, troops of friends" you must not look to have, but in their stead curses—no longer will you have power to protect with premiums your manufactures, or with bounties your trade; you may still injure it by your power, it is true, and thus you will be looked up to, as certain savages adore the Devil, not because he is the source of good, but as they would avert evil. At this late hour I dare not take up your time, to go into the subject in a manner full as it would demand, and therefore I shall only say, that I am a decided enemy to the principle of the Bill stated, and consequently an enemy to the motion.

Sir *Henry Hartstonge* said a few words against the motion.

Mr. *John Wolfe*, (County of Kildare) declared, he had intended to have said a few words on the subject in the course of the evening, but the Right Hon. Gentleman (Mr. Grattan) on the second bench on the other side of the House had urged every thing that could be said on the subject with so much force and eloquence, that it was unnecessary to add any thing further; and he should not have troubled the House at all, but from what fell from some Gentlemen near him. He said, he would vote against the admission of this Bill because he disapproved the principle; he considered it as an attack on the Constitution, and were it to pass into a law, it would be a dissolution of the government, and ought to be opposed by the force of the country. Much had been said about the conduct of the two parties in England—much blame had been bestowed upon the Gentlemen in opposition, and much praise upon Mr. Pitt. For his part he thought Mr. Pitt unworthy of the confidence of England, because he had endeavoured to injure its interests, and unworthy the confidence of Ireland, because he had attacked its constitution. Where was now, he said, his boasted firmness? He had taught that country to look up to the benefits held out in the original Propositions and then deserted them? He seemed to have made Propositions only to recede from them, and had exposed his friends to the obloquy and ridicule of both countries.

The conduct of the Gentlemen in opposition in England he considered as highly praise-worthy, and that they had given the Gentlemen of this country an example that ought to be followed, when they thought the interests of their country in danger; they exerted themselves in its defence,



fence, and when the constitution of Ireland was attacked, they endeavoured to avert the intended injury, well knowing, that if the Irish constitution was destroyed, their own would be in danger; and well knowing that there was a secret influence, as he had mentioned on a former occasion, which had been many years exerted against the liberties of both.

Mr. Rowley, jun. in a short speech objected to the motion.

Sir *Lucius O'Brien* said—Mr. Speaker.—Though it was my intention not to have troubled the House in this stage of the business, yet something that has been alluded to by other Gentlemen, and more expressly stated by my friend who spoke lately, (Mr. Corry) oblige me to depart from that intention. It has been asserted that every man who gives his assent to the introduction of this Bill for effectuating the intercourse and commerce between Great Britain and Ireland on permanent and equitable principles, for the mutual benefit of both countries, gives his support to the doctrines of the fourth Proposition of the English Parliament, which are stated to militate against the Constitution of Ireland.

Now, as I mean to allow the Right Hon. Gentleman to bring in his Bill, and afterwards to assist this House in making that Bill as perfect as may be, and as I have on former occasions expressed my readiness to second the motion of an Hon. Friend on the other side, that this House will retain undiminished the free and full exercise of the sole and exclusive authority at all times to legislate for Ireland, commercially and externally as well as internally; and as I am still ready to give him the same support, I feel myself bound to shew that these sentiments are not inconsistent.

I trust, Sir, I have been found as little disposed as any man to barter a free Constitution for Trade, 1st, because I hold the great rights of the people to be unalienable by Parliament, and that such an attempt would be *ipso facto* void; and secondly, because Free Trade (however cherished) can only thrive in the soil of a Free Constitution. And I am ready to say, that when I first saw the English Propositions as they were sent down to our Representatives, I thought the fourth Proposition exceedingly exceptionable. The Propositions however had been formed amid contrariant sentiments, in the heat of debate and with amendments, first suggested on the moment of their adoption, (circumstances not always the most happy to produce precision in our expressions); and therefore



therefore I was willing to give the Parliament of our sister kingdom the same liberty, I could not deny to any individual, the liberty of expressing the sense they wished to have affixed to their own expressions. That meaning seemed to me to have been sufficiently defined in the address of both Houses, after deliberation and without a negative, and to which the third branch of the Legislature had added the sanction of its approbation. This address had asserted the legislative Rights of Ireland, and that the British Parliament would ever hold those as sacred as their own. The Bill brought in in consequence of this address had expressed the same sentiments, if possible still stronger; and I confess, with these declarations and with the power which I felt were inherent in the Irish Parliament—as an individual I was satisfied. The people, however, had considered the Propositions only, and had very generally addressed this House to protect the rights of the constitution; I thought their last petitions were intitled not only to respect but to an answer, and that my Hon. Friend's Resolution was that proper parliamentary answer. When that was given, I thought the House might, in the most perfect manner, give this effect, by an instruction to the Committee who were to prepare the Bill, to insert a clause, which should declare it to be a fundamental and essential condition of the settlement, and upon which the duration thereof must depend. That the laws for regulating trade and manufacture, so far as relates to the securing exclusive privileges to the ships and mariners of the two kingdoms, and so far as they conferred the same benefits and imposed equal restraints, should be the same in both kingdoms. And *therefore* enacting, that all such laws, (so far as they related to such exclusive privileges, and confined such benefits and imposed such restraints) *which now existed* in Great Britain, should also be in force and full effect in Ireland.

And this the House must do, either by inverting all such clauses of the British laws, paragraph by paragraph, in the Irish Bill, or by general terms, (including the whole) as in Mr. Yelverton's Bill. I wish also that a similar restriction should be given with respect to the duties on Colony produce. And I am confident this, with the clause at present in the Bill, asserting the sole right of the Parliament of Ireland to make laws to bind this country, will be satisfactory to every dispassionate man in Ireland, and I think must be satisfactory to Great Britain also, for it admits their principle



ciple of perfect and continued equality. It carries that principle into effect, as far as we think by the Constitution we have any power to go, and if ever new regulations may be required, there can be no doubt of the assent of Ireland to what is necessary for the empire, and must confer equal benefit on both kingdoms.

When this shall be done, I shall not fear even to meet the respectable Member for the City of Dublin upon the commercial part of the business, and I pledge myself to demonstrate that Ireland by this Bill will receive very great and permanent commercial advantages; that we must shortly become a manufacturing, trading and opulent nation. The manufacturers of Britain are universally of this opinion; I know one House here in the Cotton manufacture that has already got two partners from England with 60,000*l.* upon a supposition that this system will take place. In the evidence before the British Parliament, one Gentleman of Manchester, who states, that he pays 27,000*l.* a year in duties, declares his intention of forming a connection in Ireland to a very considerable amount. I have in my pocket a letter from that very Mr. Smith, who so very illiberally and so very unjustly has scattered about his abuse on all his brethren who came here before him, and have his letter to the Linen Board, offering to come himself here and solicit encouragement. I know there are Gentlemen of Manchester this moment in this House for the same purpose and watching this event.

Colonel *Gore* (who had retired to take some little refreshment), as the question was going to be put, requested the House to hear him for a minute or two and no more.—He said, he did not wish to delay the decision on this important question;—after the fatigue of a sitting of seventeen hours, which bore hard on the constitutions of the most robust, but too severely on the fair (who honoured them with their attention). He said, he had never predecided on any matter to be agitated in that House, nor did he ever pledge himself before a debate to those he represented (which at this instant he deemed to be the whole people of Ireland) further than to take the part that became an honest man and a friend to his country.—He said, that to the best of his unprejudiced judgment, he acted up to those characters, in voting for the admission of the Bill; and for those reasons, founded on the excellent arguments of that night, or day, or both, (call it as they would,) first, that it ratified,

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in the strongest and most solemn manner, their Constitution, and secured their Independency.—Secondly, that it put it into their power to become a rich and respectable people.—Thirdly, that it rendered the two countries one, as to operation and effect—leaving that antient kingdom in distinct, full, and separate possession of every circumstance of honour, respect, and consequence.

The question being then loudly called for, the House divided,

Ayes	127
Noes	108

Tellers for the Ayes, Mr. *Gardener* and Mr. *Moore*.

Tellers for the Noes, Mr. *O'Neil* and Mr. *Conolly*.

As soon as the House was resumed, Sir *Hercules Langrishe* moved the question of adjournment.

Mr. *Flood* rose, and spoke to order. He asked the chair, whether the Bill was not a Money Bill? in which case, he conceived it could not be brought in till the subject matter of it had been submitted to the consideration of a Committee of Supply, and they had ordered in a Bill. Mr. *Flood* said, he meant, on Monday, to move a Resolution grounded on the fourth of the British Propositions, which he considered as a dereliction of the independence of the Parliament of Ireland. Previous, therefore, to their agreeing to discuss any Bill founded on the British Resolutions, he thought it highly necessary for that House to resolve, that it would retain its constitutional legislative rights undiminished. There being a cry of *move! move!* Mr. *Flood* said, if the Honourable Baronet would consent to withdraw the question of adjournment, he would move his Resolution.

Sir *Henry Cavendish* rose to hint to Gentlemen on the other side, to think no more of the Bill. Sir *Henry* congratulated his countrymen on the Minority they had just seen; that Minority, if the Bill were persisted in, he had no doubt, would prove a Majority.

Mr. *Conolly* said, when a Minority had gone so very near to crush a measure of Government, that measure could not be persisted in. Notwithstanding his respect, therefore, to the Right Honourable Gentleman, he must declare, that he had never given a vote with greater satisfaction, than his vote of that day, from his conviction that it tended to promote the peace of the Empire, and to prevent the dan-



gerous consequences that he foresaw to both kingdoms, if the business was permitted to go on. He wished, he said, to get rid of the Bill in the civilest manner possible; and, perhaps, to move to put off the further consideration of it till a long day, was as good a method of disposing of it as could be adopted.

Mr. *Flood* said a few words more, in order to impress the House with an idea, that it was absolutely necessary to come to a Resolution of the sort he had stated.

Sir *Edward Newenham* advised Government for the sake of peace and their own honour, to drop all further proceedings in this business, as the division was a victory on the side of the people, he wished that they would let his Hon. Friend's motion take place, that the whole kingdom might, by that night's post, be relieved from its anxiety for its legislative rights—This was, indeed, a proud day for Ireland, to see so numerous a band of patriots, closely attending their duty for 18 hours.—Men of rank and property—men in whom the people did and would confide—Did Ministry wish for a further amputation of the British empire!—

The question being then called for, the House divided at nine in the morning.—Ayes for the adjournment, 120—Noes 104.



## S K E T C H

O F T H E

## D E B A T E,

On MONDAY, August 15, 1785.

**M**R. *Orde*, upon presenting the Bill, begged leave to be indulged with a few words. He would not then, he said, remind the House of the proceedings that had taken place with regard to the measure, after having had so many opportunities of expatiating upon it : He would do no more than just observe, that the measure had been undertaken, in obedience to the commands of that House, by the government of both countries, so far as to project and bring forward a Proposition for their mutual benefit. With that view he had the honour of having moved for leave to bring in the Bill then in his hand, and he hoped the contents of it would effectually answer the purpose : He had declared that on no ground whatever could those who had engaged in it have any view or satisfaction in proposing the Bill, than as it might tend to attain that object. It was but justice to those who had done government the honour of their support, to say thus much, as he was convinced that those who enjoyed most of its confidence, never would have advised or recommended a measure that had not that stamp. Under this idea, he had taken the liberty of applying for leave to bring in a Bill ; and, having done so, he wished to have it understood, that it was his desire that full time should be given for the consideration of it. In reality, he had effected his duty, when he had brought it to the period of it's being laid before the publick. From that moment he should consider it to be in their possession, to do with it as they pleased. He should, therefore, wish to collect opinions upon it ; and, with that view, after bringing up the Bill, he should move to have it printed, that the people might examine and understand it, and that Gentlemen might have an opportunity of consulting their Constituents, and collecting the sense of the country upon it. From what had passed



passed in that House on the last day that they had assembled, he was induced to suppose that a considerable time would be necessary for that purpose. This opinion, it was true, arose from a minority of the House, yet that minority was of such a nature, and so composed, that the Gentlemen who formed it, might be well supposed to know the sense of the country, for which reason he should be sorry not to pay sufficient respect to them. Notwithstanding therefore, that he was still decidedly of the same opinion with regard to the measure that he ever had entertained, yet as one great object was to enforce the justification of government, and the friends of government, it was highly necessary that the Bill should be seen and considered. He would, with this view move that it be printed, and having done so, he did not intend making any further motion respecting it during the present session. His reason was, he thought the publick much mistaken in the opinion they had formed of it, and therefore he was anxious that they should see it, as the Minister wished only to proceed in concurrence with the sentiments of the people, having no view but the benefit and advantage of the country, nor would he desire to do any thing with the measure, unless it should appear to have that stamp upon it. He thought he had perfected his duty when he had brought it before the publick. It's further progress must be by a motion from them; and as it had been the general opinion that it would be desirable that the session should elapse without further consideration of it, in order to give the country time to reflect upon it, he should proceed in that way. When the next session commenced, the country would have had sufficient time to consider it, and might take such further steps respecting it, as they thought proper.

Mr. *Flood* said, the Right Hon. Gentleman had anticipated him in a manner that very well became him. He said he would not object to reading the Bill, as he might do, on the precedent of that very session, afforded in the case of the Judges Bill. As to the motion for printing, he might object to that *a fortiori*. But he would forbear.—Mr. *Flood* talked of the Bill being a deceit on the publick; and that it was eventually founded upon the twenty Propositions of the British Parliament; by one of which, it was declared to be a fundamental and essential condition, that the Parliament of Ireland should pass the same laws as the Parliament of Great Britain. It became, therefore, highly necessary for that House to make a declaration, that it was determined to re-  
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tain its legislative rights undiminished. This he said, would prevent the folly of reviving a measure which the Right Hon. Gentleman had declared his intention of abandoning.

Mr. Orde said he only wished to make himself understood. By what he had before said, he meant that the Bill would be before the country. The country would see it, and it would not signify on what it was founded. Let the country see, if in every respect, it was not such a settlement as would be advantageous for Ireland. He wished to have the Bill printed only with that view, and to shew that he had done his duty. With regard to another session, it would depend upon the Country what should then be done with the Bill. As to his taking it up or not, he begged to be understood as not having said one syllable.

Mr. Rowley, senior, in a short speech said, he thought government had behaved exceedingly handsome in acting in the manner they had done with the Bill.

Mr. Connolly rejoiced that the great question was brought to a conclusion. He professed himself a friend to Great Britain and Ireland, and that he had been extremely desirous of agreeing to a permanent system that was likely to unite and dovetail the two kingdoms; but said, he was convinced the system that had been proposed was likely to have a very opposite effect. He was perhaps, no great politician, but he wished well to his country and would do his duty. The House would remember that he had stood in the gap against a free constitution, and the reason he did so, was, he thought the situation of Ireland, in respect to circulation and capital, by no means equal to the sister kingdom, or sufficient to work upon a *free constitution* when they had it. He wished the two countries to go on hand in hand, and he thought there were but two means of doing so. The constitution they had acquired, no man could give up. It was a question with the people without doors, and they were not entitled to abandon it. Let Ireland therefore, enjoy *bona fide*, a free trade, as far as could be made compatible with her free constitution, and let her preserve that constitution. He never could wish to injure Great Britain or her interests, nor did he believe any man entertained such a sentiment. Mr. Connolly proceeded to sport on the word *dove-tail*, and to boast of the vigour of the Irish Constitution, and kept the House on a roar for some time with his pleasantry.

Mr.



Mr. *Flood* rose to declare, that he rejoiced at having heard that no evil was to happen to the Constitution for the present session. He agreed with the Right Hon. gentleman who had just sat down, in many things which had fallen from him, though he differed from him in some. He rose, however, principally with a view to remove the suspicions that had been industriously spread, that he wished to bring forward some violent Proposition inimical to Great Britain. He had no such intention, nor such an idea. He always thought a commercial system was a subject on which the two kingdoms neither ought, nor had any occasion to quarrel. He had opposed the treaty, because it comprehended an article that affected their Constitution. The Constitution was not a matter for negotiation—it was not a commodity for barter—it was not an article of commerce. Though adverse to negotiate upon such grounds as had been taken, he was, nevertheless, willing to let England off fairly. He had opposed without any indisposition to wards her; and he could not blame the part she had acted. She had offered a condition as a fundamental and essential principle of the treaty, which condition he rejected, and would not treat on any such terms. Great Britain had a right to propose; they had a right to reject. He considered the Proposition that tended to bind down the Parliament of Ireland to pass the same laws as the Parliament of Great Britain, without power of deliberation, as a Proposition that took away their right of legislation. Such a Proposition was inadmissible then, it would be inadmissible to-morrow, it would be inadmissible for ever! What had passed, had, he observed, had a good effect, inasmuch as it had proved, that the arrangement of a commercial system was not a subject worthy of altercation between the two countries. They had already every right to trade that they wanted, or that was likely to promote their present interest; and any particle of commerce that they had not, was scarce worth having, at least not worth a dispute. They had a right of trading with any part of the world that chose to trade with them. What could they desire more? Every thing necessary to be done, must be left to regulation, to be settled, from time to time, between the Parliaments of the two countries, as the pressure of the occasion should require. It was, he said, absurd to attempt to bind up the legislature to any fixed and permanent system. Such an idea was ridiculous and impracticable from the very nature  
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of the subject, it being the characteristic of commerce to be variable and fluctuating. What, therefore, at one period might be a wise and salutary regulation, might prove directly the reverse at another. That Great Britain could have nothing to fear from leaving matters in their present situation, he contended, was manifest, from the past conduct of Ireland. They had never shewn the least indisposition to the sister kingdom since they had obtained their free Constitution. In no one instance had they refused or neglected to follow the example of England in adopting any measure that she took with a view to promote and preserve the commerce and navigation of the Empire. A system, therefore, like that proposed in the Bill, was altogether unnecessary. Great Britain had fairly consented to their freedom of trade: they must not, could not, therefore, give up a particle of their free Constitution, nor ought Great Britain to desire it. But, after what had happened, it became necessary that they should declare their determinations to retain their legislative rights. With that view, and with that view only, did he wish to move the Resolution which he held in his hand. He wished not to shew the smallest degree of chagrin at what had passed, which he was ready to consider as a negotiation that England had a right to commence, though it contained a fundamental and essential condition, that Ireland could neither accept nor consent to treat upon.—Mr. Flood, after a few general observations, read his Resolution, the substance of which was as follows :

“ RESOLVED, That we hold ourselves indispensibly bound not to enter into any engagement to give up the sole and exclusive right of the Irish Parliament to legislate for Ireland; and that we are determined to retain inviolate its right and authority to legislate in all cases whatever, as well externally as internally.”

Mr. *Holmes*.—I had little intention, and still less inclination, to take any part in this debate, but the turn it took upon the last night, and the reflections some gentlemen thought proper to throw out, makes me think it necessary to avow the motives and principles of my vote, and to disclaim those that have been falsely imputed to the Gentlemen who joined in that vote.

It has been confidently said, that to vote for the introduction of this Bill, was corruptly and basely to surrender the legislative rights of Ireland. The assertion, Sir, is as replete with malice, as it is destitute of truth. What is the plain state of the question? Several gentlemen, high



in station, responsible from office, and of the most unblemished reputations, desire leave to bring in a Bill—for what?—To settle a commercial arrangement between the two countries, on the broad basis of *mutual interest and equal justice*. Was there ever any Bill that had a more plausible title? Was there ever any Bill had a more desirable object? And yet gentlemen refuse permission to introduce such a Bill, and to vote for it is to betray the dearest interests of your country! Is there any man so wickedly and perversely ignorant of every principle of parliamentary rule, and indeed of common sense, as to maintain, that in voting for the introduction of the Bill, that you bind yourself to adopt either its principle or its regulations. It is most notoriously known to the most ignorant Member of the House, that in all its different stages every man is at his liberty to combat the principle or to alter the regulations it contains. They are averse to suffer the Bill to be brought in, because it would then appear from the most irrefragable evidence, that the Bill does not contain those pernicious clauses, which they, without knowing what it is, assert that it does.—Sir, the interests of Great Britain and Ireland are so intimately blended, that there is not a rational man in either country, that is not convinced, that they must stand or fall together.—Is then an attempt to settle the jarring and discordant interests of rival merchants and manufacturers a crime of so heinous a nature? and if this Bill is not calculated to effectuate so desirable a purpose, why refuse to take it into consideration? How will you frame a proper Bill for that purpose, if you refuse to enter into the discussion of it? Surely, Sir, it would be a desirable purpose to guard against an acrimonious rivalry in trade or manufacture, a competition of this kind leads to a commercial separation, if not hostility; a commercial separation leads to a national one, and a national separation, I will boldly affirm, is the sure and certain road to ruin. Sir, it would be vain and idle in me to enter into any discussion of the detail of the measure, which I understand is now to be given up, and I only rose to rescue myself, and those gentlemen who voted on the same side, from that obloquy and calumny which was so unjustly levelled at them.

Mr. Ogle rose to complain of his speech of Friday having been misrepresented in one of the morning papers. Mr. Ogle repeated the general tenor of his arguments in the former debate, declaring that he had then voted to give leave for the admission of the Bill, that the people of Ireland



land might know what had been proposed, and that the sense of the Irish nation might be collected upon it; saying at the same time, that their opinion should regulate his conduct.

Mr. *Conolly* bore testimony to the explanation of Mr. *Ogle*, and said he was sure the honourable Gentleman was incapable of any other conduct.

The question was then put, "that the Bill be read a first time," which was agreed to.

The Clerk began to read the Bill.

Mr. *Flood* desired it might be read short.

The *Attorney General* thought, the longer it was read and the more understood, the better, and those Gentlemen that were so extremely averse to the Bill would, he said, do well to listen to it, that they might see if any of their objections were founded.

Mr. *Flood* consented to hear it at length, in order to shew how *unfortunate* those Gentlemen were, who had missed it.

The Clerk had proceeded a page or two, the House all the time shewing little or no attention, when,

General *Cunningham* rose and remonstrated against the absurdity of thus wasting the time of the House and giving the Clerk the trouble to read what no Gentleman listened to. The Bill, he observed, was meant to be printed; it would then come fairly before the public, and then let the world judge, let every man who read it, form his own opinion of the contents.

The Bill was read short, ordered to be printed; and,

Mr. *Orde* rose; and moved "that the House adjourn till that day three weeks."

Mr. *Hartley* said, he depended on the right honourable Gentleman's promise that nothing further should be moved respecting the Bill that session, but he had, he said, in his hand, a petition from a very full and respectable meeting of the citizens of Dublin, held that day, at the Royal Exchange, at which their chief Magistrate had presided. In that Petition, the citizens expressed their humble and respectful confidence in the virtue of Parliament, and prayed the House to reject most strongly that system which the right honourable Gentleman had proposed on Friday, assuring the House that in maintaining their legislative and constitutional rights, they would give them every support in their power. Mr. *Hartley* observed that, the reason assigned for printing the Bill, namely, that it might be



generally understood, and that the sense of the people ought to be collected upon it, was, in his mind, an idle and ill-founded pretence, because the sentiments of the people upon the subject were already well known. The petition that he held in his hand was one proof that they were so.

The question of adjournment having being moved and seconded, the petition could not be received,

After some little contest, one side of the House calling for the question of adjournment, and the other for Mr. Flood's motion,

Sir *Henry Cavendish* said a few words, and at the same time begged to remind the House that the question of adjournment was to be considered as a previous question.

Mr. *O'Hara* said, the Resolution proposed by the Hon. Member (Mr. Flood,) was no more than a declaration of their rights of independence; and that the legislature was determined to support its independence: this was a right they had to declare whenever they thought proper, and no other body of men, whatever, had a right to take offence, because they did so. He severely censured the question of adjournment, and said, it was pressed to prevent them from coming to the resolution proposed by the Hon. Member on the floor; it partook of the spirit and principle of, and was derived from the same source with the 4th Proposition, which no man in the House or in the nation, dare to defend. The public mind was deservedly alarmed by the nefarious attempt made on their constitution and commerce, and it was proper this, or some other resolution of the same nature, should be entered into to quiet it; it was proper some assurance should be given them by Parliament, that their liberty was secure in the virtues of the legislature: this resolution was necessary, whether they went on with the Bill or not. If they went on with the Bill, it was right to cut away all hope from the Minister of England, of succeeding in his *laudable* project of robbing them of their legislative power; if they did not go on with the Bill, it was right to tell the people so.

From the great pains he had seen Administration put itself to, to encrease, by the creation of new places and the distribution of new pensions, its already too great influence, he suspected they had some very dangerous object in contemplation, that required extraordinary exertion and extraordinary corruption through that House. He did not indeed imagine the danger was so great or imminent as the present Bill proved to be. He warned Gentlemen of the danger, and of the too great influence of Ministers,



nisters, by which neither constitution or commerce could be safe.

To a variety of remarks on the eleven Irish and the twenty English Propositions he added a comparison of them one with the other, and after explaining the nature and extent of the irreciprocities introduced by Mr. Pitt and his friends in England, he shewed that these disadvantages to Ireland were not confined to her intercourse with Great Britain, but that, if she adopted the Right Hon. Secretary's Bill, she would extend by her own act to render nugatory whatever foreign trade England would suffer the appearance of to remain among them. The resolution would, he said, be necessary as a criterion of the Bill. Ministers had asserted they were driven to the present settlement by discontents in Ireland—But if Ireland was discontented, such a remedy surely was a very unlikely mode to content her—It was a curious way to content a people, that complained of being deprived unjustly of a portion of their trade, to take away the remainder. He saw greater opposition rising from the system than ever was experienced in that country, as the Right Hon. Gentleman's Bill instead of being calculated to give contentment seemed intended for no other purpose than the promotion of keenest discord. If it were not, he said, for Administration themselves, opposition would not in Ireland shew its face.

What would be the consequence? An union of legislature, would in a great measure result from the adoption of the Bill, the tendency of which would be to reduce Ireland to the state of a province.—To treat her as America was treated before her own virtue, and the favour of Providence set her loose from her chains—to oppress her commerce whenever it suited the interest or pleased the fancy of any petty town in England—to stop up her ports whenever the English merchant thought it convenient to call into action his thirst of monopoly. From external, the transition would be found easy to internal taxation, as it would be no difficult matter to start a question whether this or that was a port duty or an inland excise. As to the option, that, instead of being a remedy, made the Bill if possible still more pernicious. He had heard and read of many Ministers of wonderful talents in the art of destroying their enemies. But they must yield to the author of this *fair and reciprocal* system: No Minister was ever more plausible in destroying his enemy than this young man had proved himself to be in ruining the only friend remaining to his country.

Sir



Mr. *Conolly* observed, that it was the sense of the House that the measure should be put an end to, and the right hon. Secretary had done so, that day. The right honourable Gentleman had, he said, taken a great deal of pains to serve them, but it had not been in his power. The system he had brought in had been founded upon principles that could not succeed : but that was now at an end, if he understood him rightly.

Mr. *Orde* said, he thought he had performed his part in bringing the Bill to that period. He had introduced it in obedience to the commands of the House ; it was now before the Public ; and whenever it was taken up again, it must be taken up by the Public.

Mr. *Conolly* then said, he thought the matter settled, and, in that case, the question of adjournment was to be considered as a previous question upon the Resolution proposed to be moved by the Right Hon. Gentleman near him ; and therefore every Gentleman who voted for the question of adjournment, would vote intrinsically against the Resolution. Mr. *Conolly* took that occasion to declare, that he had no doubt of the honour of the Right Hon. Gentleman's intention : what he had just said had confirmed him in it. As the Resolution, however, clearly ascertained the sentiments of that House with regard to the Constitutional and Legislative Rights of Ireland, and as that was a point on which a doubt ought not to hang, he must unavoidably vote for the Resolution, if it was put. But if the Right Hon. Gentleman would say that he never meant any thing injurious to the Constitution, he would endeavour to persuade the Right Hon. Gentleman off his intention of urging the Resolution.

Sir *Edward Newenham*. Can you think of adjourning before you calm the minds of the people ? Will you add oppression to insult ? There are Bills of national consequence ready for the Royal Assent ; you passed the Hay Bill contrary to the rules of Parliament ; in one day it was moved for, read, engrossed, and passed both Houses. Will you adjourn before that Bill receives the Royal Assent ? The spirit of the people will not submit to the dastardly expedient of a previous question ; the peace, the future prosperity of this nation depends on the decision of this night. And I will add the same of Great Britain ; I love the British nation, and I wish to serve them, when it does not militate against the Legislative or Commercial Rights of Ireland.

Mr.



Mr. *George Ponsonby* said, the question before the House was a question of adjournment, and the only reason why they were desired to vote against it was, in order to vote a Resolution assertive of the Constitution of Ireland. Now he was against any such motion, and would vote for the question of adjournment —

Mr. *Flood* interrupted Mr. Ponsonby, to state that his Resolution said, they would not *relinquish* their Constitutional Rights. The words went not to *assert*, but to *retain*, as the sense of the motion was: “ We hold ourselves bound to *retain*, and not to enter into any engagements to *give up* &c. &c.”

Mr. *G. Ponsonby* said, that was what he supposed the motion to be, and would therefore vote against it. To what purpose should they vote, that they would retain their Constitutional Rights? Who imagined that they would give them up? Was not that night a proof that they were determined to preserve their Constitution? The fullest proof that could be desired! Why then vote a Resolution that implied, that there ever had existed an intention on their part to abandon their Legislative Rights? Besides it did more: The Resolution committed that House with the Parliament of England. Suppose they were to pass the Resolution, would not they imply to all mankind by it, that the Parliament of England had attempted to resume the Constitution of Ireland? Were they prepared for war? Would they venture peace for a word, a form, a nothing? Were they ready for war? The words of the Resolution gave the lie to the Addresses of the two Houses of the British Parliament, and were therefore highly objectionable. He asked, had any man made an attack upon their Constitution? If not, the Resolution was unnecessary. He asked again, were they prepared to quarrel with Great Britain? If not he should suppose it rash to hazard a quarrel by an intemperate and unwise Resolution neither called for by the occasion, nor justified by the pressure of any necessity.

Mr. *Dennis Daly* said, he would trouble the House with a few words only. He would vote for the adjournment; and his reason was, because he thought the Resolution that had been offered by the Hon. Gentleman on the floor, was wholly unnecessary. The Right Hon. Secretary had talked to



to the House in a style that must have been highly satisfactory to all of them. He had fairly submitted the Bill to the consideration of the country, and left it for them to decide whether it should be proceeded upon any further. He desired to know what more could be wished for? And was clearly of opinion that no Resolution humiliating to the Parliament of Great Britain was either necessary or proper. — He put the case, that the Resolution then proposed had been moved and agreed to, and the Address of the two Houses of the British Parliament had followed; would not that Address have satisfied them completely? If so, and he believed no Gentleman would question it, the Address having preceded the Resolution, the Resolution was rendered wholly unnecessary. Mr. Daly said, he had been accidentally absent from the House, on Friday; but, as he did not wish to shelter himself under the plea of accidental absence, thinking it highly unbecoming for any man to take refuge under such an excuse, when a great Constitutional question called for his opinion, he would state what would have been his conduct, had he been present. If there, he certainly should have voted for giving leave to bring in the Bill, in order that the country might have it before them; but when he had done so, he had very little hope of being able to support it farther.

Mr. *Griffith* urged, that the Parliament of England had asserted the rights of Ireland. He asked therefore whether the Parliament of Ireland was willing to assert its own rights or not?

Mr. *Curran* rose to oppose the motion for adjourning, until the resolution which had been just read should be disposed of. He said, he knew too well the manliness of the Right Hon. Gentleman's mind, (Mr. Daly) who had spoken last, not to rely on his support if he could only convince his judgment. And that, he hoped might be done even by the arguments adduced by the Gentleman who had preceded him (Mr. Ponsonby) in support of a contrary opinion. That Gentleman had objected to the intended resolution as unnecessary, as casting a direct reflection on the conduct of Great Britain, and as tending to commit the Parliaments of the two nations. As to the last observation he would not descend to examine it; whether it was an argument addressed to their supposed timidity or their wisdom, he would leave to the magnanimity of the House to determine.

As



As to the two former objections, he did not think them founded in fact. The resolution cast no reflection on the Minister of a Parliament of Great Britain. They had both expressly acknowledged the independence of Ireland: It could not therefore be disrespectful in them to adopt a resolution expressing the sentiments, nay almost repeating the words of his Majesty and the two Houses of the British Parliament. He would therefore support the resolution, because it was not either hostile or disrespectful to Great Britain, but because it was indispensibly necessary to Ireland, as a resolution intimating to Great Britain in the most moderate manner her unalterable purpose never to surrender her constitution for any consideration whatsoever; he would also support it as a resolution reconciling the people of Ireland to their representatives, and the representatives to each other.

As to the motion for adjourning, it was no more or less than a previous question; a previous question was the pitiful expedient of a temporising, a timid or a divided Parliament: but it never could be the expedient of a firm or united one. He said the existence of British liberty was due to that unremitting vigilance with which it had been always guarded from encroachment. Every invasion with which it was threatened, by the folly of Ministers or the usurpation of Kings, had been constantly checked by a constitutional assertion of liberty—such was Magna Charta, such upwards of thirty statutes so early as the fourth Henry, such the petition of Right, the Bill of Rights, the Act of Settlement, such the recent repeal of the 6th of George I. For no man, said he, can think that the British liberty derived any authority from those statutes, or that acts of Parliament could enact constitutional rights; on the contrary, we are not free because Magna Charta was enacted, but that great charter was enacted because we were free. These rights are therefore uniformly asserted as the birth-right of Englishmen, as derived only from God, who has ordained that as the service of himself is perfect freedom, so all just obedience to human government is perfect liberty. Neither could they think that the friends of power did not on every one of those great occasions resort to some despicable refuge like the previous question. These statutes then, said he, are so many monuments on the page of history, that mark the defeat and the folly of such previous questions. They were then signals of unanimity and confidence to the de-

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fenders



fenders of liberty ; of alarm and intimidation to its invaders, and they should be now regarded as records exhibiting the wisdom and virtue of past ages, as examples to future, and teaching posterity this great lesson : That to be virtuous is to be vigilant, and to be early is to be successful.

On this principle, he said, he contended for the resolution. The Minister of England had offered them a commercial system, which involved the direct surrender of our Constitution. They were called on for some answer, and this resolution says no more than this. " You offer us a system of trade, and with it, you offer us chains ; we will not wear them. The liberty of Ireland is not ours, we will not therefore give it away, but 'tis our duty to maintain it, and we will do so. We will not barter the realities of Constitution and Liberty for the possibilities of Commercial benefit."

But, said he, Gentlemen say " no, you do not give up the Constitution, for you may put an end to this system when you chuse." But if the Bill had passed, Ireland he contended, would be in slavery until it should be put an end to. What madness therefore would it be to enter into a contract that would leave them no means of redeeming their freedom but by violating their engagements.

But some Gentlemen had denied that the fourth Proposition would have had any such tendency or effect. He said it was an express obligation on Ireland to adopt a particular code of laws to be passed in Great Britain, which Ireland should register, but which she could not propound, or alter, or repeal. It was plainly understood so in England ; the English merchant and manufacturer was alarmed, and with very little cause, and Mr. Pitt found himself obliged to do something to allay his apprehensions. And effectually would he have done it ; for his 4th Proposition would have laid the commerce as well as the constitution of Ireland at the feet of Great Britain. If Mr. Pitt had been disposed to speak plainly to the British merchant, he would have said, " do not be alarmed at any competition of Ireland in your own or in foreign markets, for the 4th Proposition shall chain down her competition. If she shall grow formidable to you in Europe, I will press her with navigation laws, and frustrate her efforts. The Western Islands shall cease to be the scene of torture only to the unhappy sons of Africa ; they shall be houses of correction to the spirit of Irish commerce."

Such



Such language might Mr. Pitt have held if it had not been unwise to alarm Ireland with so full an avowal of his plan.

Neither was it understood that Mr. Fox did not press this argument in a commercial view. As an Englishman he might have had fears of the consequences of the system proposed, and it would have been inconsistent with those fears to have held out that system to the British Monopolist in a point of view that might have recommended it to his love of power. But however he might think Mr. Fox an Englishman on subjects of commerce, he thought him a member of the British empire on points of constitution.

On so sacred a subject as the latter, he could not suppose so able a man capable of yielding to any little motive of party or season by a declaration of any sentiments but those of his heart. It needed not his talents to know, that if the Constitution was dishonoured in Ireland, it was dishonoured in England also. It was to this principle he attributed his indignation when the rights of Juries were invaded, as well as the opposition which he gave to a Bill that must have endangered the rights of the Constitution in England by destroying them in Ireland. Those sympathies, he said, were implanted in the heart of man for the preservation of liberty. It was the general and vigorous influx and co-operation of them that achieved every thing glorious in the theatre of the world; it was that that adorned the fall at Thermopyle, and the triumph at Marathon; it was that in America that combated with fleets and armies, and waded to freedom through slaughter and desolation; it was that that wafted the shouts of an emancipated hemisphere across the wastes of the Atlantic, and roused Ireland from her lethargy; it was that that sent her armies into the field and crowned their illustrious leader with fame and with victory—thank heaven! not a victory stained with blood—not a victory bathed in the tears of a mother, a sister or a wife—not a victory hanging over the grave of a Warren or a Montgomery, and uncertain whether to triumph in what she had gained, or to mourn over what she had lost!

He then proceeded to defend the Resolution, as the only way of justifying the majority, who had voted for bringing in the Bill, to their constituents. As to the minority who had saved the country, they needed no vindication;—but those who voted for the introduction of the Bill, must have waited for the Committee, to shew the nation that they would never assent to the 4th Proposition. That opportunity, he said, could never



arrive—The Bill was at an end—The cloud that had been collecting so long, and threatening to break in tempest and ruin on their heads, had passed harmless away. The siege that was drawn round the Constitution was raised, and the enemy was gone. *Juvat ire et Dorica castra* and they might now go abroad without fear, and trace the dangers they had escaped;—here was drawn the line of circumvallation, that cut them off for ever from the Eastern world:—and there the corresponding one, that inclosed them from the West. “Nor let us, said he, forget in our exultation to whom we are indebted for the deliverance.—Here stood the trusty mariner (Mr. Conolly) on his old station the mast head, and gave the signal of danger.—Here (Mr. Flood) all the wisdom of the state was collected, exploring your weakness and your strength, detecting every ambuscade, and pointing to the hidden battery that was brought to bear on the shrine of freedom.—And there (Mr. Grattan) was exerted an eloquence more than human, inspiring, forming, directing, animating, to the great purposes of your salvation, &c.

“But I feel, said he, that I am leaving the question, and the bounds of moderation; but there is an ebullition in great excesses of joy that almost borders on insanity. I own I feel something like it in the profuseness with which I share the general triumph.” It was not, however, a triumph which he wished to enjoy at the expence of the Honourable Gentleman who had brought in the Bill, he was willing to believe, with the best intention.—Whatever he might have thought before, he now felt no trace of resentment to the Honourable Gentleman. On the contrary he wished that that day’s intercourse, which would probably be their last, might be marked on his part by kindness and respect.

Neither did he wish to have an appearance of triumph over the majority of the House, as if he were more a friend to the Constitution of Ireland than they. On the contrary he was certain they loved it as well as he; and he wished that they would say so to the people, by joining in the proposed Resolution. He wished both sides of the House would partake in the joy of the escape, as they would share its advantage. And he besought them not to throw a cloud on the general festivity, by a sullen refusal to share the comforts of the land with those who had, with some peril to themselves, saved them from drowning, and brought them to the shore.

But, he said, some Gentlemen might be averse to the  
Resolution,



Resolution, through a fear of being thought to desert the Minister at his last moments. As to that, he said, the Right Honourable Gentleman had been let down as quietly as possible, and an useless adherence to him now, would, expose those Gentlemen to perhaps a more humiliating imputation, that of an attachment to men, and not to measures,—for the measure was gone down, the man only was floating. Gentlemen who could not help him, might take some care of themselves. Nor could it require all their sagacity to discover, that two eager a desire of the cypress and scarf at the funeral, might make them possibly rather late at the coronation.

Lord *Luttrel* and Mr. *Molyneux* rose together, but Mr. *Molyneux* obtained the hearing. Mr. *Molyneux* opposed the Resolution, and defended the Bill, declaring, that it contained nothing inimical to the Constitution, and would have been productive of much benefit to commerce. He, therefore, would have supported it, from a conviction, that it would have proved advantageous to Ireland. Mr. *Molyneux* said, he felt for the Constitution of his country, as much as any man, and had too great a stake in it to give his vote upon a national question, of the magnitude and importance of that which had been under discussion, without the most rooted conviction of the rectitude and propriety of the decision he was about to make. That which had occupied their attention upon that day and Friday last, was undoubtedly of the first importance, and no consideration on earth should have induced him to vote for it, could he not have done so but upon principle.

Sir *John Blaquiére* said, he was happy that the Bill was permitted to be printed, as it would fully justify all those who had taken a part in a measure, which when the country recovered its sober senses, would appear to be highly honourable and advantageous to it.—He opposed the Resolution before the House, because it was not warranted on any ground whatsoever, and if it were, it would be inexpedient to take such a precipitate step. The English Bill was said to affect to bind Ireland, and was compared to the American Stamp Act, and Tea Tax, which had deluged that country in blood. He took up the Address of the Lords of England, and the King's Answer, and read the lines :

We have thus far performed our part in this important business, and we trust that, in the whole course of its progress, reciprocal interests and mutual affection will insure that spirit of union so essentially necessary to the great end which the two countries have equally in view.

let



let the sober senses of gentlemen now determine upon its merits: it would be an insult upon the understanding of that House to say another word upon it.

It was the blessing of God, he said, that when that extraordinary Resolution was moved the other night, he found an honourable friend of his had proposed the question of adjournment; or flushed with the victory, or something very like one, which gentlemen on the other side had gained, he had very strong doubts, whether, in the phrenzy of the moment, that mad Resolution might not have obtained the sanction of the House: He begged gentlemen to consider, that it was a direct attack upon the proceedings of the Parliament of England, and upon the conduct of the King, who, in his Answer had re-echoed what his Address had stated: it was a libel upon the British Parliament, and an impeachment of the understanding of the King, and the integrity of his Minister; in a word, it was a proceeding which ought to revolt every dispassionate member of the community

He said it was impossible to avoid saying one word with respect to the situation of his Right Honourable friend the Secretary, after what had fallen from an Honourable Gentleman on the other side. He had been traduced without doors in the basest manner, mis-stated and misrepresented within by Gentlemen on both sides of the House; betrayed (he would use the word, if it did not apply to a character that was incapable of intending to do so) by some of his friends in England (*he here alluded to what had dropped from Mr. Smith, in the last debate concerning what Lord Camden, had said*). What, said he, shall the man of the first character, rank, and consequence in that House, presiding at the head of his Majesty's Councils, distinguished not more for his ability than his love of liberty, hesitate to give a decisive and categorical answer to the simplest of all questions, Whether the fourth Resolution did or did not bind Ireland? It obviously spoke to his understanding, coming from a man who was above any sinister view, that he had no motive but a doubt on the occasion, and such, he confessed, might warrant doubts in others; but how did it act upon the present question? The doubt might warrant a dissent from the Bill, but it was fair logic to insist, that to warrant an assent to the Resolution they must take it for fact,



fact, that he had positively declared it was binding to Ireland. However, the Bill was now gone forth, it would bare its breast to the world, and justify those who had a hand in framing it.—The Resolution produced was a libel on the British Parliament, an insult to the King, and an impeachment of the integrity of his Ministers! It was tending to commit the two Parliaments together, and leading ultimately to a separation between the two kingdoms; and, upon the whole, was such an act of desperate madness, as, he trusted in his heart, no man in his sober senses would support.

Mr. *Kearney* gave the Hon. Gentleman credit for his feelings; he would nevertheless recommend it to him and the Gentlemen who voted with him on the motion of Friday last, to support the Resolution. They would thereby have an opportunity of convincing the people without doors that they never had entertained an intention of abandoning the Constitution of their country, or of suffering it to be trenched upon. Mr. *Kearney* said, that like Cæsar's wife, it was not sufficient that Parliament should be virtuous, it ought to be unsuspected.

Mr. *Coote* said, that in considering the question before the House, he would not regard *this*, or *that* administration, *this* or *that* party.—That he thought every man ought to endeavour to preserve the Constitution, and the Independent Legislation they now possessed without violation, and hand them down to posterity without encroachment.—So long as the question was general, that was to say, whether the Bill should be admitted, or not, he had some doubts upon his mind, but that he would never hesitate in refusing his support to any principle that tended to shake the Legislative Rights of Ireland. That in ceasing to legislate, they must cease to be Independent. That if they were to deliver over into other hands their legislation, it would not be so easy a matter to recover it. That it was infinitely more easy to prevent an evil's creeping into the Constitution, than to eradicate that *evil* when once fixed there. That he would not agree to the proposed Resolution, as it appeared to him unnecessary, hostile to the British Legislature, and inconsistent with that dignified caution, and manly wisdom which ought to govern their conduct. That the country could derive no advantage from Resolution, and that there were limits, beyond which it would be imprudent to step without direct provocation; and



as Horace says “ *Est modus in rebus, sunt certi denique fines quos ultra, citraque nequit consistere rectum.*”

Mr. Corry said the question before the House required very little indeed to be said in its support; but the Hon. Gentleman who had spoken last but one, having alluded to something he had stated relative to a Noble Peer, (Lord Camden), he thought it necessary again to state what had come to his information upon it. He understood that that Noble Peer had in one debate said, that he would never consent to part with an iota of the 4th Resolution; and in another, when pressed to declare whether it was his opinion that it infringed upon the Constitution of Ireland, he had answered “that were he pressed for seven years upon that point, he would not give an answer:” This, Mr. Corry said, falling from a Minister and from so wise a man, seemed to him to have one of these only two possible meanings—either Lord Camden thought it did affect the legislative independency of Ireland, and he had caution and wisdom enough not to irritate that country by declaring it; or he thought it did not affect it, and he had unwillingness to offend England by declaring that opinion.—Which of the two motives was it desired should be attributed to the Noble Peer for declining to speak out?—In the course of the proceedings on this business of the Right Hon. Gentleman’s Bill, he observed, that the Commercial part of it had retired from public attention; and very naturally since the stage in which it has been opposed precluded detail, and going to principle, the great Constitutional question, a subject on which the country felt with so much sensibility, had alone been taken up: This he was to observe could by no means bear a construction, that the Commercial part was not highly objectionable; much less could it bear a construction, as had been somewhere insinuated, that Ireland, because she refused that particular settlement, had no wish or demand for any settlement whatever of her trade: Points there were certainly, which called for settlement; he had at the opening of the last session mentioned for one, the East India trade, as had been truly stated in a former debate; as he had repeatedly done also in that session. He had likewise called the attention of the House to a statement of the Navigation Act, which had passed unquestioned and undecided, as to the rights of the country: To those it was his duty to call the attention of the House at present; as to the former, he acknowledged he thought the present time afforded no possibility of going into it, and therefore that



that it must necessarily stand over till next session of Parliament; as to the latter, it was not exactly in that situation. He said, he was extremely unwilling to stir any thing which might disturb the harmony of the country so late in the session, and therefore having discharged the duty he owed to the House, in recalling it to their recollection, he would not, unless called upon by the House, proceed to move any thing on that subject, willing at the same time if called upon immediately, to go into it. This however he would beg leave to state to the Right Hon. Gentleman who presided so ably at the Revenue board, and to two other Members of that board, who also sat there in 1779. In that year, in the administration of Lord Buckingham, a report of that board upon the trade of Ireland had been sent to England when the Irish business was then under discussion: In that report the board stated, that *the Navigation Act considers England and Ireland as one country, and affects both alike*: It was dated the 26th of June, 1779. How that board had acted since giving that opinion, or how they might think fit to act in future, it was not his business to explain or to conjecture, it was enough for him to state the matter to that board and to the House, willing, as he said, to proceed on it, if desired so to do.

Very naturally indeed, all these things had been laid aside in the late discussions, which were of a political, not of a commercial nature:—It was true they passed Resolutions on a Commercial adjustment which were sent from thence, but in return they had received a political treaty; a treaty whose preliminary was the sacrifice of their Constitution, and whose ratification was to be the subversion of their commerce. They had received a code of Imperial law, masked under the title of an adjustment of trade.—A just alarm had in consequence spread itself over the nation: 'Twas theirs to quiet their apprehensions—the people were easily led and prone to give their confidence where it was invited: Let them teach them to look up to them with confidence, and they would be led by their wisdom;—Let them teach them that in their deliberations they sympathized in a certain degree with the opinions of the nation, and the nation would cease to deliberate for itself—that was the true security for the tranquility of the country, that the impregnable protection of their property, and that the infallible persuasion to the nation to retire to cultivate the blessings of peace.—In that view, with that conviction, and in the mild spirit of true moderation



ration, he would vote for the motion to be proposed *as tending* to diminish the apprehensions of the people, and to establish their confidence in the Parliament of Ireland.

Mr. *Beresford* rose to set the honourable Gentleman right with regard to the fact he had mentioned, relative to a noble Lord high in office in Great Britain, which the honourable Gentleman seemed totally to misapprehend. That noble Lord, it was true had not given any answer to the question that had been put to him by other Members of the British House of Peers; but he had not refused to give an answer, for the reasons suggested by the honourable Gentleman. After having been teized for some time the noble Lord had said, that he would give no answer to their questions, that they had no right to put any such questions to him. How that could be construed into a declaration that the noble Lord had not formed an opinion, or that he entertained any doubt as to the true construction of the Resolution, Mr. *Beresford* said, he was at a loss to imagine. No man in his senses could think the noble Lord's opinion was different from that of any other Gentleman who read the Resolution. As to the main question, could any man alive say that the legislature was infringed? Who infringed it? Where was it infringed? Let those who thought it was infringed, shew it! Gentlemen seemed to him, not to have full possession of their senses, when they argued that the Constitution was infringed. They did not appear to him to have greatness of mind enough to look their situation in its face and to know what it really was. They had been so long unused to external legislation that they seemed to shew a weakness in staking their constitution on a Resolution of the English Houses of Parliament. With regard to the Navigation Act, and the opinion relative to its construction that the honourable Gentleman had quoted, he could not answer for others, he had never given any such opinion, and he was sure the honourable Gentleman would not find his name subscribed to the paper to which he had alluded.

Mr. *Corry* said, he had not the paper about him, he did not therefore know whether the honourable Gentleman's name was subscribed to it or not.

Mr. *Ponsonby* said, he would vote for the question of adjournment, and that he thought no justification of the conduct of the majority of Friday necessary.

Sir



Sir *Hercules Langrishe* said, he should not have risen when there seemed to be so little difference of opinion in the House, had he not been called upon by an honourable friend to explain a matter in which he might officially have been concerned, "*the construction of the Act of Navigation.*" He said, it was of very little consequence what opinion any man entertained concerning the construction of a law that was to be received and executed in two distinct countries. He would not presume to judge what construction this law might receive before a tribunal (if any such could exist) competent to decide between the two nations; but the acceptance of the law was decided expressly in each by subsequent statutes. In Ireland, by the act of customs, (which passed two years after, and recognized the Navigation Act) British Plantation goods were not only importable there from England, but importable upon one-half only of the custom duty. And by the English act of the 12th of George the III. it was declared that Plantation goods could not be exportable from Ireland to England. He admitted that the act was null and void, so far as it affected to bind Ireland, but as declaratory of their construction of the Act of Navigation it was of force, and decisive upon England; nothing therefore remained to the discretion of the Commissioners of the Revenue in either country. Without a new law the Irish Commissioners could not refuse to receive Plantation goods from England—without a new law the English Commissioners could not receive them from Ireland. He observed the Honourable Member had taken leave of the great subject of the commercial settlement, by declaring that it would be destructive of trade and subversive of constitution. It was very easy, he said, for Gentlemen of quick perception and ardent feelings to pronounce sentence of condemnation on any measure without the formality of a trial. It was only to substitute authority for argument, and opinion for proof. That might save the people at large the trouble of judging for themselves; but it might also sometimes betray them into errors of judgment not their own. Infallibility was not, he observed, the property of man, and if it were, it would not be more likely to be found in the lofty range of sublime genius, than in the humble paths of common sense. There might be an excess of splendour which might throw a glare on a subject, tending more to obscure than elucidate; therefore, upon most occasions, if the people were suffered to judge for themselves, they would generally in the end, he was persuaded, judge pretty justly. They



were not to expect revelations in politics—they must have recourse to their own common sense to work out their salvation here. It was also easy to say any measure was injurious to the country, and if that position be once taken for granted; it followed of course to say, that the supporters of it were men who had no sense of duty or character, that they were betrayers of their trust, and enemies of their country.—That was very true, if the premises were admitted; but if, on examination, they appeared utterly destitute of foundation, the whole conclusion fell to the ground, and all the invective was but waste of words. Now he was confident when the Bill, which he had then ordered to be printed, should be circulated through the country—when the clouds of prejudice and delusion should have passed away, and the people should have time to give it (what it never had had yet) a patient and impartial examination, they would blush at their infatuation, and deplore their loss. They would then, perhaps, commend its supporters as the best friends to their country, as men who returned from the temple more justified than others, who spoke more highly of themselves.

The Hon. Member, he said, has spoken with becoming warmth of their newly acquired constitutional rights. His attachments were always warm, and well directed. However it was possible, that as that favourite object was pursued with all the fond *partiality* of a lover, it might still be regarded with all the fond *jealousy* of a lover, which sometimes entertained suspicion where there was no just foundation for it; such excess was natural to devoted partiality, and though the result, perhaps, of the feelings, yet it was but too apt to betray the mind into groundless distrust, and to take from wisdom her infallibility. There was a degree of political circumspection that was useful to the country; but there might be a sort of impracticable suspicion that *walked alone*—that would neither *communicate* nor *confide*. Another Gentleman had said, “There was no need of any adjustment or settlement between the two countries.” That sentiment might reconcile him to the motion mentioned by the Hon. Member, for certainly no man who thought a settlement necessary with England, would support a motion tending so eminently to render that impracticable, especially as they must advance to that settlement through the Parliament, against whom the motion must imply an insult. But they said, “they would never relinquish their legislative rights.”—Wherefore should they say so, unless they had been attacked? And if they said, or implied, that the English



glish Parliament had attacked them, they cast an undeserved insult on them, and contradicted the unanimous declaration of the Lords and Commons of Great Britain. It was not magnanimity to resent an offence that never was intended, or to repel an injury that never was offered. But an Hon. Member, with a tenderness for Gentlemen on that side of the House, for which they were very grateful, would pass the resolution to vindicate their character to the people. Full of gratitude, however, they declined the offer, and required not the vindication. To the cool consideration of the measure most willingly did they submit their reputation with their countrymen, and the time would come in which they would wish that the one side had been more temperate, and the other more successful.

They talked of their constitutional rights with ardour, their feelings were just—let them enjoy their constitutional rights unquestioned, unimpaired; but let them not, in the splendour of their independence, lose sight of the peculiarity of their situation, internal and external. He knew very well, that in legislation and constitution they were as independent as England, or any nation in the universe. But though they were a free country, they must be a connected country—they must look for commerce and protection to some powerful connection, and there was not a nation in the universe that would connect with them, except on terms of mutual concession, of mutual contribution, and mutual benefit. They must be transported by a phrenzy of national vanity if they did not acknowledge it, and they could not look into the map of the world, or consider the power and politics of Europe, without observing that England with that country, and that country alone, which they could be connected with safety to their commerce, their constitution, or their religion; and therefore a close connection with Great Britain was such a political axiom, it was so self-evidently necessary to both countries, as to become the creed of every rational man, and the cant of every designing man amongst them. But that connection was not to be maintained by groundless suspicions, by alienating doctrines, or offensive resolutions. He had now only to congratulate Gentlemen on an accuracy of expression which they had inadvertently fallen into. They called that a previous question—it certainly was so; because the motion of adjournment was made previous to the resolution which had been the subject of their debate.

Sir



Sir *Henry Cavendish* rose to call the House back to the question of adjournment. Sir Henry said, no man had an idea of flying in the face of their sovereign or attacking the British Parliament, but as an attack had been made on the Irish Constitution, the Resolution appeared to him to be necessary, and all who thought so would vote for it.

The *Secretary of State* declared for the adjournment, because it gave the fullest opportunity for the consideration of that important subject. He had, he said, presented a petition from Cork, praying that the resolutions, if not rejected, should be postponed till the next session of Parliament. The adjournment was proposed for the purpose of giving the fullest time to the public to consider the Bill, which had been that day introduced, with a declaration of not taking up the measure till the next session of Parliament, and an assurance that it would never be taken up, if not called for by the public voice. That the Minister who held such language was intitled to the public esteem, and to share in the triumph which a learned Gentleman has, so eloquently expressed. He was also for the adjournment—because he was against the Resolution intended to be proposed. That the Resolution implied a contradiction of the declarations made by the two Houses of Parliament in Great Britain, in their address to the Throne, and to the Bill of the British House of Commons, both of which declared, in the most explicit terms, that the Irish Parliament was alone competent to make laws for Ireland; and to the objection, that the House should make such a declaration as well as the British Houses of Parliament, he answered, that it was done by the bill now on the table, which would be printed and dispersed through the kingdom. It was said, that the bill introduced a new commercial system in respect to the British colonies, different in principle from that of 79; he denied it, and insisted that by the unanimous resolution of the House of Commons in that year, the liberty so gratefully accepted by Ireland was a liberty of trading with those colonies “in like manner as trade was carried on between Great Britain and them.” That on that principle their several laws were passed from that year to the present time, and in those laws the same duties, regulations, prohibitions and restrictions were introduced as in the British laws, except in the instance of rum, which was excepted in the Bill, and one or two articles of little importance.



importance. It was objected, that by the Bill they were to have no selection; he thought it unjust they should have any, because Great Britain herself had none; that they had accepted the trade on the same terms Great Britain enjoyed it, and that it was absurd to expect it on any other. That whatever Great Britain and Ireland could supply, the colonies could take from no other country, and whatever the Colonies could supply, the two kingdoms ought only to take from them, for that was the true principle of colonial connection. He insisted that no change whatever was made by the Bill in the independence of the Irish legislature; that the English colonies and settlements were the property of Great Britain, and every country had as good a right to grant its property on condition, as an individual. The nature of a condition was, that the person who had accepted the grant was at liberty not to perform the condition, and to relinquish the grant on one side, the grantor is sure that his property was not to be enjoyed longer than the condition was performed; and on the other side, the grantee was at liberty not to perform the condition, and to determine the grant.

He observed, that the condition expected from Ireland was of the most honourable nature; it was no more than this—that she should enjoy the property of Great Britain on the very same terms on which it was enjoyed by Great Britain herself, and whenever Ireland did not choose to enjoy it on those terms, that then each nation was to return precisely to the commercial situation in which she was now placed. He said Great Britain had granted her colony trade on no other terms, and that, in justice to the whole Empire, she could have granted it on no other; for that otherwise the whole maritime and commercial system of Great Britain would be at the feet of Ireland. He adverted to the articles of union between England and Scotland, and said, that event, so long desired by England, had been obstructed for many ages by Scotland's insisting upon having the benefits of trading with the English colonies, and of the English navigation laws. What Scotland had been long refused, and had at last obtained by parting with the sovereignty of her legislature, was granted to Ireland as a free gift on the condition of similar laws, and while that should be performed, was then offered to be perpetuated to her, without infringing, in the smallest degree, on the un-

questioned



questioned independence of her legislature ; and that when Scotland had consented to an incorporating union, she was so anxious for the security of those favourite objects, that she insisted on an express provision for that purpose. Would any man then have foreseen that those advantages could ever have been granted to another kingdom, with a view to no other union but that of interest and affection. The principle of a similarity of laws between the two kingdoms as far as related to colonies, ships and seamen, had been established by several Irish statutes, from the year 1780 to the present session. To support this, he repeated the preamble of one of those acts, the 19th and 20th Geo. III. the spirit of which had been since uniformly agreed to.—

“ Whereas such part of the trade between this kingdom and the British colonies in America and the West Indies, and the British settlements on the coast of Africa, as was not enjoyed by this kingdom previous to this present session, *can be enjoyed and have continuance so long*, and in such cases only as the goods to be imported from the said colonies, plantations, or settlements into this kingdom, or to be exported from this kingdom to the said colonies, plantations or settlements shall be liable to equal duties and drawbacks, and be subject to the same securities, regulations, and restrictions as the like goods are liable and subject to upon being imported from the said colonies, plantations and settlements into Great Britain, or exported thence to such colonies, plantations or settlements respectively.”

That one of those statutes, passed in the year 1782, enacted that principle with much greater extent than the Bill then on their table ; for that confined it to the colony system, and to the shipping and seamen, but the act of 1782 not only adopted the principle in those articles, but extends it generally to a similarity in the laws of commerce, provided those laws imposed equal restraints, and conferred equal benefits on the subjects of both kingdoms ; and enacted all such clauses and provisions made in England or Great Britain, in any statute made in England or Great Britain, save so far as they have been altered or repealed, to bind the subjects of Ireland only so long as they bind the subjects of Great Britain. The whole of the present act shewed, that a similarity of trade laws was the object ; and the duration, while they were laws in Great Britain, shewed a view to the future as well as the past. The present Bill annexed the same condition of equal restraints and benefits to the laws relative to the colonies, to shipping and seaman ;



seamen ; and of that equality the Irish legislature was to judge as well as the British ; and if, at any time, the adherence to that restrained similarity should be found prejudicial to Ireland, her two Houses of Parliament might determine the settlement, and bring them back to their present condition. He then affirmed as a lawyer, that the act of 1782, did affirm the principle that he had stated ; he called upon the gentlemen of the long robe to say, whether he was mistaken, and if he was not contradicted, it must be taken as granted, that the principle then objected to was at that time advanced with greater latitude ; and when was it acknowledged ? At a time when the independence of their legislature had been recently established, and when the spirit of liberty was as high as it ever had appeared in any country. With whom did that principle originate ? With some of the foremost assertors of the liberties of Ireland, the late and present Chief Baron, the present Attorney General and Mr. Grattan ; for those respectable men were the persons appointed to prepare the act. The generality of the expressions in that law might possibly have occasioned expressions of a similar import in some of the British proceedings, but those expressions had been sufficiently restrained, and the object had been placed beyond the possibility of doubt, by the address of the two Houses of Parliament in Great Britain, and by the English Bill.

He said, they were now alarmed at a principle repeatedly recognized by their own acts, and at a condition which they at first received with gratitude, and had since uniformly performed without murmur ; nor could it ever have been thought fair or equal between the two countries, that Ireland should have the benefit of the British Navigation system, and not submit to it herself.

He said, the Resolution proposed would be a censure on the British Minister, who deserved very different treatment from them, for having encountered the mistaken prejudices of many of his own countrymen to promote the interests of that kingdom, and the strength and prosperity of the whole British empire. He said, it would be unjust to condemn the Bill before the majority of the House was apprised of its contents, and before the kingdom had considered it. To their dispassionate and unprejudiced opinion it was referred ; with that view, and because he could safely affirm that the Bill contained not a syllable injurious to their constitutional rights, he had voted for the introduction of it.

Mr. *Conolly* said, that the Right Hon. young Man, at present the British Minister had made no struggles for Ire-



land at all, nor did he deserve to be panegerised. Had he thought fit to have interfered with his weight in favour of Ireland, it was impossible but that his power and influence must have prevailed.

The *Secretary of State* in reply said, that he considered the British Minister entitled to the acknowledgments of that country; that he had resisted the petitions of between fifty and sixty of the principal trading cities and towns of Great Britain, and the opposition of many of the principal manufacturers of England, who declared their intentions of removing with their capitals to that kingdom, and had repeated their evidence before the House of Lords of Great Britain, under the sanction of an oath. That a conduct directed to the good of the whole empire, in opposition to the clamours of such a multitude of manufacturers, deserved praise, but he flattered no man, had not the honour of being known to the British Minister, and that his Majesty's favour and his own situation rendered him independent of all Ministers.

Mr. *Conolly*, made a short reply, which called up

Mr. *Pole*, who said he was in the habit of entertaining great respect for whatever fell from the Right Hon. Gentleman, but he could not help rising to notice the inconsistency evident in the three speeches that had been delivered by him. Mr. *Pole* then pointed out the different manner in which Mr. *Conolly* had argued each time he spoke, and said, if the honourable Gentleman and his friends would undertake to reconcile the inconsistencies to which he had alluded, he would go over to them and abandon the principles he had hitherto maintained; but till then, notwithstanding the force of oratory with which they had contended that the Bill was inimical to Ireland, he should ever approve the principles of that Bill and maintain a contrary doctrine. With regard to the Resolution that the honourable Gentleman had stated to the House and proposed to move, he thought it calculated to commit the Parliament of Ireland with the Parliament of Great Britain; a situation into which he conceived, no true friend to his country could desire to drive those two assemblies. While upon his legs, Mr. *Pole* said, that he would declare it to be his opinion that under the fourth Resolution of the British Parliament, Ireland would enjoy every benefit of the trade of England if she would submit to the restrictions to which England submitted: That was, if they enjoyed the commerce of Britain, it should be on the same condition as Britain enjoyed it; a condition, that had raised that country to greatness and to glory!



glory ! Whether it was possible to separate the security from the benefit, he did not know, but he was willing to receive both on the terms on which they had been offered. And notwithstanding the harangues he had heard, and the clamour that had been made, he would not give up his opinion, that those terms were advantageous for Ireland. He was, therefore, extremely sorry that the Right Hon. Gentleman had been obliged to postpone any further proceeding of the Bill. He was sorry, because when the country had temperately and fully considered the subject, he was convinced that they would wish that the measure had been adopted and lament the exertions which Gentlemen, with very good intentions, had made to prevent it.

Mr *Conolly* said a few words in explanation.

Mr. *Neville*.—From the part I took on Friday night, I think it necessary to say a few words. Had the Resolution that was mentioned on Thursday been proposed this day, previous to the Secretary's (I may say) giving up the Bill, I should certainly have voted for it—as I should against the Bill in every stage. But the present Resolution having been interpreted two different ways, one that it is merely a declaration of our rights, the other, an attack on the proceedings of the Parliament of Great Britain, I shall submit it to the Right Hon. mover, whether it would be adviseable to send it into the world, and if he had not better withdraw it, as there is an end of the Bill, and let him be assured, if he does not, that he will not have the support of the country gentlemen. [Here Mr. Flood said, he would have their support.] Mr. *Neville* insisted he would not, as he had communicated with several who thought any Resolution unnecessary, and that the present one was very exceptionable.

Mr. *Flood* rose to defend his Resolution, which he contended was neither giving the lie to the Address of the two Houses of the British Parliament, as it had been said to be, nor an affront to the Crown, nor a contradiction to the British Parliament, but was called for by their Resolution, and was absolutely necessary, if it were only to corroborate the assertion of those gentlemen, who maintained, that the fourth Resolution of the English Parliament was not injurious to the legislative rights of Ireland. With regard to his wishing or intending to commit the Parliaments of the two kingdoms, he would appeal to the recollection of the House, whether he had not uniformly said, from the beginning of the business, that there was no treaty they could enter into with Great Britain, about which Great Britain and Ireland ought to quarrel. In fact, he was convinced there was no



commercial advantage that country could gain which was worth a dispute. England had made a fair proposal; she had said, "we will give you such and such things, on condition that you will give up the right of making laws for yourselves. It remains for you to judge according to your wisdom and discretion of this condition." It was fair to say in reply, "we cannot accept your offer on such condition, because we hold ourselves indispensably bound to retain our legislative rights undiminished, and not to enter into any engagement to relinquish them." What was there of insult in this conduct? Was it not equally fair on both sides? An honourable gentleman, he observed, had talked of his independence, and had rested it on the emoluments of his office. He should be extremely sorry, if the honourable gentleman had not a better ground for his independence; and if it did not arise from his own honour. The man who was in his mind a slave, would not, he asserted, be less so, if he had forty thousand a year; while the man of honour would be free, if his annual income were only forty livres. True independence consisted in an honourable mind; but were the honourable gentleman's constituents to thank him for what he had said? The honourable gentleman, however, might well say he was independent, since he was independent both of his Prince and his Constituents. Mr. Flood took notice of the arguments that had been used, in order to charge the Resolution with being likely to involve the two countries in a war, and contended that they were wholly ill-founded. He said, the declaration which he had wished the House to come to, was necessary to be made for many reasons, and particularly, in order to take away an imputation of the resumption of the freedom of the Irish Constitution having been attempted; but, if they chose to leave the public in suspense as to that point, and would suffer them to entertain the idea, that the British Parliament now lay in wait for an opportunity of effecting their purpose—be it so;—he was glad he had stated the Resolution, that the public might see, whether it was through moderation or disappointment, that Government had acted as they had done. He would leave it to gentlemen to consider, why they did not send their answer to the Parliament of England, who expected it. The proper answer was contained in the Resolution, and he would ask any gentleman of common sense, whether it would pledge that House with the English Parliament, if they were to say, "we will preserve those legislative rights, which you declare you will ever hold sacred as your own." He should have



have thought, the gentlemen of the other side, who after what had passed perhaps were obliged to hide their heads, would have been glad to support the Resolution, as a means of vindicating their conduct to their country, and of convincing them, that, when they voted for the introduction of the Bill, they were as far from meaning to countenance an attempt to infringe the Constitution of Ireland, as those gentlemen who opposed it, avowedly, because they thought it a direct invasion of the legislative rights of their country. If, however, the gentlemen on the other side were so content with the perfect knowledge of their own integrity, that they thought no vindication of their conduct necessary, in God's name, let them go home with all their blooming honours fresh about them;—he would not desire to disturb their satisfaction by imposing the Resolution upon them—in offering it to the consideration of the House, he had done his duty. He had no ill-will to the Right Hon. Gentleman who had brought in the Bill, nor to the amiable Nobleman who was their Chief Governor; on the contrary, he entertained the profoundest respect for the latter. But had he been his enemy, the charm that hung around his neck, like an amulet, would command his love, and make him dear to him.

The *Secretary of State* rose as soon as Mr. Flood sat down, to complain of the personal allusions that had been made to him in the course of that gentleman's speech. Whereupon

Mr. *Flood* rose, and declared the Right Hon. Gentleman must have misunderstood him, since he had said, that the Right Hon. gentleman was independent not only by office, but by an honourable mind.

The *Secretary of State* then proceeded, and declared, he was as unwilling to give offence as to receive it; and in respect to the petition which he had presented, he admitted the opinion of the city which he represented was against the Resolutions. He had began his first speech, by stating that the Corke petition prayed that the House either would not pass any Bill founded upon them, or at least that they would postpone their consideration of the measure till another session. The Bill however, made some very important alterations, particularly as to the duties on rum, in which that city was essentially interested, and as to sail-cloth and other articles; it would he had no doubt remove the apprehensions entertained there, of injury to the Constitution of Ireland; he concurred therefore in the opinion of his Constituents, and thought the measure should not be proceeded upon if not  
desired



desired by the public, of which the city of Corke must be always considered as a very important part.

Mr. G. Ponsonby said a few words on the merit of Administration in that country, declaring, that as long as they acted fairly and honestly, they should have his support. He denied however that the fourth Resolution was Mr. Pitt's, he believed it was rather the work of Mr. Eden \* than Mr. Pitt.

The *Attorney General* said—For one I disclaim any vindication which may come from the Hon. Member [Mr. Flood]. If he wishes to display his talents for vindication, he never can be at a loss for a subject. The Hon. Member did, on Saturday morning, declare his resolution to recite a vote of the British Parliament, and to move a censure upon it.

Mr. Flood—No; I did not say so. I do not pretend to be a very wise man, and I am not such a fool, such a contumacious fool as to do that; on the contrary, I all along said, there was nothing of commerce now remaining to be settled by England, on which we ought to differ with her.

*Attorney General*—I agree with the Hon. Gentleman, that we ought not to be forward in differing with England, and he is a contumacious fool indeed who attempts to commit the two countries. The Hon. Gentleman did not, perhaps, state his intention exactly as I have done; but if I am not much mistaken (and I speak in the hearing of many Gentlemen who must remember) he said, that he intended to move a vote of the Commons of Ireland, that a resolution of the Parliament of England was an insult on the Parliament of Ireland.

Mr. Flood—I am sure the Right Hon. Gentleman mistakes; I know he would not mis-state me intentionally. I said, that should we admit the principle of the Twenty Resolutions, it would be a dereliction of our legislative right: it was impossible a resolution to that effect could be considered as an affront to the British Parliament; it would be but a declaration of our opinion, and I hope we are at liberty to declare that.

The *Attorney General* rising to reply, was interrupted by Sir H. Hartstonge, who, with the most benevolent mind in the world, is ever ready to interfere when he apprehends a dispute.

*Attorney General*—No man possesses the art of interrupting serious debate with perfect good humour so well as the worthy little Bart. but I consider the Resolution which has been read this night as a resolution precisely of the same import with that which the Hon. Member stated on Saturday.

\* The Reporter from his own knowledge can take upon him to assert that Mr. G. Ponsonby was mistaken.



softened I grant in expression. The Hon. Member says, he does not mean to convey a censure; he means only to convey an opinion. This distinction, I confess, is somewhat too fine for my understanding. I object to adopting the Hon. Gentleman's opinion upon this subject, because it is an opinion conveying a direct censure; and I hope we are not yet in such a state of phrenzy as to insult the Parliament of England.

The Honourable Member says, he wishes to pass the Resolution as a vindication of Gentlemen on this side of the House, who now hide their heads.—For my part, I never have hid myself from any public question, nor ever will. The man who in or out of office can stoop to hide himself from any public question is, in my opinion, a most despicably corrupt man; the man who, in or out of office, can skulk from his duty in this assembly, I consider to be guilty of the most pitiful and nasty subterfuge that can disgrace a man, and therefore I never will skulk from any measure; if I approve it I will support it like a man, if not, I will oppose it like a man. And I repeat before this House, I repeat it in the face of the nation, that the Bill brought in this night is highly advantageous to its commerce, and in no sort incompatible with its free constitution. Gentlemen may triumph in their opposition to this Bill, but I will defend it line by line, and word by word; I will meet their whole array upon it—I fear them not; I will defend it on the principle of the British Constitution; and as to the clamour which has been raised against this measure, it is as unfounded, and as little to be regarded as any that ever disturbed the deliberations of a wise assembly. Your own records declare, that you have not thought the principle of the Bill unconstitutional. In every session since 1779, in which year you obtained the Colony trade, you recite the condition on which you possess it; you recite the British tax, and you enact that tax.—What then is the difference here? You are permitted to trade to every possession Great Britain has, provided you adopt the laws by which she regulates her trade; provided you trade as British subjects trade. Every advantage which British subjects enjoy is offered to your acceptance. I call upon any man living to tell me—where is there an iota of difference? Therefore let no man talk to me of hiding my head; I support the Bill as highly advantageous to this country; and Gentlemen, who are so extremely anxious to prevent us from going into the merits of it, may perhaps be suspected by illiberal men not to wish that the merits should appear to the public.

But



But the Honourable Gentleman says, it is necessary to answer the Resolutions of England by the Resolution which he has read. He says, he does not think she has attacked our legislative independence, and yet he says he does think an answer necessary; and what is that answer?—why, that we will preserve our independence.

Let me tell Gentlemen, that it is not very prudent, upon every occasion, to come forward in terms of indignation against the sister kingdom, because we cannot exist one moment without her protection. Let us tell them, that it will not be perfectly prudent to rouse Great Britain. She is not easily roused,—but if roused, she is not very easily appeased; and in this, perhaps, lies the difference between the two nations.—Ireland is easily roused, but then she is easily appeased; England is not easily roused, nor easily appeased.—If you rouse the British Lion, you may not easily lull him to rest.

Gentlemen say you may go on in the way you are; you have already a Free Trade, and that is all you want. You have indeed a right to trade, but without the assistance and protection of Great Britain you have not the means of trading with any nation on earth. There is not a single article in which you can trade without the assistance of England; and I desire by that Bill to ensure her protection and assistance, and when the people of this country are restored to their sober senses, they will see it. The Bill for ever guarantees your Linen Trade, to promote which England taxes her own consumption 450,000*l.* yearly. The consumption of England is stated to be forty-eight million of yards; of this she at present takes twenty millions from Ireland, the remaining twenty million from Russia and Germany; on the Russian and German Linens she lays a heavy duty, and is content to pay an advanced price for the Irish; yet still the Russian and German manufacturers can in some degree meet Ireland in the English market; if the duty was taken off, they would beat her out of it altogether, and therefore I say she is a besotted nation if she seeks to quarrel with England.

Mr. *Griffith* with great warmth rose, and declared, that what the Right Hon. Gentleman had said, was the most dangerous insult that ever had been offered to the nation. He was proceeding, when Colonel *Burton Cunningham* rose to order, and desired to know, if he had taken down the words of the Right Hon. Gentleman. Mr. *Griffith* said, he had interrupted him to give him a moment of reflection, as he was proceeding in such a scandalous manner that it became not a representative of the Irish nation to hear—he  
represented



represented (said Mr. Griffith) us as a light nation, easily roused and easily appeased, he called us a besotted nation; I wish him to vindicate himself, and shew he *dare* not do so.

The *Chancellor of the Exchequer* rose, and called Mr. Griffith to order; he informed him that he had no right to use such a word as *dare*, it ought to be taken down; if he (Mr. Griffith) thought the words of the Right Hon. Attorney General exceptionable, he had a right to take them down, and if he did not take them down, he allowed them to be in order.

*Sir Henry Cavendish*.—The Right Hon. Gentleman has no right to say, that this nation could not exist separate from England; the words were spoken I know in the warmth of debate, and it is but kindness to give the Right Hon. Gentleman a moment for reflection.

Right Hon. *Attorney General*.—I am much obliged to the Gentlemen who in pure kindness wish to give me an opportunity for reflection, and I hope Gentlemen who have been so very forward and so very hot upon this occasion, will reflect also on the best manner in which I can shew my sense of the obligation conferred upon me will be, to repeat and reassert the words at which they have taken so much offence. I say if Ireland seeks to quarrel with England she is a besotted nation. I say she has not the means of trading with any nation upon earth, without the assistance and protection of Great Britain, and I wish every man and every child throughout Ireland to hear me when I state it. I say that Ireland cannot exist one hour without the support of Great Britain; and therefore again I say she is a besotted nation if she seeks to quarrel with her; and I say further, when the people recover their senses, and awaken from the delusion and the phrenzy into which they have been misled, if the benefits of that Bill are then within their reach they will grasp at them; but I very much fear they may not always be within their reach; if they are, they will be glad to accept of that very settlement which they are now advised to reject with sullen indignation and with insult.

A Right Hon. Friend of mine (Mr. Conolly) when his first symptoms of opposition to this measure appeared, only desired time to the next session, that the people might understand it. However, when the Bill was offered to the House he would have prevented the introduction of it. How this was to enlighten the people, or to enable them to understand the subject, I do not perfectly comprehend. Again, the Right Hon. Gentleman declared that he did not under-



stand commerce, nor was he ever a stickler for constitution, and then proceeded to pronounce sentence of condemnation wholesale upon the Bill, which he had never read, and which if he had read, he declared he should not understand. Another Hon. Gentleman who opposes this measure with equal violence, has let it out somewhat indiscreetly in my mind, that this is a question in which a certain set of Gentlemen in England are deeply interested; and he has in my mind somewhat indiscreetly reproached an Hon. Member who sits above me (Mr. G. Ponsonby) with having upon this occasion deserted the cause of his English connections. \* How this reproach consists with the repeated declarations which have been made from that side of the House, that this was a question perfectly detached from all English party, I leave to the judgment of the nation. But I cannot but say, that in my mind the charge which has been made upon that Gentleman reflects very high honour upon him; because, in my mind, any man who is actuated upon this occasion by motives of English or of Irish party, is a dangerous and decided enemy to this country.

But it is curious to hear the charges which have been brought against Ministry; they are accused of having originated this measure, and urged it forward with their whole force. But what interest could Administration have had in obtruding it on this country; it was called for by the unanimous address of this House, and when it was introduced, there were but three men found who could oppose it; and now I challenge any man to shew me a single instance in which the Bill now upon your table departs from the principle and spirit of the Eleven Resolutions of this kingdom. It is objected that they have been multiplied into twenty, but let any man look at them, and he will find that many of the additional Resolutions are mere matters of detail, mere matters of commercial regulation, intended chiefly to guard against the frauds of smugglers; he will find that the Resolutions are more condemned for their numbers than their demerit. If, however, Gentlemen are determined to reject this measure without examination or inquiry, in my mind it will not be an act of wisdom to reject it with indignation, and it will be still more unwise to reject it with insult, for if a fair and honourable and advantageous offer of England is treated with indignation, we shall not probably have an opportunity of repeating the insult; we shall not probably

\* Such an allusion had been made from the opposite side of the House.



probably have a second offer of the English market, and a partnership in the English capital. We shall not probably be courted to an adjustment of commercial intercourse between the two countries, and he is a bitter enemy to both countries who wishes to throw any impediment in the way of such an adjustment. It is essential to the interests of Great Britain; it is essential to the existence of Ireland.

A Gentleman who declared himself to be in a state of constitutional insanity, whether political or natural I cannot tell, advises us not to be too forward in celebrating the funeral of the present Chief Governor, lest we should not be permitted to walk in the coronation procession of his successor.

Sir, I am not the slave of party, nor the instrument of faction; for much as I despise popular clamour, or popular applause, I despise party still more;—and I will tell that Hon. Gentleman, that I consider myself to be perfectly beyond the reach of Ministerial displeasure; but if the Gentleman supposes Mr. Pitt's Administration will be shaken by an intemperate rejection on the part of Ireland—if his opposition to it is founded in the hope that he will shortly be called upon to assist at the coronation of the Duke of Rutland's successor, he will find that he is miserably mistaken. In my mind, we have taken a mill-stone from Mr. Pitt's neck, and hung it about our own.

I avow myself a friend to the whole system; there was but one Gentleman (Mr. Flood) who condescended to enter into the merits of it, and my Right Hon. Friend who sits next to me, (Mr. Foster) if he did not convince him, certainly did convince every other man in the House, that he was utterly unacquainted with the subject, and radically mistaken in his idea of every part of it. It is now before the country, I hope the people of Ireland will study it; if they do, they will call to have it carried into effect, and when they do call, I sincerely hope it may be within their reach.

Mr. Griffith.—I am glad I have given the Right Hon. Gentleman an opportunity of explaining himself, which, like *Touchstone*, he has done with an *if*—*O! your if is your only peace maker!*

Attorney General.—As my recollection serves me, I repeated the words I at first used. I am not in the habit of writing speeches and getting them by heart; but am certain there was not a syllable difference between the word at which the Hon. Gentleman took offence, and the words which I re-



peated. I love the Irish nation too well to insult her—her solid interests are too near my heart, and therefore I will not flatter her. When she seems to forget her real situation I will remind her of it. I never will insult her, but I will speak to her freely of her faults; because I have no interest in flattering her, and without any regard to the Gentleman's heat, or to his interruption, to which I can listen with great coolness, I shall, upon all occasions, freely deliver my opinion to this assembly.

[A warm altercation here took place between Mr. Curran and the *Attorney-general*, but, as what was said in the course of it was pointedly personal, and did not apply immediately to the principal subject in debate, it could answer no good end to report it.]

Mr. *Denis Daly* called the House back to the subject, by corroborating what the Attorney General had said; observing, that when Gentlemen objected to the truth and did not like to hear it, it became the more necessary that it should be enforced. His Right Hon. Friend's assertion was true; Ireland could not exist an hour as an independent Protestant State but for her connection with Great Britain. That House knew perfectly well that it did not represent a fourth of the people of Ireland. To that fourth the connection with Great Britain was essential. In fact, if it were broken, the same representation would not be found in Parliament. There was nothing, therefore, except the Constitution that he would not sacrifice to preserving a connection with Great Britain. Let them consider what depended upon it,—their salvation as a Protestant State! Mr. Daly said, he was sorry the Bill had not been debated on its own merits, that they might have agreed to as much as they could of it, since even by their disagreement, they would have shewn what were the exceptionable parts. He took notice of an allusion that had been made in the course of the debate to Mr. Ponsonby, and said, that when a question on which the salvation of the country depended was under discussion, he should consider it as the highest compliment to him to hear it declared, that, he had on such an occasion forgot his connexions.

Mr. *Brooke* said, that he was happy the debate had taken so favourable a turn, for had it been otherwise he would have found himself obliged to have troubled the House with a few words, as he was very doubtful of the propriety of the Proposition that was intended to be proposed, but as it was  
a subject



a subject of such magnitude he did not wish to rely on his own judgment, but consulted with Gentlemen of high respect, and of much better understanding than himself, and that they did agree with him that the country had obtained a compleat victory, and that the people should be satisfied, as they saw that their representatives would never pass any law derogatory of their Free Constitution, and that he thought Government had shewn handsome conduct in given up the Bill in the manner they did; he added that as the question had been relinquished, he rose merely to state his opinion that his conduct might be known.

Mr. *Grattan* acknowledged himself to be perfectly of opinion with his Right Hon. Friend (Mr. *Daly*), that Ireland could not exist as a Protestant State but for the protection of Great Britain, and declared, he was as ready to say, that there was nothing he would not sacrifice for that connection but the Constitution. When the question, however, should be brought to so nice a point, as to make it a matter of appeal to Gentlemens decision, which they would sacrifice, the Constitution of the country, or its connection with Great Britain? melancholy as it would be for him to pronounce the alternative, he must choose to retain the Constitution. On that ground he had opposed the introduction of the Bill. His Right Hon. Friend, he observed, he observed, had thrown out a challenge, which if any man could maintain and defend, he was ready to admit, his Right Hon. Friend could, because he had more ability and legal knowledge than fell to the share of most men; but he should imagine, even his Right Hon. Friend, with all his advantages, would find no small degree of difficulty to keep his ground on such a cause of contest.—Would his Right Hon. Friend undertake, as a Lawyer, to prove that the fourth Proposition did not amount to a transfer of the constitutional right of Legislation. Could it be called Freedom to be obliged to agree to laws enacted by another Legislature? Did it not take away the power of deliberation, and substitute adoption?—Mr. *Grattan* was proceeding to prove, in argument, that this extended to the trade of Ireland *in toto*, when being, by gesture, contradicted from the Treasury Bench, he said, if, finding one hundred and ten Members against his Bill, as he had stated it in his opening, the Right Hon. Gentleman had changed any part of it, possibly his argument might not apply.

Mr.



Mr. *Orde* rose to assure the Right Hon. Gentleman, that he had not made the smallest alteration. The Bill stood, word for word, as he had opened it to the House on Friday.

Mr. *Grattan* rose again, and pledged himself, if ever such a bill was produced as the Right Hon. Gentleman had on Friday stated, to make it appear to the satisfaction and conviction of the House that it could not be carried into effect as an operative law, without laying the Constitution of Ireland at the feet of Great Britain. Right Hon. Gentlemen had said, in argument, what was neither logic nor fact. They had stated what no young man of the College would have taken as fair reasoning. They had argued from the particular instance to the general case. This no raw student would have attempted as logical. Besides, the fact laid down as the ground of their argument had been false. It was an argument for slavery, a mode of argument, the most foolish that had ever stained the lips of a Statesman. They were to extend the principles on which they traded to the Colonies to their foreign trade. [Upon this a cry of *No! No!*] from the Treasury Bench, whereupon Mr. Grattan read a part of one of the clauses of the Bill, to prove the truth of his argument. After which he said, that to argue upon the subject in the manner that the House had heard, was to argue from the trade properly the trade of Great Britain, to the trade of all the world. It was taking it for granted, that either quarter belonged equally to Great Britain. It was setting her up as one immense proprietor of the globe. The Bill, Mr. Grattan said, regulated their trade universally with Portugal, with Spain, with all the world. Why should they bind themselves to such a sweeping system of regulation? They could have foreign trade without entering into the measure. As to foreign trade, England gave them no right they did not before possess. As to Colony trade, she gave what they had before, on the former condition, that they gave the Colony trade a preference in their market. Mr. Grattan reasoned for some time on this point, renewing and illustrating parts of his argument of Friday. He also applied some general reasoning, in the course of which he charged the Gentlemen with inconsistency, and declared they argued without ground of probability. Ireland, he said, was neither in that state of abject misery and distress that it had been described, nor would it be in the power, either of the present, or of any other system, suddenly to make it affluent and prosperous.

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The fact was, Ireland was neither wholly dependent on Great Britain, nor could she well do without her. Both countries derived an mutual share of advantage from the connexion, and neither could well exist without the other. But he would advise them to remain as they were, and to keep the Colony trade on its present footing, and not bind their foreign trade in the manner proposed; for, under a pretence of giving a preference to the British Colonies, they were called on to bind their trade to the East Indies, and to favour a monopoly; and, in return, to get the reversion of the East India trade, after the Company's charter expired; after the expiration of a charter, which the Minister's existence depended upon preserving and rendering perpetual! Mr. Grattan enlarged upon this, and said, before they departed, he thought it incumbent on him to enter his protest against the resurrection of so inauspicious a Bill.

Right Hon. *Chancellor of the Exchequer*. I rise to state the misconception of the Right Hon. Gentleman, and if any thing can shew the necessity of curing the people of their infatuation, by publishing and explaining the Bill to them, it surely is this, that a Gentleman to whom they look up, and justly look, as one whose wisdom and virtue will guard their rights, is so very much mistaken.

The Right Hon. Gentleman in his argument has never once adverted to the Bill on your table, but draws all his conclusions from arguments raised by his own imagination, on the British Resolutions. He dwells now only on foreign Colony trade and Navigation laws; the accepting a full participation of the British Colony trade, upon terms of equal laws, he gives up as not altering our constitution, and he even agrees in the innocence of our declaring it as a principle of the treaty. In this he has shewn his wisdom, for it is already declared in the law of Ireland. The objection then stands as to a foreign Colony trade, and what says the Bill, it declares it to be a condition of the treaty, to protect that trade, in the same manner as Britain does, against the interference of foreign Colony goods. It enacts nothing, and there is the mighty evil which we have introduced, that is to give to Britain the regulation of all our foreign trade with Portugal, with Spain, with all the world. If the Gentleman so egregiously mistakes the purport of what he has not read,



read, I trust the good sense of the nation will see his mistakes and judge for themselves; but the objections to an agreement of rating only the goods from foreign Colonies, so far only as by protecting our Colonies against them, is not so wonderfull from him, as his objection to the Bill's affecting Navigation and British seamen in general; from him I say, for in the year 1782 the Right Hon. Gentleman introduced, in conjunction with the late Chief Baron Burgh, and the present Chief Baron Yelverton, a Bill, adopting in the gross all such clauses and provisions of the laws theretofore passed in England, as conveyed equal benefits and imposed equal restrictions in commerce, in the most extended sense, to the subjects of both countries, and also putting the seamen of Ireland on the footing of British seamen. [*The Chancellor here read the words.*] The Bill now brought in does not go so far; he went to commerce in general, and adopted laws without reference to them, or even reciting their title. What does this Bill do? it declares with him the principle, it does no more. This Bill declares for a *similarity of laws, manners and customs*, in toto. Our Bill declares for a similarity of Navigation laws, on our accepting the benefit of the British, not for the first time offered to us. It is idle to believe, even his authority can have weight in such unfounded objections; nay, *our* Bill reaches *his*, to adopt its principles, and he says ours is mischievous; his was the glory of the nation and the joint labour of the greatest friends of liberty.

The Right Hon. gentleman says, "we might have foreign trade without entering into the measure, and that England, as to foreign trade gives us no right which we already have not." As to Colony trade, he says, "she gives us what we had before, on the former conditions, that we give her Colony product a preference in our market, and therefore, he says, cannot we remain as we now are."

With respect to the Colony Trade, I answer, we hold it by the gift of Britain, and she may repeal her act, and reassume her monopoly. As to foreign trade, I have shewn it is no way affected, except by the preference to be given to British Colony goods, against those of foreign Colonies; but why does the gentleman allude to Portugal? it is the strongest measure against him. Portugal has presumed to distinguish between the goods of Great Britain and the goods



goods of Ireland—she will not receive the latter. But if this settlement is entered into, all our goods she can have may go duty free through Britain. The distinction between British and Irish manufacture is lost as to foreign nations, our goods, are made one, physically as well as politically, in respect to foreign, and our union cemented by the freedom of intercourse.

The honourable gentleman seems, with others, to undervalue the British markets for our linens, and that if Britain shall discourage her import, they will find vent elsewhere. I will not pay him so fulsome a compliment as to say he understands commerce, his genius soars perhaps above such reading; but if he did understand it, I would ask him, where would he expect a market to favour the linens of Ireland? Where will he find a market under Heaven for that manufacture, which now brings two millions annually into the kingdom? Will Portugal take them? Will Spain take them? Will France take them? No; we know they will not. Will Russia, Germany, or Holland take them? They are your powerful rivals, and able to undersell you. Where then will you find a market, if England shuts her ports? Will you go to the West Indies?—you cannot go to the English Colonies—they will be like Britain—there you can have no admittance. The French, Spanish and Portuguese have shut their ports long since—your only market then is in the *bankrupt* States of North America, that have not money to pay their just debts, and many provinces of which, if they had the money, have not perhaps the honesty to do it.

This bankrupt country is to give you the market Britain affords. No, no; cherish the market you have, you will never get so good, she ever exports with bounty for you. And here let me observe the benefits of exporting, duty free, all our fabrics through her ports, which this settlement secures. You first found the way for your linens to foreign places through her ports, by her capitals and extent of dealing;—do not refuse the like for your other fabrics—the prosperity of the linen should teach you.

The Gentleman says England is as dependent on Ireland as Ireland is on England for her products—he instances the cotton yarn and other yarn of Ireland. What, call cotton yarn a fabric of Ireland, and an export to Britain!—It is a mistake of his expression, he cannot be so ignorant



of our manufactures. Let us look into the wants Britain supplies—I will take coals first.

Do you think it an object of no consequence to receive coals from England, for ever, duty free, while the duties on coals in England, brought from one of her own ports to another is very high. I remember when I proposed a shilling a ton on the importation of coals into Dublin only, in order to raise a fund for extending and beautifying the city, it met with great opposition. I was abused in all the news-papers, yet now England may raise four times that sum upon the export of her coals, which will fall upon the consumer, and raise a revenue for her advantage; nay were she even to raise the revenue on them to you that she does on her own coast carriage, what would become of you? You have not Irish coal; if the present bounty of 2s. a ton to Dublin, added to 1s. 8d. duty on British, which operates as 3s. 8d. in favour of Irish coal, what will you do? because no carriage can be so cheap to you as that across the channel. Rock salt is the next;—Where will you get it? (some one said from Spain) Rock-salt from Spain! The Gentleman should inform himself a little better.

As to the tanning-trade, where will you get bark? From no place in the world but England. We know that it would not bear the freight from any other, and if England was to prohibit the export of it, that trade must be at an end; and we must not forget, that the British manufacturers of leather have already complained, that by getting bark from Wales, we are enabled to work on as good terms as England.

Let him look to hops; will this country grow them? On the other hand, what wants do we supply for England? wool and linen yarn, to our own great advantage; but it is in vain to proceed; the House must see we are talking of a subject not yet understood; when known, and Ireland unprejudiced and in her calm reason, will never reject the many blessings it holds out to her trade;—it gives wealth and security which I trust will never be refused from a wild imagination of Utopian Republics, Commonwealths, Monarchies.—God knows what.

I will stand or fall with the Bill, that not a line in it touches your Constitution; it is now left to the decision of the country, it is not abandoned, God forbid it should; and I trust I shall see the nation ask it at our hands, that  
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we may be able then to obtain it shall be my prayers—the Minister cannot promise—he has done his duty—and it will be my pride at a future day, when its real value shall be known, that I bore a leading share in the transaction—that I laboured to procure for Ireland solid and substantial benefits, which even two years ago no man had an idea of even looking to.

Mr. *Grattan* said, The Right Honourable Member has spoken not like an Irish ambassador, but an English factor; he has blazoned forth the wants and weakness of his own country with a triumph; he has gone into a most offensive, cruel, and disgusting catalogue of the obligations of this country to England, and he has concealed, with an unaccountable partiality to a country which is not his own, the many and various obligations of Great Britain to Ireland—her obligations to that kingdom for a great part of her importance as a nation, in the consideration of foreign powers, her more particular obligations to that country, such as—her dependency on Ireland, with regard to linen yarn, woollen yarn, hides, and provisions. Was money nothing? Were men nothing? England gets both from Ireland. This dependency has been stated, and admitted by almost every Englishman who spoke on this business in Great Britain; but they have gone further, and expressly declared, that the British monopoly in the West, the Company's charter in the East, nay the act of navigation, depended on the Parliament of Ireland. What were the words? “The guardianship of these important considerations is left to Ireland”—these were the words of the Englishman, the contrary is the boast of the Irishman.

The Right Honourable Member has denied that this bill framed here adopts the fourth Proposition, and the fifth, which obliges us to follow England in her laws with respect to foreign plantation produce. He read his own bill, and he reads the fourth Proposition, and the fifth,—but as he has had the management to change a little the words, he conceives the public will not see the meaning,—but this is a vain experiment. He states that the Bill insists, that we should give British plantation produce *a preference*, and favour, such as England gives.—How is that to be done? By adopting British laws, such as England makes; and when he softened this covenant to adopt English acts with respect to foreign plantations, into the phrase of favour, he thinks he may stoutly deny the fact, because he is able to give a new appellation to it; thus his Right Honourable Friend, when he called Cork the medium of empire,



thought it would have removed the objection to his calling it an emporium.

Sir, the Right Honourable Gentleman seems to triumph in his knowledge of commerce, but unfortunately for the cause he espouses, this is not mere matter of detail, but of principle likewise, viz. whether you will transfer to another country the power of making laws for, and of governing the trade and navigation of Ireland. Supposing such a principle, whatever victory he conceives he obtains over me in argument, he obtains over the constitution of his country likewise, now put down as it were and disgraced by a most disgusting and groundless recital of her weakness and dependency. The Right Honourable Member mentions Lord Chief Baron Yelverton's act, in the framing of which I was concerned. The Bill of that great patriot and constitutional lawyer neither does, nor could warrant, any use the Member has made of it. We wished to pass a declaration of rights; men were alarmed about their property held under English acts; he framed that act accordingly; but in order to obtain the assent of the Minister, he was obliged to adopt and pass by reference certain English acts then existing, respecting navigation and trade, and this passing of English acts then in existence, the Right Honourable Member compares to a covenant to adopt English acts in all times to come, or rather indeed to adopt the English legislature. It is impossible that the Right Honourable Member is not aware of the fallacy and subtleness of his own argument on this subject; just so he argues, that you may take the trade of the world under British regulations, because you have adopted those regulations in the property trade of Great Britain—confounding the principles of property with the privileges of free trade, as well as the principles of logic, by arguing from the particular to the general.

I should apologize for having troubled you, and for the scattered and tiresome manner in which I have delayed you; but before I sit down, I must observe on a very improper and dangerous suggestion advanced by a Right Honourable Member, that the grant of the Plantation trade, as settled in 1779, is revocable by the British Parliament; revocable in law, I allow, but not revocable in *faith*; no law can bind the British legislature, but *faith will*. I don't believe Gentlemen have any authority from England to threaten Ireland with that revocation; will the Lord Lieutenant's Secretary say, that he is warranted by England to hold out to this country, that the repeal of the act of 1779, grant-

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ing the Plantation trade to Ireland is intended? The loss which this nation shall sustain from the failure of this injurious adjustment is by the Right Honourable Member stated as considerable—nay, he goes further and says, you will be a poor country for ever, notwithstanding *your present* privileges; I ask him how came he to be satisfied with these privileges, and to preach satisfaction to every part of the community under these privileges, and to desire the people to cultivate the blessings of peace, as if nothing was wanting to make them rich and comfortable, except absence from politicks:—His creed now is altered, and neither industry nor any thing else will make them flourish, unless they swallow that recipe which he prepared for them. I ask him again, how he will reconcile his present argument with the declarations of his own evidence in England. The government have sent to England certain persons, and one I know to be a most useful and respectable man, (the others I am not acquainted with) these persons were to give evidence at the bar of the British House of Commons, to show that Ireland could not avail herself of the British market; their evidence is published—I refer to it as published.—Thus does the Right Honourable Member send over evidence to the Parliament of England, and then falsifies his own evidence in the Parliament of Ireland.

Sir, I hope we shall never again see this Bill, or any thing like it; if ever it has a resurrection, I will attend it with unaltered *abhorrence*. The aversion entertained against it is not infatuation,—there is much public indignation; but no public infatuation.

The House beginning to be clamorous for the question, Mr. Oglivie said, I must beg leave to trouble the House with a few words that they may not go away under the false impression that a Right Honourable Gentleman (Mr. Foster) has endeavoured to give them of the *Act of Free Trade*, by stating that Great Britain had a right to resume that grant at her pleasure; I have already contradicted that construction of the Act, and I now repeat it, that the duration of the Act depends entirely on Ireland, as it is expressly declared by the Act, that *it shall have continuance so long as the conditions are complied with by Ireland*.—I deny therefore, in the fullest manner, that Great Britain has any *right* to repeal the Act of 1780, I acknowledge indeed that she has the *power*, which is the *Russian's right*, the *right of violence and injustice*; the exercise of which  
never



never ought to be admitted as a possible case in the conduct of Great Britain towards Ireland. And yet without such a supposition, the boasted advantages that are said to be insured to Ireland by this system will not bear examining. Great Britain exports coals to Holland and France, and the tax might be so managed as not to be so injurious to this kingdom as to the British coal owners, if Ireland should ever be treated, in this article as a foreign state.—Hops she could have better and cheaper from Flanders, and malt she ought to prohibit, bark she might have from France where it is cheap and plenty; and bay salt from St. Ubes. But questions are sometimes best answered by other questions: Where could Great Britain get linen and bay yarn, hides, &c. &c. to supply her manufactures, provisions to feed her islands and fleet, money to maintain the Irish absentees pensioners and annuitants that live with her, and to pay the army that Ireland keeps for her, and men to fight her battles by sea and by land. All such arguments, however, can never be admitted, except on the supposition of mutual injury and hostility, and it is singular enough that such arguments have been advanced only by ministers and servants of the crown, who certainly ought not to have been the foremost in stating cases of injustice, hostility and separation. Ireland certainly receives great benefit from the encouragement given by Great Britain to her linen manufacture, it would be a folly not to acknowledge it; and madness not to continue it, she repays this encouragement by fidelity and affection, exerted always beyond her abilities, attached to her Sovereign and British connexions, attached passionately to her constitution that she conceives strengthened by these connexions, she may be rendered a blessing or a curse. A regard for the public happiness prevents me from pushing the suppositions of ministers into a view of consequences, which no real friend to his King and Country ought to have glanced at, both countries have much to lose and little to gain, on the event of such rash and desperate suppositions: and I hope the good sense, the moderation and mutual interests of both kingdoms will defeat every measure calculated to divide them, whether planned by hostility and design, or originating in ignorance and incapacity.

The question was here again loudly called for, when Mr. Flood rose and declared, he would not detain the House a minute, as he had but a word or two to say. In fact, he



he said the debate was at an end three hours ago, for it was so long since he had consented to relinquish his resolution, but that Gentlemen on the other side of the House, to what end or from what motive he was at a loss to imagine, had thought proper to continue the debate. He had never heard, he said, more mischievous or more inflammatory language than had been held that evening, nor more *saucy* *folly*—

The *Chancellor of the Exchequer* called Mr. Flood to Order, and moved that his words might be taken down, declaring that he did not understand such an expression.

This occasioned some little confusion, when the *Chancellor of the Exchequer*, in order to restore the harmony of the House, and to conciliate both sides of it, contented to withdraw his motion for taking down Mr. Flood's words.

Mr. Flood, however, cheered and encouraged by his side of the House, said, "let the Right Hon. Gentleman take down my words, if he pleases; I do not retract my expression, I am ready to maintain and defend it."

The *Chancellor* nevertheless forebore to urge his motion.

About this time, the Speaker complained to the House of being very much indisposed. The call for the question was thereupon loudly echoed, but,

Mr. Flood again presented himself to the Chair, which gave rise to a cry from the Treasury Bench side of the House of *spoke! spoke!*

This occasioned a dispute about the question of Order which was chiefly managed by the Chancellor of the Exchequer, Sir Henry Cavendish, Sir Lucius O'Brien, and Mr Flood.

The *Chancellor of the Exchequer* contended that no Gentleman had a right to speak more than once to a question unless he rose to speak in explanation.

Sir *Henry Cavendish*, on the other hand, declared the Chancellor of the Exchequer totally mistaken and ill-founded in the doctrine of order that he had laid down. The rule of order, Sir *Henry* said, was when the question before the House was the question of adjournment, every Member had a right to rise and speak to it as often as he thought proper.

Several Gentlemen rose to deliver their opinions on the point in dispute, but, there being a loud call for Sir Lucius O'Brien,

Sir,



Sir *Lucius* rose and declared, he had not entertained the least idea of rising to take part in the controversy, but hearing his name so loudly called upon, he had been obliged to rise. The matter in contest, Sir *Lucius* said, he thought was easy to be settled. A question of adjournment was always moved with a view to shorten the Debate; it appeared therefore to him absurd in the extreme, that any rule of order should be established for a Debate on such a question, which, instead of shortening, must inevitably tend to lengthen the discussion. Of course, his opinion was, that no Gentleman had a right to speak more than once on a question, unless he rose to explain.

The question was put, and the House adjourned till the fifth of September.

E R R A T U M.

The following, which is the concluding part of Mr. Rowley's Speech, and should have appeared p. 137, was by accident omitted.

\* “ Especially as he considered the fourth Resolution to diminish, if  
 “ not to take away, the legislative authority of the Parliament of Ireland,  
 “ and to enforce them to adopt laws to be made by another nation,  
 “ without their deliberation; which appeared to him only to enable  
 “ them to register *acts* formed by another country; which though the  
 “ commercial arrangement proposed, might bring millions of wealth,  
 “ which he had not sufficiently considered to judge of, he could never  
 “ consent to, with the loss of constitutional liberty.—Notwithstanding  
 “ what he had said, he must do the justice to the Right Hon. Gentleman  
 “ who introduced the Bill. to acknowledge, that, in his opinion, he  
 “ had behaved with great honesty, candour and propriety in the manner  
 “ of bringing it forward; and that he was convinced, their present Chief  
 “ Governor, for whom he had the most unfeigned, and utmost respect,  
 “ had the best intentions for the interest of both nations; which he  
 “ hoped might be brought about by the wisdom of the two countries, for  
 “ the equal and mutual advantage of each. He could adduce stronger  
 “ arguments in support of his opinion, but at that late time of the debate,  
 “ and at so late an hour, he said, he should not trouble the House further.”

F I N I S



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B I L L

F O R

Effectuating the Intercourse and Commerce between Great Britain and Ireland, on permanent and equitable Principles, for the mutual Benefit of both Kingdoms.

*(Moved for in the House of Commons of Ireland by the Right Hon. THOMAS ORDE, on Friday, August 12, and presented by him on Monday, August 15, 1785.)*

**W**HEREAS it is highly important to the general interests of the British Empire, that the trade between Great Britain and Ireland should be encouraged and extended as much as possible ; and for that purpose, that the intercourse and commerce between the said kingdoms should be now finally regulated and settled on permanent and equitable principles, for the mutual benefit of both ;

THEREFORE, in order to effectuate the said intended settlement.

BE it declared, by the King's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and temporal, and Commons, in this present Parliament assembled, that it shall be held and adjudged to be a fundamental and essential condition of the present settlement, that no prohibition shall exist in either of the kingdoms of Great Britain or Ireland against the importation, use or sale of any article of the growth, produce or manufacture of the other of the said kingdoms, except such as are hereinafter excepted.

AND be it therefore enacted, by the authority aforesaid, that no prohibition shall exist in this kingdom after the commencement of this act, on the importation, use or sale of any article of the growth, produce or manufacture of Great Britain, except such as now exist or may hereafter exist against the importation of corn, meal, malt, flour and biscuit ; and also except such qualified prohibitions as do not absolutely prevent the importation of goods or manufactures, or materials of manufacture, but only regulate or prescribe the tonnage or dimensions, or built, or country of the ships or vessels in which the same may be imported ; or regulate or prescribe the weight, size or quantity of the article to be therein imported, or the packages in which the same may be contained, or regulate or prescribe other circumstances relative thereto ; and also, except prohibitions

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restraining the importation for sale of ammunition, arms, gunpowder, and other utensils of war, unless by virtue of his Majesty's license; and also, except such prohibitions as may be necessary for protecting the copyrights of authors and bookellers, the engraved property of engravers, and of the venders of prints and maps, and all other exclusive rights and privileges which are or may be secured in this kingdom for the encouragement of new inventions to bodies corporate or individuals, by acts of Parliament, grants from the crown, or otherwise.

AND be it declared, by the authority aforesaid, that it shall be held and adjudged to be a fundamental and essential condition of the present settlement, that in all cases in which there is a difference between the duties on articles of the growth, produce or manufacture of Great Britain when imported into Ireland, and the duties on the same articles of the growth, produce or manufacture of Ireland when imported into Great Britain, the duties on such articles should be reduced in the kingdom where they are highest to an amount not exceeding the duties which were payable in the other on the 17th day of May, 1782; so that in every case in which any article was charged with a duty on importation into Ireland, of 10l. 10s. per centum or upwards, on the 17th day of May, 1782, the amount of the said duties, so reduced, shall not be less than the said duty of 10l. 10s. per centum; and that all articles which are now importable duty free into either kingdom from the other, shall hereafter be imported duty free into each kingdom from the other respectively.

BE it therefore enacted, by the authority aforesaid, that it shall be lawful to import into this kingdom all goods of the growth, produce or manufacture of Great Britain, except as herein excepted, subject to such rates and duties as aforesaid, to be fixed and ascertained in the manner to be herein-after directed.

AND be it declared, by the authority aforesaid, that it shall be held and adjudged to be a fundamental and essential condition of the present settlement, that in all cases in which the articles of the consumption of either kingdom shall be charged with an internal duty on the manufacture, such manufacture, when imported from the other, may be charged with a further duty on the importation adequate to countervail the duty on the manufacture; and that in all cases in which there shall be a duty in either kingdom on the raw material of any manufacture, such manufacture may on its importation from the other kingdom, be charged with such a countervailing duty as may be sufficient to subject the same to burthens adequate to those to which such manufacture is subject, in consequence of such duties on such raw materials, in the kingdom into which such manufacture may be so imported; and that in all cases in which a bounty shall be given in either kingdom on any articles manufactured therein, which shall remain on such articles when exported to the other, such articles may be charged with a further duty in the kingdom into which they shall be imported, sufficient to countervail such bounty remaining thereon.

PROVIDED always, that the duty to be imposed on manufactured salt im-



imported into any part of Great Britain, in order to countervail the internal duty thereon, may be computed according to the rate of the internal duty payable thereon in England.

AND be it declared and enacted, by the authority aforesaid, that it shall be held and adjudged to be a fundamental and essential condition of the present settlement, that no new or additional duty or duties shall be hereafter imposed in either kingdom on the importation of any article of the growth, produce or manufacture of the other, except such countervailing duties as may from time to time be imposed, as herein before provided, in consequence of any internal duty on the manufacture, or of any duty on the raw material of which such manufacture is composed, or of any bounty given on any goods manufactured in the other kingdom, and remaining on such goods when exported therefrom; and that such countervailing duties to be imposed as aforesaid shall continue so long only as the internal consumption shall be charged with the duty or duties on the manufacture or raw material which such duty so imposed shall have been intended to countervail, or so long as such article shall retain on exportation from the other kingdom the bounty which such duty so imposed shall have been intended to countervail.

AND be it declared, by the Authority aforesaid, that it shall be held and adjudged to be a fundamental and essential condition of the present settlement, that no new prohibition or new or additional duty shall hereafter be imposed in either kingdom on the exportation of any articles of native growth, produce or manufacture to the other, except such as either kingdom may deem expedient from time to time, upon corn, meal, malt, flour and biscuit.

PROVIDED always, and it is hereby declared, by the authority aforesaid, to be a fundamental and essential condition of the present settlement, that when any article of the growth, produce or manufacture of either kingdom shall be prohibited by the laws of such kingdom to be exported to foreign countries, the same article, when exported to the other kingdom, shall be prohibited to be re-exported from thence to any foreign country.

AND be it declared, by the authority aforesaid, that it shall be held and adjudged to be a fundamental and essential condition of the present settlement, that no bounties whatever should be paid or payable in either kingdom on exportation of any article to the other, except such as relate to corn, meal, malt, flour, and biscuit, and except also the bounties at present given in Great Britain on beer and spirits distilled from corn, and except such as are or shall be in the nature of drawbacks, or compensations for duties paid.

BE it therefore enacted, by the authority aforesaid, that all bounties now payable in this kingdom by virtue of any act or acts of parliament on the exportation of any article to Great Britain, shall cease and determine, and be no longer paid or payable from and after the commencement of this act, except any bounties which relate to corn, meal, malt, flour and biscuit, and except such as are in the nature of drawbacks, or compensations for duties paid.

AND be it declared, by the authority aforesaid, that it shall be held and adjudged



adjudged to be a fundamental and essential condition of the present settlement, that all articles of the growth, produce or manufacture of Great Britain or Ireland should be exportable from the kingdom into which they shall be imported from the other, as free from duties as similar commodities of the same kingdom, and shall be entitled to such drawbacks or bounties on exportation from the kingdom into which they shall have been so imported, as may leave the same subject to no heavier burthens, in consequence of the duties on importation, than the like articles of the growth, produce or manufacture of the kingdom into which they shall have been so imported.

PROVIDED always, and it is hereby declared, by the authority aforesaid, to be a fundamental and essential condition of the present settlement, that when any article of the growth, produce or manufacture of either kingdom shall be liable in such kingdom to any duty on being exported to any foreign country or countries, the same article, if it shall have been imported from such kingdom into the other, shall, on exportation from such other kingdom to any foreign country or countries, pay the same duties as it would have been liable to on exportation from the kingdom of its growth, produce or manufacture, to such foreign country or countries; and that when any article of the growth, produce or manufacture of either kingdom shall be prohibited by the laws of the said kingdom to be exported to any foreign country or countries, the same article, if it shall have been imported from such kingdom into the other, shall be prohibited to be exported from such other kingdom to such foreign country or countries to which it may be prohibited to be exported from the kingdom of its growth, produce or manufacture.

BE it therefore enacted, by the authority aforesaid, that all articles of the growth, produce or manufacture of Great Britain, imported into Ireland, shall be entitled to such freedom or exemption from duty, and to such drawbacks, or bounties in the nature of drawbacks, on exportation from Ireland to any place or country whatever, as may render them subject, on such exportation, to no heavier burthen than the like articles of the growth, produce or manufacture of Ireland are or may be subject to on exportation therefrom to the same places or countries respectively, except such articles of the growth, produce or manufacture of Great Britain which are or shall be at any time hereafter subject to duty on being exported from that kingdom to any foreign country or countries, which articles shall be made subject to the same duty or duties on being exported from this kingdom to such foreign country or countries as they are or may hereafter be subject to on being exported from Great Britain to such foreign country or countries.

AND be it enacted, by the authority aforesaid, that all articles of the growth, produce or manufacture of Great Britain, which are or may hereafter be prohibited by the laws of that kingdom to be exported to any foreign country or countries, shall, after importation into this kingdom, be prohibited to be re-exported from this kingdom to such foreign country

or



or countries to which they are or may hereafter be prohibited to be exported from Great Britain.

AND whereas, in order to ascertain the duties, exemptions from duties, qualified prohibitions, bounties and drawbacks which may take place, as aforesaid, on the importation of the articles of the growth, produce or manufacture of either kingdom into the other, or on the exportation of the articles of the growth, produce or manufacture of either kingdom from thence to the other, or on the exportation of the articles of the growth, produce or manufacture of either kingdom from the other to any foreign countries, it is expedient that proper persons be appointed in each kingdom to prepare a schedule or schedules thereof, to be laid before the parliaments of both kingdoms, for their consideration and approbation :

BE it enacted, by the authority aforesaid, that

shall, and they, or any or more of them, are hereby authorized and empowered to meet, confer and consult, touching the formation of such schedule or schedules as aforesaid, or any particulars relative thereto, with any person or persons who may be appointed for the like purpose by virtue of any act of the parliament of Great Britain.

AND be it enacted, by the authority aforesaid, that the said

or any or more of them shall, and they are hereby required to lay, with all convenient speed, such schedule or schedules, and a report of their proceedings relative to the formation thereof, before the House of Commons of Ireland.

AND be it enacted, by the authority aforesaid, that the said

or any or more of them shall, and they are hereby empowered to examine upon oath any persons whatever who shall be willing to be so examined, touching any matters relative to the formation of the said schedules.

AND be it further enacted, that the said

shall, on or before the day of take and subscribe the following oath before the Chancellor of his Majesty's Exchequer, or before any one of the Barons of the Court of Exchequer, viz.

*I, A. B. do swear, that as a commissioner appointed by virtue of an act, intitled, , I will, to the best of my judgment and ability, faithfully and impartially discharge the trust thereby reposed in me, without favor or affection to any person or persons whatever.*

So help me God-

AND be it declared, by the authority aforesaid, that it shall be held and adjudged to be a fundamental and essential condition of the present settle-



settlement, that all articles not the growth, produce or manufacture of Great Britain or Ireland, except those of the growth, produce or manufacture of any countries beyond the Cape of Good Hope to the Streights or Magellan, during such time as the trade to the said countries shall continue to be carried on by an exclusive company having liberty to import into the port of London only, shall be imported into each kingdom from the other reciprocally, under the same regulations, and at the same duties, if subject to duties, to which they would be liable when imported directly from the country or place from whence the same may have been imported into Great Britain or Ireland respectively, as the case may be :

BE it therefore enacted, by the authority aforesaid, that it shall and may be lawful to import from Great Britain into Ireland, in ships navigated according to law, all goods not the growth, produce or manufacture of Great Britain or Ireland, under the same regulations, and at the same duties to which such goods would be liable in this kingdom when imported directly from the country or place from whence the same may have been imported into Great Britain.

AND be it declared, by the authority aforesaid, that it shall be held and adjudged to be a fundamental and essential condition of the present settlement, that all duties originally paid on the importation into either kingdom respectively, of goods not the growth, produce or manufacture of Great Britain or Ireland, shall be fully drawn back within a limited time on the exportation thereof from one kingdom to the other, except on the exportation to Ireland from Great Britain of arrack, foreign brandy and foreign rum, and all sorts of strong waters not imported from the British colonies in the West Indies ; and except such duties as may be retained to be accounted for as herein-after provided, on articles exported from Great Britain to Ireland, being the growth, produce or manufacture of the countries beyond the Cape of Good Hope to the Streights of Magellan.

BE it therefore enacted, by the authority aforesaid, that all duties originally paid or secured on the importation into this kingdom of any goods or commodities not being the growth, produce or manufacture of Great Britain, shall be fully drawn back, or the security for the same discharged, on exportation thereof to Great Britain within three years after the importation thereof into this kingdom.

PROVIDED always, and be it enacted, by the authority aforesaid, that no such drawback shall be paid, or security discharged, until a certificate from the proper officer of the revenue in Great Britain, stating the due entry and landing of such articles, shall be returned and delivered to the proper officer of the port from whence the same shall have been exported, and until the several other particulars by law required in the case of drawbacks shall have been duly observed.

AND WHEREAS by an act passed in this kingdom in the twenty-first and twenty second years of his Majesty's reign, entitled an act for extending certain of the provisions contained in an act, entitled an act confirming all the statutes made in England, reciting " that it is the earnest and  
" affectionate



“ affectionate desire, as well as the true interest of his Majesty’s subjects  
 “ of this kingdom, to promote as far as in them lies the navigation,  
 “ trade and commercial interests of Great Britain as well as Ireland, and  
 “ that a similarity of laws, manners and customs must naturally conduce  
 “ to strengthen and perpetuate that affection and harmony which do, and  
 “ at all times ought to subsist between the people of Great Britain  
 “ and Ireland,” it is enacted, that all such clauses and provisions con-  
 tained in any statutes theretofore made in England or Great Britain,  
 concerning commerce, as import to impose equal restraints on the subjects  
 of England and Ireland, and to entitle them to equal benefits; and also  
 all such clauses and provisions contained in any statute made as aforesaid,  
 as equally concern the seamen of England and Ireland, or of Great Britain  
 and Ireland, save so far as the same have been altered or repealed, should  
 be accepted, used and executed in this kingdom, according to the present  
 tenor thereof respectively :

IN order, therefore, to carry into further effect the earnest and affection-  
 ate desire of his Majesty’s subjects in this kingdom to promote the naviga-  
 tion, trade and commercial interests of both kingdoms, and in order to  
 provide for securing to the subjects of both a full and equal enjoyment in  
 all times to come of the exclusive privileges of the trade and navigation of  
 the empire,

BE it declared, by the authority aforesaid, that it shall be held and ad-  
 judged to be a fundamental and essential condition of the present settlement,  
 that all privileges, advantages and immunities which are now or may  
 hereafter be enjoyed by ships built in Great Britain, or by ships belonging  
 to his Majesty’s subjects residing in Great Britain, or by ships manned by  
 British seamen, or by ships manned by certain proportions of British sea-  
 men, shall to all intents and purposes whatever be enjoyed in the same  
 manner, and under the same regulations and restrictions respectively by  
 ships built in Ireland, or by ships belonging to his Majesty’s subjects re-  
 siding in Ireland, or by ships manned by Irish seamen, or by ships manned  
 by certain proportions of Irish seamen; and that all laws which shall  
 hereafter be enacted by the parliament of Great Britain for securing exclu-  
 sive privileges, advantages and immunities to the ships and mariners of  
 Great Britain, and of the British colonies, settlements and plantations,  
 shall secure the same privileges, advantages and immunities, in all respects,  
 and in as full and ample manner, to the ships and mariners of Ireland, as  
 to the ships and mariners of Great Britain, and of the British colonies,  
 settlements and plantations; and that the like exclusive privileges shall  
 from time to time be confirmed and secured in the same manner, and un-  
 der the same restraints and regulations, in this kingdom as in Great  
 Britain, to the ships and mariners of Great Britain, Ireland, and the British  
 colonies, settlements and plantations.

AND be it declared, that it shall be held and adjudged to be a funda-  
 mental and essential condition of the present settlement, that Irish sail  
 cloth shall be deemed British within the meaning of every act respecting  
 the furnishing of ships therewith, and be entitled to equal preference or ad-  
 vantage as British, for the use of the British navy.

AND be it further declared and enacted, that it shall be held and adjudg-  
 ed



ed to be a fundamental and essential condition of the present settlement, that the people of this kingdom now, and at all times to come, shall have the benefit of trading to and from the British colonies and plantations in the West Indies and America, and to and from the British settlements on the coast of Africa, and in all articles of their growth, produce or manufacture, in as full and ample manner as the people of Great Britain; and shall likewise have the benefit of trading in the like ample manner to and from all such colonies, settlements and plantations which Great Britain may hereafter acquire or establish; and also to and from such British settlements as may exist in the countries beyond the Cape of Good Hope to the Straights of Magellan, whenever the commerce to the said countries shall cease to be carried on by an exclusive company having liberty to import into the port of London only; and therefore that the commerce to and from the said colonies, settlements and plantations, shall at all times be carried on between Ireland and the said colonies, plantations and settlements, under the like regulations, restrictions and prohibitions as between Great Britain and the said colonies, plantations and settlements; and so that all articles imported from the said colonies, plantations and settlements into Ireland, shall be made subject to the same duties as the like articles are, or from time to time shall be subject to on importation into Great Britain; and that all articles exported from Ireland to any of the said colonies, plantations and settlements, may be made liable to such duties, and entitled to such drawbacks only, and put under such regulations as may be necessary, in order that the same may not be exported with less duties or impositions than the like articles shall be burthened with when exported from Great Britain; and that the importation of the articles of the growth, produce or manufacture of the said colonies, plantations and settlements in America, the West Indies, and the coasts of Africa, shall be favoured by this kingdom in as full and ample a manner as by Great Britain, against the interference of similar articles from foreign colonies; and that the importation of such articles of the growth, produce or manufacture of any British colonies or settlements beyond the Cape of Good Hope to the Straights of Magellan, shall be favoured in like manner as by Great Britain against the interference of similar articles from any countries beyond the said Cape to the said Straights.

AND be it therefore enacted, that such persons to be appointed as aforesaid, shall prepare a like schedule or schedules of such duties, prohibitions and regulations as may now be necessary for the said purposes respecting the British colonies and plantations, the West Indies and America, and the British settlements on the coast of Africa, to be laid before the House of Commons of this Kingdom in the next session of Parliament, or as soon as conveniently may be.

PROVIDED always, and it is hereby declared and enacted, that it is not essential to, nor is intended by the present settlement, that any duty should at any time be imposed on the exportation of linens or provisions from this kingdom to any British colony, plantation or settlement, or any additional duty on the importation into this kingdom of rum from any such colony, plantation or settlement, or of any material of manufacture  
which



which is now or may hereafter be allowed to be imported duty free into either kingdom.

AND be it declared, that it shall be held and adjudged to be a fundamental condition of the present settlement, that all rum, peltry, whale-fins or oil imported from the countries belonging to the United States of America, or as the produce of fisheries carried on by the subjects of the said States, shall be made subject to the same duties, on importation into this kingdom, as the same are or may be subject to on importation in like manner into Great Britain.

AND be it therefore enacted, that the persons to be appointed as aforesaid, shall prepare a schedule or schedules of such duties as may be now necessary to be imposed for that purpose, and lay the same before the House of Commons of this kingdom on the first day of the next session of Parliament, or as soon as conveniently may be.

PROVIDED always, and it is hereby declared and enacted, that it is not intended by this present settlement, that any duty or prohibition on any article of the growth, product or manufacture of any foreign colony; or on any rum, oil, peltry or whale-fins of any of the States of North America, should be imposed until the expiration of four months, if the Parliament of Ireland shall be then sitting, and shall continue to sit for four months next ensuing, without being prorogued or dissolved; or in case the Parliament shall not be then sitting, or shall not continue to sit for four months without being prorogued or dissolved, then within four months after the commencement of the next ensuing session of Parliament,

AND be it also declared, by the authority aforesaid, that it shall be held and adjudged to be a fundamental and essential condition of the present settlement, that no bounties should be payable in Ireland on the exportation of any article to any of the British colonies or plantations in America, or in the West Indies, or to the British settlements on the coast of Africa, or in the East Indies, or on the exportation of any article imported from the British colonies or plantations in America, or in the West Indies, or from the British settlements on the coast of Africa, or in the East Indies, or of any manufacture made of such article, unless in cases where a similar bounty is payable in Great Britain on exportation from thence, or where such bounty is merely in the nature of a drawback, or compensation of or for duties paid over and above any duties paid in Great Britain.

AND be it declared, by the authority aforesaid, that it shall be held and adjudged to be a fundamental and essential condition of the present settlement, that when any goods of the growth, produce or manufacture of the British West India Islands, or any other of the British colonies or plantations, shall be imported into this kingdom from Great Britain, such original certificate of the revenue officer or officers of the said colonies respectively as shall be required by law on importation into Great Britain, shall be delivered to the collector of the port where the same shall be imported into this kingdom; and if the whole quantity of such goods included in one certificate shall not be imported at one time, then such original certificate, properly endorsed as to quantity, shall be delivered with the first parcel; and to indentify the remainder, if exported within



three years, new certificates from the proper officer of the port in Great Britain, extracted from the registry there, of the original documents, specifying the quantities before exported from Great Britain, by what vessels and to what ports, shall be delivered to the collector of the port where the same shall be imported, under pain of forfeiting all such goods so imported without such certificates respectively.

BE it therefore enacted, by the authority aforesaid, that when any ship or vessel shall arrive from any port or place in Great Britain at any port in this kingdom laden with any goods the growth, produce or manufacture of the British West India islands or any other of the British colonies or plantations, no such goods shall be admitted to be imported into this kingdom unless accompanied with such original certificates of the revenue officers in the said colonies as shall be required by law on importation into Great Britain from the said colonies or plantations respectively, under such regulations, restrictions, penalties and forfeitures as the like goods are subject to on importation into Great Britain from the said colonies and plantations respectively, or unless when the whole quantity included in one certificate shall not be shipped at any one time, the original certificate, properly endorsed as to quantity, shall have been sent with the first parcel, and the remainder shall have been shipped within three years, and shall be accompanied with new certificates granted by the proper officers of the ports in Great Britain, extracted from a registry of the original documents, specifying the quantities before shipped from thence, by what vessel and to what port.

AND be it declared, that it shall be held and adjudged to be a fundamental and essential condition of the present settlement, that so long as the commerce between Great Britain and the countries beyond the Cape of Good Hope to the Straights of Magellan shall continue to be carried on solely by an exclusive company having liberty to import into the port of London only, no goods of the growth, produce or manufacture of the said countries shall be imported into this kingdom from any other place than from Great Britain, except dye stuffs, drugs, cotton or other wool and spiceries, and except such goods as are now or hereafter may be importable into Great Britain from any other place than the said countries, which goods shall be importable into this kingdom from the same countries from which they may be importable into Great Britain, and under the same duties and regulations to which they shall be subject on such importation into Great Britain.

BE it therefore enacted, that so long as the commerce between Great Britain and the countries beyond the Cape of Good Hope to the Straights of Magellan shall continue to be carried on solely by an exclusive company having liberty to import into the port of London only, no goods of the growth, produce or manufacture of the said countries shall be imported into this kingdom from any other place than from Great Britain, except dye stuffs, drugs, cotton or other wool and spiceries, and except such goods as may now or hereafter may be importable into Great Britain from any other place than the said countries, which goods shall be importable into



into this kingdom from the same countries from which they may be importable into Great Britain, and under the same duties and regulations to which they shall be subject on such importation into Great Britain, under penalty of forfeiting all such goods, and the ship or vessel in which the same shall be imported, with all her guns, tackle, furniture and ammunition.

PROVIDED always, and it is hereby declared, that it shall be held and adjudged to be a fundamental and essential condition of the present settlement, that no prohibition shall exist or be laid in Great Britain on the exportation of any goods of the growth, produce or manufacture of the said countries from Great Britain to Ireland, and that all duties paid on importation thereof shall be drawn back in Great Britain on such exportation, or that such part of the said duties as shall be retained shall be accounted for and remitted to the revenue of this kingdom.

AND be it declared, that it shall be held and adjudged to be a fundamental and essential condition of the present settlement, that all goods of the growth, produce or manufacture of Ireland, whether exported from Ireland or from Great Britain, shall be deemed British goods within the meaning of any obligation in any statute or charter of such exclusive company, to export any quantity or value of British goods annually, or otherwise, so as effectually to allow the exportation of such goods by the said company from this kingdom, and from Great Britain, and that such exportation shall be for so much a performance of such obligation; and that all ships freighted by the said company shall be at liberty to touch at any of the ports of this kingdom, and to take on board any goods, whether native or foreign, which the said company are or shall be permitted to export from Great Britain.

AND be it declared, that it shall be held and adjudged to be a fundamental and essential condition of the present settlement, that so long as the said trade shall be carried on by such an exclusive company, having equal liberty to carry out to the said countries from this kingdom as from any part of Great Britain all goods, whether of foreign or native produce, no ships shall be allowed to clear out from this kingdom for any of the said countries but such as shall be freighted by such company, and shall have sailed from the port of London, and except such foreign ships as might by any law now or hereafter to be in force clear out for foreign settlements in the said countries from Great Britain, which ships shall be allowed to clear out in the same manner as is or shall be allowed from Great Britain.

BE it therefore enacted, by the authority aforesaid, that so long as the said trade shall be carried on by such an exclusive company having equal liberty to carry out to the said countries from this kingdom any goods, whether of foreign or native produce, which may be carried out to the said countries from Great Britain, no ships shall be allowed to clear out from this kingdom for any of the said countries but such as shall be freighted by such company, and except such foreign ships as might by any law now or hereafter to be in force clear out for foreign settlements in the said countries



tries from Great Britain, which ships shall be allowed to clear out from this kingdom in the same manner as is or shall be allowed from Great Britain.

AND be it further declared, that it shall be held and adjudged to be a fundamental and essential condition of the present settlement, that all goods which may be exported from this kingdom to the countries beyond the Cape of Good Hope to the Streights of Magellan, so long as the commerce with those countries shall be carried on by such exclusive company, shall be exported with equal exemption from or incumbrance of duties, and under like regulations as the similar goods are or may be exportable from Great Britain thither.

AND be it enacted, that the said persons so to be appointed as aforesaid, shall prepare a schedule of all such duties and regulations as may be now necessary for that purpose, to be laid before the House of Commons on the first day of the next session of parliament, or as soon as conveniently may be.

AND be it declared, by the authority aforesaid, that it shall be held and adjudged to be a fundamental and essential condition of the present settlement, that all goods or commodities whatever which shall hereafter be imported into this kingdom from Great Britain, or into Great Britain from this kingdom, shall be put, by laws to be passed in the parliaments of the two kingdoms respectively, under the same regulations, with respect to bonds, cockets and other instruments, to which the like goods are subject in passing from one port of Great Britain to the other.

AND in order to prevent disputes touching the exercise of the right of the inhabitants of each kingdom to fish on the coasts of any parts of the British dominions.

BE it declared, that it shall be held and adjudged to be a fundamental and essential condition of this settlement, that the inhabitants of both kingdoms shall have equal right to carry on fisheries on every part of the coasts of the British dominions.

BE it therefore enacted, that all his Majesty's subjects residing in Great Britain or the dominions belonging thereto, shall enjoy equal privileges and advantages with his Majesty's subjects residing in Ireland, in carrying on fisheries on the coast of Ireland.

AND be it declared, that it shall be held and adjudged to be a fundamental and essential condition of this present settlement, that the importation of articles from foreign countries shall be regulated from time to time in each kingdom on such terms as may effectually favour the importation of similar articles of the growth, produce or manufacture of the other, except in the case of materials of manufacture which are or hereafter may be allowed to be imported from foreign countries duty free.

AND WHEREAS it may be expedient that the privileges of printing and vending books, engraving prints, maps, charts and plans, which are now or may be at any time hereafter legally possessed under the grant of the crown or otherwise, and the copy-rights of authors and bookfellers, the engraved property of engravers, print and map-sellers, and the rights

under



under patents granted by the crown, or continued by parliament, for the encouragement of new inventions, should be protected in each kingdom :

BE it further enacted and declared, that it is not intended by this present settlement, nor shall any thing in this act contained extend, or be construed to extend, to prevent the continuing or imposing of any prohibition in either kingdom on the importation of any books, prints, maps, charts or plans, the exclusive privilege of printing, engraving and vending whereof in such kingdom shall be legally possessed by any person or persons under such grant or otherwise, or under such copy-right, nor on the importation of any article, the exclusive right of making, using or vending whereof in such kingdom shall be legally possessed by any person or persons under such patent or act of parliament.

AND WHEREAS it is just and reasonable that as soon as the necessary regulations shall be agreed upon and established by the parliament of Great Britain, for carrying the present settlement into execution, and that an act or acts to be passed by the said parliament for that purpose shall be declared by the parliament of this kingdom to contain provisions satisfactory and sufficient for the same, a provision equally permanent and secure should be made on the part of this kingdom towards defraying, by some fixed mode, in proportion to its growing prosperity, the necessary expences of protecting the trade and general interests of the empire :

BE it therefore further enacted, that whatever sum the gross hereditary revenue of this kingdom, after deducting all drawbacks, re-payments, or bounties granted in the nature of drawbacks, shall produce in the year ending on the 25th day of March which shall next immediately follow the completion and commencement of this present settlement, and on every succeeding year ending the 25th of March, over and above the sum of 656,000*l.* Irish currency, subject to the limitations and conditions herein-after provided, shall be appropriated towards the support of the naval force of the empire, in manner herein-after directed.

PROVIDED always, that if in any year there shall be incurred, except on account of war, danger of war, insurrection, danger of insurrection, or such like unforeseen emergency, affecting or threatening to affect the public safety, any expence which shall produce an excess beyond the total of the estimates approved, and amount of supplies granted by parliament for the service of such year, in every such case the said extraordinary expence may be payable out of and deducted from the surplus, if any such there be, of the said hereditary revenue, and the remainder of such surplus only shall be applicable as herein after directed.

PROVIDED also, that if upon a comparison of the expences of any one year with the estimates approved of, or the amount of supplies granted by parliament for the service of such year, any deficiency shall appear in the produce of the aids and duties, or other ways and means granted, allotted or appropriated for that service, so that as the same shall not have been equal to the amount of supplies granted, such deficiency shall not trench upon or be deducted from, or be made good out of such surplus  
of



of the said hereditary revenue, but such surplus as aforesaid shall be applied towards the support of the naval force of the empire as herein-after directed; any such deficiency in the produce of the aids or duties, or other ways and means, or any thing in this or any other act contained to the contrary notwithstanding.

AND be it further enacted, that such surplus as shall be applicable by virtue of this act towards the support of the naval force of the empire, shall be applied from time to time, in the first place, to the purchase of sail cloth, cordage, naval stores, gunpowder, provisions, or such other articles the growth, produce or manufacture of this kingdom, as can be conveniently and sufficiently supplied from thence for the use of the royal navy, in such manner as shall be directed by his Majesty, his heirs and successors, and afterwards to such heads of service, for the use of the said navy, as shall be directed in like manner.

AND be it enacted, that an account shall be kept by the proper officer or officers of all the issues made from time to time, pursuant to such directions, and for the purposes for which the same shall have been made.

AND be it enacted, by the authority aforesaid, that exact and distinct accounts be kept by the several proper officers of the amount of his Majesty's said hereditary revenue in this kingdom, and of the exact drawbacks, repayments, or bounties granted in the nature of drawbacks, which shall be, and by law ought to be paid or deducted out of the same; and that an account of the whole be annually returned to the Lord Lieutenant or other the Chief Governor or Governors of Ireland, to be by him or them transmitted to his Majesty; and that a like account be annually laid before parliament on the first day of every session.

AND be it further declared and enacted, that it is the true intent and meaning of the present settlement, that any removal, suspension or alteration of any hereditary duties which may be made at any time hereafter shall not be deemed an infringement of or deviation from the present settlement.

PROVIDED always, and it is hereby enacted, that in every such case an account shall be kept of what every such duty would have produced in case it had not been altered, removed or suspended, in order that the amount thereof may be from time to time duly replaced to the said hereditary revenue.

AND be it declared, by the authority aforesaid, that it shall be adjudged to be a fundamental and essential condition of the present settlement, that the due collection of the duties composing the said hereditary revenue shall be at all times effectually secured, and that for that purpose the said duties shall continue to be collected and enforced, as well by the powers, authorities, regulations and provisions applicable to the same by virtue of the acts by which the said duties were granted, as far as the same have not been or shall not be hereafter altered or repealed, as by any other powers, authorities, regulations or provisions which are or may be from time



time to time applicable by law to the collection of any additional duties which are or shall be payable on any of the said articles respectively.

AND be it declared and enacted, by the authority aforesaid, that this act, and every part thereof, shall commence and be in force so soon as an act or acts shall have been passed in the Parliament of Great Britain for carrying into effect, on the part of that kingdom, the present settlement, and all matters, provisions and regulations herein declared to be fundamental and essential conditions thereof; and that an act shall have been passed in the Parliament of this kingdom, declaring that such act or acts of the Parliament of Great Britain contain satisfactory provisions for carrying into effect the present settlement.

AND WHEREAS no law made by the present Parliament can limit or restrain the free and unquestioned exercise or discretion of any succeeding Parliaments, who must be competent, equally as is the present, to every act of legislation whatever: And whereas the continuance of the present settlement must depend on the due observance in both kingdoms of the several matters herein declared to be fundamental and essential conditions thereof, according to their true intent, spirit and meaning.

BE it declared, that the continuance of the present settlement, and the duration of this act, and of every thing herein contained, shall depend upon the due observance in the kingdom of Great Britain of the several matters herein declared to be fundamental and essential conditions of the said settlement, according to the true intent, meaning and spirit thereof.

PROVIDED, nevertheless, that all the said fundamental and essential conditions shall in all times be held and deemed to be, and to have been duly observed in the kingdom of Great Britain, unless it shall have been expressly declared by a joint address of both Houses of Parliament of this kingdom to his Majesty, that the same have not been duly observed.

THE END.

The



The *Original* Eleven PROPOSITIONS voted by the Parliament of Ireland in February, and sent to the British House of Commons.

I. **R**ESOLVED, That it is highly important to the general Interest of the British Empire, *that the Trade between Great Britain and Ireland be encouraged and extended as much as possible ; and, for that Purpose, that the Intercourse and Commerce be finally settled and regulated, on permanent and equitable Principles, for the mutual Benefit of both Countries.*

II. Resolved, That towards carrying into full Effect so desirable a Settlement, it is fit and proper that all Articles, not the Growth or Manufacture of Great Britain or Ireland should be imported into each Kingdom from the other, reciprocally, under the same Regulation, and at the same Duties, if subject to Duties, to which they are liable when imported directly from the Place of their Growth, Product, or Manufacture ; and that all Duties originally paid on Importation into either Country respectively, shall be fully drawn back on Exportation to the other.

III. Resolved, That, for the same Purpose, it is proper, that no prohibition should exist, in either Country, against the Importation, Use or Sale of any Article, the Growth, Product, or Manufacture of the other ; and that the Duty on the Importation of every such Article, if subject to Duty, in either Country, should be precisely the same in the one Country as in the other, except where an Addition may be necessary, in either Country, in consequence of an Internal Duty on any such Article of its own Consumption.

IV. Resolved, that in all Cases where the Duties on Articles of the Growth, Product, or Manufacture of either Country, are different on the Importation into the other, it would be expedient that they should be reduced, in the kingdom where they are the highest, to the Amount payable in the other : and that all such Articles should be exportable, from the Kingdom into which they shall be imported, as free from Duty as the similar Commodities or Home Manufactures of the same Kingdom.

V. Resolved, That for the same Purpose, it is also proper, that in all Cases, where either Kingdom shall charge Articles of its own Consumption with an Internal Duty on the Manufacture, or a Duty on the Material, the same Manufacture, when imported from the other, may be charged with a farther Duty on Importation, to the same Amount as the Internal Duty on the Manufacture, or to an Amount adequate to countervail the Duty on the Material ; and shall be entitled to such Drawbacks or Bounties on Exportation, as may leave the same subject to no heavier burden than the Home-made Manufacture ; such farther Duty to continue so long only as the Internal Consumption shall be charged with the Duty or Duties



Duties to balance which it shall be imposed, or until the Manufacture coming from the other Kingdom shall be subjected there to an equal Burden; not drawn back, or compensated for on Exportation.

VI. Resolved, That, in order to give Permanency to the Settlement now intended to be established, it is necessary that no Prohibition, or new or additional Duties, should be hereafter imposed, in either Kingdom, on the Importation of any Article of the Growth, Product or Manufacture of the other, except such additional Duties, as may be requisite to balance Duties on Internal Consumption, pursuant to the foregoing Resolution.

VII. Resolved, That, for the same Purpose, it is necessary, farther, that no Prohibition, or new or additional Duties, should be hereafter imposed, in either Kingdom, on the Exportation of any Articles of native Growth, Product, or Manufacture, from thence to the other, except such as either Kingdom may deem expedient, from Time to Time, upon Corn, Meal, Malt, Flour, and Biscuits, and also except where there now exists any Prohibition which is not reciprocal, or any Duty which is not equal, in both Kingdoms; in every which Case the Prohibition may be made reciprocal, or the Duties raised so as to make them equal.

VIII. Resolved, That for the same Purpose, it is necessary, that no Bounties whatsoever should be paid or payable, in either Kingdom, on the Exportation of any Article to the other, except such as relate to Corn, Meal, Malt, Flour and Biscuits, and such as are in the Nature of Drawbacks, or Compensations for Duties paid; and that no Bounty shall be granted in this Kingdom, on the Exportation of any Article imported from the British Plantations, or any Manufacture made of such Article, unless in Cases where a similar Bounty is payable in Britain on Exportation from thence, or where such Bounty is merely in the nature of a Drawback, or Compensation of or for Duties paid, over and above any Duties paid thereon in Britain.

IX. Resolved, That it is expedient, for the general Benefit of the British Empire, that the Importation of Articles from Foreign States should be regulated, from Time to Time, in each Kingdom, on such Terms as may afford an effectual Preference to the Importation of similar Articles of the Growth, Product, or Manufacture of the other.

X. Resolved, That, it is essential to the commercial interests of this country to prevent, as much as possible, an accumulation of national debt, and therefore it is highly expedient that the annual revenues of this kingdom should be made equal to its annual expences.

XI. Resolved, That for the better Protection of Trade, whatever Sum the gross hereditary Revenue of this Kingdom (after deducting all Drawbacks, Re-payments, or Bounties, granted in the Nature of Drawbacks,) shall produce, over and above the Sum of 656,000*l.* in each Year of Peace, wherein the annual Revenues shall be equal to the annual Expences, and in each Year of war, without regard to such equality, should be appropriated towards the Support of the Naval Force of the Empire, in such Manner as the Parliament of this Kingdom shall direct.



Copy of the TWENTY RESOLUTIONS, voted  
the Two Houses of the British Parliament.

I. **R**ESOLVED, That it is highly important to the general Interests of the British Empire, that the Intercourse and Commerce between Great Britain and Ireland should be finally regulated on permanent and equitable Principles, for the mutual Benefits of both Countries.

II. *Resolved*, That it is consistent with the essential Interests of the Manufactures, Revenue, Commerce, and Navigation of Great Britain, that a full Participation of Commercial Advantages should be permanently secured to Ireland, whenever a Provision, equally permanent and secure, shall be made by the Parliament of that Kingdom towards defraying, in Proportion to its growing Prosperity, the necessary Expences, in Time of Peace, of protecting the Trade and general Interests of the Empire.

III. *Resolved*, That, towards carrying into full Effect so desirable a Settlement, it is fit and proper that all Articles, not the Growth or Manufacture of Great Britain or Ireland, except those of the Growth, Produce, or Manufacture of any of the Countries beyond the Cape of Good Hope to the Streights of Magellan, should be imported into each Kingdom from the other reciprocally, under the same Regulations, and at the same Duties (if subject to Duties) to which they would be liable when imported directly from the Country or Place from whence the same may have been imported into Great Britain or Ireland respectively, as the Case may be; and that all Duties originally paid on Importation into either Country respectively, except on Arrack and Foreign Brandy, and on Rum, and all Sorts of strong Waters, not imported from the British Colonies in the West Indies, shall be fully drawn back, within a Time to be fixed, on Exportation to the other; but nevertheless, that the Duties shall continue to be protected and guarded as at present, by withholding the Drawback until a Certificate from the proper Officers of the Revenue in the Kingdom to which the Export may be made, shall be returned, and compared with the Entry Outwards.

IV. *Resolved*, That it is highly important to the general Interests of the British Empire, that the Laws for regulating Trade and Navigation should be the same in Great Britain and Ireland; and therefore that it is essential towards carrying into Effect the present Settlement, that all Laws which have been made, or shall be made, in Great Britain, for securing exclusive Privileges to the Ships and Mariners of Great Britain, Ireland, and the British Colonies and Plantations, and for regulating and restraining the Trade of the British Colonies and Plantations (such Laws imposing the same Restraints, and conferring the same Benefits, on the Subjects of both Kingdoms) should be in Force in Ireland, by Laws to be passed in the Parliament of that Kingdom, for the same Time and in the same Manner as in Great Britain.

V. *Resolved*, That it is further essential to this Settlement, that all Goods and Commodities of the Growth, Produce, or Manufacture of British or Foreign Colonies in America, or the West Indies, and the British or Foreign Settlements on the Coast of Africa, imported into Ireland, should,  
on



on Importation, be subject to the same Duties and Regulations as the like Goods are, or from Time to Time shall be subject to, upon Importation into Great Britain; or if prohibited to be imported into Great Britain, shall be prohibited in like Manner from being imported into Ireland.

VI. *Resolved*, That, in order to prevent illicit Practices injurious to the Revenue and Commerce of both Kingdoms, it is expedient, that all Goods, whether of the Growth, Produce, or Manufacture of Great Britain or Ireland, or of any Foreign Country, which shall hereafter be imported into Great Britain from Ireland, or into Ireland from Great Britain, should be put (by Laws to be passed in the Parliaments of the Two Kingdoms) under the same Regulations with respect to Bonds, Cockets, and other Instruments, as the like Goods passing from One Port of Great Britain to another.

VII. *Resolved*, That, for the like Purpose, it is also expedient, that when any Goods, the Growth, Produce, or Manufacture of the British West India Islands, or any other of the British Colonies or Plantations, shall be shipped from Ireland for Great Britain, they should be accompanied with such original Certificates of the Revenue Officers of the said Colonies as shall be required by Law on Importation into Great Britain; and that, when the whole Quantity included in One Certificate shall not be shipped at any One Time, the Original Certificate, properly indorsed as to Quantity should be sent with the First Parcel; and, to indentify the Remainder, if shipped within a Time to be limited, new Certificates should be granted by the principal Officers of the Ports in Ireland, extracted from a Register of the original Documents, specifying the Quantities before shipped from thence, by what Vessels, and to what Ports.

VIII. *Resolved*, That it is essential, for carrying into Effect the present Settlement, that all Goods exported from Ireland to the British Colonies in the West Indies, or in America, or to the British Settlements on the Coast of Africa, or to the Countries beyond the Cape of Good Hope to the Streights of Magellan, should from Time to Time be made liable to such Duties and Drawbacks, and put under such Regulations, as may be necessary, in order that the same may not be exported with less Incumbrance of Duties or Impositions than the like Goods shall be burthened with when exported from Great Britain.

IX. *Resolved*, That it is essential to the general Commercial Interests of the Empire, that, so long as the Parliament of this Kingdom shall think it adviseable that the Commerce to the Countries beyond the Cape of Good Hope to the Streights of Magellan, shall be carried on solely by an exclusive Company, having Liberty to import into the Port of London only, no Goods of the Growth, Produce, Manufacture of the said Countries should be allowed to be imported into Ireland but through Great Britain; except Dye Stuffs, Drugs, Cotton, or other Wool, and Spiceries, which may be imported into Ireland from foreign European Countries, so long as the same are importable from foreign European Countries into Great Britain: And that it shall be lawful to export such Goods of the Growth, Produce, or Manufacture of any of the Countries beyond the Cape of Good Hope to the Streights of Magellan, from Great Britain to Ireland, with the same Duties retained thereon as are now retained on their being



exported to that Kingdom, but that an Account shall be kept of the Duties retained and not drawn back on the said Goods exported to Ireland, and that the Amount thereof shall be remitted, by the Receiver General of his Majesty's Customs in Great Britain, to the proper Officer of the Revenue in Ireland, to be placed to the Account of His Majesty's Revenue there, subject to the Disposal of the Parliament of that Kingdom; and that the Ships going from Great Britain to any of the said Countries beyond the Cape of Good Hope to the Streights of Magellan, should not be restrained from touching at any of the Ports in Ireland, and taking on board there any of the Goods of the Growth, Produce, or Manufacture of that Kingdom; and that no Ships be allowed to clear out from Ireland for any of the said Countries, but such Ships as shall be freighted by the said Company, and which shall have sailed from the Port of London: And that, whenever the Commerce to the said Countries shall cease to be so carried on solely by such an exclusive Company, the Goods, the Growth, Produce, or Manufacture of the said Countries beyond the Cape of Good Hope to the Streights of Magellan, should be importable into Ireland from the same Countries from which they may be importable into Great Britain, and no other.

X. *Resolved*, That no Prohibition should exist, in either Country, against the Importation, Use, or Sale of any Article, the Growth, Produce, or Manufacture of the other, except such as either Kingdom may judge expedient, from Time to Time, upon Corn, Meal, Malt, Flour, and Biscuits; and except such qualified Prohibitions, at present contained in any Act of the British or Irish Parliaments, as do not absolutely prevent the Importation of Goods or Manufactures, or Materials of Manufactures, but only regulate the Weight, the Size, the Packages, or other particular Circumstances, or prescribe the Built or Country, and Dimensions of the Ships importing the same; and also except on Ammunition, Arms, Gunpowder, and other Utensils of War, importable only by virtue of His Majesty's Licence; and that the Duty on the Importation of every such Article (if subject to Duty in either Country) should be precisely the same in the one Country as the other, except where an Addition may be necessary in either Country, in consequence of an internal Duty on any such Article of its own Consumption, or an internal Bounty in the Country where such Article is grown, produced, or manufactured; and except such Duties as either Kingdom may judge expedient, from Time to Time, upon Corn, Meal, Malt, Flour, and Biscuits.

XI. *Resolved*, That in Cases where the Duties on Articles of the Growth, Produce, or Manufacture of either Country, are different on the Importation into the other, it is expedient, that they should be reduced, in the Kingdom where they are the highest, to an Amount not exceeding the Amount which was payable in the other on the 17th of May 1782; so that, where any Article was charged with a Duty on Importation into Ireland of Ten and a Half per Centum or upwards, on the 17th Day of May 1782, the same Amount shall not be less than such Duty of Ten and a Half per Centum; and that all such Articles should be exportable, from the Kingdom into which they shall be imported, as free from Duties as the similar Commodities or Home Manufacture of the same Kingdom:



dom: Provided always, That where any such Articles shall be liable, in either Country, to any Duty on being exported to any foreign Country, the same Articles, when re-exported from either of the said Kingdoms into which they shall have been so imported as aforesaid, shall pay the like Duties as if they had been originally exported from the Kingdom of their Growth, Produce, or Manufacture, to such foreign Country.

XII. *Resolved*, That it is also proper, that, in all Cases where the Articles of the Consumption of either Kingdom shall be charged with an internal Duty on the Manufacture, the same Manufacture, when imported from the other, may be charged with a farther Duty on Importation, adequate to countervail the internal Duty on the Manufacture, such farther Duty to continue so long only as the internal Consumption shall be charged with the Duty or Duties to balance which it shall be imposed; so that the countervailing Duty to be paid upon manufactured Salt imported into any Part of Great Britain, shall be computed upon the internal Duty payable thereon in England; and that, where there is a Duty on the Raw Material of any Manufacture in either Kingdom, such Manufacture may, on its Importation into the said Kingdom from the other, be charged with such a countervailing Duty as may be sufficient to subject the same to Burdens adequate to those which such Manufacture is subject to, in consequence of such Duties on such raw Material in the Kingdom into which such Manufacture is so to be imported; and that the said Manufactures, so imported, shall be entitled to such Drawbacks or Bounties on Exportation, as may leave the same subject to no heavier Burthen than the Home-made Manufacture.

XIII. *Resolved*, That, in order to give Permanency to the Settlement now intended to be established, it is necessary that no new or additional Duties should be hereafter imposed, in either Kingdom, on the Importation of any Article of the Growth, Produce, or Manufacture of the other, except such additional Duties as may be requisite to balance Duties on internal Consumption, pursuant to the foregoing Resolution, or in consequence of Bounties remaining on such Article when exported from the other Kingdom.

XIV. *Resolved*, That, for the same Purpose, it is necessary, farther, that no new Prohibition, or new or additional Duties, should be hereafter imposed, in either Kingdom, on the Exportation of any Article of native Growth, Produce, or Manufacture, from the one Kingdom to the other, except such as either Kingdom may deem expedient, from Time to Time, upon Corn, Meal, Malt, Flour, and Biscuits: Provided, that when any Article of the Growth, Produce, or Manufacture of either Kingdom shall be prohibited, by the Laws of the said Kingdom, to be exported to foreign Countries, the same Article, when exported to the other Kingdom, shall be prohibited to be re-exported from thence to any foreign Countries.

XV. *Resolved*, That, for the same Purpose, it is necessary, that no Bounties whatsoever should be paid or payable, in either Kingdom, on the Exportation of any Article to the other, except such as relate to Corn, Meal, Malt, Flour, and Biscuits, and except also the Bounties at present given by Great Britain on Beer and Spirits distilled from Corn, and such



as are in the Nature of Drawbacks or Compensations for Duties paid ; and that no Bounties should be payable in Ireland on the Exportation of any Article to any British Colonies or Plantations, or to the British Settlements on the Coast of Africa, or on the Exportation of any Article imported from the British Plantations, or from the British Settlements on the Coast of Africa, or British Settlements in the East Indies, or any Manufacture made of such Article, unless in Cases where a similar Bounty is payable in Great Britain on Exportation from thence, or where such Bounty is merely in the Nature of a Drawback or Compensation of or for Duties paid, over and above any Duties paid thereon in Great Britain ; and that, where any internal Bounty shall be given in either Kingdom on any Goods manufactured therein, and shall remain on such Goods when exported, a countervailing Duty adequate thereto may be laid upon the Importation of the said Goods into the other Kingdom.

XVI. *Resolved*, That it is expedient, for the general Benefit of the British Empire, that the Importation of Articles from Foreign Countries should be regulated, from Time to Time, in each Kingdom, on such Terms as may effectually favour the Importation of similar Articles of the Growth, Produce, or Manufacture of the other ; except in the Case of Materials of Manufacture, which are or hereafter may be allowed to be imported from Foreign Countries Duty-free ; and that, in all Cases where any Articles are or may be subject to higher Duties on Importation into this Kingdom, from the Countries belonging to any of the States of North America, than the like Goods are or may be subject to when imported as the Growth, Produce, or Manufacture of the British Colonies and Plantations, or as the Produce of the Fisheries carried on by British Subjects, such Articles shall be subject to the same Duties on Importation into Ireland, from the Countries belonging to any of the States of North America, as the same are or may be subject to on Importation from the said Countries into this Kingdom.

XVII. *Resolved*, That it is expedient, that such Privileges of printing and vending Books, engraving Prints, Maps, Charts, and Plans, as are or may be legally possessed within Great Britain, under the Grant of the Crown or otherwise, and that the Copy Rights of the Authors and Booksellers, the engraved Property of Engravers, Print and Map Sellers, of Great Britain, should continue to be protected in the Manner they are at present by the Laws of Great Britain ; and that it is just that Measures should be taken by the Parliament of Ireland for giving the like Protection to the Copy Rights of Authors and Booksellers, and to the engraved Property of the Engravers, Print and Map Sellers of that Kingdom.

XVIII. *Resolved*, That it is expedient, that such exclusive Rights and Privileges, arising from new Inventions, as are now legally possessed within Great Britain, under Letters Patent from the Crown, shall continue to be protected in the Manner they are at present by the Laws of Great Britain ; and that it is just that Measures should be taken by the Parliament of Ireland for giving the like Protection to similar Rights and Privileges in that Kingdom ; and also, that it is expedient that Regulations should be adopted, with respect to Patents to be hereafter granted for the Encouragement of new Inventions, so that the Rights, Privileges, and Restrictions, therein



therein granted and contained, shall be of equal Force and Duration throughout Great Britain and Ireland.

XIX. *Resolved*, That it is expedient, that Measures should be taken to prevent Disputes touching the Exercise of the Right of the Inhabitants of each Kingdom to fish on the Coasts of any Part of the British Dominions.

XX. *Resolved*, That the Appropriation of whatever Sum the Gross Hereditary Revenue of the Kingdom of Ireland (the due Collection thereof being secured by permanent Provisions) shall produce, after deducting all Drawbacks, Re payments, or Bounties granted in the Nature of Drawbacks, over and above the Sum of Six hundred and fifty-six thousand Pounds in each Year, towards the Support of the Naval Force of the Empire, to be applied in such Manner as the Parliament of Ireland shall direct, by an Act to be passed for that Purpose, will be a satisfactory Provision, proportioned to the growing Prosperity of that Kingdom, towards defraying, in Time of Peace, the necessary Expences of protecting the Trade and general Interests of the Empire.

The humble ADDRESS of the Right Honourable the Lords Spiritual and Temporal, and Commons, in Parliament assembled, presented to His MAJESTY, on *Friday July 29, 1785*. With His MAJESTY'S most gracious ANSWER.

**W**E Your Majesty's most dutiful and loyal Subjects, the Lords Spiritual and Temporal, and Commons of *Great Britain*, in Parliament assembled, have taken into our most serious Consideration the important Subject of the Commercial Intercourse between *Great Britain* and *Ireland*, recommended in Your Majesty's Speech at the Opening of the present Session, and the Resolutions of the Two Houses of the Parliament in *Ireland*, which were laid before Us by Your Majesty's Command on the 22d of *February* last.

After a long and careful Investigation of the various Questions necessarily arising out of this comprehensive Subject, we have come to the several Resolutions which we now humbly present to Your Majesty, and which we trust will form the Basis of an advantageous and permanent Commercial Settlement between Your Majesty's Kingdoms of *Great Britain* and *Ireland*.

We have proceeded on the Foundation of the Resolutions of the Parliament of *Ireland*; but in considering so extensive an Arrangement, we have found it necessary to introduce some Modifications and Exceptions; and we have added such Regulations and Conditions as appeared to us indispensibly necessary for establishing the proposed Agreement on just and equitable Principles, and for securing to both Countries those Commercial Advantages, to an equal Enjoyment of which they are in future to be entitled.

Your Majesty's Subjects in *Ireland* being secured in a full and lasting Participation of the Trade with the *British* Colonies, must, we are persuaded, acknowledge the Justice of their continuing to enjoy it on the same Terms with Your Majesty's Subjects in *Great Britain*.

And



And it is we conceive equally manifest, that as the Ships and Mariners of *Ireland* are to continue in all Time to come to enjoy the same Privileges with those of *Great Britain*, the same Provisions should be adopted in *Ireland*, as may be found necessary in this Country, for securing those Advantages exclusively to the Subjects of the Empire. This Object is essentially connected with the Maritime Strength of Your Majesty's Dominions, and consequently with the Safety and Prosperity both of *Great Britain* and *Ireland*.

We therefore deem it indispenfible that these Points should be secured as Conditions necessary to the Existence and Duration of the Agreement between the two Countries. They can only be carried into Effect by Laws to be passed in the Parliament of *Ireland*, which is alone competent to bind Your Majesty's Subjects in that Kingdom, and whose legislative Rights we shall ever hold as sacred as our own.

It remains for the Parliament of *Ireland* to judge according to their Wisdom and Discretion of these Conditions, as well as of every other Part of the Settlement proposed to be established by mutual Consent.

Our Purpose in these Resolutions is to promote alike the Commercial Interests of Your Majesty's Subjects in both Countries; and we are persuaded that the common Prosperity of the two Kingdoms will be thereby greatly advanced: the Subjects of each will in future apply themselves to those Branches of Commerce which they can exercise with most Advantage, and the Wealth so diffused through every Part, will operate as a general Benefit to the whole.

We have thus far performed our Part in this important Business, and we trust that in the whole of its Progress, reciprocal Interest and mutual Affection will insure that Spirit of Union so essentially necessary to the great End which the two Countries have equally in View.

In this Persuasion we look forward with Confidence to the final Completion of a Measure, which, while it tends to perpetuate Harmony and Friendship between the two Kingdoms, must, by augmenting their Resources, uniting their Efforts, and consolidating their Strength, afford Your Majesty the surest Means of establishing on a lasting Foundation, the Safety, Prosperity, and Glory of the Empire.

### His Majesty's most gracious Answer.

*My Lords and Gentlemen,*

I receive with the greatest Satisfaction these Resolutions, which, after so long and diligent an Investigation, you consider as affording the Basis of an advantageous and permanent Commercial Settlement between my Kingdoms of *Great Britain* and *Ireland*. Nothing can more clearly manifest your Regard for the Interest of both my Kingdoms, and your Zeal for the general Prosperity of my Dominions, than the Attention you have given to this important Object. A full and equal Participation of Commercial Advantages, and a Similarity of Laws in those Points which are necessary for their Preservation and Security, must be the surest Bond of Union between the two Kingdoms, and the Source of reciprocal and increasing Benefits to both. The same Spirit in which this great Work has begun and proceeded will, I doubt not, appear throughout the Whole of its Progress; and I concur with you in thinking that the final Completion of it is of essential Importance to the future Happiness of both Countries, and to the Safety, Glory and Prosperity of the Empire.