IMPERIAL PARLIAMENT.

HOUSE OF COMMONS.

INTERESTING DEBATE.

Monday, July 18.

Sir William Dolben brought up the report on the bill for authorising bequests for certain pious uses. The clause in the report, that no glebe of fifty acres should be capable of receiving, under this bill, any augmentation of more than one acre, was opposed by Mr. Hurst and Mr. Courtenay, zealously supported by Mr. Burton and Mr. Hawkins Browne. The clause was, at last, adopted. The bill was ordered for a third reading to-morrow.

The Irish treasury bill was ordered to be read a third time and passed.

The secretary at war then rose. He had, he said, given notice of an intention to move for leave to bring in a bill to amend the act of a former parliament, for the defence of the country, and to enable his majesty better to exercise his ancient and undoubted right to call out the people to the general defence of the state against invasion. The objects which he had in view in the bill, which he wished to bring in, were, to ascertain the strength of the country; to provide for an effectual mode of calling it out; to enable government to take the necessary possession of the property, which might be to be removed from the approach of an enemy; and to establish a fit mode of compensation to owners, whose goods might be thus unavoidably destroyed or taken away. The bill for defence, which passed in 1798, was, he said, defective, as it did not enable the king to exercise his prerogative of calling out the people in arms, to oppose an invader. Not only would the bill he was to propose, authorise measures to be taken in order to ascertain the population; but it would renew to the crown, that power to call forth all his subjects for their general defence, which his majesty possessed of undoubted ancient right, though, in the present state of the law, perhaps it could not be easily and effectively exercised. That this power was justly inherent in the crown, was unquestionable. Yet it might not be wrong to state from books of law, and from the rolls of parliament, upon what sanctions of institute and precedent, it had its foundations. Blackstone had distinctly stated a number of strong, decisive facts, upon this subject. By the laws of the Anglo-Saxons, *Arcium constructio, Pontium reparatio*, and *Expeditio contra Hostes*, where three public duties; to the performance of which, at the call of the sovereign, all the subjects of the state were invariably bound. By the assize of Henry the Second, by the statute of Edward the Third, enacted at Winchester, the same obligations of the subjects were legally recognised. The sheriff was by various statutes, bound to the defence of his country against the enemies of the king. Such was the ancient law of the realm. It might be still enforced as the law. But the process would be so tedious, that were that prerogative to be now enforced only in the regular course of law, its use would be lost amidst the artifices of delay and the toils of compulsion. It became necessary, then, to adopt some simple, effectual, decisive method of giving force to the prerogative. The most insolent of enemies now threatened us with invasion and actual subjugation. We saw the whole continent in a manner under the thrall of France, and sunk into a dependence on the *fiat* of the first consul. The French were now masters of the sea-coast from the confines of Holstein to the shores of the Atlantic. It was easily to be imagined that they might make themselves masters of the courses of all the great rivers, and of all the ports of the continent. We had, indeed, every reason for confidence in the strength of our military, shipping, in the skill and intrepidity of our seamen, in the able and heroic conduct of our naval commanders. Our navy might, perhaps, without exaggeration, be said to be equal to that of the whole world. Yet it was not possible, however vigilantly we might blockade the hostile coast, that we should be able, for ever, to keep the ports of all the continent, as it were, hermetically sealed. It would be difficult to hinder our provinces from being, not only invaded, but even taken possession of. It was not impossible but 50,000 men might be landed on our shores. They might come more or less disunited, more or less in full vigor of health or in sickness, more or less provided with the means of able operation as soon as they should land. This country should be, therefore, prepared to meet their attacks. It should have its first and second line: it should have legion upon legion ready to meet and to repulse the invasion. We must not, when so menaced, look to ordinary means, nor even to the effect of a ballot. The king must needs resort to his prerogative of compelling all his subjects to take arms. We could not, in such a crisis, do better than look back to the example of the Plantagenets and the Tudors. We ought to remember and to imitate the great example of the times of queen Elizabeth. The conduct of our ancestors, in those illustrious times, had defeated every effort of foreign enemies. Would we again defeat such efforts, we must have recourse to similar means. Having thus explained the general idea he would proceed to unfold in detail the plan which the bill would contain. Its first object would be, to authorise the lieutenancy of the different counties to meet, and order an enrolment of all the men from seventeen years of age to fifty-five. They would be divided in the enrolment, as in the militia, into three different classes. One class would comprehend the young men from the age of seventeen to that of thirty. In a second, would be those from 30 to 45. The third might comprehend those whose age was from 45 to 55 years. The exemptions on account of children, allowed in the militia, would not be refused here. But, as persons serving by substitution merely, in the militia, were not exempted from the ballot for the supplementary militia, neither should persons in that particular situation, be, in the present instance, exempted. Constables, and other peace officers should not, while in the discharge of their functions, be subject to serve. The deputy lieutenants must meet to receive the lists. At the same meeting they should receive appeals. The lists ought to be annually corrected, and annually transmitted to one of his majesty's principal secretaries of state. After the enrolment, his majesty should, by the bill, have power to direct the lieutenants of all the counties to call out persons of all the different classes, if any enemy should invade or approach the coast. The persons so called out should be required to act against an enemy so approaching the country with the troops of the line, and the other corps raised for the service. Once called out, they should be obliged to continue in arms till the invading enemies were exterminated or driven into the sea. When called out, every man should receive two guineas for the purchase of necessaries: he should have pay while he continued in arms: at the end of his period of service, he should have one guinea to defray the expence of his return to his home. Each man should take an oath of fidelity to his sovereign and country when called out. His service should extend as well to the suppression of rebellion, as to action against invaders.

However strong the country, however numerous its population, it must, however, be weak, if that population should remain a helpless multitude, unequal to the use of arms. As late as in the reign of Henry the 8th, all persons under the age of 60 years, were required to exercise themselves in shooting with the bow. We now, he said, lived in a time when, unless a man were acquainted with the use of arms, and sufficiently valiant to use them, not our country, nor any thing dear to us, could for a moment be safe. He should therefore propose, that the first class, consisting of young men, should be once a week exercised in arms. The arms should be lodged in the church, or some other safe place.—The parishes should be respectively at the expence necessary upon the arms. The lieutenants and deputy lieutenants should have the power to appoint officers. Every person of the first class, living within three miles of the place of exercise, should be obliged to attend the weekly meetings at it. These meetings should be every Sunday, from Lady-day to Michaelmas. For absence there should be a fine exacted of 5s. for every man in such a condition as to pay the assessed taxes; of 1s. for those who were poorer. Provisions would be made in the bill to allow persons from the hospitals of Chellea or Kilmainham to be employed in training and exercising the men of the different parishes. Besides, it was probable that in every parish might be found persons capable to give aid in training the rest. For formal manuœuvres of war, and in strict regularity of service, such soldiers might not be the most valuable. But there were many services in which, with due spirit, they might give the most vigorous and effectual aid against an invading foe. Any young man willing to serve rather with the cavalry than with the infantry, should, if would present himself in fit equipment, be allowed to join the service which he preferred. Where there were volunteer corps, this service would not be demanded from the volunteers, as they were to serve according to the rules for the particular force in which they were embodied.—All should be expected to march. He who would not march, should be considered as a betrayer of his country; a man destitute of the spirit of a Briton, a person worthy of every approbrium due to him, who was capable of forsaking his country's cause in its last extremity.

The volunteers should be required not to confine their services to the defence of the particular place in which they were embodied, but be ready to march to any part of Great-Britain. He had not tho't fit to extend to Ireland the provisions of the bill which he was thus to introduce. There were particulars in the condition of that country which induced him rather to confide its defence to the means already prepared for that end. Yet we were now in the midst of a crisis, when he would much rather trust the people with arms in their hands which they might employ against a foreign foe, than for the fear of any domestic hazard, expose them naked and defenceless to the attack of an invader. He could not entertain a doubt but we were all zealous for the defence of our common country, for the support of our king and the constitution under which we have enjoyed so large a portion of civil happiness. Yet, even with such a doubt, if it were possible, upon his mind, still he would rather put arms in their hands than turn them out to Bonaparte and his armies, as an unarmed and helpless mob. The French were a people very remarkable for their curiosity. That curiosity was sometimes of a nature to be not slowly gratified. They were curious to know whether there was in Great Britain a man able to bear arms, able to march against an invader, able to acquit himself as be came a man, in defence of all that was dear to the interests and feelings of humanity. Their great chief himself would perhaps not be one of the first to obtain personally the gratification of his curiosity. He might not be one of the foremost to lead the invasion upon these shores; but he already had some few occasions of witnessing what was to be done by British valor. At Toulon he had witnessed the defence of a fort by a gallant officer, colonel Duncan, of the artillery, now no more, which afforded to the French no reason to suppose their own courage or military skill so matchless, in comparison with that of Englishmen. At Acre, he had similar experience, and it was believed with a similar result. In one or two other instances, in which he might have witnessed what English valor could do, it had been certainly distinguished by some of the noblest atchievments which had ever been effected by the efforts of man in war. The day of Lindelles was not to be forgotten, when the English so nobly sustained the Hanoverian and Austrian troops, and turned the fortune of the day. There was, in fact, no reason given by any tiing in the transactions of the late war, to induce the French to think, that every ground on which they contended fairly with Frenchmen, the Englishmen of the present day were unequal to their ancestors of Cressy and of Agincourt. If then they had a curiosity yet to know whether those who fought abroad so bravely, were unable to meet an often conquered foe with the spirit of men, when it was for their wives, their mothers, their infants, for their country's independence, and on these grounds they had to fight, how would it become us to meet that curiosity with an energy which should lay it asleep forever? He concluded with moving,

"*That leave be given to bring in a bill to amend the said act, so far as was necessary, to enable his majesty to exercise his ancient and undoubted prerogative to call out his subjects, to defend the country against invasion.*"

Mr. Windham did not rise to oppose the measure. On the contrary he wished it had been brought forward some time since. He wished it were possible that the measure could have a retractive force, so as to give the country the benefit of what ought to have been begun long since. Of all the charges against the present ministers the best grounded was, that by their delays and their weakness they had brought the country into a state of danger, of which their preparations were far short. He repeated the charge, and he was ready at any time to enter into the question. When ministers were accused of bringing the country into danger, the first question to be considered was, whether it actually was in danger? As to that, he considered the design of invasion itself, or at least the general belief of it, as a sufficient proof that the danger does not exist. He was not going to lay it down as a position, that whenever the country was in danger, for danger might arise externally, and from causes which they could not always counteract, or be aware of. The attempt of invasion was dangerous to the country or not, in proportion to the measures ministers may have taken to counteract or prevent it. The measures taken may not be such as to produce danger, but danger may come unless measures were taken to prevent it; and unless a sufficient security was already provided against it, it would be useless to attempt to provide it when mat ters were too far advanced. Unless, therefore, it could be proved, that the preparations of this country went step by step with the preparations of the enemy, the country was in danger. It was a thing generally acknowledged and believed, that invasion would be attempted. It was certainly held by some persons in the house, and very generally in the country, that it would not. But the acknowledged design was a sufficient proof that the attempt would be made. And under the confidence that the attempt would be made, where was the nation to look for security?—Was it for Europe, which was at the feet of France, or was it for us, who had fled for refuge from its power to the treaty of Amiens, to believe that there was any thing which France would not attempt against us? Was it on the opinion of people of talents and authority that the belief which had gone abroad, that the attempt would not be made, was founded? Did the people want to be told, that naval operations were uncertain, and that this uncertainty gave practicability to the design of invasion? What he wished to impress equally was, the necessity of great internal preparations. Engineers without were not sufficient for the defence of a fortress, unless they were aided by engineers within. If internal, as well as external preparation was not made, we would perhaps hear one day of a general Victor having landed on our coast, and the next of his having advanced a considerable way into the country. It was true we had it from very high authority that the dangers of all success were so great that it was probable no invasion would be attempted.—We had it from counsellors learned in the law, many sound divines, many sensible merchants, many ingenious agriculturalists, and many handsome women. (A loud laugh.) But we had not heard it from the authority which alone was entitled to credit in such a case, we had not heard it from experienced soldiers and seamen.—Such was the uncertainty of naval operations, such the extent of coast from which the enemy could fit out his expeditions, and so many were the different modes in which invasion may be attempted, that there was a very great possibility, amounting almost to a probability, that a landing may be effected. It was true there were opinions against this principle, but whose were those opinions? they were the opinions of those who never saw the sea, but at Margate, who never tried its effects but in a bathing machine, who thought that as long as we had our wooden walls and our wooden heads we were secure. (A laugh.) If to this could be added 20 or 30,000 men, such as captain Bobadil describes, the thing would be beyond all doubt; but the men who were prepared only by a few reviews could not, except in the opinion of his majesty's ministers, be relied on for any effectual opposition.

Those who underrated the enterprizes of others, generally overrated themselves: for, as Dr. Johnson observed, men were generally satisfied with themselves, not because they performed much, but because they conceived little. The authorities on the subject, for he professed to have no immediate knowledge of his own, were such that ninety-nine out of a hundred were worth nothing, nor could any satisfactory reason be assigned why an invasion could not be effected. Let gentlemen call to recollection the events of our times & ask themselves how many times incontrovertible theories had been contradicted by the event, and how many things had happened which had been previously proved, on the clearest reasoning, to be absolutely impossible. He felt himself called upon to notice the odd notion gentlemen had of what they called despondency, and the mode which they themselves had of giving encouragement; they told the country there was no danger, which was as much as to say, there was no necessity for exertion, while they talked to other gentlemen in such a way that they made them afraid of putting the country in a proper sense of the danger that did exist, which was the only means that could be relied on for producing great and successful efforts. In the execution of this arduous duty he had with him, as his compurgator, an honorable officer (colonel Craufurd) whose eloquence, produced by the effect of strong feeling upon a sound understanding, was calculated to impress, most deeply, truths not otherwise so strongly expressed. Those who were exposed to reflections from their discharge of this duty, felt those reflections more severely from the consideration of the quarter from whence they came. The shame of the censure was enhanced by the character that cast the reflection. As in chivalry the recreant knights were condemned to have their spurs chopped off by the king's cook; so he, and those who joined him in describing the danger of the country, such as it really was, were to be disgraced by having their spurs cut off by the hands of the makers of the treaty of Amiens. With all his fears with respect to invasion, which drew down on him so much contempt from his majesty's minister's, they should recollect they made the treaty of Amiens, which he would not have made. It was, therefore, too much in them, who had so lately made such a pusillanimous treaty, to charge him with want of spirit when he endeavored to rouse the country to a sense of its danger. If the country was not taught to look its danger in the face before it was yet arrived it would be taken by surprize when it was actually come. There were two cases with respect to danger; one, where every thing was done that could be done, to remedy it: and the other where every thing was to be done. He would instance the case of a house on fire; was a passenger, on discovering the flames, not to cry out with all might, and to knock violently at the door; was he only to tap gently at the windows, lest he should disturb the repose of the inhabitants, while he conveyed to them a sense of their danger? (A laugh.) If a ship was on fire, and the flames were so much a head, that no hope could be entertained of getting them under all that would remain would be to throw out a plank or an oar, and to commit one's fate to it: and in an engagement, if the right wing was beat, and that did not interfere with the left wing, which was still maintaining the right, it would be very wrong to discourage the left wing, by communicating the intelligence. If every thing for ministers to do it was now done, he would only ask why it was not done long ago? Possibly they may say, every thing that was necessary was done; and as they were fond of enumerating their exploits, they may say, "did not we vote so many thousand men for a peace establishment, when we signed the treaty of Amiens? Did not we, when his majesty's message was sent to communicate the military preparations in the ports of France and Holland, did not we then call out the militia; and when the message respecting the intended invasion was brought down, did we not repose the army of reserve?" It was true his majesty's ministers had done all those things, but they had not done them in due time. They did them late, and as it were under the effect of surprise. They should have seen the necessity at first, and have entered on the execution of those measures at once.—But it seemed a necessary course with them first to conceive a thing, then to carry it for a certain time, and then after the lapse of the proper period to be delivered of it.—It was said to be a cunning child who knew his own father, and it was also said to be a wise father who knew his own child.—His majesty's ministers seemed to want this latter species of wisdom, for they appeared to forget their own offspring. In spite of every sense of their duty, in spite of every admonition they had received, it was now that this measure was put in the ground for the first time; it was yet to grow, and while the grass was growing the steed would be starving. It should be recollected that this was a momentous crisis, involving the ruin of the work, if this country did not stop it; & therefore when gentlemen talked of alarm, of this being a monied town, whose commercial interests, and whose property in the funds may be affected by the knowledge of every extraordinary intelligence, and that they should dole out their information accordingly; it should be recollected that there was another omnium also, in which the lives, the liberties and every thing that was dear to men were involved. His majesty's ministers could not, in fact, escape the charge of having put the country in danger, unless they had taken all necessary measures, and unless they had taken them in due time. Had they done all that was necessary? If they had, was every thing done in time?—If these measures were brought forward in time, instead of being brought forward 1, 2, and some of them 3 or 4 months after the time, we would have our preparations in a greater state of forwardness. The measures that would cost nothing, and that would be most effectual, were entirely neglected. Had they called a military council of veteran officers? If these officers were of too advanced an age to serve in the field, that would not diminish their authority. Such a council must carry weight and authority, and satisfaction through the country, at the same time that it would cast no reflection on any man; that it could interfere with no man, and least of all with our illustrious commander in chief. Every other thing that was brought forward should have been foreseen and prepared at an early period.

Omina percepi et mecum animo ante peregi. Every thing should have been foreseen—every thing should have been done. Had the question of the propriety of erecting works been sufficiently attended to? Many fit situations were to be found on the northern coast. It was to be presumed certainly, that these situations would be discovered by the commanders in chief of the districts, but matters of such importance ought not to be left to presumption. He felt himself called upon also to notice an act for the better defence of the realm, which it is recommended to all lords lieutenants and all deputy lieutenants to enforce in case of invasion. The effect of the measure would be local and partial, and if it could be executed at all, it would be executed too late to be attended with success. It would produce inconceivable mischief, and confusion in the execution. We should be trampled down by our own bullocks. The words of major Sturgeon, would describe the scene exactly, "the drums beat in front, the dogs barked in the rear, while our own bullocks threw our whole corps into confusion". (A laugh.) He came now to the present measure; he had no objection to it, he thought it so evidently right and constitutional; and he thought it was unnecessary to cite such a multitude of legal authorities, cases and acts of parliament; he was glad the authority to call out this force was to be vested in the crown; it was not a new power, but a more practicable means of enforcing the old one. He was averse to compulsory measures. He liked to keep them always in reserve. To do his majesty's ministers justice, they were not in general fond of compulsory measures. They had shewn they were not, when they departed from the principle of the militia ballot, and refused to adhere to a proposition for disusing substitution. Now they resorted at once to a compulsory measure, without allowing that fair opportunity of volunteering, which, if the country was fairly apprised, and properly sensible of its dangers, would be most effectual. Information was doled out drop by drop; and what was the sort of character given to the country, when it was said it could not be trusted with the fair view of its own situation? What was the effect likely to be produced by giving the country a proper sense of its own situation? He conceived it would be animated to great exertions. His majesty's ministers said, "Oh no, the people of England will be thrown into a panic as soon as you shew them the full extent of their danger."—How different was the mode pursued on the invasion of France: the information was industriously circulated and magnified: and by that course a spirit excited in the country by which it was repelled. It may indeed be suggested, that it was easier for the invaders of France to march to Paris than for the invaders to land at Weymouth. But this argument was wrong on the very ground that ministers laid down—that the less the danger, the more it should be told. He looked to voluntary exertion for efforts beyond all law and all compulsory measures. As the object was to rescue the country from danger, he would have the power of expulsion in the hands of his majesty's ministers with a recommendation to be slow to use it. It was the nature of compulsory service to create disinclination in men. Whatever was compulsory contained nothing to flatter vanity nor to excite zeal. There was, besides, a modesty in the people of England, which would bar the efficacy of a compulsory measure. They were not like the people of France, fond of military pomp and parade, and led away by that, not of inclination, which had such an effect in the formation of the national guards. If by a compulsory measure, men were brought out, whose shape and appearance were not military, and if these persons were exhibited to a mob, the effect would be most discouraging. This was proved in the provisional cavalry, which had incurred a ridicule at the outset, and which was never after to be had, when any thing was to be done, the service being always performed by the volunteers. The volunteer had a spirit, an ambition and a sense of duty which fitted him, beyond all others for military service. He came now to the preparation and he very much feared, that exercising the men as light infantry, in church-yards, would not be the best mode of training. There was, besides, the general objection of the time, which was a great deal. People tho't that when a great measure was enacted, a great deal was done—in the same manner that an author tho't when he had written a volume, that he had accomplished a great object. But, whatever benefit was to result from the measure would be very slow. The risk was, that before we could be prepard, the enemy would come upon us. When it was proposed that a bill should be read a first and