

THE
RIGHTS
OF
COLONIES
EXAMINED.

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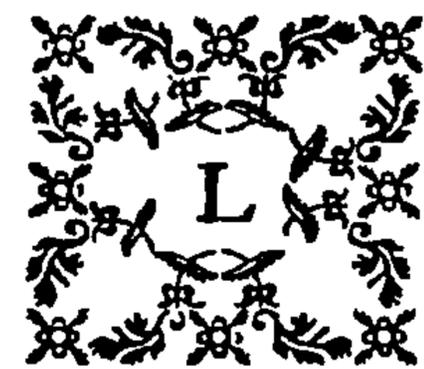
PROVIDENCE:
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M.DCC.LXV.



THE RIGHTS OF COLONIES EXAMINED.

*Mid the low murmurs of submissive fear
And mingled rage, my Hambden rais'd his voice,
And to the laws appeal'd ;*——

THOMPSON'S Liberty.



LIBERTY is the greatest blessing that men enjoy, and slavery the heaviest curse that human nature is capable of.—This being so, makes it a matter of the utmost importance to men, which of the two shall be their portion. Absolute Liberty is, perhaps, incompatible with any kind of government.—The safety resulting from society, and the advantage of just and equal laws, hath caused men to forego some part of their natural liberty, and submit to government. This appears to be the most rational account of it's beginning; although, it must be confessed, mankind have by no means been agreed about it: Some have found it's origin in the divine appointment: Others have thought it took it's rise from power: Enthusiasts have dreamed that dominion was founded in grace.

Leaving

Leaving these points to be settled by the descendants of *Filmer*, *Cromwell*, and *Venner*, we will consider the *British* constitution, as it at present stands, on revolution principles; and from thence endeavour to find the measure of the magistrate's power, and the people's obedience.

THIS glorious constitution, the best that ever existed among men, will be confessed by all, to be founded by compact, and established by consent of the people. By this most beneficent compact, *British* subjects are to be governed only agreeable to laws to which themselves have some way consented, and are not to be compelled to part with their property, but as it is called for by the authority of such laws: The former is truly liberty; the latter is really to be possessed of property, and to have something that may be called one's own.

ON the contrary, those who are governed at the will of another, or of others, and whose property may be taken from them by taxes, or otherwise, without their own consent, and against their will, are in the miserable condition of slaves: "For liberty solely consists in an independancy upon the will of another; and by the name of slave, we understand a man who can neither dispose of his person or goods, but enjoys all at the will of his master;" says *Sidney* on government. These things premised; whether the *British American* colonies on the continent, are justly intitled to like privileges and freedom as their fellow-subjects in *Great-Britain* are, shall be the chief point examined. In discussing this question, we shall make the colonies in *New-England*, with whose rights we are best acquainted, the rule of our reasoning; not in the least doubting but all the others are justly intitled to like rights with them.

NEW-ENGLAND was first planted by adventurers, who left *England*, their native country, by permission of King CHARLES the first; and, at their own expence, transported themselves to *America*, with great risque and difficulty settled among savages,

savages; and in a very surprising manner formed new colonies in the wilderness. Before their departure, the terms of their freedom, and the relation they should stand in to the mother country, in their emigrant state, were fully settled; they were to remain subject to the King, and dependant on the kingdom of *Great-Britain*. In return, they were to receive protection, and enjoy all the rights and privileges of free-born *Englishmen*.

THIS is abundantly proved by the charter given to the *Massachusetts* colony, while they were still in *England*, and which they received and brought over with them, as the authentic evidence of the conditions they removed upon. The colonies of *Connecticut* and *Rhode-Island* also, afterwards obtained charters from the crown, granting them the like ample privileges. By all these charters, it is in the most express and solemn manner granted, that these adventurers, and their children after them forever, should have and enjoy all the freedom and liberty that the subjects in *England* enjoy: That they might make laws for their own government, suitable to their circumstances; not repugnant to, but as near as might be, agreeable to the laws of *England*: That they might purchase lands, acquire goods, and use trade for their advantage, and have an absolute property in whatever they justly acquired. These, with many other gracious privileges, were granted them by several kings; and they were to pay as an acknowledgement to the crown, only one fifth part of the ore of gold and silver, that should at any time be found in the said colonies, in lieu of, and full satisfaction for, all dues and demands of the crown and kingdom of *England* upon them.

THERE is not any thing new or extraordinary in these rights granted to the *British* colonies:—The colonies from all countries, at all times, have enjoyed equal freedom with the mother state. Indeed, there would be found very few people in the world, willing to leave their native country,
and

and go through the fatigue and hardship of planting in a new uncultivated one, for the sake of losing their freedom. They who settle new countries must be poor; and, in course, ought to be free. Advantages, pecuniary or agreeable, are not on the side of emigrants, and surely they must have something in their stead.

To illustrate this, permit us to examine what hath generally been the condition of colonies with respect to their freedom; we will begin with those who went out from the ancient common-wealths of *Greece*, which are the first, perhaps, we have any good account of. *Thucidides*, that grave and judicious historian, says of one of them, “they were
 “not sent out to be slaves, but to be the equals of those
 “who remain behind;” and again, the *Corinthians* gave public notice, “that a new colony was going to *Epidamnus*,
 “into which all that would enter, should have equal and
 “like privileges with those who staid at home.” This was uniformly the condition of all the *Grecian* colonies; they went out and settled new countries; they took such forms of government as themselves chose, though it generally nearly resembled that of the mother state, whether democratical or oligarchical. ’Tis true, they were fond to acknowledge their original, and always confessed themselves under obligation to pay a kind of honorary respect to, and shew a filial dependance on, the common-wealth from whence they sprung. *Thucidides* again tells us, that the *Corinthians* complained of the *Coreyreans*, “from whom, though a colony of
 “their own, they had received some contemptuous treatment: for they neither payed them the usual honor on
 “their public solemnities, nor began with a *Corinthian* in the
 “distribution of the sacrifices, which is always done by
 “other colonies.” From hence it is plain what kind of dependance the *Greek* colonies were under, and what sort of acknowledgment they owed to the mother state.

IF we pass from the *Grecian* to the *Roman* colonies, we shall find them not less free : But this difference may be observed between them, that the *Roman* colonies did not, like the *Grecian*, become separate states, governed by different laws, but always remained a part of the mother state ; and all that were free of the colonies, were also free of *Rome*, and had right to an equal suffrage in making all laws, and appointing all officers for the government of the whole common-wealth. For the truth of this, we have the testimony of *St. Paul*, who though born at *Tarsus*, yet assures us he was born free of *Rome*. And *Grotius* gives us the opinion of a *Roman* king, concerning the freedom of colonies : King *Tullius* says, “ for our part, we look upon it to be neither truth nor justice, that mother cities ought of necessity and by the law of nature, to rule over their colonies.”

WHEN we come down to the latter ages of the world, and consider the colonies planted in the three last centuries, in *America*, from several kingdoms in *Europe*, we shall find them, says *Puffendorf*, very different from the ancient colonies, and gives us an instance in those of the *Spaniards*. Although it be confessed these fall greatly short of enjoying equal freedom with the ancient *Greek* and *Roman* ones ; yet it will be said truly, they enjoy equal freedom with their countrymen in *Spain* ; but as they are all under the government of an absolute monarch, they have no reason to complain that one enjoys the liberty the other is deprived of. The *French* colonies will be found nearly in the same condition, and for the same reason, because their fellow-subjects in *France* have also lost their liberty. And the question here is not whether all colonies, as compared one with another, enjoy equal liberty, but whether all enjoy as much freedom as the inhabitants of the mother state ; and this will hardly be denied in the case of the *Spanish*, *French*, or other modern foreign colonies.

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By this it fully appears, that colonies in general, both ancient and modern, have always enjoyed as much freedom as the mother state from which they went out: And will any one suppose the *British* colonies in *America*, are an exception to this general rule? Colonies that came out from a kingdom renowned for liberty; from a constitution founded on compact; from a people, of all the sons of men, the most tenacious of freedom; who left the delights of their native country, parted from their homes, and all their conveniencies, searched out and subdued a foreign country with the most amazing travail and fortitude, to the infinite advantage and emolument of the mother state; that removed on a firm reliance of a solemn compact, and royal promise and grant, that they, and their successors forever, should be free; should be partakers and sharers in all the privileges and advantages of the then *English*, now *British* constitution.

If it were possible a doubt could yet remain, in the most unbelieving mind, that these *British* colonies are not every way justly and fully intitled to equal liberty and freedom with their fellow-subjects in *Europe*, we might shew, that the parliament of *Great-Britain*, have always understood their rights in the same light.

By an act passed in the thirteenth year of the reign of his late majesty King GEORGE the second, intituled an act for naturalizing foreign protestants, &c. and by another act, passed in the twentieth year of the same reign, for nearly the same purposes, by both which it is enacted and ordained, “ that all foreign protestants, who had inhabited, and resided for the space of seven years, or more, in any of his majesty’s colonies in *America*,” might, on the conditions therein-mentioned, be naturalized, and thereupon should “ be deemed, adjudged and taken to be his majesty’s natural born subjects of the kingdom of *Great-Britain*, to all intents, constructions, and purposes, as if they, and every one of them, had been, or were born
“ within

“ within the same.” No reasonable man will here suppose the parliament intended by these acts to put foreigners, who had been in the colonies only seven years, in a better condition than those who had been born in them, or had removed from *Britain* thither; but only to put these foreigners on an equality with them; and to do this, they are obliged to give them all the rights of natural born subjects of *Great-Britain*.

FROM what hath been shewn, it will appear beyond a doubt, that the *British* subjects in *America*, have equal rights with those in *Britain*; that they do not hold those rights as a privilege granted them, nor enjoy them as a grace and favor bestowed; but possess them as an inherent indefeasible right; as they, and their ancestors, were free-born subjects, justly and naturally intitled to all the rights and advantages of the *British* constitution.

AND the *British* legislative and executive powers have considered the colonies as possessed of these rights, and have always heretofore, in the most tender and parental manner, treated them as their dependant, though free, condition required. The protection promised on the part of the crown, with chearfulness and great gratitude we acknowledge, hath at all times been given to the colonies. The dependance of the colonies to *Great-Britain* hath been fully testified by a constant and ready obedience to all the commands of his present Majesty, and his royal predecessors; both men and money having been raised in them at all times when called for, with as much alacrity and in as large proportions as hath been done in *Great-Britain*, the ability of each considered. It must also be confessed with thankfulness, that the first adventurers and their successors, for one hundred and thirty years, have fully enjoyed all the freedoms and immunities promised on their first removal from *England*.—But here the scene seems to be unhappily changing:—The *British* ministry, whether induced by a jealousy of the colonies, by false informations, or by some alteration in the system of political government,

government, we have no information ; whatever hath been the motive, this we are sure of, the parliament in their last session, passed an act, limiting, restricting, and burdening the trade of these colonies, much more than had ever been done before ; as also for greatly enlarging the power and jurisdiction of the courts of admiralty in the colonies ; and also came to a resolution, that it might be necessary to establish stamp duties, and other internal taxes, to be collected within them. This act and this resolution have caused great uneasiness and consternation among the *British* subjects on the continent of *America* : how much reason there is for it, we will endeavour, in the most modest and plain manner we can, to lay before our readers.

In the first place, let it be considered, that although each of the colonies hath a legislature within itself, to take care of it's interests, and provide for it's peace and internal government, yet there are many things of a more general nature, quite out of the reach of these particular legislatures, which it is necessary should be regulated, ordered and governed. One of this kind is, the commerce of the whole *British* empire, taken collectively, and that of each kingdom and colony in it, as it makes a part of that whole : Indeed, every thing that concerns the proper interest and fit government of the whole common-wealth, of keeping the peace, and subordination of all the parts towards the whole, and one among another, must be considered in this light : Amongst these general concerns, perhaps, money and paper credit, those grand instruments of all commerce, will be found also to have a place. These, with all other matters of a general nature, it is absolutely necessary should have a general power to direct them ; some supreme and over-ruling authority, with power to make laws, and form regulations for the good of all, and to compel their execution and observation. It being necessary some such general power should exist somewhere, every man of the least knowledge of the *British* constitution,

constitution, will be naturally led to look for, and find it in the parliament of *Great-Britain*; that grand and august legislative body, must from the nature of their authority, and the necessity of the thing, be justly vested with this power. Hence, it becomes the indispensable duty of every good and loyal subject, cheerfully to obey and patiently submit to all the acts, laws, orders and regulations that may be made and passed by parliament, for directing and governing all these general matters.

HERE it may be urged by many, and indeed, with great appearance of reason, that the equity, justice, and beneficence of the *British* constitution, will require, that the separate kingdoms and distant colonies, who are to obey and be governed by these general laws and regulations, ought to be represented, some way or other, in parliament; at least whilst these general matters are under consideration. Whether the colonies will ever be admitted to have representatives in parliament,—whether it be consistent with their distant and dependant state,—and whether if it were admitted, it would be to their advantage,—are questions we will pass by; and observe, that these colonies ought in justice, and for the very evident good of the whole common-wealth, to have notice of every new measure about to be pursued, and new act that is about to be passed, by which their rights, liberties, or interests will be affected: They ought to have such notice, that they may appear and be heard by their agents, by council, or written representation, or by some other equitable and effectual way.

THE colonies are at so great a distance from *England*, that the members of parliament can, generally, have but little knowledge of their business, connections and interest, but what is gained from people who have been there; the most of these, have so slight a knowledge themselves, that the informations they can give, are very little to be depended on, though they may pretend to determine with confidence,
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on matters far above their reach. All such kind of informations are too uncertain to be depended on, in the transacting business of so much consequence, and in which the interests of two millions of free people are so deeply concerned. There is no kind of inconveniency, or mischief, can arise from the colonies having such notice, and being heard in the manner above-mentioned : But, on the contrary, very great mischiefs have already happened to the colonies, and always must be expected, if they are not heard, before things of such importance are determined concerning them.

HAD the colonies been fully heard, before the late act had been passed, no reasonable man can suppose it ever would have passed at all, in the manner it now stands ; for what good reason can possibly be given for making a law to cramp the trade and ruin the interests of many of the colonies, and at the same time, lessen in a prodigious manner the consumption of the *British* manufactures in them ? These are certainly the effects this act must produce ; a duty of three pence *per* gallon on foreign melasses, is well known to every man in the least acquainted with it, to be much higher than that article can possibly bear ; and therefore must operate as an absolute prohibition. This will put a total stop to our exportation of lumber, horses, flour, and fish, to the *French* and *Dutch* sugar colonies ; and if any one supposes we may find a sufficient vent for these articles in the *English* islands in the *West-Indies*, he only verifies what was just now observed, that he wants truer information. Putting an end to the importation of foreign melasses, at the same time puts an end to all the costly distilleries in these colonies, and to the rum trade to the coast of *Africa*, and throws it into the hands of the *French*. With the loss of the foreign melasses trade, the codfishery of the *English*, in *America*, must also be lost, and thrown also into the hands of the *French*. That this is the real state of the whole business, is not fancy ; this, nor any part of it, is not exaggeration, but a sober and most melancholy truth.

VIEW this duty of three pence *per* gallon, on foreign melasses, not in the light of a prohibition, but supposing the trade to continue, and the duty to be paid. Heretofore there hath been imported into the colony of *Rhode-Island* only, about one million one hundred and fifty thousand gallons, annually; the duty on this quantity is fourteen thousand three hundred and seventy-five pounds, sterling, to be paid yearly by this little colony; a larger sum than was ever in it at any one time: This money is to be sent away, and never to return; yet the payment is to be repeated every year.—Can this possibly be done? Can a new colony, compelled by necessity to purchase all its cloathing, furniture, and utensils from *England*, to support the expences of its own internal government, obliged by its duty to comply with every call from the crown to raise money on emergencies; after all this, can every man in it pay twenty-four shillings sterling a year, for the duties of a single article only? There is surely no man in his right mind believes this possible. The charging foreign melasses with this high duty, will not affect all the colonies equally, nor any other near so much as this of *Rhode-Island*, whose trade depended much more on foreign melasses, and on distilleries, than that of any others; this must shew that raising money for the general service of the crown, or of the colonies, by such a duty, will be extremely unequal, and therefore unjust. And now taking either alternative; by supposing on one hand, the foreign melasses trade is stopped, and with it the opportunity or ability of the colonies to get money, or on the other, that this trade is continued, and that the colonies get money by it, but all their money is taken from them by paying the duty; can *Britain* be gainer by either? Is it not the chiefest interest of *Britain*, to dispose of and to be paid for her own manufactures? And doth she not find the greatest and best market for them in her own colonies? Will she find an advantage in disabling the colonies to

continue

continue their trade with her ? Or can she possibly grow rich by their being made poor ?

MINISTERS have great influence, and parliaments have great power ;—can either of them change the nature of things, stop all our means of getting money, and yet expect us to purchase and pay for *British* manufactures ? The genius of the people in these colonies, is as little turned to manufacturing goods for their own use, as is possible to suppose in any people whatsoever ; yet necessity will compel them, either to go naked in this cold country, or to make themselves some sort of cloathing, if it be only of the skins of beasts.

By the same act of parliament, the exportation of all kinds of timber, or lumber, the most natural produce of these new colonies, is greatly incumbered and uselessly embarrassed, and the shipping it to any part of *Europe*, except *Great-Britain*, prohibited : This must greatly affect the linen manufactory in *Ireland*, as that kingdom used to receive great quantities of flax-seed from *America*, many cargoes, being made of that and of barrel staves, were sent thither every year ; but, as the staves can no longer be exported thither, the ships carrying only flax-seed casks, without the staves, which used to be intermixed among them, must lose one half of their freight, which will prevent their continuing this trade, to the great injury of *Ireland*, and of the plantations : And what advantage is to accrue to *Great-Britain* by it, must be told by those who can perceive the utility of this measure.

ENLARGING the power and jurisdiction of the courts of vice-admiralty in the colonies, is another part of the same act, greatly and justly complained of. Courts of admiralty have long been established in most of the colonies, whose authority were circumscribed within moderate territorial jurisdictions ; and these courts have always done the business, necessary to be brought before such courts for trial, in
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the manner it ought to be done, and in a way only moderately expensive to the subjects ; and if seizures were made, or informations exhibited, without reason, or contrary to law, the informer, or seizer, was left to the justice of the common law, there to pay for his folly, or suffer for his temerity. But now this course is quite altered, and a custom-house officer may make a seizure in *Georgia*, of goods ever so legally imported, and carry the trial to *Halifax*, at fifteen hundred miles distance ; and thither the owner must follow him to defend his property ; and when he comes there, quite beyond the circle of his friends, acquaintance, and correspondents, among total strangers, he must there give bond, and must find sureties to be bound with him in a large sum, before he shall be admitted to claim his own goods ; when this is complied with, he hath a trial, and his goods acquitted. If the judge can be prevailed on, (which it is very well known may too easily be done) to certify, there was *only* probable cause for making the seizure, the unhappy owner shall not maintain any action against the illegal seizer, for damages, or obtain any other satisfaction ; but he may return to *Georgia* quite ruined, and undone in conformity to an act of parliament. Such unbounded encouragement and protection given to informers, must call to every one's remembrance *Tacitus's* account of the miserable condition of the *Romans*, in the reign of *Tiberius* their emperor, who let loose and encouraged the informers of that age. Surely if the colonies had been fully heard, before this had been done, the liberties and properties of the *Americans* would not have been so much disregarded.

THE resolution of the house of commons, come into during the same session of parliament, asserting their rights to establish stamp duties, and internal taxes, to be collected in the colonies without their own consent, hath much more, and for much more reason, alarmed the *British* subjects in *America*, than any thing that had ever been done before.

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These resolutions, carried into execution, the colonies cannot help but consider as a manifest violation of their just and long enjoyed rights. For it must be confessed by all men, that they who are taxed at pleasure by others, cannot possibly have any property, can have nothing to be called their own ; they who have no property, can have no freedom, but are indeed reduced to the most abject slavery ; are in a condition far worse than countries conquered and made tributary ; for these have only a fixed sum to pay, which they are left to raise among themselves, in the way that they may think most equal and easy ; and having paid the stipulated sum, the debt is discharged, and what is left is their own. This is much more tolerable than to be taxed at the meer will of others, without any bounds, without any stipulation and agreement, contrary to their consent, and against their will. If we are told that those who lay these taxes upon the colonies, are men of the highest character for their wisdom, justice, and integrity, and therefore cannot be supposed to deal hardly, unjustly, or unequally by any ; admitting, and really believing that all this is true, it will make no alteration in the nature of the case ; for one who is bound to obey the will of another, is as really a slave, though he may have a good master, as if he had a bad one ; and this is stronger in politic bodies than in natural ones, as the former have perpetual succession, and remain the same ; and although they may have a very good master at one time, they may have a very bad one at another. And indeed, if the people in *America*, are to be taxed by the representatives of the people in *Britain*, their malady is an increasing evil, that must always grow greater by time. Whatever burdens are laid upon the *Americans*, will be so much taken off the *Britons* ; and the doing this will soon be extremely popular, and those who put up to be members of the house of commons, must obtain the votes of the people by promising to
take

take more and more of the taxes off them, by putting it on the *Americans*. This must most assuredly be the case, and it will not be in the power even of the parliament to prevent it; the people's private interest will be concerned, and will govern them; they will have such, and only such representatives as will act agreeable to this their interest; and these taxes laid on *Americans*, will be always a part of the supply bill, in which the other branches of the legislature can make no alteration: and in truth, the subjects in the colonies will be taxed at the will and pleasure of their fellow-subjects, in *Britain*.—How equitable, and how just this may be, must be left to every impartial man to determine.

BUT it will be said, that the monies drawn from the colonies by duties, and by taxes, will be laid up and set apart to be used for their future defence: This will not at all alleviate the hardship, but serves only more strongly to mark the servile state of the people. Free people have ever thought, and always will think, that the money necessary for their defence, lies safest in their own hands, until it be wanted immediately for that purpose. To take the money of the *Americans*, which they want continually to use in their trade, and lay it up for their defence, at a thousand leagues distance from them, when the enemies they have to fear, are in their own neighbourhood, hath not the greatest probability of friendship or of prudence.

It is not the judgment of free people only, that money for defending them is safest in their own keeping, but it hath also been the opinion of the best and wisest kings and governors of mankind, in every age of the world, that the wealth of a state was most securely as well as most profitably deposited in the hands of their faithful subjects: *Constantius*, emperor of the *Romans*, though an absolute prince, both practised and praised this method. “ *Dioclesian* “ sent persons on purpose to reproach him with his neglect of the public, and the poverty to which he was “ reduced

“ reduced by his own fault. *Constantius* heard these re-
 “ proaches with patience ; and, having persuaded those who
 “ made them in *Dioclesian’s* name, to stay a few days with
 “ him, he sent word to the most wealthy persons in the pro-
 “ vinces, that he wanted money, and that they had now
 “ an opportunity of shewing whether or no they truly
 “ loved their prince. Upon this notice every one strove
 “ who should be foremost in carrying to the exchequer all
 “ their gold, silver, and valuable effects ; so that in a short
 “ time *Constantius* from being the poorest, became by far
 “ the most wealthy of all the four princes. He then in-
 “ vited the deputies of *Dioclesian* to visit his treasury, desir-
 “ ing them to make a faithful report to their master of the
 “ state in which they should find it. They obeyed ; and,
 “ while they stood gazing on the mighty heaps of gold
 “ and silver, *Constantius* told them, that the wealth which
 “ they beheld with astonishment, had long since belonged
 “ to him ; but that he had left it by way of depositum, in
 “ the hands of his people : adding, the richest and surest
 “ treasure of the prince was the love of his subjects.
 “ The deputies were no sooner gone, than the generous
 “ prince sent for those who had assisted him in his exigency,
 “ commended their zeal, and returned to every one what
 “ they had so readily brought into his treasury.”

Universal Hist. vol. XV. page 523.

WE are not insensible, that when liberty is in danger, the
 liberty of complaining is dangerous ; yet, a man on a
 wreck was never denied the liberty of roaring as loud as he
 could ; says *Dean Swift*. And we believe no good reason
 can be given, why the colonies should not modestly and so-
 berly enquire, what right the parliament of *Great-Britain*
 have to tax them. We know such enquiries, by a late
 letter-writer, have been branded with the little epithet of
mushroom policy ; and he insinuates, that for the colonies to
 pretend to claim any privileges, will draw down the
 resentment

resentment of the parliament on them.—Is the defence of liberty become so contemptible, and pleading for just rights so dangerous? Can the guardians of liberty be thus ludicrous? Can the patrons of freedom be so jealous and so severe?—If the *British* house of commons are rightfully possessed of a power to tax the colonies in *America*, this power must be vested in them by the *British* constitution, as they are one branch of the great legislative body of the nation: As they are the representatives of all the people in *Britain*, they have beyond doubt, all the power such a representation can possibly give; yet, great as this power is, surely it cannot exceed that of their constituents. And can it possibly be shewn, that the people in *Britain* have a sovereign authority over their fellow-subjects in *America*? Yet such is the authority that must be exercised in taking people's estates from them by taxes, or otherwise without their consent. In all aids granted to the crown by the parliament, it is said with the greatest propriety, “We freely give unto your Majesty;” for they give their own money, and the money of those who have intrusted them with a proper power for that purpose: But can they with the same propriety give away the money of the *Americans*, who have never given any such power? Before a thing can be justly given away, the giver must certainly have acquired a property in it; and have the people in *Britain* justly acquired such a property in the goods and estates of the people in these colonies, that they may give them away at pleasure?

In an imperial state, which consists of many separate governments, each of which hath peculiar privileges, and of which kind it is evident the empire of *Great-Britain* is; no single part, though greater than another part, is by that superiority intitled to make laws for, or to tax such lesser part; but all laws, and all taxations, which bind the whole, must be made by the whole: This may be fully verified by the empire of *Germany*, which consists of many states, some
powerful,

powerful, and others weak, yet the powerful never make laws to govern or to tax the little and weak ones; neither is it done by the emperor, but only by the diet, consisting of the representatives of the whole body. Indeed, it must be absurd to suppose, that the common people of *Great-Britain* have a sovereign and absolute authority over their fellow-subjects in *America*, or even any sort of power whatsoever over them; but it will be still more absurd, to suppose they can give a power to their representatives, which they have not themselves. If the house of commons do not receive this authority from their constituents, it will be difficult to tell by what means they obtained it, except it be vested in them by meer superiority and power.

SHOULD it be urged, that the money expended by the mother country, for the defence and protection of *America*, and especially during the late war, must justly intitle her to some retaliation from the colonies; and that the stamp duties and taxes, intended to be raised in them, are only designed for that equitable purpose; if we are permitted to examine how far this may rightfully vest the parliament with the power of taxing the colonies, we shall find this claim to have no sort of equitable foundation. In many of the colonies, especially those in *New-England*, who were planted, as is before observed, not at the charge of the crown or kingdom of *England*, but at the expence of the planters themselves, and were not only planted, but also defended against the savages, and other enemies, in long and cruel wars, which continued for an hundred years, almost without intermission, solely at their own charge: And in the year 1746, when the Duke *D'Anville* came out from *France*, with the most formidable *French* fleet that ever was in the *American* seas, enraged at these colonies for the loss of *Louisbourg*, the year before, and with orders to make an attack on them; even in this greatest exigence, these colonies were left to the protection of heaven, and their own efforts. These colonies
having

having thus planted and defended themselves, and removed all enemies from their borders, were in hopes to enjoy peace, and recruit their state, much exhausted by these long struggles; but they were soon called upon to raise men, and send out to the defence of other colonies, and to make conquests for the crown; they dutifully obeyed the requisition, and with ardor entered into those services, and continued in them until all encroachments were removed, and all *Canada*, and even the *Havana*, conquered. They most cheerfully complied with every call of the crown; they rejoiced, yea even exulted, in the prosperity and exaltation of the *British* empire. But these colonies, whose bounds were fixed, and whose borders were before cleared from enemies, by their own fortitude, and at their own expence, reaped no sort of advantage by these conquests; they are not enlarged, have not gained a single acre of land, have no part in the *Indian* or interior trade; the immense tracts of land subdued, and no less immense and profitable commerce acquired, all belong to *Great-Britain*; and not the least share or portion to these colonies, though thousands of their men have lost their lives, and millions of their money have been expended in the purchase of them; for great part of which we are yet in debt, and from which we shall not in many years be able to extricate ourselves. Hard will be the fate, yea cruel the destiny, of these unhappy colonies if the reward they are to receive for all this, is the loss of their freedom; better for them *Canada* still remained *French*, yea far more eligible that it ever should remain so, than that the price of its reduction should be their slavery.

If the colonies are not taxed by parliament, are they therefore exempted from bearing their proper share in the necessary burdens of government? This by no means follows. Do they not support a regular internal government in each colony, as expensive to the people here, as the internal government of *Britain* is to the people there? Have not
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the colonies here, at all times when called upon by the crown, raised money for the public service, done it as cheerfully as the parliament have done on like occasions? Is not this the most easy, the most natural, and most constitutional way of raising money in the colonies? What occasion then to distrust the colonies,—what necessity to fall on an invidious and unconstitutional method, to compel them to do what they have ever done freely? Are not the people in the colonies as loyal and dutiful subjects as any age or nation ever produced,—and are they not as useful to the kingdom, in this remote quarter of the world, as their fellow-subjects are who dwell in *Britain*? The parliament, it is confessed, have power to regulate the trade of the whole empire; and hath it not full power, by this means, to draw all the money and all the wealth of the colonies into the mother country, at pleasure? What motive, after all this, can remain, to induce the parliament to abridge the privileges, and lessen the rights of the most loyal and dutiful subjects; subjects justly intitled to ample freedom, who have long enjoyed, and not abused or forfeited their liberties, who have used them to their own advantage, in dutiful subserviency to the orders and interests of *Great-Britain*? Why should the gentle current of tranquillity, that has so long run with peace through all the *British* states, and flowed with joy and with happiness in all her countries, be at last obstructed, be turned out of its true course, into unusual and winding channels, by which many of those states must be ruined; but none of them can possibly be made more rich or more happy?

BEFORE we conclude, it may be necessary to take notice of the vast difference there is between the raising money in a country by duties, taxes, or otherwise, and employing and laying out the money again in the same country; and raising the like sums of money, by the like means, and sending it away quite out of the country where it is raised. Where the former of these is the case, although the sums raised may be
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very great, yet that country may support itself under them; for as fast as the money is collected together, it is again scattered abroad, to be used in commerce and every kind of business; and money is not made scarcer by this means, but rather the contrary, as this continual circulation must have a tendency to prevent, in some degree, it's being hoarded. But where the latter method is pursued, the effect will be extremely different; for here, as fast as the money can be collected, 'tis immediately sent out of the country, never to return but by a tedious round of commerce, which at best must take up much time: Here all trade, and every kind of business depending on it, will grow dull, and must languish more and more, until it comes to a final stop at last. If the money raised in *Great-Britain* in the three last years of the late war, and which exceeded forty millions sterling, had been sent out of the kingdom, would not this have nearly ruined the trade of the nation in three years only? Think then, what must be the condition of these miserable colonies, when all the money proposed to be raised in them, by high duties on the importation of divers kinds of goods, by the post-office, by stamp duties, and other taxes, is sent quite away, as fast as it can be collected; and this to be repeated continually, and last forever! Is it possible for colonies under these circumstances to support themselves, to have any money, any trade, or other business, carried on in them? Certainly it is not; nor is there at present, or ever was, any country under heaven, that did, or possibly could support itself under such burdens.

WE finally beg leave to assert, that the first planters of these colonies were pious christians; were faithful subjects; who, with a fortitude and perseverance little known, and less considered, settled these wild countries, by God's goodness, and their own amazing labours; thereby added a most valuable dependance to the crown of *Great-Britain*; were ever dutifully subservient to her interests; so taught their children,
that

that not one has been disaffected to this day ; but all have honestly obeyed every royal command, and cheerfully submitted to every constitutional law ; have as little inclination as they have ability to throw off their dependancy ; have carefully avoided every offensive measure, and every interdicted manufacture ; have risked their lives as they have been ordered, and furnished their money when it has been called for ; have never been troublesome or expensive to the mother country ; have kept due order, and supported a regular government ; have maintained peace, and practised christianity ; and in all conditions, and in every relation, have demeaned themselves as loyal, as dutiful, and as faithful subjects ought ; and that no kingdom or state hath, or ever had, colonies more quiet, more obedient, or more profitable, than these have ever been.——

MAY the same divine goodness, that guided the first planters, protected the settlements, inspired kings to be gracious, parliaments to be tender, ever preserve, ever support our present gracious King ; give great wisdom to his ministers, and much understanding to his parliaments ; perpetuate the sovereignty of the *British* constitution, and the filial dependancy and happiness of all the colonies.

P-----.

PROVIDENCE, in NEW-ENGLAND,
NOVEMBER 30, 1764.

