

1stly. That the supreme and subordinate powers of Legislation should be free and sacred in the hands where the community have once rightfully placed them.

2dly. The supreme national legislature cannot be altered justly, "till the commonwealth is dissolved, nor a subordinate legislative taken away without forfeiture or other good cause." Nor then can the subjects in the subordinate government be reduced to a state of slavery, and subject to the despotic rule of others. A state has no right to make slaves of the conquered. Even when the subordinate right of legislature is forfeited, and so declared, this cannot affect the natural persons either of those who were invested with it, or the inhabitants, so far as to deprive them of the rights of subjects and of men.—The Colonies will have an equitable right notwithstanding any such forfeiture of charter, to be represented in parliament, or to have some new subordinate legislature among themselves. It would be best if they had both. Deprived however of their common rights as subjects, they cannot lawfully be, while they remain such. A representation in parliament from the several Colonies, since they are become so large and numerous, as to be called on not only to maintain provincial government, civil and military among themselves, forthas they have cheerfully done, but to contribute towards the support of a national standing army, by reason of the heavy national debt, when they themselves owe a large one, contracted in the common cause, can't be thought an unreasonable thing, nor if asked, could it be called an immodest request. *Qui sentit communum sentire debet et omnes,* has been thought a maxim of equity. But that a man should bear a burthen for other people, as well as himself, without a return, never long found a place in any law-book or decrees, but those of the most despotic princes. Besides the equity of an American representation in parliament, a thousand advantages would result from it. It would be the most effectual means of giving those of both countries a thorough knowledge of each others interests; as well as that of the whole, which are inseparable.

Were this representation allowed; instead of the scandalous memorials and depositions that have been sometimes, in days off all, privately crooked up inquisitorial manner, by persons of bad minds and wicked views,

and sent from America to the several boards, persons of the first reputation among their countrymen, might be on the spot, from the several colonies, truly to represent them. Future ministers need not, like some of their predecessors, have recourse for information in American affairs, to every vagabond trumper, that has run or rid past thro' America, from his creditors, or to people of no kind of reputation from the colonies; some of whom, at the time of administering their sage advice, have been as ignorant of the state of this country, as of the regions in Jupiter and Saturn.

No representation of the Colonies in parliament alone, would however be equivalent to a subordinate legislative among themselves; nor so well answer the ends of increasing their prosperity and the commerce of Great Britain. It would be impossible for the parliament to judge so well, of their abilities to bear taxes, impositions on trade, and other duties and burthens, or of the local laws that might be really needful, as a legislative here.

3dly. No legislative, supreme or subordinate, has a right to make itself arbitrary.

It would be a most manifest contradiction, for a free legislative, like that of Great Britain, to make itself arbitrary.

4thly. The supreme legislative cannot justly assume a power of ruling by extempore arbitrary decrees, but is bound to dispense justice by known settled rules, and by duly authorized independent judges.

5thly.. The supreme power cannot take from any man any part of his property, without his consent in person, or by representation.

6thly.. The legislature cannot transfer the power of making laws to any other hands.

These are their bounds, which by God and nature are fixed, hitherto have they a right to exceed, and no further.

1. To govern by stated laws.

2. These laws should have no other end ultimately, but the good of the people.

3. Taxes are not to be laid on the people, but by their consent in person, or by delegation.

4. Their whole power is not transferable.

These are the first principles of law and justice, and the great barriers of a free state, and of the British constitution in particular. I ask, I want no more—Now let it be shewn how this is reconcileable with these principles or to many other fundamental maxims of the British constitution, as well as the natural and civil