

upon the Doctrine Laid down in that able performance you transmitted w^{ch} has since found its way to the Press with the name of M^r Dulany Prefixed.

His Lordship Argued That it appeared from the Fundamentals of the Constitution that the People had always kept the Purse, that the Commons in the language of every Bill of Supply Emphatically Gave & Granted & tho' the King willed it to be a Law yet he always returned thanks; That antiently before the County of Chester was represented in Parliament Writs had Issued to the Earls of Chester for the People to Tax themselves, that Calais formerly Sent Members to Parliam^t & therefore they were taxed, that neither Guernsey or Jersey had never been represented & consequently they were never taxed, that Wales was never Taxed till after their Conquest & a Representation had taken place, & the case was the same with the Clergy who remained unassessed by Parliament till they had obtained a Seat there, that it was said the Manchester People were not represented, a question w^{ch} would be best resolved by the Members of the County; That the Sovereignty of the Legislature could do everything not contrary to the Law of God or of Nature was a Proposition long assented to, but till they had exercised the right of Taxation over the Colonies he should doubt of their Power; the Colonys when they Migrated carried their Birth right with them; the Same Spirit of Liberty Still pervaded the whole of the New Empire; he relyed much upon a Manuscript of Lord Chief Justice Hales "de Prærogativa Regis" in w^{ch} he seemed to doubt of the Power of this Country to raise Subsidies in Ireland; And he Enforced his Arguments in favor of a Representation for the Colonies by Supposing a case to exist where their Interest & that of the Mother Country might happen to Clash in w^{ch} event he Declared he should as an Englishman Incline agst them & he thought every honest man here would do the same. That If the Court of Vienna had been less Inflexible they might still have remained masters.

Lord Mansfield took the other side of the Question. He said That Lock, Harrington, & other writers on the Law of Nations had been Improperly brought in as they were not then Settling a new Constitution but finding out and Declaring the old one. That the original Constitution of Parliaments lay hid in great obscurity, & who they were Composed of remained very uncertain, that the Language of the Old Acts was p^r Commune Concilium regis and the People seemed to have been called Originally to assist in Parliam^t from their Tenures. That the Doctrine of Representation seemed ill founded; there were Twelve Millions of People in England & Ireland who were not represented, & he par-