

where the same topic receives expanded treatment. he says: "Arbitrary justice suits only the condition of slaves," and declares that if the rule of law is uncertain, life, liberty, and property are jeopardized.¹⁸

Then comes a classification of English laws (statute) into general, which specifically include "the realm of England and all other dominions thereto belonging", and particular statutes—the latter in turn being subdivided into definite particular, which mention the place in which they are to be effective, and indefinite particular statutes, which mention no location, yet are implicitly located [restricted] to "the place and people only for whom they were made, since laws bind none but those particular subjects for whom they were designedly made and for the redress of whose grievances they were intended." From this point he proceeds:

"Many such laws are in England, which being made for the benefit of the English nation only are of obligation to no other subjects but those of that nation; for that nation only having representatives at these parliaments wherein such Laws were enacted none but the people of that nation can be bound by them sith none but they consented to the making of them. or indeed know of their being made [:] for the Laws of England enacted for its Benefit only are not promulgated because every Englishman in Construction o' Law is supposed to be present by his proxy or Representative at the making of such Laws and his Consent and Knowledge are presumed in every Act of Parliament Passd by them. But with English Subjects Living in another Land who have no Representatives there the Case is quite otherwise for they must be particularly expressed in every English Act of Parliament that Binds them and the Act must be duly promulgated amongst them in the most publick places by their Sheriffs otherwise or by the Governor's order in the Gazettes."¹⁹

The good parson was then struggling between his belief in the Lockean government by consent and his regard for the sovereignty of Parliament. For he proceeds to show that the colonists have *not* the full privileges of Englishmen *because* they are subject to the authority of Parliament. In spite of the "soothings" of "illiterate lawyers," the English colo-

¹⁸ Ibid. pp. 278 ff.

¹⁹ Ibid., pp. 270 ff. Compare Shower's argument for the plaintiff in *Blankard vs. Galdy*; Salkeld, p. 411; or 4 Mod., pp. 222 ff.