Again, we find this controversy in Maryland but one outcropping of a general uncertainty which existed in widely distant parts of the Empire, with reference to the legal connection between the mother state and the colony. Nor was even the judicial theory of the Imperial Courts consistent and uniform. In this condition of doubt, then, one colony very naturally looked for argument and precedent to the experience of others, though no concerted action on this point ever took place.

The main propositions urged by Dulany and his party did not survive, for history was against them. Dulany was in the wrong, not merely from the standpoint of the Proprietor, the Crown lawyers and the decisions of the English courts; he was arguing what would really have been to the detriment of the Province. For what would it have meant, if all general English statutes—*i. e.,* those not specifically limited to England — had extended to the Province? Blackstone suggests the answer.[1] If this doctrine had been maintained, many of those cases wherein the colony was free from the complications and burdens of the older civilization would have been reversed; while, if it were answered that the colony could pass laws of its own to amend such statutes, the reply would be that such laws might be vetoed by the Proprietor quite as effectively as laws to extend English statutes. In fact, the power of dissent, if its exercise were continued, would work either way; and it was just this control by the Proprietor over colonial legislation which lay at the root of the difficulty. Dulany is playing the rights of Englishmen against the prerogative of the Proprietor.

It will undoubtedly have been noticed that in the arguments of the country party no word was said of the danger of parliamentary control; it is Eversfield who complains of the Navigation Acts and Acts of Trade.[2] Yet, we know that the burdens of this legislation were not unrealized; and we can

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[1] Above, p. 22.
[2] Above, pp. 58-59.