

Rights of Representation, when they sold their English Freeholds, in order to embark their whole Fortunes in their Schemes of Settlement in the American Colonies, in as much as that Right is attendant in the Constitution on the Freehold. But ask them in Answer to this, if in England a sale of a Freehold in one County, can destroy the Right of purchasing a Freehold in another County? And they become so sensible of the just Argument deducible from it, in favour of North-America, that you hear nothing but noisy Quibbling instead of Answering. However, a candid Judge of Reasoning, must see that the Right of Representation though confined to the Freehold, was as inherent by Birth in the Subject, as it was before it was limited to the Freehold; and that whenever he purchased that Qualification which he had consented should limit the choice of a Representative, he was again invested with the Right of Representation, in order to bear a Part in consenting to the Laws by which he was to be govern'd and taxed; and how the purchase of a Freehold in any Dominion of the Realm, can be divested of such a Right, is to me beyond Comprehension in any view, of even the most distant Justice. Should any impossibility from the Nature of Things, be urged in favour of such an act of Violence, the Reply must be extremely pertinent, proper, and just; that as it was found impossible for the Subject when he emigrated, to enjoy such a Right attendant on his Freehold, in a British Parliament, it certainly was Constitutionally fair, that he should enjoy it where he emigrated, as it was a Privilege that he was Born to, which his Charter from the Sovereign had declared he should enjoy in that Dominion of the Realm, that he emigrated to. The Right Honourable Pamphleteer has endeavour'd to avoid the Justice of this Principle, by saying, that the Crown had no Right to make such a Charter, from the impossibility of the Crown's having a Right to supersede the Right of the Legislature; but unless he can demonstrate that any Parliament under the Constitution of England, has a Right to govern and tax the Subjects of England, by Laws not made by the Consent of the Majority of their Representatives, that Fundamental of their Constitution; every Thing that he says is only begging the Question, which cannot be granted to him. There is a certainty, that the Crown had the peculiar Privilege of settling its own Acquisitions, and if in the doing of that, the Sovereign has thought proper to declare, that the Subject settling, should enjoy all his several Privileges, to every Intent and Purpose, as he enjoyed them in the Realm of England, 'tis no Controul of the Legislative Power, as there could not exist such a Power in the Constitution.

Again I find it argued, that the North-Americans in their Quit-Rents that they Pay, are but as mere Tenants to the Crown, from whence a Conclusion is mumbled out, that as such, they have no Right to a Representation: But if you Point out to them, that these Quit-Rents are but as a kind of pecuniary Relief from the feudal Acknowledgment of the Sovereign's supremacy, originally made and still due to him: An Acknowledgment which Tenures in England, are in some sort or other obliged to make, and yet the Right of Representation is nevertheless preserved to the Freehold; they dare not reply, being certain that if they distinguish such an annual pecuniary Relief, &c. from a valuable Consideration paid, for the occupying Lands for a Term, the whole Argument must drop, because as has been before observed, no Lands held by Copy hold or Lease hold for less than Life, has a Right to a Representation by the Constitution, according to the before mentioned Qualification in the Statute of Hen. VI, in as much as the Freehold only, enjoys it wherever it is lodged, and the Law will fix it in somebody.

Further, as it is found that such Arguments cannot make any Thing against this inherent Birthright in the first Emigrants, they attempt to destroy the Aid given by these Charters to their Descendants, by telling us, that most of them have been revoked; which for my Part I think is only justifying one gross violation of Right, by as glaring an Instance of illegal Oppression, where the Conditions on one Part entered into, are cancelled after the People had complied by emigrating (by virtue of those Charters) with their Conditions. Similar to such an Argument, I beg Leave to introduce a Piece of Parliament History on just such an Instance of cancelling Charters, that declared the Right of the Subject, in order to shew the Sentiment that even this Supreme Legislature had of such a Thing. One Habert de Burgh a Lord Chief

Justice, advised King John in the Eleventh Year of his Reign, to cancel the Great Charter, and the Charter de Foresta; for which he was sentenced according to Law, by his Peers in open Parliament, and degraded of his Dignity. Suppose then some Supreme Legislature of a future Day, should argue against the Liberties of the Subject confirm'd by such Charters, from such a Cancelling, would it not be extremely just?

But so fond are they of using such Arguments, that we are told of Instances where Statutes have been made heretofore, that have governed in the Colonies, notwithstanding they had no Representatives in the Parliament at the Time, and from these as Precedents, they deduce a Right to do the same Thing now. This is certainly inverting the Maxim of right Reason a facta ad jus, non datur Consequentia; that because an instance of injustice has prevailed, it shall at all Times continue, and alter even the Nature of Justice. Right and Wrong with me, are so immutable in their Ideas, and so much at variance in their Natures, that I can no more think that one could produce the other, than that an Elephant can generate a Humming-Bird, or a Humming-Bird an Elephant. We say that we ought not to be governed or taxed, but by Laws consented to by the Majority of our Representatives, according to the evident Rules of the Constitution of England. This Argument tells us, that 'tis just that we should be governed by what Laws the Parliament pleases, whether we are represented or not, because they have done so before: A very sensible Writer in the Year 1729 upon much such a Subject, and against much such an Argument, makes this Reply; "A Highway-man meets you upon the Road, and makes bold with your Property, notwithstanding the Laws against such a Practice; would it not be just, for him to rob you every Time he wanted Money?" But some support this Argument, by saying, that the Colonies submitted to it without Complaint, Submission by Consent might be something; but to draw Consent from silence, where there is such a Mode of stifling Dissents, as all the Representations, Petitions, &c. have experienced in this Affair, is certainly excellent Justice, and almost as good as Precedents indiscriminately used, whether just or unjust. Suppose a future Parliament from some fancied Instance of voting a Triennial into a Septennial Election, should declare themselves Perpetual; might they not as justly, by Precedent, enter upon the Destruction of every fundamental Law in the Constitution? Many Reverend Judges tell us, that the King is under the directive Power of Law, tho' not the coercive, but these Arguments admit of no directive Power (but Precedents) to Parliaments; not even when they attack the fundamental Laws of the Land. O! for an Angel of Sbandian fancy, to drop a Tear to blot all such Things out of the Records of such Times, that they may not climb in Precedents, up to the top Branches of Liberty. This seems to be begun, and why? Is it not because that we are weak and they are strong? Lion! in thy rampancy, represent the Scene of the Day in true Character, exhibit from your Sanctuary of Justice, your Distribution of Liberty.

The first Quarter I take, as being Lord of the Wilds. [Anglice the Supreme Legislature.]

The second Quarter is mine, because I will fancy that in your State of Infancy, you could do nothing without my Assistance, and therefore it must be presumed I fed you out of my own Bowels.

The third Quarter I take, as being Lion. [Anglice your Mother-Country, and you as being my Children, ought to have no Property that is not subject to my Will and Pleasure; and therefore you ought to be my absolute dependant Slaves.]

The fourth Quarter is mine, as being the strongest Beast, and irresistible, [and if you dare to murmur, I will billet my devouring Strength in your Forest, and Dragon you all into Order.]

B O S T O N, April 25.
Extract of a Letter from a Gentleman in London, to his Friend here, dated March 1, 1766.

THE humble Remonstrance which your Province had heretofore sent hither, against the Bill imposing Stamp Duties in America passing into a Law, was well received by the King in Council, and the same was delivered by the Council to Mr. G—le, then first L—d of the

T—y and a leading Man in the House, in order to be laid before the Parliament; but this he thought proper to decline, and the House never saw, until now, what it is thought would doubtless have prevented the Act from being passed; for which Disobedience of the Order of Council, and saying to secret Papers which he was directed to communicate, it is thought he will be impeached before the Rising of the House. I sincerely congratulate you upon this mighty Acquisition, which I hope may be properly presented, and that it may have the salutary Tendency of uniting again to the Body the broken and disjointed Members. The late Restrictions upon your Trade will probably be taken off, so that America will have all they wish for.

N E W - Y O R K, April 24.
The following is a Copy of Grenville's Motion in the House for enforcing the Act. He was supported by 134, among whom were, Sir Chas. H-d-y, [In Return for the Kindness and Respect shewn him in America] and General Ab-r-r-mby, [The Hero of Tyconderoga,] 274 opposed the Motion.

Mr. Grenville's Motion in the House of Commons:

That it is the Opinion of this Committee, that an humble Address be presented to his Majesty, to express the Indignation and Concern of the House, at the dangerous Tumults and Insurrections, which have been raised, inflamed, and carried on, in several of the Colonies in North-America, whereby the Execution of a British Act of Parliament has been actually defeated, the Powers and Dignity of his Majesty's Government set at Defiance, and the Legal, Constitutional Dependence of the said Colonies on Great-Britain, impaired and violated. To express our entire Confidence in his Majesty's Royal Wisdom and Firmness, that he will give effectual Orders, and take all proper Measures for preventing any Attempt of the like dangerous Nature for the future, and for carrying into Execution all Laws and Statutes, relative to the said Colonies and Plantations, enacted by the supreme Legislature of these Kingdoms; to recommend to his Majesty's Protection and Favour, his loyal and dutiful Subjects in North-America, who have manifested their Desire to comply with, and to assist in the Execution of the Act passed in the last Session of Parliament, for imposing certain Duties of Stamps in the said Colonies, and with the other Statutes of the Realm; and to assure his Majesty that this House will in a Parliamentary way, firmly and steadily Support his Majesty in all such Measures as shall be necessary for vindicating the Rights of Parliament, and for restoring Order and Tranquility to the Colonies.

After many long and warm Speeches upon the above Motion, "About Ten o'Clock, when the House were almost worried out, Old General HOWARD stood up, at his Martial Appearance, a profound Silence ensued, he spoke to this Effect, That he shuddered at the unnatural Motion, he hoped in God it would not succeed; lest he should be ordered to execute it, and before he would imbrue his Hand in the Blood of his Countrymen, who were CONTENDING FOR ENGLISH LIBERTY, he would, if ordered, draw his Sword, but would sooner sheath it in his own Body.— Secretary CONWAY said (tho' not at the same Time) that he would sooner cut off his Right Arm, than sign an Order for Soldiers to enforce the Act."

Before the Debate on Grenville's Motion, things were in a State of great uncertainty and fluctuation, the most knowing were at a Loss what to expect.—One Day the Ministry would have the Advantage, the next Grenville's Party would seem to prevail,—and then of course no Repeal: But since that Debate, Appearances were more favourable. As soon as the Stamp-Act is out of the Way, the Sugar Act, and other destructive Restraints on American Trade, will be considered: It is imagined every Thing we ask will be granted; as the Eyes of the Nation are at last opened, to see the Advantages that Great Britain will receive by granting us an almost unlimited Trade, where it does not in the least interfere with British Manufactures. That it was said French Sugars, &c. will pay no Duties on Importation, to the Colonies, but must be put in the King's Warehouses, and the Proprietor be obliged to re-ship them in a stipulated Time, to any Part of the World. That the Duty on Molasses will be reduced to One Penny per Gallon, and that the West-Indians were collecting all their Forces to prevent the passing of these Acts in our Favour, but there was little Reason to fear they would succeed against us.

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