

CHARLES the first, wherein his Majesty was pleased to recognize to them, a liberty to worship God according to the dictates of their consciences; a blessing which in those unhappy times was denied to them in their own country: And the rights, liberties, privileges and immunities of his natural born subjects within the realm. This Charter they enjoyed, having punctually fulfilled the conditions of it, till it was vacated, as you conceive arbitrarily, in the reign of King CHARLES the second. After the revolution, that grand era of British liberty, when King WILLIAM and Queen MARY of glorious and beneficent memory were established on the Throne, the inhabitants of this Province obtained another Charter, in which the most essential Rights and Privileges contained in the former were referred to them: Thus blended with the liberties of Englishmen, they continued to increase and multiply, till as your Lordship knows, a dreary wilderness is become a fruitful field, and a grand source of national wealth and glory.

By the common law, my Lord, as well as sundry Acts of Parliament from the reign of EDWARD the third, the children of his Majesty are considered as his natural born subjects, and are entitled to the same rights, liberties, privileges and immunities of his natural born subjects within the realm. From hence the conclusion appears to be irresistible, that the descendants of his Majesty's subjects in the realm, who migrated with the consent of the nation, and purchased a Settlement with their own treasure and blood, without any aid from the nation; who early acknowledged their allegiance to the Crown of England; and have always approved themselves faithful subjects, and in many instances given signal proofs of their loyalty to their King, and their firm attachment and affection to their Mother Country. The conclusion is strong, that exclusive of any consideration of their Charter, they are entitled to the Rights and Privileges of the British Constitution, in common with their fellow subjects in Britain. And it is very remarkably the sense of the British nation, that they are so; as appears by an Act of Parliament made in the 13th of his late Majesty King GEORGE the second. The preamble of that Act plainly presupposes it; and the purview of the same Act enables and directs the Superior Court of Judicature of this Province, a Court erected by the authority of the General Court, to naturalize foreigners under certain conditions; which it is presumed the wisdom of the Parliament would not have empowered any people to do, who were not themselves deemed natural born subjects.

The spirit of the law of nature and nations supposes that all the free subjects of any Kingdom, are entitled equally to all the Rights of the Constitution; for it appears unnatural and unreasonable to affirm, that local or any other circumstances can justly deprive any part of the subjects of the same Prince, of the full enjoyment of the Rights of that Constitution, upon which the Government itself is formed; and by which sovereignty and allegiance are ascertained and limited. But your Lordship is so thoroughly grounded with the extent of the rights of men and of subjects, as to render it altogether improper to take up any more of your time on this head.

There are, my Lord, fundamental rules of the Constitution, which it is humbly presumed, neither the supreme legislative nor the supreme executive can alter. In all free States the Constitution is fixed: It is from thence that the legislative derives its authority; therefore it cannot change the constitution without destroying its own foundation. If then the constitution of Great Britain is the common right of all British subjects, it is humbly referred to your Lordship's judgment, whether the supreme legislative of the Empire may rightly leap the bounds of it in the exercise of power over the subjects in America, in any more than over those in Britain.

When mention is made of the Rights of American subjects and the interest they have in the British constitution in common with all other British subjects, your Lordship is too candid and just in your sentiments to suppose that the House have the most distant thought of an independency on Great Britain.—They are not insensible of their security and happiness in their connexion with and dependence on the Mother State. These, my Lord, are the sentiments of the House and of their constituents; and they have reason to believe they are the sentiments of all the Colonies: Those who are industriously propagating in the nation a different opinion of the Colonies, are not only doing the greatest injustice to them, but an irreparable injury to the nation itself.

It is the glory of the British constitution that it has its foundation in the Law of God and nature: It is essentially a natural Right, and a man shall quietly enjoy, and have the sole disposal of his own property: This Right is ingrafted into the British constitution and is familiar to the American subjects: And your Lordship will judge, whether any necessity can render it just and equitable in the nature of things, that the supreme legislative of the Empire,

should impose duties, subsidies, tallages and taxes, internal or external, for the sole purpose of raising a revenue, upon subjects that are not, and cannot, be considered as such circumstances, and by possibly be equally repugnant, and consequently, whose consent cannot be had in Parliament.

The security of Right and Property is the great end of Government. Surely then such measures as tend to render Right and Property precarious, tend to destroy both Property and Government; for these must stand or fall together.—Property is admitted to have an existence in the savage state of nature: And it is necessary for the support of a savage life, it by no means becomes less so in civil society. The House intreat your Lordship to consider, whether a Colonist can be conceived to have any Property which he may call his own, if it may be granted away by any other body without his consent; and they submit to your Lordship's judgment, whether this was not actually done, when the Act for granting to his Majesty certain duties on Paper, Glass and other Articles, for the sole and express purpose of raising a revenue in America was made. It is the judgment of Lord COLTON that the Parliament of Great Britain cannot tax Ireland "quia nullius ad Parliamentum non mittitur." And Sir WILLIAM JONES, an eminent jurist, declared it is his opinion, to King CHARLES the second, that he could no more grant a commission to levy money on his subjects in Jamaica, without their consent by an Assembly, than they could discharge themselves from the allegiance to the crown.—Your Lordship will be pleased to consider that Ireland and Jamaica were both conquered, which cannot be said of any of the Colonies, Canada excepted; and the argument therefore is stronger in favour of the Colonies.

Our ancestors, when oppressed in the unfortunate reign of JAMES the second, found relief by the interposition of the Parliament: But it is the misfortune of the Colonies at present, that by the intervention of that power, relief in America was made. It is the judgment of Lord COLTON that they can appeal for relief from their final decision to the power on earth, for there is no power on earth above them.—Your Lordship will indulge the House in expressing a deep concern upon this occasion; for it is the language of reason, and it is the opinion of the greatest writers on the law of nature and nations, that if the Parliament should make any considerable change in the constitution; and the nation should be voluntarily silent upon it, this would be considered as an approbation of the act.

But the House beg leave to represent to your Lordship, that altho' the right of the Parliament to impose taxes on the Colonies without a representation there, were indispensible, we humbly conceive it may be made fully to appear to be unequal that they should, at least at present. Your Lordship will be pleased to remember that by the Act of Parliament, the Colonies are prohibited from importing commodities and manufactures of the growth of Europe, having a few articles, except from Great Britain. This prohibition not only occasions a much greater demand upon the mother-country for her manufactures, but gives the manufacturers there the advantage of their own price; and can it be questioned, my Lord, but the Colonists are obliged by means of this policy, to purchase the British manufactures at a much dearer rate, than the like manufactures would be purchased at, if they were allowed to go to foreign markets? It is a loss to the Colonists and an equal gain to Great Britain. This same reasoning holds good with respect to the many articles of their produce, which the Colonies are restrained by Act of Parliament from sending to foreign ports.—This is in reality a tax, tho' an indirect one, on the Colonies; besides the duties of excise and customs laid on the manufactures in Great Britain. A celebrated British writer on trade, computes the artificial value arising from these duties, to be not less than fifty per cent. Your Lordship will then form an estimate of the part that is paid by the Colonies upon the importation into America, which is generally found to be at least the value of two millions sterling.

The House is not at this time complaining of this policy of the mother state; but beg your Lordship's impartial and candid consideration, whether it is not grievous to the Colonies to be additionally taxed upon the commodities of Great Britain here—and to be solely charged with the defending and securing his Majesty's Colonies, after they have cheerfully borne their full proportion of maintaining his Majesty's rights in this part of his dominions; and reducing his enemies to terms of peace.

Your Lordship will allow the House to express their fears that the Colonies have been misrepresented by his Majesty's Ministers, and the Parliament, as having an undutiful disposition towards his Majesty, and a disaffection to the mother-kingdom. It has till a few years past, been the usage for his Majesty's requisitions to be laid before the Representatives of his people in America. And we may venture to appeal to your Lordship that the people of this Province have been ready to afford their utmost aid for his Majesty's service. It would

be grievous to His most faithful subjects, to be called upon for aid in a manner which implies a dissent from a free and cheerful compliance. And the House desires your Lordship's satisfaction whether our enemies at least, would not have wanted duty and loyalty in us, when the Parliament has judged it necessary to compel us by laws for such purpose; as by the late Acts for raising a revenue in America, and the Act for preventing mutiny and desertion; in the latter of which the Governor and Council are directed to supply the King's troops with enumerated articles, and the people are required to pay the expense. But besides, your Lordship will judge whether the execution of this Act can comport with the existence of a free legislative in America;

It is unnatural to expect, that the supreme executive power can long exist, if the supreme legislative should be deprived and destroyed. In order therefore, to support the supreme executive of his Majesty, at so great a distance, in the person of his Governor, Judges and other executive officers, it is necessary that your Lordship should be a legislative in America; as is clearly from the case, confide in the whole ordination to the supreme legislative of the whole Empire. Such a legislative is constituted by the royal Charter of this Province: In this Charter, your Lord, the King, for himself, his heirs and successors, grants to the General Assembly, full power and authority to impose, and levy proportionable and reasonable assessments, rates and taxes upon the estates and persons of the inhabitants; to be issued and disposed of, by warrant under the hand of the Governor, with the advice and consent of the Council, for the service of his Majesty, in the necessary defence and support of his government of the Province and the protection and preservation of the inhabitants, according to such Acts, as are or shall be in force in the Province. And the House are humbly of opinion, that the legislative powers in the several Colonies in America were originally created upon condition, that the subjects there, could not be represented in the supreme legislative; and consequently that there was a necessity, that such powers should be exercised.

It is by no means my Lord a disposition in the House to dispute the just authority of the supreme legislative of the nation, that induces them thus to address your Lordship; but a warm sense of loyalty to their Prince, and they humbly apprehend a just concern for their natural and constitutional rights. They beg your Lordship would excuse their trespassing upon your time, and attention to the great affairs of the State: They apply to you, as is directed to the rights of mankind and of British subjects. As Americans they implore your Lordship's patronage, and beseech you to represent their grievances to the King our Sovereign, and employ your happy influence for their relief.

Signed by the Speaker.

NEW-YORK, March 31.

In the hard Gale of Wind, and Snow Shower we had here on Saturday Night the 19th Instant, a Servant Man, and a valuable Slave belonging to Mr. Pikanam of Long-Island, were both drowned in a Pettaugoy, going across the River with Dung for their Maller's Farm.

On Saturday Night last, the Wife of one Snead, (a Cooper, who lives on the College Ground) a former Woman of good Character, her Husband being from home, lay down on a Bed, in which were two Children, one an Infant she had to Nurse, the other, her own Son about two Years old, in order to quiet and get one of them to sleep; when falling asleep herself, the Candle by some Accident fell Fire to the Curtain, which was burnt together with the Bed and most of the Things in the Room; but the Walls being Stone, the Fire went out without catching the upper Part of the House.

The poor Woman did not wake till the Bed was in Flames, herself much burnt on the Shoulder, the Infant on the Chin, and her own Child so terribly that it died on Sunday Evening.

Yesterday arrived the Brig Diamond, Capt. Craw, from Cows, (which he left the 12th of December) and left from Teneriff.

On the 31 of December, about two o'Clock in the Morning, about 150 Leagues W. from Madeira, being the Watch of Gilbert Blair, (the Mate) Daniel Denny, Gabriel Birch, and William Johnson; Denny being at Helm, and the Mate sitting on the Deck, Birch in Concert with Johnson pilot his Seal with an Ax, and threw him overboard; when Johnson running down into the Cabin, called out to the Capt. (seemingly in a pleading Manner) that Birch had killed the Mate. Birch immediately followed with the Ax, that it was Johnson who had killed the Mate, made several Strokes with the Ax at him, and also at the Captain, both of whom he wounded; Johnson he cut in a terrible Manner on the Head and in several other Places, so that it was thought he could not live 24 Hours, but the Captain received only a slight Cut on the Arm, He endeavoured to get his Sword, but perceived it had been taken away, and it was afterwards found