

An address and petition to the King, a memorial and petition to the House of Lords, and a petition to the House of Commons representing their grievances in detail, having been agreed to the Congress dissolved their meeting on the 25th October.

It is clear that the whole of their proceedings were unconstitutional, they were called together by no authority, they did not constitute a legal assembly in any sense of the term, had no right in their capacity to petition at all, and in fact from first to last were acting illegally as a self-constituted body. It was only competent for them to recommend the different provincial Legislatures whose deputies they were, to take the steps which they presumed on and if there had been a strong central government in the colonies a prosecution for sedition would be the fitting finale for the New York Congress. That they were not free from a charge of treason subsequent events proved, for immediately on their dispersion *Associations were set on foot in all the Colonies against the importation of British manufactures till the Stamp Act was repealed.* This regulation to take place on 1st January, 1776.

The first of November, when the Stamp Act was to come into operation, had arrived but no stamps were to be had and a total stop was put to legal proceedings. Commerce was at an end as clearances could not be effected, some parties ventured to send vessels to sea with a certificate from the Governor that Stamps could not be provided and the Council and Assembly of Massachusetts passed a formal Resolution declaring it to be lawful to transact business without the use of stamps. This last act was decidedly one of rebellion as they had no jurisdiction at all in the matter, and the Governor must have been totally wanting in his duty to his sovereign and country when he allowed them to exercise legislative functions afterwards; but the weakness of the old Provincial system was the want of a responsible executive council.

At home the weakness, indecision and imbecility of the High administration under the Marquis of Rockingham, was far more injurious to the interests of the Empire than the treason of the Colonial Legislatures. At that time there was no Colonial Secretary, that business being done under the care of the Board of Trade, and on the 27th August that body placed the resolutions of the Assembly of Virginia before the Privy Council with a report thereon in which it was pointed out that they contained a daring attack upon the constitution of Great Britain and required immediate attention, recommending that orders should be at once sent to the Governors to exert themselves vigorously in the support of the laws and authority of Parliament, yet it was not until the 3rd of October that this report was taken into consideration and the conclusion arrived at by a very full council at which the Lord Chancellor Camden assisted, was that the report of the

Board of Trade was of too high a nature for the decision of the King in Council, and it was proper only for the consideration of Parliament.

A decision remarkable for its stupidity because the executive has no option but to carry out the acts of the Legislative body. But the proceedings of the administration was marked by such mischievous indecision as to paralyse the acts of the Colonial Governor and to encourage those whose interest it was to create rebellion and confusion in their courses.

There can be no doubt but the Stamp Act was a legitimate exercise of that Parliamentary jurisdiction which the Legislature of Great Britain had always exercised, and therefore was neither tyrannical nor unconstitutional, and was not the introduction of a new system but the exercise of the old as the following statutes will amply show: 12 Car. 11, Cap. 18. 15 Car. 11, Cap. 7. 25 Car. 11, Cap. 17. 7 and 8 Wm. III, Cap. 22. 3 and 4 Ann., Cap. 5. 6 Ann., Cap. 30. 9 Ann., Cap. 17. 8 Geo. I., Cap. 15. 5 Geo. II., Cap. 15. 5 Geo. II., Cap. 22. 6 Geo. II., Cap. 13. 23 Geo. II., Cap. 29.

It is altogether another question whether a fiscal regulation, taking the shape of direct taxation, should not have been left altogether to the Provincial Legislatures, but it was not raised on this occasion, and indeed was hardly within the scope of the statesmanship of the age.

At the meeting of Parliament in 1766, petitions against the Stamp Act were presented from the principal seaport and manufacturing towns, and a bill was introduced, supported by the whole weight and influence of the administration, for repealing the Stamp Act, and a declaratory bill was introduced at the same time which censured and condemned the resolutions of the Colonial Assemblies, and affirming the principle that the British Parliament had authority to make laws binding these colonies in all cases whatever. At the same time the ministerialists excused the rioters in Boston, and endeavored to apologise for their conduct, while they were charged by the members of the late administration with being the direct promoters of all the troubles occurring there. Both bills received the royal assent on 18th March. In the bill for repealing the Stamp Act it was declared that it was not because it was illegal, unconstitutional or unjust, nor arbitrary or oppressive, but simply because it was inexpedient, and it was repealed free from all terms or conditions.

The Whig party, when in opposition, loudly declaimed against the unconstitutionality of the Stamp Act and other measures relative to the Colonies. Having fairly impressed the minds of the malcontents in those Colonies with the truth of that proposition they find, when power passed into their hands, that they had been acting the part of unprincipled demagogues, nor did they strive to repair the error by a magnanimous decla-

ration abandoning the right to push parliamentary jurisdiction to the extreme limits in questions of local taxation, a course to which they could easily have committed the parliament, and one that would have been taken as a generous and liberal concession, and gone far to quiet the excitement which had arisen, but could not have removed all the grounds of complaint.

To the Colonists the whole action of Ministry and Parliament was marked with such indecision as to give them the impression that by resistance they had obtained a victory over both, which was an incitement to further aggressions, and the Act was as described unconstitutional and tyrannical, it also revealed their apparent strength and the weakness, imbecility and want of statesmanship of the Imperial Executive.

In 1765 an order in Council had been passed for dividing the American Colonies into two districts, a Northern and a Southern. The dividing line being the Potomac River, and continued westward to the Pacific—the Northern district was to include the Province of Canada. This arrangement caused great dissatisfaction, and was one of the charges made against the English Government.

The Colonial leaders, imbued with the false sentiment that distinguished the 18th century, had pictured to their imaginations the felicity which would be enjoyed under a Republican form of government. The mania for *Constitution making* which, afterwards so unhappily characterised the French Revolution, had its birthplace in the Colonies, and was by no means indigenous in La Belle France.

As the mass of the Colonists were overjoyed at the victory obtained so easily over Great Britain, their leaders took care they should not be lulled to rest in false security, but resorting to the *Press*, an engine whose power was greatly underrated in Great Britain, shewed that the repeal of the Stamp Act was extorted, that future Parliaments might again attempt to impose taxes, and it was therefore incumbent on them to be vigilant and turn their attention to those pursuits which would render them independent of British manufactures and enable them to enter into non-importation agreements as the most effective mode of operation to the encroachments of the mother country. By these means jealousy, distrust and a spirit of estrangement was engendered into the minds of the Colonists, against which no barrier was imposed by the Colonial or Imperial authorities, although it is evident the *press* could be subsidiary and would be a powerful ally on their side.

Apart from relative ability and skill it is hard to conceive at this time the utter isolation in which the Colonial Governors were placed. They had no responsible advisers who held seats in the Legislature, and whose duty it was to restrain the violence of faction and keep a just constitutional balance in the Lower House. Consequently the majority,