

Neither could it be said after this, that the legislature of that country any longer made laws for this, but that it gave out commands; for whereas differed an act of Parliament constructed on this principle, and operating in this manner, over an unrepresented people, from the orders of a military establishment?

The Parliament of England, with respect to America, was not *supremacy* but *perpetual*. It appeared to the latter a body always in being. Its election or its expiration were to her the same as if its members succeeded by inheritance, or went out by death, or lived for ever, or were appointed to it as a matter of office. Therefore, for the people of England to have any just conception of the mind of America, respecting this extraordinary act, they must suppose all election and expiration in that country to cease for ever, and the present Parliament, its heirs, &c. to be perpetual; in this case, I ask, what would the most clamorous of them think, were an act to be passed, declaring the right of such a Parliament to bind them in all cases whatsoever? For this word *whatsoever* would go as effectually to their *Magna Charta*, *Bill of Rights*, *Trial by Jury*, &c. as it went to the characters and forms of government in America.

I am persuaded, that the Gentleman to whom I address these remarks, will not, after the passing this act, say, "That the *principles* of administration had not been changed in America, and that the maxims of government had there been *always the same*." For here is, in principle, a total overthrow of the whole, and not a subversion only, but an annihilation of the foundation of liberty, and absolute domination established in its stead.

The Abbe likewise states the case exceedingly wrong and injuriously, when he says, "that the *whole* question was reduced to the knowing whether the mother country had, or had not, a right to lay, directly or indirectly a *light* tax upon the colonies." This was *not the whole* of the question; neither was the *quantity* of the tax the object, either to the Ministry or to the Americans. It was the principle, of which the tax made but a part, and the quantity still less, that formed the ground on which America opposed.

The tax on tea, which is the tax here alluded to, was neither more or less than an experiment to establish the practice of the declaratory law upon; modelled into the more fashionable phrase of the *universal supremacy of Parliament*. For, until this time, the declaratory law had lain dormant, and the framers of it had contented themselves with barely declaring an opinion.

Therefore the *whole* question with America, in the opening of the dispute, was, Shall we be bound in all cases whatsoever by the British Parliament, or shall we not? For submission to the tea or tax act, implied an acknowledgment of the declaratory act; or, in other words, of the universal supremacy of Parliament, which, as they never intended to do, it was necessary they should oppose it, in its first stage of execution.

It is probable, the Abbe has been led into this mistake by perusing detached pieces in some of the American news-papers; for, in a case where we were interested, every one had a right to give his opinion; and there were many who, with the best intentions, did not chuse the best; nor indeed the sure ground, to defend their cause upon. They felt themselves right by a general impulse, without being able to separate, analyze, and arrange the parts.

I am somewhat unwilling to examine too minutely into the whole of this extraordinary passage of the Abbe, lest I should appear to treat it with severity; otherwise I could show that not a single declaration is justly forwarded; for instance, the reviving an obsolete act of the reign of Henry the Eighth, and fitting it to the Americans, by authority of which they were to be seized and brought from America to England, and there imprisoned and tried for any supposed offences, was, in the words of the *Declaration of Independence*, by the arbitrary power of Parliament, from the arms of their friends, and drag them not only to deary but distant dungeons. Yet this was enacted some years before the breaking out of the American war.