

last no longer than their Work should be done, and their Settlements compleated, they had never engag'd in so hazardous and difficult an Enterprize. They would never have parted from their native Land, being neither Criminals nor Necessitous ; and those Countries which have since added so much to the Wealth and Greatness of the Crown, might have been a barren Wilderness to this Day ; or what is worse, and more probable, might have been fill'd with *French Colonies*, whereby *France* would have reign'd sole Mistress of *North America*.

I believe it will be generally allow'd, that my Argument is thus far right, if I can make good my second Proposition, *Viz.*

THAT these Governments have by no Misbehaviour forfeited back their Charters to the Crown.

2d Proposition. *That these Governments have by no Misbehaviour forfeited their Charters.*

SOME of the ablest Common Lawyers that *England* could ever boast of, have maintain'd that a Corporation, being an *Ens Rationis*, is in its Nature indissolvable, and that therefore no Abuse of its Franchises can effect it in Point of Forfeiture, or determine its Being. If this Argument should be thought too subtle and metaphysical, I hope however it will be allow'd an Extreme on the other Side, that a Corporation should be threatned for every Offence to be seiz'd into the King's Hands. The Subjects Abroad claim the Privilege of *Magna Charta*, which says, that no Man shall be fin'd above the Nature of his Offence, and whatever his Miscarriage be, a *Salvo Contentamento suo* is to be observed by the Judge. If therefore they have committed Faults, let them be chastis'd, not destroy'd ; let not their Corporations be dissolved for any other Crime than a Failure of their Allegiance. But I need not go into this or any other nice Point of Law, it being sufficient to show that the *Charter Governments* are clear of the several Facts which have been objected against them, and assign'd as Matter of Forfeiture. In the Bill that was brought into the House of Commons, there were two Allegations against the Charter and Proprietary Governments, which I shall answer, and then go on to consider such other Complaints as I have met with from Time to Time against these Governments.

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