

head of the empire, there still remain to be assigned to each colony such legislative and administrative functions as will leave the colonist little cause to complain that he has left any of his liberties behind him in the mother country. With respect to the second inquiry, the definition of imperial rights, greater difficulty exists; as the imperial power is confessedly supreme, there is no rule of law to limit its extent, and arguments derived from considerations of political expediency are always vague and unsatisfactory. This objection applies with ten-fold weight to any attempt to frame a *written* constitution, as it is notorious that schemes of government, devised by the wisest men, have lamentably failed in practice. All these difficulties, however, vanish at once if a precedent can be found suited to the present case; for there can be no rashness in adopting a form of government which has already received the sanction of experience; and little danger can be feared of misinterpreting a law which has frequently been discussed by competent judicial tribunals.

No precedent, however, can be found *exactly* to meet a proposed case; it may be useful, therefore, before producing the precedent which I intend presently to apply, to consider the points of similarity which it is essential such a precedent should possess, in order that we may be able to distinguish those circumstances on which success depends from those which are merely accidental. Now, bearing in mind the definition that has been given above of an empire and of a colony, the precedent must at all events go far enough to prove the possibility of a system of communities, one of which is supreme and the others subordinate, being consolidated into one nation, without the sacrifice of the liberties of the subordinate communities or of the supremacy of the governing power. From this proof nothing will be detracted