

TO THE PENNSYLVANIA PACKET, THE GENERAL ADVERTISER. No. 135.

*From the BRISTOL GAZETTE, of March 24, 1774.
Lord CATHART'S SPEECH on the declaratory bill of the Sovereignty of Great-Britain over the Colonies.*

WHEN I spoke last on this subject, I thought I had delivered my sentiments fully, and supported them with facts, reasons, and such authorities, that I apprehended I should be under no necessity of troubling your Lordship again. But I am compelled to rise up and beg your further indulgence; I find that I have been very injuriously treated; I have been considered as the brother of new-fangled doctrines, contrary to the laws of this kingdom, and subversive of the rights of Parliament. My Lord, this is a heavy charge, but more so when made against one stationed as I am in both capacities, as P. and ——— defender of the law and the constitution. When I rise up, I was indeed repelled, but not defended. In the intermediate time many things have been said. As I was not present, I must now beg leave to answer such as have come to my knowledge. As the effect is of the utmost importance, and in its consequences may involve the fate of kingdoms, I took the liberty of reviewing my arguments; I re-examined all my authorities; fully determined, if I found myself mistaken, publicly to own my mistake, and give up my opinion. But my Lord, I have not and more convinced me that the British Parliament have no right to tax the Americans. I shall not therefore consider the declaratory bill now lying on your table; for to what purpose, but loss of time, to consider that which is illegal, absolutely illegal, contrary to the fundamental laws of nature, contrary to the fundamental laws of this constitution grounded on the eternal and immutable laws of nature; a constitution on whose foundation the center of liberty, which feeds liberty to every subject that is or may happen to be within any part of its ample circumference. Nor, my Lord, is the doctrine new, it is as old as the constitution; it grew up with it, it is its support; taxation and representation are inseparably united, God hath joined them, no British Parliament can separate them; to endeavour to do it is to stab our very vitals. Nor is this the first time this doctrine has been mentioned; seventy years ago, my Lord, a pamphlet was published, recommended as the being a Parliamentary tax on one of the Colonies; this pamphlet was answered by two others; then much read; they totally deny the power of taxing the Colonies; and why? Because the Colonies had no representatives in Parliament to give consents to any taxes, public or private, was given to their pamphlets, no censure passed upon them; men were not startled at the doctrine as either new or illegal, or derogatory to the rights of Parliament. I do not mention these pamphlets by way of amusement, but to vindicate myself from the imputation of having first broached this doctrine.

My position is this—I repeat it—I will maintain it to my last hour—taxation and representation are inseparable; this position is founded on the laws of nature; it is more, it is itself an eternal law of nature; for what is a man's own, is absolutely his own; no man has a right to take it from him without his consent either expressed by himself or representative; whoever attempts to do this, attempts an injury; whoever does it commits a violation; this is more, it is itself an eternal distinction between liberty and slavery. Taxation and representation are coeval with and essential to this constitution. I with the maxim of Machiavel was followed, that of examining a constitution, as if it were not to be continued; this principle would correct abuses and supply defects. I wish the times would bear it, and that men's minds were cool enough to enter upon such a task, and that the representative authority of this kingdom were equally fertile in such a disinterested manner as I have done; have done great mischief; I endeavour to fix the error when the House of Commons began in this kingdom, is a most pernicious and destructive attempt; to fix it in an Edward's or Henry's reign, is owing to the great number of some whimsical, ill-judged, and ill-learned men; this is a point too important to be left to such wrong-headed people. When did the House of Commons first begin? When my Lord? It began with the constitution, it grew up with the constitution; there is not a single principle in the most obscure corner of this kingdom which is not, which was not ever represented (this is the constitution began; there is not a blade of grass which, when taxed, was not taxed by the consent of the proprietor.

There is a history written by one Carte, a history that most people see through; and there is another favourite history, much read, and admired. I will not name the authors, your Lordship may know whom I mean. I shall not know from whence he plied his notions concerning the first beginning of the House of Commons. My Lord, I challenge any one to point out the time

when any tax was laid upon any person by Parliament, that person being unrepresented in Parliament. The Parliament laid a tax upon the pilotage of Chelster, and ordered Commissioners to collect it there, as Commissioners were ordered to collect it in other counties; but the parliament refused to comply; they addressed the King by petition, fasting, &c. that the English Parliament had no right to tax them; that they had a Parliament of their own; they had always taxed themselves, and therefore desired the King to order his Commissioners not to proceed. My Lord, the King received the petition; he did not declare them either seditious or rebellious, but allowed their plea, and they taxed themselves. Your Lordship may see both the petition and the King's answer in the records in the Tower. The Clergy taxed themselves; when the Parliament attempted to tax them, they stoutly refused, they were not represented there; that they had a Parliament of their own, which represented the Clergy; that they would tax themselves; they did so. Much freights had been laid upon Wales, before it was united as it now is, as if the King, standing in the place of their own Prince; that of that country, raised money by his own authority; but the rest is needless. For I find that long before Wales was subdued, the northern counties of that principality had representatives and a Parliament or Assembly. As to Ireland, my Lord, before that kingdom had a Parliament, as it now has, I have not time to say more; but you will find, that when a tax was to be laid on that country, the Irish sent over here representatives; and the same records will inform your Lordship what wages those representatives received for their services. In short, my Lord, from the whole of our history, from the earliest period, you will find that taxation and representation were always united; for true are the words of that consummate reasoner and politician Mr. Locke. I before alluded to his book; I there again contended him; and finding that he writes so applicable to the subject in hand, and so much in favour of my sentiments, I beg your Lordship's leave to read a little of his book.

"The Supreme power cannot take from any man any part of his property without his own consent," and B. II. p. 136—139, particularly 140. Such are the words of this great man, and which are well worth your Lordship's serious attention. His principles are drawn from the heart of our constitution, which he thoroughly understood, and will last as long as that shall last; and, to his immortal honour, I know not to what, under Providence, and revolution and all its happy effects are more owing than to the principles of government laid down by Mr. Locke. For these reasons, my Lord, I can never give assent to any bill for taxing the American Colonies, while they remain unrepresented; for as to the definition of a virtual representation, it is as absurd as it is dangerous in nature. The forefathers of the Americans did not leave their native country, and subjected themselves to every danger and distress to be reduced to a state of slavery; they did not give up their rights; they brought their property with them; they fought their battles; they expected to be defended in the possession of their property, and not to be deprived of it; for should the present power continue, there is no thing which they can do, or do to, to redress their wrongs. What property have they in that which another may right take when he pleases to himself?"

*From the PUBLIC ADVERTISER, of April 2, 1774.
To the EARL of BRUCKINGHAMSHIRE.
On the BOSTON PORT BILL.*

MY LORD,
WHEN I mentioned a few of the confusions that might arise from blocking up the harbours in North-America, and promised to make some remarks upon other schemes that had been proposed for hindering the commerce of the public by stopping to remark upon the ferrage of reproaches, which are daily thrown out against the inhabitants of that country, by people who appear to be no better acquainted with the rights of liberty and justice than they are with the motions of the moon; my intention was to take notice of such schemes as were frequently mentioned in public, and such as it seemed probable the Minister might adopt, because they were often the most dangerous; but there are many more of this nature which are no longer to form conjectures about what manner in which Great Britain is to punish the Americans; we now see the course in which it is proceeding, and we are not certain how long it will continue in the present manner. The port of Boston is to be shut up; its trade is to be utterly destroyed; the inhabitants, about twenty-five thousand in number, are devoted to poverty, hunger, and death. We have been told by Governor Hutchinson, that

the men of property, and a great majority of the better sort of people, are ready fitted to govern; the late riots were certainly committed by a small mob. Now it is discovered that the most equitable and merciful way of obtaining redress for the outrages committed by a wrong-headed mob is by destroying these punishing men of fortune, and bringing thousands of innocent families to ruin. Doubtless these were other methods of obtaining redress. In former cases when a house has been pulled down, or a citizen's goods destroyed by a mob, the Provincial Assemblies have been applied to, and have paid the damages; The Assembly of Massachusetts Bay would doubtless have paid for the Tea, had it been required of them in the usual form. It is well known, that the fact of this city, and several other gentlemen, were willing to give security for the payment of the Tea on those terms. But that would have been a trifling pleasure, by which we could hardly expect the pleasure of making a single woman or child a tease, whereas the present plan perfectly agrees with our ideas of governing a distant colony; it affords the pleasing prospect of starving at least a thousand of them to death, and reducing half or the remainder to beggary; to say nothing of the notion that it must give such an opportunity to the trade on this side of the water. By this plan also we are certain of securing the affections of the colonists: After this *signal* proof of lenity and kindness they will never forget us: If I should ever have a chance to visit Great Britain, you will certainly embrace the first opportunity of shewing their gratitude, and returning our favours in kind. Such are the observations, that are often made in favour of the measure that are not only proper to be considered, but which in my part I may be singular in my opinion, but though I cannot commend the measure, I shall, on all occasions, endeavour to speak of it with veneration which is due to a scheme fancied by the King of a British Parliament. In the mean while I may be indulgent in offering a few considerations concerning the probable operation of that act by which the port of Boston is to be destroyed. Certainly the design of this act is not to fix upon the port of Boston all the people here said for the Tea that was destroyed, because restitution might be obtained by great means; and the Minister would never offer such an insult to humanity as to starve, ruin, or distress above twenty thousand people in one act, or to allow a cool head to be able himself upon taking that for force, which the people would have given willingly. No, he is the design of the act to shut up the port, till the people have made submission for the late riots, and promised never to offend again; after which it is not to be supposed that the voters are known, who they may be punished in due course of law; and the public cannot possibly make submission for an act that was not done by the public, though they may pay the damages; nor can they promise never to be guilty of the greatest violence, so no future riots fall in the committed, because riots may happen, and frequently do happen, under the most orderly and perfect police. The design then of this act must be, as you thus put it, to be the design of every year of the act, to shut up the port of Boston until the people have engaged or promised to pay all customs and duties whatever "that is imposed by a British Parliament." Now, as to take it, the inhabitants of the town of Boston can give no security for the future payment of such duties, because they may not be able to perform, though they should promise; and what is done by the fact men, or even what is done by a new meeting, will be agreed on and done by the people. The inhabitants of all the neighbouring towns are as active in all those riots, perhaps more active than the inhabitants of Boston. The Minister knows very well that the town of Boston can give no promises which he lastly takes notice of. You might indeed think the submission or promise of that town should be considered as satisfactory. A submission and promise is excepted from the other towns as well as Boston; in this terms it is expressed that the Commons House of Representatives do hereby declare "the right of the British Parliament to impose taxes on the inhabitants of that province." Now my Lord, if the port of Boston is to remain shut till the people is that province knows ledge the right of Parliament to impose any taxes or duties whatever, except for the regulation of commerce, it must remain shut till the very name of a British Parliament is forgotten among the men. You may shut up the ports, one by one, as the Minister has lately thought fit to do, but you cannot shut up the ports to a shew; but the time of liberty in North America shall not be extinguished. Cruelty, oppression and revenge shall only serve as an incentive to the rage of the many; the many of us who is not to be subdued. In this grave which we dig for the inhabitants of Boston, confidence and friendship shall expire, commerce and peace shall left together.

I have the honour to be, &c. &c. F. A. B. U. S.

THE HISTORY OF VALVAISE.

DUPLAISÉ, for the first time, turned an eye of resentment and indignation on his patron. His Adolphus, he cried, another King should give me in exchange for my integrity! Or though he live can there be any property, any peace to a traitor!

If nothing else will prevail, replied Valvaise, the law fell-prevention must constrain you to deliver me up to justice; your own life will, otherwise, be forfeit by my death. Let it remain, then! I would to God, rejoined Duplaisé, that it might even be so! With what transport should I then embrace my fate! A death, in the act of virtue, how eligible, how delectable! I would not exchange it for the longest and happiest life I could earth.

Brother of the festivity of my inmost soul! cried Valvaise, be it so!—You have conquered!—It is but just, that the greater virtue should triumph over the less.—He then opened a small casket, and taking a diamond buckle which the King had stript from his own waist, and given to his favourite: Accept of this, my friend, said he; as a kind though little remembrance! I when you shall be taken to the gallows, let it remind you that such a person as your unhappy Valvaise was once among the living.

Duplaisé at once contemplated his head and hand affixed from the dazzling temptation; and shuddering at it is but just, that the greater virtue should triumph over the less.—He then opened a small casket, and taking a diamond buckle which the King had stript from his own waist, and given to his favourite: Accept of this, my friend, said he; as a kind though little remembrance! I when you shall be taken to the gallows, let it remind you that such a person as your unhappy Valvaise was once among the living.

Duplaisé at once contemplated his head and hand affixed from the dazzling temptation; and shuddering at it is but just, that the greater virtue should triumph over the less.—He then opened a small casket, and taking a diamond buckle which the King had stript from his own waist, and given to his favourite: Accept of this, my friend, said he; as a kind though little remembrance! I when you shall be taken to the gallows, let it remind you that such a person as your unhappy Valvaise was once among the living.

They parted; and Valvaise put on with quick speed, that, ere it was stained of noon, he had gained upward of twenty leagues, and demanded himself past danger of captiv or pursuit.

His principal attendant then rode up, and taking out a large pocket stuffed with gold of different coins, my Lord, said he, your friend Duplaisé endeavoured to persuade you, Valvaise, that the distance should put it past your power to resist it; and he prays you to accept it, in part to tribute for the revenues which he enjoys through your liberality.

Valvaise, ere eight miles had reached the frontiers, and had gotten clear of the dominion and power of Adolphus; but being fatigued, and coming to a large town where Christian friends, he held it unkind to pass his fellow down without a visit.

Christians welcomed his patron with demonstrations of joy; for passing those of Duplaisé, and with respects believing none save his King, or rather his God. His entertainment was such, that the generous Valvaise deemed it unjustified to place an entire confidence in him; and, taking his horse, he informed him of the disgrace he was in with his master, and of the tempting reward that was promised for his capture.

The countenance of his host instantly fell on this intelligence; he conversed grave confounded, and his demeanour constrained. Valvaise, however, was unsuspecting of treachery in the cafe, till he was awakened by sixty armed men in the morning.

They rudely halted him to rise; and, having loaded him with chains, they put him into a cart, and set out in the way to Stockholm.

In the mean time, disconsolate Adelaide fixed in her face during the absence of her beloved, and the hideous darkness of her prison, her health and her complexion. At length the heart of the fatal orders that had issued against her Valvaise, and, casting all concerns save those of her passion aside, she hurried to the feet of Adolphus, where, happily, none were present save the officers in waiting, who kept a respectful distance.

The King was at once surprized and affected by the fondness of her appearance, and the distressful of her situation. He would have spoken, but was prevented. Ah, my Liege! she exclaimed, what is that to me? If Adolphus has death in store for those who wish to lay down their lives for his sake, that recompense does he keep in store for traitors? I understand you, replied the Monarch; but death is due to all who would deprive me of Adelaide. Valvaise also is a traitor; he confesses himself a traitor; he was seen in your carriage.—This may be, says my Lord, but no traitor beheld me in the arms of Valvaise.—Let him give me your heart, and I will give him my kingdom.—Ah, my Lord, it is a worthless heart, he prizes not! I would I could lay my eyes on it to witness his own action!—He then stepped forward with his own precious heart and life and soul affixed,