

**THE TRUE CONSTITUTIONAL
MEANS FOR PUTTING AN END TO
THE DISPUTES BETWEEN GREAT-
BRITAIN AND THE AMERICAN
COLONIES**

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The true constitutional means for putting an end to the disputes between Great-Britain and the American colonies by Various

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VARIOUS

**THE TRUE CONSTITUTIONAL
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THE DISPUTES BETWEEN GREAT-
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Constitutional Means

FOR

Rectifying the Disputes

BETWEEN

GREAT BRITAIN

AND THE

AMERICAN COLONIES.

THE two principal causes of the discontents of the Americans, on account of taxes imposed upon them by the British legislature, have been a false persuasion of an infringement of their privileges, and an apprehension of oppression from the parent state. The first of those causes has been shewn to be wholly groundless, in a most masterly and demonstrative manner, by the author of the *Review of the American Controversy* ;

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but

but no person having yet attempted to remove the second cause, I beg leave to propose such a constitutional system of taxation for America, for the support of the defensive force of the state, as could never be attended with oppression, and consequently ought to meet with no opposition from the Americans. Besides the two principal causes of discontent above mentioned, the colonists have urged some others, which, however, may be included under the preceding heads, such as their poverty and inability, and the great impropriety of taxes being laid on people at three thousand miles distance, by those who are unacquainted with their condition and circumstances; but all these pleas are obviated by the system I shall propose; and, indeed, when they are fully examined into and explained, are far from being so conclusive as at first sight they appear to be.

By the nature of all government, the defence of the state is the first concern; and the colonists cannot deny but that they are equally bound with the subjects in Great-Britain, to contribute their proportional

tional share to the support of that defence. But who is it that compose the state? It is certainly, with propriety, only the families of freeholders or landholders, who have a possession that cannot be removed, and upon which they depend for their subsistence either in whole or in part. All others who earn their subsistence by the ingenuity of their mind, or the labour of their body, and who could, by the same means, procure a livelihood any where, cannot so properly be called upon to defend what they do not possess, namely, land-territory, which is usually what enemies or invaders attack, and want by conquest to secure to themselves. As these last, however, while they continue subjects of any state, enjoy the protection of its laws, they are therefore also required on some occasions to give their assistance against a foreign enemy. But the history of all ages plainly shews us, that the best regulated commonwealths have ever put the chief defence of the state upon the possessors of land; and indeed, it is against the fundamental principles of every state, that the possessors of land should be mere idlers, and distinguish

themselves by no other services to their country, than by spending their rents. It would surely be no very honourable privilege for them to claim to be entitled to do nothing.

Let us look into the English history, and we shall find that from the earliest times the Saxons laid the charge of defending the state upon the landholders. That elegant and instructive historian, Lord Lyttelton, tells us, " That it was a fundamental law of the Anglo-Saxons, that all the lands of the kingdom, even those which were held by ecclesiasticks and women, were subject to three public duties, the building and repairing of forts and castles, the building and repairing of bridges, and military service for the defence of the realm." Upon the Norman conquest the military police was somewhat altered; but still the burden of defending the state remained with the landholders. The proprietors of the lands in England, we are told by the same noble author, then held their estates by knights-service or military tenures; and this establishment

blishment remained much the same from the reign of William the Conqueror, to that of Charles II. when wards and liveries, which were part of the burdens imposed upon hereditary fiefs, were abolished with those fiefs, and the revenue of the excise substituted in their place. What a wide deviation was this from the antient, and I might have said, from the fundamental laws of the kingdom; and how materially was the constitution altered by this new law? By the feudal system, at its first origin, the land or fief was conferred with the obligation of performing military service for the defence of the state, in proportion to the extent of the fief, and notwithstanding this burden, the grant was stiled *beneficium*, a kindness; and if the beneficiary neglected or refused to perform the services required of him, he forfeited his territory, which was conferred upon another, who was willing to contribute his share to the public defence. This was formerly the military system adopted by freemen all over Europe, and of late we have seen a very prudent and politic nation again having recourse to it, about the very time that we

were

were deviating from it. In the times of our ancestors, those that possessed the land, defended the state; and by the present constitution of Sweden, those that defend the state possess the land; for about the end of the last century the military force of that kingdom was new modelled, and particular farms were allotted to both officers and men, which farms are always connected with the commissions and military oath. As the maxims of liberty are no where better understood than in our own nation, we ourselves appear quickly to have been convinced of the impropriety of exempting the possessors of land from the support of the military force of the state, and at the Revolution a land-tax was instituted, which has continued at different rates ever since.

By the act for abolishing military tenures, the landed gentlemen are generally supposed only to have freed themselves of the expence of wards and liveries; but it ought to be considered, that they were by the same act exempted from personal military service, which was on many occasions very charge-

chargeable, and joined with the former, made a fixed and perpetual burden upon their estates, which at some periods exceeded six; or eight, or ten shillings in the pound. The charge was certainly immense; for at the Conquest the landholders of England, who held by military tenures, were obliged to maintain 6000 knights or horsemen, independent of the expence of wards and liveries, which last they agreed to on condition of their military tenures being made hereditary. The force thus maintained was found in after-ages to be inactive and unserviceable, unless by an extraordinary exertion of expence, and by throwing the whole kingdom into commotion; and as the military art improved, experience shewed, that a much smaller force, well-disciplined, could render more effectual service, either offensively or defensively, than that great body of undisciplined militia, which was so very burdensome to the kingdom. The noble historian, above mentioned, justly remarks, "That the military tenures wanted that force of *union* in which consists all the energy of monarchical states; and that " they