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Notes and Documents

William Smith Jr.'s Alternative to the American Revolution

Robert M. Calhoun*

DURING the mid-eighteenth century various men proposed improvements in the administration of the colonies. Martin Bladen, Sir William Keith, Benjamin Franklin, James Abercromby, Henry McCulloh, Thomas Pownall, and Francis Bernard were only the more prominent advocates of reform.¹ Most of these writers sought either to streamline colonial administration or to provide mechanisms by which the colonies might better contribute to the defense of the Empire. Franklin, Pownall, and Bernard seemed to sense that more extensive reforms might be needed to bridge the growing gap between colonial practice and imperial theory; but even their proposals did not

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¹ On proposals to rationalize the institutions of the Empire see, in general, Charles M. Andrews, *The Colonial Period of American History*, IV (New Haven, 1938), 412-413; on Bladen, see Jack P. Greene, "Martin Bladen's Blueprint for a Colonial Union," *William and Mary Quarterly*, 3d Ser., XVII (1960), 516-530; on Keith, see Roy N. Lokken, "Sir William Keith's Theory of the British Empire," *The Historian*, XXV (1963), 403-418; on Franklin, see Gerald Stourzh, *Benjamin Franklin and American Foreign Policy* (Chicago, 1954), 48-82; on Abercromby, see Andrews, *Colonial Period of American History*, IV, 409-411; on McCulloh, see [Henry McCulloh], *Proposals for Uniting the English Colonies on the Continent of America . . .* (London, 1757) and Jack P. Greene, "'A Dress of Horror': Henry McCulloh's Objections to the Stamp Act," *Huntington Library Quarterly*, XXVI (1962-63), 253-262; on Pownall, see John A. Schutz, *Thomas Pownall . . .* (Glendale, 1951), 181-214, and Caroline Robbins, *The Eighteenth-Century Commonwealthman . . .* (Cambridge, Mass., 1959), 311-319; on Bernard, see Edmund S. and Helen M. Morgan, *The Stamp Act Crisis: Prologue to Revolution* (Chapel Hill, 1953), 7-20. See also Richard Koebner, *Empire* (Cambridge, Eng., 1961), 86-90, 105-113, 130-141, 147-148 and in general chaps. 3 and 4. Stourzh's study of Franklin and Koebner's posthumously published study have done more than any other works to identify the structure and purposes of empires as categories of 18th-century thought.

pay sufficient attention to changes in colonial politics and the new aspirations of American leaders. Just how drastic a change was necessary in imperial institutions and in the assumptions of British officials about colonial politics was suggested by William Smith, Jr., a New York lawyer, historian, and councilor,² in his "Thoughts upon the Dispute between Great Britain and her Colonies," printed here below.

Composed between 1765 and 1767 during the Stamp Act crisis and its aftermath, Smith's "Thoughts" drew upon two decades of study and activity in New York politics.³ He had long been aware of the implications of the rise of the lower houses of provincial assemblies, which, he reasoned, was at the heart of most problems between the colonies and the Mother Country. New York assemblymen, he noted in 1756, were "tenacious in the Opinion that the Inhabitants of this Colony are intitled to all the Privileges of *Englishmen*" and "have a Right to participate in the legislative Power." Royal governors operated on the contrary assumption that the assembly existed only by the sufferance of the Crown. "It is easy to conceive," he predicted, "that Contentions must naturally attend such a Contradiction of Sentiments." These two opposing conceptions of the status of the lower houses persisted, Smith explained, because no one saw the problem as a whole. Colonial officials would not take the claims of the assembly seriously, and colonial representatives were preoccupied with mundane problems like "the Regulation of Highways, the Destruction of Wolves, . . . and the Advance-

² There is no adequate study of Smith's career in New York politics; useful introductions, however, are Dorothy Rita Dillon, *The New York Triumvirate . . .* (New York, 1949); William H. W. Sabine's introduction to the *Historical Memoirs from 16 March 1763 to 9 July 1776 of William Smith* (New York, 1956), vii-xii, 1-11; Milton M. Klein's introduction to *The Independent Reflector . . .* (Cambridge, Mass., 1963), 14-17; and L. F. S. Upton's introduction to *The Diary and Selected Papers of Chief Justice William Smith, 1784-1793* (The Champlain Society, Publications, XLI [Toronto, 1963]), I, xxvi-xxxiii.

³ The composition of the proposed continental government is summarized in "Memoir of the Honourable William Smith, Written by His Son ["William Smith of Canada"]," in William Smith, *The History of the Late Province of New-York, from Its Discovery, to the Appointment of Governor Colden, in 1762*, I (New York, 1829), xi-xiii. The manuscript bears the notation, "written in 1767," but was probably composed in 1765. Many of its ideas appeared in Smith's letter to the Rev. George Whitefield, Dec. 6, 1765, Dartmouth Papers, I ii, 820, William Salt Library, Stafford, Eng. An unnamed English visitor to New York reported in early November 1765 that he found Smith hard at work on a critique of colonial administration and policy in the light of the Stamp Act crisis. See Rockingham Papers, Wentworth-Woodhouse Muniments, R 24/34, Sheffield City Library, Sheffield, Eng. The fullest discussion of Smith's proposals is in Professor Upton's introduction to Smith's *Diary*, I, xxvi-xxxiii.

ment of the other little Interests of the particular Counties which they . . . represent."⁴

The furor in New York over the Grenville program confirmed Smith's fears. First the Sugar Act, then a long dispute between Lieutenant Governor Cadwallader Colden and the New York legal profession over an appeal to the Privy Council, and finally the Stamp Act dangerously antagonized the province. The ostensible cause of the crisis, as Smith and others noted, was the fear that British taxation would enable Parliament to "take away all we have."⁵ But Smith believed that the root of the problem lay much deeper, and his peculiar contribution was to demonstrate how the structure of the Empire contributed to conflicting assumptions of British and colonial leaders about colonial rights and obligations.

Smith therefore based his "Thoughts" on the premise that the colonies' contribution in the Seven Years' War and their growing maturity entitled them to a generous redefinition of their place in the Empire. To have supposed that such a readjustment could be accomplished by commercial restrictions or Parliamentary taxation was, in Smith's judgment, "palpable Blundering." As colonial opposition to the Grenville program mounted, Smith noted how both sides appealed to their respective interpretations of the British constitution. The colonists invoked the rights of Englishmen, and the British replied that the virtual representation of the colonies in Parliament amply protected those rights. Such appeals to constitutional precedent, he contended, were futile: "the Truth is, that the Empire, long after the Constitution was formed, acquired a *new, adventitious State*. . . . The Question therefore is not, what the Constitution was, or is, but what, present Circumstances considered, it ought to be." In the place of fruitless contention about constitutional rights, both sides should seek common ground in the mutual advantages provided by the wealth of the Empire. In order for the colonies to survive and flourish and Britain to maintain its power, "the Constitution (be it what it will) ought to bend, and *sooner or later* will bend." Because Smith remained detached from any particular interpretation of the constitution, he conceived of it as a

⁴ "The Political State" [in ca. 1756], in William Smith, *The History of the Province of New York from the First Discovery to the Year 1732*, Appendix, chap. 5 (London, 1757), 241-243.

⁵ Smith to Whitefield, Dec. 6, 1765, Dartmouth Papers, I ii, 820. See also Milton M. Klein, "Prelude to Revolution in New York: Jury Trials and Judicial Tenure," *Wm. and Mary Qily.*, 3d Ser., XVII (1960), 439-462.

malleable, flexible set of doctrines which men should adapt to meet changing circumstances.⁶

The recognition by all parties that the constitution of the Empire should remain flexible was, in Smith's view, only a first step. He also wanted boldly to reconstruct imperial institutions. Reiterating the view that the provincial preoccupations of assemblymen precluded the broad vision needed to govern America, he suggested the creation of a continental Parliament to supplement the assemblies, drawing members from all of the mainland colonies including Quebec, Nova Scotia, and the Floridas. He also envisioned an American Council appointed by the Crown and a Lord Lieutenant modeled on that post in Ireland.

Smith's "Thoughts" assumed that only tangible, workable changes in the structure of the Empire could create a more stable political atmosphere. The constitutional debate revealed to him an unnatural state of anxiety, growing out of the colonists' fears about their political rights and British concern for the security of its economic stake in the colonies. The chief virtue of his approach, he believed, lay in his recognition of that insecurity and his desire to alleviate it effectively. Smith's "Thoughts" therefore aimed all of its proposals toward the object of rebuilding confidence. His immediate purpose was to abolish the necessity for Parliamentary taxation of the colonies by transferring that authority to the new American Parliament. He proposed that the Crown should present the American legislature with an annual requisition. The new legislature would then apportion the sum among the various colonies, leaving the raising of the revenue to the provincial assemblies. Significantly, the American Parliament would deal in these fiscal matters, not with the Parliament at Westminster, but directly with the Crown. Having secured an exemption from Parliamentary taxation in return for this annual contribution, the colonies would then acknowledge Parliamentary authority over them in all other fields.

The problems of taxation and imperial defense were secondary to Smith's main purpose. He was chiefly interested in analyzing the sources of distrust within the Empire. He attributed the lack of confidence between British and colonial leaders in large part to the proliferation of colonial assemblies. They could neither function effectively nor command British respect because they attracted inferior men, were subject to provincial pressures, and could not cope with problems affecting the colonies as a whole. If, however, colonial institutions were

⁶ A remarkably similar analysis of the economic potential and political needs of the Empire, gleaned from *The Wealth of Nations*, appears in E. A. Benians, "Adam Smith's Project of an Empire," *Cambridge Historical Journal*, I (1923-25), 249-283.

inadequate, taxation by Parliament was no solution. The advocates of virtual representation, Smith observed, were motivated by ignorance and an "overweening Attachment to their own Interest." To prevent imperial disintegration, politicians on both sides had to visualize the Empire as a whole, anticipate its future development, and then create institutions capable of meeting present and future needs. The expansion of the colonies across the continent had only begun, he noted, while British power had probably reached its zenith. This sense of the future motivated his belief in constitutional reform. British self-interest required a durable link with the colonies, and America could exploit the resources of the continent most effectively if it could exchange raw materials for British goods. Therefore, he concluded, while both sides needed the Empire, the British probably had a greater interest in preserving it than did the colonies. The authors of "The American Whig, No. V,"—probably Smith and William Livingston—carried this analysis a step further by defining the seaboard colonies and inland territories as an "indispensable substratum of empire" which required for its "foundation . . . a *regular American Constitution*."⁷ This declaration of nascent manifest destiny in Smith's "Thoughts" and "The American Whig" added a new dimension to the discussion of colonial rights by turning the prospect of American expansion into a compelling argument for constitutional reform.

The subsequent career of Smith's "Thoughts" was less interesting than the content of the document itself. Appointed to the Council in New York in 1767, Smith found himself increasingly concerned with provincial affairs, particularly with a protracted struggle within the Council over the distribution of certain disputed lands situated between New York and New Hampshire. He did attempt to have provisions of his plan incorporated in a petition to the House of Lords in

⁷ "The American Whig, No. V," *New-York Gazette, or Weekly Post-Boy*, Apr. 11, 1768. The "American Whig," a series of polemics against Thomas Bradbury Chandler's demands for an American bishop, was edited and largely written by Smith's close friend and political ally, William Livingston. "No. V" contained this striking digression on the structure of the Empire, and has been attributed to Livingston in Carl Bridenbaugh, *Mitre and Sceptre . . .* (New York, 1962), 306-307; however, Smith and Livingston probably collaborated on this number since its arguments and style dovetail so closely with those of Smith's "Thoughts." Chandler himself suspected Smith of sharing authorship of previous issues of the "American Whig." See Chandler to Samuel Johnson, Apr. 7, 1768, in Herbert and Carol Schneider, eds., *Samuel Johnson, President of King's College: His Career and Writings* (New York, 1929), I, 436-438, and, particularly, Koebner's perceptive discussion of this issue of the "American Whig" in *Empire*, 171-172.

December 1768, but the assembly deleted it.⁸ His interest in it revived, however, when General Frederick Haldimand expressed interest in the proposal in 1775 as the imperial crisis moved to its climax. Smith sent the General a copy of his "Thoughts," and Haldimand forwarded it without comment to Lord Dartmouth, Secretary of State for the Colonies.⁹ In August 1775 the plan received further attention when a published letter—written in 1769 by Thomas Hutchinson to Hillsborough, Dartmouth's predecessor as Colonial Secretary—spoke of "an Expectation of an American Parliament" by someone in New York. Hutchinson ridiculed the idea because it compromised the supremacy of Parliament. Smith presumed that Hutchinson had not seen his manuscript, but he did recall mentioning its contents to Hutchinson's friend, Andrew Oliver.¹⁰ A few days after he saw the newspaper account of Hutchinson's letter about his plan, Smith heard a rumor that Lord Mansfield had prepared proposals for reconciling the colonies. Smith immediately assumed that his plan was "the Ground work" of Mansfield's recommendations, and he further assumed that Hutchinson's garbled version of the "Thoughts" or Haldimand's complete text had received serious consideration in London.¹¹

Though Smith's "Thoughts" in fact received little if any attention from British officials, he remained convinced that inadequate mechanisms of Empire were at the bottom of the imperial crisis. His "Thoughts as a Rule for my own Conduct, at this melancholy Hour of approaching Distress," written a few weeks before Independence, was a painstaking resumé of the failure of the institutions of the Empire to accommodate both British and colonial aspirations. As in his earlier "Thoughts," he here located the crux of the problem in a structural flaw of the Empire. "As no Provision was made for constituting an Impartial Judge between [the colonies and the Mother Country]," he lamented, "their Controversies are therefore to be decided by Negotiation and Treaty, or on an Appeal to the Lord of Hosts by Battle."¹²

⁸ Dec. 13, 1768, in Smith, *Historical Memoirs, 1763-1776*, pp. 49-50.

⁹ Smith to Haldimand, July 4, 1775, Dartmouth Papers, II, 1353.

¹⁰ Smith, *Historical Memoirs, 1763-1776*, pp. 235-236; *Pennsylvania Journal* (Philadelphia), Aug. 9, 1775.

¹¹ Smith's information about Mansfield was incorrect. Mansfield made no recorded recommendations about reconciling the colonies in 1775, but he had advocated important conciliatory features of the Quebec Act of 1774, and Smith probably confused the two activities. See Reginald Coupland, *The Quebec Act: A Study in Statesmanship* (Oxford, 1925), 10, 32, 49-50, 100.

¹² Smith, *Historical Memoirs, 1763-1776*, pp. 271-277. On Smith's elaborate analysis of the Revolutionary crisis from 1774 to 1776 see William H. W. Sabine, "Wil-

Few contemporaries read Smith's "Thoughts," and even Haldimand and Dartmouth did not appear to appreciate its importance.¹³ But it is an instructive source on the coming of the Revolution. It shows that Smith—an informed, reflective eighteenth-century American—was capable of looking at the constitution, not as a doctrine to obey nor a reality to accept, but as a tool to adapt, improve, and "bend." Because Smith believed that individuals had the ability to perceive and the duty to correct flaws in the constitution, his memorandum minimizes the importance of impersonal, historical forces and enhances the role of individual initiative in colonial politics. Smith might well have agreed with Charles H. McIlwain's well-known view that the American Revolution resulted from "a collision of two mutually incompatible interpretations of the British constitution"¹⁴ or at least the constitution of the British Empire. But unlike the legalistic writers upon whom McIlwain depended, Smith's analysis attributed the constitutional impasse more to the intellectual rigidity among leaders on both sides than to a contradiction of principles.¹⁵

Two copies of the "Thoughts," one in Smith's handwriting, are preserved among the Dartmouth Papers in the William Salt Library, Stafford, England.¹⁶ It is printed here for the first time with the permission of its owner, the present Lord Dartmouth, and the generous assistance of Mr. F. B. Stitt, Librarian of the William Salt Library.

Thoughts upon the Dispute between Great Britain and her Colonies.

They who speak of the Union between these Countries, barely as of Im-

liam Smith and His Imperial 'Compact,'" *Manuscripts*, VIII (1956), 315-318; William H. Nelson, *The American Tory* (Oxford, 1961), 123-125; Upton, ed., *Diary*, xxxi-xxxiii; and Smith, *Historical Memoirs*, 1763-1776, pp. 188-190, 209, 224-225, 228-228c, 235-237, 239-241, 242-251, 257-259, 261-263, 265-266, 271-277, 279-283.

¹³ It is not clear how a London merchant, Brook Watson, came to possess an unsigned, abbreviated version of Smith's "Thoughts" which he sent to Dartmouth in January 1775. Historical Manuscripts Commission, *Fourteenth Report*, Appendix, Part 10 (London, 1895), 262.

¹⁴ *The American Revolution: A Constitutional Interpretation* (New York, 1923), 5.

¹⁵ On Smith's later constitutional ideas see Oscar Zeichner, "William Smith's 'Observations on America,'" *New York History*, XXIII (1942), 328-340; Hilda Neatby, "Chief Justice William Smith: An Eighteenth-Century Whig Imperialist," *Canadian Historical Review*, XXVIII (1947), 44-67; and Upton, ed., *Diary*, xxxiii-xl.

¹⁶ Dartmouth Papers, II, 1353, 1354.

portance, and even of *vast* Importance, do not express themselves properly. He who knows, that *one third* Part of the Commerce of Britain, depends upon her Colonies; and that if this is lost, she is ruined, will talk of the Union, as essential to the very Existance of the Empire.

What then are we to think of the present Quarrel? It is a Disease that affects Life. And as it spreads fast, the Remedy must be speedily administered. A solid Dominion must be founded in Love and Interest. The affection of three Millions of Subjects, situated as we are, if once lost, will scarce ever be regained.

The last War was a glorious one. To *Individuals* it has been profitable; and if our Successes are wisely improved, it will be so to the *Nation*, the vast Increase of the Public Debt notwithstanding.

By the Conquest of Canada, Great Britain was supposed to acquire the Dominion of all North America; and thenceforth to be in a Condition, to seize the West India Islands at Pleasure, humble France and Spain and secure the Tranquility of Europe.* But is the Rescue of the Continent from France, the ensuring of it to Great Britain? Surely something more was to be done after the War ceased. The Colonies when delivered from the Enemy, were to be secured to their Protectors.

It was palpable Blundering, to imagine that this could be effected by unusual, exceptionable Taxations, and an embarrassed, partial Commerce. The Minister fell into this Error, in a Fright at the Amount of the national Debt, and for want of Knowledge concerning the Nature and State of our Trade.

He presumed that the Colonies were now out of their Infancy, able to stand upon their own Legs, and to give Aid to the Mother Country.

The vast Wealth acquired from us in the Circuits of Commerce were not considered. What respected our Defence from the Enemy abroad, and the Savages at Home, and the internal support of Government, ing[r]ossed all his Attention.

It is agreed that if the Colonies enjoy a free Trade, it will bear Impositions, that may vastly relieve the Charges of the Empire.

A direct Tax was devised in 1764, but not without some Diffidence. A Year's Notice was given, before the Burden was actually imposed.

This is the Origin of the Controversy. Much has been written upon the Subject. Both Countries fly to the Constitution, for Arguments in Support of

* I have been informed that the Value of the West India Produce imported into France in 1754, was near ten Millions Sterling. How immense the Profits on the European Sales! She holds these Sources of Wealth at the Mercy of Great Britain. By Expeditions from the Continent of America, any of these Islands may be easily overwhelmed and reduced.

Tenets, *diametrically* opposite to each other. On the Part of America, there is a Claim to all the Rights of Englishmen; whence it is inferred, that no Tax can be laid upon them without the Consent of their Assemblies: Great Britain on the other Hand, attempts to justify her Measures, by admitting the Principle, but denying the Consequence; for She contends, that the Americans are *virtually* represented, by the Commons of Great Britain.

It is not proposed to enter into this Controversy here. Let it suffice to observe, that the Litigants on both Sides, seem to be insensible, that the constitutional Principles they appeal to, were established before the Colonies were discovered, and that some of them argue, as if we were in the same Predicament, with a *County* of the Old Realm of England; whereas the Truth is, that the Empire, long after the Constitution was formed, acquired a *new, adventitious State*. And the Question therefore is not, what the Constitution was, or is, but what, present Circumstances considered, it ought to be.

Britain having made a vast Accession to her Dominion, by Discovery, by Conquest and by Cession, the Disputants, instead of spending their Time, in collecting Arguments, all chargeable with a Non Sequitur, should have pointed to Measures conducive to the common Weal of both Countries; because to that [end]¹⁷ the Constitution (be it what it will) ought to bend, and *sooner* or *later* will bend; unless it is the Design of Heaven to infatuate and destroy us as a Nation.

The Colonies became separate, and with respect to each other independant Societies, by *Accident*; neither the Crown nor the Nation, had any Design in Splitting the Dominions into so many different, petty Governments. Thro' *Necessity* each acquired *Legislative* Powers, in a Mode somewhat similar to the grand Pattern in the Parent Country. There seems to be no Reason to doubt, but that if the whole Continent of North America, had been antiently asked for by one Company; suppose for Instance the Virginia Company in 1606, the Grant would have passed; and *one* Assembly been constituted, to make Laws for this immense Region.

The Case is however otherwise, the Continent consists of Sixteen or Seventeen Colonies and Provinces, under the immediate Government, of almost as many little Parliaments made up of a Governor and a Council differently appointed, and an Assembly of Delegates, chosen by the People.

None can deny, that the Colonies ought to bear some Part of the Public Burdens. If the Royal Requisitions for Aids are to be made to each, the Objections are obvious and unanswerable,

1st The Empire will become too complex, popular and unwieldy;

¹⁷ One or more words were apparently omitted inadvertently; the bracketed word has been supplied by conjecture.

2ly Persons utterly incompetent for its Affairs, will participate in its Councils; and,

3ly The Empire will be perpetually distracted, and in Danger of a Dissolution, from a want of *Uniformity in Design*.

The Advocates for the British Supremacy, had these Consequences in full View. The Prospect filled them with Terror. We ought to ascribe the fictitious, virtual Representation they talk of, to their Consternation, and *not to Malice*. But their Scheme is manifestly defective; because it does not provide for the Safety of the Colonies; It discovers an overweening Attachment to their own Interest; and being partial, tends to work the Disunion we all dread, as ruinous to the whole Empire.

America supplicates for Relief; and if she desires no more, than the Parliament's ceasing to act, upon the Principle of unbounded Sovereignty, and that the Crown may again recur, to the old Course of Requisitions to each Colony, the Guilt of partiality will be our's.

Let any Man well consider the three Objections, to such a Form of Government above mentioned, and he must be convinced, that it cannot give Stability to so vast an Empire.*

If our Experience has not yet furnished Arguments from *Facts*, against such a Distribution of Power, tis because we were formerly too feeble and exposed, to give the Assistance that will *soon* be justly due, and certainly expected.

The present Contentions are the *first*, in the Train of tragical Consequences, inevitably flowing, from *too manifold a Partition*, of the *Legislative Authority* of the Empire.

It is of Necessity then, that a Constitution be devised, friendly to every Branch of the great Whole, and linking Great Britain and her Colonies together, by the most indissoluble Ties.

As the Contest arose, from a Foresight of the Inconveniences, attending a Resort to so many *seperate* Assemblies, the most obvious Remedy seems to be, a Consolidation of all these little, continental Parliaments into *one*.

It is not proposed to annihilate the Assemblies, but that there be a Lord Lieutenant as in Ireland, and a Council of at least Twenty four Members, appointed by the Crown, with a House of Commons, consisting of Deputies chosen by their respective *Assemblies*, to meet at the central Province of New York, as the Parliament of North America.

A Parliament is no Novelty; and therefore we shall not be perplexed in settling its Powers, and the Privileges of the several Branches. Let it be in general understood, that to this Body the Royal Requisitions for Aids are to

* Its Affairs are now directed by more than Twenty Parliaments. What a Multitude of Souls to one Body!

be made, and that they are to have Authority, to grant for all, and to settle the Quotas of each; leaving the Ways and Means to their separate Consideration, unless in Cases of Default.

The Number of the Council may depend upon the Royal Pleasure; but to preserve their Independency, they ought to be Men of Fortune, and hold their Places for Life; with some honorable Distinctions to their Families, as a Lure to prevent the Office from falling into Contempt.

The Number of the Delegates, will naturally be proportioned to the comparative Weight and Abilities, of the Colonies they represent. The two Floridas, Rhode Island, Nova Scotia and Georgia ought each to have five. New Hampshire, Maryland, North Carolina and Quebec seven. South Carolina and New Jersey eleven. New York, Pennsylvania and Connecticut twelve and Massachusetts Bay and Virginia fifteen.*

The whole House will thus consist of one hundred and forty one Members. A small Number, considering the Importance of their Trust. Besides Accident, Business and Disease will Occasion the Absence of many. They may be afterwards increased, when the Colonies are become more populous and desire it. The Crown to retain its antient Negative, and the British Parliament its Legislative Supremacy, in *all Cases* relative to *Life Liberty and Property*, except in the Matter of Taxations for *general Aids*, or the immediate, internal Support of the American Government.*

This Project is manifestly free from all the Objections, that lay either against that, which subjects American Property to the British Disposition; or the other, which asks that each Colony, should participate *so largely* in the Councils of the Empire, as to have the Power of refusing Aids; tho' thought necessary for the common Safety, by the *united Voice* of Great Britain and all the Rest of her extensive Dominions.

It may be said of every one of the Colonies, that our Assemblies are unequal to the Task, of entering into the Views of so wise, and so great a Nation as Great Britain is, and from which we are so far removed. Indeed it is not to be expected from an Infant Country, many of whose Assemblymen represent little obscure Counties, and are themselves at Straights for a bare Livelyhood. Besides, the scant Districts of the respective Provinces, bring the

* From separate Requisitions to the Island Colonies, we have no Inconveniences to apprehend. It is easy to command their Wealth by a commercial Police. They are besides absolutely dependant upon Great Britain and the Continent of America. They owe their Safety to the Protection of the one, and the Supplies of the other, and must of Necessity belong to the Power that rules both. They can never revolt while the present Union subsists.

* No other than such a *limited Sovereignty* is exercised over Ireland, tho' a conquered Country.

several Branches of the Legislature into too great a Familiarity, for the Purposes of good Government; and open the Door to frequent Bickerings and Discords, in which the common Interest will be too often sacrificed, to private Piques or partial Aims, and the Royal Voice drowned in the Dinn of Faction, or the Clamours against an obnoxious Governor.

But in a Parliament, chosen *not by the Counties*, but by the *Representatives* of the Colonies, we shall collect the Wisdom of the whole Continent, and find the Members acting upon Principles, doubly refined from popular Lees, and with a Liberality unbiassed by the partial Prejudices, prevalent in the little Districts by which they were sent.

Unspeaking Advantages will also flow, from the Introduction of a *dignified* Government, into a Country long neglected, and where, on Account of its being little known to Great Britain, and the Diversity of their Colony Constitutions, many Disorders have crept in, in some Instances dangerous and detrimental to the Colonies, and their British Creditors, and derogative of the just Rights, and many Prerogatives of the Crown, most friendly to Peace and good Order.

But the Capital Advantages of this Scheme, will be the Recovery of the Colonies, to a firm Confidence in the *Justice* and *Affection* of the Parent State. And by opening to her the Conduits of sure, full and constant Information, enabling her so to regulate and improve this vast, dependant, growing Territory, as to unite every Branch of the Empire, by the Cords of Love and Interest, and give Peace, Health and Vigor to the whole.

There are several Reasons, why this Measure should be *speedily* attended to. I The Colonies are universally agitated, by Suspicion, Fear and Disgust; and doubling by their own Growth in less than thirty Years, will in *Fifty*, equal the Inhabitants of Great Britain and Ireland. Unforeseen Events in Europe, may accelerate this momentous Increase[.]

II By the Dissentions in the Mother Country, her rapid Advances in Luxury, the American Attention to Manufactures, the Alarming Extent of the National Debt, the democratical Assendancy of the Commons, and many other Causes, Great Britain seems to have passed the Zenith of Her Glory, without some great Change in the System of her Affairs.

III If these [*sic*] is a Recourse to the Establishment of a Dominion, founded *only in Fear*, it can last no longer, than till the controuling Power, is destressed by a general War; and the Revisal of the Contest for Liberty at such a Crisis; must be tragical indeed. Members to a Parliament in Europe, the Americans never will send; and every other Scheme, but one as agreeable to them as that now recommended, would soon prove to be but a temporary Palliative and meer Quack Medicine.

IV The Colonies will never be less assuming than at present. If the Disgusts

now raised, should continue, we may become a Nest for the disaffected and designing, even in Great Britain and Ireland; Now we demand only an Exemption from *Parliamentary Taxations* as a Right, recognizing at the same Time, the Supremacy of Great Britain, in *every other Instance* and particularly her Sovereignty in Commerce.* It is therefore her Interest to lay a solid Foundation for her Dominion by a voluntary and durable Compact. What we ask as a Favor at present, may be after a few Years offered and refused.¹⁸

I am sensible that a Jealousy of the Power, which a Union of our Councils would create, may prevent Great Britain from concurring in the Erection of a *third Parliament*, for the Government of the Empire. But this very Jealousy, is Part of the National Disease, and will if it continues, be the Ruin of us all.

If she Means to oppress her Colonies, their common Danger, will in Spite of all Opposition unite them together. The late offensive Laws are a Proof of it, and all History verifies the Position. But if she abandons her partiality, and generously consults the common Weal, What Ground can there be for Jealousy. When once secured in our Property, our Affection will revive; and ten Thousand Cords may be contrived, to tie us together by the Knot of Interest. Prosperity may indeed make us wanton; but Provinces rarely rebel, till the Yoke of Oppression galls, and a deaf Ear to their Complaints, has begot a sullen Abhorrence of their Masters.

It has been apprehended by some, that such extensive Colonies, like an overgrown Child, will exhaust the Parent. The Cases of the antient Phoenicians, and modern Spaniards, have been mentioned on this Occasion. But all that read History, are not able to apply it, and make the proper Distinctions.

If Great Britain is to be ruined as these Speculatists suppose by the Flight of her Inhabitants to America, 'tis high Time to set the new House in Order,

* This will be consistant with our Exemption from Her Taxations, if the Duties go into the Province Treasuries, or are passed to our Credit, on the Royal Requisitions.

¹⁸ These considerations were staples in the discussion of the nature of the Empire. Smith probably drew these ideas from Franklin's essay, "Observations concerning the Increase of Mankind, Peopling of Countries, &c." See Leonard W. Labaree and Whitfield J. Bell, Jr., eds., *The Papers of Benjamin Franklin*, IV (New Haven, 1961), 227-234. Both men agreed that colonial population would double within every generation, and that this increase compelled Britain to reform the political system of the Empire. Both feared that concentrations of urban population would encourage the decline of public virtue as was already evident in Britain. See especially [Smith], "A brief Consideration of New-York . . ." Jan. 18, 1753, in Klein, ed., *The Independent Reflector*, 103-108. Another loyalist who proposed imperial union as a means of averting the American Revolution, Joseph Galloway, also defended this policy on the grounds that colonial population would increase by ten-fold within the coming century. Galloway to Richard Jackson, Aug. 10, 1775, Dartmouth Papers, II, 1031.

for their comfortable Accommodation, and welcome Reception. The Colonies are growing up, with many distinguishing Peculiarities; and tho' they may be now easily drawn into an harmonious Uniformity, yet by a little longer Negligence, their Prejudices will grow obstinate and humoursome.

If any unforeseen Catastrophe in Europe, should render their favorite Islands, no longer tenable in that Quarter, they may retreat to America; and the Present, is the most Advantageous Season, for laying a solid Foundation, for the speedy Re-establishment of a Dominion, which no Power upon Earth will be able to annoy.

But tho' the Wars in Asia, drove the feeble and defenceless Phoenecians to Carthage, and the Mines of Mexico and Peru depopulated Spain, Yet Great Britain by a wise Conduct, may improve her Colonies, even for the Increase of her own Population, as well as the Aggrandizement of her Power.

Every Body knows, that the Number of her Inhabitants is vastly inanced since the Discovery of the New World; and can any Man be ignorant, that this is owing to the Augmentation thereby given to her Commerce?

The same Causes will produce the same Effects. The Spanish Emigrations drained the old State, chiefly, because they sent her *Money* instead of *Merchandise*. Spain was converted into a Castle of Indolence; She acquired *Silver* and *Gold* from her Colonies, but not *real Wealth*.

If Great Britain is attentive to her own, and the Trade of her Colonies, she may dismiss all Fears of our Increase. Nay it will be then her Interest, to encourage our Increase.

One cannot take the State, Nature, Climates and prodigious Extent of the American Continent into Contemplation, without high Prospects in favor of the Power, to which it belongs. It is sufficient to be the *Granary* of all the Rest of the British Dominions. Fed by our Plough, Britain might attend more to the Cultivation of Sheep. By that Staple, and the Collection of raw Materials *from* us and *by* us, she may convert her own Island, as it were, into one great Town of Manufacturers, undersell every other Nation in Europe, and maintain and exalt her Supremacy, until Heaven blots out all the Empires of the World.