

THE connection and harmony between Great-Britain and us, which it is her interest and ours mutually to cultivate; and on which her prosperity, as well as ours, so materially depends; will be better preserved by the operation of the legal prerogatives of the Crown, than by the exertion of an unlimited authority by Parliament. *

* After considering, with all the attention of which I am capable, the foregoing opinion,—*That all the different Members of the British Empire are DISTINCT STATES, INDEPENDANT OF EACH OTHER, BUT CONNECTED TOGETHER UNDER THE SAME SOVEREIGN IN RIGHT OF THE SAME CROWN*—I discover only one objection that can be offered against it. But this objection will, by many, be deemed a fatal one. “How, it will be urged, can the Trade of the British Empire be carried on, without some power, extending over the whole, to regulate it? The legislative authority of each part, according to your doctrine, is confined within the local bounds of that part: How, then, can so many enterprising interests and claims, as must necessarily meet and contend in the commerce of the whole, be decided and adjusted?”

Permit me to answer these Questions by proposing some others in my turn. How has the Trade of Europe—How has the Trade of the whole Globe, been carried on? Have those widely-extended plans been formed by one superintending power? Have they been carried into execution by one superintending power? Have they been formed—have they been carried into execution, with less conformity to the rules of justice and equality, than if they had been under the direction of one superintending power?

It has been the opinion of some Politicians, of no inferior note, that all regulations of Trade are uselefs; that the greatest part of them are hurtful; and that the stream of Commerce never flows with so much beauty and advantage, as when it is not diverted from its natural channels. Whether this opinion is well founded or not, let others determine. Thus much may certainly be said, that Commerce is not so properly the object of Laws, as of Treaties and Compacts. In this manner, it has been always directed among the several nations of Europe.

But if the Commerce of the British Empire must be regulated by a general superintending power, capable of exerting its influence over every part of it, why may not this power be entrusted to the King, as a part of the Royal prerogative? By making Treaties, which it is his prerogative to make, he directs the Trade of Great-Britain with the other States of Europe: And his Treaties with those States have, when considered with regard to his subjects, all the binding force of Laws upon them.† Where is the absurdity in supposing

† *The King may make a treaty with a foreign State, which shall irrevocably bind the nation.* BLACKSTONE, 252.