

by that it plainly appears to be the right of the subject to petition the House of Commons, or the king. The proviso in that act says, "that neither that act, nor anything therein contained, shall be construed to extend or hinder any person or persons, not exceeding the number of ten, to present any public or private grievance or complaint to any member of the House of Commons after his election, or to the king's majesty." By the act of recognition of William and Mary, declaring the rights and liberties of the subjects, and settling the succession of the crown, it is enacted, amongst other things "that it is the right of the subject to petition the king; and all commitments and prosecutions for such petitioning are illegal." And they do claim, demand, and insist, upon all and singular the premises, as their undoubted rights and liberties; and that no declaration, judgment, doings or proceedings, to the prejudice of the people, in any the said premises, ought in any wise hereafter to be drawn into consequence or example. Here is no grant of any new privilege, but a claim and acknowledgment of an ancient right; and petitions to the parliament are as ancient as parliaments themselves. If the subjects of the plantations may not petition and complain to their prince, they are in a worse condition than slaves. The cries of the oppressions in the plantations have gone up to heaven, and are again come down upon the earth, and have inspired and moved the king and Parliament of England to make a law to check the exorbitant actions of governors in the plantations, and make them accountable in England for their miscarriages abroad; which can never be discovered to the king but by petition.¹

This prosecution seems to be made to frustrate and evade this act of Parliament. The subject is oppressed, or conceives himself to be so, and complains of this oppression; this

¹ This act provided that if any governor of any colony should be guilty of oppressing his majesty's subjects beyond the seas, or should be guilty of any other crime or offense, the same should be inquired of by the court of king's bench in England, and such punishments inflicted as were usually inflicted for offenses of a like nature committed in England.