difference between themselves and their English brethren which was to the disadvantage of the latter, even though it occasionally evolved a man like Howe or Pitt. Taking all the influences together, it is plain that the French and Indian war not only brought into being a tangible union of the colonies, but broke many of the cords which had held the colonies to the mother country.

**III. THE STRUGGLE FOR UNION : 1763-75.**

1. It is generally believed that the abandonment of North America by France was the result of profound policy, —that she foresaw that her retirement would be followed by the independence of the English colonies, and that Great Britain’s temporary aggrandizement would result in a more profound abasement. Vergennes and Choiseul both stated the case in just this way in 1763 ; and yet it may be doubted whether this was not rather an excuse for yielding to necessity than a political motive. At all events, it is certain that the peace, even with its release of the colonies from French pressure, was not enough to secure colonial union. For this it was necessary that the home Government should go on and release the colonists from their controlling feeling that they were rather Englishmen than Americans.
2. This feeling was not an easy one to eradicate, for it was based in blood, training, and sympathies of every nature. It would not have been easy to distinguish the American from the Englishman; it would, indeed, have been less easy than now, when the full effects of a great stream of immigration have begun to appear. American portraits of the time show typical English faces. Wherever life was relieved of the privations involved in colonial struggle, the person at once reverted to the type which was then the result of corresponding conditions in England. The traditions of American officers were English ; their methods were English ; even the attitude which they took towards the private soldiers of their armies was that which was characteristic of the English officer of the time. In the South the men who led and formed public opinion had almost all been trained in England and were ingrained with English sympathies and even prejudices. In the North the acute general intellect had long ago settled upon the “ common rights of Englishmen ” as the bulwark behind which they could best resist any attempt on their liberties. The pride of the colonists in their position as Englishmen found a medium of expression in enthusiasm for “ the young king and it would be hard to imagine a more loyal appendage of the crown than its English colonies in North America in 1760.
3. Unfortunately, the peace of Paris did not result merely in freeing the colonies from dependence on the mother country ; it had the more important effect of free­ing the mother country from fear of France, and of thus encouraging it to open a controversy with the colonies which had not been ventured on before. Quebec had hardly fallen and given the home Government promise of success when the work was begun (1761). The Board of Trade began to revive those regulations of colonial trade which had been practically obsolete in New England ; and its customs officers applied to the Massachusetts courts for “ writs of assistance ” to enable them to enforce the regula­tions. Instant resistance was offered to the attempt to burden the colonies with these writs, which governed all men, were returnable nowhere, gave the officers absolute power, and opened every man’s house and property to their entrance. The argument of the crown advocates based the power of issuing such writs on parliament’s extension of the English revenue system to the colonies, backed by a statute of Charles II. permitting writs of assistance ; to refuse to grant the writs was therefore to impeach the power of parliament to legislate for the colonies. The counter-argument of James Otis was the key-note of the revolution. It declared in terms that no Act of Parliament could establish such a writ, that it would be a nullity even if it were expressed in the very terms which the customs officers claimed, and that “ an Act of Parliament against the constitution was void.”
4. Perhaps Otis meant by “ the constitution ” merely the fundamental relations between the mother country and the colonies, for this claim was the first step on the way to the final irreconcilable difference as to these relations. The English theory of the connexion had been completely put into shape by 1760, with very little objection from the colonists, whose attention had not yet been strongly drawn to the subject. It held that even the two charter colonies, and *a fortiori* still more such a royal province as New York, were merely corporations, erected by the king, but subject to all the English laws relating to such corpora­tions. The king was their visitor, to inquire into and correct their misbehaviours ; his courts, on *quo warranto,* could dissolve them ; and parliament had the same omni­potent power over them which it had over any other civil corporation,—to check, amend, punish, or dissolve them. These propositions must have seemed unquestionable to the English legal mind in 1763. Their weak point, the assumption that parliament had power to control a cor­poration *extra quatuor maria,* had been covered by a new development of the English theory during the century. Parliament, originally a merely English body, had grown in its powers and claims until now the common use of the phrase “ imperial parliament ” connoted claims to which the “four seas” were no longer a limitation, in law or fact. Parliament was to give the law to the whole empire. Hitherto this had been developed as a purely legal theory ; it was now first attempted to be put into practice when the enforcement of the Navigation Acts was begun in 1761. The first objections offered by the colonists were easily shown to be illogical and inconsistent with this legal theory of the relations between the home country and the colonies, but this only drove the colonists higher, step by step, in their objections,—from objections to taxation by parliament into objections to legislation by parliament, —until they had developed, about 1775, a theory of their own, logical enough in itself, but so inconsistent with the English theory that war was the consequence of their collision.
5. Passing over the intermediate steps, the form which the colonial theory finally took amounted to this. The introduction of the idea of an “ imperial parliament ” was itself a revolution, which could not bind the colonists, or change the conditions under which they had settled the new country. Their relations, originally and properly, had been with the crown alone, and they had had nothing to do with parliament. The crown had seen fit to con­stitute new dominions for itself beyond the seas, with forms of government which were irrepealable compacts between it and the people whom it had thus induced to settle the new territory, and not mere civil corporations. It would follow, then, that the king was no longer king merely of Great Britain and Ireland ; he had at least thirteen kingdoms beyond seas, and a parliament in each of them. For the British parliament to interfere with the special concerns of Massachusetts was as flagrant a wrong as it would have been for the parliament of Massachusetts to interfere with the affairs of Great Britain ; and Massa­chusetts had a right to expect her king to protect her from such a wrong. The subject of Massachusetts knew the king only as king of Massachusetts, and the parliament of Great Britain not at all. It needed many years of suc­cessful but suicidal logic on the part of their opponents to