

or guard against those events which have dismembered the British empire. The same rule will not apply to the property acquired by subjects of distinct and independent nations, at the time of its acquirement. I dare know, or might know, the laws respecting the property of alien enemies in such states; they therefore acquire it, knowing on what terms the acquisition is made, and to what risk it is liable, in case of a rupture between their own and that nation in whose dominions property is acquired; and upon this principle, to wit, that the person who acquires property in a foreign country, knows such property can be taken from him by law, whenever a war happens between his sovereign and the state in which such property is acquired, the right of such foreign state to take such property is founded. The consequences therefore deducible from this principle are inadmissible, in all such cases to which the principle itself will not properly apply.

And though the persons affected by your bill reside in an enemy's country, and while thus residing are amenable to its laws, yet we cannot see the justice of diffusing the guilt of the British king and parliament to all individuals residing in that country, so as to work a forfeiture of their property and deprive them of their estates, because they may be willing and desirous to become subjects of this state, upon notice given that they would be received as such. Our opinion on this subject is shortly this. We conceive the declaration of independence, made upon the very principle of preserving liberty and property, destroyed no right which might be possessed consistently with that principle, and compatible with the sovereignty of the several states. That persons, other than refugees, resident in the British dominions, and claiming property in this state, acquired before the declaration of independence, ought, on becoming subjects, to possess that property, liable to the same taxes and impositions which other citizens pay: this equity and reason dictate, though policy may refuse to extend to them, during the war, all the privileges of citizens resulting from our government, and which of right they cannot claim; that there having been no time limited to make their election, nor the consequences of a neglect or refusal to make it announced, this ought now to be done.