

have endeavoured to establish, nor will it answer the Senator's purpose, or warrant his conclusions. On the contrary, if the judges intended to declare, that should the crowns become separate, the English post-nati, who might continue to reside in England, and pay allegiance to the English king, should notwithstanding be considered as subjects of the king of Scotland; and that the Scots post-nati, who might continue to reside in Scotland, and pay allegiance to the Scottish king, should notwithstanding be considered as English subjects, I will not hesitate one moment to pronounce, that their opinion was as trifling as they could possibly think the objection, that it is "less than a dream of a shadow, or a shadow of a dream," and that it is not warranted by common law or common sense.

If all of us born before the declaration of independence were natural born subjects of the British king, if the Senator's principles are just, and the opinion of the judges, in the extent the Senator would give it, is consistent with law, if we, by no matter ex post facto, can put off our allegiance, cease to be subjects of Great-Britain, and become aliens to that nation, we may in that case inherit in that kingdom, and sue in their courts of justice, but I cannot discover of what service this will be, either to the Senator, or those whose cause he is an advocate, for the question at present is not whether we can inherit in Great-Britain, but whether British subjects can inherit here, and if the only reason why we may inherit in Great Britain is, that we were originally born the subjects of the British king, I apprehend it will follow, as a necessary consequence, that all not born subjects of this state cannot inherit in the state, but are, and must ever remain, aliens to it, unless by matter ex post facto they can become subjects thereof, and aliens to Great-Britain. And that all persons born in the thirteen colonies, or any other part of the British dominions, before the formation of our present governments, are aliens to this state, Calvin's case is a full authority, for the judges say there, "that every one who is born without the allegiance of a state is an alien;" and again they declare, that "every man is either an alien born or a subject born." Now no man in his right senses will assert, that those who were born before this state had an existence, were born under its allegiance, or were natural-born subjects thereof; it therefore follows, that all such persons must be aliens to this state, unless by some act of their own they have become subjects. And in Calvin's case the judges also determined, that all the ante-nati in Scotland (those born before the union) were aliens in England for the same reason, because they were not born under the allegiance of the king of England, as I have before observed.

I therefore conclude, upon a full examination of the matter, that however successful the Senator may think himself, in having proved that we are not aliens to Great-Britain, and if we are not aliens we must be subjects, (for which proof I believe few whigs will be disposed to thank him,) yet it remains a truth established, even upon his own principles, and supported and confirmed by his own law authorities, that all British subjects are aliens to this state.

AN INDEPENDENT WHIG.

Baltimore, Feb. 29, 1780.

To the PRINTERS of the MARYLAND GAZETTE. SINCE my publication, in your Gazette, of Feb. 18, last, I observe two others under the same signature, in your papers of the 25th of February, and the 3d of this month. I am not acquainted with either of the gentlemen, who have assumed my signature. My intentions were to recommend harmony and union between the two branches of our legislature, and to remove any prejudices too hastily entertained of the Senate, and to wipe off any unfavourable impressions which the public might have taken up from the resolves of the house of delegates) against those members of the senate who voted against the confiscation bill. I did not pretend to be acquainted with the laws or practice of nations; I thought we ought to conduct ourselves on the principles of justice and equity; and agreeable to my sentiments of justice, I coincided in opinion with the senator, that we ought not to confiscate indiscriminately the property of British subjects; because we should thereby injure many innocent people. In this sentiment, I was supported by the authority of the Senator, that the property of unoffending British subjects is not liable, by the law of nations, to seizure and confiscation." I did not pretend to give an opinion how far the confiscation of the property of the innocent subjects of Great-Britain was justified by the law of nations. I was ignorant of that law, having never read Grotius, Rutherford, or Vattel, I relied on the assertion of the Sena-

tor, and only ventured to give my opinion, that the dictates of justice and reason forbade an indiscriminate confiscation.

The Senator did not enumerate the persons who would suffer, if the property of British subjects was confiscated without any exception; but as he affirmed that "it would be unjust and ungenerous to confiscate the property of a great number of individuals in England, who had publicly expressed their disapprobation and abhorrence of the war, and of the measures which led to it," I cast about in my mind to discover whom he meant. The proprietor, Mr. Harford, was an infant, and therefore must be deemed innocent as to us; if his estate was the great object of the law, and was not liable to confiscation, the advocates for the seizure could not think the property of others worth their notice. I mentioned the names of the merchants, Hanbury, Russell, and Glasford, because I thought they were also unoffending subjects of Great-Britain.—On enquiry, I have reason to doubt of Mr. Glasford's friendship, or services, to this country. I have a favourable opinion of Mr. Russell; his lady is a native of this state, amiable in her character, and may deserve favour and compassion. I named colonel Sharpe, and said what I really believed to be true, and do not fear contradiction; his return to live among us must obviate every objection. The Senator or myself cannot possibly have any interest in saving his property. I am told I was mistaken as to governor Eden; if I was, I am sure I would not recommend him as an exception, but I wish due enquiry to be made, before his estate is confiscated. I never had in contemplation to exempt from confiscation, the property of Mr. Buchanan, or of the proprietors of the Principio and Kingbury iron-works. I never heard that Mr. Buchanan was our friend, and some of the owners of those iron-works live at Birmingham, and are our bitter enemies, and even contributed to raise a regiment to reduce us to slavery. I readily consent (and I would answer also for the Senator) to confiscate their estates, because they are inimical subjects of Great-Britain. As to our absentees, I only contended, that some of them ought to be considered as subjects, and if they had committed treason against this state, they ought to be tried and punished as traitors. As to those who retired or withdrew from the state, if they have never actually borne arms against us, I thought, with the Senator, that it would be unjust to forfeit their property. I see no difference whether they went away before or after the declaration of independence. I grounded my opinion on the assertion of the Senator, "that there was no law which declared their departure unlawful." I had not the least idea or wish to save from confiscation the estates of Robert Alexander, Esq; the reverend Mr. Jonathan Boucher, the reverend Mr. Henry Addison, Mr. Henry Riddle, Lloyd Dulany, Esq; and his two nephews, and Mr. Stewart, (I suppose Anthony) enumerated by the last Plebean. I really am (as I profess) a whig, and those personages never entered into my head, nor I dare say that of the Senator, as objects of favour or compassion.

The Senator alleged, that there was a difference between seizing the goods of an enemy, found on the high seas, or in their country, and their property, in our power, within the state. He also asserted, that there was a difference between confiscating the land, and personal property, possessed by British subjects, in this state. I was of the same opinion, and as he omitted to give reasons for his opinion, I gave such as occurred to me, and I flatter myself, satisfactory to the public.

I was of opinion, that no great sum would accrue to the public from the confiscation of British property. If I was mistaken, I wish to be set right, and will readily retract, when convinced. I have a strong resentment against speculators as any man, and therefore would do nothing to promote their interest; though I would by no means have it believed, that I would not benefit my country, from an apprehension that they might have art to turn it to their advantage.

I never thought myself capable of discussing the question, whether all British subjects became aliens to this state, by the declaration of independence; therefore I did not undertake to support the Senator in his denial of it. I am not lawyer enough to know any thing of Calvin's case, and therefore the gentleman who assumed the same signature with me, in your paper of the 25th, ought to have the merit, if any, of maintaining the position, that all British subjects born before the declaration of independence, are not aliens, but can inherit as our natural-born subjects. I would only remark, that the Senator alleged, "that both British and Americans, born before the declaration of independence, were not aliens, but could inherit, &c. within

the several counties, as the natural-born subjects of both." He did not undertake to assert, that the people of this state, born before the declaration of independence, are now subjects of Great-Britain. This can be only a conclusion drawn, that if we are not aliens to Great-Britain, we are still subjects. If this inference be just, I wholly disclaim it, and will never again become a subject of that tyrant, whom I have renounced.

I only intended to offer my reasons in support of the Senator, so far only as I attempted in the Gazette of the 18th of February, and as now repeated. I believe the public will think that I did not differ from him in sentiment, and he may be assured I did not mean to misrepresent any of his arguments, or opinions, but to support them. I never intended to cast any aspersions on any of the members of the house of delegates. If the Senator meant to convey any suspicion of the conduct of particular members of that body, by his mention of "particular circumstances and particular characters," it remains with him, and the writer in your last Gazette, under my signature, to explain or to justify. In a word, I am connected with no party, and would not give offence to either of the writers, or any other person. I take the liberty once more to sign myself

A PLEBEAN,

Prince-George's county, March 8, 1780.

To the PRINTERS of the MARYLAND GAZETTE.

It is unbecoming an officer to use ungentlemanly expressions, but if I was to give my opinion of the senator, I should censure him heartily. He talks of *timidity on the right side*, which is detestable on any side. I honour a brave fellow even when he fights against me, but I detest the coward, though he professes to be my friend. No man, says he, or body of men, need to blush at being stigmatized as *timid*. Zounds, because they cannot *blush*. They will turn pale as a tent-cloth. Who ever heard of a coward blushing? I have been in several battles, and have seen several duels fought, and never saw a man blush with fear, to this hour. The Senator I take to be a d-m-d scary fellow. He talks of *consequences*; though if we had considered consequences from the first, like moderate men, we should never have declared independence; but if I was to consider what was to come to pass, I would as soon look into an almanack for it as into his writings. France and Spain will not suffer us to confiscate British property! I would see France and Spain to hell before they should hinder us from doing what is right. Britain will make it a preliminary, that restitution be made of it. Let the assembly give it to us, and all the devils in hell shall not take it from us. The Senator is fearful: Was I of the legislative body I would have him cashiered for his mean spiritedness. He may do well enough in private life, but I'll be d-m-d if he is fit to wear a commission in a public station.

A MARYLAND OFFICER.

Montgomery County, Feb. 28, 1780.

Not but that I have the most perfect devotion to the generosity of France, and good will to Spain, and do not believe that a thought of the kind will ever enter their minds.

For the MARYLAND GAZETTE. NUMBER XXIX.

THE family compact of the branches of the house of Bourbon was a circumstance whereon to ground a charge of ambition against France; though, it must be evident, that it was the result of wise and just policy for her own preservation. The contiguity of territory between France and Spain, affording frequent subjects of debate; the dissimilarity of manners, the one possessing the most lively air of address, the other exhibiting the utmost gravity of behaviour; what is still more, the hostilities of long wars with each other, had formed an opposition in the minds of the people, which the closest ties of affinity, or consanguinity, in the persons of the sovereigns, could not overcome. Not friendship springing from the ties of blood, nor the designs of ambition, but the vast mass of the English power pressing with a mighty weight, bound them together. When this weight shall be removed, or lessened, and the British power shall cease to press, these two monarchies shall return to their native beds, and be so far from forming designs against the liberties of their neighbours, that it will exist the principal object of their concern to preserve peace amongst themselves. Consanguinity in the persons of the sovereigns may be favourable to this end; the pleasing recollection of mutual acts of kindness, and that soft affection which long fellowship in distress begets, may