

conceive, cannot be removed, without considering the constitution and laws as things without meaning or efficacy.

The principle of your bill is also unjustifiable, in as much as it divests of their property, without notice, that class of persons, who resided, before the commencement of hostilities between these states and Great-Britain, in some of those parts of the British dominions which were not in the union with us. These persons had, fairly, legally, and for a valuable consideration, acquired private rights; under the faith of the same laws and government from which our rights of property are derived. What crime have they committed deserving of so severe a punishment? Was it criminal in them to remain in Great-Britain, or place of their nativity and long residence, at that period of time, when they could neither foresee or even apprehend a severance between these states and Great-Britain? Was it not rather their misfortune than crime, to be confined from their birth, their business, or connections, to a country ruled by a king thirsting after arbitrary power, and aided in his designs by a profligate ministry and more profligate parliament, at a time when those mad and wicked designs were carrying into execution? The difficulty and danger, real or apprehended, of quitting a country in time of war, and resorting to its enemy, must occur to every man capable of the smallest reflection. Hope too that disappointments, disgrace and defeats, would at length open the understanding of a wicked or misguided prince, and discover the folly of his projects, and incline him to restore peace to his distracted dominions, before the breach became incurable, and a coalition between the two countries impracticable, might have induced them to continue in the usual place of their residence, especially as no public order was ever issued, commanding their repairing to the state, under the penalty of forfeiting their property in it in case of disobedience. Such is the force of equity and justice, that the human heart, even in opposition to apparent interests, must silently at least approve of arguments flowing from such pure sources; natural equity dictates, that no man should be condemned and punished unheard; that every man ought to be presumed innocent, till proved guilty. These are truths, which no subtleties, no resentments, no misconceived utility, can ever eradicate from the human breast, and these are truths and maxims, applicable, as we conceive, to the present question, and to the persons whom your bill would have stripped of their property without trial or notice. Government was instituted for the happiness and protection of individuals, composing societies; the people have therefore a right to form such government as they think will most effectually secure their happiness and answer the purposes of their creation; and when the supreme magistrate, presiding over several territories united under one government, attempts to deprive the people inhabiting some part or parcel of those territories of that liberty and safety the laws of God and nature entitle them to, and that property which by their industry they have acquired, the people whose rights are invaded are bound by moral duty to resist such attempt, and if persisted in, to discard such unworthy magistrate, for perverting the purposes of his appointment, and to establish such constitutions, as wisdom and regard to the happiness of the members of such district or territory dictate, without destroying any rights acquired antecedently to such revolution, the possession and enjoyment of which are compatible with the safety and happiness of such society. When the idea of acquiring and holding property is admitted as a necessary consequence of civil society, it seems to follow most evidently, that property once acquired ought not to be taken away, unless the holder transgresses some known law inflicting this punishment, or unless the holding such property is incompatible with the safety of the society.

Although the people, under the circumstances mentioned, have a right to alter the form of their government, and to establish a new one, if the principle we have adduced be not admitted, a contrary rule or principle must be adopted, and, upon every change or alteration of the government, all precedent right to property will be extinguished, and every individual left at large to seize that which before the revolution belonged to his neighbour, a position too extravagant, dangerous, and inconsistent with the happiness of mankind, to be admitted either in theory or practice. When the king and parliament of Great-Britain, in conjunction with and aided by a majority of the British nation, commenced hostilities against America, we were all subjects of the same government, entitled to and possessing an equal right to acquire property in every part of the British dominions; the war having been most unjustly prosecuted, with a design, on the part of the British king and ministry, to enslave this country, rendered it the duty of the people of America, in order to preserve their property, their liberty and safety, to cast off the British, and to erect new and independent governments, capable of securing their liberty and property, and to form alliances and connections in support of that independence, and these necessary and those important ends of all societies. No notice was given to those who held property in this country, that the people of America intended to declare themselves independent; the inhabitants of Great-Britain, deceived by the artifices of their rulers, and frequent and deceptive professions of doing justice to America, had no reason to suppose that the people of this country would be compelled to declare themselves independent. Under these circumstances, the declaration of independence was made, in such manner as to dissolve the former political connection between America and Great-Britain, but not with an intention, either declared or implied, as we conceive,