

bly. We cannot give our assent to your bill, because it would necessarily imply that British subjects are not aliens, and during the present war between the two countries alien enemies.

The question who are aliens your honours have consented ought to be left to the judicial power, and yet you propose a bill, by which the opinion of the legislature would be given, that British subjects are not aliens. We are unwilling to admit the supposition, that your honours intended to influence the decision in our courts on this question (which will probably be agitated before them in a few days) by thus expressing our opinion. We cannot conceive it difficult to ascertain who are the subjects of Great-Britain. We think every person born within the dominions or allegiance of the king of Great-Britain, and every person made a subject of that kingdom agreeable to its laws, must remain and be considered as a subject of that nation, unless he has, by some subsequent act, divested himself of that relation, either by giving his express assent to the present revolution, by adhering to us and our cause, by entering into the service or employment of the United States, or any of them, or by joining in the formation of our new government, or by taking the oath of allegiance to it; or by doing some similar act, or by giving his implied assent, by remaining within this state and receiving the protection and benefit of its government and laws.

If a resident of Great-Britain is a subject of this state, or alien friend, he ought not to be prevented from suing in our courts; and if he is not a subject or alien friend, he cannot appear in our courts, whose authority he disowns.

Residents of Great-Britain (as you are pleased to call them) are either the subjects of or aliens to this state; if the first, they have a right to sue in our courts, and ought not to be prevented; if the latter, they cannot sue, and ought not to be supposed capable, by any implication or inference to be drawn from any legislative act. If the residents of Great-Britain are not subjects of this state, it necessarily follows, that they are aliens. The description "residents" includes as well the subjects of Great-Britain, as all other inhabitants of that kingdom. To affirm that residents of Great-Britain shall not sue during the war, necessarily implies, that they may sue after the conclusion of it; and of consequence it also implies, that British subjects could now sue, unless prevented by law, and that this right to sue is only suspended for a time, and will revive after peace takes place.

By order,

F. GREEN, clk.

Which was read. Also the following resolution:

BY THE HOUSE OF DELEGATES, MAY 16, 1780.

RESOLVED, That a salary of six thousand bushels of wheat be allowed to the members of the council, to commence on the eighth day of November last; that the said salary be discharged in continental money, in the following manner, to wit: three thousand bushels of wheat, at the rate of seventeen pounds ten shillings per bushel, and the residue at the current price hereafter to be settled by the general assembly; and that the allowance heretofore granted be considered and taken in part payment of the salary given by this resolve?

By order,

F. GREEN, clk.

Which was read and assented to.

Messieurs Hall and Ringgold, from the house of delegates, deliver to the president the following message:

BY THE HOUSE OF DELEGATES, MAY 16, 1780.

MAY IT PLEASE YOUR HONOURS,

YOUR long message of the 14th, assigning reasons for not confiscating the property of our enemies, and making application of it, agreeable to our propositions in our message of the 12th of April, cannot be considered and answered at this late hour of the session. If your reasonings in justification of your conduct can convince our constituents of the impolicy and injustice of the measure, and they prefer the burthen of very heavy taxes to the seizure of British property, we shall be satisfied. Our judgments are fully convinced, and if time would permit, we have no doubt we should be fully able to refute your arguments, and to shew the fallacy of your reasonings, on this subject.

We are deeply affected by your negative to our bill for sinking the quota of this state of the bills of credit emitted by congress, but have this consolation, that we have done every thing in our power to relieve our country from its present extreme distress, and our judgments and consciences inform us, that any consequences, be they ever so fatal, cannot properly or justly be imputed to us. We return with anxiety to our homes, and can only comfort ourselves with the pleasing reflection, that we have discharged our duty, and have the most perfect confidence that we shall stand acquitted by our country, the honourable congress, and all the states in the union.

We are ready to attend his Excellency in your house to see the laws signed and sealed in the usual manner, as we expect no further good from a continuance of the session.

By order,

F. GREEN, clk.

Which was read.

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