nies for disaffection to the government, although they may have taken the oath of support and fidelity to it. If the judges have this pre-existing power, where is the necessity of this clause, and of the amendment made to it by the senate, pointedly providing, that the taking of the oath, after the preliminaries of peace, shall not be considered by the judges *in itself* as sufficient evidence of attachment to the government. The very amendment proves the inference, that the judges had no such power under any former act, and that they were bound to admit the taking the oath of support and fidelity to the state, by the qualifying attorney, as the only proof of his attachment to the government by law required. The few instances which have lately occurred also prove, that the judges of the general court acted under this impression and construction of the laws, by admitting certain nonjurors to qualify as attornies, not conceiving themselves at liberty to exclude them from practising in the courts of justice, on account of reputed disaffection to the government, nor foreseeing that a future act, in derogation of the subsisting law of the land, would direct them not to consider such oath in itself *as sufficient evidence* of attachment to the state. It is presumed, indeed, that had the judges been indued with such foresight, their integrity, and a proper sense of character, would not have suffered them to have trifled with their oaths, to accommodate their conduct to the resentment of individuals, or the views of particular men, not acting under the obligation of an oath. The clause in question not only violates the public faith and justice, but is an unnecessary and wanton violation of both; an examination of the arguments which were urged in support of this particular clause, will discover the truth of the position: The danger to the state from permitting a few nonjurors to qualify as attornies, and practise in the courts of law and equity, was much insisted on: that there are but few, very few, has been already noticed, who will or can be affected by the clause; and that these few are incapacitated from voting at elections, and holding any office of trust or profit, must be known to all. From whence then is this mighty danger to arise? In what does its reality consist? How is it to operate, and on what objects? These discoveries remain yet to be made. To justify a breach of law and national compact between the state and its subjects, the necessity of that breach must be self-evident, palpable, and felt by all. Will it, can it be pretended, that the remote and ideal dangers apprehended from the admission to, and continuance in, the practice of the law, of the persons alluded to, constitute such a necessity? The assertion is too absurd to gain belief, even with the most timid, the most inveterate, or the most deluded. If the objectionable clause violates law and justice, and is unnecessary, on what principles can its policy be supported? Is it good policy to perpetuate parties and odious distinctions in the state? To extinguish factions, and to allay and heal their animosities, to unite all ranks of citizens in the pursuit of one common good, has been ever inculcated by wise statesmen. On this point can a real difference of sentiment subsist? Can it be denied, that the clause has a tendency to keep alive party distinctions and animosity? These are the apparent and obvious consequences of the bill; more secret, dark, and insidious, are to be apprehended. A monopoly in the practice of law may be as fatal to the state, as any other monopoly: Combinations amongst monopolisers are frequent, and always pernicious: Admit a combination should be formed between the present practitioners of the law, not to bring suits for the recovery of British debts; Would not such a combination terminate in an actual contravention of the treaty of peace? Have not such combinations been publicly mentioned? And does not the general scope of the bill give room to suspect, that it is calculated to countenance such unwarrantable practices? From this source may be traced the real, though not the avowed, motive of excluding from the exercise of their profession the nonjuring attornies; hence sprung the departure from the principles of the naturalization act, which requires no previous residence in the state, as a qualification of the persons so naturalized, to become attornies or solicitors in the courts of law or equity within this state. Why all this distrust, this dread and caution against admitting to practice as attornies, such residents as had not taken the oath of support and fidelity before the preliminary articles of the peace? Why is two years residence now required of foreigners naturalized, who by the act of naturalization, passed in the very heat of war, might have qualified as attornies, immediately on taking the oath prescribed by that act? Is greater danger now to be apprehended from British emissaries, after the acknowledgment of the independence of these states, than before that event? How can so much distrust and jealousy of that power be reconciled with the full security resulting from a glorious peace, and the perfect establishment of independence? Men, who are not blinded by their resentments, or influenced by interest, will readily perceive and attribute these pretended fears to the true cause, a desire of procrastinating, or totally eluding, the payment of British debts. This bill is levelled at British creditors, not at a British interest, or British partisans, as suggested in the debate upon it.

CH. CARROLL, of CARROLLTON, President.

Messieurs Brevard and Ogle, from the house of delegates, deliver to the president the paper bills No. 3 and 16, endorsed; " By the house of delegates, May 30, 1783: The engrossed bill " whereof this is the original read and assented to.

" By order, W. HARWOOD, clk."

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