been *then* not well affected to our government, but the judges are directed not to admit any perſon to qualify, and have the power of ſuſpending or removing any qualified attorney who is not attached to the government at *the time when ſuch admiſſion* is applied for, *or when* the queſtion concerning the attachment of ſuch qualified attorney is determined. Whether a perſon in either predicament is well attached or not, is indeed not to be determined by his own oath, which may be at variance with his principles, but upon conſideration of all circumſtances, and the whole conduct and behaviour of ſuch perſon, a much more certain mode of trying the *true* principles of men than the atteſtation of their own oaths. And before the protoſter's poſition can be eſtabliſhed, that the bill referred to is a violation of the act of 1780, it will be incumbent on him to ſhew, that not taking the oath under the act of 1777, and being diſaffected to our government in 1782, and afterwards, are one and the ſame thing, and that it was impoſſible for a man who did not take the oath in 1777, to become afterwards a friend to his county; and alſo that the act of 1780 intended to grant the peculiar privilege of practiſing the law to perſons who had once diſobeyed the laws of their country, though they ſhould always continue in principle, diſcovered by their actions, *enemies to that government*, under the authority of which they were exerciſing an advantageous profeſſion. I believe the fact would by no means correſpond with the ſuppoſition, that not taking the oath in 1777 was concluſive proof of perpetual diſaffection. It is certain that ſome men, who did not comply with the act of 1777, have ſince, upon better information, given the ſtrongeſt evidence of their attachment to their country and its cauſe, by ſpilling their blood in the ſervice of America; and it is alſo equally true, that ſome who did take the oath continued diſaffected. If not taking the oath in 1777 and being diſaffected in 1782 is not one and the ſame thing, and not taking the oath in 1777 and being well affected in 1782, and taking the oath in 1777 and being diſaffected in 1782, are reconcilable ideas, then men who were relieved from diſability to practiſe the law incurred by diſobedience to the act of 1777, and who are excluded from the privilege of practiſing as lawyers for not being *well affected* in 1782 and afterwards, can with no more truth or propriety be ſaid to be puniſhed for the *ſame crime* which they had compounded with the ſtate for, than a man who was pardoned for treaſon committed in 1777, and afterwards puniſhed for another treaſon in 1782, could be ſaid to be puniſhed for the ſame crime which had been pardoned. It may have been right to give an opportunity of being relieved from diſabilities occaſioned by diſobedience to an act made a year after the creation of our government, and yet a moſt unjuſtifiable ſacrifice of public duty to ſuffer men, whoſe original principles of hoſtility have, by a continuance through the whole conteſt, ſettled into a firm political creed to enjoy privileges, which the well affected alone, both by the law of the ſtate, reaſon, and juſtice, are entitled to. If any of the nonjurors, influenced by the juſtice of our cauſe, the lenity of our government, and the frequent calls on them to join in maintaining our firſt claim to freedom, or by ſeeing in a proper light the glaringly nefarious deſigns of our enemy, were before the act of 1780, or have been ſince, while the conteſt was undecided, induced to relinquiſh the principles which prevented their taking the oath agreeably to the act of 1777, for the more honourable tenets of attachment to their country, and can ſhew that their converſation and actions correſpond with the change of ſentiment, (and if ſuch a change of ſentiment has taken place it will certainly be manifeſted by acts) a claim of ſuch men to be admitted to the privilege of practiſing the law would be urged with juſtice, and admitted with pleaſure. But inſtead of this, when we find men, who have for ſeven years remained at variance with thoſe principles, upon the ſupport of which the very exiſtence of their country depended, ſetting up a right to the privileges of a government at laſt rendered ſafe by the exertions of the virtuous citizens of the ſtate, and founding this claim upon the *diſabilities*, which they had incurred in an early period of the conteſt, being removed by the indulgence of the ſtate, and an offer now to take an oath contradictory to the invariable tenor of their conduct, we are at a loſs which moſt to admire, the confidence of the claimants, or the weakneſs of the arguments in ſupport of the claim. The bill in queſtion, inſtead of being a violation of antecedent law and national faith, is perfectly agreeable to the ſpirit and intention of the law of this ſtate, and all others, where there are ſuch characters as lawyers admitted to practiſe by public authority. By an act of the firſt ſeſſion of our aſſembly, it was made neceſſary for all practiſing lawyers to take the oath of fidelity and ſupport to the ſtate. This law, I preſume, is not repealed in favour of nonjurors, by virtue of their delivering certain horſes to the ſtate. What was the principle, the deſign of this law? I preſume it is to prevent diſaffected men being admitted to practiſe the law. The mode of diſcovering whether diſaffected or not, was, by this act, an appeal to the party's conſcience; but this mode is found liable to abuſe. The bill in queſtion, purſuing the ſame principle, adopts a mode which more certainly anſwers the deſign of the original law. And when the queſtion is, whether this bill, which excludes perſons *not attached* to the government from practiſing the law, though they have taken or may take the *oath of fidelity*, is a violation of the compact in conſequence of the act of 1780; he who undertakes to ſupport the affirmative, muſt ground his argument either upon the ſuppoſition that it was the idea both of the legiſlature and party, that the latter was to take the oath againſt his conſcience, and that the former was to reward him with the privileges and profits of an advantageous profeſſion for this ſacrifice; or that the determination of indifferent judges is not ſo likely to be true as the oath of the intereſted party. The firſt ground will hardly be taken. The ſecond I conceive cannot be maintained. The queſtion will be this, whether it is more probable that indifferent judges acting upon oath will give a wrong judgment of the political principles of men, who were nonjurors in 1777, and have remained among us during the whole war, and are of ſufficient note to