be lawyers; or that these men should in their *own cause*, and which they are deeply interested to support, will give a wrong judgment or declaration upon oath of such their political principles. The laws of most countries have considered the judgment of a party, or evidence of a witness in his own cause, so liable to be erroneous, that in the first instance he is always excluded, in the second never admitted but in case of necessity, and where no other evidence to ascertain the fact is to be had; and even then his credibility is liable to objection. The judgment of disinterested judges acting *upon oath* has always been esteemed the most certain rule of determination which mankind could adopt. *Disinterested men* may possibly err, but having no motive to do wrong, and being bound to do right, the probability is that they will not err. *Interested men* have a motive to induce a departure from right, and mankind in general have supposed this motive sufficiently strong to occasion a deviation from truth and justice, when opposed to interest; or otherwise it would have been wrong to exclude parties from being judges or witnesses, and therefore the probability is against the truth of the affirmation of an interested party; to assert therefore that the oath of an interested party is a better mode of discovering truth than the determination of disinterested judges, is to contradict the general opinion of mankind and depart from the first and surest principle of evidence. But it may be alleged, that the party alone can know his own political principle. This may be said indeed with some propriety in the beginning of a revolution, and at that period an appeal to conscience is perhaps the only mode by which the real sentiments of cautious men can be discovered; but at the end of a seven years war, such as we have gone through, the principles of men of any note must be as well known as their faces. There are so many trying occasions and so many opportunities of discovery, that concealment is impossible. Mens actions and conduct for a length of time give evidence which will never deceive, and in the present instance it is scarcely possible that the judges could err, because the point in question must be so notorious, that if an appeal was made to all the men in the state who are acquainted with the individuals, there would not be the smallest difference of opinion on the subject.

It may be alleged, that the state has received the nonjurors waggons and horses; that if they are not allowed the full exercise of all the privileges of which they had been deprived, these effects ought to be returned, or otherwise the state receives from them certain property without granting an adequate benefit. I answer, that, under the present bill, the nonjurors will not be deprived of any benefit intended to be conferred by the act of 1780; they are still *capable* of practising the law, provided they are *well affected to the government*—a condition inseparable from the enjoyment of this privilege, and one which must have been understood both by those who passed the law, and those who complied with it. But without the act of 1780 no nonjuror was *capable* of practising the law, *though ever so well attached* to the government. The bill in question, without renewing the *disability*, prevents an abuse of the *capacity*.

It may be suggested, that the legislature, if any future regulation with respect to attornies was intended, ought in their act of 1780 to have declared, that though horses and waggons were furnished by nonjurors, yet they should not practise the law, unless the judges determined that they were *well affected*. I answer, that it was unnecessary to make such declaration, and that no deception could arise from silence upon the subject, because the principle of preventing disaffected men from practising the law being fully declared by the act of February 1777, the right to execute that principle, by any mode not inconsistent with the engagement made by the act of 1780, was so clearly implied, that it must have been as well understood as if it had been expressly declared.

Whether the judges, antecedently to this bill, had a discretionary power to refuse the admission of any disaffected person to qualify as a lawyer, or to suspend or remove any such person who had been admitted, it is unnecessary to discuss, because a determination of this point will not, that I can discover, affect the question—*whether the bill is a breach of public faith?* For suppose it to be admitted that no such power existed, it will not follow that giving such a power is a violation of national engagement, unless it can be shewn that the exercise of the power is inconsistent with public faith pledged by the act of 1780, which is the very point in dispute.

It would seem to any person who reads the protest, that the clause objected to was confined to *nonjurors* only, whereas, in truth, the judges have the same discretion to refuse, and the same power to suspend or remove, those who did, as those who did not, take the oath under the act of 1777, and for the same cause—disaffection to the government—*when* the application is made to be admitted, or the propriety of removal is examined—and it would be strange, if those who did not take the oath should be entitled to greater privileges than those who did conform to the law. A *disability compounded for*, can never give the delinquent party rights which he would not have been entitled to if the disability had *never been incurred*.

If the bill is not liable to the first objection made to it by the protester, I will next consider, whether it is politic, wise or just, to admit the disaffected to practise the law.

It is a maxim in all governments, confirmed by the wisdom and experience of ages, that it is unwise and dangerous to increase the power and influence of men who are enemies to the principles upon which the existence of such governments depend. The bill excludes none from the privilege of practising the law who are attached to our government and the principles upon which it is founded; and the evidence upon which it is to be tried whether the party is well attached or disaffected, leads to such certainty, that if determined against him, there can remain no doubt but he is an enemy to our government, and the principles thereof. A slight attention to history will evince, that political principles, attachments and habits, which have continued for a length of