

law of the late lord Baltimore, and which adjudication could have no effect, unless America should be conquered by the British government. This state of facts leaves not the smallest room to doubt, that the memorialist, both from interest and inclination, continued a British subject, and devoted to his native country, which, although free, endeavoured, by lavishing its blood and treasures, to deprive us of our freedom. We cannot discover a single circumstance in the case of the memorialist, to distinguish him from other British subjects, and which should induce this government to except him out of the general law of confiscation, or partially compensate the losses, which the revolution, that law, and his own conduct, have brought upon him. Every British subject, who did not bear arms against these United States, and whose property has been confiscated, has an equal if not a better claim to our commiseration.

Legislatures ought to be governed by general rules and principles; their acts should not be liable to the reproach of partiality, or of an undue preference. If any retribution should be made by this state to the memorialist, proportionable compensation ought to be given to every other British subject. Will the state of our finances, and the heavy debt we have contracted in the defence of our liberty, suffer such application of public monies? The claims of justice must be satisfied, and we ought to attend to the distresses of our own citizens, occasioned by the depredations of the enemy and other causes in the course of the war; but British subjects, if entitled to any compensation for their losses, must seek redress from that government, whose injustice occasioned them, and of which they are citizens. The attachment of the memorialist to the British government, and the great losses he has incurred, may entitle him to the bounty of a British parliament, but can give him no just claim to any compensation from this legislature. The claim to quit-rents, as a satisfying debt recoverable under the treaty, which was urged as a ground for making a compensation to, or compromise with, the memorialist, has also been considered, and appears to us entirely groundless and inadmissible, being, as we conceive, incompatible with the sovereignty and independence of this state; and we cannot, consistently with the duty we owe to our constituents, do, or suffer to be done, any act, that has the most distant tendency to create a supposition, that any power on earth can place the free people of Maryland in the degraded condition of tenants to a superior lord, a foreigner, and a British subject. We are also clearly of opinion, that the quit-rents reserved upon the grants of the former proprietaries, were hereditaments subject to all the rules and consequences of other real estate, and therefore cannot, consistently with law, be held by an alien; and that no part of the treaty of peace can give the smallest colour to a supposition, that these hereditaments, more than others, were saved or reserved. That the claim of the former proprietary to quit rents ceased upon the declaration of independence, we have not the smallest doubt, and we think the legislature acted wisely in declaring, that the payment of them even to this government should never be exacted, and that the citizens of this state should hold their lands on equal terms with the citizens of the other states.

Having stated our opinions, and the reasons for them, it would be an useless waste of time to confer on the memorial of Henry Harford, Esq; especially as we have no cause to surmise that your opinion may be different from ours, as to the principle of making compensation.

To prevent the public councils from being diverted from more important and necessary concerns, and to save the further loss of time upon this subject, we herewith transmit a resolve, unanimously agreed to in this house, which, if adopted by yours, will effectually obviate the inconveniences just mentioned.

We flatter ourselves, gentlemen, that you do us the justice to believe, that we will cheerfully confer with you at all times, and upon all occasions, in which the public service may be promoted by our assistance, and that our declining the proposed conference, does not proceed from the smallest disrespect, but from an impression and belief, that the mode we have suggested will bring the question of a compensation to the speediest conclusion, and consequently be the most acceptable to both houses.

By order,

J. DORSEY, clk.

BY THE SENATE, DECEMBER 19, 1785.

THE memorial of Henry Harford, Esq; stating his losses, and soliciting compensation, being read and considered, the senate were unanimously of opinion, that the memorialist cannot of right ask, or this state consistently with justice to others grant him, any compensation or retribution for the losses he states in his memorial to have been by him sustained in consequence of the revolution and acts of our legislature: Wherefore, RESOLVED, That the memorial and application of the said Henry Harford, Esquire, be rejected.

By order,

J. DORSEY, clk.

Which were read the first time and ordered to lie on the table.

On motion, ORDERED, That the memorial of Henry Harford, Esquire, be entered on the journals of the senate.

To the honourable the GENERAL ASSEMBLY of MARYLAND, the MEMORIAL of HENRY HARFORD, late proprietor.

AN appeal to the dictates of equity and the feelings of humanity is, with peculiar propriety, addressed to the representatives of a free state; and the many instances of benevolent interposition, which have dignified the acts of former assemblies since the revolution, evince, that the genuine principles of liberty are equally averse from unmerited severity and indiscriminate punishment. Emboldened by this consideration, your memorialist hopes, that his fallen fortunes will