

then perceive that no other confederation than one so formed, can be lasting. Although the pressure of immediate calamities, the dread of their continuance from the appearance of disunion, and some other peculiar circumstances, may have induced some states to accede to the present confederation contrary to their own interests and judgments, it requires no great share of foresight to predict, that when these causes cease to operate, the states which have thus acceded to the confederation, will consider it as no longer binding, and will eagerly embrace the first occasion of asserting their just rights, and securing their independence. That the former may be violated, and the latter endangered, we have no doubt. Is it probable that those states, who are ambitiously grasping at territories, to which in our judgment they have not the least shadow of exclusive right, will use with greater moderation the increase of wealth and power derived from those territories, when acquired, than what they have displayed in their endeavours to acquire them? We think not; we are convinced the same spirit which hath prompted them to insist on a claim so extravagant, so repugnant to every principle of justice, so incompatible with the general welfare of all the states, will urge them on to add oppression to injustice. If they should not be incited by a superiority of wealth and strength to oppress by open force their less wealthy and less powerful neighbours, (and these alone are too often sufficient inducements to states to commit oppression) yet the depopulation, and consequently the impoverishment of those states, will necessarily follow, which by an unfair construction of the confederation, may be stript of a common interest in, and the common benefits derivable from, the western country. Suppose, for instance, Virginia indisputably possessed of the extensive and fertile country to which she has set up a claim, what would be the probable consequences to Maryland of such an undisturbed and undisputed possession? They cannot escape the least discerning. Virginia, by selling on the most moderate terms a small proportion of the lands in question, would draw into her treasury vast sums of money, and in proportion to the sums arising from such sales, would be enabled to lessen her taxes. Lands comparatively cheap, and taxes comparatively low, with the lands and taxes of an adjacent state; would quickly drain the state, thus disadvantageously circumstanced, of its most useful inhabitants; its wealth and its consequence, in the scale of the confederated states, would sink of course. A claim so injurious to more than one half, if not to the whole of the United States, ought to be supported by the clearest evidences of the right; yet what evidences of that right have been produced, what arguments alleged in support either of the evidence or the right? None that we have heard of deserving a serious refutation.

It has been said; that some of the delegates of a neighbouring state have declared their opinion of the impracticability of governing the extensive dominions claimed by that state; hence also the necessity was admitted of dividing its territory and erecting a new state under the auspices and direction of the elder, from whom, no doubt, it would receive its form of government, to whom it would be bound by some alliance, or confederacy, and by whose councils it would be influenced. Such a measure, if ever attempted, would certainly be opposed by the other states, as inconsistent with the letter and spirit of the proposed confederation, should it take place, by establishing a sub-confederacy, *imperium in imperio*. The state possessed of this extensive dominion must then either submit to all the inconveniencies of an overgrown and unwieldy government, or suffer the authority of congress to interpose at a future time, and to lop off a part of its territory, to be erected into a new and free state, and admitted into the confederation on such conditions as shall be settled by nine states. If it is necessary for the happiness and tranquillity of a state thus overgrown, that congress should hereafter interfere, and divide its territory, why is the claim to that territory now made, and so pertinaciously insisted on? We can suggest to ourselves but two motives; either the declaration of relinquishing at some future period a portion of the country now contended for, was made to lull suspicion asleep, and to cover the designs of a secret ambition, or if the thought was seriously entertained, the lands are now claimed to reap an immediate profit from the sale.

We are convinced policy and justice require, that a country unsettled at the commencement of this war, claimed by the British crown, and ceded to it by the treaty of Paris, if wrested from the common enemy by the blood and treasure of the thirteen states, should be considered as common property, subject to be parcelled out by congress into free and independent governments, in such manner and at such times as the wisdom of that assembly shall hereafter direct.

We are likewise convinced, that unless the property of the country aforesaid be vested in the thirteen states, and a superintending power over it be lodged in congress, that several of those states will lose numbers of their people, pressed by the weight of taxes to quit their native countries, and invited to exchange them for new settlements, by the certainty of cheap purchases, and of being relieved from their present heavy and increasing burthens.

Thus convinced, we should betray the trust reposed in us by our constituents, were we to authorise you to ratify on their behalf the confederation, unless it be farther explained: We have coolly and dispassionately considered the subject; we have weighed probable inconveniencies and hardships against the sacrifice of just and essential rights; and do instruct you not to agree to the confederation, unless an article or articles be added thereto in conformity with our declaration; should