

82 VOTES AND PROCEEDINGS, NOVEMBER, 1779.

A F F I R M A T I V E.

Messrs	Key,	Ward,	Chafe,	Keene,	Cramphin,	Stull,
	Jordan,	Job,	J. Henry,	Dennis,	Wootton,	M'Comas,
	Lethbrury,	Birkhead,	M'Gee,	Stricker,	Hammond,	Archer,
	Maccubbin,	B. Hall,	Bruff,	J. Hanson,	Barnes,	Norris.
Williamson,	Quynn,	Ringgold,	Beatty,			

N E G A T I V E.

Messrs	Reed,	Magruder,	Deye,	M'Mechin,	Alexander,	Sprigg.
	Mackall,	Bayly,	J. Stevenson,			

So it was resolved in the affirmative.

The house adjourns till to-morrow morning 9 o'clock.

T H U R S D A Y, December 30, 1779.

THE house met. Present as on yesterday. The proceedings of yesterday were read.

The journal of accounts read and assented to, and sent to the senate by Mr. J. Hanson and Mr. Cramphin.

Mr. Chafe brings in the following message :

BY THE HOUSE OF DELEGATES, DECEMBER 30, 1779.

MAY IT PLEASE YOUR HONOURS,

THE length and multiplicity of matter contained in your message of the 23d, by Charles Carroll of Carrollton, Esq; has required more time to consider it, than if your honours had confined your observations and reasoning to the true points in controversy. The remark is very common, and often founded in truth, that in the discussion of almost every question, the parties mix and blend with it many collateral matters, and raise up subjects foreign to the question, with intent to perplex, and draw the attention of the reader from the true point in dispute. This observation, we conceive, applies strongly to your message, but politeness forbids the suggestion, that you had any design, but to answer our arguments in favour of the bill, and to shew the reasons and motives of your conduct.

We conceive the only and true questions between us, are, 1st. Whether the seizure and confiscation of all property (debts only excepted) in this state belonging to British subjects, is supported and justified by the law of nature and nations. 2dly. Whether policy requires or forbids the exercise of the right of seizure at this time. We apprehend the description in the bill of British subjects, the line drawn to ascertain them; whether persons are included who ought not, and the mode of obtaining or of disposing of the property, are foreign to and ought not to be blended with the questions; those matters can only obscure, but not elucidate the subject, on which we differ so widely from you in opinion.

Your honours cannot discover the justice of seizing and applying British property, to relieve our people from heavy and insupportable taxes, and to enable them to continue the war. We support the measure by the rule of justice, applicable to our citizens, and the subjects of Great Britain. By justice we mean a constant regard to the common interest, and in conformity to it, rendering to both parties what they are entitled to, by a natural or political claim: and we understand the true principles of justice to be, to do unto others what would be right for them (in a similar case) to do unto us. To examine this subject. The people of the colonies (now United States) oppressed by the king and parliament of Great-Britain, applied for a redress of grievances. Force was employed to compel their submission to acts destructive of their natural and civil rights; hostilities were commenced against them; they resisted by arms; such resistance was necessary and justifiable. The war continued; the object of America was confined only to a redress of grievances. The king and parliament of Great-Britain declared the people of the colonies in rebellion, that their property taken on the sea should be liable to seizure and confiscation, and that it was lawful and just to seize and destroy their persons and property. Great-Britain continued the war, and with her fleets and armies did seize and destroy considerable property of our people. The war on the part of Great-Britain was offensive and unjust, on our part not only defensive and just, but necessary. From the 19th of April, 1775, until the fourth day of July, 1776, the object of the war, on the part of America, was only to obtain a redress of grievances; during that period her resistance, being originally lawful and justifiable, the war was truly and properly a *civil* war. At length this and the other colonies were compelled to separate from the British empire, and to become sovereign and independent states. On that ever memorable and glorious event the object of the war was changed, and from that moment the war became a *public* war, and all the rights of an independent nation then attached to this and the other states in the union. Permit us to inform your honours what the late and celebrated Vattel says on this subject. "Civil war breaks the bands of society and government, or at least it suspends their force and effect; it produces in the nation two independent parties, considering each other as enemies, and acknowledging no common judge. Thus they are in the case of two nations, who having a dispute which they cannot adjust, are compelled to decide it by force of arms. Things being thus situated, it is evident that the common laws of war, those maxims of humanity, moderation, &c. are in *civil* wars to be observed on both sides. If this is not observed, the war will become cruel and horrid; and its calamities will increase on the parties, therefore, whenever a numerous party thinks it has a right to resist, and finds itself able to declare that opinion sword in hand.