

of the insurgents. Hence, and hence only, their property was confiscated and their persons attainted, and many of them put to an ignominious death, through a want of that protection which was due to them by law, and for which the Royal faith and parliamentary declarations were unequivocally and solemnly pledged; and hence, "their property was confiscated, and remained in the hands of the American States at the time of the treaty." Are these reasons, why they ought not to be compensated for property thus lost? Are such subjects less entitled to compensation than the *peaceable* and *inactive* citizen, whose cattle have been destroyed to prevent infection, or whose ships have been destroyed to prevent the plague, or whose goods have been destroyed by rebels and traitors, or ceded in a treaty with the territory? For in these instances, the cases cited from the Journals of Parliament evidently shew, that ample compensation ought to be, and has ever been made. Does not their claim stand upon much higher ground of public merit than any of the cases cited, or than any ever yet brought before any tribunal; and is it not only established on the same law, but on a rock which cannot be shaken, *the faith of Majesty*, and the

the *honour* of both Houses of Parliament UNITED!

But the property of the Loyalists was confiscated and *in the hands of the Americans before the treaty*, and Great Britain was obliged to *relinquish* it, but did not cede it. This is a distinction which is truly more a subject of ridicule than serious refutation. It is what the logicians call a distinction without a difference. For whether Great Britain merely *abandoned* (which seems to be the meaning of the objection, if it means any thing) or *ceded* the property confiscated to the American States with the territory, it cannot vary the law upon the claim. For we have shewn, that at the time their estates were confiscated, and before the treaty, their right to protection and the obligation which his Majesty and Parliament were under by law, and their repeated promises to afford it, were violated, and their right of course to compensation *complete*.

But supposing America had been merely abandoned, the British State did not leave the Loyalists at the time any one privilege of *abandoned subjects*. Many of them had no property to defend, for that had been long before lost through a want of public protection. They were left no choice of submitting and making