

and confiscation, and consequently their right to hold the confiscated property under those acts. His Majesty further, for himself, his heirs and "successors, relinquishes all claim "to the government, his property and territorial rights of the said States, and every "part thereof;" by which his Majesty has manifestly and actually ceded all his right to the government and property, and every right incident to the dominion of the territory; in which it must be confessed is included the confiscated property. For it cannot be contended, that his Majesty, by the word "relinquish," only meant to "forsake," and merely "abandon" the government, propriety, and territorial rights of the States. To do this, no treaty, but a mere withdrawing of the British forces, was necessary; and, in that case, the title of the Crown of Great Britain to the government and soil of the colonies, would not have been given up. But, surely, the intent and meaning of his Majesty was to "release, give up, and cede" (as the word *relinquish* in all treaties imports) "all "his claim" to the dominion and sovereign rights of the country, "and of every part "thereof." In this light, we imagine, the United States understood the treaty when they ratified it. Indeed, this is the declared intent

tent of the treaty itself, which is, "to secure "to both parties perpetual peace and harmony," and to exclude "all seeds of discord." Now, if the word *relinquish* only means to *forsake* or *abandon*, then there is no peace nor harmony secured. The same causes of quarrel remain as before the treaty.

There is no point more clearly settled by the law of nations, than that a mere abandonment of a country, transfers to the conqueror no right either to the dominion or soil. The sovereign, who abandons it, may, at any time after, lawfully resume his right, or make war on the possessors until it is obtained: so that if his Majesty has not by treaty actually ceded the confiscated property, he may lawfully go to war with the United States for the recovery of it; or he may grant letters of reprisal to the Loyalists for the injuries done them by the States. Such is the mischief in which this absurd distinction would involve both countries!

It is painful to be obliged to answer every trivial objection to so plain a claim. But as we have no hope, however distressing our situation, or just our right, or however long that right has remained undiscussed, of being heard, either by ourselves or counsel, in the

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