

the war, and the necessity the Public was under of obtaining peace, gave up the point in dispute, and ceded the property of the Loyalists, as a *recompence and satisfaction for those damages, and as the price and purchase of peace for the empire*. He unconditionally confirmed the independent sovereignties of the usurpation, and with them the sanguinary laws by which the persons of the Loyalists were attainted and their property confiscated. This treaty was afterwards ratified by his Majesty, and confirmed by both Houses of Parliament.

Such is the unexaggerated state of the facts which make up the claim of the American Loyalists. It remains to be examined, whether those who are entrusted with the sovereign authority of the British Government, are not under the most sacred obligations to protect the subject in his person and property, *in all events*, while he performs the duties of allegiance and fulfils the laws of the land? Whether, in the constitution of the British state, there is no law which entitles the subject to indemnity for property lost in consequence of his *fidelity* to the Government, or through the want of the protection due to them *by law*? Whether the sovereign authority may lawfully

lawfully cede, in a treaty, the property of the subject *without such indemnity*? And whether the rights and property of the subject are so *extremely precarious*, and the powers of the sovereign authority so perfectly *despotic*, that it is authorised by *law* to dispose of his property, while he fulfils the duties of a faithful citizen, *without his consent, on any account or to any purpose whatever*, WITHOUT MAKING A JUST COMPENSATION?

CHAP. II.

Of the Rights of the Loyalists to Protection and Indemnity under the fundamental Laws of civil Society, and particularly under those of the British Constitution.

THE right of the Loyalists is not originally derived from an act of the sovereign legislature. Their title to protection and indemnity for their property lost, in consequence of their fidelity to the State, and through the want of national protection, and afterwards given up by his Majesty and Parliament to the United States of America, is perfectly founded on laws coeval with the institution of that authority, and which gave it existence. It is easy to perceive that we here