

By some, these acts have been improperly called **REVIEW.**  
*"Acts of punishment."* And we are then asked, with  
 an air of insult, "What! will you punish without  
 "a trial, without a hearing?" And no doubt punish-  
 ment, whether ordinary or extraordinary; whether  
 by *indictment*, *impeachment*, or bill of *attainder*, should  
 be preceded by judicial examination. But, the acts  
 comprised under this head are not acts of punishment;  
 they are, as we have called them, acts of *self-defence*.  
 And these are not, cannot be, preceded by any judicial  
 examination. An example or two will serve to place  
 the difference between acts of punishment and acts of  
 self-defence in a stronger light, than any definition  
 we can give. It has happened, that bodies of manu-  
 facturers have risen, and armed, in order to compel  
 their masters to increase their wages: It has happened,  
 that bodies of peasants have risen, and armed, in or-  
 der to compel the farmer to sell at a lower price. It  
 has happened, that the civil magistrate, unable to re-  
 duce the insurgents to their duty, has called the mili-  
 tary to his aid. But did ever any man imagine, that  
 the military were sent to punish the insurgents? It has  
 happened, that the insurgents have resisted the mili-  
 tary, as they had resisted the civil magistrate: It has  
 happened, that, in consequence of this resistance, some  
 of the insurgents have been killed:—But did ever any  
 man imagine that those who were thus killed, were  
 therefore *punished*? No more can they be said to be  
 punished, than could the incendiary, who should be  
 buried beneath the ruins of the house, which he had  
 feloniously set on fire. Take an example yet nearer to  
 the present case. When the Duke of Cumberland led  
 the armies of the king, *foreign and domestic*, against the  
 Rebels in Scotland, did any man conceive that he was

Difference  
 between  
 Acts of  
 punishment  
 and Acts of  
 self-defence.