

within a specified time they surrendered themselves for trial. These are not isolated cases, but fair examples of the legislation that followed that famous Declaration beginning with "All men are created equal." Upon the slightest pretext, the property of the Loyalists was confiscated and not unfrequently passed to some prominent official and never reached the public coffers.

Whatever plea might be advanced for the unnatural treatment of the Loyalists during hostilities, it would be difficult to find an excuse for continuing the persecution after the conclusion of the war. During the negotiations for peace the welfare of the Loyalists was frequently under consideration. The Americans, having attained their end, could well afford to be generous towards all those who had differed from them, and one would scarcely expect to find it necessary for the British Commissioners to urge some degree of leniency in providing for a general amnesty to the Loyalists and compensation for the property that had been confiscated. The Americans suggested no technical objections when agreeing, as they did, that there should be no future confiscations nor persecutions and that all pending prosecutions should be discontinued; yet, while assuming jurisdiction to embody these terms in a treaty of peace, they claimed that neither the Commissioners nor Congress had power to provide for restitution of the property that had been confiscated.

The outcome of the prolonged conferences was a provision that Congress was to recommend to the several States that indemnity should be granted to the Loyalists, and with no further guarantee than that, the Loyalists were left to the tender mercies of their persecutors. No colony suffered quite as much from the depredations of the British troops as South Carolina, yet, when peace was concluded, it was the only State to grant indemnity to the Loyalists and to receive them again into full citizenship. All the other States continued to pursue them with relentless fury. This uncompromising hostility towards their former citizens is tersely described in Sabine's "Biography of the American Loyalists." "At the peace, justice and good policy both required a general amnesty and the revocation of the Acts of disability and banishment, so that only those who had been guilty of flagrant crimes should be excluded from becoming citizens. Instead of this, however, the State legislatures generally continued in a course of hostile action, and treated the conscientious and pure, and the unprincipled and corrupt with the same indiscrimination as they had done during the struggle. In some parts of the country there really appears to have been a determination to place these misguided but then humbled men beyond the pale of human sympathy."