

it; relying upon established and known positions of law for maintaining juridical truth, against hypothesis and the speculations of political reasoning.

March 24, 1809.

Nothing has yet been said of *post nati* Americans, who seem also to have, in construction of law, similar pretensions. They are within the wording of certain statutes, made in favour of children born in foreign parts of British parents; and there seems no reason why those statutes should not apply to such children born in the United States, as well as to those born in other foreign countries. Accordingly, if the *ante nati* Americans continue natural-born subjects, then the rights and privileges of the father are preserved to the children by stat. 7 Anne, ch. 5, and stat. 4 Geo. II. ch. 21. and to the grandchildren by stat. 13 Geo. III. ch. 21. So that the third generation of Americans are in the same legal predicament as the *ante nati*; consequently, at the present moment, and for years to come, there may be very few aliens in the population of the United States, amongst persons of British descent. The parliament has gone still further in favoring these new foreigners; for, even after the third generation, when Americans will become unquestionably aliens in point of law, some of them may be, and may continue to be, lawful holders of land in this kingdom, under stat. 37 Geo. III. ch. 97. sect. 24,

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