

has been so long united," is considerably within the scope of what may be fairly concluded; namely, that there neither is now, nor ever was, any distinction whatever, either on original right and principle, as argued in the note, or under treaties or public proceedings, between the case of those creditors who were American loyalists, and that of the British merchants and other creditors, His Majesty's subjects in general.

N.B.—Since writing the above it has occurred, that it may further be proper to take notice of the following passage in "the note."

"Those (loyalists) who lost their landed properties, and many whose prospects with reference to office or profession, were wholly destroyed, were accordingly compensated (under the 23d Geo. 3. c. 80.) How came it then, it may be asked, that *any of us* loyalists remain still uncompensated, and unfortunately, petitioners for the common justice which has been granted to our fellow sufferers?"

There is no such case as that which is put in this question. None of the loyalists have occasion to be petitioners for any thing "which has been granted to their fellow sufferers," and denied to them; for all have, in every respect, been treated in the same manner. All of them who lost lands, offices or professions, were, it is admitted, fully compensated for such losses, as being the only losses peculiarly arising from, or exclusively incident to, their character of *loyalists*. And all of them who lost the *debts* due to them, *which, it may be repeated, was not a loss peculiar to, or exclusively arising from, their character of loyalists, but incident to that of British subjects in general,* (a distinction which, if kept in view, would defeat the whole fallacy of the argument in the note,) have received equally the same proportion of compensation. The merits of the ulterior claim they refer to, (whatever they may be,) being *equally* available to *all* the holders of the adjudications, or to *none*.

MEMORANDUM of Facts and Suggestions, for the Consideration of the following Question, viz:

THE commissioners appointed by the 43d Geo. 3, c. 39, having conclusively decided and adjudged on the merits of all the claims which had been laid before them by individuals, in the character of His Majesty's subjects, and creditors of citizens or inhabitants of the United States, (without referring in any case to any additional description, as giving a title of preference to others,) for losses alledged to have been occasioned by the breach, on the part of the United States, of the 4th article of the treaty of peace of 1783, and the non-execution of the 6th article of the treaty of amity of 1794, whereby the United States became bound to pay to "divers British merchants, and others His Majesty's subjects," whatever sums should be ascertained, under a commission thereby authorized, to have been the just amount of the losses sustained by the said individuals, from the causes therein described, respectively; the said adjudications having not only adjudged the said claims to be good to the total amount of £. 1,420,000, but also, as the declared object of the Act, apportioned and distributed accordingly the sum of £. 600,000, of which His Majesty, by convention, dated the 2d of January 1802, accepted from the United States, "for the use of the persons described in the said 6th article of the treaty of 1794." And the holders of those adjudications having, in that general character, applied, by petition, to the House of Commons, for payment of the differences, between the sums thereby adjudged to be due, and the proportions received as above under the same, claiming the said differences as a debt in equity against the public, but which has not been complied with. Whether the case of such of those individuals, holders of adjudications and petitioners, as, in addition to the above general character, in which they, in common with all others, obtained those adjudications, come also within the description of that meritorious class of persons, known under the appellation of *American loyalists*, *can*, on the ground of any special consideration due to that particular description, as connected with that of British creditors, or of any stronger equity or pledge, on the part of His Majesty's Government, or the public, as the result of particular circumstances, *be so distinguished*, as to entitle *them*, exclusively, to that full indemnification which has been hitherto refused to *all* the holders of those adjudications without distinction?

That numerous and respectable body of His Majesty's subjects, to whom debts were due to a vast amount in those colonies, which, by the treaty of peace of 1783, were acknowledged as the United States of America, having been well aware that the hope of getting clear of those debts were the decided inducement, with many