

The persons alluded to, pretend to appeal to the spirit of Whiggism, while they endeavour to put in motion all the furious and dark passions of the human mind. The spirit of Whiggism, is generous, humane, beneficent and just. These men inculcate revenge, cruelty, persecution, and perfidy. The spirit of Whiggism cherishes legal liberty, holds the rights of every individual sacred, condemns or punishes no man without regular trial, and conviction of some crime declared by antecedent laws, reprobates equally the punishment of the citizen by arbitrary acts of legislature, as by the lawless combinations of unauthorised individuals:—While these men are advocates for expelling a large number of their fellow-citizens unheard, untried; or if they cannot effect this, are for disfranchising them, in the face of the constitution, without the judgment of their peers, and contrary to the law of the land.

The 13th article of the constitution declares, “that no member of this state shall be *disfranchised* or *defrauded of any of the rights or privileges* sacred to the subjects of this state by the constitution, unless *by the law of the land or the judgment of his peers.*” If we enquire what is meant by the law of the land, the best commentators will tell us, that it means *due process of law, that is, by indictment or presentment of good and lawful men,\** and trial and conviction in consequence.

It is true, that in *England*, on extraordinary occasions, attainders for high treason, by act of parliament have been practiced, but many of the ablest advocates for civil liberty have condemned this practice, and it has commonly been exercised with great caution upon individuals only by name, never against *general descriptions*.