

own seamen with punishment for the very act which we have thus so strongly, and for so great a length of time, encouraged in others. And now that we are at peace with all Europe, and have turned the impressed American seamen into prison-ships, we have found it convenient to discover that by "the ancient law of this realm, *founded on the principles of general law*, the natural-born subjects of his Majesty cannot discharge themselves from the allegiance which from their birth they owe to his Majesty."

There was another act of Anne, passed the year following that we have quoted; by which, because "the increase of people is a means of advancing the wealth and strength of a nation, it is found very lawful by the ancient law of this realm (it is not said, *founded upon the principles of general law*) to invite all Protestants to transport themselves and their estates into this kingdom." It is true that this act was repealed at the end of three years, on account of "divers mischiefs and inconveniences having been found to follow from it." But the mischiefs and inconveniences of the act did not end with the repeal of it; it has the mischievous tendency to demonstrate to the world that we can pass laws against "the principles of general law," when they can be made "a means of advancing the wealth and strength of the nation;" and repeal them when they are found mischievous and inconvenient—"to the detriment of the trade and wealth thereof." There is another mischief yet unrepealed. By the necessity we found ourselves under of repealing this act, which made subjects of foreigners abroad, while we maintained the former; we let in a strong collateral argument to the American doctrine of the jurisdiction of the flag; not over enemy's goods, or military serving in the war, (for to these, as we have shown, they pretend not,) but over sailors embarked under a lawful contract, and receiving victuals and wages from them, to whatever nation they may belong. The protection which we found we had no right to extend, and could not extend to the foreigner abroad "who took the oaths and the sacrament, and was deemed and adjudged a natural-born subject," we have thus virtually declared our right to extend, after mature deliberation, and have continued to extend to the seamen *under our flag*, military or mercantile, to which we have invited him.