

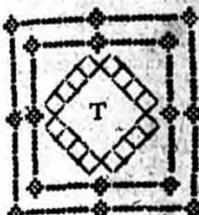
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MARYLAND GAZETTE.

T H U R S D A Y, F E B R U A R Y 4, 1773

The FIRST CITIZEN to the editor of the Dialogue between TWO CITIZENS.

S I R,



THE intention of this address is not to intice you to throw off a fictitious, and to assume a real character: for I am not one of those who have puzzled themselves with endless conjectures about your mysterious personage; a secret too deep for me to pry into, and if known, not of much moment; of as little is it in my opinion whether your complexion be olive or fair, your eyes black or gray, your person straight or incurvated, your deportment easy and natural, insolent, or affected; you have therefore my consent to remain concealed under a borrowed name, as long as you may think proper; I see no great detriment that will thereby accrue to the publick; you will be the greatest I may! the only sufferer; your fellow citizens, ignorant to whom they stand indebted for such excellent lucubrations, will not know at what shrine to offer up their praise, and tribute of praise; to you this sacrifice of glory will be the less painful, as you are not actuated by vanity or a lust of fame, and in obscurity you will have this consolation still left, the enjoyment of conscious merit, and of self-applause. Modest men of real worth are subject to a certain diffidence, called by the French *la mauvaïse honte*, which frequently prevents their rising in the world; you are not likely, I must own, to be guilty of that fault; *in vitium ducit culpa fuga*; you seem rather to have fallen into the other extreme, and to be fully sensible of the wisdom of the French maxim, *il faut se faire valoir*, which for the benefit of my English readers, I will venture to translate thus—“A man ought to set a high value on his own talents.” This saying is somewhat analagous to that of Horace—*sume superbiam quæsitum meritis*. As your manner of writing discovers vast erudition, and extensive reading, I make no doubt you are thoroughly acquainted with the Latin and French languages, and therefore a citation or two from each may not be unpalatable.

Having paid these compliments to your literary merit, I wish it were in my power to say as much in favour of your candour and sincerity. The editor of the dialogue between two Citizens, it seems, is the same person, who overheard and committed to writing the conversation. I was willing to suppose the editor had his relation at second hand, for I could not otherwise account for the lame, mutilated, and imperfect part of the conversation attributed to me, without ascribing the publication to downright malice, and wilful misrepresentation. Where I can, I am always willing to give the mildest construction to a dubious action.—The editor has now put it out of my power of judging thus favourably of him, and as I have not the least room to trust to his impartiality a second time, I find myself under the necessity of making a direct application to the press, to vindicate my intellectual faculties, which, no doubt, have suffered much in the opinion of the publick (notwithstanding its great good nature) from the publication of the abovementioned dialogue.

The sentiments of the first Citizen are so miserably mangled and disfigured, that he scarce can trace the smallest likeness between those, which really fell from him in the course of that conversation, and what have been put into his mouth.

The first Citizen has not the vanity, to think his thoughts communicated to a fellow citizen in private, of sufficient importance to be made publick, nor would he have had the presumption to trouble that awful tribunal with his crude and indigested notions of politics, had they not already been thus egregiously misrepresented in print. Whether they appear to more advantage in their present dress, others must determine; the newness of the fashion gives them a quite different air and appearance; let the decision be what it will, since much depends on the manner of relating facts, the first Citizen thinks he ought to be permitted to relate them his own way.

1st Cit. I am sorry that party attachments and connections have induced you to abandon old principles; there was a time, Sir, when you had not so favourable an opinion of the integrity and good intentions of Government, as you now seem to have. Your conduct on this occasion makes me suspect that formerly some men, not measures, were disagreeable to you. Have we reason to place a greater confidence in our present rulers, than in those to whom I allude? Some of the present set (it is true) were then in power, others indeed were not yet provided for, and therefore a push was to be made to thrust them into office, that all power might centre in one family. Is all your patriotism come to this?

^a An awkward bassness.
^b The avoiding one fault is apt to lead us into another.
^c In the text these words have received a liberal interpretation; they mean strictly—That a person should assume a proper consequence.
^d May be translated—Assume a pride to merit justly due.

2^d Cit. I do not like such home expostulations, convince me that I act wrong in supporting Government and I will alter my conduct, no man is more open to conviction than myself.—(Vide Dialogue to the words—“would be all fair argument.”)

1st Cit. I am not surpris'd that the threadbare topics of arbitrary princes, and proclamations, should give you uneasiness; you have insinuated that the repetition of them is tiresome, but I suspect the true cause of your aversion proceeds from another quarter. You are afraid of a comparison between the present ministers of this province, and those, who influenced Charles the first, and brought him to the block; the resemblance I assure you would be striking. You insinuate that “The opinions of the greatest Counsel in England” are come to hand, in favour of the proclamation, and 40 per poll, and you seem to lay great stress on those opinions. A little reflection, and acquaintance with history will teach you, that the opinions of Court Lawyers are not always to be relied on; remember the issue of Hamden's trial; “The prejudiced or prostituted Judges (four ‘‘excepted’’) (says Hume) gave sentence in favour of ‘‘the Crown.” The opinion, even of a Camden, will have no weight with me, should it contradict a settled point of constitutional doctrine. On this occasion I cannot forbear citing a sentence or two from the justly admired author of the Considerations, which have made a deep impression on my memory. “In a question” (says that writer) “of publick concernment, the opinion of no Court Lawyer, however respectable for his candor and abilities, ought to weigh more than the reasons adduced in support of it.” He then gives his reasons for this assertion; to avoid prolixity I must refer you to the pamphlet; if I am not mistaken you will find them in page 12. Speaking shortly after of the opinions of Court Lawyers upon “American affairs,” he makes this pertinent remark—“They” (Court Lawyers opinions) “have been all strongly marked with the same character: they have been generally very sententious, and ‘‘the same observation may be applied to them all, they have declared THAT to be LEGAL which the minister ‘‘for the time being has deemed to be EXPELIENT.” Will you admit this to be fair argument?

2^d Cit. I confess it carries some weight with it; I cannot with propriety dispute the authority, on which it is founded; I make therefore the most of my concession; should I admit your reasoning on this head to be just, does it follow, that the Court and Country interests are incompatible; that Government and Liberty are irreconcilable? Is every man, who thinks differently from you on publick measures, influenced or corrupted?

1st Cit. “God forbid it should be the case of every individual.” I have already hinted at the cause of your attachment to Government; it proceeds, I fear, more from personal considerations, than from a persuasion of the rectitude of our Court measures; but I would not have you confound Government, with the Officers of Government; they are things really distinct, and yet in your idea they seem to be one and the same.

Government was instituted for the general good, but Officers intrusted with its powers, have most commonly perverted them to the selfish views of avarice and ambition; hence the Country and Court interests, which ought to be the same, have been too often opposite, as must be acknowledged and lamented by every true friend to Liberty. You ask me, are Government and Liberty, incompatible? Your question arises from an abuse of words, and confusion of ideas; I answer, that so far from being incompatible, I think they cannot subsist independent of each other. A few great and good princes have found the means of reconciling them even in despotic states; Tacitus says of Nerva, “*Res olim dissociabiles miscent, principatum, ac libertatem*.” a wicked minister has endeavoured, and is now endeavouring in this free government, to set the power of the supreme magistrate above the laws; in our mother country such ministers have been punished for the attempt with infamy, death, or exile. I am surpris'd, that he who imitates their example, should not dread their fate.

2^d Cit. This is not coming to the point, you talk at random of dangers threatening liberty, and of infringements of the constitution, which exist only in your imagination. Prove, I say, our ministers to have advised unconstitutional measures, and I am ready to abandon them and their cause; but upon your ipsa dixit, I shall not admit those measures to be unconstitutional, which you are pleas'd to call so, nor can I allow all those to be Court hirelings, whom you think proper to stigmatise with that opprobrious appellation, and for no other reason, but that they dare exercise their own judgment in opposition to yours.—(Read the 2^d Citizen's harangue from the last words (opposition to yours) to the following inclusive, sweat of his brow.)

1st Cit. What a flow of words! how pregnant with thought and deep reasoning! if you expect an answer to all the points, on which you have spoken, you must excuse my prolixity, and impute it to the variety of matter laid before me; I shall endeavour to be

^a (Thus translated by Gordon.) Nerva blended together two things, once found irreconcilable—Publick Liberty and sovereign Power.

concise, and if possible, a void obscurity—you say—I know not what or whom I mean by we, and the friends of the constitution—I will tell you, Sir, whom I do mean, from whence you may guess at those, who do.—By friends of the constitution, I mean not those whose selfish attachment to their interest has deprived the publick of a most beneficial Law, from the want of which by your own account, “Our people is fallen into disgrace in foreign markets and every man's property in a degree decreasing and moulder away.” I mean not those few, out of tenderness and regard to whom, the general welfare of this province has been sacrificed; to preserve whose salaries from diminution, the fortunes of all their countrymen have been suffered to be impaired; I mean not those, who advised a measure, which cost the first Charles his crown and life, and who have dared to defend it upon principles more unjustifiable and injurious than those, under which it was at first pretentedly palliated. You see Sir I adopt the maxim of the British constitution—*The King can do no wrong*, I impute all the blame to his ministers, who if found guilty and dragged to light, I hope will be made to feel the resentment of a free people. But it seems from your suggestion that we are to place an unlimited trust in the men, whom I have pretty plainly pointed out, because they are men of great wealth and have “as deep a stake in the safety of the constitution as any of us.” Property even in private life, is not always a security against dishonesty, in publick, it is much less so. The ministers, who have made the boldest attacks on liberty, have been most of them men of affluence; from whence I infer, that riches so far from insuring a minister's honesty, ought rather to make us more watchful of his conduct.

You go on with this argument, and urge me thus—“Do I conceive that such men can possibly be hired unless they be overtaken by insatiation, to engage to pull down a fair and stately edifice, with the ruins of which, as soon as it is levelled to the ground, they and their families are to be stoned to death?” I have read of numberless instances of such insatiation; there are now living examples of it; the history of mankind is full of them; men, in the gratification of sensual appetites, are apt to overlook their future consequences; thus for the present enjoyment of wealth and power—liberty in reversion will be easily given up; besides, a perpetuity in office may be aimed at; hopes may be entertained that the good thing, like a precious jewel will be handed down from father to son. I have known men of such meanness, and of such insolence, (qualities often met with in the same person) who exclusive of the above motives, would wish to be the first slave of a sultan, to lord it over all the rest; power Sir, power is apt to pervert the best of natures; with too much of it, I would not trust the milkiest man on earth; and shall we place confidence in a minister too long inured to rule, grown old, callous, and hackneyed in the crooked paths of policy?

2^d Cit. “I do not chuse to answer this last question—” you grow warm and press me too close. But why is all your indignation poured out against our ministers, and no part of it reserved for the lawyers—those cutthroats, extortioners—those enemies to peace and honesty, those *reipublice portenta, ac pœne funera*, to use the energetic words of Tully, because I can find none in english to convey my full meaning, but by comparing our barpies to those two monsters of iniquity—Piso, and Gabinius.

1st Cit. From this vehemence of yours, I perceive you are one of those, who have joined in the late cry against lawyers; from what cause does all this rancour and animosity against tible gentlemen proceed? is it a real tenderness for the people, which has occasioned such scurrility and abuse? or does your hatred, and that of your kidney, arise from disappointment and the unexpected alliance between the lawyers and the people, in opposition to officers.—This alliance, I know, has been termed unnatural, because it was thought contrary to the lawyer's interests, to separate themselves from the officers; since a close and firm union between the two, would probably secure success against all patriotic attempts to relieve the people from their late heavy burthens, of which too great a part still subsists.

2^d Cit. “For heaven's sake to what purpose is all this idle talk? you well know it does not touch us, we are not galled and therefore need not wince.” But reconcile, if you can the inconsistency of conduct, with which some of your favourites may be justly reproached; I have one or two in my eye (great patriots) whose conduct, I am sure, will not bear a strict scrutiny; “I can tell them with truth—(Vide dialogue from the last words, to these)—“glorious and patriotic particular.”

^a Mr. Melmoth, the elegant translator of Cicero's familiar letters, makes this remark in his notes on the 2^d letter of the first book, Vol. I.—“Cicero has delineated the characters at large of those consuls (Piso and Gabinius) in several of his orations, but he has in two words given the most odious picture of them that exaggerated eloquence perhaps ever drew, where he calls them ‘‘divo reipublice portenta ac pœne funera’’—an expression for which modern language can furnish no equivalent.”

of Cit. Is it a crime then to be seen in the company of certain great officers of government?—surely their principles must be pestilential indeed, whose very breath breeds contagion. But you can name, "the very appointments, they have laid their fingers upon, you are well apprized of their eager impatience to get into office;" if you are well assured of all this, if you can name the appointments, why in God's name, do it; speak out, at once undeceive me; shew me that I have mistaken my men, that I have been imposed on; for never will I deem that man a fat and firm friend to his country, or fit to represent it, who under their circumstances applies for, or accepts an office from government; the application for, or the acceptance of a place by the persons alluded to, would in my opinion, as much disqualify them for so important a trust, as the duplicity of character, which you lay to their charge.

ad Cit. Do not mistake my meaning, or wilfully represent it; I do not pretend to insinuate, that a person accepting a place thereby becomes unfit for a representative, but that no dependance can be placed in one, who declaims with virulence against officers, and yet would readily take an office.

ad Cit. So I understood you, have I put a different construction on your meaning?

ad Cit. Not expressly; but you seem to think the acceptance of a place, an exceptionable, as duplicity of conduct; I am not quite of that opinion.

ad Cit. There we differ then; I esteem a double dealer, and an officer equally unfit to be chosen a member of Assembly, for this opinion I have the sanction of an Act of Parliament, which vacates the seat of a member in the house of Commons on his obtaining a post from Government, presuming, that men under the bias of self-interest, and under personal obligations to Government, cannot act with a freedom and independency becoming a representative of the people. The Act, it is true, leaves the electors at liberty to return the same member to parliament, in which particular (be it spoken with due deference) it is more worthy our censure, than imitation; I have a wide field before me, but I perceive your patience begins to be exhausted, and your temper to be ruffled. I have told some disagreeable truths with a frankness, which may be thought by a person of your steadiness and importance somewhat disrespectful; I leave you to ponder in silence, and at leisure on what I have said—Farewell.

To SAMUEL CHASE, and WILLIAM PACA, Esqrs. GENTLEMEN,

YOUR complaints of my severity, are certainly affecting: it is to be lamented only, that, as urged against me, they are totally groundless. It is obvious, on the slightest attention, that my queries were intended only as charges against your conduct, respecting the Act for the establishment of religion; as they had been collected from conversations with numbers of people. I tell you so in express terms. What authority then have you for saying, that, absent and unheard, I have adjudged and pronounced you guilty, &c.? Is there no difference between charging and condemning? What can you mean by being pronounced guilty, absent and unheard? Were you not upon the spot, where the charge was exhibited? How then absent? Has not your defence been as publick, as the charge exhibited against you? How then unheard? But, though in general, you charge me with having precipitately passed judgment upon you, yet, in another place, I observe, you have, yourselves, hit upon the true distinction. "When a minister of the gospel, say you, arraigns the conduct of any man in publick, the charge should be exhibited with all the temper and moderation of an accusing angel." I have seen no precedents of charges urged by accusing angels; and, therefore, am not master of the forms in that case made and provided: but, I have seen the forms of charges urged by earthly judicatures, and their stile does not seem remarkable for the temper and moderation, you affect to be so fond of. The poor culprit is charged with "not having the fear of God before his eyes, but that, being moved and seduced by the instigation of the Devil, he has, &c. &c." This is the angelic language of that Law, whose humanity, you have found out, will spare a man's "naked corps, and protect it from the thorns of a jail."

Mark, however, your own temper and moderation, and how cautious you are of pronouncing and adjudging others guilty, before you have heard their defence. Witness your charitable charge against the Clergy: witness your charge against me, for having damned your profession. I forgive this last stroke; it was a sineste to draw in, if possible, other gentlemen of the Law, as parties in this dispute, and excite their odium against me. But, I disavow the charge, and declare, that I had no others in my eye, than the Lawyers, to whom my letter is addressed. I acknowledge, with pleasure, that the profession is liberal and honourable, though like all others, it has the misfortune to be disgraced now and then, by men, who may chide and temporize.

With how good a grace, you, who are bent on unhinging the establishment of the purest church upon earth, can recommend to others the Gospel precepts and Christianity or as you elsewhere express yourselves, not less accurately, Religion and Christianity (both of them pleonastic and pretty!) let the world judge; to the world too I refer it, how well such reformers as you, are entitled to the tender treatment of an order of men, whose rights you are endeavouring to trample under foot, whose ministry you would render ineffectual and useless, by alienating the affections of the good people of this province from both their persons and their functions. Is it not shameful, in such men, to talk of Gospel precepts, and Christianity?

No less candid and charitable are your charges against me, concerning episcopacy: a subject which, it must be owned, has as much connexion with the controversy

between you and me, as it has with the election of a Lord Mayor of London, or the war between the Turks and Russians. But, it was sufficient, that, owing to the misrepresentations of such ill-disposed and ill-informed writers as you are, the measure was supposed to be unpopular; and as I am known, and am contented to be known, to be a warm advocate for it, you imagined, you had but, charitably, to call it a scheme of perdition, effectually to turn the tide of the publick favour against me. However, as I am not more willing to ask, than I am to answer questions, I here pledge myself to the publick, and to you, in due time, to give you a full, and, I hope, a satisfactory answer to all your queries, respecting this crime of petitioning for a Bishop—as enormous, one would suppose, from your account of it, as though I had been concerned in a plot to bring in the Pope and the Pretender. And I desire to be understood to postpone it now, merely to avoid the confusion arising from the blending together two subjects so totally dissimilar.—Let me yet observe, that should your opinion on the subject of Common Law happen to be right, I am not the only one that sees, it will do more towards the introduction of an episcopate—do more for the Clergy, in other respects also, than all the united efforts of all the American priesthood have yet been able to accomplish.

Passing over, for the present, matters of inferior moment; I halt on the consideration of the single question which is of importance in this controversy; By what authority do you act as Vestrymen? Your reply, as I understood it, is, in short, that you derive your authority not from any written Law of the province, but from ancient usage and custom of the parish, beyond the memory of man. This being nothing but a mere assertion, I take the liberty to deny it, and to call for your proof. For, when a party avails himself of a custom, it is, I believe, laid down as a rule, that the proof of the custom is incumbent on him. Here then I might rest the cause, and, if you will, with a triumphant air, start the question anew, By what authority do you act as Vestrymen? But, for the satisfaction of the few readers, who may have been misled by the confidence with which you urge this plea, I will mention some other difficulties, that seem to me to stand in your way. I am clearly of opinion, that there were neither parishes nor vestries in Maryland, before the Act of 1702: an Act establishing them could not reasonably have been expected sooner, as, before that period, the powers of Government were exercised by a professed Papist. The following extract from the Council-Book, where you will see, the Act of 1692 directs it shall be kept on record, shews as well the utmost antiquity of the parish of St. Anne's, as the remote origin of its Vestries.

"Council-Book, 1692 to 1698, folio 46.
"An account of the several parishes within this province, as they were laid out, &c.
"Anne-Arundel County is divided into four parishes, viz. Herring-Creek, South-River, Middle-Neck, and Broad-Neck.
"Middle-Neck parish is situated between South-River, and Severn River.
"Vestrymen chosen are _____ and _____
"_____ and _____ and _____
"Taxables 374."

The above description sufficiently proves the parish of Middle-Neck to have been that now called St. Anne's, were it not also evinced by the Vestry-Book. Here then we can go back and lay our hands on the statute that first gave rise to the custom: no other origin appears; and, I believe, the maxim in Law is, "quod non apparet, non est." Where the origin of a custom can be traced, it destroys it: you cannot claim under an usage, where you can prove the authority from which it is derived: were it otherwise, there would be no other Laws, than those dependent on custom. For instance, where an authority is given by grant, statute &c. there will be an exercise of such authority; and, after length of time, the usage only, on these principles will avail; and so the usage under statute; and not the statute themselves, will prescribe the rule of conduct. This, surely, is a perfect novelty in the Law. On principles very different, are customs supported. The constant usage is presumptive evidence of a preceding right conferred; and though the instrument of creation cannot be produced, yet 'tis inferred, there could have been no such usage without a legal and proper commencement.—Presumption stands; till the contrary is proved; therefore, if the commencement of a custom can be proved to be illegal, the presumption from usage is destroyed by contrary proof. This, I take it, is the reasoning adopted in Mr. Paca's opinion: vide the argument about statutes. The Act of 1701-2 is considered as the ground of the Clergy's claim; and, though denied the force of a Law, is urged as an evidence of the creation of this claim; and the Act being supposed to be void, 'tis therefore said, the claim is also void. Let the same reasoning be applied to the case before us. The same act shews the commencement of present Vestries; and, if void, parishes, Vestries have no authority to act. The origin of the supposed custom being proved to be illegal, as it must, if the Act, from whence it is derived, is illegal, it must be liable to the same objections that you have urged against the Clergy's claim. Denying the validity of the Law, you yet admit it as a piece of evidence to prove the original claim: so here, if considered only in the same light, it must be productive of like effects, as your argument from custom. I mean, if present Vestrymen, whose origin may be traced back to the very same source, as the Clergy's claim, even to a Lex scripta; an express Act of Assembly, have a right to act, from custom; as you affirm; this same doctrine of custom will apply, with equal force, to the claim of the Clergy. Or, does your custom regard only parishes and Vestrymen; exclusively of the other constituent parts of a religious establishment? If it does, it is, to you, a very convenient and obliging custom. For me, I confess, I can have no idea of a church, parish, and Vestrymen; without a regular established ministry;

nor an established ministry, without support, or revenue. The mother-country, I am sure, affords no such precedent in her constitution; nor do I find any thing in the practice of this province to countenance a doctrine so pregnant with absurd consequences. You say, the Lawyers were friends to the established church; it may be so; Brutus professed to be Caesar's friend—and stabbed him. But, what established church is it, that boasts the honour of your friendship? The church in Maryland, if established at all, was established by the Act of 1701-2, which Act, you say, was originally null and void. Tell us then, when and how the church, you are friends to, was established.

The efforts you have made to extricate yourselves out of one difficulty, have but plunged you deeper in another. You now see yourselves under the dilemma, either to acknowledge, that the Clergy of Maryland are entitled to the forty per poll, by custom, time out of mind, and so make a sacrifice of all your darling politics at a stroke; or, to submit to the imputations suggested in my first queries to you. Surely, it would have been better for you to have owned a trip in your politics; and, for once, have been guilty of the weakness of having acted the part of candid and honest men.

You ground your authority, as to the right of taxation, on the Acts of 1704 and 1729. Both these Acts have a plain reference to the Act of 1701-2—the former, expressly. They speak of Vestries and Parishes; the legislature knew of no Vestries or Parishes, but under the Act of 1701-2. Hence, I infer, that the right of taxation given to Vestrymen by these Acts, was given to Vestrymen under the Act of 1701-2; the framers of them could have no others in contemplation. If this was not the case, By what authority did the Vestries in 1704 act? Will you say of them too, that it was by the authority of the parishioners &c, according to ancient usage and custom, beyond the memory of man? an ancient usage, of two years!

Extract from the Vestry Book of St. Anne's.
"April the 15, 1771—(omnibus, at the threshold)
"At a meeting, &c.
"Whereupon the Rev. Mr. Jonathan Boucher qualified Mr. William Paca, Mr. Woodward, sen. and Mr. John Bullen, as Vestrymen of this parish, by their taking the several oaths required by Law, respecting and signing the test, and oath of office, required by Act of Assembly."

There is an entry to the same purpose, respecting Mr. Chase on the 13th of June, 1770; and, indeed, the same form has been used, on the election of new Vestrymen, ever since there have been vestries. It cannot, however, I trust, be deemed impertinent in me, just to ask, what Act of Assembly it was, that required your taking these oaths, before you could be deemed and taken as Vestrymen? And, as one of you qualified me, in the like manner, when I had the honour to become your principal, I would ask also, by what authority I was made a Vestryman, and acted as such in concert with you, as it is certain that neither you present principal Vestryman, nor I, were nominated, chosen and elected by the Parishioners? And, finally, I would ask, by what authority you have always paid your Register? Was it not under the authority of the Act of 1730, an Act expressly supplementary to the unfortunate one of 1701-2?

It is granted that, with respect to the authority given to Justices by the Act of 1729, they exercised us judgment upon the matter. They judged, however, that you were Vestrymen; and I leave it to them to say, whether they did not think you so, by Act of Assembly. Plain men, untainted by politics, do not readily enter into these new-fangled refinements; and I am persuaded, they will not think themselves injured, by my declaring it to be my belief, that they never, till now, heard or dreamed of Vestrymen by Common Law. It is certain, the magistrates of Talbot did not: for, believing, as every body else does (the Lawyers excepted) the authority of vestries to be derived from the Act of 1701-2; and, doubting of its validity, they exercised so much judgment on the matter, as to refuse to assent to the tobacco petitioned for, by the vestries of two parishes in that county. And, I am told, that, the next provincial court, a mandamus will be applied for, to compel the said magistrates to a performance of their office.

There are other points of view, in which I might expose the weakness of your defence: but, I forbear. Of my attainments in Law, even you, Gentlemen, do not think more lowly than I do; I hope it is no reproach to me, that I am not a Lawyer. I do not, however, think, that I have much reason to be dissatisfied with the part I have taken in the question of Law which I have presumed to controvert with you; and it is singular enough to see you triumphantly proclaiming the scantiness of my stock of legal knowledge, on no better authority, than my having proposed queries to you, which you have not answered. However, the extreme contempt you expressed for my judgment, the confidence with which you publish your own, I own, made me diffident: I knew not into what labyrinths of legal quibbles you might lead me, losing sight of common sense, my only guide. I therefore resolved to know certainly how the Law stood in this case, and, for this purpose, took the opinion of a gentleman in the Law, whose abilities you will hardly deny. This opinion I will publish, as soon as there can be room for it in the paper. Sneers and quibbles are all I dare to hope from you in reply; but, for your own sakes, I trust, you will not so read the opinion of a professed Lawyer.

I ask pardon for what I said concerning the Vote on the Proclamation; nor shall I quarrel with you for calling a mistake in point of fact, a *bul*. You seem to have arrogated as arbitrary a dominion over Words as you have over Laws. I was seduced into the opinion, by a common clamour raised against a particular gentleman in a neighbouring county, for having given such a vote. Never considering, that all the arts of political lying are most laudably exerted to mislead the people, for their own good, when the important business

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of elect ongering is on the carpet; in the simplicity of my heart, I swallowed the tale.—Whether the Proclamation be, or be not, a legal act, it becomes not me to say; nor was it ever my aim to enter into a controversy about it. But I do aver, that it cannot be more illegal, than, on your own principles, your tax on the parishioners of St. Anne's.

In one of the queries, it is said, "Can you hereafter presume to place yourselves in a higher rank of patriotism, than those, &c.?" To this you smartly answer, "Laudable charity! but, we question, whether the Supreme Magistrate will accept of the nose-gay." Now, until you can shew, that the plural relative, *those*, refers to the singular, *Supreme Magistrate*, and not to *Members*, as the context and every rule of construction demand, some, perhaps, may think, that men so utterly unacquainted with the first principles of grammar, are but indifferently qualified to monopolize the privilege of *figuring and capering* on all legal, political, and constitutional questions. I join with you in questioning, whether the *Supreme Magistrate* will accept the nose-gay. Without any compliment to him, I may say, he knows better: he can read English, and can see, that it was not offered to him. On this subject of nose-gays, on which you are so superabundantly smart, all I desire is, that any impartial man should cast his eye over your queries and mine, to determine which is the more plentifully bedecked with them; and, I appeal to the history of our lives, our characters; and our situations, to shew, whether you, or I, are more likely to pay court to the power of translation.

To the oft-repeated charge of being a Priest, what else can I say, but that I plead guilty? And, would to God my Order had no more cause to be ashamed of me, than I have to be ashamed of it! That I am a very uncharitable one, I would fain flatter myself is not so true; inasmuch as I am, *charitably*, disposed to hope, that you are better men, than, with all my charity, I can think you are either writers, or politicians. What a compliment have you, unwittingly, I dare say, paid to my character, when the worst thing you can find to say of me, is, that I am a Priest, and, as such, joined in petitioning for a Bishop! But, have you not, think you, opened a little too often on this topic? I confess, it does not strike me, that there is much either of wit or argument in it. Nor do I, indeed, believe, that you are, at bottom, such very bitter enemies to Priests; or, at least, not to their office; as, I observe, you can, you selves, both preach and pray, when it suits you. If, however, the specimen you have given me of your abilities in this way, be of your best, I am not so much your enemy, as to advise you to quit your own profession for mine—at least, not on your own *quantum meruit* plan. There are not, I believe, many Priests, who would have spoken of the *Christian religion*, and the *Gospel of Christ*, as of two different things; both of which you pray, may flourish, &c. "without the interposition of those infernal jurisdiction; spiritual cruelty, vengeance and inhumanity." May I have leave to ask, if either the *Christian religion*; or the *Gospel of Christ* can flourish with those infernal jurisdictions, &c.? May I ask too, why, when you were praying for the triumphant ascendancy of the *Common Law*, you overlooked the Laws of our own Legislature? Why this spite to them? They are not all of them Acts for the maintenance of an established Ministry. And, had you no fears, that, possibly, you might raise apprehensions in some such uncharitable people as I am, of your having a design to reduce our whole Body of Laws, as you have the Act of 1701-2; to *Common Law*, *Common Right*, *Custom*, and *Usage* time out of mind? I am unwilling to dictate to any body, or even to obtrude my advice, when it is not asked; but as you are only in your novitiate, and it is my *professed* element, I hope to be pardoned, if when, happily, another pious fit overtakes you, I take the liberty of recommending a text for the subject of your meditations; "Fear the Lord; honour the Priest, and give him his portion, as it is commanded you."

Priestly pride being a no less common sarcasm against our Order, than *priestly implacability*, I cannot be so selfish as not to acknowledge, that your letter affords instances of this goodly spirit, enough to shame the proudest of us all. The important monosyllable, *We*, triumphantly (another of your favourite words) stares us in the face in almost every sentence; but never more triumphantly, than where you say, *We*, and *the People*; an expression not to be matched, for its humility, by any thing but the celebrated egotism of Wolsey, *I, and my King*. Even, the emphatical appropriation of the words, *the Lawyers*, to yourselves, as though all others were but pettifoggers and scrivener; is feeble in comparison with it.

For any jibes, or jeers thrown out against myself, I heed them not; my character they cannot hurt; yours they certainly will. But, I must be lost to every honesty, every generous feeling, not to resent your slanderous calumny against my brethren. "The Clergy," in general of the Church of England have blown up "a storm of oppression." Gracious Heaven! This too from Mess. Chase and Paca!

"Quis tulerit Gracchos de seditione querentes?" The temper and moderation of the Clergy in vindicating their rights, have been as remarkable, as the arts you have made use of to inflame and mislead the people, have been unmanly and unfair. If, in any thing, they have been to blame, in my judgment, it has been in tamely submitting to the insults which you, and such as you, have of late so often offered to them. I do aver, moreover, on my own knowledge, that, maugre all your harangues and your publications, the Clergy have the *freest concordance of the voice* of the men heretofore deemed the most sensible and moderate in the country, as well as of the gentlemen of the Bar, the most eminent for their abilities and candor, with respect to their claims. And, when the present political frenzies are over, as every good man must pray they soon may be, your opinions and your projects will appear, as they are, the misshapen offspring of political perplexity and distress—the creatures of a day. But,

to return: general assertions need be refuted only by general negations. I do therefore assert, that what you have alleged against the Clergy in general, is untrue; and, I defy you to mention one Clergyman in the province, who, as a Clergyman, has, in the smallest instance, blown up any storm of oppression, or been guilty of any illegal, arbitrary, or oppressive exactions. Dare you say thus much of the Lawyers?

You needed not so vauntingly to have reminded me, that your opinion is *unanswered*. I know that it has not been publicly answered, as well as I know, that it has been sufficiently refuted and exposed. There is, however, one way for you to obtain an answer; and which, having now so fair an occasion, I take the liberty most earnestly to recommend to you. Suits are commenced against some Sheriffs—against Mr. Clapham, in particular. He is willing, and the Clergy are willing, that these suits should come to immediate trial; whether they shall, or not, it seems, rests entirely with you. If, then, you really be the patriots you wish to be thought, approve yourselves such, by concurring in the necessary measures to obtain a speedy, and a *decisive* determination of this unhappy dispute. It will save this once happy country a world of mischief and confusion; and every friend to order and good government will thank you.—But why, Mr. Paca, do you boast that your opinion is unanswered; when, not long since, you acknowledged, that were you upon oath to give judgment upon the case, you should be at a loss, how to pronounce. Satisfied as you were, that the Clergy had no legal claim to the 40 per cent, from the Act of 1702, considered in itself; yet the aiding Acts of Assembly, you alleged, might be strongly argued in support of the claim.—An opinion, whose author is so much at variance with it already, is of little consequence.

Doubtless my brethren of the Clergy will join with me in thanking the Lawyers for their charitable policy in keeping back their sentiments upon the forty per cent Act. Pray, Gentlemen, do you call the giving written opinions, or the printing of such opinions both in prose and verse, *keeping back your sentiments*? But, you are happy in the knack of reconciling contradictions; and I doubt not your ability to reconcile this, as well as the strange contrariety of the *sentiments* so kept back.

You wrong yourselves, as well as me, in supposing, that resentment stimulated me to propose the Queries to you. I will give you the history of the occasion, as plainly, as it shall be truly. The Vestry of my parish met in November, as yours did, to lay the parish levy: one of our number refused to act, alleging his incapacity, from the nullity of the Act of 1701-2. This, as may well be supposed, occasioned some little stir amongst us. Every body knew, that you took the lead amongst those who denied this Act to be in force; I knew you to be Vestrymen: Was it not then natural for me to enquire what had been your conduct on this occasion?

And now, Gentlemen, having gone through all that I conceive to be of importance in your letter, far more tediously, indeed, than I could have wished, for which, however, the variety and abundance of matter, you are pleased to cut out for me, must plead my excuse, I hasten to release you.—Heretofore, as the *Echo* only of what others had said, I but charged you with certain offences, *charitably* hoping, that you might have been able to have justified yourselves. Having fall'd in this, you must excuse me, if now I assume a more decisive tone; if, after a full and fair hearing of your defence; I step into the seat of judgment, and, on the clearest proof, pronounce you guilty (on your own principles, and on those only) "of an high infringement of this great constitutional right, of all others, perhaps, the most inestimable, the taxing the people without their consent;" *illegally, arbitrarily, and oppressively*.

And acquit yourselves as you can.

I am, Gentlemen, your humble Servant,

JONATHAN BOUCHER.

A C A R D.

THE EDITOR OF THE DIALOGUE does himself the honour to wish the INDEPENDENT FREEMAN a happy New-Year; and hopes to be believed, on his religious assurance, that he is so far from harbouring a malignant intention of filling up the measure of contempt, into which he has fallen, as a publick man and a writer, by passing him over with silent disregard; that he will, in due season, bestow some consolatory remarks on his labours.—Both the impotence and rashness of his legal sneers at the whole body of Merchants shall be expatiated upon, with becoming moderation. It is requested, on the same principle of delicacy and candor, that the blossoming minion of the Freeman's hopes, and creature of his forming hand, will not be piqued at his being totally dismissed from the scene. The Editor has neither leisure nor inclination to resume the rod for the correction of a child; and has learned, from authentic information, that it was, from the first, the scheme, that the lame breath which raised the bubble should dissolve it, after it had lived to fulfil all its purposes of diversion.

L O N D O N, November 3.

A CORRESPONDENT at Chatham assures us, that England never saw herself in possession of so many fine-line of battle ships in times of peace as at present, the number being little short of 80; but says, he must add a few melancholy truths, that timber fit for building large ships was never known so scarce, worse encouragement for good seamen, nor fewer of them in actual service; and concludes by remarking, that he knows 78 Lieutenants, of tried abilities, now either masters of trading vessels,

or in foreign employ, while a set of green puppies, and powdered maccaronies, who do not know the name of a rope, are enjoying part, and in full career to the possession of the whole of those rewards, which are only due to long and meritorious service.

L I V E R P O O L, November 13.

Extract of a letter from Chester, November 10.

"On Thursday night last, the 5th instant, the inhabitants of this city were thrown into the utmost consternation by an instantaneous shock, supposed at first to have been occasioned by the violence of an earthquake, as the houses in every quarter of the town were shook to their foundations. Vast multitudes, overwhelmed with surprise, immediately rushed into the streets and lanes, not knowing what to fly for safety, fearful of consequences, which imagination depicted as big with every danger and distress. It was not long, however, before the real cause was known; and a scene of such complicated misery presented itself that can hardly be exceeded by any instance recorded in history. The preceding day a quantity of gunpowder, upwards of eight hundred pounds weight, had been deposited in a warehouse in Water street, under a building, known by the name of Eaton's Room, in which one Williams, the master of a puppet show, had for some time past exhibited his performance. The company which these idle amusements had drawn together on the fatal evening was very great (may such another evening never be known any where) and in the midst of their merriment, the powder, by what accident is not known, took fire; and in a moment most of the unhappy people were buried under a prodigious heap of ruins; some were thrown into neighbouring courts, scorched and confused, and a few, but very few, had the good fortune to escape with no other hurt than a slight burn, or a small scratch. The numbers that flocked from all parts to view the place, where destruction had so suddenly fallen upon the heads of many of their fellow citizens, stood amazed at the display of so much horror; but the groans and shrieks of the yet alive miserable sufferers, soon awakened their humanity. Every hand then lent a willing assistance; vast heaps of stone and timber were immediately removed, and the bodies that had any remains of life in them, as fast as they were raised from the ruins, were either carefully conveyed to their friends in the different parts of the city, or to that noble, that truly beneficial establishment, the general Infirmary, where the Physicians and Surgeons, uninfluenced by any other motive than the publick good, have so largely contributed, by their knowledge and assiduity in their several departments, to promote the design of so excellent a charity; stood ready to afford every possible relief to the miserable objects that were presented to them. It is impossible to come at the knowledge of the exact number of those who shared in this shocking calamity; the account on which we can most depend is, that the killed, and those since dead, amount to 23; and those that were much burnt, had contusions, or broken limbs, to 80, most of which are likely to recover. Williams himself, his wife, and three or four of the same family, are of the number of the dead. Several promising youths are alike lost to their parents and the community, but how many heads of families have fallen undistinguished we must leave to the prying eye, and the relieving hand of charity to find out; and we doubt not but her benign influence once exerted, will quickly penetrate the most retired recesses of the wretched, and wipe away the tears of the mourning widow, and the weeping orphan."

FROM THE MASSACHUSETTS SPY.

The following may be depended upon as a genuine extract of the letter from Lord Dartmouth to the Governor of Rhode-Island, dated Whitehall, Sept. 4. 1772.

THE particulars of that atrocious proceeding (referring to the burning the Gaspes schooner) have by the King's command been examined and considered with the greatest attention; and although there are some circumstances attending it, in regard to the robbery and plunder of the vessel, which separately considered, might bring it within the description of an act of piracy; yet in the obvious view of the whole transaction, and taking all the circumstances together, the offence is in the opinion of the law-servants of the crown, who have been consulted upon that question, of a much deeper dye, and is considered in no other light, than as an act of high treason, viz. levying war against the King.

And in order that you may have all proper advice and assistance in a matter of so great importance; his Majesty has thought fit, with the advice of his privy council, to issue his royal commission, under the great seal of Great Britain, nominating yourself, and the chief justices of New-York, New-Jersey, and the Massachusetts-Bay, together with the judge of the Vice-Admiralty court established at Boston, to be his Majesty's commissioners for enquiring into and making report to his Majesty, of all the circumstances relative to the attacking, plan-

ding, and burning the Gaspee schooner. The King trusts, that all persons in the colony will pay a due respect to his royal commission, and that the business of it will be carried on without molestation; at the same time the nature of this offence, and the great number of persons who appear to have been concerned in it, make every precaution necessary. His Majesty has therefore, for the further support in the execution of this duty, thought fit to direct me to signify his pleasure to Lieutenant General Gage, that he do hold himself in readiness to send troops to Rhode-Island, whenever he shall be called upon by the Commissioners for that purpose, in order to aid and assist the civil magistrates in the suppression of any riot or disturbance, and in the preservation of the publick peace. I have only to add upon that head, that his Majesty depends on the care and assistance of the civil magistrates of the colony, to take the proper measures for the arresting and committing to custody, in order to their being brought to justice, such persons, as shall, upon proper information made before them, or before his Majesty's Commissioners, appear to have been concerned in the plundering and destroying the Gaspee schooner.

It is his Majesty's intention, in consequence of the advice of his privy council, that the persons concerned in the burning the Gaspee schooner, and in the other violences which attended that daring insult, should be brought to England to be tried; and I am therefore to signify to you his Majesty's pleasure, that such of the said offenders as may have been or shall be arrested and committed within the colony of Rhode-Island, be delivered to the care and custody of Rear Admiral Montagu, or the Commander in chief of his Majesty's ships in North-America for the time being, or to such officers as he shall appoint to receive them; taking care that you do give notice to the persons accused, in order that they may procure such witnesses on their behalf as they shall judge necessary; which witnesses, together with all such as may be proper to support the charge against them, will be received and sent hither with the prisoners.

ANNAPOLIS, FEBRUARY 4.

This Gazette, No. 1430, compleats the Year. The Printers therefore earnestly request all Persons indebted, to discharge their respective Balances, in order to enable them to carry on so expensive a Business.

D. GRAHAM, Oculist and Aurist from Philadelphia, thus publickly gives Notice, that he proposes to be at Baltimore about the 20th of this present Month; where those Persons whose Circumstances or Situation have precluded them from the Benefit of applying for Assistance at Philadelphia, may consult him in all Disorders of the Eye and its Appendages; and in every Species of Deafness, Hardness of Hearing, Ulcerations; Noise in the Ears, &c.

Baltimore, February 2, 1773.

THE Honourable Commissioners of his Majesty's Customs, having appointed me Land-waiter, Weigher and Gauger, and preventive Officer of his Majesty's Customs to reside at Baltimore: The Masters of Vessels are hereby requested to produce their Papers to me upon their Arrival, and that the Masters of Coasting Vessels within the Province coming to this Place, apply for the necessary Papers for the Cargoes they take on board, or they will render their Vessels and Cargoes liable to Forfeiture.

ROBERT MORETON.

Elk-Ridge, January 26, 1773.

ALL Persons indebted to the Estate of *William Leavens*, deceased, are desired to make immediate Payment, and all those who have any just Claims against said Estate, are desired to bring in their Accounts regularly proved; that they may be settled, by

2w **SAMUEL DORSEY**, junr. Administrator.

January 13, 1773.

ALL Persons who have any Demands against the Estate of *Richard Thomas*, late of Cecil County, deceased, are desired to send them properly attested; and those who are indebted to said Estate, are desired to pay off their respective Balances without further Notice, to

w6 **SAMUEL THOMAS**, } Administrators.
THOMAS HUGHES, }

THERE is at the Plantation of *James Smith*, Blacksmith, near Upper-Marlbrough, a black Stray Mare, about Fourteen Hands and a Half high, blood all fours, Two hind Feet white, one white Saddle Spot on the off Side, hanging Mane and Switch Tail; branded on the near Buttock M or B paces slow. The Owner may have her again; proving Property and paying Charges.

THERE is at the Plantation of *John Marrick*, in Prince-George's County, a Stray gray Mare, something under 14 Hands high, short Switch Tail and Hog Mane. The Owner may have her again on proving Property and paying Charges.

WHEREAS the Subscriber passed his Bond to *John England*, Sen. bearing Date October the 27th, 1771, for One Hundred Pounds Pennsylvania Currency, it being in Part of a Purchase of a Tract of Land; since which Time he hath discovered, that the said *England* shewed and sold the said Subscriber Lands which were not his own, nor can he make a good Title to them: These are therefore to caution and forewarn all Persons from taking an Assignment of the said Bond, as I am determined not to pay the same.

CHARLES ALEXANDER WARFIELD.

January 5, 1773.

COMMITTED to the Jail of Charles County the 2d Instant, as a Runaway, a Negro Man who calls himself **ABRAHAM**, and says he belongs to *Thomas Squires*, about Eight Miles from Frederick-Town; he is a likely Fellow, about 5 Feet 7 Inches high, has a Nick or Notch in his right Ear, which he says was occasioned by his hurting it in going through a Fence: Has on and with him an old Coat with Metal Buttons, an old Cotton Jacket, and a pretty good dyed Cotton ditto over it, old Check Linen Shirt, and a new Osnabrig ditto, a Pair of blue Yarn Stockings, old Shoes and an old Hat. The Owner of said Negro is desired to take him away and pay Charges to

WILLIAM HANSON, Dep. Sheriff.

THERE is at the plantation of *Elizabeth Dorsey*, at Rocky-Nick, near Annapolis, a Stray black Cow, between Four and Five Years of Age, has a bald Face, the left Ear cropt and the right under cut. The Owner may have her again on proving Property and paying Charges.

Patuxent Iron-Works, January 12, 1773.

RAN away last Night from the Patuxent Iron-Works, a Servant Man named *Robert Wharton*, born in England, by Trade a Blacksmith; he is a very lusty well made Fellow, 6 Feet high, about 30 Years of Age; much pitted with the Small-Pox; dark brown Hair and very thin on the Top of his Head: Had on and took with him a Hat bound round the Brim with Binding, Two Osnabrig and One Check Shirt, a dark coloured Cloth Coat and lappelled Jacket, a dark short Bearskin Coat, blue Halfstuck Breeches, white Yarn Stockings and black Leather Shoes. Whoever takes up said Servant, on delivering him at said Works, if Ten Miles from Home shall have Twenty-five Shillings, if Twenty Miles Forty Shillings; and a greater Distance Three Pounds, and if out of the Province Five Pounds, including what the Law allows, paid by

SAMUEL & JOHN SNOWDEN.

The Partnership of *James Dick and Stewart* having expired the 1st Inst. the business is now conducted under the Firm of

JAMES DICK and STEWART, and Co.

Who have to sell by Wholesale and Retail, at their Stores in Annapolis and London-Town, for ready Money, Country Produce, or the usual Credit,

A GENERAL Assortment of European and East-India Goods, among which are, Hyson, Bloom, Green and Bohea Teas, London double and single refined Sugar.

They have likewise for Sale, old Madeira Wine by the Pipe, Hoghead; of Quarter Cask, West-India and Country Rum, by the Hoghead, Jamaica and Barbadoes Spirit, by the Hoghead or Quarter Cask, Muscovado Sugar, by the Hoghead, Tierce, Barrel, of Hundred; a few Tierces of Rice, a few Bags of Hops, barreled Pork, &c. &c.

Also, Anchors, Grapnals; Sail Duck, and all Sorts of Ship Chandlery and Cordage, made at Newington Rope-walk; where Orders for a Ships Rigging of any Size may be complied with on a few Days Notice.

Annapolis, January 13, 1773.

The Partnership of *James Dick and Stewart* being expired, all Persons indebted to us, are requested to settle their Accounts as soon as it is convenient; which will oblige

Their humble Servants;

JAMES DICK,
ANTHONY STEWART;

Elk-Ridge, January 9, 1773.

To be sold at publick Vendue, on Monday the First Day of March next, at the late Dwelling-House of *Henry Dorsey, junr. deceased*, in Queen Caroline's Parish, Anne-Arundel County. The Sale to begin precisely at 10 o'Clock; and to continue for Two Days if not all sold in One.

A VALUABLE Parcel of Negroes, Servants, Horses, Mares, Sheep, Hogs, &c. Plantation Utensils, and Household Furniture; Six Months Credit will be given for all Sums above Ten Pounds; with legal Interest, on giving good Security, and ready Money is to be paid for all Sums under Ten Pounds. Attendance will be given on the Premises, by

ts **SAMUEL DORSEY**, junr. Administrator.

N. B. All Persons who have any Demands against the Estate of the late *Henry Dorsey*, deceased, are desired to bring in their Accounts to the above Administrator, and those indebted to the said Estate, are requested to pay without further Trouble.

Elk-Ridge, December 29, 1772.

WHEREAS Mr. *Caleb Dorsey*, late of Anne-Arundel County, deceased, did by his last will and Testament, bearing Date the 14th Day of March last past, order and direct sundry Lands to be sold, viz. a Tract or Parcel of Land, called *Caleb's Delight Enlarged*; also a Tract, called *Timber-Ridge*, and Part of a Tract, called *The Mill Frog*, all adjoining and lying in Frederick County, near *Simpson's Tavern*, about Thirty Miles from Elk-Ridge Landing, and contains about Two Thousand Four Hundred Acres. The said Land is well adapted to farming, and will be sold on the 29th Day of June next, in small Parcels, or in any Manner that may best suit the Purchasers;—Also Two Thirds of about Seven Thousand Acres of Land, lying in Anne-Arundel County, on *Curtis's-Creek*, about Seven Miles from Baltimore Town, on which is a Furnace, a good Dwelling-House, and sundry Out-Houses, with a good Grist-Mill, and Saw-Mill: The Land is well timbered and the Water navigable, within Fifty Yards of the Furnace Door, and will be exposed to sale on the 20th Day of July following. The Terms will be made known on the Days of Sale, by

MICHAEL PUE, Executor,
MILCAH DORSEY, }
ELEANOR DORSEY } Executrices.

N. B. All Persons having just Claims, against the Estate, are desired to bring them in legally proved, and those who are indebted to the Estate, are desired to make immediate Payment to Two or more of the Executors only.

To be sold by the Subscribers, at their Store on the Dock, Wholesale or Retail, on the most reasonable Terms, for Cash, Wheat, Indian Corn, or short Credit,

A LARGE and general Assortment of European and East-India Goods, suitable to the different Seasons, also choice Jamaica and Barbadoes Spirit, Rum, Wine, Melasses, loaf and brown Sugar, Tea, Coffee, Chocolate, Raisins, Currants, Spermacei and Tallow Candles, Soap, Myrtle and Bees Wax, Gloucester Cheese, Taunton bottled Ale, Tar, Turpentine; a few Barrells Mullet Fish, and exceeding fine New-Town Pippins, from New-York. Likewise a likely young Negro Boy and Girl, about 16 and 17 Years of Age.

2w **THOMAS CHARLES WILLIAMS & Co.**

Queen-Anne, November 17, 1772.

To be sold by Wholesale, at a very low Rate, for Cash, Bills of Exchange, or Tobacco,

A BOUT Seven or Eight Hundred Pounds prime Cost of Goods; well assorted.

ts **THOMAS DUCKETT.**

October 10, 1772.

TO BE SOLD.

A BOUT 800 Acres of good Land; in Five Plantations, in St. Mary's County; on one of the Plantations, situate on the River *Patuxent*, there is a Brick House in good Order, 2 Stories high, with 4 Rooms and a large Passage on a Floor, with Office-Houses, &c. Also, about 800 Acres in Virginia, viz. 499 near the Town of Dumfries, 191 near the Great Falls of *Potowmack*, 92 upon *Cass Run*, and the Remainder of a Tract of Land in Fauquier County, patented to the Rev. *Lavrent De Butts*. Proposals for the Whole, or any Part of the above recited Lands will be received, and an indisputable Title made to the Purchaser, by

ts **JOHN DE BUTTS.**

Annapolis, December 16, 1772.

ALL Persons indebted to the late Partnership of *Thomas Williams and Co.* are desired to make speedy Payment, to *Thomas Charles Williams and Co.* who are empowered to receive and settle all Accounts relative thereto.

We have just imported from London, in Capt. Hooper's

A N Assortment of Clothes, Linens, Silks, Millinery, Hosiery, Boots, Shoes, and Saddlery, which are to be disposed of at our Store, on the Front of the Dock, with a full Assortment of almost every Kind of dry Goods, at Wholesale or Retail, for a small Advance.

THOMAS HARWOOD, junr.
JOHN BRICE.

Elk-Ridge, December 18, 1772.

ANY Person that can come well recommended for his Care, Industry, Sobriety and Skill in the Tanning and Carrying Business, will be put in Possession of a Tan-yard and Carrying Shop, in a very good Neighbourhood for that Business, and where he may get a great Plenty of excellent Bark. The Yard will be let either with or without a young Negro Fellow, as an Assistant to the Master Workman; and as I intend erecting a Saw mill adjoining the said Yard early the ensuing Spring, the Person may have the Advantage of the Sawdust arising from some particular Sorts of Wood; which I am persuaded will be of great Efficacy in the Tanning Business. For Terms apply to

H. RIDGELY.

Just imported, and to be sold by the Subscribers, at their Store on the Dock in Annapolis,

A QUANTITY of choice Barbadoes Rum and Spirits.

WALLACE, DAVIDSON and JOHNSON.

MARYLAND GAZETTE.

T H U R S D A Y, F E B R U A R Y 11, 1773.

TO THE PRINTERS.

The enclosed papers have been lately sent us, as copies of the Address of the Clergy to the Governor and his Reply, which we request you to publish in your next Gazette for the consideration of the publick.

Your humble Servants,

ANNAPOLIS,
February 6, 1773.

SAMUEL CHASE,
WILLIAM PACA.

MAY IT PLEASE YOUR EXCELLENCY,



THE CLERGY of the established Church in this your Government of Maryland, now met in Annapolis, beg leave to approach your Excellency, gratefully to acknowledge, not only your many personal civilities to ourselves; but, what we more esteem, the obliging attention you have been pleased to shew to the interests of the Church. Concerned, as we are by duty, as well as inclination, to promote these interests, we conceive, we can, in no way, more effectually accomplish this, than by deprecating ourselves, so as to deserve the continuance of your Excellency's favour and protection: with this view, therefore, we take the liberty of laying before you an account of the business, for which this meeting was called together.

The ORIGINAL intention of our meeting was farther to consider on the charitable fund: but finding ourselves obliged to postpone this, on account of the Charter's not being yet arrived, we have been naturally led to consider the present circumstances of the Maryland Clergy, and after the fullest and maturest deliberation, we have UNANIMOUSLY resolved, that it is highly becoming us, to make an effort, as far as in us lies, TO INTRODUCE, IF POSSIBLE, EPISCOPACY into America, a measure so highly reasonable, so absolutely necessary, at this crisis, to the Colony, in general, and we add, to Maryland in particular, and so peculiarly distressing the Clergy of this Province, to be amongst the foremost in soliciting, that we cannot doubt of its meeting with your Excellency's perfect approbation: for it must have occurred to you, as it has to us, that, of late, the growth of Sectaries (chiefly to be attributed, as we believe, to the want of a regularly governed Clergy) has been so amazingly rapid, and their conduct so daring and vexatious, that, amongst other instances of their FACTIOUS SPIRIT, they now daily and openly call in question even his Lordship's right of PRESENTATION—an evil, which we fear, will daily increase, and which, we cannot but think, can ONLY be put a stop to, BY THE ADMISION OF AN AMERICAN BISHOP.

It must then be obvious to your Excellency, that the ESTABLISHMENT HERE, cannot subsist much longer without some form of government. Whether this shall be that constitutional one, by BISHOPS, to which alone a Clergyman of the Church of England, can in conscience, think it his duty to submit, or the UNCONSTITUTIONAL AND PALPABLY, PRESBYTERIAN SYSTEM, NOT LONG AGO WARMLY CONTENDED FOR BY BOTH HOUSES OF ASSEMBLY, is a QUESTION, hardly less interesting to the civil government of this province, than it is to its CLERGY, the jurisdiction of a Presbytery, and every other jurisdiction, in its principles a kin to it, is so adverse to the whole frame and scope of our excellent establishment, both in Church and State, that, in attempting to keep it for ever at a distance from Maryland, we trust your Excellency will consider us, as doing, what most undoubtedly it is our duty ever to do; consulting the best interests of the Lord Proprietary, and the welfare of the community at large, as well as our own in particular. On these principles, and on these considerations alone, we presume to solicit your Excellency's concurrence and assistance in promoting to SALUTARY A SCHEME. EVERY STEP in our power, conducive thereto, we have taken: we have applied to the Throne, to Lord Baltimore, to his Grace of Canterbury, and to the Bishop of London; copies of which application, we think it incumbent on us, to lay before your Excellency, with a request that you will be pleased, as soon as may be, to transmit our letter to Lord Baltimore; and should it be in your Excellency's power to lend a helping hand to the furtherance of this good design, as we believe, it greatly is, we persuade ourselves, from the assurances we have heretofore had the honour to receive from your Excellency, and which we do, and ever shall, gratefully remember, that you will not withhold it. One instance there is, in which we conceive it is much in your power to promote the cause, and that is by co-operating with us in our application to the brethren of the Clergy in Virginia, by recommending it strongly to the attention and countenance of Lord Botetourt.

We are not so sanguine as to flatter ourselves with the hope either of immediate or certain success from this our application: but should we after all, finally fail, which we PRAY HEAVEN TO AVOID! we shall

comfort ourselves with the reflection, that even to fail, is less reproachful, than never to attempt it at all.

We are, Sir, with infinite respect,

Your Excellency's most obedient,

And faithful humble servants.

Signed per order,
ROBERT READ, Secretary.

GENTLEMEN, Annapolis, 11th September, 1770. **T**HOUGH your Address I think imports that it is the act of the WHOLE CLERGY of the established Church, flowing from their general deliberation, and unanimous opinion, yet to enable me to consider it with propriety in this light, a clearer satisfaction is requisite, than what arises from the delivery of a paper by NINE Clergymen, or from the formal attestation of a person in an official character, unknown in our constitution, and assumed, I know not on what grounds: the proper satisfaction would have been given by the subscription of the Clergy individually.

That the FACTIOUS SPIRIT of the sectaries has appeared in their daily, openly calling in question, his Lordship's right of patronage, in disposing of the donations of this province, your address gives me the first information. Indiscretions and irregularities of another kind have indeed occurred in some parishes, but his Lordship's right has been vindicated, and the Laws are a sufficient security to his Lordship, and the persons collated by him; NO DEGREE OF SUPPORT OR ASSISTANCE IS NEEDED FROM EPISCOPAL AUTHORITY.—How far, and under what forms, the ESTABLISHMENT OF AN AMERICAN BISHOP may be a SALUTARY MEASURE is a consideration of the most momentous concern, deserving the most serious and mature attention; and being of so great and extensive importance, I shall take an early opportunity of laying the matter before the General Assembly, together with your address, and the papers attending it.

The motives both of duty and inclination will ever engage me to countenance the worthy Ministers of the established Church, and to support the just rights of the Clergy of Maryland, holding it at the same time to be my indispensable duty to protect all quiet and peaceable subjects of every denomination in the full enjoyment of their rights.

To the Reverend Messieurs M^cGill, Addison, Hamilton, Ross, Neill, Read, Allen, Hughes and Boucher.

A C A R D.

HOW do you find yourself, Mr. Editor? busily employed I guess, having plenty of materials before you to work upon. Let me expostulate a little with you however when you are at leisure, and ask, why all your ill-nature against me? Does every person fall into contempt that has spirit and resolution enough to espouse the cause of his friend in opposition to your sentiments? He may do so with you and two or three others, but it can never be reason sufficient with the rest of the world. Who gave you authority to assume the rod for the chastisement of a man equally free with yourself, and who is not in a state of subjection to your humours? 'Tis possible you may be obliged to turn pedagogue in good earnest notwithstanding appearance, stranger things have come to pass. Remember the tyrant Dionysius kept school at Corinth. He little expected such a reverse of fortune which he was loading it in an impetuous manner on the citizens of Syracuse. Tell me also if you please from what quarter you received your authentic information, "that it was from the first, the scheme that the same breath, which raised the bubble should dissolve it, after it had bloated to fulfil all its purposes of destruction?" Many of your fellow-citizens, distinguished for their sincerity, are concerned to know the truth of this assertion; they will scorn to desert the person alluded to by your sarcasm for any thing that can fall from the pen of a nameless party scribbler. I pass slightly over your Address to me at present, and am waiting with great tranquillity to receive your whole fire; flattering myself at the same time that you will not be able, with all your knowledge in polite literature, to make appear that an individual means the whole body of Merchants, or that any reflection was intended against them. Your compliment, wishing me a happy New-Year, is unseasonable after Candlemas day, therefore I give you no thanks. By way of return for your ironical civility, let me whisper a piece of advice in your ear. Go to sleep; you are only doing mischief.

FREEMAN.

The following is the opinion alluded to by the Rev. Mr. Boucher, in his reply.

2. Have the Vestry of St. Anne's parish, in Anne Arundel County, a right to act in virtue of any custom in that parish, independent of the Law of 1701-2?

A VERY ingenious opinion having been already given on the subject, attention is due to the arguments advanced in its support; and as it might

be deemed arrogance to combat particular reasoning by general assertions, I shall consider the points with unaffected candour and diffidence.

It is said that the Vestry of St. Anne's parish do claim a right of acting under any authority derived from the provincial legislature; but deduce it from a custom time immemorial, or beyond the memory of man. That the existence of Vestries being independent of the Law of 1701-2, the origin of their establishment has been mistaken, and inconclusive reasoning urged from erroneous principles, the premises being denied from which the inferences are drawn. It is however admitted that the power of taxation is exercised solely under the Acts of 1704 and 1729, consequently if they are insufficient to justify the measure it must be considered as insupportable.

To constitute a custom it is alleged there must be an usage time immemorial, or beyond the memory of man; a power of taxation could not therefore with any propriety be claimed under a customary right since the year 1729, as it would be an infraction of the rule ascertaining the length of time necessary to establish a custom; this right is therefore asserted under the Acts of 1704, c. 34, and 1729, c. 7.

Admitting the definition of a custom to be right in general, the argument from it, appears to me erroneous. It is said that the Vestry having acted time immemorial, this usage constitutes a custom, and establishes their authority; the conclusion therefore follows from the doctrine advanced, that there could be no existent custom, antecedent to such immemorial usage. It is then to be considered, whether at the time of passing the Acts of 1704, and 1729, such custom had prevailed, and the Vestry of St. Anne's parish was then established under it. According to the maxim and mode of reasoning in the opinion no such custom could have existed, and consequently the superstructure raised on this hypothesis has no real foundation. Vestries were first appointed and their continuance regulated by the Act of 1692, since repealed, but the church in St. Anne's parish was not erected until the year 1699; however admitting the inception of their authority to be computed from that Law, the intermediate time from this era to the years 1704 and 1729, will not amount to a sufficient diuturnity (by the rule admitted) to establish a custom.

The only Law now in force for the appointment of Vestries is the Act of 1701-2, for the establishment of religious worship, &c. if they did not exist under this Law at the times of passing the Acts of 1704 and 1729, they had no existence whatever when these Laws were enacted, for there could not then have been any custom, and consequently, if (as is asserted) the Law of 1701-2, is a nullity, the Acts of 1704, and 1729, from which the power of taxation is derived, referred to non-entities; they were improperly termed Vestries, and the persons who composed them were rather illegal assemblages arrogating to themselves the exercise of an unconstitutional authority. The Acts of Assembly urged to countenance the supposed right, conferred the powers therein mentioned on VESTRIES, but, it seems, there were at those times no such institutions; for their existence, as contended, depending altogether on custom, if there was no custom, they could not have any existence. In 1704 and 1729 there was no such custom as alleged, because (according to the maxim) an immemorial usage had not then prevailed; and if there were no Vestries at those periods, how could powers be conferred on them in virtue of the Laws referred to?

Whether there were any parishes antecedent to the Act of 1692 is immaterial, as Vestries are by no means essential to their constitution, and if the fact could be affirmatively proved, to give the inference from it any appearance of weight, it must be also shewn that Vestries were established, and that their number, qualification, mode of election, and official path were conformable to the usage which now prevails, for that can never be deemed a custom which is subject to mutation. I believe it can be fully evinced that Vestries did not exist in the province before the Law of 1692, the regulations in that Act are different from those prescribed by the Law in 1701-2, by the latter the Vestry of St. Anne's have always governed themselves in every respect, and the several members of the corporate body have constantly taken the oath there directed; if this Law is held a nullity, it is notwithstanding sufficient evidence, of the time when Vestries according to the present usage were created in the parish, and to remove the presumption arising from it, there must be proof that Vestries governed themselves in the same manner antecedent to the time it was enacted, that the minister was always the principal Vestryman, and the same oath taken by the succeeding members, &c. &c.

The legal import of the term custom appears to have been mistaken; in common parlance, beyond the memory of man, or time immemorial may signify past transactions not in the remembrance of persons then living, but in Law it more properly respects an usage whose origin cannot be shewn, and where the proof of the right claimed depends on the immemorial, constant, and uninterrupted exercise of it; a custom has been metaphorically compared to the Nile whose branches are

1772. Anne is last day of Calab's Ridge, all ad-Simp-Ridge Four ted to of Jaz at may about 7 Ann- Seven urance, Hoaf, Land within e expof- The Sale, by cotrices. aint the proved, e defined re of the the Dok, Terms, for Express e different as Spirits, gar, Tea, permacca Bees Wax, Ale, Tar, and ex-New-York. d Girl; a MS & Co. 17. 1772, for Cash. wands pinte UCKETT. 10. 1772. D. n Five Plan- one of the smack, there stories high. Floor, with cres in Vir- mities, 194 upon Chair of Land in Lawrites De Part of the and an indif- DE BUTTS. er 16, 1772. artnership of red to make liams and Co. ettle all Ac- Capt. Hooper, Silks, Millin- Saddlery, store, on the ent of almost le or Retail, WOOD, junr. ber 18, 1772. recommended and Skill is will be put in g Shop, in a Business, and excellent Bark, about a young Water Work- mill adjoining e, the a nee arising from ch I am per- Tanning Bu- RIDGELY. iber, at their is, for Rum and JOHNSON.

known though the source is undiscovered. A great judge speaking of custom says "If there be any sufficient proof of record or writing to the contrary, albeit it exceed the memory or proper knowledge of any man living, yet is it within the memory of man; for memory or knowledge is twofold. First, by knowledge by proof, as by record or sufficient matter of writing, secondly, by his own proper knowledge. A record, or sufficient matter in writing are good memorials, for *littera scripta manet*. And therefore it is said, when we will by any record or writing commit the memory of any thing to posterity, it is said *tradere memoria*." A late writer, on the same subject observes "that to make a particular custom good, 'tis requisite, that it has been used so long, that the memory of man runneth not to the contrary. So that, if any one can shew the beginning of it, it is no good custom." Many statutes are beyond the memory of man, if understood of persons in being, but the records of Parliament ascertaining the time they were enacted, prevents their operation to establish a custom. If the Law of 1701-2, is not a legislative Act, it certainly points out the time when the present Vestry of St. Anne's parish was established, and is sufficient evidence that no such body existed prior to this period. The ancient usage therefore is, I think imaginary, and seems to have sprung from a chronological error, and a misconception of the term custom, by expounding it rather according to vulgar than legal acceptations; perhaps the expressions *time immemorial* and *beyond the memory of man*, which occur in the Law books may have occasioned the mistake, and as it was not thought probable that any person now in existence could remember the creation of Vestries, it may have been hastily concluded that their origin must also have been buried in oblivion, when the Laws of 1704 and 1729 were enacted.

The Acts of 1704 and 1729 relate to Vestries then established, and I think it is plain from what has been said, that they could only have existed under the Law of 1701-2. Statutes and Acts of Assembly are to be so expounded that the expressions may not be rendered nugatory, but receive force in construction, and that the intent of the legislature may be complied with: these rules cannot be observed unless the Vestries then in contemplation were those established under the Law of 1701-2, otherwise the legislature provided for the regulation of bodies *not in being*, and consequently all directions respecting the mode of taxation are senseless and impertinent, for the several clauses respecting this subject have no efficacy unless applied to such Vestries as were established under the precedent Act of 1701-2, and the rule of construction before suggested would be manifestly violated by a different application. That such was the intent of the legislature cannot be doubted; the Act of 1704 passed about three years after that for the establishment of religious worship &c. by which Vestries were constituted, and was *inter alia*, to aid a defect in the preceding Act, by vesting a power in the justices of the county to assess a tax on the application of the Vestry and Churchwardens, for repairing of churches &c. and the subsequent Act of 1729 was calculated to remove inconveniences which had been experienced under the Law of 1704, by rendering that a point of duty in the Magistrates which they had deemed a matter of discretion. If the Act of 1701-2 was not in force at the time of passing the above cited Laws, to what purpose was provision made for repairing churches, &c. for without this Act it don't appear to me there was any established church in the province, or that there could be any incumbent in the parishes, consequently the tax would be a burthen on the inhabitants and the appropriation of it useless. Indeed a bare perusal of the Acts must I think satisfy the most incredulous that by Vestries were meant those deriving their authority under the Act of 1701-2, and that the Legislature never intended the powers they had conferred should be exercised only by such Vestries as might in future be formed by a creative fancy under the pretext of custom, and an application of the Law to this purpose will be evidently repugnant to the intentions of those who framed it.

That there can be a custom time immemorial in this province, is at least very problematical and many will think impossible; I mean a custom originating here, and not the adoption of a general custom of the mother country. The Government is created by charter, which on the principles premised is in legal idea *within* time of memory, but customs with us must necessarily be subsequent to the charter, the latter is not clearly immemorial, and it must appear extraordinary that a posterior Act should be deemed so, as it would be making recent usages more ancient than a prior establishment beyond which they cannot be derived.

The absurdity of setting up this ideal custom, is I think sufficiently obvious, it may not however be improper to consider the consequences which might result from an establishment of it in the latitude contended for, on the principles advanced for its support. Admitting therefore that when the Laws of 1704 and 1729 were enacted, Vestries had obtained authority, and a right of acting by the usage which had then prevailed independent of the Act of 1701-2, the like usage in other instances must be productive of similar consequences, and the conclusions deducible from the position advanced respecting the force of custom may be thought to establish the claims of the Clergy.

By the Act of 1701-2 the power of inducting ministers is vested in the Governor for the time being, and such ministers in virtue of that Act are entitled to 40 per poll in their respective parishes, but it is said the Law regulating these matters is a nullity, if so, the customs which have prevailed of inducting ministers by the Governor and their receipt of the 40 per poll, will be certainly thought of equal force with that which it seems empowers the Vestry to exercise their functions; the several authorities are co-existent, and the inference from custom appears equally forcible in either instance, for custom and usage cannot be deemed inefficacious when applied in support of the rights of

Government and the Clergy, and of indubitable authority if they tend to the destruction of either.

It may be objected that notwithstanding there was no provincial custom for the establishment of Vestries when the Laws of 1704 and 1729 were enacted, yet they existed in England under the Common Law, which will support their proceedings here.—Vestries depend on particular local customs, and the authority of these parochial assemblies is more or less extensive in different places, according to the prevalence of the several customs by which they are regulated; in some parishes they have no existence, nor is the usage of one county in this respect any regulation for the conduct of others; how therefore such particular customs (which are no part of the Common Law but rather deviations from it) can bind the inhabitants here will be difficult to prove, nor is it more easy to ascertain what parish or county shall be preferred and held forth as an example for imitation, as the customs of all cannot be adopted. The Common Law of England is general to the kingdom, Judges are bound to observe its rules in their judicial determinations, but parochial customs for the regulation of Vestries must be specially alleged or courts of judicature will pay no regard to them in their decisions.

But if the customs in England respecting Vestries are part of the Common Law, and therefore to be regarded here, the obvious consequence of this concession is, that all other customs equally extensive must have the same obligatory effects. By the general custom in England and of common right, tithes are due to the Clergy for their support and maintenance; if they are not entitled to the 40 per poll under the Act of 1701-2, the Common Law in this respect remains in force unrestrained by any positive Act of the Legislature, and consequently this claim (upon legal principles) will stand unimpeached. That such an establishment would be thought unreasonable, I admit, and this might be an argument against the right, if it depended on particular custom; but "the common Law operates until suspended or abrogated by Statute." The doctrine of collateral warranty was fraught with injustice and rigour, but a legislative interposition was necessary to remedy the grievance, the Judges justly observing that their province was *ius dicere* and not *ius dare*. A bill in Equity for tithes may be supported as well for relief as discovery, authorities justify the assertion, and the nature of the demand and multiplicity of persons interested suggest the reason.

Should it be contended that these conclusions from the establishment of the supposed custom are ill grounded, and that the Clergy are neither entitled to 40 per poll, or tithes from the parishioners, it eventually follows that they have no legal provision whatever, and therefore the consequence of such position is considerable. Without a parish church there cannot be a parish, the latter is thus defined by several writers, "A parish is a place or district wherein the people live that do belong to some certain church." "A parish is a cure of souls limited to persons and place within a certain district or precinct." "Every precinct which belongs to the same parish church is one parish." "If a place has not a church, churchwardens and sacramentalia, it is not properly a parish." "Parochia est locus in quo degit populus alicujus ecclesie." "A parish is that circuit of ground in which the souls under the care of one pastor or vicar do inhabit." As there can be no parish without a church, neither can there be a church in legal understanding, without an establishment for the incumbent. Parishes were first instituted to remove the inconveniences which had been experienced from an itinerant Clergy, but this could not be effected without a permanent provision for their support and maintenance in that district to which the exercise of their religious duties was particularly confined.

If there is no parish church, there cannot be either Vestrymen or Churchwardens; the first are so called, "the business of the parish being transacted in the vestry, a place adjoining to the church, where the vestments of the priest are generally deposited and kept." The latter derive their appellation from "being the guardians or keepers of the church." These definitions presuppose a parochial church and established ministry, the offices of Vestrymen and Churchwardens are dependent thereon, and if the existence of the former is disproved the authority of the latter is annihilated. That the parishioners should be compellable to contribute for the reparation of a church without an officiating minister is contrary to reason and justice: we have it upon legal authority, "that the cause that every parishioner is charged to the reparations of the church, and to provide convenient ornaments in it for the greater convenience and honour of divine service, is first for the spiritual comfort which he hath in hearing of the Word of God there for his instruction in the true way to Heaven in celebration of the sacraments, and in presenting to God their prayers, not only privately, but with the great congregation to be thankful to God for all his benefits, and to desire of him all things necessary, &c. in respect of which inestimable benefits, he is chargeable to repair his proper church in which he receiveth them." But how are the parishioners to receive this spiritual comfort and instruction, if there is no incumbent to perform the sacred functions? a tax therefore for the reparation of an edifice from which they can receive no benefit, appears to me illegal.

As the avowed principle of the Vestry's authority is "ancient usage and custom of the parish beyond the memory of man," it is immaterial to consider if their power can be supported on other grounds; it is admitted that when St. Anne's parish was erected, the government of it devolved on the parishioners in a corporate capacity, and 'tis an incident tacitly annexed of course to every corporation that it shall have perpetual succession, consequently the authority of the collective body cannot of common right be delegated to individuals; it may be done in some instances by particular custom, the ancient usage being presumptive evidence that this power was granted by the charter of incorporation, such instru-

ment of creation being always presumed even in corporations which exist by force of the Common Law.

Upon the whole, whatever opinion may be entertained respecting the above consequences resulting from an establishment of the supposed custom, I think it must be admitted that the custom itself (whether the term is considered in its legal or vulgar acceptance) cannot be supported, and that unless the Vestry of St. Anne's parish have a power to act in virtue of the Law of 1701-2, they have no authority whatever.

I would further remark that the question propounded being of an interesting nature, and two Gentlemen of distinguished abilities having declared their opinions on the subject, I deliver my sentiments with deference and respect; regard is due to important stations, tenderness to reputation, and veneration to genius and learning; but as candour cannot require an implicit assent to unsatisfactory reasoning, neither can it be offended with a dissimilarity of judgment on points of difficulty and importance. To prevent misconception, let it be observed that I do not mean by a diversity of opinion, to take part in the public controversy, or arraign the conduct of those who imposed the tax and applied for its assessment; mistakes are incident to humanity, and I doubt not but the Gentlemen who prosecuted the measure which has been since thought a ground for censure, were fully convinced of its legality and justness.

Annapolis, Jan. 18, 1773.

T. J. S.

TO THE FIRST CITIZEN.

SIR,

WE thank you for the sentiments, which you have spoken with an honest freedom. We had for a long time impatiently waited for a man of abilities to step forth, and tell our DARING MINISTERS, in a nervous style, the evils they have brought upon the community, and what they may dread from an injured people; by a repetition of despotical measures. While we admire your intrepidity in the attack, permit us to applaud that calm and steady temper, which so peculiarly marks and distinguishes your excellent performance.

Personal invecitve, Sir, you must now expect to encounter: this is the weapon which modern policy has invented, to cut down such characters, as thwart the pernicious schemes of arbitrary Ministers: every man, who has hitherto presumed to espouse his Country's interest, has been vilified with a brutal violence; but when a Gentleman quits the field of many argument, and descends to illiberal reflections, as he betrays a pitiful ignorance, nothing can be apprehended from such an affected confession.

We have pained ourselves with the perusal of that pompous lucubration and aricular acquisition, ushered forth to the publick under the signature of *The Editor of the Dialogue*, and celebrated by critics, for brilliant expression, grammatical propriety, and dignity of sentiment. What a monument of SELF-IMPORTANCE! while the eye is dazzled with the splendour of the pile, the idea of the frog in the fable steals upon the mind. Blush Cambridge! blush!—If such be the fruits of thy FAM'D NURSERY, our boys shall never cross the Atlantic.

Go on, Sir, and assert the RIGHTS of your country: every friend to liberty will be a friend to you: malice may rage, and RAW HEAD AND BLOODY BONES clatter and rattle; but the honest heart, bold in the cause of FREEDOM, feels no alarm.

"AN HONEST MAN, like the true religion, appeals to the understanding, or modestly confides in the internal evidence of his conscience. The IMPOSTOR employs force instead of argument, imposes silence where he cannot convince, and propagates his character by the sword."—Junius.

We highly approve of your adopting the British maxim—the King can do no wrong: we honour, Sir, and respect our supreme Magistrats: but such is the frailty of nature, that no human exertion can, at all times, penetrate the latent purposes of designing men—O EDEN! EDEN! had you relied upon your own manly judgment in every political case; had you been guided by your own benevolent feelings upon late important subjects: had you, in honourable imitation of the prudent and politic OGLE, rejected that impudent and yet often repeated project of DARING MINISTERS, and placing the GOVERNOR in the front as a screen to themselves, the moment they are scorched by the patriotic fire of the DELEGATES of the people,

"EDEN had been a little God below."

INDEPENDENT WHIGS.

S E E Y D E, July 30.

A Turkish vessel being taken by the small Russian Squadron, all the crew and passengers were put to death.

CONSTANTINOPLE, Sept. 3. Advice has been just received here, that a large fleet of Russians, some of the ships apparently of very great force, has been seen in the Black Sea off Trebizond; likewise that they had landed a great number of men between the above place and Amasia. This news has occasioned much consideration, as every person conjectures that it is designed against the capital; therefore every necessary preparation is taken to oppose their design. A body of 30,000 Janissaries and 8000 Spahis are ordered to march immediately into Natolia, to stop the march of the Russians before they reach Angora; orders are also given to reinforce the fleet, which is to proceed up the Black Sea with the utmost dispatch; and an express is sent up to the Basha Kayfaria, commanding him to take the field with all the troops under his direction.

Sept. 17. We had another dreadful fire here, in the night of the 6th instant, which burnt down 200 houses. As combustible matter was found in different parts of

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the town, it is not doubted but that some evil designing persons occasioned this fire, with an intent to destroy the whole city. All the Turks who do not belong to this capital are either sent to the army or to the places they belong to. All persons who were out of work are employed on the publick buildings; and, in short, every method is taking as if a revolution was apprehended.

A body of 1000 men having resolved to leave the Vizir's army, forced the line formed to hinder desertion, which augments daily: It is said the Pacha, who commanded the line, lost his life. Four hundred of these deserters came within a league of this capital to go to Asia, but they were refused a passage over the canal, and were ordered immediately to go back to the army; but not consenting to that, a detachment was sent out against them, when several of the mutineers were killed, and others taken and carried to prison; the rest dispersed into the mountains and on the high-ways, where they commit all sorts of disorders.

WARSAW, Oct. 15. Many of the nobles of Great Poland have caused to be printed and published a declaration, importing that since the ministry of the King of Poland at Warsaw take no measures to end the troubles of the kingdom, they have resolved to constitute a permanent council, of which the Prince Augustus Sulowski, Palatine of Guesna, is nominated president, with fourteen assistants. They have empowered this council to treat with foreign courts, declaring they can no longer depend upon the government of Warsaw.

PARIS, Oct. 19. The government has augmented the pensions of those fathers who were here of Jesuits, and are seventy years of age, 100 livres a year. Near Grosbois, in Brie, there was a convent of Camaldules, the only house of that order in France, which the government has thought proper to suppress, allowing the common monks a pension of 800 livres per annum each, and the prior 1200. A new body of laws is going to be formed for the Island of Corsica.

Some letters from Germany intimate, that several states of that empire begin to be alarmed on account of a project which is said to be on foot for secularizing some Archbishopsricks and Bishopsricks.

L O N D O N, November 3.

Though the friends of administration industriously give out that the Ministry did not interfere in the election of Lord Mayor, we are assured that the matter of an opposition to the great patriot was really agitated in Privy Council; but that the same was dropped up in the reasoning of an old Scotch Lord, who strongly argued against such a measure upon account of the insignificance of the subject, for, says he, my Lord, I remember a coarse old proverb of my countrymen, "the mair ye tramp in a turd the braider it graes."

Nov. 4. The Earl of Sandwich has drawn up a state of the navy, for the inspection of Parliament; and has, it is said, a plan for manning the navy for the future without the odious practice of pressing, which is not more repugnant to the dictates of humanity than to the principles of the constitution.

Letters from Paris mention that the French African company have received orders to make up their accounts, for the inspection of the ministry; that Society being to be dissolved and the trade carried on by Government only.

Nov. 7. Thursday night last the famous Buckhorse, so well known for upwards of 40 years last past to the nobility and gentry at Newmarket, and other places of resort, fell down dead in Covent Garden, where he was attending as usual, with his link, to call coaches for the people coming out of the playhouse. This famous hero of the bruising stage, in his youth, used to divert the company before the champion mounted, with boxing any one that chose to attack him. In order to pass away the time. He was so very hardy that he could bear a great deal of drubbing, and often beat a much bigger and stronger boxer than himself. At last he had one of his eyes totally beat out, and of late years the poor wretch was greatly reduced, so as to carry small twigs and walking sticks about for a livelihood, notwithstanding he was formerly so great a favourite with the late Lord Windsor, that he had him to sit for his picture in miniature, which he had set round with diamonds, and gave it to a noble Earl of his acquaintance.

Nov. 9. It is reported that a frigate is arrived at Portsmouth, express from the Mediterranean, with an account that one of his Majesty's ships, attempting to go into the harbour of Carthage, was fired upon from the fort; and that the Captain of the English ship resolutely returned the fire, but was soon overpowered, and obliged to strike.

It is said that orders have been given for twelve ships of the line to be got ready to sail from Spithead, at an hour's warning.

The Revenge, of sixty four guns, now at Chatham, is ordered to be got in readiness immediately, to serve as a reinforcement to Admiral Dennis.

Nov. 10. Friday the two new serjeants, Sir James Eyre, and George Hill, Esquire, went through the ancient absurd ceremony of walking across the hall opposite the court of Common Pleas, each with a woman's cap over his wig, and tied under his chin. After they had made their different bows, and gone through another ceremony, of having the court sticking plaster put on their wigs, they took their seats, and the whole concluded with shaking of hands.

A number of wives in a certain county have thoughts of petitioning Parliament to grant an act for building a house for the reception of such men as have got good wives and take up with other women, greatly to the detriment of their fortunes and the unhappiness of their families, which is to be called the vicious mad-house; and all that are seized with that frenzy (for so it may be called) are to be allowed a part of their estate for their maintenance. One half of what they consumed on their mistress will be sufficient for their subsistence, in a comfortable way; the rest to be appropriated for their families, unless some such scheme

as this be put into execution, no prudent woman will ever think of marrying.

The court of Berlin is, we hear, preparing a serious expostulation with our ministry on the conferences so frequently held with the Russian ambassador; but surely Great Britain must be shamefully humbled indeed if she is to be catechised by her pensioner, for speaking to whom she pleases on the business of her own empire.

It is said that the northern Alexander, having now some sea-ports in his dominions, entertains a warm idea of establishing a marine, and has already signified his intentions to engage naval artificers from this kingdom.

WILLIAMSBURG, January 21.

We hear that a brig from Dublin, for Baltimore, with 150 indented servants and convicts on board, is ashore near the mouth of York river; and that a boat which went to their assistance was seized by about 30 of the people, who went ashore in her. Four men and a woman have been taken, who are lodged in York jail; but it is thought that by this time all the rest have found means to make their escape from the vessel. The Captain of the brig, and about 17 of his people, died on the passage; probably, of the jail distemper.

ANNAPOLIS, FEBRUARY 11.

A few Days ago John Davis, an Overseer, was murdered by Two Servant Men of Dr. Parker's living near Rock-Creek, Frederick County; they went into his Room in the Night, and gave him several Blows on the Head with an Ax. They have since confessed the Fact and are committed to the Jail of that County.

Annapolis, the 4th of February, 1773.

WHEREAS it hath been represented to his Excellency the Governor, that on the Seventh Day of December last the Dwelling-House of Mr. John Lucas, in Saint Mary's County, was maliciously set on fire, by some Person or Persons unknown, and entirely consumed; His Excellency for the better discovering and bringing to publick Justice the Person or Persons concerned in setting on fire the said House, doth promise his Lordship's Pardon for the said Offence to any of them (the Principal or Principals only excepted) who shall discover his, her, or their Accomplice or Accomplices in the said Fact, so that he, she, or they may be apprehended and convicted thereof,

Signed by Order,

U. SCOTT, Cl. Con.

And as a further Encouragement, the Subscriber living in Saint Mary's County, doth promise a Reward of Fifty Pounds Currency to any one who shall discover the Person or Persons concerned in burning the said House, so that he, she, or they may be brought to Justice and convicted thereof.

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JOHN LUCAS.

St. Mary's County, February 9, 1773.
To be sold by the Subscriber to the highest Bidder, on Thursday the 25th Instant,

THE Tract of Land whereon he now lives, containing 207 Acres, situate about one Mile from Patuxent River, and near Delbrook Manor. The Land is very rich and well timbered, and not above one third cleared, and the Plantation in good Order, with a new Dwelling-House, and good Tobacco-House, Corn-House, Dairy, Meat-House and Kitchen. The Title indisputable. Any one inclinable to purchase, is desired to meet upon the Land the Day of sale at Twelve o'clock.

ALEXANDER SPALDING.

December 21, 1772.

To be let to the lowest Bidder, on the second Monday in March next, if fair, if not, the next fair Day, on the Land of Joshua Evans, near the Falls of Patowmack, in Loudoun County, in Virginia,

THE building of a Brick Church, Fifty-three by Forty-two Feet in the clear, the Walls to be raised Twenty-eight Feet from the Surface. One Hundred and Fifty Pounds Virginia Currency will be paid the Undertaker the Day the Work is let, on his giving Bond and approved Security; Three Hundred and Fifty Pounds more will be paid in June next, the other Payments will be agreed on the Day the Work is let. Any Person willing to build the said Church, is desired to attend at the Time and Place aforesaid, in order to undertake the same.

JOHN MOSS,

JEREMIAH HUTCHISON. } Church Wardens.

January 29, 1773.

RAN away from the Subscriber on the 27th Inst. living in Calvert County, Two Country born Negro Men, both black Complexions, one named Jacob, about Six Feet high, strait limbed, a bold looking Fellow; the other named Marlborough, about Five Feet Ten Inches high, knock kneed or battle hammed; their best Cloaths I cannot describe: They had Fearnought Coats, Cotton Jackets and Breches, Osnabrig Shirts, coarse Yarn Stockings. Whoever will bring them Home, shall have Four Dollars for each of them, besides what the Law allows, if taken in this County, and if out of the County Eight Dollars, and all reasonable Charges; and if either of the said Negroes should resist or run, any Person may shoot or kill him, and no Damages shall be required, by

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THOMAS REYNOLDS.

N. B. They are both about 26 Years of Age.

Elk-Ridge, February 9, 1773.

THE Sale of Henry Dorsey's personal Estate, will not be on the first Day of March next, as before advertised.

SAMUEL DORSEY, junr. Administrator.

WHEREAS sundry idle persons under a Pretence of shooting and hunting, are frequently going about the Subscribers' Posures to his great Prejudice, and down his Fences, and doing other Damages. This is therefore to forewarn all Persons from trespassing in like Manner for the future, as they may depend on being proceeded against agreeable to Law.

WILLIAM THOMAS.

THERE is at the Plantation of Frederick Daker, near the Dugg-Hill, in Baltimore County, a middle sized bay Stray Mare, about two Years old last Spring, is a natural Pacer, and has no perceivable Brand or Fleh Mark.

The Owner may have her again, proving Property and paying Charges.

THERE are at the Plantation of William Roby, Son of Benjamin, living in Charles County, in Zekiah, Two large Stray Steers, One branded unknown what, with a white Face, marked in the left Ear with an under bit, and a Slit on the right Ear: The other Steer is red, and has a white back and Face, and is marked with a Crop and Slit in the left Ear, the other Ear unmarked. They are very troublesome, and therefore the Owner is desired to take them away and pay Charges.

DR GRAHAM, Oculist and Aurist from Philadelphia, thus publickly gives Notice, that he proposes to be at Baltimore about the 20th of this present Month, where those Persons whose Circumstances or Situation have precluded them from the Benefit of applying for Assistance at Philadelphia, may consult him in all Disorders of the Eye and its Appendages; and in every Species of Deafness, Hardness of Hearing, Ulcerations, Noise in the Ears, &c.

Elk-Ridge, January 20, 1773.

ALL Persons indebted to the Estate of William Leavens, deceased, are desired to make immediate Payment, and all those who have any just Claims against said Estate, are desired to bring in their Accounts regularly proved, that they may be settled, by

2w SAMUEL DORSEY, junr. Administrator.

January 13, 1773.

ALL Persons who have any Demands against the Estate of Richard Thomas, late of Cecil County, deceased, are desired to send them properly attested; and those who are indebted to said Estate, are desired to pay off their respective Balances without further Notice, to

w6 SAMUEL THOMAS, } Administrators,
THOMAS HUGHES, }

THERE is at the Plantation of James Smith, Blacksmith, near Upper-Marlborough, a black Stray Mare, about Fourteen Hands and a Half high, shod all fours, Two hind Feet white, one white Saddle Spot on the off Side, hanging Mane and switch Tail, branded on the near Buttock M or B paces slow. The Owner may have her again, proving Property and paying Charges.

Elk-Ridge, December 29, 1772.

WHEREAS Mr. Caleb Dorsey, late of Anne Arundel County, deceased, did by his last will and Testament, bearing Date the 14th Day of March last past, order and direct sundry Lands to be sold, viz. a Tract or Parcel of Land, called Caleb's Delight Enlarged; also a Tract, called Timber-Ridge, and Part of a Tract, called The Mill Frog, all adjoining and lying in Frederick County, near Simpson's Tavern, about Thirty Miles from Elk-Ridge Landing, and contains about Two Thousand Four Hundred Acres. The said Land is well adapted to farming, and will be sold on the 29th Day of June next, in small Parcels, or in any Manner that may best suit the Purchasers;—Also Two Thirds of about Seven Thousand Acres of Land, lying in Anne Arundel County, on Curtis's-Creek, about Seven Miles from Baltimore Town, on which is a Furnace, a good Dwelling-House, and sundry Out-Houses, with a good Grist-Mill, and Saw-Mill: The Land is well timbered and the Water navigable, within Fifty Yards of the Furnace Door, and will be exposed to sale on the 20th Day of July following. The Terms will be made known on the Days of Sale, by

MICHAEL PUE, Executor,
if MILCAH DORSEY, } Executrixes,
ELEANOR DORSEY }

N. B. All Persons having just Claims against the Estate, are desired to bring them in legally proved, and those who are indebted to the Estate, are desired to make immediate Payment to Two or more of the Executors only.

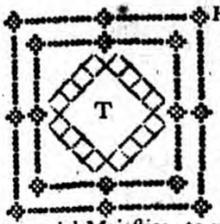
Annapolis, December 16, 1772.

ALL Persons indebted to the late Partnership of Thomas Williams and Co are desired to make speedy Payment, to Thomas Charles Williams and Co, who are empowered to receive and settle all Accounts relative thereto.

MARYLAND GAZETTE.

T H U R S D A Y, F E B R U A R Y 1 8, 1 7 7 3.

V I E N N A, O B. 26.



HE distinguished honour which Sir William Hamilton, the British Minister to the Court of Naples, meets with from our Court since his arrival here, is very remarkable. The day before yesterday the said Minister, with his lady, had the great honour of being invited to dine with both their Imperial Majesties, to which he and his lady were escorted in the state coach and six by Prince Didrickstein. After dinner Lady Hamilton played a solo upon the harpsicord, accompanied with the voice of the Princess Archduchess, in the presence of his Imperial Majesty (who accompanied this harmony) and the greatest part of the nobility. It is said that Sir William is recalled, being appointed Ambassador to the Court of Versailles.

HAGUE, Nov. 13. Letters from Vienna advise, that a conspiracy was lately formed in the provinces of Poland, allotted to the House of Austria, which would probably have been attended with very fatal consequences, if it had not been timely discovered; and as several of the Polish Nobles are suspected to have been concerned in it, some of them have been taken up, and confined till they can take their trials.

The last letters from Warsaw advise, that the Baron de Stackelberg, the new Minister there from the court of Russia, received a courier from Count Romanzow, with very important dispatches; and it was since reported, that the new negotiations of peace are so forward, that an accommodation between the Russians and Turks is looked upon to be as good as concluded.

They write from Dantzick, that a great riot happened there, when the King of Prussia's Excise officers attempted to publish the new regulations established by their master. Some of these officers were killed, and several others very ill used by the populace; but it is to be feared the town will suffer for this rash behaviour.

WARSAW, Nov. 24. Baron de Stackelberg, the Russian Minister here, hath received some dispatches, dated the 11th instant, from M. Obreskow, Minister plenipotentiary of the Empress of Russia at the congress of Bucharest, which advise, that the negotiations of peace have already been resumed; and that, on the 9th of this month, it was agreed with the Turkish Plenipotentiaries to prolong the armistice till the 20th of March next, except in Georgia and Mingrelia, where, on account of the distance of those Provinces, the suspension of arms is to continue a month longer. According to all appearances the peace will be happily concluded before that time, on a solid and permanent foundation.

L O N D O N, November 18.

This morning two messengers were dispatched from the Secretaries of State office, one to Paris and the other to Madrid. It is said that they carry instructions to our Ambassadors to represent to each Court the injury done to his Britannick Majesty's subjects by their men of war (the French at Newfoundland and the Spaniards at Jamaica) and that it was expected immediate satisfaction should be made to the injured parties.

Advice is received that the King of Sweden has ordered Ahuys to be strongly fortified, and two forts to be built at the entrance of the port, in each of which are to be placed twenty pieces of cannon, to prevent any enemies ships sailing in; and that great preparations for war are making all over Sweden.

On the 12th instant, at night, upwards of two hundred sail of ships, which have been lying in the Downs for these three weeks past, all failed. The night being fine moonlight, and the wind at north, and as the wind still keeps in that corner, it is hoped they will all get clear of the Channel.

The French Court, it is said, besides the cartel forming between it and us, with respect to wine and hardware, has proposed to take our Manchester goods, provided we receive the cambricks of France; and it is generally thought that the proposal will meet with the approbation of our ministry.

They write from Naples, that a nun belonging to the convent of St. Rocca, in that kingdom, declares herself to be the Archangel Michael. What is the most extraordinary, she embarrasses the clergy greatly, having found many believers, who, in consequence of their faith, seek after relics with great avidity.

His Majesty appeared in the drawing room on Thursday last, in a waistcoat worked by the Queen. The ground is white satin, embroidered with violets and their leaves, and heartsease; the button-holes neatly scalloped with gold.

They write from Petersburg, that several persons of distinction have been lately seized by order of the Empress, and confined, on what account is not known.

This day Mr. Serjeant Glynn was elected Recorder of this city, by a majority of one only.

Nov. 17. They write from the Hague, that his Prussian Majesty has lately made a very important de-

mand on the States, of an old debt owing by that republick several years ago, and said to amount to 120,000,000 florins; but it is thought this demand is only to still the clamours of the Dutch concerning Dantzick.

We learn from Copenhagen, that every attention is now paying by the Ministry to get a respectable army and navy on foot next spring.

Nov. 19. We hear that a certain provision for the maintenance of an unfortunate great Lady has lately been agitated in the cabinet.

By a recent letter from Constantinople we are informed, that the Grand Signor had sent messengers to his main camp in Poland, with orders for several of his troops to sile off in several divisions towards Asia, to oppose the successes of Ali Bey and his adherents. This letter adds, that this circumstance is considered as a certain mark of an approaching peace between the Turks and the Russians, as the Sultan would never lessen the force of his grand army without a certain assurance of that salutary measure taking place.

Yesterday a courier arrived at Lord Rochford's office from Paris, and immediately a whisper circulated through the district of St. James's palace, that a revolution had actually taken place in the kingdom of France.

A report prevailed yesterday, that a revolution has happened lately in France; but a letter from Paris, dated November 6th, says, "We are under great apprehensions here with respect to the affairs of the Prince of Conti. A revolution was certainly intended, and some very great characters were at the bottom of it. The cabal has great power, but we do not care to speak our minds openly, the police taking cognizance of the slightest expressions relating to political affairs. For example, a young Englishman, the other day, at a coffee-house in St. Germain's, expressing his surprise that a man so old as the Grand Monarch could prove acceptable to so fine a woman as Madam Barre, he was fest for the next morning by the lieutenant of the police, who, after rebuking him in very severe terms for his insolence, directed him to leave France in forty-eight hours, under-pain of being sent to the Bastil."

They write from Paris, that very frequent councils have been lately held at Court, and that a day scarcely passes without couriers going to and from thence to Madrid and Lisbon.

The turn of affairs now entirely rests upon the continuation of the present ministry in France. The commotion raised in every breast, upon the confinement of the Prince de Conti, is dreaded by the community. The lascivious ease and indolence of the King, abandoned and duped by the artifice and intrigue of a courtizan, renders his name odious in the ear of every gallant Frenchman. If Choiseul ever takes the lead of the ministry again, France will unite with Spain, and a sudden attack upon the territories of Great Britain will be vigorous and powerful.

Advices from Corke say, that four French transports, which were loading with provisions for the West Indies, had been ordered to be unloaded by order from Government, and to leave the Irish ports immediately.

We are credibly informed that the southern potentates of Europe have declared their intentions of preserving entire both the state and independency of Poland.

It is currently reported at the west end of the town, that the Emperor and the King of Prussia have entered into a treaty, of which the Empress of Russia is guarantee, for adjusting certain dormant claims of the several members of the Germanick body. If this report be true, it is imagined that such a measure would inevitably produce an universal war throughout Europe.

It is reported that our Court will, in a spirited manner, resent the insults lately offered by the piratical states of Barbary to the English nation.

We are assured that several memorials, relative to articles of commerce, have lately been received from the Court of Portugal, but have been paid very little attention to by our ministry.

Very large quantities of gunpowder have been bought here lately, and shipped for the Continent, which has raised the price of that commodity forty per cent.

Advice is said to be received from Holland, that the imperial city of Frankfort on the Lower Rhine is likely, from the division among its inhabitants, to fall into the hands of his Prussian Majesty, in the same manner as that of Dantzick.

It is said that the publication of the Duke of Gloucester's marriage has prevented his being appointed Generalissimo of his Majesty's force.

Nov. 21. We are credibly informed that a Bill will be brought into Parliament next Session, to compel assignees to make final dividends in a limited time of the effects of Bankrupts.

Tuesday evening hanged himself, at a friend's house at Stoke Newington, a gentleman who was assitant to his Majesty's warehouse keeper of the Customs, and possessed of a fortune of thirty thousand pounds.

Nov. 24. The disputes subsisting between the Danes and Swedes are likely to be amicably adjusted, by the

interposition of a certain court, contrary to the desire of the Bourbon family.

We learn from Madrid, that the Spanish Ministry have at last granted permission for English ships of war to enter into the ports of Spain.

They write from Seville, that there are now completely fitted out at that port, 9 sail of the line, besides frigates, who are only waiting for sailing orders.

Letters from several parts of Italy mention great damage done by the late violent storms in the Mediterranean.

On Friday last a bankrupt was committed to Newgate, by the Commissioners, for delivering in a fraudulent schedule of his estate and effects.

Nov. 26. On the 10th instant, the ship Caroline, Thomas Pearson, Master, bound from Maryland to London, was driven on the rocks in a violent storm, and stranded in the port of Penzance.

It is said that orders are given for four ships of the line to be fitted out immediately for Rhode-Island, in America, where they are to be stationed for three years.

Nov. 27. His Majesty was attended yesterday at the House of Peers by the Duke of Ancaster and Lord Bruce, amidst a great concourse of people, and opened the Session of Parliament with the following most gracious SPEECH:

" My Lords and Gentlemen,

" I should most willingly have consulted your private convenience, by allowing you a longer recess from business, if I had not thought, that some very important parts of the publick service required the immediate attention of Parliament.

" It is impossible that I can ever look with indifference upon whatever concerns either the commerce and revenue of the kingdom at large, or the private rights and interests of considerable numbers among my people. Neither can I be insensible how materially every one of these great objects must be interested in the maintenance of the credit and prosperity of the East-India Company. When, therefore, I received information of the difficulties in which that Company appear to be involved, I determined to give you an early opportunity of informing yourselves fully of the true state of their affairs; and of making such provisions, for the common benefit and security of all the various interests concerned, as you shall find best adapted to the exigencies of the case.

" I have the satisfaction to acquaint you, that there is reason to hope, that the war, which has so long unhappily prevailed in one part of Europe, is now drawing to a conclusion: and although there was no probability of our being involved therein, yet the discontinuance of those troubles will afford a fairer prospect of the duration of peace; which, I trust, the alterations that have happened in Europe will not, in their consequences, affect.

" I continue to receive, from foreign Powers, the strongest assurances of their pacific dispositions towards this country; and it shall be my constant endeavours to preserve the general tranquillity, as far as is consistent with the honour of my Crown, and the interests of my people.

" Gentlemen of the House of Commons,

" It gives me much satisfaction, that the continuance of peace has enabled me to proceed in the reduction of the establishment of my naval forces; but you will, I am confident, agree with me, that a considerable strength at sea must be ever necessary for preserving the reputation and power of my Kingdoms.

" The proper estimates for the ensuing year shall be laid before you; and whatever supplies you may grant, shall, on my part, be managed with the strictest economy, and applied with the utmost fidelity.

" My Lords and Gentlemen,

" I cannot but feel the most real concern, that the produce of the late harvest has not given us the relief which we had hoped for in respect to the dearth of corn. As far as human wisdom can provide for alleviating the distresses of the poor, I am persuaded your attention will not be wanting; and you cannot gratify me more, than by calling upon me for my concurrence in whatever may contribute to the true welfare and happiness of all my people."

Nov. 28. A letter from Dublin mentions, that an embargo is laid on all the vessels that have provision on board for foreign exportation.

Extract of a private letter from Copenhagen, November 20.

" The post, which arrived here this day from Stockholm, brought advice that his Swedish Majesty had been set upon and shot at twice, but happily escaped unhurt."

They write from Stockholm, that every thing is in motion there for carrying on a war with the utmost vigour.

We learn from Dantzick, that the King of Prussia has ordered two new forts to be built on the Mole, at the entrance of the harbour.

Dec. 3. Letters from Copenhagen advise, that the King of Denmark has sentenced to perpetual imprison-

aving ed un- o. t their ready l East-Hyson, le and Wine West-Jamai- Quar-gthead, rces of c. &c. and all made at a Ships on a few wart be- request- s Conve- WART. the Dock, Terms, for European e different las spirits, agar, Tea, spermaceti Bees Wax, Ale, Tar, n, and ex-New-York. d Girl, a- AMS & Co. ng represent- that there their Office by virtue of Years ago, ar expiring; ose who purate Lord Proch Warrants, rice, that Pa- Applications will be receiv- Discoverer, in rier the Office I. Ld. Office ber 18, 1772. recommended and Skill in will be put in g Shop, in a Business, and xcellent Bank. thout a young Master Work- mill adjoining g, the Tanner alt arising from ich I am per- e Tanning Bu- H. RIDGELY, 10ber 10, 1772. L D, l, in Five Plan- on one of the uowmack, there Stories high, a Floor, with o Acres in Vir- Dumfries, 194 92 upon Clear act of Land in ev. Lawrence De any Part of the d, and an indiv- by N DE BUTTS to be sold upon the Door below the good Port Wine, nd a general Af- BUCHANAN. 大 大 大 大 大

ment a Saxon officer, who had proposed a scheme to the French Ambassador, for the destruction of a certain unfortunate potentate; The French Ambassador discovered the same to his Majesty.

Dec. 5. Yesterday his Majesty went to the House of Peers, attended by the Duke of Ancafter, and Lord Bolingbroke, and gave the royal assent to the two following bills, which passed the House of Lords on Thursday, viz.

The bill for allowing the importation of wheat, wheat flour, Indian corn and pulse, from America into this kingdom, duty free.

The bill for allowing the importation of wheat, wheat flour, rye, rye meal, barley, barley meal, oats, oatmeal and pulse, from Europe or Africa, free of duty.

Some other bills, relative to the importation of provisions, are in great forwardness, and it is thought will receive the royal assent next week.

The number of seamen to be employed for the service of the ensuing year, is not so many by 3000 as last year.

They write from Madrid, that the peace which was negotiating between that Court and the states of Barbary, is again broken off, and preparations are making to renew the war.

They write from Venice, that the Republick are equipping a Squadron of men of war, to put to sea early next spring, to watch the motions of the Turks.

Dec. 8. We learn from Sweden, that his Swedish Majesty had expressly declared to several foreign Ministers at his Court, that all the preparations for war, which he was carrying on, had no other meaning than that of putting his kingdom in a proper state of defence. That Denmark had set him the example; and that as soon as that Crown should begin to disarm, he should immediately follow their example.

The West-India Merchants have taken up some vessels for the purpose of carrying provisions and stores to the islands of Antigua, St. Kitts, Nevis, &c. Two ships sailed on Saturday last.

It is said that a negotiation of a very important nature is now going forward, between our Court and that of Berlin.

They write from Hamburg, that 3000 tons of naval stores have lately been bought up there by a Spanish Agent.

We are informed that five ships of the line and three frigates are ordered to take in six months provisions immediately.

Dec. 10. Orders are given for filling up the Irish regiments to their full establishments, being much reduced of late by draughts for foreign service.

We hear that the Earl of Dunmore, Governor of Virginia, is shortly to come to England.

Dec. 12. It is determined by Administration, not to suffer the Dantzickers to be oppressed by his Prussian Majesty; and the English Consul has accordingly acquainted the city with that determination.

Extract of a letter from Portsmouth, December 10.

"There is an order come down here to discharge 300 marines from this division, and numbers are discharged every day. We hear an order is arrived for all the guardships at Spithead to come into the harbour, and for the complement of men to be reduced to the same establishment as in the year 1770."

The Betsey, Fowke, from Cape Fear, was found lying on her broadside, without any living creature on board, and towed into Polperra, a fishing town near Plymouth, the 7th instant.

Dec. 15. It is now very confidently asserted, that real advice has been received of a reconciliation between the King and Queen of Denmark.

Great numbers of cannon are now shipping off at Carron, in Scotland, for the use of the Empress of Russia.

A change in some of the high departments of government in Ireland is soon expected to take place.

Yesterday the bill to prohibit the exportation of coin, and to allow the free importation; the bill for the free importation of provisions from Ireland; and the bill to discontinue the duties on the importation of tallow, hogs lard and grease, received the royal assent by commission, in the House of Lords.

Dec. 17. They write from Petersburg, that some people of distinction have lately been seized there, on suspicion of a design against the Empress.

Dispatches are now preparing, in order to be sent off with all speed to the Governors in America.

Yesterday two expresses were sent down to Falmouth, to be forwarded by the Leghorn Packet to his Majesty's Consuls at Genoa or Leghorn.

It is said that application has been made by some masters of vessels, trading up the Archipelago, to have letters of marque against the Tunisian vessels.

Dec. 19. They advise from Petersburg, that some of the new raised regiments have lately been disbanded.

By letters from Madrid we learn, that advices have lately been received of a dangerous insurrection in one of the Spanish settlements in the Philippine islands.

They write from the Hague, that three ships of war and some transports are now getting ready in the Texel, and will soon sail with troops, &c. on board, for the East-Indies, some disagreeable news having been lately received from thence.

Extract of a letter from the Hague, December 11.

"Mr. de Berkenrode, Minister from the States General at the Court of Versailles, has advised their High Mightinesses, that France has not only secretly made a considerable augmentation of her troops, but proposes to make another of ten men to each company, in all the regiments in the service of that crown, by which it cannot but be supposed, that the Court of France is meditating some important design."

EDINBURGH, November 20.

Yesterday Joseph Banks, Esquire, Doctor Solander,

and Doctor Lind, set out for London. In visiting the Western Islands of Scotland they went ashore at the island of Staffa; which is reckoned one of the greatest curiosities in the world. This island is about three miles in circumference, is surrounded by a row of maffy pillars of different shapes, such as pentagons, octagons, &c. they are about fifty-five feet high, and near five feet in diameter, supporting a solid rock of a mile in length, and about sixty feet high above the pillars. There is a cave in this island which the natives call the cave of Fingal; its length is three hundred and seventy one feet, about a hundred and fifteen feet in height, and fifty one feet wide: the whole sides are solid rock, and the bottom is covered with water twelve feet deep. The Giants Causeway in Ireland, or Stonehenge in England, are but trifles when compared to this island, elegant drawings of which were taken on the spot.

We hear that Mr. Banks, Doctor Solander, and Doctor Lind, are to make another voyage round the world next year. The last voyage to the South Seas is now publishing; under the inspection of Doctor Hawke's worth.

BOSTON, January 28.

A notification is inserted in the last New-Hampshire Gazette, cautioning persons to beware of counterfeit half johannes's; as they are now currently passing there, finished in such a matterly manner, as to deceive, at first view, the nicest eye; but upon narrow inspection the deceit may be detected, the cheek of the image being jetted out on one side of them; the opposite a little hollowed; dated anno 1755; and 1768, and appear new as tho' they were just coined.—By dropping them with one known to be good gold, on brick or stone, the difference of sound will prove their base metal.

NEW-YORK, February 4.

By Captain Pearce, in 25 days from Kingston, in Jamaica, we have advice of the death of Sir William Treaw y, Governor in chief of that island, when the command devolved on the Hon. John Dalling, Esq; Lieutenant Governor.

Wednesday the 27th ult. Capt Henshaw arrived here from St. Vincents; but last from St. Martins: He left St. Vincents about 5 weeks ago, and informs us, that General Leybourne was gone to Grenada, and the command of the troops devolved on Col. Dalrymple, who had entirely surrounded the Indians, and it was imagined the greatest part of them would be made prisoners, as they never had testified the least willingness of engaging the soldiers in any other manner than in securing parties; that Capt Read's boat in going ashore with Capt. Stanton and 25 men, overfet, by which accident 18 soldiers were drowned; that the Indians from behind a little eminence fired upon and wounded a serjeant, and killed three men that were saved from the waves, but that Capt Stanton and the serjeant behaved with so much resolution, notwithstanding the latter was wounded in three places, that the Indians soon gave way, and took to the woods, when Capt. Stanton immediately hoisted English colours and kept possession of the ground the enemy abandoned.

Yesterday the snow Peggy, Capt. William Hastie, arrived here in 8 weeks from St. Ubes, who, on the 10th of January, lat. 23, long. 53, spoke with a snow, Capt. M'Neil, 22 days from Charlestown, bound to Dominica; and the 26th, lat. 36, spoke with the ship Commerce, Capt. Robert Hastie, 7 weeks and two days from Glasgow, bound to Virginia.

WILLIAMSBURG, February 4.

We hear his Excellency the Governor has directed expresses to be sent to the several members of his Majesty's Council, requiring their attendance next Saturday at the council chamber, in order, it is generally believed, to consult with that honourable board upon the expediency of calling together the General Assembly, that they may have an opportunity of taking under their immediate consideration the present alarming state of our paper currency; both of the late emissions having lately been discovered to be very ingeniously counterfeited, and it is thought have circulated for a considerable time past, highly injurious to the trade and interest of the country, and of every individual. Upon their meeting, there is little doubt but some effectual method will be fallen upon to restore the public credit, as well as to discover, and bring to condign punishment, those who have been instrumental in giving it so severe a shock.

The mercantile body, we are well assured, have it much at heart to contribute every thing in their power for the publick interest, and will use their best endeavours in discovering the circulators of this baneful traffick.

PHILADELPHIA, February 10.

The ship Richard Penn, Captain All; Mary and Elizabeth, Captain Mearns; and the Pennsylvania Packet, Captain Osborne, are arrived in London from this place.

The snow Molly, Captain Scott, and the sloop Adventure, Captain Robinson, both of this place, are arrived at Georgia from Hispaniola.

The ship Minerva, Captain Gregory, from this port for Savannah La Mar, in Jamaica, passed by Port Royal the 19th of December.

The Captains Gill, Hanse, Craig, and Canby, are arrived at Jamaica; Captain Wilson at St. Croix; and Captain Mersutier, at the island of St. John; all from this harbour.

ARRIVALS.

At Deal. The Lord Camden, Richardson; and the Swan, Lynch, from Virginia. The Friendship, Frost; Polly, Kelly; Betty, Henrick; John and Mary, Boucher; Peggy, Broadstreet; Louisa, Payne; Adventure, Maynard; Sally, Scott; Sally, Buchanan; Nancy, Gray; and the Russia Merchant, Creamer, from Maryland. The Earl of Dunmore, Lawrence,

from New-York. The Harmony, Coffin; Three Brothers, Cartwright; London Packet, Calef; and the Rosamond, Miller, from Bolton. The London, Chambers, from North America. The Peter, Wboder; Names, Wills; and the Canadian, Abbot, from Quebec.

To the PRINTERS of the MARYLAND GAZETTE.

Not having been in any manner, directly or indirectly, concerned in any piece, that has appeared in your paper in regard to the present political contests, I hope you will give a place to the inclosed, in your next Gazette.

Feb. 14, 1773.
Malevolo nihil acerbius, imperito nihil injustius, homine impudente nihil molestius. Macrobi. de Mor. Hum.

THE confederacy of infuriate malignancy, overweening ignorance, and habitual licentiousness, would be, indeed, formidable, if there were no other means of defence against its attacks, than to dissolve the union by softening rancour, correcting folly, and reforming profligacy; but, happily, little is to be dreaded from the alliance, when the aims of all its execution are easily exposed, and indignation, and contempt, ensuing the detection, can't fail to furnish ample succours to repel the outrage.

The restriction of the Officers (on the falling of the Inspection Law) by the Governor's Proclamation, has been represented to be a measure as arbitrary and tyrannical, as the assessment of Ship-money, in the time of Charles the First, not by fairly stating the nature of each transaction, and shewing the resemblance by comparison, to convince the understanding; but in the favourite method of illiberal calumny, virulent abuse, and shameless asseveration, to affect the passions.

Inveterate malice, destitute of proofs, has invented falsehood, for incorrigible folly to adopt, and indurated impudence to propagate. As the artifice employed to raise alarm, can succeed only in the proportion that it deceives, it will be my endeavour to counteract the pestilent purpose, by presenting to the reader, for his candid examination, an impartial account of the Ship-money, and the Proclamation. King Charles, having determined to govern without a Parliament, had, against the fundamental principles of a free constitution, recourse to the Prerogative for raising money on the subject, though in his answer to the Petition of Right, he had recently bound himself not to levy any tax upon the people without the consent of both Houses of Parliament. In pursuance of this scheme of tyranny, "Ship money was raised on the whole kingdom. The method taken upon was, a rate, or proportion on each county, which was afterwards assised upon the individuals of each. The sum raised was about £.200,000 sterling. Writs were issued, directing the tax to be levied by the sheriffs, and requiring them to execute the effects of the people for the purpose, and to commit to prison all who should oppose the tax, there to remain, till the King should give order for their delivery."

The necessity, of taking measures of defence against enemies, was alleged as a justification of the arbitrary proceeding; but, "it was a fictitious, pretended necessity: for England was in no danger from enemies"—on the contrary enjoyed a profound peace with all her neighbours, who were engaged in furious, and bloody wars, and by their mutual enmities further secured her tranquillity. The writs, which issued for levying the Ship-money, contradicted the supposition of necessity, and pretended only that the seas were infested with pirates, a slight, and temporary inconvenience, which might well have waited a legal tax laid by Parliament—besides the writs allowed several months for equipping the ships, much beyond the 40 days requisite for summoning the Parliament, and the pretended necessity was continued for near four years."—Such, in substance, was the affair of Ship money, the exaction, which Mr. Hampden opposed with the energetic firmness of genuine patriotism.

That the reader may compare the two measures, and be the better able to judge of their similarity, I shall recite the Governor's Proclamation, which was in these words:

"Being desirous to prevent any oppressions and extortions from being committed, under colour of office, by any of the Officers and Ministers of this province, and every of them, their deputies, or substitutes, in exacting unreasonable and excessive fees from the good people thereof, I have thought fit, with the advice of his Lordship's Council of State, to issue this my Proclamation, and I do hereby therefore order and direct, that from and after the publication hereof, no Officer nor Officers (the Judges of the Land-office excepted, who are subject to other regulation to them given in charge) their deputies, or substitutes, by reason or colour of his or their office, or offices, have, receive, demand, or take, of any person or persons, directly or indirectly, any other, or greater fees than by an Act of Assembly of this province, intituled An Act for amending the staple of tobacco, for preventing frauds in his Majesty's customs, and for the limitation of Officers fees, were limited and allowed, or take or receive of any person or persons, on immediate payment (in case payment shall be made in money) any larger fee, than after the rate of twelve shillings and six-pence common current money for 100lb. of tobacco, under the pain of my displeasure. And to the intent that all persons concerned may have due notice thereof, I do strictly charge and require the several Sheriffs of this province to make this my Proclamation published in their respective counties, in the usual manner, as they will answer the contrary at their peril."

It must be allowed, that the table of fees, in the late Inspection Law, was the most moderate of any ever established in the province—and that the Officers are entitled to satisfaction for the services they perform.

The reader can't but perceive, that the Officers are restrained from taking more from the people, than the table of fees, referred to, allows, as far as the restraints of the Governor's displeasure, who has power to remove them from their offices, can operate as a restriction, and that there is no attempt in the Proclamation to subject the people, indebted to the Officers for service performed to any execution of their effects, or imprisonment of their persons, on any account.

The Proclamation issued with the professed design of preventing extortion and oppression; but if it had not ascertained the fees that might be received, it would have been entirely ineffectual, as a preventive of extortion.

It needs not any display of argument to prove, that the Proclamation, being prohibitory, allowed the Officers to receive, with impunity, according to the rate referred to.

Extortion, according to its proper legal signification, is committed, when an Officer, by colour of his office, takes money (or other valuable thing) which is not due, or more than is due, or before it is due. That an Officer is entitled to compensation, for the services he performs, can't be denied, and therefore he is not guilty of extortion, merely in taking money, or other valuable thing for his service, unless he takes more than is due. It is obvious to common sense, that there must be some established measure, or there can be no exactness—that the term more cannot apply, unless what is due be ascertained—these must be a positive, or there can be no comparative. Let the result then be considered. If something be undeniably due, when a service is performed, and no certain rule, or measure to determine the rate, should an Officer take as much as he can exact, he would not commit extortion, according to the legal acceptance of the term, extortion. The professed design of the Proclamation was to prevent extortion, the method pursued (and it was the only one that could be pursued) to effectuate the prevention, was the settlement of the rates—it the Proclamation had authority to fix the rates, according to which the Officers might receive, and beyond which, they could not lawfully receive, it was preventive of extortion—if it had not such authority, it was ineffectual; but whether it had, or not, depended on its legality determinable in the ordinary judicatories: for, as the reader will observe, there is no enforcement provided, or attempted by the Proclamation, with respect to those, for whom services might be performed; wherefore, if the settlement of the fees was attended with a legal obligation on the Officer not to take more than, and on the people to pay as much as, the rates established, the Officer's remedy to recover his due, on refusal to pay it, must be sought for, where any other creditor is entitled to relief—if on the contrary, the settlement of fees was not attended with such obligation, the Proclamation was ineffectual, except so far as the dread of the Governor's displeasure might restrain Officers from taking, beyond the rate allowed by the late Inspection Law, and this being a mere question of Law, determinable in the same courts, that justice is administered in other cases, what astonishing extravagance is it to call the Proclamation an infringement of the fundamental principles of a free constitution, and what malice and effrontery must they be possessed with, who have endeavoured to represent it in the odious light of an act of tyranny—a measure destitute of all enforcement; of every degree of efficacy, which the Law does not give in its regular, ordinary course of administration!—Fortiter aspergat, ut aliquid adhareat (asperse plentifully that something may stick) is the favourite document of the malicious Veteran—Like Ship-money! Compare, Reader, the two transactions, and your sensibility will be severely tasked to repress the emotions of indignation.

The Proclamation binds no farther than it is legal—its legality is determinable, in the ordinary course of justice—it directs no method of compulsion to enforce a compliance from the people, nor gives any remedy to the Officer, for the recovery of his dues, to which he is not entitled by the rules of Law—if legal, it is not oppressive—if not legal, the severest epithet that justice can admit, is, that it is useless to the Officer, though of some service to the people; in the restriction to which he is subjected. But the writs, for raising Ship-money, imposed a tax, derogatory from those most essential principles of Government, on which the conservation of public liberty depends. These writs levied about £.200,000 sterling, when nothing was due—they compelled payment by means the most rigorous; by distress, or execution on the effects, and imprisonment of the people, who should oppose the levy, during the will and pleasure of a tyrant. The royal mandate imposed the tax, adjusted the proportion, and directed the collection of it—the arbitrary seizure of property, and the deprivation of personal liberty were employed to spread terror, and compel submission to a tyrant's will; I say, tyrant, though the appellation may offend the principled delicacy of Independent Whigs, particularly characterized by their attachment to the maxim, that the King can do no wrong, and the doctrine of divine indefeasible hereditary right—a maxim and doctrine to which the refractory Tories, at the Revolution, offered such impious violence.—Whigs, of whose instruction Cambridge cannot boast, whatever praise may be due to the documents of St. Omers, and the institution of billiard rooms and tipling houses—the former, the best seminary in the universe of the champions for civil and religious liberty, the latter, of the most finished patterns of modesty, decorum, and animated elocution. King James the Second, to be sure, did no wrong, in attempting to destroy all the rights of the subject, civil and religious, and yet was cruelly driven into exile; but let not the lamentations of the confederated Independent Whigs be too loud in deploring this melancholy event, as vulgar prejudice ranks the Revolution among the most glorious deeds, that have done honour to the character of Englishmen, and may be apt to consider the principles of our Independent Whigs, as a basis too rotten to sustain the weighty superstructure of national liberty. There was a time, when the generous and spirited behaviour of one of

the Confederates nearly brought on a relentless persecution against all of the same religious profession. Unjust and merciless vengeance! Had he alone been the martyr, the pangs of his sufferance would have been more than compensated by the glory of it; but hard it would have been on those to suffer, who could have derived no consolation from a similar merit. After the experience of having nearly ruined the party, of whom the importance and powers of superior wealth, and superior talents, placed him at the head—After the experience of greater benefits having been derived from his most implacable enmity, than could have been from the utmost exertions of his most cordial friendship, (my allusion is sufficiently intelligible) what admirable firmness must that man have, who will persist in the same course. If actuated by the motive of the unhappy spirit, who feels some relief, in his torments, from the agonies of others; his persistence might be accounted for; but this hypothesis must fail; for miscarriage has ever attended, his efforts to distress, and benefits redounded from his best concerted schemes to destroy—how forlorn his situation! tormented when inactive—disappointed when active—in capable of relief, but from another's pangs, and incapable to inflict them.

As the full efficacy of the Proclamation, for the very purpose professed, that of preventing extortion, depends upon the authority to settle the fees, because without the standard, or measure to ascertain what is due; there can be no extortion in taking any sum, for a service performed; how amazingly strange is it to say, that the Proclamation was defended upon principles different from what is professed, when the arguments, applied in defence of the Proclamation, were calculated to prove the authority to settle the fees; without which the Proclamation, for the reasons assigned, would be ineffectual as a preventive of extortion. The Governor's Proclamation was "a measure that cost King Charles his crown and life, which the advisers of it have defended upon principles, more unjustifiable and injurious than those, under which it was pretendedly palliated. You see, Sir; I adopt the maxim of the British constitution, the King can do no wrong. I impute all the blame to his Ministers, who; it found guilty, and dragged to light, I hope will be made to feel the resentment of a free people."—I must refer the reader to the Gazette of the 4th instant, for this most curious specimen of the political tenets of these modern Independent Whigs, of the extent of their knowledge, and the force of their expression. It would be hard indeed if his Majesty was chargeable with having done wrong, because the Governor of Maryland, with the advice of his Council; issued a Proclamation to prevent the extortion of Officers. There is no occasion to have recourse to any maxim of jurisprudence for his vindication; common sense will at once acquit him—there can be no difficulty in finding out his Ministers, the Governor and Council are answerable in this character. He cannot disavow an act to which his signature is affixed. The indignation; and contempt, such impotent vehemence and futile arrogance are wont to excite, make it difficult to speak without perplexity.—The Governor, however; in the complimentary address of one of the Confederates to himself, and his coadjutors, is raised to the Throne, and graced with the attribute of indelible rectitude. Base prostitution! Is their patriotism come to this? Did they mean by this fawning servility to expiate all the wanton indignities they had offered him? After he had most expressly declared that "What he should judge to be right and just, would be the only dictate to determine his conduct;" they represented that he was blindly led by others, and not determined by his own judgment, and then add an insult to his understanding, by such extravagant adulation; as the meanest debatement would blush to offer, delicacy must nauseate, and common sense resent with indignation, especially after having been honoured by an approbation of his conduct, he is ambitious to deserve; and the highest he can receive. They know not him whom they thus treat,

Cui, male si palpere, recalcitrat undique tutus—

so inseparable are insolence and meanness—"Had he relied upon his own manly judgment, &c.

"EDEN had been a little God below."

With what propriety did they choose the signature, INDEPENDENT WHIGS? What vast knowledge must these men have, who are acquainted with the manners of the Ancients, who to be sure never made use of invectives in their political contests, as well as they are with the principles of Whiggism? A knowledge which neither OXFORD nor CAMBRIDGE ever taught.

The idea of tax having been annexed to the regulation of the fees, though without any provision for their payment, other than what the Law, on the very grounds of its legality, should afford, it may not be amiss to examine the propriety of it. If the idea be proper, then fees can be settled, in no case, except by the Legislature, because it requires such authority to lay a tax; but the House of Lords, the House of Commons, the Courts of Law and Equity in Westminster Hall, the Upper and Lower Houses of Assembly, have each of them settled fees. If such settlement be legal, then the idea is improper; if illegal, it is strange, indeed, that it should have so generally obtained. When fees have not been settled by an Act of Assembly, they have, for the most part, been settled by the authority of Government, so that the Proclamation in 1770 was not the invention of any daring Ministers now in being. The opinions of eminent Counsel, as well before the year 1733, as since the year 1770, have been very fully given in favour of this authority, on a full state of the case, and in the latter instance, after a consideration of the arguments contained in the Address to the Governor, and his Answer; but the opinion of Counsel having been intimated, the following quotation from a pamphlet has been introduced as pertinent to the occasion; "On a question of public concernment; the opinions of Court Lawyers; however respectable for

their candor, ought not to weigh more than the reasons adduced in support of them; they have been all strongly marked with the same characters; they have been generally very sententious, and the same observation may be applied to all of them. They have declared that to be legal, which the Minister, for the time being, has deemed to be expedient." You have, reader, already seen in the comparison between Ship-money, and the Governor's Proclamation, one instance of the extraordinary knack of the Independent Whigs at assimilation; and you will now be entertained with another.

The opinion respecting the Proclamation is on no point, which the Minister for the time being aims to establish. Opinions, in favour of the Proclamation, have been given at the different periods of 1733 and 1772, by eminent Counsel, not only unconnected with; but distinguished by their opposition to; Administration. Make the comparison, how striking the resemblance is—I shall not contend that the opinion of Counsel is conclusive in any case; but presume to say, that it may have weight, as well on the affair of the Proclamation, as any other. And that they, whose sentiments coincide with the opinions of Counsel; eminent in their profession, and disinterested on the question, are not fairly represented as engines of oppression, and enemies to their country. It would be a degree of arrogance, rather too excessive, even for the Confederacy, expressly to avow, that every sentiment, and every measure opposite to their malignant and selfish views, ought to be treated with contempt, or received with abhorrence, and such only entitled to regard, as tend to promote them. The prudent and political Ogle, notwithstanding the most violent opposition that ever a Governor of Maryland met with, to his measures, regardless of all the virulent abuse, with which he was attacked; acted steadily, and despised the railings, particularly of such men; as he disappointed in their unreasonable and arrogant expectations; by doing what, he thought; justice and equity required. He was so well convinced of the authoritative force of the Proclamation for settling the fees of Officers, that he expressly determined, as Chancellor, by a final compulsory decree; fees should be paid upon the authority, and according to the very settlement of the Proclamation. What will the Confederacy say to this? Did he deserve "infamy, death, or exile," for giving an irresistible, conclusive force to the Proclamation? No, no, to be sure, not quite a punishment so severe, because the Independent Whigs (Independent Whigs, risum tenentis) "highly approve the British maxim, the King can do no wrong," and therefore (the reasonable postulation being admitted that a Governor is King) Mr. Ogle did no wrong; but, without doubt, according to their admirable principles, if he had been Chancellor only, and not both Chancellor and Governor, he would have deserved death, &c.

In consequence of a commission issued by the Crown, upon the Address of the British House of Commons, the Lord Chancellor of England, by the authority of his station, and by and with the advice and assistance of the Master of the Rolls; ordered that "the Officers of the Court of Chancery should not demand, or take any greater fees for their services in their respective offices, than according to the rates he established, and that any Officer taking more should be punished as for a contempt; and that all persons might have notice of his regulation and restriction, his Lordship was pleased further to order, the same to be forthwith printed and published." An Address from the House of Commons to the King; a Commission from the King in pursuance of it; an Order of the Chancellor settling the fees; this Order printed and published, and yet the settlement of fees, a tax similar to Ship-money! "passing strange!" The Members of the House of Commons, to be sure, were all bribed, or forgot the privilege they had so often and zealously asserted, or they would not have addressed the King to issue a Commission for taxing the subject.

Serjeant Hawkins, who was a man of experience in the profession of the Law, and whose treatise of the Pleas of the Crown is in great estimation, has been so rash, or so great an enemy to liberty, as to say in print, that "the Courts of Justice, in whose integrity the Law always reposes the highest confidence; are not restrained from allowing reasonable fees for the labour and attendance of their Officers; for the chief danger of oppression is from Officers being left at liberty to set their own rates on their labour, and make their own demands; but there can't be so much fear of these abuses, while they are restrained to known and stated fees, settled by the discretion of the Courts, which will not suffer them to be exceeded, without the highest resentment."

What, Mr. Serjeant, have the Courts authority to tax the people, in a manner as arbitrary as Ship-money? Shall they be allowed to do that, which brought King Charles to the block? How would the learned gentleman be confounded at this expostulation, if alive to hear it? "The general welfare of this province has been sacrificed," say the Confederates, "out of tenderness and regard to a few, to preserve whose salaries from diminution, the fortunes of all their countrymen have been suffered to be impaired." What say ye to this imputation, Ye who unanimously dissented to the Inspection Bill? Ye will hardly acknowledge the imputed motive of your conduct, as a compliment to your understanding, candor, or spirit. A diminution, and that very considerable, of all fees was readily agreed to, in the election given to all persons to pay in money or tobacco; and this election was extended to the Clergy's dues; but the Bill failed. I might safely refer the question to the opinion of my countrymen, whether; if an Inspection Law had passed, upon the terms offered the Session before last, the general welfare of this province would have been sacrificed, and all their fortunes impaired? If not, what must they think of the principles of such prodigal incendiaries, as these Confederates are? Nearly the same alteration of fees was proposed heretofore, without giving an election to the people to pay in money, or tobacco;

it failed. By whom was all power engrossed, at that time? Whose influence, then, put to hazard the passing of the Inspection Law, and prevented the diminution of fees, in every respect? Were the fortunes of all the people of Maryland impaired by the Inspection Act, that then passed, though fees were not diminished by it, and the makers of tobacco were obliged to pay in tobacco? Did this Law, which allowed of no diminution of fees, and compelled the planters to pay in tobacco, pass before, or since the unfortunate war, when some body was thrust into office, that all power might centre in one family? From this insinuation, as well as other touches in the composition of the Confederates, I am led to suspect, that they have received instruction from the Essay on Drabolism.

"Some awkward epithets, with skill apply'd,
Some specious hints, that something seem to hide,
Can right, and wrong most cleverly confound,
Banditti like, to stun us, e'er they wound."

But whatever may be the demerits of the father, what has the son done to incur the displeasure of the Confederates, that they already prepare to malign him? As one of the confederated Independent Whigs can hardly entertain any views of personal promotion, to what black passion shall we charge his dislike? Age must have cooled the ardor of ambition; but malignity will not cease, "til life's reck'ning shall forever cease."

"Wash the Æthiop white,
Discharge the leopard's spots, turn day to night,
Control the course of nature, bid the deep
Hush, at thy Pygmy voice, her waves to sleep;
Perform things passing strange, yet own thy art
To weak to work a change, in such an heart.
That envy, which was woven in thy frame
As first, will to the last remain the same.
Reason may drop, may die; but envy's rage
Improves by time, and gathers strength from age.
What could persuade thee at thy time of life,
To launch afresh into the sea of strife?"

What means the other? is he anxiously looking forward to the event, most devoutly wished for, when he may shake off his fetters, and dazzle the world with the splendour of his talents, and the glory of his political achievements,

"And save his country, whilst he—serves himself.

Let not Sempronius suspect this—to be outwitted by one, whom, from his soul, he despises, after having

—"Mouth'd at Cæsar 'till he shook the senate,
Cloath'd his feign'd zeal in rage, in fire, in fury,

would drive him to desperation irremediable.

Officers ought to be restrained, and ought not Lawyers? if the former, without restriction, may have it in their power to oppress, may not the latter also? I mean not such a restriction, as the Act of Assembly now in force imposes, an Act which is become a dead letter from its liberal allowance in causes of difficulty in the superior courts; nor do I mean such a restriction as a reasonable Lawyer would object to—I well know there are men of the profession, who need not the restriction of positive Law to keep them within the bounds of moderation; but since, as Blackstone observes, it may happen that profligate, and illiberal men may sometimes insinuate themselves into the most honourable professions, to check their rapacity, and insolence is not unworthy of the legislative attention.

One may easily imagine that a client, drained of his money, frequently attending with humility to have his business done, insulted with insolence when his pockets are empty, and returning home with disappointment, and chagrin, thinks it hard to be abused, because he cannot answer the demand of *Teeth Money*, and heartily wishes the legislature would extend their care, and prevent the extortion of the Lawyer, as well as the Officer.

What do the Confederates mean "by dragging to light—made to feel the resentment of a free people—endeavouring to set the power of the supreme Magistrate above the Law—punished with infamy, exile, or death—dread of such fate?"

Have they any other measure, besides the Governor's proclamation, to arraign as an attempt to set the supreme Magistrate above the Law? if they have, let them be precise in their charge, and give me another opportunity of shewing them, stripped of disguise, to be, what they are. Has their malice, which all the colours of language are too feeble to express, so extinguished every spark of the little sense, "niggard nature spared them," as to beget a sanguine hope, that the free people of Maryland will become a lawless mob at their instigation, and be the dupes of their infernal rage? When nature's work is so equivocal that we are at a loss to determine, whether she intended to exhibit a man for human humiliation, or a monkey for human diversion, we are inclined to pity, or to laugh, as the object happens to strike the present disposition; but when we behold the animal with the torch, or firebrand, bent on mischief, we should dread its fury, if not out of the reach of it.

One word more to the Confederates, or Independent Whigs, if they choose the signature to their own panegyric on their own excellencies, and then farwel, for the present.

If the Governor, in issuing the proclamation, acted on a conviction of its propriety (and he has most expressly declared, he did) he derives a satisfaction, and honour from his firm, and open avowal, which he will hardly be induced to relinquish and shelter himself under the infamous doctrine of your most servile adula-

• A tribute exacted by some Turkish tyrants of the poor people, whom they plunder of provision, for the trouble of using their Teeth in eating it. Such plunderers vehemently declaim against regular dues, that there may be the more for themselves to spoil.

tion—"that a Governor is a King, and can do no wrong." † So rash is your solicitude to make your court, that you do not perceive the affront you offer, even, to his tenacity in the very nature of your address. Such patriotism now it is explained, to be sure, must command the utmost confidence of the free people of Maryland.

What would John Hampden, if alive here, say to such patriots?

With what indignation must the confederated Independent Whigs be inflamed, when informed that fees in England have been settled by the courts, that the doctrine has been there advanced, "no Officer is bound to act unless his fee be paid;" that a Chancellor has "stop'd the very bearing of a cause, because fees were not paid;" and that a Chief Justice has declared, even from the bench, that a suitor is "liable to an Attachment of Contempt, on his refusal to pay fees?" Such Tyranny has, verily, been practised without any dread of Infamy, Exile, or Death. O Tempora, O Mores.

ANTILON.

A C A R D.

THE BODY OF MERCHANTS present their compliments to Messrs. the Editor of the Dialogue, and the Independent Freeman, they request the favour of the Editor not to become their advocate or fatigue himself in their vindication, he will have enough to do to settle his own accounts with his acquaintance the 1st Citizen before he comes to a reckoning with the Freeman and the Lower House of Assembly, whom he has wantonly attacked.—The body of Merchants are no way injured by the Independent Freeman, they and thousands of his other Friends know THE MAN too well to fear any injury from his conduct, or believe any thing to his prejudice that may come from so partial and unqualified a writer as the Editor, and it may be very properly asked of the Editor—"If you did know a little more of your subject before you began to write, pray what harm would it do you."

CRISPIN.

Crispin thinketh he hath as much right to "answer for the Body of Merchants as his Brother the Editor to represent them, and it were better for such respective writers as the Editor and himself to mind their proper business.—The Editor makes very free to bedeck himself with the Ornaments of that GREAT FRIEND to America, Mr. Pitt, whom he always affected to despise—that truly GREAT MAN in the House of Commons observed, "CREBULITY was a plant of slow growth in an aged bosom"—see gentle reader our Editor's patch work,—cautions to believe is a plant of slow growth—&c.—O cry mercy—cautions to believe a PLANT; a sweet flower indeed; our Editor is a gain unfortunate in his allusion to his brethren the Calves of Jerebam.

When Archbishop Laud was condemned to be hanged for the many acts of tyranny and oppression he had been guilty of (and the REMEMBRANCE at this time may be useful—) he complained at his execution that he suffered because he would not follow, the bleatings of Jerebam's calves, &c.—Now that the Editor and his compeers, the olive coloured man, &c. should by a borrowed allusion abuse their real nursing mother, the ear bridled comy, and kindred, and pretend assent; and affectation of the fair Mrs. Bull (except for her estate) is ingratitude and presumption in the highest degree; but for Crispin's part, he is determined to mind his own proper calling, stick to his last, strap, and paring knife, and bid adieu to party writing, pride, affectation, and his brother the Editor.

Ne sutor ultra crepidam.

TO THE PRINTERS.

A REPORT has been propagated, that anonymous threatening letters have been found at the doors of two Gentlemen in this city, and that they have been presented to the press, and rejected. If this be the fact, I cannot comprehend upon what principle your proceeding is grounded; if either of the Gentlemen, against whom vengeance was denounced, has personally applied for your assistance, to trace the author, and drag the trembling ruffian to the light, I conceive you have been over delicate in denying his request. In respect to myself I cannot help lamenting the refusal you have given, whatever apparent reasons of prudence moved you to it, as I despair of being indulged with a perusal of these letters through any other channel. If the intended publication was prefaced with abuse in the extreme, and any particular person pointed out by the clearest designation, he would, if he were a man of honour, have received the highest gratification from the slander. Innocence rises with additional lustre from every trial, and it is for the interest of virtue, that no fair appellant be precluded from the

† By Statute, if a Governor, or deputy Governor of any plantation, or colony, be guilty of oppressing any subject within his government, or any other crime, or offence contrary to the Laws of the Realm; such oppression &c. shall be enquired of and determined in the Court of King's Bench, or before Commissioners assigned by the Crown, and such punishments inflicted as are usually inflicted for offences of the like nature committed in England—and yet the Confederates apply the maxim, "the King can do no wrong," to a Governor—what gross ignorance, what miserable flattery!

unprejudiced tribunal of the Publick, for though absolute conviction should, not result from the inquiry, strong and probable suspicions at least would cleave to those, the colour of whose lives warrants a presumption, that they alone could descend to a stratagem as dastardly as rash, and which could have no other possible consequence, but to outrage the timidity of women, and rouse the indignation of every generous and discerning man.

EDITOR.

THE Publishers of this Gazette, favourably accept the above information, as it gives them an opportunity of justifying their conduct by a most solemn declaration, that no anonymous threatening letters have been presented to them for publication, by any person or persons whatever; and as the author or authors of such letters are enemies to the peace of society, if a publication shall be thought conducive towards bringing the offender or offenders to justice, the contents, if furnished, shall with pleasure be inserted gratis.—They have now only to desire the person who has wantonly sported with their characters, to do an act of common justice, by a candid publick acknowledgment of his guilt.

THE Subscriber will attend the ensuing March Courts at Leonard-Town, Port-Tobacco, and Upper Marlborough, to collect all Balances due for this Gazette, Advertisements, &c. Those who are in arrears for more than one Year, must not only expect to receive no more Gazettes, but that immediate Steps will be taken to compel Payment.

FREDERICK GREEN.

February 8, 1773.

To be sold to the highest Bidder, on the 25th Instant, if fair, or if not, the next good Day after, at the Plantation of Mr. Thomas Contee, near Port-Tobacco, where Dr. Joseph Aderton now lives, for ready Cash, or good London Bills of Exchange.

A PARCEL of likely Negroes, consisting of Men, Women, Boys, and Girls; a Pair of likely bright bay Geldings, well matched, and uied to a Carriage, Draft Horses, Oxen, Hogs, and Plantation Utensils, likewise valuable Household Furniture, consisting of Plate and China, Mahogany Chairs and Tables, Chimney and Pier Looking Glasss, a Mahogany Bureau and Book Case, with Looking Glass Doors, a Mahogany Corner Cupboard, a Chimney Clock, Wilton Carpets, Beds and Bedding, and a Variety of Kitchen and other Furniture too tedious to mention; also a Quantity of dry Goods, and a Sloop that will carry 1200 Bushels of Grain.

JERE ADERTON.

February 10, 1773.

To be sold on the Saturday in the First Week of next Provincial Court,

ABOUT Thirty Country born Slaves, bred up to planting and farming. Credit will be given on good Security.

BENNETT CHEW.

February 15, 1773.

To be sold at publick Vendue, on Saturday the 6th Day of March next, if fair, if not the next fair Day, at the Subscriber's Dwelling Place,

SUNDRY Negroes, and sundry Household Furniture, and many Plantation Utensils; and likewise Stock of almost all Kinds; a good Blacksmith who hath Four Years and a Half to serve; a compleat Set of Smiths Tools, One new Waggon finished in the neatest Manner, One good Cart.

The above Articles will be sold for Cash or London Bills of Exchange.

The Subscriber had stolen from him about the middle of September last, One gray Mare, branded with H S but One Letter on the Shoulder, the other on the Buttock, is a natural pacer, about nine Years old, about Fourteen Hands high. Whoever secures the said Mare, so as the Subscriber may get her again, shall have Five Pounds Reward, and if the Thief be brought to Conviction, Five Pounds more, paid by

RICHARD YEATES.

N. B. The Subscriber had some Time past assigned to him, the Indentures of a certain William Noble, who indented himself to a certain Dr. John M'Donald, for the space of Three Years and Three Months; and as it appears he never served his Time: These are therefore to acquaint the Publick, that if any Person will apprehend the said William Noble, and bring him to the Subscriber, that he may have good Compensation for their Trouble, and reasonable Expences, paid by

R. Y.

COMMITTED to my Custody as a Runaway, a certain James Clarke, who says he belongs to James Martin, on Kent-Island; he had a Collar round his Neck, and his left Hand is much deformed; he crossed the Bay in a Yawl with Two other Persons. His Master is requested to take him away and pay Charges.

WILLIAM NOKE.

Sheriff of Anne-Arundel County.

Advertisements omitted will be inserted in our next.

ANNAPOLIS: Printed by ANNE CATHARINE GREEN and SON.

SUPPLEMENT
TO THE
MARYLAND GAZETTE.

THURSDAY, FEBRUARY 18, 1773.

No. 1433.

THE

Annapolis, the 4th of February, 1773.
WHEREAS it hath been represented to his Excellency the Governor, that on the Seventh Day of December last the Dwelling-House of Mr. John Lucas, in Saint Mary's County, was maliciously set on fire, by some Person or Persons unknown, and entirely consumed; His Excellency for the better discovering and bringing to publick Justice the Person or Persons concerned in setting on fire the said House, doth promise his Lordship's Pardon for the said Offence to any of them (the Principal or Principals only excepted) who shall discover his, her, or their Accomplice or Accomplices in the said Fact, so that he, she, or they may be apprehended and convicted thereof,

Signed by Order,

U. SCOTT, Cl. Con.

And as a further Encouragement, the Subscriber living in Saint Mary's County, doth promise a Reward of Fifty Pounds Currency to any one who shall discover the Person or Persons concerned in burning the said House, so that he, she, or they may be brought to Justice and convicted thereof.

6w

JOHN LUCAS.

December 21, 1772.

To be let to the lowest Bidder, on the second Monday in March next, if fair, if not, the next fair Day, on the Land of Joshua Evans, near the Falls of Patowmack, in Loudoun County, in Virginia,

THE building of a Brick Church, Fifty-three by Forty-two Feet in the clear, the Walls to be raised Twenty-eight Feet from the Surface. One Hundred and Fifty Pounds Virginia Currency will be paid the Undertaker the Day the Work is let, on his giving Bond and approved Security; Three Hundred and Fifty Pounds more will be paid in June next, the other Payments will be agreed on the Day the Work is let. Any Person willing to build the said Church, is desired to attend at the Time and Place aforesaid, in order to undertake the same.

JOHN MOSS, } Church Wardens.
JEREMIAH HUTCHISON. }

January 29, 1773.

RAN away from the Subscriber on the 27th Inst. living in Calvert County, Two Country born Negro Men, both black Complexions, one named Jacob, about Six Feet high, strait limbed, a bold looking Fellow; the other named Marlborough, about Five Feet Ten Inches high, knock kneed or battle hammed; their best Cloaths I cannot describe: They had Fearnought Coats, Cotton Jackets and Breeches, Osnabrig Shirts, coarse Yarn Stockings. Whoever will bring them Home, shall have Four Dollars for each of them, besides what the Law allows, if taken in this County, and if out of the County Eight Dollars; and all reasonable Charges; and if either of the said Negroes should resist or run, any Person may shoot or kill him, and no Damages shall be required, by

THOMAS REYNOLDS.

N. B. They are both about 26 Years of Age.

THERE is at the Plantation of Frederick Daker, near the Dugg-Hill, in Baltimore County, a middle sized bay Stray Mare, about two Years old last Spring, is a natural Pacer, and has no perceivable Brand or Flesh Mark.

The Owner may have her again, proving Property and paying Charges.

WHEREAS sundry idle persons under a Pretence of shooting and hunting, are frequently going about the Subscriber's Inclosures to his great Prejudice, by pulling down his Fences, and doing other Damages. This is therefore to forewarn all Persons from trespassing in like Manner for the future, as they may depend on being proceeded against agreeable to Law.

WILLIAM THOMAS.

D. R. GRAHAM, Oculist and Aurist from Philadelphia, thus publickly gives Notice, that he proposes to be at Baltimore about the 20th of this present Month, where those Persons whose Circumstances or Situation have precluded them from the Benefit of applying for Assistance at Philadelphia, may consult him in all Disorders of the Eye and its Appendages; and in every Species of Deafness, Hardness of Hearing, Ulcerations, Noise in the Ears, &c.

Elk-Ridge, December 29, 1772.

WHEREAS Mr. Caleb Dorsey, late of Anne-Arundel County, deceased, did by his last will and Testament, bearing Date the 14th Day of March last past, order and direct sundry Lands to be sold, viz. a Tract or Parcel of Land, called Caleb's Delight Enlarged; also a Tract, called Timber-Ridge, and Part of a Tract, called The Mill Frog, all adjoining and lying in Frederick County, near Simpson's Tavern, about Thirty Miles from Elk-Ridge Landing, and contains about Two Thousand Four Hundred Acres. The said Land is well adapted to farming, and will be sold on the 29th Day of June next, in small Parcels, or in any Manner that may best suit the Purchasers;—Also Two Thirds of about Seven Thousand Acres of Land, lying in Anne-Arundel County, on Curtis's-Creek, about Seven Miles from Baltimore Town, on which is a Furnace, a good Dwelling House, and sundry Out-Houses, with a good Grist-Mill, and Saw-Mill: The Land is well timbered and the Water navigable, within Fifty Yards of the Furnace Door, and will be exposed to sale on the 20th Day of July following. The Terms will be made known on the Days of Sale, by

MICHAEL PUE, Executor,

MILCAH DORSEY, } Executrixes.

ELEANOR DORSEY }

N. B. All Persons having just Claims against the Estate, are desired to bring them in legally proved, and those who are indebted to the Estate, are desired to make immediate Payment to Two or more of the Executors only.

January 13, 1773.

ALL Persons who have any Demands against the Estate of Richard Thomas, late of Cecil County, deceased, are desired to send them properly attested; and those who are indebted to said Estate, are desired to pay off their respective Balances without further Notice, to

w6 SAMUEL THOMAS, } Administrators.
THOMAS HUGHES, }

THERE is at the Plantation of James Smith, Blacksmith, near Upper-Marlborough, a black Stray Mare, about Fourteen Hands and a Half high, shod all fours, Two hind Feet white, one white Saddle Spot on the off Side, hanging Mane and switch Tail, branded on the near Buttock M or B paces slow. The Owner may have her again, proving Property and paying Charges.

justice concerning the alternative of paying tobacco, or money, at the option of the planter, which you now urge as a proof of your disinterestedness, reasonable as it was, we extorted from you: you did not make the offer, till the LAWYERS had publickly advertized to take 12/6 currency per 100lb. in lieu of their tobacco fees: till then you had some hopes that a reconciliation between Officers and Lawyers might take place, and that they would still, perhaps, unite in defence of their joint in-

Ariel seems here to allude to the dreams of a certain politician called by the first Critizen The wicked Minister. I have heard that he has heretofore been sorely troubled with uneasy dreams; that he has frequently dreamt of falling from the top of the monument of London, and of fighting battles with his enemies; and that once waking in the transport of his fury, he brake a glass tumbler instead of killing his antagonist. SCRIBLERUS.

occasions. You cannot claim the a good grace. In apprehend, to combat they ought to be regulated by the old on of that table if become common is done: it will want of precision, then, a colourable new charge, commenced on the succeeding Office and considerable inwarrantable me of fees, none son can deny; to tab e of fees.

as principally in offer made by the SECRETARY and a stated income Y all fees, perquisit you closed with made what referri, and have cor-

fer because it was silent in making it, and services we had other reason to be allowed thereof, the fees paid to the publicity in our conduct, and inattention might introduce re new system it be foreseen, or not even then be. The sum due in another view, o near as much at care, industry, isque, duty, and oy no means propri as £. 600 ster- busin-ss for in- it sum, and the to attend to their

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welfare of the he regulation of of Officers," to ould be dispyed Office a neat an- hem; to the Se- and Register mmissary General received by those respective sums ld, in my esti-

Officer. What a pitiful sneaking fellow! why such tri- ling salaries would not buy salt to their porridge: they must reside in the capital, where living is expen- sive; men in their stations ought to keep a plentiful table, and entertain the best company and a good deal of it.

Lawyer. I do not see the necessity of their residing in the capital; nor is it ex- pected from them merely as Officers that they should entertain either the best, or

though the in- t would rants a nd to a old have rage the ation of DITOR. ably ac- ves them y a most reating lication, s the au- es to the thought offenders viti: plea- nly to de- with their ice, by a lit. ing March and Up- e for this are in ar- expect to diate Steps GREEN. 8, 1773. th Infant, ter, at the r Port-To- lives, for bange. nsitting of a Pair of ched, and Hogs, and Household na, Maho- er Looking Cafe, with orner Cup- rpets, Beds and other a Quantity carry 1200 DERTON. y 10, 1773- Week of next ves, bred up dit will be TT CHEW. ry 15, 1773- the 6th Day et fair Day, ushold Fur- tenhls; and good Black- to serve; a new Waggon od Cart. Cash or Lon- m about the are, branded er, the other about nine h. Whoever iber may get ward, and if Five Pounds E YEATES. ne post sign- William Nibbs, n Dr John rs and Three r served his the Publi- e said Will- er, that now , and ill re. R. Y. a Runaway, he belongs to had a Collar much defor- in Iwo other take him away untel County. in cur a xl. 謀×謀×謀×

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Persons. His Master is requested to take him away
and pay Charges.

“ WILLIAM NOKE,
“ Sheriff of Anne-Arundel County.

“ Advertisements omitted will be inserted in our next
“ killing

Annapolis, Sept. 30, 1772.
CHARLES JACOB and ABRAHAM CLAUDE,
WATCHMAKERS FROM LONDON,
Have just opened Shop, opposite Mr. Ghiselin’s, in
West-Street,

WHERE they repair all Sorts of repeating,
horizontal, and plain Watches, in the
neatest and most approved Manner, and at the most
reasonable Rates. Those Ladies and Gentlemen
that please to favour them with their Custom, may
depend on having their Work done with the greatest
Punctuality and Exactness, as they will execute all
the Work themselves without employing any other
Person, and engage their Work for one Year: They
will also supply any Person with Watches of their
own make, and warrant them as good as if bought
in London.

N. B. William Allen, a Clockmaker from Bir
mingham, has joined them, who makes and repairs
all Sorts of musical, Chime, Town, and plain
Clocks, after the best Manner. He also repairs
Gentlemen’s Fire-arms and most Kinds of Metal and
Hardware Work, at reasonable Rates. Any Person
in the Country, having Clocks out of Order, shall,
on directing a Line, be waited on as soon as pos
sible.

Queen-Anne, November 17, 1772.
To be sold by Wholesale, at a very low Rate, for Cash,
Bills of Exchange, or Tobacco,

ABOUT Seven or Eight Hundred Pounds prime
Cost of Goods, well assorted.

THOMAS DUCKETT.
December 11, 1772.

WENT away last Night from the Patuxent
Iron-Works, the Two following Servant
Men, just imported in the *Isabella*, Captain *Spencer*,
viz. *William Foard*, an American, born in New-Eng
land, about 22 Years of Age, 5 Feet 6 or 7 Inches
high, has a dark Complexion, and wears his own
short brown Hair: Had on and took with him, a
coarse white Linen Shirt, old dirty Trowsers, an
Olive coloured Thickset Coat, with yellow Metal
Buttons, a red and white striped Linsey Jacket, gray
Worsted Stockings, black Leather Shoes with Metal
Buckles, and a Felt Hat. *William Hunt*, an Eng
lishman, about 23 Years of Age, 6 Feet high, has a
fair Complexion, wears his own short brown Hair,
and answers very boldly when spoke to: Had on
and took with him, a new Osnabrig Shirt, dirty
Leather Breeches, a light coloured Frize close-bod
ied Coat, a blue Surtout ditto with a Velvet Cape, a
Variety of Worsted Stockings and Silk Handker
chiefs, a Pair of black Leather Shoes with plated
Buckles, and an old Felt Hat bound round the Edge
with some Kind of black Binding. Whoever takes
up said Servants, shall be paid on delivering them
at Patuxent Iron Works aforesaid, if taken 10 Miles
from Home, Twenty-five Shillings; if 20 Miles,
Thirty Shillings for each, including what the Law
allows, and so in proportion for a greater Distance,
by

SAMUEL & JOHN SNOWDEN.

January 15, 1773.
To be sold at public Vendue, for Cash or Bills of Ex
change, on Thursday the 18th of March next, at
the House of Mrs. Charleton in Frederick-Town,
by Virtue of a Deed of Trust made to me for that Pur
pose by John Wilmot,

A TRACT or Parcel of Land lying in Frederick
County, called *Dinab’s Fancy*, containing 215
Acres. The following Persons live adjacent to the
said Land, and will shew it to any Persons desirous
of seeing the same: *Joseph Dyer*, *John Lagsdalt*,
Notley Norris, *David Smuer*, *Andrew Young*, and *Si
mon Miller*.

THOMAS BUCHANAN.

Just imported, and to be sold by the subscribers, at their
Store on the Dock in Annapolis,

A QUANTITY of choice Barbados Rum and
Spirits.

WALLACE, DAVIDSON and JOHNSON.

Richmond, James River, Virginia, Jan. 1, 1773.
To be SOLD by the Subscriber,
THAT valuable Tract of Land, called *Mocock’s*
Island, lying within a Mile of the Mouth of
Chickabomony River, One Mile from *James River*, a
Quarter of a Mile above *Barret’s Ferry*, and within
Ten Miles of the City of *Williamsburg*; it contains Six
Hundred Acres of the highest, driest, and richest
Marsh in this Colony, in it’s present State during the
Spring and Summer Months; it will afford grazing for
above One Thousand Head of Cattle.

In the Marsh are Three Islands; the easternmost or
low Island, contains about One Hundred and Fifty
Acres of rich high Land, has Two good Springs upon
it, a Barn, Two Negro Quarters, and an Overseer’s
House; a Quarter of a Mile distant; middle or *High*
Island, containing about Forty Acres, Half a Mile dis
tant lies westernmost Island, containing Three or Four
Acres; and they are so situated that the banking in
the Marsh is rendered very easy: The eastern and
northern Parts of these Islands are divided from the
main Land by a Branch of the River, no more than
Thirty Yards broad, and the southern and western
Parts are divided by the main Body of *Chickabomony*,
about Three Hundred Yards broad. Up this River is
Navigation for Forty Miles for Vessels of Four Thou
sand Bushels; the Branch dividing the Island from the
main Land, is esteemed the best fowling and fishing in
this Colony. Opposite *Low* or *Great Island*, there are
on the Continent, One Hundred and odd Acres well
timbered Land belonging to this Plantation, pleasantly
situated and over-looking the whole Island. This Land
runs from the Branch about Half a Mile across the
main Road leading from the Ferry to *Williamsburg*, so
that the Distance from Town is not above Nine Miles;
common Tides cover no Part of the Marsh; spring
Tides, with continued North East Wind cover the
greatest Part of it, with Four Inches Water, but the
best Criterion of the Tides over-flowing it, is taken
from the remarkable great Gust on Friday the 8th of
Sept. 1769, which spread over a great Part of *America*,
and then there were only Seven Inches Water in the
said Marsh. Any Person purchasing this Island, may
have the Stock and Utensils upon reasonable Terms.

PATRICK COUTTS.
Purchasers to apply to Messrs. *James Dick* and
Stewart.

The Partnership of *James Dick* and *Stewart* having
expired the 1st Inst. the business is now conducted un
der the Firm of

JAMES DICK and STEWART, and Co.
Who have to sell by Wholesale and Retail, at their
Stores in Annapolis and London-Town, for ready
Money, Country Produce, or the usual Credit,

A GENERAL Assortment of European and East
India Goods, among which are, Hyson,
Bloom, Green and Bohea Teas, London double and
single refined Sugar.

They have likewise for Sale, old Madeira Wine
by the Pipe, Hoghead, or Quarter Cask, West
India and Country Rum, by the Hoghead, Jamai
ca and Barbadoes Spirit, by the Hoghead or Quar
ter Cask, Muscovado Sugar, by the Hoghead,
Tierce, Barrel, or Hundred; a few Tierces of
Rice, a few Bags of Hops, barreled Pork, &c. &c.

Also, Anchors, Grapnals, Sail Duck, and all
Sorts of Ship Chandlery and Cordage, made at
Newington Rope-walk; where Orders for a Ships
Rigging of any Size may be complied with on a few
Days Notice.

Annapolis, January 13, 1773.
The Partnership of *James Dick* and *Stewart* be
ing expired, all Persons indebted to us, are request
ed to settle their Accounts as soon as it is Conve
nient, which will oblige

Their humble Servants,
JAMES DICK,
ANTHONY STEWART.

Lower Marlborough, January 19, 1773.
To be sold by Wholesale at a low Advance, for Cash or
Bills,

ABOUT Fifteen Hundred Pounds prime Cost of
Goods, well assorted.

COLIN CAMPBELL.

MARYLAND GAZETTE.

THURSDAY, FEBRUARY 25, 1773.

To the INHABITANTS of MARYLAND.



I AM one of those invisible spirits created by the great, the all-ruling GENIUS of the universe, to preside more immediately over the politicks and government of civilized societies. We inhabit the element of thinner air, called ether by philosophers, midway between the moon and this earthly orb; but our abode is not confined to that expanse alone; we can tread the ooze of the salt deep, run upon the sharp wind of the north, do business in the veins of the earth, dive into the fire, and ride on the curled clouds, penetrate the compact and solid walls of palaces and temples; be invisible in the midst of whispering politicians, fearing the very winds should hear their plots, and counsels.—We cannot pry into the deep recesses of the human mind, but we can guess, almost with certainty, at its secret thoughts, affections, and designs, by a lively and quick perception of the outward emotions of the countenance. Future events we cannot foretel with absolute certainty; these are only known to the great GENIUS; our existence however being coeval with the world, and our memory of past events retentive, compleat and perfect, our knowledge of the causes, which have produced the various vicissitudes in the different governments of the earth, enables us to judge of what is to happen, with a certitude approaching to infallibility. We haunt the guilty politician in his dreams, and supply the place of a waking ulcerated conscience: we fill his imagination with terrors and with scenes of death; we lead him up in fancy to the giddy height of some frightful precipice, and then hurl him headlong down the vast depth. Such are our employments; ever attentive to and watching over the conduct of rulers, legislators, and politicians intrusted with the administration of government.—Toward the latter end of the month of November, in the year of the Christian era 1770, I was commanded to take my stand near the stadt-house in your metropolis, where I diligently observed all that was passing in, or near that edifice; then it was that I overheard the conversation, which I now communicate to you mortals whom it most concerns; depend upon its authenticity, we spirits never lie. The pernicious designs of some of your citizens are now disclosed; profit by the discovery, flight not this friendly admonition.

ARIEL.

A Dialogue between an OFFICER, and a LAWYER, and LAYMAN, Members of Assembly.

Officer. Good Heavens, Sir, how fatal an insatiation has overtaken you Gentlemen of the Bar! what in the name of God could induce you to act so strange, so unaccountable a part! were you apprehensive, that the UPPER HOUSE, composed chiefly of Officers, would concur with the patriotic party in passing a Law injurious to your profession? Considering the close connexion of our mutual interests, you could not seriously apprehend any such design; and I am confident the Patriots without our uniting with them against you, or your joining with them against us, never could have brought matters to this pass. It is true, in consequence of your unexpected, and unprovoked desertion, out of mere spite, and in an angry mood, we sent a Bill down to your House, which, had it passed, would have effectually ruined your brethren, and have answered in the end all our purposes.

Lawyer. YOUR INTENTION was easily seen through; and therefore your Bill was unanimously rejected. The LAWYERS were not apprehensive of a confederacy between the Lay-Members of their House, and the Officers in yours. We knew you would take no step to hurt us provided we would let you quietly enjoy your old salaries; we were also sensible, that an union betwixt us would long elude, if not entirely baffle all the efforts of patriotism, to relieve this country from oppression. I will briefly explain to you the motive of my conduct. I reflected that if the Inspection Law should be continued for any length of time on its late footing, that the GOOD PEOPLE of MARYLAND, in the course of some years, would be eat up by OFFICERS, CLERGYMEN, and LAWYERS; that, oppression would occasion one of these two evils, either a total despondency and extinction of liberty, or anarchy and subversion of government; that, the people made desperate by necessity would endeavour to overthrow a system of policy oppressive and unequal, or might be provoked to get rid of their oppressions, by methods the most violent

* Ariel seems here to allude to the dreams of a certain politician called by the first Citizen The wicked Minister. I have heard that he has heretofore been sorely troubled with uneasy dreams; that he has frequently dreamt of falling from the top of the monument of London, and of fighting battles with his enemies; and that once awaking in the transport of his fury, he broke a glass tumbler instead of killing his antagonist.

SCRIBLERUS.

and unjustifiable. Grievances ought never to be suffered to run on, and get to such a height, as to occasion dangerous commotions. Whatever sentiments you may entertain of my conduct, I can assure you, it has been regulated by principle; and I believe, I may safely say as much for my brethren.

Officer. How awkward is this declaration in the mouth of a LAWYER! As well might a Politician talk of honesty and sincerity, as a LAWYER of principle; I do not credit a syllable of what you have said.

Lawyer. A Courtier, and so little politeness! Whatever other good qualities he might want, I always imagined politeness, at least, essential to his character; but I perceive Court-bredness has not yet refined and polished your manners; you still retain certain marks of rusticity, which cannot be rubbed off on a sudden. However, since you will have it, that a LAWYER cannot act upon principle, suppose we acted from caution and policy.

Officer. How! caution and policy! Do you call a measure, which has to considerably reduced your incomes, cautious and political? If this be policy it is to me most incomprehensible; pray explain yourself.

Lawyer. I think it more advisable to have a moderate income on a secure, than a large one, on a precarious footing. As I said before, things would not long have gone on in the old way, without producing one of the effects just now mentioned.

Officer. Visionary fears! You was too timorous; I am satisfied, the present set of OFFICERS, LAWYERS and CLERGYMEN would have continued to receive without diminution their late fees, and dues; perhaps the discontented might have grumbled a little; I know the people can bear a great deal; they are not so easily roused by oppression, or misled by popular leaders, as we sometimes suggest in our messages to your House; and whatever might be their inclination, I am sure a good understanding and fellow feeling among OFFICERS, LAWYERS, and CLERGYMEN, would effectually curb the populace, and keep it in subjection. Those three orders of men acting in conjunction have been an overmatch for all the world besides.

Lawyer. I am not quite so sanguine, as you seem to be; but admitting your confidence to be justly grounded, have you no compassion for your country? Do you not wish well to it? Are you not interested in its prosperity? Have you not as deep a stake as any man in its safety? Consider, Sir, to what a wretched state it would soon be reduced, if no prudent men, but Officers, Lawyers and Churchmen were to be found in it: in time too great a share of the wealth of the province would center in them. LAWYERS I own, have sometimes united with the other two orders, to oppress their fellow subjects, and to establish tyranny, guided by a policy equally criminal, and weak. Our profession can never flourish but in a free government; at least it can in no other obtain a real consequence, and weight. INDIVIDUALS of it may amass wealth; but of what signification is wealth, where the possession of it is insecure, where it may draw on the possessor the persecution of a rapacious and all-powerful Minister! You see our conduct has been directed by policy as well as principle.

Officer. If a reduction of our incomes was thought necessary, why were you not satisfied with that very considerable one, which we consented to, by offering to take our fees in money at the rate of twelve shillings and six-pence currency for every hundred pounds of tobacco? Surely by dispassionate people, that concession will be deemed great enough, and perhaps greater, than what was at first expected by the majority of your House.

Lawyer. If the difference between the selling price of tobacco for some years past and twelve shillings and six-pence currency per hundred pounds be solely considered, the reduction is certainly considerable; but the principle which originally established, and reasonably enough, the different modes of payment by planters, and farmers, can no longer be supported. At the passing of the late Inspection Law in 1747, twelve shillings and six-pence currency was thought the just equivalent of 100 lb. of tobacco; some years after that period, tobacco greatly increased in value; nor was that increase in the price (as has been falsely and designedly suggested) owing solely to the Inspection Law, and to the encouragement given by it to farmers, induced by which numbers left off making tobacco, but to other causes, the scarcity of the crops, and to the practice, not long since introduced, of purchasing tobacco in the country. It is absurd, it is unjust, that a planter should pay forty shillings for the same service, which costs the farmer only twenty: such absurdity, such injustice can find no advocates even in your House; even the alternative of paying tobacco, or money, at the option of the planter, which you now urge as a proof of your disinterestedness, reasonable as it was, we extorted from you: you did not make the offer, till the LAWYERS had publicly advertised to take 12s currency per 100 lb. in lieu of their tobacco fees: till then you had some hopes that a reconciliation between Officers and Lawyers might take place, and that they would still, perhaps, unite in defence of their joint in-

terests, as they had done on former occasions. You have yielded to necessity, and yet you cannot claim the slender merit of, having yielded with a good grace. In reducing your fees, we are not, I apprehend, to consider what they have been, but what they ought to be. In many instances, the fees, as regulated by the old table, are too great; on an inspection of that table it will appear, that many articles are become common-place charges, where no service is done; it will also appear, that where from the want of precision, or from the doubtfulness of expression, a colourable pretext has been afforded for a new charge, combined interest and ingenuity have seized on the opportunity of making the charge and succeeding Officers have adopted it. That any and considerable abuses have crept into practice by unwarrantable methods of charging under the old table of fees; none but an interested and prejudiced person can deny; to correct those abuses we formed a new table of fees.

Officer. If a correction of abuses was principally intended, why did you not accept the offer made by the JUDGES of the Land Office, the SECRETARY and COMMISSARY GENERAL, to receive a stated income of £ 600 sterling per annum in lieu of all fees, perquisites, and emoluments of office? Had you closed with that proposal, you might then have made what reformation would have been deemed proper, and have corrected all abuses.

Lawyer. We did not accept that offer because it was thought insolent, and extravagant; insolent in making yourselves judges of your own merit, and services; extravagant, in over rating them; we had other reasons for rejecting it; if fixed salaries were to be allowed to those Officers, and in consideration thereof, the fees heretofore paid to them, were to be paid to the public, we apprehended that such a novelty in our constitution might occasion a remissness, and inattention in those Gentlemen to their duty, and might introduce many inconveniences, which an entire new system is ever liable to, and which could not be foreseen, or guarded against till felt, and perhaps not even then be effectually prevented for the future. The sum demanded appeared also unreasonable in another view. There are very few Gentlemen, who neat as much from their lands, after employing great care, industry, and labour, to improve them; the risk, duty, and trouble in executing those offices are by no means proportionable to so large an annual salary as £. 600 sterling; deputies do the drudgery of the business for inconsiderable wages compared to that sum, and the principals have full leisure and time to attend to their private concerns.

Officer. Well then, what salary do you imagine would be thought reasonable? What would you for instance allow the GREAT OFFICERS of Government, the SECRETARY, COMMISSARY GENERAL, and JUDGES of the Land-Office.

Lawyer. Do not think, Sir, to impose on me by high sounding words; you may, if you please, call the REGISTERS of the Land-Office, JUDGES, the Clerk of the Provincial Court and Register in Chancery you may grace with the appellation of SECRETARY, the COMMISSARY GENERAL, provided he does his duty, deserves a good salary, but his services hitherto have certainly been over-rated, and over-paid; that station, I own, requires a man of integrity, an application to business, and well versed in the Common, Statute, and Provincial Laws; a LAWYER ONLY, I think, ought to be COMMISSARY.

Officer. ONCE I thought so too; but I am now of opinion that one nearly related to a Lawyer may do as well; nothing so common as to change our opinions, on a change of circumstances. A PERSON OF GOOD SENSE AND CHARACTER AND WELL ACQUAINTED WITH OUR ACTS OF ASSEMBLY, IS AS WELL QUALIFIED FOR THE COMMISSARY'S OFFICE AS ANY LAWYER WHATEVER; but answer my question, how much would you be willing to allow Us? No equivocation, Sir: What in your estimation would be genteel and worth a Gentleman's acceptance? Come, none of your subtleties; be explicit.

Lawyer. "As the tranquillity and welfare of the province depend very much upon the regulation of our staple of tobacco and the fees of Officers," to obtain a due regulation of both, I should be disposed to allow the REGISTERS of the Land Office a neat annual income of £. 400 sterling; between them; to the Secretary, alias Clerk of the Provincial Court and Register in Chancery £. 300 sterling; to the Commissary General £. 500 sterling; that is, if the fees received by those Officers should amount to the three respective sums clear of all charge, the allowance would, in my estimation, be liberal and genteel.

Officer. What a pitiful sneaking fellow! why such trifling salaries would not buy salt to their porridge; they must reside in the capital, where living is expensive; men in their stations ought to keep a plentiful table, and entertain the best company and a good deal of it.

Lawyer. I do not see the necessity of their residing in the capital; nor is it expected from them merely as Officers that they should entertain either the best, or

much company, unless their private fortunes exclusive of their salaries, enable them to support that expence. Perhaps the *Commissary* might find it inconvenient were he not to live at, or near the seat of Government: to him, I hope, it will be thought I have allowed a genteel salary, more than adequate to his services and to the importance of his trust. The three *great offices*, of which we have been speaking, have generally been conferred on men of easy fortunes; the addition thereto of the fairs just mentioned ought not therefore to be deemed unworthy of a Gentleman's acceptance, especially as the duty imposed in consequence thereof, is neither very troublesome, or attended with much risk. Pray, Sir, may I be permitted to ask, how much the *deputy Clerk of the Provincial Court*, and the *deputy Register in Chancery* are allowed by their PRINCIPAL?

Officer. How impertinent is it to ask what you already know! if they are satisfied, who has reason to complain?

Lawyer. Be not angry, good Sir; I do not mean to offend. The *deputy Clerks*, I understand, take all the trouble off the *Secretary's* hands, save the trouble of settling his accounts with them, and with the *Sheriffs*; from that circumstance, I should be inclined to think, did I not know to the contrary, that they receive a third at least of his perquisites.

Officer. Do you not know that in the *great offices* and departments of Government in our mother country, the drudgery of business is done by deputies and under clerks who draw stipends; yet *great salaries* are usually annexed to those offices, to induce men of the first dignity and abilities to accept them.

Lawyer. In a great and independent nation, that perhaps may be good policy; it has however been questioned; it has been said, that the great income settled on these offices have given Administration too great an influence: but this disquisition is foreign to the present question. You do not mean, I hope, to place the executive offices of civil government in a subordinate and dependent province on a footing with the first offices of state in the mother country?

Officer. Will you not permit me to compare small things to great?

Lawyer. I have no objection, provided you likewise compare the affluence of the mother country, with the poverty of this; the importance and dignity of its great offices with the unimportance and littleness of ours, and will then prescribe a just proportion between the respective salaries in each.

Officer. If your principal offices were not lucrative, they would not be held by men of the first families and fortunes: such no doubt give a lustre and add dignity to our government.

Lawyer. Have they always been held by men of the first families and fortunes? SOME of our great Officers indeed have in a few years, from their getting into office, acquired estates equal to the largest in the province, and from that rapid acquisition of wealth, I am led to think the offices much too lucrative. I cannot see for my part, what lustre it reflects on Government, to have men of the first families and fortunes Judges of the Land Office, Secretary and Commissary General: the true dignity of Government consists in a steady and upright Administration, not in the opulence of its executive Officers: the Roman commonwealth never acted with more dignity, than when her consuls and dictators were taken from the plough; but men closely attached to their interest, and intent upon heaping up wealth, are too apt to place all honesty, honour, and virtue in the possession of it.—I see a Gentleman coming up to us, with whom you may pursue this conversation; he is very capable of defending the conduct of the Lower House, and has borne a considerable part in it. I have urgent business on my hands, I beg therefore you will excuse my taking leave of you. (Exit Lawyer).

Officer. Curse on the rascal, I wish the Devil had him; but here comes one, with whom, perhaps, I may succeed better; a hint given out of doors, has sometimes contributed surprisingly, to bring about a good understanding between the two Houses: for political intrigue, flattery, and under hand management, there is not, I believe, my equal in the Province. (Aside)

I am glad to see you, Sir; I have long sought an opportunity of speaking to you in private on the business of this Session, now drawing to a close; if a proper temper be preserved, matters may yet be brought to a happy issue.

Member. Pray tell me how: I see no probability of that desirable event.

Officer. I know you have considerable influence in your House; try to gain a majority to pass a Bill against the LAWYERS; you should soon receive another, I promise you, from our House, was there a likelihood of its going down with yours. If you would but give up to public justice those extortioners, and plunderers of the people, we would grant you at the next Session of Assembly all you desire, and as an earnest thereof, we will now consent to take 12/6 currency per 100 lb. on the old table of fees.

Member. I am not to be duped thus; I see your drift; you want to set the Lawyers and Lay Members at variance, and you hope to profit by our division, as you have already done from our want of unanimity.

I have heard of late heavy and bitter complaints against the Lawyers; but as I suspect from what cause they proceed, I doubt of their being justly grounded; that the influences of rapacity are multiplied, and much exaggerated, I make no doubt; it is easy to frame general accusations, and difficult to refute them; we should therefore be cautious, how we credit stories circulated at a particular time, to answer a particular purpose. Should some LAWYERS be rapacious, their rapaciousness will in the end hurt themselves; suitors will apply to others more moderate and conscientious; the number of practising LAWYERS is the best security against avarice and extortion in individuals of the profession; unless you will suppose a general combination among them to extort from, and to plunder their clients, a supposition too improbable to meet with the least credit. It would be exceedingly difficult, perhaps

impossible to ascertain precisely in all cases and to limit Lawyers fees so as to prevent their receiving private fees, without allowing much more on the common run of business, than ought to be allowed. A LAWYER'S practice depends on his abilities, application and industry; some causes require neither much labour, or capacity; others again much of both; the reward should be proportioned to both. Our great offices (the COMMISSARY'S excepted) require no great share either of labour, thought, or capacity; if suffered to continue on the footing of their late establishment, they will in the end be productive of the same effect in this province, which offices combined with other causes have already produced in England, a corrupt dependency of the Lower House on Government. The day may not be distant, when not one of our great offices will be held by a native, unless in the capacity of substitute or deputy to some ministerial tool at home. Is not this, Sir, already the case in some degree? I have understood that most of our great Officers pay a saddle to the Proprietary's Secretary in London, who ought to be paid by the Proprietary, and not with money taken out of the pockets of his Officers in this government.

Officer. I perceive you are exceedingly obstinate, and deaf to reason. I have one more proposal to make, which though it should not meet with your approbation, will at least convince you, that I am not that deadly enemy to my country, I am suspected to be.

Member. I am all attention, Sir, impatient to hear your proposal; I wonder what it can be!

Officer. Suppose you was to move in your House to bring in a Bill to prevent the sale of places, and simoniacal contracts, would not such a Law be highly salutary and popular?

Member. Bless me, Sir! the motion was made three days ago, and a Bill has been accordingly brought in and passed; but though just, salutary, and popular, I fear it will miscarry in your House.

Officer. Why so? it strikes only, I suppose, at the sale of places and simony; I hope it does not go farther than that, does it?

Member. I believe it may reach the tenths paid by the County Clerks out of their gross rents to Mr. Secretary. You cannot support the payment of those tenths to the Secretary, can you?

Officer. Undoubtedly, as the long established perquisite of his office.

Member. You must then admit that long usage will justify the receipts of monies, when the reasons, for which the payment of them was originally stipulated, no longer subsist.

Officer. This is a shrewd question; I will consider of it at my leisure, and give you an answer at some other time.—I am persuaded the country will have reason to regret your not accepting the terms, on which we have offered to pass the Inspection Law.

Member. I hope not, as they are unreasonable, I flatter myself, they never will be submitted to. If the people will but have patience and resolution, you must yield at last to just conditions; four or five men, surely, will never be able to carry their point against the united strength of a whole province: Have you any such expectation.

Officer. I have; and it is not so slightly grounded as you may imagine. We intend to put the PARSONS in the front of the battle; they shall fight for our cause, and thus become the immediate objects of contest and popular discontent. The people will be tired out with the length of the controversy; they will lose sight of us, and the whole force of their resentment will be diverted from the Officers on the Parsons; to humble whom nine tenths of the inhabitants will be glad to come into our terms; to keep up our fees to the old standard, we may perhaps sacrifice some part of the Clergy's rights.

Member. This declaration of your intentions, is not very political. Do you think the Parsons will be such dupes, as to be caught in your snares, when forewarned and cautioned against them?

Officer. I am of that opinion; a drowning man will catch at a straw; the PARSONS will readily attach themselves to those, who in appearance only espouse their interests. Men under the influence of strong passions are not very clear sighted; perhaps the PARSONS will not see thro' our artifice; should they even be told of it by their opponents, they will suspect the information proceeds from an interested policy to divide them from their friends, or dictated by the malevolence of our enemies ever willing to impute our conduct to the worst of motives.—Admitting even they should be made thoroughly sensible of our design, yet still they will probably persevere in the same measures, egged on by the desire of procrastinating the evil, and supported by the hope, that in the interim some favourable accident may divert the current of opposition, and put off the intended reduction of their stipends to a distant period: Should it then take place, it will not affect the present incumbents; clergymen are not over solicitous for, or careful of the interests of their successors, provided their own be suffered to remain unimpaired. Remember what I say, and mark the event; it will confirm my prophecy. It is now drawing near dinner time—I must leave you and break off the conversation, we may renew it on some future occasion.

TO THE PRINTERS.

IT having been given out, for the sake of making an unfair impression, that a certain gentleman of distinguished abilities, now retired from the bar, has declared the opinion of the lawyers, published by Mr. Paca, not to be sound law, I call upon that gentleman to give publicly his reasons for that assertion, or to retract it; and I can assure him Mr. Paca will be ready to answer him. That gentleman, from the success he practised with, may have acquired an attachment to his own opinions, which, perhaps, are sometimes as positively maintained as they were hastily adopted: Should he, then, decline a full and public discussion of the question, it is to be hoped, that no

private insinuation or declaration of bias, will have the least weight with the discerning people of this province; but that the published opinion will continue to be deemed, as it really is, unanswerable, till it shall be publicly answered.

AMICUS PATRIÆ.

TO THE REV. MR. JONATHAN BOUCHER, REVEREND SIR,

I HAVE often said were I upon oath to give judgment upon the forty per poll act I should pronounce against the validity of it; that with respect to the act itself considered abstractedly from the supplementary Laws I was confident nothing could be produced in support of it; that the Clergy must rely upon the supplementary acts; that with respect to them doubts might possibly be started and difficulties raised.

You are pleased to say not long since I acknowledged that were I upon oath to give judgment upon the case I should be at a loss how to pronounce. You cannot assert this upon your own knowledge, because I never had the honour of a personal conversation with you upon the subject; you allege it upon information. I do not recollect that I ever made such an acknowledgment, but I will not contradict it, it is both possible and probable—for this reason, because I publicly own I did entertain, since my opinion, a doubt upon the retrospective operation of the supplementary laws; the sequel will account for it.

In conversation with a gentleman of the bar he said he differed from my opinion. I ask'd him upon what point, upon the original act or the supplementary Laws. He replied upon both. I told him with respect to the original act I was not very solicitous to know his reasons, but with respect to the supplementary laws I should be glad to be informed whether an instance could be pointed out of an "act void ab initio impliedly confirmed by an after act." By his reply I understood him that such a case could be produced. This I confess created a doubt upon my mind; and under this impression I might have made the acknowledgment I am charged with; and if such a case can be produced it is not the little censure of parson BOUCHER that shall prevent me from both privately and publicly declaring, that were I upon oath to give judgment upon the case I should be at a loss how to pronounce. But upon late conversation with that gentleman of the bar he candidly owned he knows of no such case, and said I had mistaken his assertion. I do not mean to insinuate that this gentleman gave you the information; he says he did not; he has too much honour to carry tales to a parson. I think I know my worthy friend who caught up the acknowledgment, if ever made, and whispered it in your ear; but unfortunately for you both the doubt was entertained upon a point that upon enquiry does not exist, and the impression is totally erased.

To boast of my opinion is unmanly and disgusting; and if to remind you that it stands unanswered is to boast of it, I must submit to the imputation. But, Sir, I was told that you had spoken of it and the author in the most disrespectful terms; that you had furnished yourself with law books, and had some legal knowledge; I meant to challenge you to a public discussion of the question, and give you an opportunity of exhibiting your talents.

As the matter in controversy was of a generally interesting nature, I took all the pains to inform myself as the importance of the subject required. Before I ventured to publish my opinion, I put it into the hands of Thomas Johnson, Esq; who examined it and approved of it in all its parts. I nevertheless kept it by me till the sitting of the provincial Court: When the late Attorney-general, Robert Goldsborough, Esq; came to Annapolis, I gave it to him; it lay with him eight or ten days for consideration; he was so perfectly satisfied with it, that he told me I had expressed his sentiments in every part of my argument. Convinced in my own judgment of the legality of my opinion, and encouraged by the approbation of those eminent gentlemen of the law, I then ventured to give leave that it should appear in the Gazette for the consideration of the publick.

I have reviewed the question—reconsidered my argument—and upon the firmest conviction do re-assert, My opinion is, that the assembly which met and enacted the contested forty per poll law, being called without a fresh writ of summons, was illegally and unconstitutionally convened, and that therefore no obligation can result from the said act as a law.

You drop a hint, Sir, with respect to the history of my life in the courtly way. Inveterate malice has lately propagated the falsity, and dared to publish that my opposition to the measures of government proceeded from a disappointment at court; perhaps you meant to revive the idea and adopt the assertion. I publicly affirm such an imputation is an egregious falsity, and I have a paper in my hands which will evince the fact beyond the possibility of a doubt.

As to my courtly life, I shall always pay that respect to the Supreme Magistrate which becomes an independent man; I am under no necessity to bend to the power of preferment, or to court the huzzas of a populace; and yet I glory in popularity, when founded upon a conviction of my integrity and a natural inclination to serve my country.

Foibles I have, but I hope some impressions of religion also; no ambition of the human heart can persuade me to dishonour my God; yet this has been charged upon me by an anonymous writer publicly in the Gazette; I abhor the charge and the villain who made it.

ANNA POLIS, Feb. 23, 1773. Your humble servant, WILLIAM PACA.

MESSIEURS Chase and Paca present their compliments to the Rev. Mr. Boucher, and are exceedingly sorry that their necessary attendance on the

adjourned county courts, hath hitherto prevented them the pleasure of a reply to his publications; they propose the week after next to make him an ample compensation for their delay.

S M Y R N A, Sept. 17.

TWO Turkish incendiaries were taken the 5th of this month, and hung up without any trial. A coffee-house and several other houses where these wretches used to meet were pulled down. This execution has in a great measure established tranquillity among the inhabitants, who have been in continual alarms for some time past.

CADIZ, Oct. 6. The Emperor of Morocco has ordered all Christians to quit the town of Tetuan, and those who were charged to put these orders in execution went about with so much rigour, that one would have thought the place had been taken by storm. The foreign merchants were to go and settle at Tangier, where there were no houses for them; but the Emperor means to force them to build their own habitations. The Spanish Vice-consul and the English were obliged to depart upon very short notice; the former went to Larrache, and the others retired to Gibraltar. The European Jews must undergo the same fate, unless they will take the black habit, like those of the country, and in that case the Emperor will take them for his subjects and slaves.

The new English Consul arrived at Tetuan, on board an English man of war, but was refused admittance on account of the new order for expelling the Christians. The Consul wrote to the Emperor, that it was the intention of his Court that he should reside at Tetuan, and not at any other place; and the man of war is sailed to Mogador, the Consul being determined to make remonstrances on this subject to the Emperor in person.

PETERSBURGH, Oct. 27. An ordinance is published here for raising one man out of 150 throughout this empire. Count de Czernicheff, Minister of War, and Governor of the late acquired provinces in Poland, is raising two regiments of foot, and one of light horse.

VIENNA, Nov. 11. We are informed that the armistice is prolonged to the beginning of April, and that M. Obreicow is appointed (toe) Ambassador on the part of Russia, to treat with the Grand Vizir's Reis Effendi, at the new congress which is opened at Bucharest.

Nov. 18. Our advices from Bohemia are truly melancholy, the mortality having broke out again there, not only among the horned cattle, but among the horses.

Nov. 25. A Polish Nobleman of distinction arrived here the day before yesterday, and immediately had the honour of a private audience with his Imperial Majesty, which lasted above three hours. And on the very same day that Nobleman was secured; no body knows who he is, nor the reasons of his imprisonment, or the cause of the expeditious audience on his request at the very hour of his arrival.

LEGHORN, Nov. 13. None of the Russian ships here being in a condition to sail immediately with the dispatches from Petersburg for the Squadron at Paros, the Russian Agent here has sent an English ship with that commission.

PARIS, Nov. 13. Part of the dyke of the port of Rochelle has been thrown down by an extraordinary high tide and violent wind, by which several ships have been left.

FRANCFORT, Nov. 23. Some letters of good authority mention, that the peace between Russia and the Porte will soon be concluded on, as the former of these powers does no longer insist on the independence of the Crimea.

HAMBURG, Dec. 5. The following anecdote is in all our publick papers. The King of Prussia said to Baron Van Swieten, the Royal Imperial Ambassador at the Court of Berlin, when he took his leave of his Majesty before setting out on a journey for some months to Vienna: "Tell the Empress Queen that she need not be uneasy with respect to the resistance of the Poles, regarding her part of that kingdom, for there are 100,000 men, with myself at their head, at her service."

L O N D O N, November 11.

The settlement on the banks of the Mississippi, which was so dissonant to Lord Hillsborough's system of politics, is now *sub judice* before the Board of Trade, and from the warm manner it is patronized by Lord Dartmouth, there is the strongest probability of its taking place very shortly.

Nov. 12. Tuesday and yesterday no less than four expresss arrived from a certain northern Court, which has occasioned a meeting of the leaders in the Ministry, at the Premier's.

Extra of a letter from Madrid, dated October 6.

"Accounts, and very alarming ones, are constantly arriving here of the rising of the natives Indians on the Spaniards, which so frequently occurs, that if the Court of Old Spain do not send over a considerable reinforcement to secure their dominions in Peru, Chili, La Plata, &c. in South America, they will run a great danger of losing them. Not only the Indians, but the Negroes and Mestizo seem disaffected to the Spanish government. The last advices from Lima say, that a considerable body of natives had lately rose in that city, likewise in Calco, and that much blood was spilt before they could be properly brought to subjection."

Nov. 23. It is said that France would not have agreed to the receipt of our hard ware, in consideration of our taking her wines, if she was not apprehensive that our settlements on the Mississippi might be encouraged to rival her vineyards, especially as our Ministry appear extremely attentive to the southern products of colonization.

Nov. 24. It is remarkable, that in 1703 Great-Bri-

tain made a treaty of amity with Portugal, in 1732 she preferred that kingdom from ruin when invaded, in 1752 sent an immense sum to relieve it from the miseries it underwent from the earthquake, in 1762 saved it from falling into the hands of the Spaniards, and in 1772 has mustered up spirit enough to resent, in a proper manner, the ingratitude of those faithless people.

The methods taken by the antiministerial party for prejudicing the inhabitants of a sister kingdom against their new Viceroy, have, it is said, been so far successful as to threaten him with the coolest reception imaginable, as well as a train of spirited opposition to all his measures of government.

It is said, that the growing evil (among the Clergy) of engrossing farms, will undergo a parliamentary inspection this Winter, as they, of all men, ought to be the last to oppress the poor.

Nov. 16. They write from Brest, that the Court have given orders for four ships of the line to be immediately dispatched for Martinico, with building materials, artillery and stores, to make an immediate repair of the damage lately sustained at that island.

Extra of a letter from Algiers, October 3.

"The English man of war the *Winchelsea*, of 32 guns, and 180 men, commanded by Capt. Wilkinson, anchored in our road the 28th of last month. Capt. Wilkinson acquainted the regency that it was the intention of the King his master to protect all those who should take refuge on board his ships, and consequently that he should not give up any slaves that should come to him for protection. Upon examining the treaties it appeared that this privilege, which had hitherto been solely enjoyed by the French, was equally the right of the English, though they never yet thought proper to claim it; accordingly the regency consented to it, but in order to defeat Capt. Wilkinson, they ordered all the slaves to be immediately chained, and placed a strong guard to prevent any from making their escape on board his ship. Captain Wilkinson sailed from hence the 26th much displeas'd with the treatment he met with."

Nov. 19. They write from Paris, that several very inflammatory and traitorous letters have been dropped about the court; and that one was found even in the King's bed chamber.

Nov. 21. The Moors have already begun the attack of Ceuta; they opened the cannonade at dawn of day, and the fire continued very brisk till noon, when it suddenly ceased. The occasion is not known; and when the post left Spain, they had not renewed the attack.

Nov. 23. It is confidently said that the French have actually 15,000 of their best troops cantoned along their coast, opposite to England, and that they continue to augment the same, but with what view is not known.

A true state of the number and quality of the manufactures at present carrying on in all the British Colonies, we are informed, is now preparing to be laid before an august assembly.

Nov. 24. The disputes subsisting between the Danes and Swedes are likely to be amicably adjusted by the interposition of a certain court, contrary to the desire of the Bourbon family.

Nov. 25. Yesterday, by a decree of the Court of Chancery, Mr. Wilkes was ordered to pay costs to the Orphan charity at Aylebury, for the money he had defrauded it of. What a pity this man lost his election in the city! How glorious would it have been to have had the Lord Mayor of London stigmatized for a petty larceny rogue upon record!

Nov. 26. On Sunday his Majesty's Schooner the *Sultana* arrived at Spithead express from Admiral Montagu, and brings advice, that the people of Rhode-Island are so exasperated at the restrictions he has laid on their smuggling, that they will not allow an officer of any King's ships to come on shore. They insist that men of war have no authority to search their ships, or interrupt their trade, and threaten to burn all that the Admiral stations for that purpose.

It is said, that there are upwards of 100 ships of force now in the several ports of this kingdom ready to put to sea at an hour's notice, owing to the good management of Lord Sandwich; whereas when the last war broke out, we could not muster above 40 sail, and many of them in a very indifferent situation.

Nov. 28. The *Swan*, Captain Banning, from Maryland for London, is safe arrived at Dover.

The *Lord Baltimore*, Capt. Mitchell, from Baltimore in Maryland, with tobacco, for London, arrived safe at the Motherbank the 26th inst. and sailed from thence for the river; she has had a long and tedious passage, with very violent hurricanes, which obliged the Captain to throw a part of her cargo overboard to keep her from sinking, the being in very great danger.

Dec. 11. From Genoa they write, that they had advice from Spain, that orders had been sent to all the dock-yards of that kingdom, and to those belonging to Spain in South-America, to hasten the construction of the new men of war on the stocks, and for putting the old ones into thorough repair.

PHILADELPHIA, February 13.

By Capt. Timmons we hear, that a vessel from St. Vincents was arrived at St. Eustatia a few days before he sailed, the Captain of which informed him that there were upwards of 3000 negroes employed in cutting a road across the island, in order to pen in the Indians; that the troops under the command of Col. Dalrymple had taken possession of two of their towns and all their craft. The troops are very sickly, and upwards of 2000 were in the hospital at St. Vincents.

ANNAPOLIS, FEBRUARY 25.

The General Assembly of this Province, which stood prorogued to Tuesday the 2d Day of March next, is farther prorogued to Tuesday the 4th Day of May.

THE Members of the LUNATICK CLUB are desired to take Notice, that their Meeting is fixed upon to be at Annapolis, at the Coffee House, on Tuesday the 8th Day of March. (being full Moon) Dinner will be upon Table at Six in the Afternoon precisely.

N. B. Circular Letters are sent to the Members, which perhaps may not be received. Attention therefore is desired to this Notice.

St. Mary's County, February 12, 1773.

To be rented for any Term of Time, and may be entered on immediately.

A VERY good Store-House, with a Lumber-House nearly adjoining, situated on Briton's Bay, and within Three Miles of Leonard Town; and on the Land where Mr. John Fenwick now lives, has an extraordinary good landing Place, where ships may lye with safety, and load within Thirty Feet of the Shore; there is lately erected thereon a Warehouse, by Joseph Fenwick, for the Reception and Inspection of Tobacco; where it is generally supposed, Three Hundred Hogheads will at least be brought this Year; it is remarkably healthy, has excellent Water, is very convenient either for the Tobacco or West-India Trade; and in a Neighbourhood, where there are large Crops made both of Corn and Tobacco, and who in general it is believed, will encourage to the utmost of their power, any Gentleman who might incline to fix among them, in witness to the truth of the above Particulars we the Subscribers living in the said Neighbourhood, have hereto set our Hands.

PHILIP MIDLEY,
BENNET COMBS,
JOHN GREENWILL, junr.
JOSEPH WILLIAMS,
JAMES WILLIAMS,
ROBERT MANNING.

4W

N. B. Any Gentleman whom this may suit may have Board, Washing, &c. for any Number he pleases, at Mr. John Fenwick's, close to the Store, upon the most reasonable Terms. For further Particulars enquire of Mr. John Fenwick,

Or of their humble Servant,

JOSEPH FENWICK.

February 18, 1773.

To be sold at publick Vendue, on Thursday the Eighteenth Day of March next.

THE Four following Tracts of Land, adjacent to each other, lying within Twelve Miles of Frederick Town, and within Four of Patowmack River, near Kittockton Creek, viz. Forest of Needwood, 300 Acres; Hawkins's Plains, 390 Acres; Swed's March, 300 Acres; Fertile Meadows, 100 Acres. There are very good Improvements on them, together with an Apple Orchard, consisting of 300 Trees of excellent Fruit. The Land is level, clear of Stones, extremely well timbered, plentifully supplied with constant Springs of Water; and the Soil well adapted to Tobacco, or Grain of any Kind. It is generally reputed to be the best Land in that Settlement. Any Person or Persons inclinable to purchase the Whole, or any Part thereof, may view the same any Time before the Day of Sale, by applying to Nicholas Hook, who lives on the Premises. An indisputable Title will be made to the Purchaser, by

2W

FIELDER GAUNTT.

Annapolis, February 15, 1773.

JOSHUA COLLINS,
Musical Instrument-maker and Turner from MANCHESTER,

BE G S leave to acquaint the Publick, that he has commenced the said Branches of Business, at Messrs. Shaw and Cibbold's Cabinet Shop; where all Sorts of Turner's Work is executed in the completest Manner; also German and common Flutes, Hautboys, Fifes, &c. of all Sorts and Sizes; all Sorts of Musical Instruments repaired, Harpsicords, Forte Pianos, or any stringed Instruments put in tune. He has opened an Evening School for Musick, at Mr. John Hepburn's, where he teaches the most modern and approved Methods of playing the German Flute, Hautboy, Clarinet, Basson, &c. Having been educated in that science, under the Care of some of the greatest Masters in England. Those whom it may please to encourage the Subscriber may depend on being served on the most reasonable Terms; and such Gentlemen as cannot attend his Evening School may be waited on in the Day Time at their own Apartments,

By their very humble Servant,

W4

JOSHUA COLLINS.

Alexandria, February 19, 1773

BAY BOLTON,

Imported last October, Six Years old this Spring, WILL stand at Fotherold, my Plantation, about Three Miles from Alexandria, and cover this Season at One Guinea the Leap, and Five Shillings to the Groom, or Two Guineas the Season, and Ten Shillings to the Groom; and Pasturage Mares may have good Pasturage, but I will not be answerable in case of Loss, though the same Care shall be taken of them as my own.

He was got by that beautiful Horse Sterling, out of a full blooded Hunter Mare; he is near Sixteen Hands, a dark bay, stout, and well formed.

JOHN CARLYLE

Now ready for the Press,
And to be printed by Subscription, in one large Quarto
Volume, containing about Three Hundred Folios.
(Price in Shillings)

FOR
MR. _____
County.

THE
DEPUTY COMMISSARY'S
GUIDE
WITHIN THE PROVINCE
OF
MARYLAND.

TOGETHER
With plain and sufficient Directions for Testators to
form, and Executors to perform their Wills and
Testaments; for Administrators to compleat their
Administration, and for every Person any Way
concerned in deceased Persons Estates, to pro-
ceed therein with safety to themselves and others,

BY
ELIE VALLETTE,
Register of the PREROGATIVE COURT, of the PRO-
VINCE aforesaid.

PROPOSALS.
The above will be put to the Press on the First
Day of May next, by which Time, it is apprehend-
ed, the Subscription will be compleated. Every
Subscriber shall have his Name and Title printed in
the Title Page, in a Label adapted for that Purpose,
as in the above scheme, provided their Signature
come timely to Hand.

All Endeavours shall be used to procure a Book-
binder, in which Case the Volume shall be neatly
bound in Calf, gilt, and lettered, for which an
additional half-Crown will be demanded at the De-
livery of the Book.

SUBSCRIPTIONS are taken in (and Money received,
if tendered) by the several Deputy Commissaries in
each respective County of this Province, as also,
At Oxford, by Mr Charles Cruikshank.
At Bladenburg, by Mr. Richard Henderson.
At Upper Marlborough, by Ralph Forster, Esq;
At Lower-Marlborough, by Mr. Thomas Jones.
At Elk-Ridge, by Mr. John Dorsey, Merchant.
At George-Town, by Mr. Robert Peters.
At Cambridge, in the County Clerk's Office.
And at Annapolis, by Mrs. Howard, at the Coffee-
House; Messrs. Williams and Co. and Mr. M'Hard,
at the Dock; Mr. Cornelius Garretson, and at the
Printing-Office.

For an Illustration of the Contents, the Preface
is here inserted.

P R E F A C E.

The following Sheets, written principally with
the View of introducing a general Uniformity in
the Proceedings of Deputy Commissaries, and of
assisting Executors and Administrators in the Per-
formance of their Duties, are submitted to the
Candour of the Publick. I flatter myself they con-
tain Informations which may be serviceable to ma-
ny, and that such, as do not need my Instructions,
will not censure my Endeavours to assist those, who
do.

In my Office of Register, which I have executed
for Eight Years past with Application and Diligence,
I hope, I may be permitted to say, that I have
gained some Knowledge at least of the interior and
practical Part of the Business I have undertaken to
explain, and it is upon this Experience I have ad-
ventured to appear in print. There are very few
Persons, who are not in some Respect, concerned in
the Management of the Estates of deceased Persons,
as Creditors, Executors, Administrators, Legatees,
Relations, or in what they have to leave, as well as
to claim, and I may presume to observe, that very
few have not frequent Occasion for Advice in these
Concerns, and therefore my undertaking cannot
but be extensively useful, unless the Execution of it
be extremely defective.

In order that the Reader may have a general Idea,
of what he is to meet with in the following Treatise,
I am to observe, that it begins with pointing out the
Duties, and Function of Deputy Commissaries, in
the various Cases of Administration, in receiving
Inventories, and examining and passing Accounts,
and then proceeds—2dly, On the Subject of Wills
written and nuncupative—3dly, Of Legacies—
4thly, Of Descent—5thly, Of Distribution—
6thly, Concerning the Office of Executors and Ad-
ministrators—7thly, The Appointment and Duty
of Guardians, in the Management of the Estates of
Orphans—8thly, Concerning Rules of Office re-
specting only Deputy Commissaries—9thly and
lastly, An Appendix comprehending as well such
Precedents as are occasionally referred to in the
Treatise, as other Procefs issuable out of the Pre-
rogative Office, and a general Index to the Whole.

ANNAPOLIS: Printed by ANNE CATHARINE GREEN and SON.

By Virtue of a Deed of Trust from Captain William
Richardson, for the Benefit of his Creditors,
To be sold on Wednesday the 27th of August next, by pub-
lick Sale, at the House of Mrs. Chilton, in Balti-
more-Town,

THAT valuable and well known Tract of Land
called Colrain, said to contain near 800
Acres, though only patented for 602 Acres. There
are about 100 Acres cleared, being the poorest Part
of the Land, whereon is built, a framed Dwelling-
House, 30 by 20 Feet, with Brick Chimnies, hav-
ing Two Rooms below and Three above, a Kitchen,
Meat-House, Milk-House on a Spring, Hen-House,
Corn-House, Stables and Barn, and an exceeding
good Apple Orchard, about 40 Acres of Meadow
are cleared, and under middling Fence; Part
whereof is embanked Marsh, the Rest white Oak
Bottom, and upwards of 100 Acres more may be
made. This Land abounds with Locust, Maple,
Hickory, red and white Oak, and is conveniently
situated in Baltimore County, upon Bush River, 4
Miles from Bush-Town and Joppa, and 22 from Bal-
timore-Town. There is a good Fishery, particularly
of Herrings in the season, and plenty of wild Fowl.
It is supposed to contain plenty of Iron Ore, from
the Appearances, is convenient to many Furnaces,
and hath a good Landing. Twelve Months Credit
will be given to the Purchaser, and if any inclinable
to purchase privately, they may know the Terms,
by applying to Mr. James Christie, Merchant, in
Baltimore-Town; and Capt. William Richardson will
attend on the Premises to show the Land.

February 18, 1773.
I HEREBY give Notice to the Owners of all the
Tobacco put into the Warehouse at Elk-Ridge
Landing, preceding the Year One Thousand Seven
Hundred and Seventy-Two, (and now remaining
there) to take away the same, otherwise I shall dis-
pose of it at the next March Court for the Benefit of
the Owners.
zw PATRICK MACGILL.

February 18, 1773.
Imported last September, in the Nelly Frigate, Arch
Greig, Master, from London,
ONE Cask of Merchandize, marked A B Glase,
No. 7, and left with R. Couden: Also left on the
Wharf a out same Time, One Tierce and One Bar-
rel of Goods, which lay exposed there for several
Days, (without Mark or Number) and were since
taken care of by Isaac M'Hard, and found to be
Slack. The Owner or Owners of the above Goods
may have the same delivered to them, on proving
their Property and paying Charges.
zw

December 16, 1772.
THE Lower Ferry on Patapsco River, which I
have had an Allowance from Anne-Arundel
County this Twenty-five Years past for keeping the
same, is now kept by James Kelfo; and as the Pub-
lick may think I have declined keeping Boats, I
take this Method to inform them, that I still have
Two good Boats going as usual, and hope that all
my old Friends and Acquaintance in the Out Coun-
ties will favour me with their Custom.
w3 FLORA DORSEY.

George-Town, January 27, 1773.
THIS is to give publick Notice, that a certain
James M'Keever and William Patterson, who
lived in this Town for some Time, and passed for
free Men, have been taken up agreeable to an Ad-
vertisement signed by John Stapler and Henry Rey-
nolds, but made their Escape the same Day they were
taken up, and have left in my Hands a Silver Watch,
and sundry Articles of wearing Apparel, which an-
swers to the said Stapler and Reynolds's Advertisement.
Any Person or Persons may have the said Watch
and Clothes again, by proving their Property and
repaying some Money advanced by me on them, and
the Charges of this Advertisement.
FRANCIS JINKINS.

Frederick County, February 8, 1773.
WHEREAS a Commission issued from Frederick
County Court, at the Instance of Thomas
M'Cubbin, empowering us the Subscribers to examine
Evidences to prove and perpetuate the Bounds of a
Tract of Land, called Friendship and Pritchett's Pur-
chase, lying in said County. We do give this pub-
lick Notice, that on the 15th Day of March next we
intend to meet on said Land, in order to examine
all such Evidences as shall be offered to us, to prove
the Bounds of said Land, or the Bounds of any
other Land whereon the same may depend.
THOMAS NICHOLLS,
SIMON NICHOLLS,
AARON LANHAM,
LEWIS WILCOXON.

St. Mary's County, January 16, 1773.
COMMITTED to my Custody as a Runaway, a
Mulatto Boy, about 15 or 16 Years of Age,
4 Feet 4 Inches high, who says he belongs to John
Churchill, of Virginia: Has on, a mixt Country
Cloth Coat, Jacket and Breeches, old Shoes and
Stockings, and a Felt Hat. His Master is desired
to take him away and pay Charges, to
JENIFER TAYLOR, Sheriff.

February 10, 1773.
ALL Persons indebted to the Estate of Mr.
William Willett, Pewterer, late of Prince-
George's County, deceased, are desired to make im-
mediate Payment; and all those who have any just
Claims against the said Estate, are requested to
bring them in legally proved that they may be
settled and paid, by

MARY WILLETT, Executrix.
N. B. The Pewterers Business is still carried on
at the Subscriber's House in the same Manner, and
at the same Rates as were in my deceased Husband's
Life.
w3 M V.

January 12, 1773.
WHEREAS I the Subscriber paid my Bond to
Robert Jackman, of Baltimore County, for
Seventy five Pounds Currency, payable May, 1773,
for and in consideration of several Tracts of Land;
but in as much as the said Jackman has not, or can-
not, perform his Bargain with me: I therefore fore-
warn all Persons from taking any Assignment of said
Bond, as I will not pay the same.
JOHN CIARK.

February 3, 1773.
COMMITTED to the Jail of Charles County, on
the 2d Inst. as a Runaway: a Negro Man,
who calls himself HARRY, and says he belongs to
William Clark Compton, living in Nangemo, but
that he ran away from Joseph Courts, in Virginia,
with whom he lived; he appears to be a young Fel-
low, and is about Five Feet Eight Inches high:
Has on, an old Osnabrig Shirt, and a new one over
it, an old Sagathy Jacket, old Surtout Coat, and a
Pair of very ragged black Everlasting Breeches, good
Yarn Stockings, Shoes and Steel Buckles.
The Owner is desired to take him away and pay
Charges, to
w3 WILLIAM HANSON, deputy Sheriff.

HERE is at the Plantation of Nicholas Dorsey,
on Elk-Ridge, a pale sorrel Stray Horse, a-
bout 14 Hands high, has a Blaze in his Face, a
Snip on his Nose, and a white spot on each Side of
his neck, his near hind Foot white. The Owner
may have him again, proving Property and paying
Charges.
w3

HERE is at the Plantation of Thomas Reynolds,
near the Head of Elk, Cecil County, a dark
brown Stray Mare, Seven Years old next Spring, a
bright Star in her Forehead, neither Brand nor
Earmark that can be observed, trots, paces, and
gallops. The Owner may have her again, proving
Property and paying Charges.
w2

THE Subscriber will attend the ensuing March
Courts at Leonard-Town, Port-Tobacco, and Up-
per-Marlborough, to collect all Balances due for this
Gazette, Advertisements, &c. Those who are in ar-
rears for more than one Year, must not only expect to
receive no more Gazettes, but that immediate Steps
will be taken to compel Payment.
FREDERICK GREEN.

February 15, 1773.
To be sold at publick Vendue, on Saturday the 6th Day
of March next, if fair, if not the next fair Day,
at the Subscriber's Dwelling Place,

SUNDRY Negroes, and sundry Household Fur-
niture, and many Plantation Utensils; and
likewise Stock of almost all Kinds; a good Black-
smith who hath Four Years and a Half to serve; a
compleat Set of Smiths Tools, One new Waggon
finished in the neatest Manner, One good Cart.
The above Articles will be sold for Cash or Lon-
don Bills of Exchange.

The Subscriber had stolen from him about the
middle of September last, One gray Mare, branded
with H S but One Letter on the Shoulder, the other
on the Buttock, is a natural pacer, about Nine
Years old, about Fourteen Hands high. Whoever
secures the said Mare, so as the Subscriber may get
her again, shall have Five Pounds Reward, and if
the Thief be brought to Conviction, Five Pounds
more, paid by
RICHARD YEATES.

N. B. The Subscriber had some Time past assign-
ed to him, the Indentures of a certain William Noble,
who indentured himself to a certain Dr. John
M'Donald, for the space of Three Years and Three
Months; and as it appears he never served his
Time: These are therefore to acquaint the Publick,
that if any Person will apprehend the said William
Noble, and bring him to the Subscriber, shall have
good Compensation for their Trouble, and all rea-
sonable Expenses, paid by
R. Y.

Baltimore, January 16, 1773.
ALL Persons having any just Claim against the
Estate of Col. Charles Ridgely, deceased, are
desired to send in their Accounts properly proved,
and such as are indebted to the said Estate, are
hereby required to come and pay to prevent Expence
to themselves, and I trouble to
CHARLES RIDGELY,
DANIEL CHAMIER, } Executors.
WILLIAM GOODWIN }

Advertisements omitted will be inserted in our next.