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MARYLAND GAZETTE.

FRIDAY, MARCH 3, 1780.

For the MARYLAND GAZETTE.
NUMBER XXVIII.

FRANCE was first moved by the evils of the war, and, in 1758, she acquainted England with her pacific intentions, by the minister of Denmark; but her adversary had conceived hopes proportionable to her success, and rejected all accommodation. When, the following year, in concert with the king of Prussia, she sent, to the ministers of France, of Vienna, and of Russia, at the Hague, a declaration, by which she seemed to desire the opening of a congress to treat of peace; candour must confess, that it was with a view to relieve herself from the charge of obduracy, in continuing the war. Peace was not seriously thought of until 1761. France made a declaration the 28th of March, which was sent to the court of London, and by which it was proposed to open a congress. The Duke de Choiseul addressed a particular memorial to the minister of England, and proposed to institute a particular negotiation to settle the debates that had arisen between France and that Kingdom, relative to their possessions in North-America, and which were the ground of the war.

An answer was remitted to this memorial, and articles of accommodation began to be sketched out by both courts. Several memorials passed between them, in which great conciliation, and an anxious desire of peace, on the part of France, were extremely visible. The principal difficulty in the way at present took its rise from a demand of the court of Britain, that France should not introduce the disputes between Spain and Britain, relative to the fisheries of Newfoundland, or the British establishments on the bay of Honduras, or expect that these should be included in the terms of a pacification. It would be difficult, in this case, to justify the proceeding of the English court. There was no reason that this court should be offended with the proposal that the court of Madrid should be a guarantee of the treaty. And still less reason was there to look upon it as a proof of the bad faith of France, that she was willing to prevent a rupture between Spain, who was her ally, and the court of England. If, on the contrary, she had not really desired a lasting peace, is it not evident, that so far from being willing to see accommodated the differences between these powers, she would have chosen that they should remain a seed of division, for a future day, when she might have it in her power to renew the war and carry it on with greater advantage than at present?

If France had been in a situation to give laws to her enemies, it might have been a reproach against her, that she abused her advantages in favour of an ally, and embarrassed the negotiation by things foreign to the peace. But even in this case, she would only have consulted the good of mankind, and would have followed the dictates of a just foresight and clear policy. Why should the court of England take it amiss, that France was willing to institute a negotiation in favour of Spain, seeing she was not in a situation to dictate imperiously what should be the terms? It must be confessed, that in our prospect we were not able to resist the vices which accompany it. An unlimited ambition is, since the birth of society, the rock on which the strength of mighty kingdoms and great states breaks itself. Without doubt England was willing, that after an accommodation with France, the debates with Spain should be left, which she would afterwards settle to her own satisfaction, leaving then to do but with one power, who without allies, was weak, and unable to defend herself.

It will not be necessary here to make mention of the various proposals, and advances on the part of the one kingdom, and the obstinacy and the haughtiness inspired by continual success on the part of the other. It was still demanded on the part of England, that France should neglect the interests of her ally in the accommodation. It must be confessed, that it was above the power of human wisdom to reconcile the two nations on this important point. It is a situation the most destructive to which a state of the first rank can be reduced by the evils of war, to see herself

constrained to destroy the credit of her friendship, in abandoning her allies. What would Europe have said, if England, in the midst of her success, had been capable of betraying the confidence of her allies? The conquests, and vast dominions which she acquired in America, would not have indemnified her for the hatred and contempt which a conduct of this nature must have inspired. A people may lose battles, and cede provinces, without weakening themselves; but honour is the firmest, or rather the only rampart of states. If the evils consequent on war could authorize the violation of engagements, what would become of the religion of treaties? These are contracted with a view to gain friends, who may assist in our adverse state of affairs. How then shall adversity be an excuse for breaking off from such engagements? Nevertheless the court of England still continued to insist upon it, and the consequence was a more close union between the branches of the house of Bourbon in the family compact, which was entered into August 14, 1761.

The war, from this time was carried on by the joint forces of France and Spain, and if circumstances favourable to the tranquillity of Europe had not permitted, that a negotiation should once more be set on foot, it is probable that England, embarrassed with the friendship and protection of Portugal, would have found in her losses, in support of this ally a counter-balance for her successes elsewhere. But a negotiation was again set on foot in 1762; of which what had been agreed upon in the former stipulations should serve as a basis. Pitt was no longer at the head of the British governments. His name will be famous and respected in every nation of Europe while the world lasts. Nevertheless, moderation and the love of peace were not his qualities; and though he disapproved of the peace which was concluded under his successor, yet posterity will do this successor, bad as he is, the justice to say, that in this instance he did what was reasonable, and for the real interests of the contending nations. The treaty of Paris put an end to the evils of war, February 10, 1763.

The view we have taken of the contents of Europe, for the last and the present centuries, in which England has had a principal share, will serve to give a just idea of the character and conduct of those powers whom we have been heretofore led to consider as the aggressors in all wars. We ourselves having felt the restless spirit of the British nation, and the ambition of her princes, in their views of extensive dominion, are in a disposition to learn the truth. Perhaps we shall find, looking back to the reign of the first Edward, that there never has been a more injured people than the French nation; liable continually to the incursions of those fierce islanders whose possessions on the continent until the reign of Henry VII, gave them an easy access to the territories of their more peaceful neighbour, and whose situation within the four seas, rendered reprisals, at all times, extremely difficult. With regard to the late princes, and especially the Georges, whom we have been heretofore led to consider as the great guardians of the protestant succession, and of liberty in England, we shall find that the support of the former was indirect and unintended, and that the latter owes little to them. On the contrary, it has been the invariable system of every one of the Hanoverian princes, to turn to advantage the general fears of the people relative to a popish succession, and, under pretence of providing against it, to encroach on those liberties which by free states have been deemed invaluable. Nothing new of this nature being left to be attempted in England, we on this continent have felt the increased movement of that ambition, and now I presume, we will not be averse from believing what Mrs. Macaulay has told us in her late letters on the history of England, and with which I shall conclude these observations. Speaking of James I, and the ridiculous and over-cautious timidity of that prince, yet, considering the ruinous system which has followed down to the present era of the war against America, she cannot help expressing a wish, "that the successors of this so-

lomon of the English nation had possessed the pacific disposition of their great founder."

THE HONEST POLITICIAN.

For the MARYLAND GAZETTE.

HAVING proved, I hope, to the entire conviction of my readers, the injustice of confiscating private British property in this state, within our power; and that the law or practice of civilized nations will not justify the confiscation of the property of the innocent and inoffensive subjects of Great-Britain; and having clearly refuted the principle, on which the delegates originated their bill for confiscation, "that all British subjects, by the declaration of independence, became *aliens* to this state;" and having evinced, by the common law of England (by which only the question, what British subjects are aliens to this country; can be ascertained and determined) that "all the British and Americans, born before the declaration of independence, are *not aliens*, either in Great-Britain or in this state, but that they may inherit in the several countries, as the *natural-born subjects* of both, and may sue in the respective courts of either to recover their debts or lands, if withheld from them; and that only those born in the respective countries since the declaration of independence, are *aliens* in the respective nations; I shall proceed to make such further remarks and observations as appear to me pertinent to the subject, and to shew the impolicy and imprudence of the leading members of the house of delegates, in urging the senate to give their assent to an act so manifestly unjust, contrary to the law of nations, our common law, and the principles of our constitution.

I think it was the duty of our general assembly to comply with the requisition of congress; to raise the 14,220,000 dollars in nine months, and to make the monthly payment of 1,580,000 dollars from the last of this month until the first of October inclusive. I esteem a requisition of congress as binding and obligatory on all the states in the union. Congress alone is, and ought to be the judge of the number of men, or the sums of money, necessary to carry on the war. If one state may refuse or delay to raise its proportion of the supplies required, another may do the same, and by such conduct endanger the safety of the whole. In truth, the state which unites, from any cause, but inability, breaks its public faith and plighted honour. I am far from thinking it was imprudent or impracticable to raise the whole sum by a tax and assessment on property; I conceive it would have been wise in our delegates to have laid the tax, and that the people could have paid it with great ease and convenience. I agree with the Senator, who hath expressed himself with great modesty, that it does not become an individual to determine this question, contrary to the assertion of the delegates, but yet I hope, one of the people, who is to pay his proportion of the tax, may be indulged to differ from them in sentiment, and to assign his reasons for his opinion. There ever has been, and always will be a small part of the community, to whom taxes will be disagreeable and burthenous. The true question is, whether the people, in general, are not in circumstances to pay a tax sufficient to raise the sum required by congress. The house of delegates declared, "they were under the strongest impressions of the propriety, the necessity of raising the sum required by congress; to prevent further emissions; to support the credit and value of our paper money; and to enable congress to carry on the war;" and they seemed to be apprehensive of great and fatal consequences, if the supplies were not raised. Though I see but little force in any of the reasons urged by the delegates, except the last (to enable congress to defray the current expences of the war) yet as they appeared solid and substantial to them, it ought to have induced them the more to exert their every endeavour to raise the money.

The delegates allege that the monthly tax, to raise our whole quota of 14,220,000 dollars, would be £. 3 on every £. 100 of property; that this in the nine months would be £. 27; and that the expences of our government, for the current year, would require a further tax of 30 on every £. 100. The whole tax therefore in the year would

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be £. 28 10 nominal money on every £. 100 of nominal property.—This sum though nominally great, is really but a trifle. In the words of the Senate, "we pay our taxes, not on the present nominal value of our property, but on its old value." That is, if a man has a ton of bar iron, which will sell for £. 1500 continental, he only pays on £. 30; if he has a negro, which would sell for £. 3750, he only pays on £. 75; in the same manner, and by the same rule, he pays on land, continental money, or any other property. The whole tax in the whole year therefore, of £. 28 10 nominal money, on the same principle and scale, will be about 11/4 real money, for every £. 100 of actual property. What an enormous sum! But the delegates say they cannot load their constituents with such a heavy tax, and that they must sell part of their property to raise it. I guess they mean watermelons, cabbages, eggs, and the like. *Risum teneatis!* Who can refrain from laughter? I believe under the old government the yearly tax was from 20s to 12s 6 per poll. The truth probably is, that the confiscation of British property was a favourite object with the leading members of the house of delegates. To carry this point every argument was to be urged, and every plausible pretence to be alleged. Justice, policy, and necessity, were the triumvirate drawn forth, in phalanx, to beat down all opposition. Those who had courage enough to differ in sentiment, and to speak openly their opinion, were aspersed as disaffected to our glorious revolution; and it is said, in private, branded by the odious epithet of Tories, an appellation given, by some men, to every one who differs from them in opinion. A union too was formed as unexpected as unaccountable. In a moment all former animosity was forgotten. Aiming at one point, men discordant in their natures, and ever before jarring on public questions, became not only united but confidential, in the prosecution of the point, to carry which they had confederated together. The circumstances are suspicious. The Senator justly observes, "that a discerning people will not place a blind and implicit confidence in their representatives; they will not rely on mere and plausible professions, but they will search narrowly into the true and secret springs of the public councils, and not always content themselves with the ostensible and assigned motives for the conduct of their representatives. Particular circumstances, and particular characters,* will generally furnish the people, if they will exercise their good sense, with a clue to discover the main and innermost spring of public measures." Every wise man will measure the integrity of men by their conduct, and not by their professions. When I consider circumstances and characters; the present crisis of speculation; what would, at this time, be the probable views of men engaged in that infamous traffic; and what characters might benefit themselves, or their connections or friends, by a confiscation and immediate sale of British property; I fear the senate had some reason for their remarkable intimation, "that it could not be the wish or desire" of the house of delegates "to raise great emoluments to a few individuals, at a certain and heavy loss to the public." And I now begin to think, with the Senator, that "the message of the delegates was a laboured apology for enroffers and speculators." The unanimity of the delegates, under all circumstances, gives rather suspicion than weight to their resolutions. I am informed it was publicly said, by the president of the Senate, that some eight or ten of the members, who voted for the bill, had given their public voice contrary to their private judgment and opinion.

If the delegates should persevere in their opinion, and at the next session refuse to raise our whole quota, by a tax on property, yet surely they may raise 5,220,000 dollars by the several modes pointed out by the Senator, which would be far preferable to their favourite plan of confiscation; which, when explained and understood, will certainly cause heats and divisions among our people. To the several objects of taxation recommended by the Senator, I would propose to add, a heavy tax on speculators, and all species of gaming. In the State of New-York, every speculator, I am informed, is obliged to pay a certain sum to the public. Such a tax would answer two valuable purposes; the public would thereby receive part of their

* The confederates, or the quadruple alliance, H.-I., C.-e., L.-b.-y., and H.-n.-y., assisted by their allies, the agitators, S.-g., B.-f., M.-k.-n., St.-w.-n., B.-n.-y., and W.-n.-n. That the dot, ribs, and violent Sempronius, should urge the confiscation, is not to be wondered at, but that the cool, prudent, and moderate Lucius, should embark with him and the other confederates, in such an act of injustice, is almost incredible.

ill-gotten pelf, and every one of those miscreants would be known, and I guess some great ones, not now suspected, would, by such mode be discovered to their much injured countrymen.

The proposition of the Senator "to call on the public debtors to the loan-office who have paid off their bonds to give new obligations for the balances, after deducting from the original debt the payments made in a depreciated currency, according to the exchange at the respective times of payment," demands the warmest thanks of every honest public spirited man among us. Those who have been honest enough not to pay their debt, should be obliged to remain the debtors of the public, and to pay the interest annually according to the depreciation. I have often in private contemplated this subject, but the honour of first publicly avowing the opinion, was reserved for the Senator. I applaud his resolution and firmness in opposing the popular opinion in favour of confiscation, but for this last declaration, I would, if my poor voice could prevail, have a statue erected to his memory. If the interest would annually produce above £. 80,000, what a capital gross sum would be received for the money already paid in? His calculation of exchange at 1500 per cent. is a great deal too low, it is, at this day, 6000 per cent. i. e. a bill of exchange for £. 100 sterling, will sell for £. 6000 continental. Let us consider what sum would still be due to the public, (or what sum the public would have to receive if thought proper) on the bonds already discharged and cancelled; on the supposition that £. 100,000 sterling have been paid into the loan-office. I will suppose the depreciation, on an average, at the different times of payment, was 750 per cent. which is full low. The debtors for the £. 100,000 sterling discharged it at the exchange of 166 2/3 per cent. and consequently paid into the office £. 166,666 2/3 continental money; this sum at 750 exchange would in justice only have paid £. 22,222 2/5 sterling, and of consequence there ought now to be due to the public £. 77,777 15 7 sterling. The annual four per cent. interest on this sum would be £. 3,111 2 3 sterling which if paid (as justice requires) at the present depreciation of 6000 per cent. will amount to £. 186,666 15, and if the public would require payment of the principal (£. 77,777 15 7 sterling) at the same exchange, it would produce £. 4,666,666 15, a sum sufficient to pay (within a trifle) one half of the 25,000,000 of dollars, stated by the house of delegates to be our proportion of the continental debt. By this scheme of the Senator's, founded on the purest principles of justice and the most disinterested regard to the public interest, how vast a sum would accrue to the public treasury? Shall particular interests, opposed to this plan, come in competition with the public good? It cannot be denied; that every public debtor, who discharged £. 100 sterling with £. 166 2/3 continental, when the exchange was at 750, pocketed the difference (or in other words, harsh but true, robbed the public) of £. 583 6 8. Justice demands that he should be obliged to refund the difference, and I hope our delegates, our trustees and guardians of our purse, will not see us plundered by a few individuals; for I am unwilling to suppose, with the Senator, "that our representatives would wish or desire to raise great emoluments to a few dishonest debtors," "at a certain and heavy loss to the public." The same justice which requires the debtors of the public to give new bonds, would also oblige private debtors, who have taken a dishonest advantage of our tender law,†

* I have made the calculation only upon the principal sum of £. 77,777 15 7 sterling, which the public has been robbed of by the tender law, and receiving continental money into the loan office, in payment of bonds for gold and silver and bills of exchange lent, and which ought to have been paid in the same specie; but if the money had been kept on interest, as originally intended, and the borrowers not suffered to discharge either principal or interest, but in gold, silver, or bills of exchange, or the real difference of continental money, (of sixty for one) it would now amount, as the candid and disinterested Senator most justly observes, to an enormous sum, would effectually raise the value of our currency, lessen the price of produce, prevent the iniquitous sale of British property, and be a means of rendering of no effect the unjust tender law.

† I would not have the public impute my warmth against the tender law, or those who have discharged their debt under it, to interested views. I cannot be benefited in any degree by its repeal. I think it was originally passed on good but mistaken principles. Its real and professed object was to appreciate the currency. I think every day's experience proves, that it depreciates our money, destroys the morals of our people, encourages fraud and ingratitude, and ruins many orphans and widows. I have reason to think it has made some (I thought) good whigs, to

to give fresh bonds for their debts. The compulsion on public debtors to render justice to the public, would lay a foundation to compel private debtors to settle and pay their debts according to the depreciation at the time of payment. Every man must think the plan of the Senator right and just in the case of the public, and every member of the assembly voting to establish this mode on behalf of the public, cannot "consistently, or on rational principles," oppose the same rule in the case of private creditors.

I am inclined to think, that the plan of the Senator, and his principles of justice, if enlarged, would be the wisest and best mode congress could adopt, after the conclusion of the war, to adjust and pay off the continental debt. The articles purchased in America to carry on the war have been purchased, on an average, at ten times their real and intrinsic value. The loans of continental currency obtained by congress, within the States, were not, on an average, of twenty fold the value expressed in the bills of credit borrowed. Let the principles of universal justice be the rule of conduct as well to public as private debtors, and also to public, and private creditors.* My plan would be too large for the limits of a newspaper, and therefore cannot at present be laid before the public. I hope the Senator will take the hint, and under his auspices it may be made worthy the notice and patronage of congress.

The impolicy and imprudence of the confederated popular leaders is very obvious. As wise politicians they ought to endeavour to avoid every cause of division. Our enemies hopes of success depend solely on divisions among ourselves. Their emissaries therefore will fan every spark of discontent, and blow it to a flame. It was weak and rash in the advocates for confiscation to expect to carry so important a measure without great opposition. Discord and confusion might have been expected from the attempt. If a regard to their characters could not deter, yet love and duty to their country ought to have restrained them. If they had reflected, but for a moment, and considered the objects of the bill, that is, whose estates would have been taken away by it, they would have discovered a most formidable opposition to their scheme. The five judicious and experienced members of the Senate, who rejected the bill, might have induced a belief, that many others would embrace their opinion, and support their conduct. In my first paper I mentioned the two classes of men whose property the popular leaders intended to confiscate. 1. Natives of any of the British dominions, other than the colonies, now United States, who never came over to America and joined us in the war, or who have not been employed in our service. 2. Natives, or inhabitants of this or any other of the States, who since April 19, 1775, joined the enemy, or withdrew from the continent, and went to Great-Britain, usually called American refugees. In the first class we may name Mr. Harford, the proprietary (whose estate seems to be the great object of the advocates for the measure) the late worthy governors, colonel Sharpe and Sir Robert Eden; the merchants, Fianbury, Russell, Buchanan, and Glasford; and the proprietors of the Principio and Kingsbury iron-works. There are many other merchants and private gentlemen in Great-Britain, who have estates in this country, not at present in my memory, whose names will be remembered by every intelligent reader. In the second class, we may recollect the hon. Robert Alexander, Esq; delegate to congress, the reverend Mr. Jonathan Boucher, the reverend Mr. Henry Addison, and Mr. Henry Riddle, Lloyd Dulany, Esq and his two nephews, and Mr. Stewart. There are many other absentees, clergymen and others, not at present in my recollection, but whose names will be remembered. I do not know the absentees from the eastern shore, but I have heard of several of consequence. How could the popular leaders expect to lay their hands on the property of even those I have enumerated, without a powerful

res, or it has so far affected their sentiments, as to make them speak, and in some instances, act, like Tories.

* One of my neighbours sold a quarter-mass horse, worth really but 20 pounds, in gold, for £. 2000 in bills of credit, and sent them to congress. Ought he to receive £. 600 sterling? Must the people be taxed to pay such a debt? Another of my neighbours borrowed £. 500 when the paper money was depreciated only four for one. Should he be enabled by law to pay it in a currency which is now depreciated 50 for one?

† For confiscation, B. T. B. Worthington, Rickard Barnes, and Upton Sheradine, Esqrs. against the honourable Daniel of St. Thomas Jenifer, Matthew Tilghman, Charles Carroll of Carrollton, William Hindman, and Joseph Sim, Esqrs.

opposition? A little covered advocates country. I am one, all, but because, by the Senator, we without violating constitution, and of civilised nations, honour, blood, and to give their opposition great influence in of profit and trust, cers and placements and accepted places, under our present would be their indifference behold, to promote a few individuals! Ar to have his property innocent subject of an alien. His age, may be well the old government candidly avowed. to the proprietor: questioned. His might have been connections, numerous port has conducted, measure. "It always propriety, that should have any rights."† It has been Senator, on a stip should be made to equity might oblige. There are many of to assistance and in Mr. Harford and h

Our late government, Bert Eden, have the men of abilities and bane, and draw into and friends. owners of iron-works. Their factors, agents, will, and ought to for former services, must, will urge the cite the people to absentees from this related to, men of ease, and some of first characters, in government. I will confiscation of the counter, that they fore it is too late. who are called disaffected advocates for confiscation of their opposer and moderate men good whigs, as the from principle, are is not my wish or of the public" against some of whom I have (speaking) but if they scheme of iniquity British property, law, our bill of rights of nations, they must I would advise them of the judicious Robert at first view may appear difficult in the execution." I would excite of all hands in war, and that beyond the reach with them to act alteration in our weapons recoil, and usage they intend to recommend to their enemies, which of dangerous consequences hour of prosperity

* Several of my when the confiscation proposed, were violent but having received the subject, they are flatter myself the same place in all the country by the Senator, and considered and well.† It is reported by gains, that the press he did not think it a case in which I ased and interested, voting last session, without him.

opposition? A little reflection would have discovered advocates in their favour, in every country. I am one, not from affection or interest, but because, as it has been clearly proved by the Senator, we cannot take their property without violating the principles of justice, our constitution, and our bill of rights, and the law of civilized nations. The ties of gratitude, honour, blood, and friendship, may induce others to give their opposition. The proprietary had great influence in this country, from the offices of profit and trust in his gift. Many of his officers and placemen have engaged in the war, and accepted places of honour and great trust under our present government; but how base would be their ingratitude, if they could with indifference behold his property wrested from him, to promote the designs and interests of a few individuals! Arguments presented themselves to save his property. He is an *infant*, he is an *innocent* subject of Great-Britain; and he is *not* an *alien*. His agent, the president of the Senate, may be well justified in his partiality to the old government, which he ever openly and candidly avowed. His affection, his attachment to the proprietor and his interests cannot be questioned. His negative to the bill therefore might have been expected; and his friends and connections, numerous and powerful, will support his conduct, and join in opposition to the measure. "It always appeared to me an impropriety, that the agent of the proprietor should have any share in divesting him of his rights."† It has been said that he qualified as a Senator, on a stipulation, that compensation should be made to the proprietor for what necessity might oblige the people to take from him. There are many others, who have been raised to affluence and importance, by the bounty of Mr. Harford and his ancestors.

Our late governors, col. Sharpe and Sir Robert Eden, have their friends and connections, men of abilities and fortunes; they will combine, and draw into the opposition their relations and friends. The British merchants, and owners of iron-works, have many able advocates. Their factors, agents, and old correspondents, will, and ought to exert themselves. Gratitude for former services, and expectation of future benefits, will urge them, openly or secretly, to excite the people to join in the opposition. The absentees from this state, are connected with, or related to, men of the first abilities and influence, and some of them are connected with the first characters, in the first offices of our present government. I wish to inform the advisers of confiscation of the difficulties they have to encounter, that they may recede in time, and before it is too late. We have but a few of those, who are called disaffected, in this country, but the advocates for confiscation may add to the number of their opposers, all the nonjurors, Tories and moderate men in the state, and many, many good whigs, as the Senator and myself, who, from principle, are averse to the measure. "It is not my wish or desire to excite the resentment of the public" against the popular leaders, (for some of whom I have a personal regard and respect) but if they will obstinately persist in their scheme of iniquity, and at any rate confiscate British property, in violation of our common law, our bill of rights and constitution, and law of nations, they must abide by the consequences. I would advise them to remember the sentiment of the judicious Roman, "that councils which at first view may appear *crafty or bold*, are often difficult in the execution, and disastrous in the end." I would exhort them to consider "the vicissitude of all human affairs, more especially in war, and that even our independence is not beyond the reach of adverse fortune, I would wish them to act with moderation, for fear an alteration in our affairs should make their own weapons recoil, and return upon themselves the usage they intend for others; I would earnestly recommend to them not to set an example to our enemies, which one time or other may be of dangerous consequence to themselves." In our hour of prosperity and insolence we may confiscate British property, but if the arms of Great-Britain should prevail, the may exceed our example, and forfeit life as well as property.

cate British property, but if the arms of Great-Britain should prevail, the may exceed our example, and forfeit life as well as property.

It was observed to me by one of my neighbours, that he was for confiscating British property, and particularly the proprietor's estate, for two reasons; 1st. To prevent the payment of the quit-rents, which in justice must still be paid (with the arrears) if the confiscation should not take place. 2^d. To enable the assembly to comply with their promise of giving land, within the state, to our officers and soldiers. I shall make an observation or two on this subject, for his satisfaction, and that of others who may entertain the same opinion, and because such arguments of interest too often have weight with the common people. No argument of interest should induce us to infringe the rules of justice, or to make the least breach in our constitution; "the precedent may be of dangerous consequence." The quit-rents are of no great value; the net sum amounted in 1774 (I am told) to only £.7096 12 6 sterling. It is probable the proprietor, Mr. Harford, would accept, in lieu and satisfaction of his quit-rents, as much principal money as will produce the same yearly salary, at the interest of six per cent. this would be £.118,277 2 6 sterling. I would rather consent to pay my proportion of twice this sum, than do an act of injustice, or violate one article of our bill of rights. As to procuring lands for our officers and soldiers, in the state, (for sound policy forbids purchasing out of it) I suppose we should not want above 130,000 acres. I imagine we could buy of Mr. Harford his reserved and ungranted lands, on very reasonable terms.

I flatter myself the public are now able, from the labours of the Senator, and my feeble endeavours, to form some judgment of the rectitude of the motives which induced the popular leaders to urge the Senate to the passage of the bill for confiscation, and of the true principles which induced that honourable body to give it their negative.

The Senator has been pleased to profess, and I as sincerely make the same declaration, that "the writer has no interests distinct from that of his country, the prosperity of which he has always endeavoured to promote to the best of his power and abilities, and wishes to see established, on the surest foundations, the principles of liberty, of justice, and of our constitution."

A PLEBEAN.

Prince-George's county, March 1, 1780.

Mess. FRED. and SAM. GREEN,

Gentlemen,

INSERT this in your paper, and it will oblige

A READER.

It is justly alarming to see principles like the Senator's spread in a free country, when two years ago, if any man had talked in that manner, he would as soon have dared to put himself in the fire, or be tarred and feathered, especially a member of our assembly. Good God! What is this state come to, to be the subjects of Great-Britain? and we cannot take the property of our enemies to pay our taxes, when, if it was in their power they would take our lives. It is time for men to trim, and make fair weather on both sides; but I can say this, though I cannot write, I can think, and I have borne a firelock, and I can say it is damned Toryism. The Plebeian is the echo of his voice, and the hot bed of a furnace in all dabolical plots and conspiracies. God deliver this country from them.

I am, Your humble servant,
Elk-Ridge. A SENTRY.
Feb. 27, 1780.

For the MARYLAND GAZETTE.

I LIKE well what the Senator has spoken, who writes against the confiscation of British subjects, and in my judgment he is in the right. John Calvin was a great reformer, and subscribed the covenant, and an honest man, and if he has said it, it must have been of his opinion. King James was in the right to make his countrymen his own subjects, and if the union was to break, and the two crowns to become separate, it would be a great consolation, that the British subject would be under both kingdoms, and inherit each other. In America we are British subjects, especially born before the declaration of independence, and such of us as have not taken the oath, it is the reason; but our children may, for it would be against the conscience of the soul, and the holy law of God, to forswear the oath we have already taken to be true to our natural sovereign. But we may be the subjects of both countries; and it would be a great force upon any who have come to my time of day, to cast off their native country; I would give the best coat on my back to see a termination of the dispute. The Plebeian speaks like an honest man, and strengthens full well the reasons of the Senator.

† It is reported by a member of the house of delegates, that the president of the Senate told him, that he did not think it was proper for him to set as judges in a case in which he acknowledged himself to be biased and interested. There was a necessity for his voting last session, as there could not be a Senate without him.

tor, and makes appear what the other opens up, to great purpose; that it is against the civil law of nations to pay taxes with other mens property; and the bill of rights of this country, which is against the municipal law, by which, born before the declaration of independence, we are still the subjects of Britain, and under the realm of that kingdom.

A NATIVE OF NORTH-BRITAIN.

Feb. 28, 1780.

PHILADELPHIA, Feb. 24.

Last Tuesday afternoon arrived here captain Palmer, from France, by whom we have the French newspapers in December, but have only time to give the following.

LONDON, Nov. 25.

The earl of Hillsborough is appointed secretary of state, vice lord Weymouth.

Extra of a letter from a gentleman of character in l'Orient, to his friend in this town, dated Nov. 17th, 1779.

"The parliament of Ireland have acted with a degree of spirit, that surprises every body. On their meeting, instead of echoing back the lord lieutenant's speech, as is usual, they in their address to the king, demanded a free trade in every respect; and if this is refused them, there is no doubt but that they will declare themselves independent. Between 50 and 60,000 men, have already formed themselves into independent regiments, and the duke of Leinster is at the head of this association.

Extra of a letter from l'Orient, dated November 18, 1779.

"The Dutch seem at present entirely to disregard Great-Britain. Notwithstanding Sir Joseph Yorke's memorials, they allow captain Jones to refit his little squadron, and give him every assistance possible—nay, he is even allowed possession of a small fort in the Texel, in which he has put his sick and wounded seamen. His own marines constantly mount guard, and the continental colours are hoisted. The English do him the honour to attend with eight ships at the south and four at the north entrance of the Texel to watch his motions. In answer to Sir Joseph Yorke's memorial, and demand of the Seraphis and Countess of Scarborough, the states general have reply'd, that they were a neutral power, that their ports were free, and that they did not take upon them to judge of the validity of any prizes brought into their harbours. It is said that Sir Joseph, in his second memorial, has declared, that if the prizes are not given up, orders will be given to the captains of British men of war, to make reprisals. Captain Jones is expected round here very shortly, if the English do not watch him too closely.

"Affairs in Ireland are at last come to a crisis. The parliament, in their address to the king, were almost unanimous in demanding a free and unrestricted trade, and if this is not complied with, there is scarce a doubt but what they will declare themselves independent, and open their ports to all the world. Sir George Newenham declared in the house, that they were and ought to be independent, to all intents and purposes, and that the parliament of Great-Britain had nothing whatever to do with their trade. Between fifty and sixty thousand men have formed themselves into independent regiments in the different counties, mostly headed by gentlemen of rank and fortune; and the duke of Leinster commands the Dublin volunteers. We have not yet heard what reception the address is like to meet with; but every day we expect very interesting news from that quarter.

"News is this day arrived in town from London, that lord Sandwich has shot himself. People have various conjectures on the cause of this."

Extra of a letter from Nantes, Dec. 13, 1779.

"The count d'Estaing, with four ships of the line is arrived from America at Brest. The intended invasion of England is laid aside till spring, and the respective fleets are in port."

We have received an account of the following vessels being arrived in the river, viz. the brig Retaliation, captain Kollock, and the sloop Page, captain Palmer, from France; the brig Delaware, captain Collins, and schooner Revenge, captain Carlon, from Hispaniola; a brig from Cadiz, and several others.

Captain Wilson, who left the Havannah the latter end of December, informs, that an expedition was going forward from thence, that a large body of men were embarked and hourly expected sailing orders. Their destination was said to be Pensacola. On the 7th ult. in lat. 31. 5. long. 65, he passed a large fleet standing S. E. with the wind at West; some of them gave him chase, but as he was to windward, he easily escaped. It is supposed this is the fleet which left New-York last Christmas.

The brig—, Captain Prole, from Cadiz, for this port, being blown off the coast, is got into Martinico.

Captain Gustavus Cunningham made his escape from Plymouth gaol the 5th of November, and arrived at Amsterdam about the 20th.

The schooner Polaskie, captain Hartwell, from this port, for the West-Indies, is taken and carried into Antigua.

The schooner Baltimore, captain Earle, from St. Eustatia for Baltimore, being blown off this coast, is taken and going into Antigua ran on the rocks, where she was beat to pieces.

On the 15th and 16th of December, there was a violent gale of wind at Teneriff, in which several vessels were drove ashore, among them a schooner, captain Adams, from Edenown, North Carolina, which had brought to that island 17,000 slaves.

The brig Active, captain Mesnard, and the brig—, captain Stocker, both from St. Eustatia; the brig—, captain Chatham, from Teneriff, are arrived in the Delaware with valuable cargoes of rum, salt, wine, dry goods, &c. and will be up, as soon as the river is clear of ice.

ANNAPOLIS, March 3.

The naval force ordered by the count d'Estaing to the bay of Chesapeake, has rendered important service in keeping in awe the cruisers at the mouth of our bays, and in preventing the plundering expeditions of the enemy, which, there is reason to believe, they had intended to the coast of Virginia during the winter. If they had attempted any thing of this kind, they would have found it more difficult to succeed, than in their late inroad to Suffolk. The following extract of a letter from York in Virginia is an evidence of the spirit of our countrymen, and the generosity of our allies.

"On the information which had been received in Virginia, of the embarkation of a body of troops at New-York, and in the uncertainty where general Clinton might meditate a debarkation, Monsieur Vandruel, commander of the Fendant of 74 guns, came to this city, and in conjunction with the chevalier d'Annoours, consul of France, entered into a conference with the governor on the means of defending this state, and offered to contribute to that object all in his power. The governor observed to him, that the vessel of our illustrious ally could not fail to be the victim of our inability to give assistance by sea, since the English had at least five vessels in condition to attack us. He assured them of his concern for a danger so evident, and his desire that the Fendant should leave the bay, and go as high as possible up this river, where it could be in greater safety. The consul and the commander of the French vessel replied, that the king would not approve the conduct of an officer, who would leave voluntarily his allies in danger, and that his majesty would not regret a vessel which must cost dear to the enemy, in being employed to defend this river at the point where it might be judged proper to draw it up. The governor yielded to an offer so generous; he chose York-town to entrench, on account of a battery which runs out into the river. Monsieur de Vandruel caused his ship to be carried higher up. His vessel is stationed here. The Bold Rodrigue and another French merchant vessel will be brought up for the same purpose; the tenders will be out in the middle of the way, to give ready information of the appearance of the enemy. Every possible means are taken to secure this place, and it is to be hoped that success will recompense the activity of our governor and the zeal of our allies, if it is on this quarter that the tempest is to break."

Extract of a letter, dated St. Eustatius, Feb 1.

"The European intelligence generally received here is conveyed through the British islands, and so frequently of little faith as not to merit or justify a communication. Two ships last week arrived at this port from Liverpool, in eight weeks; at the time of their sailing, the combined fleets, as well as that of England, were in port at single anchor, which suggests a probability that they would soon put to sea. The papers by these ships mention, that the parliament of Ireland was unanimous in declaring in favour of an unlimited and free trade. The first people in the kingdom are active in their endeavours to obtain this piece of utility, and even dependents on the crown join in the crowd; in all probability their demands will be granted. The Dutch are determined to observe a strict neutrality towards the belligerent powers; a conformity to this will protect their neutrality, and from their

general and free trade will be derived immense advantages to themselves. Last night the Thorn, from Boston, a ship of 18 guns, took a very valuable ship of 16 guns and 55 men, from New-York, laden principally with dry goods, 18 of the prisoners were put on board a long-boat and landed here this morning; the prize has sailed for America. The British fleet, under the command of rear admiral H. Parker, is now at Antigua."

THE PLEBEAN, for particular reasons, declines, at present, to make himself known, as requested. The sentiments of the Senator, on the confiscation of British property, perfectly correspond with the opinion of the Plebeian, and shall have his utmost support. The Plebeian will, hereafter, esteem himself honoured by the confidence of the Senator.

Several pieces are received, and will be published in the order they come to hand. Several to the Senator contains several exceptional passages, and will be returned to the author. Vindex is likewise too personal, and cannot be published.

WHEREAS, colonel Edward Sprigg, late of Prince-George's county, deceased, having, by his last will and testament, directed his executrix to sell and dispose of part of a tract of land, lying in Frederick county, called, Addition to Piles's Deight, before the first day of June after his decease, for the payment of his debts; and whereas his executrix, through sickness and inability of body, could not attend to as to make sale thereof by the time limited in the said will, she hereby gives this public notice, that after a continuance of this advertisement eight weeks in the public papers, she intends to petition the general assembly for an act empowering her now to dispose of the said land, in order to enable her to make a final settlement of the estate of the said testator.

MARY PINDELL, executrix.

February 16, 1780.

THE subscriber gives this public notice, that he will apply for letters of administration on his deceased father's estate, if his elder brothers, to whom he gives the preference, do not take them out within a month from this date.

WILLIAM FRENCH.

Anne-Arundel county, February 29, 1780.

TAKEN up some time in January last, between the Bodkin and Mountain bars, three Hogheads of tobacco, the hogheads almost without heading, and part of the tobacco lost. The owner, upon proving property and paying all charges, may have the tobacco by applying to John Tradgall, on the Seven Mountains, near the mouth of Magoth. Also at same time and near the same place, were taken up, two hogheads, much hurt, and a great part of the tobacco lost. The owner, upon proving property and paying all charges, may have the tobacco by applying to John Tradgall, on the Seven Mountains.

FOR SALE,

A NEGRO WENCH about thirty years of age; she has been brought up to do either kitchen or plantation work, can spin very well, and is a very good plain cook. She will be sold for cash or tobacco, or any person having a likely young negro girl, about 10 or 12 years old, fit for house service, may have her in exchange, the owner being in great want of such a one. Enquire of the printers.

TAKEN from on board a pilot boat, which drove on shore on the 23d day of December, between Little and Great Choptank, sundry articles, as sails, cordage, butter, &c. with a chest some distance from her, having in it mens and womens apparel; the chief of her lading is tobacco, which cannot be saved. The owner or owners of said boat are desired to come and prove their property, and pay the subscribers salvage agreeable to law and custom in such cases.

THOMAS LINTHICUM,
ABRAHAM LEE,
JOHN LEE.

A PETITION will be offered to the first session of the general assembly after this notice shall have been published eight weeks, for an act admitting to record and giving effect from the date to a deed executed in Prince-George's county, by Mary Athey to John Webster, for part of a tract of land called Athey's Choice.

JOHN WEBSTER.

Office for stating and settling the public accounts, Annapolis, February 15, 1780.

THE commissioners having desired the law for stating and settling the public accounts to be printed in the Maryland Gazette, think it necessary to give further notice, that they intend to continue settling every day in the said house, Sundays excepted.

And as there appear many large sums due to the public for money advanced upon contracts (and for other purposes) which have been in many instances disregarded, the commissioners take this method to inform all persons concerned, that they are determined to pursue the directions of the legislature, as far as in their power; that they shall require a specific compliance with every public contract, as far as it is possible and equitable; and as they wish to prevent every unnecessary expence and delay, so they hope those who are interested will see the propriety and absolute necessity there is for them to render their accounts, and make satisfaction to the public as speedily as possible. Those clerks of counties who have omitted to transmit lists of ordinary licences and fines, since the year 1775, are requested to forward them; the sheriffs indebted on those or any other accounts to perfect their payments; the supervisors of roads, who have had money advanced from the year 1774; the committees of the counties, and in general all persons who have public money or effects unaccounted for, will be pleased to take notice and comply with the requisitions of the legislature.

By order of the commissioners,
THO. GASSAWAY, clerk.

TAKEN up as a stray by Joseph Wilson, living near the court-house in Montgomery county, Maryland, a small bay MAKE, about twelve and a half hands high, ten or eleven years old, branded on the off buttock something like JS, had a bell on her, and was shod before when she came. The said mare was sold by the subscriber in March, 1778, to a certain Charles Pritchett, who has since swapt her away. The owner is desired to prove property, pay charges, and take her away.

JOSEPH WILSON.

FIFTY POUNDS REWARD.

Head of Severn, Jan. 17, 1780.

STOLEN from the subscriber, on Thursday morning the 13th instant, a coat, jacket and breeches, a pair of mittens, a comb, an ax, some powder in an osnabrig bag, and shot in a leather one. They were stolen by one PATRICK RILEY, an Irishman, about 5 feet 10 inches high, has yellow hair, a dark brown country cloth coat and breeches, and a whitish jacket, the breeches have a hole torn in the thigh; he has a call in his eyes, a full red face, and very large limbs. He has a pais, which mentions his having been one from the governor of Virginia, which he lost, and that he is a deserter from the British army; he had with him a white bitch, with yellow spots, short ears and tail. Whoever will secure the said Riley so that he be brought to justice, shall receive one hundred dollars if taken in the county, and if out of the county the above reward, paid by

JOHN MCOY.

ONE HUNDRED DOLLARS REWARD.

January 6, 1780.

RAN away from the subscriber's plantation, about seven miles from Annapolis, on the main road leading from thence to Baltimore, on Monday the 21st day of December last, a likely young NEGRO man, named TOM, about five feet eight inches high, a stout well set fellow with thick lips, and his legs rather large; had on when he went away, a light coloured country made cloth jacket, with a red short waistcoat under it, a pair of light coloured country cloth breeches, and also took with him a pair of leather breeches, dark coloured yarn stockings, and two pair of shoes. It is apprehended that he may have endeavoured to get over into Virginia, from whence he was brought when a small boy and was then the property of John Morton Jordan, Esq; deceased. Whoever will apprehend the said negro, and bring him to the subscriber, shall receive the above reward if taken in Maryland, and if out of Maryland a further reward of one hundred dollars, besides all reasonable charges, paid by

ELIZABETH SCOTT.

CASH given for clean Linen and Cotton RAGS.

[XXXVth Year.]

THE

[No. 1730.]

MARYLAND GAZETTE.

F R I D A Y, M A R C H 10, 1780.

for the MARYLAND GAZETTE.

HERE are those who are of opinion, that the gentleman who personates a Senator, is not so much disposed to excite mirth as to establish paradoxes. They do not think possible that he himself can believe what he says, yet they do not know but that he may be willing to persuade others. He has heard of the ancient schoolmen, who have talked of substantial forms that could subsist when the matter was gone; or of Bishop Berkley in modern times, who, in laying the foundation of his immaterial system, insisted that the whole earth was but a complication of ideas. Imitating these, he may have attempted to become famous, and has advanced things the most contrary to opinion, and common sense, in order that his ingenuity may be the more illustrious, in rendering them plausible. For my part, I had been inclined to believe the whole of the nature of a farce: nevertheless, I will yield to others, and considering his performance as a string of paradoxical positions, shall select some for the entertainment of the curious.

1. The justice of a measure depends on a knowledge of the proper objects of it.

2. It is contrary to the law and practice of civilized nations; the bill of rights of this state, and the principles of the common law, to confiscate the property of British subjects.

3. Though a nation is to be considered as a moral person, yet some of its members may be offending, so as not to be answerable for the damages and expences of a war unjustly waged.

4. No confiscation of British property, as such, has taken place in any of these states.

5. Our courts of justice are to determine who are British subjects.

6. Absentees are triable in our courts of law.

7. All born in these states, before the declaration of independence, are British subjects; thence it follows, that in the same family may be two sorts of subjects; the son a subject of the states, and the father a subject of England, or, that is more incredible, the father a subject of both.

8. The father may inherit to an estate in Britain, but the son cannot inherit it.

The above theorems are either found in the words of the senator, or deduced from them, and to all who are capable of thinking, must have the air of burlesque, or paradox.

The second publication, which we now undertake to examine, contains things equally extravagant. We shall cull out some of these as they lie scattered in the work, and present them naked to the reader.

1. It is equally probable, that the value of British property, confiscated and applied, may be levied by taxes on the people, and restitution made to Britain, as that remaining in its present state, it may again be possessed by the original owner it will not do to say present owners.

2. Timidity (which is another name for cowardice) may be commendable in public councils.

3. These words, as such, have some strange and odd meaning, which it would be difficult to interpret.

4. That is, the king of England has a life-estate in his subjects here; but the remainder, viz: the property, will go to the new commonwealths; for having sold the colonies originally in fee, a particular estate by the revolution is carved out of the greater.

5. That is, a Jack-a-both files, between the several countries.

6. Being but of the half-blood, for the son is the subject of one government, while the father is the subject of two.

7. Yet it would seem to men of common apprehension, that the decisive spirit of our councils, in confiscating and applying, would discourage the enemy from all thoughts of a restitution.

8. As a counterpart to the sentiment of the judicious Roman, "it may be worth while to remark a sentiment of Home, who speaking of the parliament who confiscated the property of the adherents of Charles I. says, "this method of proceeding, no less politic than unanimous; the parliament preserved

3. Gratitude may be found with the British court, and she may stipulate for a restitution of the property of her adherents.

4. France and Spain may also stipulate to this effect.

5. A part of Canada may be ceded, commercial advantages may be granted, or a sum of money may be stipulated to be paid, as a compensation for those devastations which have been committed, contrary to the rules of war.

6. The not exercising the right of confiscating British debts, may be a reason for not confiscating lands, and other property.

7. If this property is confiscated and sold, speculators and engrossers may be the only purchasers.

8. War may be carried on without money.

9. "The back lands, belonging to the king of Great-Britain, as representative of the nation, may be confiscated by the law of nations." Though from the nature of the thing, the offending members of the nation must bear their proportion of the loss; and yet, according to the reasoning of the Senator, the property of these ought not to be confiscated.

10. Our possession of the back lands held by the native Indians who have warred against us, will depend on our being able to distinguish between the "criminal and unoffending" members of the several tribes.

11. The Indians are "aliens," but, whether they are so, or not, is, according to the Senator, a point triable in our courts of justice; at any rate it must be tried in these courts, whether they are "criminal or unoffending members?"

12. "Supposing the back lands to belong either to the king of Great-Britain, or to the na-

through the whole course of the war, equally indulgent to their friends, and rigorous to their enemies."

13. She will not be able to transfer the soil to her own island. It must therefore still remain a part of the dominion of the states; yet Britain will insist to stock this soil with subjects, whom it is her interest to see under the necessity of repairing to some of her colonies, Canada, Nova-Scotia, or the Floridas, where they may still add to the wealth and numbers of her empire.

14. By a guarantee of these states, no British subject can possess a foot of land here. Will France and Spain stipulate contrary to the articles of the alliance?

15. It is without doubt extremely probable that she will cede a part of Canada rather than give up the property of her adherents in these states; though in the one case she will lose both subjects and dominion, while in the other, having already lost dominion, she will lose only subjects.

16. We want no commercial advantages from that island.

17. Will she pay it? Has she paid the king of Prussia 300,000, the remainder of a subsidy for the last war? Has she paid the Dutch the money borrowed on the credit of her funds? Can she pay that part of the national debt due to her own subjects, now that she is every day in danger of a bankruptcy, and which according to Home, and every other judicious man, must, "soon or late, inevitably happen?"

18. This paradoxicality is truly remarkable. It is not an indemnification for the expences of an unjust war, but for some excesses in the manner of conducting it. Even Tories would allow that it has been carried on in a savage manner, but that it was originally unjust is another point.

19. Speculators and engrossers are the scare-crows of the day. It will be well if a man can enter into holy matrimony by and by, without an apprehension that speculators and engrossers may get up bed to his wife.

20. It is certain, that in the present state of society and mode of carrying on war, it is impossible; and this might be illustrated beyond a doubt, were it necessary. But if it could be carried on, it would be with the utmost distress, and at the utmost hazard. Our virtue may be great, but we ought to be careful not to lay heavier burthens on it than it may be able to bear.

21. The Indians, in this case, even the "unoffending members" of them, poor fellows! must be under the necessity of paying so many beaver-skins to see lawyers, that they might as well give up their lands at once, and retire to new hunting grounds.

live Indians collectively, or individually, the United States would acquire a just title to these lands by the right of conquest, &c. and upon the principles of the common law.

22. The legislature, (which is the supreme authority of the state) has no right to say who are its subjects, as it would be contrary to an article of the bill of rights, which is, "the legislative, executive and judicial powers, of government, ought to be forever separate and distinct from each other."

23. The questions of the delegates, relative to an article in the message of the senate, "are as little to the purpose as the song of Chevy Chase."

The above positions, drawn out from among the reasonings by which they are obfuscated, are evidently paradoxical. The gentleman has discovered much ingenuity in supporting them; and if he has not succeeded, it is owing to the nature of the undertaking, not to a want of capacity. Indeed he has said the best things that could be said on the subject. It is a task too arduous for any man to prove, that two is not two, or that four is less than four. The highest abilities will, in vain, stretch at it; for still it will remain beyond the reach of art.

Rousseau, on a question proposed by the French academy, set out to prove something paradoxical which I do not well recollect, relative to the population of the earth. Mandeville, in his fable of the bees, affirmed, "that private vices are public benefits." Hobbes, in his Leviathan, affected to be singular in his ideas. David Hume, in his essays, has laid it down, that "broad shoulders are moral virtues." All these geniuses, relying on their wits, have asserted strange things: yet they have not convinced any one. No matter, for all they had in view was to be thought capable of thinking out of the common track: the world admitted this, and they were satisfied.

These specimens of ingenuity are good as exertations of the fancy; but on grave subjects are not so well admitted. In the mouths of grave persons especially they are out of character. They may suit well enough an Oxford or St. Omer's scholar, just come from his studies; but the misfortune is, the young gentleman will have it that he is a Senator; though we all know that there is not one of that body who could descend to such playful gambols of the mind, on a question where the state is really interested. The taste of the young gentleman, as, indeed, too often happens, has been vitiated by reading philosophical authors. He seems to be taught to believe, that it is the first thing in the world to be ingenious. I could wish he had some grave person by his side that could put into his head good books. His style is very well for a youth, as I take him to be, and his language in most places, not inelegant. Nevertheless it might not be amiss for him now and then to read over his syntax; a man cannot be too careful of correctness in his earlier compositions. I do not make any reprehension of his grammar, or choice of words, or construction of sentence, because I am willing to encourage him. He may one day be of service to the state, when he gets his head right, and may employ his pen to advantage on questions of the first importance.

24. On the principles of the common law, lands may be forfeited to the crown of whom they are held. Has the king of England, or the native Indians, held land of these states, so that on the principles of the common law, they could be forfeited?

25. It must be obvious at first view, that the bill of rights contains the rights of subjects, not the rights of those who are not subjects. Prove first that men are subjects, and then you may talk of a violation of a bill of rights with regard to them.

26. Though the Senator, from the edify of his positions, is diverting, yet it might still farther have enlivened the performance, if he had given us now and then, a stanza from that excellent ballad, which would have been as congruous to the strain of his reasoning as the quotation from Blackstone.

27. I perceive the gentleman reads Machiavel, which is by no means advisable as that author has digested the principles of tyranny in a system; and his book is not proper for the seasoning of a young mind.

The gentleman defends the message of the senate against the strictures of the delegates, and is of opinion there may be some species of British property which the senate may not have been unwilling to confiscate. "Property acquired by criminal subjects of Great-Britain may be confiscated." Whether the negative of that honourable body respects certain species of property only, is not material. If the gentleman abandons points which they thought proper to defend, and can explain things, so that with good humour they can give up gradually, until the whole shall be gained for the state, and the bill passed the next session of assembly, it will be desirable. It is of small consequence what the senate have said; the point is what they will say. It is a false sense of honour to continue wrong because we have been wrong. I entertain the most respectful sentiments of that body, and I have not the least doubt but that upon full consideration, they will judge it proper to yield to the wishes of their countrymen, and pass the bill in question.

The political and literary strictures of the gentleman, on the message of the delegates, are pleasant in their way, and may do very well as a lucubration. It is not impossible that these honest countrymen may sometimes have failed in point of language; but take the whole as a piece of solid sentiment and reasoning, and there will be found few things since the writings of the first congress, that have done equal honour to our country. It has been read in this town, and I am told it is read in the neighbouring states, with admiration. For my own part, I have read it over and think it unexceptionable. The noble whig spirit that it breathes, will rescue us from the imputation that virtue has declined amongst us. It will be preserved amongst the first writings which the controversy has produced.

PUBLICOLA.

Baltimore-Town, March 2.

"Even many of those who signed a remonstrance against confiscation, have been convinced by it, and are now anxious for the passing of the bill. I am informed the delegates from this town will have instructions accordingly."

FOR THE MARYLAND GAZETTE.

IF all readers were judicious, discerning, and well intentioned, it would be unnecessary to caution them against the insidious arts of the Plebeian, or to inform them, that he has imputed consequences to the doctrine laid down in Calvin's case, with which it is not justly chargeable. His publications contain sentiments which the Senator disavows and reprobates; he will not therefore honour the Plebeian with his confidence; those sentiments, the artifice used in appealing to the passions, never good advisers, rather than to the understanding of the people, and the probability of his being closely connected, and in combination with the delegate, render the Plebeian unworthy of trust and confidence.

A SENATOR.

TO THE PUBLIC.

I HAVE perused with great attention the three publications of the Senator. He alleges, that the house of delegates originated the bill for seizing and confiscating British property on this principle, "that by the declaration of independence all British subjects became aliens to this state, and, on that ground, principally rested the propriety and defence of their conduct." He ventures to pronounce, that the delegates were mistaken in this matter, which he conceives to be a point of law, triable in our courts of law, and with which the legislature could have nothing to do, unless they assume the judicial power. In his first number he proposed to examine the justice and legality of confiscating British property. He asserted, that it was contrary to justice and the law of nations to confiscate private British property, and that it was not justifiable to confiscate the property of the innocent subjects of Great-Britain. The far greater part of his first number is employed to prove, "that all British subjects, born before the declaration of independence, are not aliens in this state, but may inherit lands within it, or sue in its courts of justice, as the natural-born subjects of the state," and he grounds his opinion on the decision of the judges in Calvin's case. It shall be the subject of this paper to shew, that he is egregiously mistaken in his opinion, that his law authority is inapplicable to the case, and that the principles he has laid down, and the inferences he has drawn, are improper, inconclusive, and incompatible with our independence.

I shall endeavour to prove, that all British subjects are aliens, and if I succeed, as he rests his opposition to the measure principally on the

ground that they are not aliens, I hope he will with candour retract his opinion.

It is considered by the Senator as difficult to draw a line between the subjects of the old, and the subjects of the new government, that is, to ascertain who are British subjects; and yet, according to his reasoning, we are all of us British subjects. We must still bow the knee to despotism, and bend the neck to slavery. But supposing, for argument sake, if the Senator will give me leave, that we are not all British subjects, let us consider who are under that denomination. What person is a British subject, is not a natural but a civil question, and consequently, as the Senator admits, may be determined by the will of the supreme authority.

Before the present revolution, the inhabitants of these states, as well as those of the other parts of the British dominions, were subjects to the king of Great-Britain. When by a violation of that compact towards the inhabitants of these states, upon which their allegiance depended, they became entitled to withdraw their allegiance, they had a freedom of choice, either to make use of this right and join in forming and establishing new governments, or still to consider themselves subjects of the British government. All those, who in consequence of this freedom of choice, elected to make use of this right, and accordingly established new governments, or assented to them, when established, ceased to be the subjects of Great-Britain, and became subjects of some one of the United States. But those who did not make this election, but have withdrawn from these states, still remain British subjects.

If we turn to authorities on this subject, we shall find, that every one who is not born within the allegiance of a state, is an alien to that state. With respect to this state, which had no existence before the year 1776, no person hath been born within its allegiance, except those born therein since that period.

From the above observations it will be perceived, that *aliens* and *subjects* are terms opposed to each other. For whoever is an alien to a state is not a subject, and whoever is not a subject is an alien, and whoever is not an alien is a subject. If therefore British subjects are not aliens to this state, they are subjects of it, and therefore *save* their property they must *bazard* their necks, for if they are subjects of this state, and fall into our hands, they may be proceeded against as traitors, nor can all the refinements of sophistry save them from this dilemma.

The Senator confesses his knowledge of the law to be small, yet ventures to pronounce the house of delegates were mistaken in their principle, "that by the declaration of independence, all British subjects became aliens in this state, and by prosecution of the war, enemies, and therefore incapable of holding property within the state." Let us examine his reasons, and see whether we may not conclude, that a little knowledge of the law, like a little learning, is a dangerous thing. He had heard of Calvin's case, and turning to it, found, that while the duchies of Normandy, &c. were under the actual obedience of the kings of England, persons born within those duchies could inherit within the realm of England, as well as Englishmen, "because they were under one allegiance, due to one sovereign."

To apply this to our case—While the thirteen colonies (now states) were under the actual obedience of the king of Great-Britain, persons born within these colonies might inherit in Great-Britain, and vice versa; from whence I should imagine, that any one but the Senator, would have deduced the following inference; as these colonies (now states) by their declaration of independence abjured and renounced any allegiance or obedience to the king of Great-Britain, therefore all persons born in any of these states, either before or after that event, unless they have elected to remain British subjects by departing hence, cannot inherit in Great-Britain; and that in like manner, every person born in Great-Britain, before or since the declaration of independence, unless he has joined us in the war, or been in the service of some one of the United States, cannot inherit here, and, because they are not under one, but several allegiances: one under the allegiance due to the king of Great-Britain, the other under the allegiance due to this state.

The duchies of Normandy, &c. were under the actual obedience of the kings of England for very near three hundred years; while they were under that actual subjection, the inhabitants of those duchies, and of England, were fellow-subjects, and under the same allegiance, and inheritable to each other, in the same manner as the inhabitants of the thirteen colonies and of Great-Britain, antecedent to the present revolution. I have examined the authorities, cited in Calvin's case, relative to the persons born in

those duchies, and find that they were all determined during that period; but when they became separated from England, and fell under the dominion of France, was it ever after that time adjudged, that one born in Normandy, &c. during their subjection to England, and who continued to live in those duchies as a subject of France, was inheritable in England, and not an alien? Until the senator can shew an adjudication of this nature, he might as well have told us (what we all know) that while Maryland was under the actual obedience of the king of Great-Britain, persons born in Maryland, could inherit in Great-Britain.

But the Senator has also introduced a resolution of the judges in Calvin's case, to support the position he endeavours to establish, to wit, "that all British subjects, born before the declaration of independence, are not aliens to this state, but can still inherit lands within it, as its natural-born subjects, notwithstanding the declaration of independence, and our thereby becoming a separate and independent nation." In order to determine how far that resolution is consistent with law, and whether it will warrant his deductions, we must observe, that England and Scotland, before their union, were separate and independent kingdoms. Upon the death of queen Elizabeth, the English crown descended to James, king of Scotland; by this event the two kingdoms became subjected to the same monarch, and the inhabitants of each bound in allegiance to the same individual person; in all other respects they remained, as they were before, separate and co-existing kingdoms; those of the Scots subjects, born before the English crown descended to James, continued to be aliens in England, because they were not born under the allegiance of the king of England, and the English subjects, born before that event, continued to be aliens in Scotland, because they were not born under the allegiance of the king of Scotland, but as to the post-nati (those who were born after the union of the crowns in the person of James) it was determined, that a child born in England was not an alien in Scotland, and that a child born in Scotland was not an alien in England, because, as England and Scotland were at that time two different kingdoms, both then actually co-existing, and James the sovereign of both, he who was born under the allegiance of the king of England, was also born under the allegiance of the king of Scotland, and he who was born under the allegiance of the king of Scotland, was also born under the allegiance of the king of England, and therefore, that the plaintiff and defendant in that cause, having been both born under the same allegiance, could not be aliens to each other, they held at that time also continuing to be under the same allegiance, England and Scotland being then united under the same sovereign.

This was the only point in Calvin's case which the judges judicially determined; it is not necessary at present to controvert this decision, that I am of opinion it may well be questioned, and that I could easily prove it was founded on principles long since exploded. An objection was made by the council, that "if those born in Scotland were natural-born subjects, and not aliens, in England, great inconvenience and confusion would follow, if those kingdoms should again become subject to different sovereigns." This objection the judges affected to think very trifling, that they declared it was "less than a dream of a shadow, or a shadow of a dream;" however, as trifling as it was, they were complaisant enough to give it an answer in the words which the Senator hath quoted, "that all those who were born under one natural obedience, while the realms" (that is the two kingdoms of England and Scotland, both actually existing at the time of such birth) "were united under one sovereign, should remain natural-born subjects, and not aliens, for that naturalization due and vested by birthright, cannot, by any separation of the crowns afterwards, be taken away, nor be that was by judgment of law a natural subject at the time of his birth, become an alien by matter ex post facto." This resolution not being given upon any point then actually before them, was a mere extra-judicial opinion, and not a legal decision, and consequently of no authority; in the course of their argumentation they hazarded an opinion upon a mere speculative question, which probably might never happen. If it was the meaning of the judges, that should the crowns be separated, such of the Scots post-nati as were resident in England at the time of that event, and continued to reside there, should be considered as natural-born English subjects, and that such of the English post-nati, who at the time of the separation were residing in Scotland, and continued to reside there, should be considered as natural-born Scots subjects, such opinion might perhaps be consistent with law, but then it will not interfere with the principles I

have endeavoured the Senator's purpose. On the contrary, I declare, that should the English post-nati in England, a fifth king, should not subjects of the king Scots post-nati, who should notwithstanding subjects, I will not nounce, that their could possibly this "less than a dream, a dream," and the mon law or comm

If all of us born dependence were British king, it the and the opinion of the Senator would give we, by no matter of allegiance, cease to and become aliens that case inherit their courts of justice what service this will these whose cau question at present in Great-Britain, can inherit here, a may inherit in Great-Britain originally born the apprehend it will frequent, that all not not inherit in the remain, aliens to facts they can beco to Great-Britain. the thirteen colonies British dominions, present government Calvin's case is a I say there, "that ev the allegiance of a f they declare, that alien born or a sub his right lenies will born before this sta under its allegiance, thereof; it therefore must be aliens to t of their own they in Calvin's case the all the ante-nati in the union) were al reason, because th allegiance of the ki fore observed.

I therefore concl of the matter, that tor may think him we are not aliens are not aliens we proof I believe few thank him,) yet it even upon his own confirmed by his o British subjects are

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Baltimore, Feb.

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have endeavoured to establish, nor will it answer the Senator's purpose, or warrant his conclusions. On the contrary, if the judges intended to declare, that should the crowns become separate, the English post-nati, who might continue to reside in England, and pay allegiance to the English king, should notwithstanding be considered as subjects of the king of Scotland; and that the Scots post-nati, who might continue to reside in Scotland, and pay allegiance to the Scottish king, should notwithstanding be considered as English subjects, I will not hesitate one moment to pronounce, that their opinion was as trifling as they could possibly think the objection, that it is "less than a dream of a shadow, or a shadow of a dream," and that it is not warranted by common law or common sense.

If all of us born before the declaration of independence were natural born subjects of the British king, if the Senator's principles are just, and the opinion of the judges, in the extent the Senator would give it, is consistent with law, if we, by no matter ex post facto, can put off our allegiance, cease to be subjects of Great-Britain, and become aliens to that nation, we may in that case inherit in that kingdom, and sue in their courts of justice, but I cannot discover of what service this will be, either to the Senator, or those whose cause he is an advocate, for the question at present is not whether we can inherit in Great-Britain, but whether British subjects can inherit here, and if the only reason why we may inherit in Great Britain is, that we were originally born the subjects of the British king, I apprehend it will follow, as a necessary consequence, that all not born subjects of this state cannot inherit in the state, but are, and must ever remain, aliens to it, unless by matter ex post facto they can become subjects thereof, and aliens to Great-Britain. And that all persons born in the thirteen colonies, or any other part of the British dominions, before the formation of our present governments, are aliens to this state, Calvin's case is a full authority, for the judges say there, "that every one who is born without the allegiance of a state is an alien;" and again they declare, that "every man is either an alien born or a subject born." Now no man in his right senses will assert, that those who were born before this state had an existence, were born under its allegiance, or were natural-born subjects thereof; it therefore follows, that all such persons must be aliens to this state, unless by some act of their own they have become subjects. And in Calvin's case the judges also determined, that all the ante-nati in Scotland (those born before the union) were aliens in England for the same reason, because they were not born under the allegiance of the king of England, as I have before observed.

I therefore conclude, upon a full examination of the matter, that however successful the Senator may think himself, in having proved that we are not aliens to Great-Britain, and if we are not aliens we must be subjects, (for which proof I believe few whigs will be disposed to thank him,) yet it remains a truth established, even upon his own principles, and supported and confirmed by his own law authorities, that all British subjects are aliens to this state.

AN INDEPENDENT WHIG.

Baltimore, Feb. 29, 1780.

To the PRINTERS of the MARYLAND GAZETTE.

SINCE my publication, in your Gazette, of Feb. 18, last, I observe two others under the same signature, in your papers of the 25th of February, and the 3d of this month. I am not acquainted with either of the gentlemen, who have assumed my signature. My intentions were to recommend harmony and union between the two branches of our legislature, and to remove any prejudices too hastily entertained of the Senate, and to wipe off any unfavourable impressions which the public might have taken up (from the resolves of the house of delegates) against those members of the Senate who voted against the confiscation bill. I did not pretend to be acquainted with the laws or practice of nations; I thought we ought to conduct ourselves on the principles of justice and equity; and agreeable to my sentiments of justice, I coincided in opinion with the Senator, that we ought not to confiscate indiscriminately the property of British subjects; because we should thereby injure many innocent people. In this sentiment, I was supported by the authority of the Senator, that the property of *unoffending* British subjects was not liable, by the law of nations, to seizure and confiscation. I did not pretend to give an opinion how far the confiscation of the property of the *innocent* subjects of Great-Britain was justified by the law of nations. I was ignorant of that law, having never read Grotius, Rutherford, or Vattel, I relied on the assertion of the Sena-

tor, and only ventured to give my opinion, that the dictates of justice and reason forbade an indiscriminate confiscation.

The Senator did not enumerate the persons who would suffer, if the property of British subjects was confiscated without any exception; but as he affirmed that "it would be unjust and ungenerous to confiscate the property of a great number of individuals in England, who had publicly expressed their disapprobation and abhorrence of the war, and of the measures which led to it," I cast about in my mind to discover whom he meant. The proprietor, Mr. Harford, was an infant, and therefore must be deemed innocent as to us; if his estate was the great object of the law, and was not liable to confiscation, the advocates for the seizure could not think the property of others worth their notice. I mentioned the names of the merchants, Hanbury, Russell, and Glalsford, because I thought they were also unoffending subjects of Great-Britain.—On enquiry, I have reason to doubt of Mr. Glalsford's friendship, or services, to this country. I have a favourable opinion of Mr. Russell; his lady is a native of this state, amiable in her character, and may deserve favour and compassion. I named colonel Sharpe, and said what I really believed to be true, and do not fear contradiction; his return to live among us must obviate every objection. The Senator or myself cannot possibly have any interest in saving his property. I am told I was mistaken as to governor Eden; if I was, I am sure I would not recommend him as an exception, but I with due enquiry to be made, before his estate is confiscated. I never had in contemplation to exempt from confiscation, the property of Mr. Buchanan, or of the proprietors of the Principio and Kingsbury iron-works. I never heard that Mr. Buchanan was our friend, and some of the owners of those iron-works live at Birmingham, and are our bitter enemies, and even contributed to raise a regiment to reduce us to slavery. I readily consent (and I would answer also for the Senator) to confiscate their estates, because they are *inimical* subjects of Great-Britain. As to our absentees, I only contended, that some of them ought to be considered as subjects, and if they had committed treason against this state, they ought to be tried and punished as traitors. As to those who retired or withdrew from the state, if they have never actually borne arms against us, I thought, with the Senator, that it would be unjust to forfeit their property. I see no difference whether they went away before or after the declaration of independence. I grounded my opinion on the assertion of the Senator, "that there was no law which declared their departure unlawful." I had not the least idea or wish to save from confiscation the estates of Robert Alexander, Esq; the reverend Mr. Jonathan Boucher, the reverend Mr. Henry Addison, Mr. Henry Riddle, Lloyd Dulany, Esq; and his two nephews, and Mr. Stewart, (I suppose Anthony) enumerated by the last Plebeian. I really am (as I profess) a whig, and those personages never entered into my head, nor I dare say that of the Senator, as objects of favour or compassion.

The Senator alleged, that there was a difference between seizing the goods of an enemy, found on the high seas, or in their country, and their property, in our power, within the state. He also asserted, that there was a difference between confiscating the land, and personal property, possessed by British subjects, in this state. I was of the same opinion, and as he omitted to give reasons for his opinion, I gave such as occurred to me, and I flatter myself, satisfactory to the public.

I was of opinion, that no great sum would accrue to the public from the confiscation of British property. If I was mistaken, I wish to be set right, and will readily retract, when convinced. I have a strong resentment against speculators as any man, and therefore would do nothing to promote their interest; though I would by no means have it believed, that I would not benefit my country, from an apprehension that they might have art to turn it to their advantage.

I never thought myself capable of discussing the question, whether all British subjects became aliens to this state, by the declaration of independence; therefore I did not undertake to support the Senator in his denial of it. I am not lawyer enough to know any thing of Calvin's case, and therefore the gentleman who assumed the same signature with me, in your paper of the 25th, ought to have the merit, if any, of maintaining the position, that all British subjects born before the declaration of independence, are not aliens, but can inherit as our natural-born subjects. I would only remark, that the Senator alleged, "that both British and Americans, born before the declaration of independence, were not *aliens*; but could inherit, &c. within

the several counties, as the natural-born subjects of both." He did not undertake to assert, that the people of this state, born before the declaration of independence, are *new subjects* of Great-Britain. This can be only a conclusion drawn, that if we are not aliens to Great-Britain, we are still subjects. If this inference be just, I wholly disclaim it, and will never again become a subject of that tyrant, whom I have renounced.

I only intended to offer my reasons in support of the Senator, so far only as I attempted in the Gazette of the 18th of February, and as now repeated. I believe the public will think that I did not differ from him in sentiment, and he may be assured I did not mean to misrepresent any of his arguments, or opinions, but to support them. I never intended to cast any aspersions on any of the members of the house of delegates. If the Senator meant to convey any suspicion of the conduct of particular members of that body, by his mention of "*particular circumstances and particular characters*," it remains with him, and the writer in your last Gazette, under my signature, to explain or to justify. In a word, I am connected with no party, and would not give offence to either of the writers, or any other person: I take the liberty once more to sign myself

A PLEBEAN;

Prince-George's county, March 8, 1780.

To the PRINTERS of the MARYLAND GAZETTE.

IT is unbecoming an officer to use ungentlemanly expressions, but if I was to give my opinion of the Senator, I should censure him heartily. He talks of *timidity on the right side*, which is detestable on any side. I honour a brave fellow even when he fights against me, but I detest the coward, though he professes to be my friend. No man, says he, or body of men, need to *blush* at being stigmatised as *timid*. Zounds, because they cannot *blush*. They will turn *pale* as a tent-cloth. Who ever heard of a coward blushing? I have been in several battles, and have seen several duels fought, and never saw a man blush with fear, to this hour. The Senator I take to be a d-m-d scary fellow. He talks of *consequences*; though if we had considered consequences from the first, like moderate men, we should never have declared independence; but if I was to consider what was to come to pass, I would as soon look into an almanack for it as into his writings. France and Spain will not suffer us to confiscate British property! I would see France and Spain to hell before they should hinder us from doing what is right. Britain will make it a preliminary, that restitution be made of it. Let the assembly give it to us, and all the devils in hell shall not take it from us. The Senator is fearful: Was I of the legislative body I would have him cashiered for his mean spiritedness. He may do well enough in private life, but I'll be d-m-d if he is fit to wear a commission in a public station.

A MARYLAND OFFICER.

Montgomery County, Feb. 28, 1780.

* Not but that I have the most perfect devotion to the generosity of France, and good will to Spain, and do not believe that a thought of the kind will ever enter their minds.

For the MARYLAND GAZETTE. NUMBER XXIX.

THE family compact of the branches of the house of Bourbon was a circumstance whereon to ground a charge of ambition against France; though, it must be evident, that it was the result of wise and just policy for her own preservation. The contiguity of territory between France and Spain, affording frequent subjects of debate; the dissimilarity of manners, the one possessing the most lively air of address, the other exhibiting the utmost gravity of behaviour; what is still more, the hostilities of long wars with each other, had formed an opposition in the minds of the people, which the closest ties of affinity, or consanguinity, in the persons of the sovereigns, could not overcome. Not friendship springing from the ties of blood, nor the designs of ambition, but the vast mass of the English power pressing with a mighty weight, bound them together. When this weight shall be removed, or lessened, and the British power shall cease to press, these two monarchies shall return to their native beds, and be so far from forming designs against the liberties of their neighbours, that it will exist the principal object of their concern to preserve peace amongst themselves. Consanguinity in the persons of the sovereigns may be favourable to this end; the pleasing recollection of mutual acts of kindness, and that soft affection which long fellowship in distress begets, may

long engaged them to each other; but the cause of their compact for the purposes of war ceasing, the compact itself will also dissolve and melt away. Europe, whose liberties are saved by the reluctance of these powers to the monarchy of England, will have nothing to fear from their negotiations, or their arms, when Britain shall be humbled, and exist no longer the tyrant of the earth.

From the view we have taken of the history of the two last centuries, as far as it relates to France and England, how vain must appear the language of the king of that island to his parliament, Nov. 25, 1779, where he throws out the idea of upholding, and preserving "the liberties of Europe from the restless and encroaching power of the house of Bourbon." How tyrant! will he not be sensible, will he not acknowledge, that he himself is the source of all the evils that, at the present time, tempt the earth? Let him cease his designs of hostility and subjugation, against those whom God and nature have made free; let him withdraw his fleets and armies to his own island, and be bound like Satan for a thousand years, and we shall have a millennium on the earth. He himself is the fiery dragon of the age, and has kindled more fires than the angel of the bottomless pit could do, was he in his proper shape amongst men.

I have now done with what I mean to say on the subject of the alliance. Many things remain to be said, and I had intended to have taken a general view of the commercial, literary, and other advantages resulting to these states from the connection; but the necessity of attending to my own affairs precludes me from that undertaking. I have to thank the public for that indulgence and candour with which they have heard me, and am conscious of those tender feelings which public favour and indulgence beyond what might be demanded by the merit of the service, naturally inspires.

THE HONEST POLITICIAN.

March 8, 1780.

For the MARYLAND GAZETTE.

THE confiscation of British property is a question in which every man in this state is deeply interested. I had perused with attention the two first publications of the Senator, and the address by a writer, under the signature of A. Plebeian, in the Gazette of the 18th of February. I entirely agreed with the Senator, and the Plebeian, whom I considered as his friend and assistant, as to the injustice of confiscating, indiscriminately, private British property within this state. The Senator adduced his reasons and arguments from the principles of justice and the law of nations, the Plebeian, from the rules of equity and universal justice. I thought the Plebeian was defective in his support to the Senator, in not examining the grounds on which the house of delegates originated their bill, to wit, "That all British subjects are at this time alien enemies to the state, and, as such, incapable of holding property within it." From some expressions in, and the general purport of his performance, I concluded that he was unacquainted with the law of nations, and the common law of England, and therefore I was induced to believe, that he would not favour the public with any remarks on the question, which appeared to me to be the great point in controversy, and on a true understanding of which a proper decision by the public, can alone take place. If all British subjects became aliens in virtue of the declaration of independence, I admit the conclusion of the delegates, that an alien cannot hold land in this state. I was of opinion, with the Senator, that the law of nations ought not to be adopted as the rule by which to determine the question of alienage. I doubted whether there is any law of nations on the subject. I agreed with the Senator, to take the common law of England as the criterion by which to ascertain what persons ought to be considered as aliens to this state. I endeavoured to examine this question by that law. The Senator bottomed his opinion on the sole authority of Calvin's case. I searched a number of other authorities in the law, and found these principles uncontroversially established, that no person born within the dominion of the crown of Great-Britain, in other words, within the allegiance of the king of Great-Britain, can be an alien to that nation. That every person born within the dominion or allegiance of the king of Great-Britain, is a natural-born subject. That an alien is one born out of the dominion or allegiance of the king of Great-Britain, and under the allegiance of some other prince or state. From these axioms I deduced the same inferences, with the Senator, that all persons born before

the declaration of independence, within any of the colonies (now United States) then part of the British dominions, are not aliens to Great-Britain. That every person born within this state, since the declaration of independence, is an alien to Great-Britain, and may be taken as a subject of this state. Every principle or reason, which proved that Americans, born before the declaration of independence, are not aliens in Great-Britain, but can inherit, or sue to recover lands, in that kingdom, equally evinces, that all British born before that event, are not aliens in this state, but may inherit, or sue to recover, lands within it. This I hold clearly to be the law of England, and am confident no gentleman of the profession will deny it. I then took into consideration the question, what effect the declaration of independence, our establishing a new form of government, and swearing allegiance to it, could have on the law I had (in my judgment) so well established. In my researches on this head, I could discover no authority but Calvin's case, in any manner to warrant the conclusion of the Senator, "that notwithstanding those events, the dominion of the British empire, our separation from it, and becoming an independent state, all Americans born before those events are not aliens to Great-Britain, but may inherit, &c. and on the contrary, all British born before those events, not aliens to this state, but may inherit, &c." The event supposed in Calvin's case, was a separation of the kingdoms by the descent of the crown, to different persons; and I cannot discover with the Senator, any difference whether the separation happens from the event suggested in Calvin's case, "the descent of the crown to different persons," or, as in our case, the division of the British empire by the war, and our declaration of independence, and setting up and establishing a new state.

The Senator did not assert, nor do I admit, that if the Americans born before the declaration of independence are not aliens, that of consequence they are subjects of Great-Britain. I was apprehensive our adversaries would endeavour to involve us in this inference from Calvin's case, and therefore I suggested the idea (that if only subjects of Great-Britain can inherit lands there) that the Americans born before the declaration of independence are not absolutely subjects, but quasi subjects, i. e. to inherit lands, but not to yield any allegiance.

My design in my publication (in the Gazette of the 25th of February) was to express my approbation of the opposition to the confiscation of British property, on the principles of justice. The arguments drawn from that principle by the Senator, and the Plebeian, were striking to me. I thought the conduct of the British parliament towards the town of Bolton, for the destruction of the tea, a similar case, and therefore mentioned it. I proposed chiefly to confine my remarks to the question of law, i. e. who are aliens to this state, and in support of the Senator, if I think it necessary, still continue to offer my sentiments to the public on that question. Another writer in your last paper, under the signature of a Plebeian, has entered into the discussion of several subjects, which I never proposed to examine. I shall, as I first intended, confine myself to the question of alienage, and shall not hold myself bound to support the gentleman who has been pleased to make use of the same signature with myself.

* In the celebrated case of Ashby versus White, which was an action brought, by a voter, against the constable of Aylesbury, for refusing to receive his vote, one of the judges was of opinion, that the action did not lie against the constable, because he acted as a judge. Perjury, one of the judges, was of opinion, that he was not properly and strictly a judge, but quasi a judge; he had a power to admit or to refuse a vote, his determination was not final and conclusive, but subject to the revision of the house of commons. The other judges (being of opinion that he must be a judge or not a judge) exploded this distinction. But I submit to the gentlemen of the profession, whether the reasons urged by judge Perjury, though insufficient to make the constable quasi a judge, will not well warrant my distinction of quasi subjects, in the present case; indeed some distinction appears to me indispensably necessary. By the laws of England none but subjects can inherit lands there; ergo, to entitle Americans born before the declaration of independence, to inherit there, they must still be considered as subjects. To admit them to be subjects of Great-Britain, without some distinction, would be to affirm, that they owed allegiance, which is incompatible with our independence, and our former allegiance to this state. No distinction appears to me so technical as that of quasi subjects.

The Senator's last number was published with mine, in the Gazette of the 25th of February last. So far from supporting the Senator in his proposition to compel the public debtors to the loan-office, who have taken up their bonds, to give new obligations for the balances, after deducting from the original debt the payments, according to the depreciation at the respective times of payment, I differ from him in opinion. I always was a friend to the tender law. Our circumstances at the time it was made, rendered it absolutely necessary. At that crisis of our affairs it was certainly of infinite service. I question if the states had not in general made the congress emissions a legal tender, whether it would have purchased any provisions or other necessities for our army. I confess it has not answered all the good intentions of the authors of it. Some creditors have greatly suffered, but even some of these have contributed to depreciate the currency. I wish some mode (if possible) could be devised to do universal justice. I fear great discontent and confusion would arise from the Senator's scheme. Every one must see, if public debtors should be compelled to make up to the public the depreciation, private debtors must do the same. I do not wonder that creditors for great sums should be clamorous, but they should reflect, that it has been a natural consequence of the war; that they are better able to bear the loss than poor creditors; they should consider that they bear the greater burthens of the war, fighting and militia duty. Rich creditors find substitutes in the field, and pay their fines for their non-attendance on the militia. I believe, if the tender law should be now repealed, more hardships, distress, and even injustice, would flow from it, than can happen from its continuance.

If the point of law I have endeavoured to establish should be questioned, I shall again trouble the public, otherwise not. In that case, for distinction sake, I shall beg leave to make use of the signature of *The Second Plebeian*; I hope I shall not be disturbed in the possession of it. For the present I subscribe myself

March 8, 1780.

A PLEBEAN.

H A G U E, November 25.

LETTERS from Amsterdam bring an account that Paul Jones, in consequence of the injunctions of the States General to sail with the first fair wind, is actually sailed, but that the famous captain Cunningham who escaped out of the prison in England, and was to have gone with Jones, has altered his intentions and is gone to Paris.

B A L T I M O R E, March 7.

A gentleman who arrived on Sunday evening from Charles-Town, South-Carolina, which he left the 10th ult. informs us, that on the 15th, in the vicinity of that capital, he heard the alarm guns fired announcing the approach of the long-expected British enemy, and was afterwards assured by a gentleman in a few hours from Charles-Town, that the enemy had entered North Edilton inlet, about 40 miles from that place, with 45 or 50 small transports, and that a body of troops, supposed to be commanded by Sir Henry Clinton, or Earl Cornwallis, had been landed on Wockmalaw Island, opposite Stono-Ferry, about 24 miles from the capital aforementioned. That the further progress of the enemy had been checked by the seasonable appearance of a gale, or galleys, which had been dispatched by general Lincoln, from Charles-Town, to interrupt that important passage. The same gentleman adds, that the garrison of Charles-Town, appeared determined to defend that place to the last extremity; for which purpose they were making all possible preparations by land and water; and that the men were ready to man their formidable line at a minute's warning.

March 4, 1780.

STOLEN out of the stable of the subscriber, at his quarters near the city of Annapolis, on the night of the twentieth day of February last, a chester horse named MARY, about thirteen hands high, eight or nine years old, bay, with white, branded on the near buttock C.D. and gallops, and carries her head when ridden very low. Any person who will give information, or secure the said mare to that the owner may have her again, shall receive one hundred dollars, and if brought home one hundred and fifty dollars, and any person securing the mare, shall be brought to justice, shall receive a reward of one hundred dollars, paid by

WILLIAM WATSON.

[XXXVth YEAR.]

THE

[No. 1731.]

MARYLAND GAZETTE.

FRIDAY, MARCH 17, 1780.

of the MARYLAND GAZETTE.

NUMBER I.

I AM one arrived at that age and experience, who having seen the end of all popular applause, that like the morning mist, it vanishes away, am induced, by a purer principle, love my country, to undertake, at this time, a series of papers addressed to the public. Never as there greater necessity for every man to put his hand to the oar; we are be calmed far from the harbour; the matiners are asleep, and it becomes to call, with a loud voice, Yoho, upon each there.

At the beginning of the present contest, the idea was entertained, that the non-importation agreement would lay Britain under the necessity relinquishing her claims, and cultivating the affection of her colonies. This idea, however vainly entertained, was pernicious to us; as we thereby deprived ourselves of all those articles of foreign commerce, which were necessary for carrying on the war. After the commencement of hostilities, April, 1775, we were still of opinion, that Britain, in a short time, would see her true interest, and offer reasonable terms of accommodation. Hence came the resolutions of temporary cessations, and many partial and short-sighted measures, which have been greatly ruinous to the hope of a speedy issue to the contest. The neglect of taxation has also been the offspring of these false and delusive hopes; it being apprehended, that peace must shortly ensue, and then we might tax with ease and at leisure.

For my part, I was far from believing that a few years would see an end of the debate. Britain had seen the spirit of the Americans; their resistance to the stamp-act; she had seen that arms alone could effectually force upon them claims contrary to their liberties; she had counted the cost of this, and had it in view to prevail, or to perish in the undertaking. I had frequently said in conversation, that the continuance of the war might be 21 years; I had said to myself, in the most favourable event of things, our sea-ports possessed by the enemy; our armies obliged to retire to the barrier of the mountains, where far inland we should hear of them pushing and being pushed, beating and being beaten; on yonder hill, on this plain, and in that valley. Britain was among the first powers of Europe, triumphant from a former war, ready in her purpose to reduce us, and it was not to be supposed that she would easily desist from her pretensions. Her commerce furnished her with great resources, and not for many years could she sink under the expences of even distant campaigns.

America, on the other hand, was animated with a pure spirit of liberty; she was nervous, and unbroken, she had all that, for which, on earth it is dear, to contend. Beaten from the coast, her inhabitants could retire within the barrier of the mountains, and even after they had ceased to be able to oppose regular armies, could continue an incurable war, until encroaching in the woods, and by the streams of the west, they could roll back on their oppressors, and expel them from the soil. From this view of things, I could not be of opinion, that accommodation could speedily take place; Britain, with all her strength and passion, had it not in her power to conquer; and America would never yield.

The alliance of these states with France was a matter of our hopes; we began to believe, that Britain could not even for a short time carry on the war in America; and at the same time resist the monarchy of France. This was a mistake; Britain, by her situation as an island, is secure from the inroad of the French armies, and her fleets must be beaten before the neighbouring power can attempt an invasion. Hence, on the part of France, it has hitherto continued, and will continue to be, principally, a naval war. In this, it is impossible for us to give any perceptible assistance, in any other manner, than by distressing, in some degree, the trade of our enemies. France therefore has herself the main battle to fight; and as long as Britain shall be able to hold up against the naval power of the house of Bourbon, she will continue to struggle;

and, like a person in the rage of madness, to beat all whom she finds around her.

The idea of a peace prevailed in the spring of the year 1779, and by raising false expectations, which in the end were disappointed, tended to destroy the patience of the people; it being natural to the human mind, to prepare itself for long labours, and to sustain them patiently, when it has at first expected that they would be long; but, on the contrary, to repine and be dissatisfied, when evils are drawn out to a greater duration than was at first expected.

In the course of the past winter, the idea of a peace has been kindled up; and for this reason, principally, that commissioners on our part have been appointed to negotiate for that purpose. It is, without doubt, prudent and humane, to make every proper advance towards an accommodation; to be prepared to receive terms of peace, that when offered there may be no delay in putting a stop to the effusion of human blood. Besides, proposals of accommodation make a gradual progress on the human mind, and, though they may not have an immediate and visible effect, will, in the end, be found to have made a good impression, and to have tended to throw the minds of men forward to this object. For this reason, I do not mean to censure the sending commissioners with powers to negotiate a treaty; but I would not have the people of this country, to form from them any apprehensions, that the congress know more than is generally known, or that some advances, on the part of Britain, have laid the foundation for this measure.

It is evident from the last speech* of the king of England to his parliament, that his "thoughts are still for war." Yet on this continent we are led to indulge the thoughts of peace. There is danger from this veteran of the mind. We have struggled with the maladies of the debate, until the present hour, still approaching nearer to the end of our labours; but we are to consider, that the most dangerous period which the patient has to pass, is between the abatement of the fever and the spring of health. Then, trusting too much to the unconfirmed vigour which he feels, he takes the cool air, and is sensible of a relapse.

It is high time that we be roused in every state, from New Hampshire to Georgia. We are yet in the midst of a wide ocean, knowing not what storms may descend upon us. It behoves us to be alert, active, industrious, indefatigable; dismissing party quarrels and partial considerations, and holding in view the great object, the general liberties of our country. We may set it down as a certain truth, that we shall have no solid ground to expect peace, until our enemies shall cease to retain possession of a foot of territory within any of the Thirteen United States.

AN ANTI-ANGLICAN.

* November 25, 1779.

To the honourable SENATOR.
Care of Mr. GREEN. These.

YOUR honour's publications have come to hand, and have been reading them over at different spells, as could find time; and am much taken with them; but it seems strange to people that your honour should disallow of the Plebeian who explains what was first broached by your honour, especially when by a few lines in the newspaper we took to be from your honour, we thought you wanted to know him. Your honour says, the Plebeian has told things that you did not mean; but I and my neighbours cannot find where; for it seems to us you are both the same in the argument matter of debate; and to differ must be some election of affront, which we cannot make out; but hope your honour will tell us; for we can find nothing in him but what was first started by your honour. It is a pity that people should differ on the same side, about nothing; and hurt a good cause. Some thinks as how your a going to fly back; and it will bring a reflection of a disallowance of your own writings, if you should; and it would be wrong in your honour to be frightened at your own shadow; we hopes you will stick to your under-

takings; and no fear you will hold your own in spite of them, if so be you and the Plebeian make up, and no mistake or party matters is put between you for the future. I do not say as how I am judicious and discerning, but hopes your honour will at least think me

A WELL INTENTIONED READER.

March 5, 1780.

For the MARYLAND GAZETTE.

I HAVE held my tongue long enough, but I will now speak out. The Senator has fully proved, that we are still British subjects. How then, consistent with a good conscience, could any one take the oath of allegiance to the state? On this ground the Senator may go on to shew the iniquity of the treble tax law, as he has done that of the tender law. The treble tax is oppressive both on conscience and property. I hope it will be repealed. If the Senator undertakes to write against it, he may depend upon being supported, and what he loses of popularity amongst violent men will be made up to him, as it is at present, in the attachment of others.

W. M.

To the PUBLIC.

IT has been observed, that the resolution of the judges in Calvin's case, that "the post nati were natural born subjects of both kingdoms," might well be questioned.

When James ascended the English throne, he brought with him the most extravagant notions of his hereditary right to the crown, and the power of kings; the one indefeasible, the other absolute; and from thence inferred, that his will ought to be the sole rule of his government. From the first moment he found the crowns united on his head, he anxiously desired to effect a union of the two kingdoms; this was his darling plan, he urged it with the utmost impatience, nor could any thing exceed his passion and zeal to accomplish it. In a studied oration, he urged this measure to his parliament, at their first meeting, and declared that "all who were against it were blind, ignorant, restless, and disaffected." The parliament, to compliment and humour their new sovereign, appointed commissioners to meet others from Scotland, to deliberate on the terms of the proposed union; but so impatient was the king, that, without waiting to see what would be done by the commissioners, or how far what they should agree to would be confirmed by parliament, by virtue of his own proclamation he declared himself king of Great-Britain, and quartered the armorial ensigns of Scotland with those of England. The commissioners assented, among other propositions, to the following, "That the common law of both nations should be declared to be, that all born in either nation, since his majesty was king of both, were mutually naturalized in both." The very point which was afterwards decided in Calvin's case. This proposition was delivered in to parliament by the lord chancellor Ellesmere*, one of the commissioners, and who, the more effectually to secure the favour of James, had a principal share in procuring this proposition, as, he had also afterwards, from the same motives, in procuring the like decision in Calvin's case. The parliament deferred the consideration of this proposition until their next session; but James, of his own mere authority, issued his proclamation, declaring the common law to be, as the commissioners had proposed, thereby prejudicating the question, and laying his parliament under a necessity of assenting to this proposition, or of affronting his proclamation.

Upon the meeting of the next parliament, James addressed them in a most elaborate speech, recommending to them his favourite measure, the union of the kingdoms. He engaged Sir Francis Bacon, whom he often used, to tamper

* Mallet, in his life of lord chancellor Bacon, says, that "lord Ellesmere presided in the court of chancery with an unblemished reputation as a judge in private cases, but his public conduct had been always framed to the directions of the court, with an obsequiousness of dangerous example in one, who held so great and important a trust."

with his judges, to employ his amazing abilities for the same purpose. The commons would not assent to declare the common law to be as stated by the commissioners; nor could the eagerness of the monarch, nor the eloquence of Bacon, prevail over their determined resolution. Enraged at their obstinacy, James called the two houses together, and laboured to convince them of their error. He informed them, that he had already issued his proclamation, declaring that all Scots subjects, born since his accession to the crown, were natural born subjects of England, and charged them, that by their determination they do not disgrace his proclamation. To advise them concerning the law, he called in his judges, who, ready prepared, declared the common law to be agreeable to the commissioners proposition and the royal proclamation. He then waited the parliament "not to disgrace the opinion of his judges, who, when parliament had done, had authority to try their lands and lives." He had the insolence to threaten the representatives of the nation; he warned them "to think of his power, and not to tempt his patience." He wheedled and menaced them by turns, but found himself baffled. The commons refused to declare those, born in Scotland since his accession to the crown, natural born subjects of England; and thus the matter rested, until the king procured the decision in Calvin's case.

That the judges were subservient to his will, many instances may be adduced. They declared, that the chancellor had a power to vacate the seat of a member of the house of commons, and to issue a new writ of election, and that the commons had no power to reverse or controul his decision: they condemned to death Valentine Thomas, for calumniating James, in the life time of Elizabeth: they adjudged to death Peacham, a clergyman, for expressions against the ministry, in a sermon never delivered, or intended to be published: in the case of the bishop of Lichfield, they declared it their duty to stay judgment, in any case depending before them, if the king, conceiving himself concerned either in profit or power, commanded them. The servility of his judges, and the king's undue influence over them, is testified by the earl of Southampton, who, speaking of the divorce of lady Howard from the earl of Essex, makes this observation: "By annulling the marriage, may be discerned the power of a king with judges."

The judges of this king sentenced to death the illustrious Sir Walter Raleigh, solely upon the written evidence of lord Cobham, whom they refused to produce in court on the trial, or to be confronted with the accused, though required, contrary to every principle of law, and in direct violation of every rule of justice. In this case Sir Edward Coke, who managed the prosecution, with a peculiar malignity of nature, inveighed with the bitterest, most scurrilous and insulting language, against that eminent personage; and for his reward was appointed chief justice of the common pleas. In a year or two after, we find him dictating the law to parliament, concerning the naturalization of the Scotch subjects, and two years afterwards giving the decision in Calvin's case.

The above instances are sufficient to shew, what influence was used by that monarch, with his judges, to procure a determination, in every case, where he thought himself interested; and how ready they were to enter into all his views.

About two years after the king's disappointment in parliament, Robert Calvin, who was born in Scotland after the accession of James, commenced a suit in the common pleas to recover lands: the defendant pleaded that he was an alien born, and therefore not capable of maintaining the action. Hereby the very same point was brought in question, which was contained in the proposition of the commissioners, and which James had laboured to establish, by the sanction of his parliament. It was therefore treated as a case of the first magnitude, and conducted as the cause of the king, not of obscure individuals; and accordingly we find it was advocated on behalf of Calvin by the king's council, Hobart, and Sir Francis Bacon. Is it probable that James was less solicitous now for the event of this matter, than he had been before? Is it wonderful that the judges now gave their decision, agreeable to what, but two years before, he had prevailed upon them to declare as law to his parliament? Or that those who had sported with the laws and constitution, and sacrificed the lives of their fellow subjects, to the vindictive passions of that monarch, would now hold them sacred and inviolate.

If we examine the arguments of the judges in this case, we shall find that, by their judgment, they not only established a point which the king had much at heart, but also that this

very judgment was founded upon those principles of indefeasible, hereditary right of monarchs, and their absolute, uncontrollable authority, which he had adopted, and which to support and maintain was the most certain method of securing his favour. They declared that allegiance is due to the king in his natural, not in his civil or political capacity, a doctrine which reason has long since exploded: and from which it would follow, that when James II abdicated the throne, his subjects still remained bound in allegiance to him, and were traitors for transferring it to William and Mary; since, notwithstanding the abdication, though his political capacity was thereby altered, yet his natural capacity remained the same.

The judges declared the position, that, "allegiance was due, more by reason of the king's crown, than by reason of the king's person," was a damnable and damned opinion, invented in the reign of Edward II, by the two Spencers, father and son, to cover the treason they hatched in their hearts, from whence execrable and detestable consequences were inferred by them. And what would any person imagine were these execrable and detestable consequences? Why, truly, the following: 1. That if the king did not demean himself by reason, in the right of his crown, his subjects be bound to remove him. 2. That if the king could not be reformed by suit of law, it ought to be done by the sword. And 3. That his subjects be bound to govern in aid of him, and in default of him. These were the inferences of the Spencers! the truth of which has been since sealed by the best blood of Britain and America.

The judges also declared, in the argument of that cause, that "the allegiance of the subject to the sovereign is due by nature, and not by the law or constitution of man, and therefore cannot be altered."

These were the principles upon which the judges gave their decision, and it is only upon these principles, that the decision can be supported. That man must be more than blind, who does not see, at the first glance, that all these doctrines were established, by the judges, merely in conformity to the king's will and pleasure, and to those arbitrary despotic notions of regal government, which he entertained. They are the corner-stones on which the Tories raised the whole superstructure of passive obedience, non-resistance, and the divine right of a king to act as vicegerent to the devil. They are utterly subversive, not only of the English constitution, but of law, reason, and the rights of human nature; and as they have long since been treated, with all the contempt they deserved, an authority founded expressly upon these principles ought to be expunged from the records.

That judges, who were under the influence of such a monarch as James, and whose offices depended upon his arbitrary fiat, should patronize and avow the tenets of ignorance and slavery, is by no means surprising; but with astonishment do we behold an enlightened Senator of this free state, with a mind improved and enlarged by comprehensive knowledge and an extensive intercourse with mankind, pleading the cause of its inveterate enemies, and advancing doctrines destructive to our government, and by which, if true, our present resistance to Great-Britain, instead of being stiled a glorious revolution, must be stigmatized, an unnatural rebellion: for although the Senator has spoken with some caution on the subject, yet the Plebeian, proceeding upon the Senator's positions, and law authorities, has carried the arguments to their full length; he has stripped off the mask, under which they were introduced, by the Senator, and exposed to view all their horrid deformity, which lurked underneath, for which the public ought to be thankful to him. Upon the Senator's positions and law authority he has proved, that allegiance, being once due, always must remain due, as, upon those principles, it can never be forfeited or altered; that he, who was once a subject, must always remain so; in a word, that all the Americans, born in these states before the declaration of independence, are at this present time, notwithstanding that declaration, the establishment of our new governments, and our having sworn allegiance to them, subjects of Great Britain: and humbly adds, that if any person should make an objection to this, he can only say, "that Calvin's case is good law, and applies directly in point." Under the pretence of reproaching confiscation, the Plebeian has completely burlesqued the arguments and reasoning of the Senator, and has shewn the horrid inferences which flow from them; and pleasantly enough observes, that the subjects of Great-Britain are neither subjects, nor aliens, in these states, but a kind

of something, which never before existed, something between both; quasi subjects! As therefore they are not subjects, but only quasi subjects, he must certainly intend, not, that they should inherit here, but only quasi inherit, that is to say, stand seized of their lands to the use of the state.

The Plebeian has concluded with some observations, which the Senator, and those of his sentiments, would do well seriously to consider. "Disunion," he says, has already taken place in our councils; he points out some of the evils which may probably flow from the continuance of that disunion; he observes that great blame must be imputed to those who are in the wrong, that there is too much good sense in this country to be long deceived; and that the public vengeance will be too heavy for any individuals."

I must now beg to be indulged a few moments, while I shew in what light this determination of the judges in Calvin's case has been considered by the historians of those times.

Hume tells us, that king James "engaged the judges to make a declaration, that all those who after the union of the crowns should be born in either kingdom, were for that reason alone naturalized in both; to support which determination, we must suppose the sovereign authority resides chiefly in the prince, and that the parliament is rather ordained to assist with money and advice, than endowed with any controuling or active powers in government."

Mallet, in his life of lord chancellor Bacon, says, "I though James did not succeed in the union of the kingdoms, in an affair of a similar kind, he found his judges more compliant, than the great council of the nation had been; he meant the naturalization of all Scotchmen born after his accession to the throne of England. This was adjudged by Sir Edward Coke, in the great case of Calvin, as it had been argued a large before the judges by Sir Francis Bacon. The affair is now no longer of importance to either kingdom, but one assertion of Bacon ought not to be forgotten, he roundly asserts, that monarchies do not subsist, like other governments, by a precedent law, or compact, and that submission to them is grounded on nature."

Rapin, after having given the history of James's disappointment from parliament, he uses these words: "Nevertheless, two years after the king got the same thing to be determined by the judges of the realm; though this determination of the judges was of no more force than his proclamation."

And to conclude with the authority of Warton. "The king (says he) obtained a judgment in Westminster-Hall, on a case called Calvin's, that those born in Scotland, after the king's accession to the crown of England, were free to purchase and inherit therein. This is reported by lord chief justice Coke, who set metal for any stamp royal, and adjudged him, the lord chancellor Ellesmere, and most of the judges of the kingdom; though many strong and valid arguments were brought against it. Such power is in the breath of kings, and of such soft stuff are judges made, that they can model their precedents into as many shapes as they please."

These citations speak for themselves, nor do they need a comment. From henceforth, then, let us hope Calvin's case may rest in peace, and that we may have no more arguments drawn from authority, or from the principles on which it was decided.

AN INDEPENDENT WHIG.

Baltimore, March 11, 1780.

FOR THE MARYLAND GAZETTE.

THE Senator talks of "the secret springs of public councils, and of the main spring of public measures." I have been struck with these expressions, as is natural to all men, in things that regulate their occupation; and supposing that HE might be put in motion by springs of some kind, I have examined his works, and discover them to be,

1. Dislike to the tender law.
 2. Friendship for individuals, whose estates may be liable to confiscation.
 3. The bias of association.
 4. Timidity.
 5. The vanity of being at the head of a party.
 6. The vanity of being an author.
- Which of these is the main spring, I shall leave to others of the trade, who may inspect the mechanism.

A WATCH MAKER.

March 11, 1780.

FOR THE MARYLAND GAZETTE.

WHEN men high in trust, are so much swayed, as to "abuse the confidence" of their country, it is highly meritorious in an

individual to expose the characters, to the world. To excite such commendation, is a noble and ill-placed confidence of public evidence of public discovery, in our representation of manners. A most illustrious evinced, by the have selected, from which fully express delegates, and of a reader, having may make his own inferences and

1. The house of strip several, whom of their property, a bill of rights.—1 Sen.

2. The principles were a secondary consideration, at any rate; British principles.

3. The plan of confiscation, was common law, a constitution.—1 Sen. 3

4. Confiscating property (if British Senator denies) will discriminate revenge.

5. The house of confiscation, for themselves.—2 Sen. 3

6. Part of the measure the appearance of a and speculators.—2 Sen.

7. Speculators who, unless more powerful (if British) make them pay the would have been a session, if the senate 5 col. 70 l.

8. The legislature as little burthened. The business of last and might have been. The session was un- people would do well.

9. It is not the Senate excite the resentment man, or set of measures necessary; too little into such a confidence to be abused.—3 Sen.

10. A free and plain on mere and plain will search narrow springs of the public content themselves motives for the conduct 3 Sen. 3 col. 10 l.

11. Particular circumstances will furnish them, through all the innermost spring of col. 19 l.

12. The reasons what the Senator has public to form a just policy of the motive of delegates to urge bill, and the senate.

13. The probability closely connected, Delegate, renders and confidence.—4

Annapolis, Maryland.

HOUSE

THURSDAY

THE king has turned to the cording to custom audible voice, his proposed an address they were due to him a part of the same rule of by lord Chief enlarged upon his difficult times, to kingdom, and upon which had been addressed, he said, that no brilliant events pliment his majesty that the summer session on their part been unfortunate in fact, the Great-Britain was.

desired to expose them, in their true and proper characters, to the examination of their constituents. To excite suspicions against them, to recommend a "cautious distrust," and to remove the ill-placed confidence of the people, is an evidence of public virtue and fortitude, rarely discovered, in our modern depravity, and corruption of manners. That the *Senator* has exhibited a most illustrious example of this nature is evinced, by the following passages, which I have selected, from his several publications, and which fully express his opinion of our house of delegates, and of particular members. The candid reader, having them presented in one view, may make his own comments; and draw his own inferences and conclusions.

1. The house of delegates really intended to strip several, whom the laws consider as subjects, of their property, without trial, contrary to our bill of rights.—1 *Senator*, 3 col. 23 line.

2. The principles of law and our constitution were a secondary consideration, and the obtaining, at any rate, British property, the first.—1 *Sen.* 3 col. 31 l.

3. The plan of the house of delegates, for confiscation, was contrary to the law of nations, our common law, and the principles of our constitution.—1 *Sen.* 3 col. 46 l.

4. Confiscating property, in our power, of unoffending British subjects, if aliens (which the *Senator* denies) will favour of plunder, and indiscriminate revenge.—1 *Sen.* 3 col. 9 l. from bot.

5. The house of delegates withheld the bill for confiscation, for reasons best known to themselves.—2 *Sen.* 3 col. 4 l. from the bottom.

6. Part of the message from the delegates has the appearance of a laboured apology for engrossers and speculators.—2 *Sen.* 5 col. 44 l.

7. Speculators will sell out part of their purchases, unless more effectual means be taken hereafter (if British property is confiscated) to make them pay the full value thereof, than would have been taken by the delegates, last session, if the senate had not interposed.—2 *Sen.* 5 col. 70 l.

8. The legislature should render their sittings as little burthenome as possible to the people. The business of last session cost near £60,000, and might have been transacted in half the time. The session was unnecessarily protracted. The people would do well to enquire into this matter.—3 *Sen.* 2 col. 37 l.

9. It is not the *Senator's* wish or intention to excite the resentment of the public against any man, or set of men; cautious distrust may be necessary; too little suspicion may degenerate into such a confidence, in the representatives, as to be abused.—3 *Sen.* 2 col. bot. & 3 col. top.

10. A free and discerning people will not rely on mere and plausible professions, but they will search narrowly into the true and secret springs of the public councils, and not always content themselves with the ostensible and assigned motives for the conduct of their representatives.—3 *Sen.* 3 col. 10 l.

11. Particular circumstances and particular characters will furnish the people with a clue to lead them, through all the windings, to the main and inmost spring of public measures.—3 *Sen.* 3 col. 19 l.

12. The reasons in the senate's message, and what the *Senator* has suggested, will enable the public to form a judgment of the rectitude and policy of the motives, which induced the house of delegates to urge the passage of the confiscation bill, and the senate to reject it.—3 *Sen.* 3 col. 25 l.

13. The probability, that the *Plébeian* is closely connected, and in combination with the *Delegate*, renders the *Plébeian* unworthy of trust and confidence.—4 *Sen.* 13 l.

A DELEGATE.

Annapolis, March 15, 1780.

L O N D O N.

HOUSE OF COMMONS,

THURSDAY November 25, 1779.

THE king having retired, the commons returned to their house and the speaker according to custom having twice read, with an audible voice, his majesty's speech, lord Lewisham proposed an address of thanks: to prove that they were due to his majesty, this lord employed a part of the same arguments which were made use of by lord Chesterfield in the other house, he enlarged upon his majesty's attention in these difficult times, to provide for the safety of his kingdom, and upon the wisdom of the measures which had been adopted. It was to be lamented, he said, that the last campaign had produced no brilliant events upon which they might compliment his majesty, and that it must be confessed that the summer had been remarkable for inaction on their part, but nevertheless it had not been unfortunate or fatal, and however dangerous in fact, the confederation formed against Great Britain was, they had only been threaten-

ed with an invasion; a threat which at bottom did not alarm those who knew the force and resources of this country, and the execution of which, perhaps, was to be wished for, as it is probable the enemy would have had reason to have repented the attempt; but if that crisis was dangerous the same danger still existed, and if any thing can disperse it, it is union, harmony, an unanimity of spirit, of heart, and of action. Let us turn our attention to our outward enemies; let us extinguish within us that fire of animosity; let us shun that spirit of debate, of discussion and political enquiry, in which our indiscretions only serve to inform the enemy of every thing that it is important they should be ignorant of, and point out to them our strongest and our weakest part, and that where they ought to attack. What we ought to shun as the greatest enemy that England has, is that spirit of division; it will be the strongest ally of the confederation that we shall have to contend with; let us avoid adding to a force already formidable enough, but if I should at last see unanimity established among us, I do not doubt but we should be able to avert the storm which threatens us. His lordship made some mention of Ireland, and attributed all the disorders which had lately arisen to the lower people, or the mob.

Lord Packer confined himself to seconding the motion for the form, and said that the noble lord had spoken so well, that he had left him nothing to say.

Lord John Cavendish proposed an amendment, almost literally the same as that made by the marquis of Rockingham, but before reciting it, he made the following introduction:—Before voting an address of thanks, of which the ministers will take all the honour to themselves, I would be glad to know how these ministers have deserved the thanks of the nation, I would endeavour to find out from the speech which has been read, what is the object of thanks which the address ought to express, I have only remarked one passage in which the truth is evident, which is, that the designs of our enemies have by the blessing of Providence, been frustrated: still it must be confessed that we are much indebted to Providence; she has seen that we had no other dependence but on her; she has saved us, the ministers have had no part in this miracle, why then should we thank them? The combined fleets have appeared in our channel, have insulted our coasts, we have found no other safety than in a retreat: is it for this we should thank the ministers? or is it on account of the abuses that have crept into the manner of conducting the military department? nothing can be more odious, than the shameful partiality, and blameable profusion in the raising new regiments; such are the traces that characterize this department; indolence and incapacity, in the greatest extreme characterize all the others; from thence arise that chain of calamities that desolate this country, from thence the deplorable state to which the funds herself reduced. Is this the time to carry thanks to the throne, without accompanying them with a word of advice? No, it is necessary to add some few words to the address proposed by the noble lord, I propose the following.

[Here should be the amendment, which is omitted by the French news-writer.]

In the course of his speech, he expressed his astonishment at the silence of the crown, with regard to America: this circumstance was likewise remarked by other members, who have gone more largely in their observations upon this silence.

Mr. James Greville seconded the motion for an amendment: lord John Cavendish had taken for his text in the king's speech, the thanks given to Providence: Mr. Greville took his from the exhortation made to the house by lord Lewisham, and commented much upon unanimity; "unanimity," said he, is what I likewise desire; it is what I hope to find in this house; it is time that all parties unite to see justice done to the nation, and to punish, as they deserve, the authors of its ruin: it is time that the representatives of the people, sensible of the extent of their duties, with regard to their constituents, should open their eyes to the public calamities; it should be the order of things, in the spirit of the constitution, that at the beginning of parliament, the people should testify their satisfaction, in seeing that conjuncture arrived which is waited for with so much impatience; a time, which ought to be set apart for the redress of grievances; but it is not so this very time, on the contrary is actually among the evils that afflict the people. It is known that the object of our meeting is reduced nearly to the business of approving some new tax, which, however ingeniously presented, is nevertheless an additional weight to the burden under which it already sinks. Things are brought to such a pass, that perhaps

there is more to hope for from the ministers themselves, than from that body formed by the constitution, for the preservation of the rights of the people, they perhaps will chuse to retire, and to leave in more able hands the government of the state, I exhort them to it, prudence counsels them with me; they may again, with a confirmed majority, reckon to go on some little time with impunity; but this time cannot be long, their friends cannot long delay in abandoning them to their fate, when that moment shall arrive, I ask, is there a member in this house, who will present himself to screen them from the national vengeance? On this challenge it were not a little surprising to see a new convert rise, it was

Mr. Adam, who having uniformly voted against administration in the beginning of the last session, had about the end of it made a tour through the counties, and had learnt, that it was not the ministers that were to blame; but that it was the officers who were intrusted with the different commands! This discovery had totally changed his manner of thinking, of course he did not see why a total change in the administration was become necessary. "I agree," continued he, that to give firmness and energy to the council of the state, it is necessary to discharge some members, but to take all together, there is more wisdom, more vigour, more popularity actually in the administration, than in the candidates who canvass the places of those that compose it: our country is not in safety in the hands of those that hold the reins; in those of the opposite party its destruction would be immediate, a shameful peace would be the consequence of such a change. What is most certain is, that at this moment England sees within itself a very strange phenomenon, an indolent administration, that succeeds in no one thing, and an opposition without popularity; but now, if one cannot give indifferently his approbation and his support to all the members of the administration, there is some of them whose abilities and virtues inspire more confidence in the people, than any of the members of the opposition.—Name them, name them, was cried out from all parts. Mr. Adam then named the lord chancellor, and viscount Stormont, he enlarged particularly upon the qualities, the merits, the application and the popularity of the viscount; and declared, that this new secretary of state possessed on one part the entire confidence of his sovereign, and on the other was infinitely agreeable to the people; but, continued he, it is not enough, to save our country, it is necessary that all the members of the administration agree equally. It is necessary that the noble lord, who sits on the treasury bench (lord North) should give his assistance, that he should renounce his indolence, his taste for inactivity; that he should at last awake, and concern himself in the welfare of the nation. We cannot dissemble that the task is difficult, that the danger is at our gates and preys us strongly, but let the gentlemen only recollect the year 1691, and they will agree, that at that conjuncture we were in at least as dangerous circumstances: twice beaten at sea by the French, having in the very bosom of the kingdom an enemy risen up against the crown, the nation was certainly then in a more dangerous situation than at present; and I doubt not if unanimity should second our endeavours, we shall be able to avert the storm."

According to this honourable member, replied Mr. Thomas Townshend, the members of the opposition, are actually the candidates who canvass for the places of the ministers! let him permit me to observe, at least for myself, that I am not a candidate for any place: I am ignorant upon what authority the honourable member could found this strange assertion; the honourable member in taking a turn into Scotland, has discovered that the ministers whom he had formerly so highly condemned were not to blame; and because he has imagined that in one single instance, they were right, he concludes that they have never been wrong in any point whatever. As for myself, wherever I have been, I have seen, I have heard the contrary; I have found that the ministers are despised and execrated every where; and how can it be otherwise? I not only join my voice to that of the public in this respect, but I believe from my soul, that it is not want of talents that it is not inability alone that has contributed to our misfortunes, to our disgrace, but that there is treason mixed with it, on my conscience I believe it; and it is only by being penetrated with this idea, that I can account for what is past. I have seen a fleet of the house Bourbon sailing through the channel in triumph, threatening our coasts, having it absolutely in its power to destroy the second port, the second arsenal of Great-Britain, and to have invaded any part of the coast, wherever it had pleased to try a descent: I have seen an English fleet so disproportioned in strength, that

it has only found its safety in flight; I have seen it quit the channel at the approach of the enemy; I have seen it pursued at sea, fly from shore to shore, and at last taking advantage of a favourable breeze to run from the enemy, and by stunning them, to seek a shelter in Spithead! The situation of Plymouth furnishes another proof of that which may be called something more than inability on the part of the ministers; without a garrison, without supplies, this place was absolutely without defence, and would have fallen in a few hours into the hands of the enemy had they attacked it, some members that hear me speak were at Plymouth when the enemy appeared, they are able to give a proper detail in what state that place then was.

If we carry our attention to other objects relative to the last campaign, we shall find that the detachment sent to New-York, under admiral Arbuthnot, did not arrive at its destination until the 16th of August; that by means of this delay all offensive operations became impracticable, the campaign was limited to expeditions of horror; they reduced villages to ashes, and the English name is covered with ignominy! to whom are all these disasters to be attributed, all these indignities? it is natural to attribute them to the ministers; but to screen themselves at once from blame and punishment, they have had recourse to a stratagem as new as contrary to the spirit of the constitution: their agents or emissaries have published every where that the king is his own minister, after this assertion, we have seen every department answer to each accusation, *The king is his own minister*: The king is his own general, of course no one can blame lord Amherst! The king is his own admiral, of course, &c. his own secretary, of course, &c. in short, according to this convenient system, the king is the author of every measure; and the ministers have the heart to throw all the blame that they have incurred upon a head which they ought never to speak of but with respect, and whom the constitution declares can never do wrong. Mr. Mitchell confirmed what the honourable member had said relative to the defenceless state of Plymouth when the combined fleet appeared before that place: adding that he was an eye witness, and that a single 74 gun ship could have reduced the place to ashes.

[To be continued.]

ANNAPOLIS, March 17.

By an express, which left Charles-Town the 15th ult. a gentleman writes to his friend in this city, "The enemy are posted on John's and James island. We cannot ascertain their number. We cannot but have fears for this city, unless further assistance soon arrives. Our lines are very extensive, and we have not a sufficient number of men to man them. General Hogan is within a few miles, but his strength is uncertain. Our people are in high spirits, and determined to defend themselves to the last extremity."

ERRATA.

Gazette, No. 1727, Plebeian, 3 col. 44 line, between the words *as* and *consistent* read *was*. Gazette, No. 1728, Plebeian, 3 col. 36 l. read *nationul* instead of *natural*. 4 col. 38 l. read *in* instead of *on*. Gazette, No. 1729, Plebeian, 2 col. 2 l. read *actual* instead of *nominal*. Gazette, No. 1730, last page, Plebeian, 2 col. 25 l. read *division* instead of *dominion*. And 65 line, between *I* and *still*, read *shall*.

THE HORSE SWEPPER, which stood last year at Belair, in Prince-George's county, will be there again this season, from the 10th day of April till the 3d day of July, and will cover at two guineas each mare, and ten dollars continental currency to the groom; the money to be paid before the horse be led out of the stable, and if it should not suit all the persons who may bring mares to pay the guineas, as much continental currency as will at the time purchase them will be taken in lieu thereof. Sweeper is fifteen hands two inches and half high, was got by Dr. Hamilton's Figure; his dam was got by Othello, which was bred by col. Tasker, his grand dam by Morton's Traveller, and his great grand dam was colonel Tasker's Telima, got by the Godolphin Arabian.

There will be good pasturage (well fenced in) for mares, at six dollars a week, but I will not be answerable for any that may be lost.

1 Paid JOHN CRAGGS.

CASH given for clean Linen and Cotton RAGS. 10

Prince-George's county, March 10, 1780. To be SOLD, at PUBLIC VENDUE, on the second day of the ensuing March court, at Mrs. Gibson's, in Upper Marlborough, for continental currency or tobacco,

TEN country born SLAVES, consisting of one young fellow, used to plantation business, one valuable house wench and child, one ditto and three children, one boy about thirteen years of age, & two girls about ten or eleven.

1 Paid ELDER BOWIE.

WANTED IMMEDIATELY, in the city of Annapolis.

A PERSON properly qualified to undertake the tuition of youth, in Latin, Arithmetic, and to read and write English. It is proposed to create a fund for his support, which is intended to be very liberal, and every way adequate to the times; the expenses of his board will be defrayed, and a school-house found. The number of pupils not to exceed twenty.

A proficient in the classics is most desirable; yet should no such one offer himself in some short time, any person of a good character, well qualified in the other branches above enumerated, will be accepted. Apply to

1 ELIE VALLETTE.

CAMBRIDGE RACES.

To be run for, on the 15th day of May next, over the course at Cambridge, the four mile heats, a purse of seven hundred and fifty pounds, free for any horse, mare, or gelding, on the terms below.

On the day following will be run for over the same course, three mile heats, a purse of three hundred and seventy-five pounds, free for any horse, mare, or gelding, on the same terms.

And on the third day will be run for, over the same course, a purse of two hundred and fifty pounds, free for any horse, mare, or gelding, on the same terms as the first and second day's race.

Any horse, mare, or gelding, winning two clear heats either day, to be entitled to the purse, the winning horse each preceding day to be excepted. Any horse that starts for either purse to be entered with Mr. Richard Bryan, the day before the day of running, otherwise to pay double entrance at the post. Proper certificates of their age and blood will be required. Non-subscribers to pay 80 dollars the first day, the second day 40 dollars, and the third day 30 dollars. Subscribers to pay half entrance, each day. Proper judges will be appointed to determine all matters of dispute agreeable to the rules of racing. Horses to start each day precisely at 12 o'clock.

	aged	6 years	5 years	4 years
full blood	140	133	126	119
ditto	133	126	119	112
ditto	126	119	112	105
ditto	119	112	105	98
ditto	112	105	98	91
ditto	105	98	91	84
ditto	98	91	84	77
ditto	91	84	77	70

At Whitehall, on the north side of severn, **YOUNG TRAVELLER** will cover mares this season, at two guineas each, to be paid before covering, or as much continental currency as will at the time purchase two guineas; eight dollars to the groom. He is a bright bay horse, fifteen hands high, was got by colonel Lloyd's Traveller, which was got by Morton's Traveller, whose dam was called Jenny Cammeron, imported by colonel Taylor into Virginia. Young Traveller's dam was got by Gorge's Juniper, his grand dam by Morton's Traveller, and his great grand dam by the Godolphin Arabian.

Good pasturage for mares, at six dollars a week, but I will not be answerable for any that may be lost.

1 Paid ELDELL.

TAKEN up some time in January last, between the Bodkin and Mountain bars, three Hogheads of tobacco, the hogheads almost without heading, and part of the tobacco lost. The owner, upon proving property and paying all charges, may have the tobacco by applying to John Tradgall, on the Seven Mountains, near the mouth of Magothy. Also at same time and near the same place, were taken up, two hogheads, much hurt, and a great part of the tobacco lost. The owner, upon proving property as above, may have the tobacco by applying to William Trowell, near the Bodkin.

March 4, 1780. **STOLEN** out of the stable of the subscriber, at his quarter near the city of Annapolis, on the night of the twentieth day of February last, a chestnut sorrel MARE, about thirteen hands three inches high, eight or nine years old, with spring, flaxen mane and tail, one hind foot white, branded on the near buttock C D, and gallops, and carries her head when very low. Any person who will give information, or secure the said mare so that the owner may have her again, shall receive one hundred dollars, and if brought home one hundred and fifty dollars, and any person securing the mare so as he may be brought to justice, shall receive a reward of one hundred dollars, paid by

1 WILLIAM WATSON.

February 26, 1780. **THE** subscriber gives this public notice, that he will apply for letters of administration on his deceased father's estate, if his elder brothers, to whom he gives the preference, do not take them out within a month from this date.

1 WILLIAM FRENCH.

A PETITION will be offered to the session of the general assembly after this notice shall have been published eight weeks, an act admitting to record and giving effect from the date to a deed executed in Prince-George's county, by Mary Athey to John Webster, for part of a tract of land called Athey's Choice.

8 JOHN WEBSTER.

FIFTY POUNDS REWARD.

Head of Severn, Jan. 17, 1780. **STOLEN** from the subscriber, on Thursday morning the 13th instant, a coat, jacket and breeches, a pair of mittens, a comb, an ax, some powder in an oinabrig bag, and shot in a leather one. They were stolen by one PATRICK RILEY, an Irishman, about 5 feet 10 inches high, has yellow hair, a dark brown country cloth coat and breeches, and a whitish jacket, the breeches have a hole torn in the thigh; he has a cast in his eyes, a full red face, and very large limbs. He has a pass, which mentions his having had one from the governor of Virginia, which he lost, and that he is a deserter from the British army; he had with him a white bitch, with yellow spots, short ears and tail. Whoever will secure the said Riley so that he be brought to justice, shall receive one hundred dollars if taken in the county, and if out of the county the above reward, paid by

10 JOHN M'COY.

WHEREAS, colonel Edward Sprigg, late of Prince-George's county, deceased, having, by his last will and testament, directed his executrix to sell and dispose of part of a tract of land, lying in Frederick county, called, Addition to Piles's Delight, before the first day of June after his decease, for the payment of his debts; and whereas his executrix, through sickness and inability of body, could not attend for as to make sale thereof by the time limited in the said will, she hereby gives this public notice, that after a continuance of this advertisement eight weeks in the public papers, she intends to petition the general assembly for an act empowering her now to dispose of the said land, in order to enable her to make a final settlement of the estate of the said testator.

8 MARY PINDELL, executrix.

ONE HUNDRED DOLLARS REWARD.

January 6, 1780. **RAN** away from the subscriber's plantation, about seven miles from Annapolis, on the main road leading from thence to Baltimore, on Monday the 21st day of December last, a likely young NEGRO man, named TOM, about five feet eight inches high, a stout well set fellow with thick lips, and his legs rather large; had on when he went away, a light coloured country made cloth jacket, with a red short waistcoat under it, a pair of light coloured country cloth breeches, and also took with him a pair of leather breeches, dark coloured yarn stockings, and two pair of shoes. It is apprehended that he may have endeavoured to get over into Virginia, from whence he was brought when a small boy and was then the property of John Morton Jordan, Esq; deceased. Whoever will apprehend the said negro, and bring him to the subscriber, shall receive the above reward if taken in Maryland, and if out of Maryland a further reward of one hundred dollars, besides all reasonable charges, paid by

7 ELIZABETH SCOTT.

[XXXVth YEAR.]

THE

[No. 1732.]

MARYLAND GAZETTE.

FRIDAY, MARCH 24, 1780.

for the MARYLAND GAZETTE.
NUMBER II.

THE depression of America has been, and will remain, the ultimate object of the king of Great-Britain. But the house of Bourbon having interfered, it has become the immediate object, to put down the strength of that house. Hence it is, that in his speech to both houses of parliament, he is silent with regard to his colonies of North-America, and speaks only of the "encroaching power of the house of Bourbon." This chiefly occupies his thoughts, as the block, first to be removed, before he can entertain the least hope of shaking our independence. Ireland, catching the celestial spark of liberty, is kindled to a flame, and it has become the policy of the king of Great-Britain, to grant the trade demanded, lest weakened in his strength by the secession of that kingdom, he be diverted from his purpose of hostilities, against these states. The mildness of his answers to the Irish parliament, is the offspring of this policy, while, at the same time, the ambiguity of his expressions, in offering an equal, not a free trade, sufficiently discovers his natural meanness, and duplicity of mind. He gives good words to Ireland, that he may retain her in obedience, or the present, reserving the ground of an evasion, when it may be convenient for him, to explain away, or retract his concessions. But the king can more easily grant, to Ireland, the privileges she demands, though humiliating to his views, and contrary to the bent of his spirit, than surcease the war against America, because, in the one case, he will not so sensibly descend, and confess himself vanquished, as in the other, where, having denied all right to resist, and affirmed all power to subdue, his pride must be wounded mortally, in seeing every expectation, like a blighted blossom, fall to the ground.

The war against America, on the part of the king of Great-Britain, is a war of passion. According to the declaration of his courtiers, he is "his own minister." The councils have originated from himself; he has dictated the measures. Indeed they bear evidently the resemblance of his mind, which is that of extreme madness, united with the greatest voracity. For this reason, he will not easily desist from his thoughts of subjugation. He conceives his reputation immediately interested, and feels like an individual, who having set on foot an enterprise of singular whim and bizarre conceit, is unwilling to admit the idea of a disappointment, as nothing but success, even in the eye of the most undiscerning, can relieve the shame of the prosecution of it. He is prompted to persist in his resolution, by every motive of pride unwilling to be humbled, of revenge for resistance to his will, and of cruelty, the exercise of which is pleasing to his nature. The continuance of the war will be in proportion to the existence of these motives, and to the duration of his power. The motives will exist eternal; his power will not be limited by a short time.

We had heretofore depended, not a little, on the opposition of the minority, in the house of lords and commons, to the measures of the court; apprehending that these, in the mean time, would impede the wheels of government, and finally, by rousing the nation to a sense of their true interest, bring them to a sense of justice with regard to these states. But we have experienced, what was at first believed by many, that not the love of liberty, or justice, prompted the eloquence of the harangues of these men, nor did they vociferate against the measures of the court, for any other reason, but because they themselves were not the ministry. As soon as a door of profit, or, of honour was laid open to them, they entered, and their clamours against administration were no more heard. The conduct of Adams, is a recent example. This man had uniformly voted against administration in the earlier part of the session of parliament preceding the last; but, "towards the end of it, having taken a tour through the several counties, he found that the ministers were not so much to blame, as those whom they had

entrusted." We are not to suppose that "euphrysy or rue, had purged the visual nerve," at this juncture, but that metals, titles, or favour in some othershape, had engaged his heart. From this time, the ministers, are rather inactive, than incapable, and some, the greatest knaves and greatest dunces in the nation (among which is lord Stormont) are men of the first integrity, and the rarest abilities.

By means of the influence established over the venal minds of his parliament, the tyrant will be able to carry on the war as long as his people can supply money for that purpose; and this will be until the fleets of our ally, and armed vessels of the states, shall beat the fleets, and so effectually distress the trade of Britain, that the manufacturers and farmers of the kingdom shall no longer have money to supply the taxes necessary to carry on the war: and, until, by the regulation of our finances, on this continent, and unanimity amongst ourselves, and finally by the expulsion of the enemy from our borders, we shall strike away every ground of hope, and leave it no longer possible for them, to make the least effort against us.

AN ANTI-ANGELICAN.

† The easy triumph which our plenipotentiaries at Paris had over his vigilance and penetration, is an evidence of his incapacity for any office.

To the PRINTERS.

THE sachem Ochstartarta, on his way from the Catawba nation, to treat with the congress, passing through Frederick-town in this state, and hearing of the proposal of the Senator, to confiscate the back-lands, belonging to the native Indians, and to spare those of the Tories, was vehemently enraged, more especially, as these lands are said by the Senator to be forfeited "on the principles of the common law," and according to his reasoning, it is triable, in our courts of justice, whether they (the native Indians) are *aliens*, or citizens, *criminal*, or *unoffending members*. The sachem, however, composing himself, with great temper, remarkable in a savage, delivered the following talk, to be sent to the Senator, which being taken down by the interpreter, is at the service of your paper.

Brother, of the great wigwam—
Listen—

The red people have grown up like a tree, in this island, and being pushed by the white people, have leaned against the mountain. Have they taken up the hatchet? It is to cut off the toes of those who have put a foot upon our lands.

Brother—The warriors of the bad king over the great water, paddling in their black canoes, have come upon your island; and the bad warriors amongst yourselves, the yaho-tories, have joined them. Is the hatchet of the red people made of stone, and the hatchet of the yaho-tories made of wood, that you should take the lands of the red people who have made a little stroke, and spare the lands of the yaho-tories who have made a great stroke?

Brother, of the great council fire—

The great spirit has given all men one talk which the heart speaks: the red people do not understand the common law talk; we cannot listen to it. Do not take our lands by this talk.

Brother, of the great talk string—

We cannot come to your little wigwams, to hear the common law talk; we cannot give our beaver-skins to the talkers.

Brother—You are like a bear's foot; you cannot see the bright sun, nor hear the strong wind.

Frederick-town, March 13, 1780.

§ House of Senators. * Legislative body.
† Long publications. || Courts of justice.
‡ Lawyers.

To the PUBLIC.

HAVING ascertained who are British subjects, and that all British subjects are aliens to this state, I shall proceed to examine the consequences, upon the principles of the common law.

By the common law of England an alien is incapable of holding any estate of freehold, and there-

fore cannot purchase lands, or take them by inheritance. When I say an alien cannot purchase lands, I do not mean that the purchase is void, but that he cannot receive any benefit thereby; for though it is binding, and valid between the alien and the former possessor, yet it shall only be for the benefit of the crown; and the case is the same, whether the alien is sole purchaser, or jointly with a subject; and so strict is the common law, in this respect, that if an alien purchases lands, and afterwards is made a denizen; by which he is enabled to hold real estate, yet shall he not retain the lands, which he purchased before that capacity was given to him; but the king shall have them. I find also that it is established as a general rule of law, that

no alien can purchase or hold a lease for years of any real property; and, that if he takes any such lease, it shall be for the benefit of the king. The only exception to this rule is the case of an alien friend, who is a merchant; he may purchase a lease of years of a house for his habitation, (but not of any other real property) and the king shall not have it so long as he inhabits therein; but if he departs from the realm, either of his own free will, or by necessity, upon the commencement of a war between England and his nation, the king shall have the lease. So also, in case of his death, it shall go to the king, and not to his executor or administrator. From hence it follows, that all subjects of Great-Britain, being aliens in this state, and, in consequence of the present war, alien enemies, are, by the common law, which we have adopted, incapable of inheriting or holding any real estate, either of freehold or for years; and that the state of Maryland is entitled to all the real property of any such subjects of Great-Britain, which lies within the state, independent of any act of assembly passed for the purpose. Hence also we find, that the rejected bill was not, in that respect, introductory of a new law, but only declaratory of what the common law was before; and would have operated merely by way of commission to authorize proper persons, by inquest of office, to seize such property into the possession of the state, and to dispose thereof for the use of the public, and to regulate the manner and terms of the sales. Which, by the way, is a full answer to all those groundless insinuations, that a law, upon the principles of the rejected bill, would be a *retrospective* law, and inconsistent with our bill of rights. Those only are *retrospective* or *ex post facto* laws, and reprobated, as such, by our bill of rights, "which punish facts committed before the existence of such laws, and by them only declared criminal." But the rejected bill would have made no alteration in the criminality of facts, either in their nature, or in their consequences, but left the law in all respects as it was before. How unjust, how frivolous, then, is all that exaggerated complaint, that we are punishing persons, with the deprivation of natural and valuable privileges, "for want of foresight," in accepting petitions from the British king, residing in the enemy's country, or departing hence, before, or upon, the formation of our new government! when, in truth, we are not constituting any such conduct criminal; nor are we inflicting any punishment upon those persons, who have adopted it. The deprivation of this property (about which we are contending) proceeds from the immediate operation of the common law, upon that choice which its former possessors imprudently elected to make. The subjects of Great-Britain have not any privilege, either natural, or by institution of man, to hold property in this state; how ridiculous, how absurd is it, then, to accuse us of depriving them of a privilege, which, by the common law, and by the policy of nations, they never did, nor ever can possess or enjoy!

The following, among many other good reasons, are assigned, why aliens are incapacitated to inherit or hold lands? The state might thereby become subject to foreign influence; the secrets of the state be discovered; its revenues be taken and enjoyed by foreigners; and its destruction be effected; for then strangers in time of war might introduce themselves into the heart of the state, and be ready to set fire to the commonwealth; which is excellently

shadowed by the Trojan horse, in Virgil's *Æneid*, where a very few men, within the city, did more mischief, in a few hours, than ten thousand men without her walls in ten years.

It is our misfortune, that we have already too many *strangers* among us, who, although by remaining in our government, must be considered as *subjects*, yet are *Britons* in their hearts; who betray our secrets; counteract our measures; oppose our laws; and propagate the seeds of sedition; whose ardent wish it is to see our liberties subverted, and British tyranny triumphant. Shall we, then, blindly court our ruin, by inviting, into our state, a still greater number of our enemies, and bribe them to destroy us, by enabling them to inherit, and bestowing upon them those lands, and that property, which is the undoubted right of the public! Of the dangerous and destructive consequences, which would probably result from so doing, the *republican* has kindly given us a caution; for, says he, it the subjects of this state and Great-Britain can mutually hold lands, and the children of persons born before the declaration of independence, could, by some means, which might be devised, for that purpose, inherit in the several respective countries, "it might be a great means of restoring our former happy connection." And though the *Plebeian*, affecting to be an enemy to confiscation, and conforming himself to the language of Tories and British subjects, calls it a *happy* connection, yet it is evident that, in his *real* sentiments, he, and every other friend of the United States, would think that event one of the severest punishments, which could be inflicted, for our sins, by an offended deity; for which reason, it must be the ardent desire of every whig, that our legislature, as the faithful and uncorrupt guardians of our rights and liberties, will, at once, cut off all hopes which our enemies may entertain of that event, by appropriating all British property to the use of the public, and thereby still further securing us against all possibility of so dangerous a connection.

Having shewn, that British subjects cannot, by the common law, hold or inherit any real property, in this state; and having assigned some of the reasons, on which the common law is founded, and pointed out the dangerous tendency of the contrary doctrine; I now proceed to examine, whether British subjects can support any claim or right to *personal* property in this state; and whether they can maintain suits, in our courts of justice, for the recovery of such property. Upon looking into this subject, I find, that although an *alien* friend may reside among us, and acquire *personal* property, yet, if, in consequence of a war breaking out between this state, and the nation of which he is a subject, he becomes an *alien enemy*, he cannot, by the common law, sue for, or recover *debts*, or any other *personal* property, "because both are forfeited to the state, as a *reprisal* for the damages committed by the dominion in enmity with it." And that any subject may seize upon the property which alien enemies may have in their possession, within the state, wherever he can find it; whether the alien enemy has come of his own voluntary choice, or has been driven by tempests, with his property, into the state. From whence it follows, that British subjects cannot sue for, or recover, in our courts of justice, any *personal* property, not even their *debts*, upon the strict principles of the common law; but that all such property, *debts* included, are forfeited to the state, as a satisfaction for the damages sustained; and the expenses incurred by the war. Nor does the common law make any distinction between the *guilty* and *innocent* subjects of Great-Britain, as the Senator is pleased to stile them, but considers every individual of that nation equally answerable, as far as the damages and expenses sustained; which evidently appears from the form of the plea, in discharge of an action commenced, by an alien enemy; for in the plea it is only alleged, that he is an alien enemy, subject of such a king, in enmity with the state; without setting forth that he, who brings the action, is himself *personally* criminal, by assisting in, voting for, or approving of the war.

From the above observations, we find, that all British property, within this state, of every kind whatsoever, is equally liable to be confiscated; and that there is no exception, as some have ignorantly imagined, in favour of lands; these, on the contrary, may lawfully and justly be appropriated, to the use of the public, for two reasons; the first, in consequence of the incapacity of aliens, whether friends or foes, to hold or inherit lands among us; and secondly, because lands, as well as *personal* property, are answer-

able for the damages and expenses of the war. And if instances cannot readily be referred to, where, upon the commencement of a war, the *real* property of the enemy has been seized and confiscated, it is because, by the policy adopted by nations, the subjects of one state cannot, even in time of peace, hold, or inherit lands, in another; and consequently there can be no *real* property of the enemy's subjects for the state to seize and confiscate in time of war. Leaves for years, possessed by aliens, in Great-Britain, are liable to seizure and confiscation.

From the above observations also it is clearly proved, that the right to seize and confiscate the goods of the enemy, in compensation of the damages and expenses of the war, is not confined, as the Senator would wish to represent, "solely to goods *forceably* taken from the enemy, on the high seas, and during inroads made into their territories." On the contrary, all the common law principles, which I have mentioned above, are expressly applied, to the regulation of the conduct of the state, with respect to "the goods, moveable or immovable, which may happen to be in the country of the injured, and be possessed by, or belonging to some of the members of the injuring nation."

This right, which the state possesses, of seizing and confiscating the property of every British subject, indiscriminately, whether personally guilty, or not, being vested in the state for the purpose of reimbursing itself the damages and expenses of the war, may justifiably be extended to the seizure and confiscation of as much property as will, at least, be sufficient for that purpose. But the Senator declares the supposition, "that the value of all the goods of British subjects, which this state can seize, may exceed the damages and expenses of the war, is inadmissible in fact, of course, idle in theory;" therefore it follows as a necessary consequence, that this state may, justifiably, extend her right to the seizure and confiscation of all the goods of British subjects, whether moveable or immovable, which may be within the state.

Thus far I have investigated the justice of seizing and confiscating British property, upon the principles of common law; I shall now shew it to be equally consistent with, and justifiable by the law of nations.

I might refer to the message, by the house of delegates, to the senate, where this doctrine is fully established; and to Grotius, Puffendorf, Hutchinson, Burlamaqui, Rutherford, Vattel, and all the most eminent writers, on the subject, ancient or modern; but, on the present occasion, I rather confine myself to an authority, which, with the Senator, must be conclusive, even if it could be questioned by others, I mean, the authority of *The Senator himself*. In his first number he observes that the delegates, in their quotation from Rutherford, kept back a part, as not answering their purpose; and subjoins, that "it is pretty remarkable, that the message enumerates only two of the ways of acquiring property, in the goods taken from an enemy, and mentions nothing of the third." That is, he thinks it "pretty remarkable" that, after the message had enumerated two ways, by which property might be acquired, in goods taken from an enemy, and had, incontestably, proved, that by those two ways, we might take the goods of British subjects, and acquire property in them, it had not gone farther, and enumerated a third way, which was nothing to the purpose, nor any way applicable to the question! The Senator undertakes to supply this defect, and gives us the following paragraph from that author: "Thirdly, a nation which has committed a crime may be punished, in the same manner with an individual, in the liberty of nature, by being deprived of its goods. Grotius confines this way of acquiring property, in war, to such goods only as belong either to the collective body of the state, or to the criminal members of it; and this restriction is a very proper one, for though an injury, which is done by a nation, is communicated to all the members of it, as far as that injury produces an obligation to repair damages, yet the guilt of it, as it implies a disposition to do harm, is conferred to the collective person of the nation, and to those particular members of it, who have made it their own act, by their immediate and direct consent." Thus far Rutherford; now let us hear the Senator himself: "There is a plain distinction set up by Grotius" (yet plain as it is, in the very next page the Senator as entirely forgets it, as if no such distinction had ever been made) and approved by Rutherford, between the goods belonging to the collective body of the state, or its representative, or the criminal members of it, and the goods of such persons as are unoffending, as far as the injury done lays the injuring nation under an obligation to repair damages; the injury is communicated to all the members of that nation," (the unoffending as well as others)

"but the guilt or criminal intention is confined to the collective person of the nation, &c."

Here then we see the Senator himself exactly coinciding in sentiment with the message; he declares, that as far as the injury done to this state, by Great-Britain, lays that nation under an obligation to repair damages (and the expenses of the war is part of the damages) it is communicated to every British subject indiscriminately; and that the goods of every British subject, without distinction, may be taken by this state, and a property in those goods may be acquired, as far as the amount of those damages. He says, writers upon the law of nations distinguish between seizing goods of an enemy, for *reparation of damages*, and the seizing them by way of *punishment*; that in the first case, the goods of all the members of the state, although such members may be unoffending, are liable to be seized; but in the second case, the seizure ought to be confined to the goods, either of the collective body of the nation, or of the criminal members of it.

We do not contend for the seizure and confiscation of the goods of British subjects, by way of inflicting a punishment, either upon themselves or the nation, however well they, or the nation, might merit it; we contend for it, in order to compensate, in some small degree, the damages and expenses of the war; and the Senator himself acknowledges, that all the goods we can seize will not be sufficient for that purpose. And yet, so strangely inconsistent is the Senator, that, immediately after, entirely forgetful of this distinction, so plainly pointed out by Rutherford, Grotius, and himself, he declares that to be unjust, which he had acknowledged to be just, and calls that "principle erroneous," which he had himself established. Where was the candour of the Senator, when he endeavoured to cast an imputation upon the house of delegates, because in their message they did not insert a paragraph, which so far from contradicting the authorities, relied upon by them, expressly agrees with, and confirms those authorities, and inconceivably supports the rectitude and justice of seizing and confiscating British property? At that unlucky moment, I fear, that, like the god Baal, it was "asleep, or had gone a far journey" but such is the weakness of humanity, or, to speak with more propriety, such is the nature of error, that writers, of the most exalted abilities, when engaged in its support, scarce ever fail to plunge themselves into contradictions, absurdities, and inconsistencies, which would scarcely be excusable in a child of the tenderest years.

AN INDEPENDENT WHIG.

Baltimore, March 18, 1780.

TO THE SENATOR.

I SHALL not enter, with you, into the discussion of the question, whether the *private* property of the innocent subjects of Great-Britain is liable to confiscation, by the law of nations. I am convinced by the reasoning and authorities cited in the message of the house of delegates, that the measure may be supported, on principles of justice, and the law of nations, and that you are entirely mistaken in your opinion. You allege, "that the delegates originated the bill for confiscation of British property, on this principle, that all British subjects became *aliens* to this state, by the declaration of independence; and on that ground principally rest its defence." This principle you positively deny; vainly imagining, that if you could destroy it, you would thereby carry your point, and save British property from confiscation. Here I would remark, that the delegates have assigned several other reasons to justify the confiscation, each of which is sufficient; RETALIATION alone must justify the measure, in the opinion of every sensible whig in America. When you deny, that all British subjects are *not* aliens, I wish you had explained yourself. Do you mean to admit, that the criminal subjects of Great-Britain, i. e. those who have been engaged in the war, &c. are aliens, and to deny, that those, you call *innocent* or *unoffending* members, are not aliens? If you do not mean such admission, or denial, be pleased explicitly to declare what British subjects you admit, and what you deny, to be aliens? You positively pronounce, that the delegates were mistaken; I as positively affirm you are. Be pleased, Sir, to attend to the argument, you adduce, to prove, "that the Americans born before the declaration of independence, are *not* aliens in Great-Britain, and that they may still inherit, or sue to recover, lands in that kingdom." You have discovered, in Calvin's case, that persons, born within the duchies of Normandy, &c. while under the actual obedience of the kings of England, could inherit lands there. You also find, that the judges of James I. determined, that Calvin, born after his accession of James to the crown of England,

* *Gibb. Hist. Com. Pleas*, 166.

† *Bro. Forfeiture Tenets*, 57. Property, 38.

was NOT AN ALIEN in England, but could inherit lands there; and assigned, as the reason for their judgment, that, by the law of England, every person born within the dominion, or allegiance of the king of England, cannot be an alien. Here I would observe, that the determination in the case of those born within the duchies of Normandy, &c. appears to me, to be good law, and was cited by the judges, to support the opinion they intended to give, in Calvin's case, but it is not similar to it. I would further remark, that the principal judgment in Calvin's case, i. e. that he, Calvin, was not an alien, is not (in my opinion) law. The general positions, that every person, born within the dominion and allegiance of the king of Great-Britain, is *not an alien*, BUT A NATURAL BORN SUBJECT, and that every person, born out of the dominion, or allegiance of the king of Great-Britain, and under the allegiance of some other prince or state, is an alien, are uncontroversial; and to prove their truth, you need not have had recourse to Calvin's case. It is from these positions, and these alone, you attempt to prove, and do assert, "that all Americans, born before the declaration of independence, are not aliens, but may inherit, or sue to recover, lands in Great-Britain;" and for this reason, because they were born under the allegiance of the king of Great Britain. To prove that the declaration of independence cannot have any effect, i. e. cannot make the subjects of Maryland aliens in Great-Britain, nor the subjects of Great-Britain aliens in Maryland, you rely on an opinion of the judges, in Calvin's case, "That the *post nati*, being born under one allegiance, should remain natural born subjects, and not aliens, though the kingdoms should, by descent, be divided, and governed by several kings, and the judges founded their opinion on these reasons; 1. naturalization due and vested by birthright, cannot, by any separation of the crowns, afterwards, be taken away; 2. a person, who was, by judgment of law, a natural subject, at the time of his birth, cannot become an alien, by such *mater ex post facto*." You think this opinion good law, and affirm, that there is no difference, whether the empire becomes divided, as in the event, supposed in Calvin's case, by the descent of the crown on different persons, or, as in our case, the division of the British empire, by the war, and our declaration of independence, and establishing a new state.

There are several unanswerable objections to this opinion of the judges. 1. It was an *extra-judicial* or *obiter* OPINION, and not a legal decision, and consequently of no authority even in England. 2. It was a *political* opinion, in conformity to the will of their weak and wicked prince. 3. It is not law in the extent you conceive, that is, if the crown should become separate, the *Scots post nati*, who might continue to reside in Scotland, and yield allegiance to its king, should, notwithstanding, be deemed English subjects, and, *contra*, the English *post nati*, &c. 4. If not considered in such extent, it is wholly inapplicable to your case, and reasoning, because the Americans, now subjects of this state, do not continue to reside within the British dominions, or to acknowledge, or yield any obedience to its king. 5. If it is admitted to be law, and to apply to the Americans, who have since the declaration of independence, continued to reside in Great-Britain or its dominions, and to acknowledge its monarch as their king, yet it cannot be law, or applicable to the inhabitants of this state, and more especially to you, and others who have sworn allegiance to this government. 6. A case, like an argument, which proves too much, proves nothing, and Calvin's case, and the reasons assigned for it, if they prove that all Americans born before the declaration of independence are not aliens to Great-Britain, will also prove that they must still remain British subjects. If you will again turn to the case, you will find, that the judges not only determined, that Calvin was *not an alien*, but also that he was a natural born subject; and every reason urged to maintain the one, equally supports the other; and if you will again advert to the extrajudicial opinion, you have recited, you will discover, that the judges gave their opinion, not only, that the *post nati*, in case of the separation of the crown, could not be considered as aliens, but they also declared, that they must remain natural born subjects, notwithstanding that event.

On further search you will also discover, that by the law of England, and by the law of all other nations, all the members of a nation are considered as subjects, and all not members, or subjects, are considered as *aliens*, or *foreigners*; and that the terms *subjects* and *aliens*, are convertible, and opposed to each other. You will learn,

that the people, or inhabitants, of every nation, are either citizens or subjects, and aliens or foreigners; every person in all societies must be one or the other; and that by the law of England, every person is deemed a subject, or an alien. You will also learn, that by the laws of all countries. 1. Whoever is an alien to a state is not a subject. 2. Whoever is *not* an alien is a subject. 3. Whoever is not a subject is an alien. And 4. Whoever is a subject is not an alien. You have laboured to prove, that all Americans born before the declaration of independence, are not aliens in Great-Britain, but can inherit, and sue to recover, lands in that kingdom. You did not consider, 1. That if such Americans are *not aliens* in Great-Britain, they must be its subjects; because there is no medium, no middle way, they must absolutely be the one or the other: their *civil capacity* is *indivisible*, and cannot be qualified. 2. That, to entitle them to inherit, they must *now* be subjects of Great-Britain, because none, but subjects, can inherit lands in that kingdom. 3. That to enable them to sue in its courts, they must *still* be subjects, because none, but subjects, can sue for lands in its courts. You must admit that all Americans born before the declaration of independence, who either *expressly*, or *impliedly*, owe allegiance to this state, are its subjects. You must also admit, that no person can be a subject of, or yield allegiance to, two states. You have admitted, that all born in this state, since the declaration of independence, are aliens to Great-Britain, and I infer, that you will allow them to be subjects of this state.

You observe, that "consequences have been imputed to the doctrine laid down in Calvin's case, with which it is not justly chargeable." I here again wish you had been explicit; I expressly charge you with having asserted, and attempted to prove, that the subjects of this state are British subjects; not in so many words, or in express and positive terms, but by an *indispensable* and *necessary* implication. Even an intimation, that we are, at this day, British subjects, is disagreeable and harsh to the ears of a whig; but to assert it, directly or indirectly, creates disgust and indignation. It strikes directly at our independence, indirectly accuses those, who have sworn allegiance to this state, of perjury, and tends to subvert our present government. What must be the feelings of the members of congress, our different legislatures, and executive departments; of our most virtuous and illustrious commander in chief; the generals, and other officers; our brave and gallant soldiers; and the whig citizens of all these states; to hear such sentiments; to hear a Senator publish to the world, that they are still the subjects of the wicked tyrant of Britain, whom they have, with all the solemnities of religion, abjured and renounced for ever? Every whig nerve vibrates with horror at the thought. All this you have done, either from ignorance, or design; charity induces me, at present, to believe from an error in judgment only; You have, before this, seen the opinion of other writers, that you have maintained, that we are still British subjects: I now make the charge expressly, and call on you to explain, and to apologize; or to answer, and to justify. The public will not be satisfied, by general allegations, that you have been misunderstood, or misrepresented, or that improper inferences have been drawn from the doctrines, you have advanced, and the authorities you have cited. You must not remain any longer silent; if you do, you will stand convicted, your understanding, or political character, or both, will suffer in the opinion of the world. If you should be inclined to appear in print, on this subject, that every man may understand the point, and that you may not depart from it, I will briefly recapitulate the three modes, by each of which you have (as far as in your power) proved us, at this time, British subjects. 1. You assert that, all Americans, born before the declaration of independence, are *not*, at this time, *aliens*, in Great-Britain; this conclusion necessarily follows, if *not aliens*, they are still *British subjects*. 2. You contend, that all such Americans can *now* inherit in Great-Britain: this inference is indispensable, if they can *inherit* there, that they must *now* be *British subjects*. 3. You maintain, that all such Americans can *now* sue in the courts of Great-Britain, to recover lands; this consequence must of necessity follow, that if they can prosecute such suits, they are, at this hour, the *subjects* of Great-Britain. You have admitted, "that every person, born within this state, since the declaration of independence, is an alien to Great-Britain;" be pleased to answer, whether, if *aliens* to Great-Britain, they are not *subjects* of this state; whether they become *aliens* to Great-Britain, in virtue of the declaration of independence; if in consequence of that act, whether they did not thereby become subjects of this state?

Whether the declaration of independence had any, if any, what effect on their parents? If it had any effect on the children, different from what it had on the parents, what is the difference, and the cause? One other question, for your consideration. If the parents can inherit in Great-Britain, because they are *not* (as you say) aliens, to that kingdom, can their children, who (you say) are *aliens*, inherit to their fathers?

P Y M.

March 23, 1780.

L O N D O N.

HOUSE OF COMMONS,

THURSDAY November 25, 1779.

LORD George Gordon, whose letter wrote in quality of president of the associated provinces of Scotland and England, was published in our last paper, delivered himself in a manner which perhaps it would be dangerous (for an out door person) to relate: the papers of the opposition themselves agree that from one end to the other it breathed high treason.

He made an analysis of the debates of the parliament of Ireland, and added a degree of warmth, of liberty, and resentment to a discourse already sufficiently animated, of which we shall give extracts: he treated administration with infamy, he accused them not only of having dismembered America from the crown, but of having alienated the affections of England, Scotland and Ireland. With respect to Scotland, he said; that it had 150 thousand men ready to execute the vengeance of the nation upon its ministers: he made thereupon to these same ministers a very artful proposition, which was to send into that kingdom arms and accoutrements complete for 10 thousand men! He spoke on this occasion very highly in praise of Paul Jones: Said that this brave man was his countryman and praised him particularly that he did not burn Greenock, and other places, which he could have very easily executed: He lamented that the Scotch petitions had been neglected, adding that they had made some resolutions, of which he intended to make a collection in two volumes, one for the king the other for the prince of Wales. To soften what he had said, lord George Gordon finished, by declaring that the Scotch had remarked, that the government had adopted the conduct for which the family of Stuart had been expelled, and that they firmly believed the king was a papist!

It did not appear that lord North thought he ought to answer such strange declamations, but he arose immediately after lord George, no doubt expecting that what he had to say would give a more favourable turn to the debate, and cause it to be less animated; I do not deny, said the minister, but what the conjecture was very alarming and dangerous; a powerful confederation was formed against Great-Britain, who even to this very moment finds herself without allies: if this last circumstance is disadvantageous, is it just that you should blame the ministers? The fact is, that no foreign power has judged it proper or necessary to espouse the cause of Great-Britain; how can the ministers help this? At most, although we have been deprived of this resource, what has happened to disgraceful for us? They have meditated an invasion, have continued to make formidable armaments; but in the midst of all these alarming appearances, what is in fact our real situation? We are in a better state to repel any attack whatever, than we were at the time of the declaration of Spain: while our forces have daily increased, what is the true situation of the enemy? What have they done from which they could draw any advantage? They have encouraged monstrous expenses, have threatened us with every thing that can justify the fears of a nation: in what have all these threats ended? In nothing. They have lost the summer, have made a vain parade on our coasts, with a superiority of numbers so decided, that it would not have been pardonable to have hazarded an action against them. However, if we had been informed of some circumstances relative to their internal situation, and which we at present know, I should have been very easy in learning that our fleet had attacked theirs. It must be confessed that Plymouth was not in the state it ought to have been, however there were two regiments more there than the year before, and as it was not natural to suppose that the enemy would have attacked it, before they had beat our fleet, in the interval Plymouth would have been found in a better state of defence; but at present I could have wished that the enemy had effected a descent, there would have resulted great good from it to Great-Britain. The next year we shall be able to act with more vigour and perhaps with more effect; but if we should consider that this year we have only acted on the defensive, and the enemy on the of-

ensive, it must be confessed that to take it altogether, we have come off very well; with regard to Ireland, all that I can say is that I hope that the obstinate prejudices, and the violent measures suggested by the secret enemies of these two countries will not raise a barrier between the intentions of England and the good of Ireland; our desire is to form an advantageous plan both for the one and the other; to give to Ireland all the advantages of commerce; in freeing them from all its disadvantages, would be the ruin of England; but I hope that the two kingdoms consulting their true interest will amicably embrace the overtures that shall be made there when they see that justice and equality are the basis of the system that will be proposed to them. Lord North afterwards answered distinctly to the different imputations contained in the speech of Mr. Thomas Townsend.

Admiral Keppel spoke in his place, condemned highly the measures that the ministry had taken, or rather, had neglected to take at the beginning of the last naval campaign. Why, said he, did you not send a fleet to sea in time, to have prevented the junction of the two fleets? Why did not Sir Charles Hardy open the campaign by the blockade of the harbour of Brest? By this neglect you have left the enemy at liberty to attack you wherever they pleased: if you are quit of an alarm; if Mr. d'Orvilliers has not landed at Plymouth, and has not reduced that town and its arsenals to ashes, it was only the violent east-wind, which blew while he was before it, that hindered him from approaching near enough to have effected a landing. The ministers say, that next year they will act with more vigour! They talk of reinforcements: for my part, to speak freely, I expect no good from all that they can do, at least that with inferior forces, they will not be able to fight the enemy, for we are sure that he can always preserve a superiority in number over us; and that by the month of May next the French will send to sea eight ships of the line more than they had the last year; the Spaniards four.

Friday 26th, Lord Lewisham having appeared with the address which had been entrusted to a committee the evening before, there arose many new debates on this subject.

Sir George Young, among other motives for the opposition, he thought he ought to make to the form of the address, alleged the defenceless situation of Plymouth, when the combined fleet appeared before it; he asserted, and offered to prove at the bar of the house, that it was so defenceless, that if the French had thought proper to have taken it, they might very easily become masters of it.

Lord Shuldham, who commanded at Plymouth at the very time, assured the house to the contrary, asserting, that to his own knowledge, there were there at that very time 2000 barrels of powder, and all other supplies in proportion: that to say a 74 gun ship could have taken the place, was a strange assertion; that besides the irregularity of the tides and currents rendered the coming into that harbour so difficult, that the enemy could not have landed but from their boats, and that at present Plymouth was impregnable.

To this captain Minshel, who was in garrison at Plymouth, objected, that the necessary utensils for the service of the artillery at the batteries on the island of St. Nicholas were absolutely wanting; that at those batteries there was not a man who had ever fired a gun.

Sir Charles Frederick answered, that in the island of St. Nicholas, there was powder and ball sufficient for 70 rounds, that as for the utensils, they could have been procured in a quarter of an hour.

ANNAPOLIS, March 24.

The honourable the congress have recommended to the several states to set apart Wednesday the 26th of April next, as a day of fasting, humiliation, and prayer, and to abstain, on that day, from all servile labour and recreations.

* The first number of the REPUBLICAN, and ANGLO-AMERICANUS, will be inserted.

HARPSICORDS, SPINETTS, and PIANO FORTES, repaired and put in tune, by ARCHIBALD CHISHOLM, in Annapolis.

He agrees either by the year, or so much per time, to keep any of the above instruments in good order.

10⁰⁰ Dollars 2X

ANNAPOLIS: Printed by FREDERICK and SAMUEL GREEN, at the Post-Office in Charles-Street.

A PETITION will be offered to the first session of the general assembly after this notice shall have been published eight weeks, for an act to empower the subscriber (now a minor) to make a good and sufficient deed of conveyance, for certain tracts of land lying in Charles county, which he inclines to make sale of.

3w MARKIS MUSE GRAVE.

CAMBRIDGE RACES.

TO be run for, on the 15th day of May next, over the course at Cambridge, the four mile heats, a purse of seven hundred and fifty pounds, free for any horse, mare, or gelding, on the terms below.

On the day following will be run for over the same course, three mile heats, a purse of three hundred and seventy-five pounds, free for any horse, mare, or gelding, on the same terms.

And on the third day will be run for over the same course, a purse of two hundred and fifty pounds, free for any horse, mare, or gelding, on the same terms as the first and second day's race.

Any horse, mare, or gelding, winning two clear heats either day, to be entitled to the purse, the winning horse each preceding day to be excepted. Any horse that starts for either purse to be entered with Mr. Richard Bryan, the day before the day of running, otherwise to pay double entrance at the post. Proper certificates of their age and blood will be required. Non-subscribers to pay 80 dollars the first day, the second day 40 dollars, and the third day 30 dollars. Subscribers to pay half entrance, each day. Proper judges will be appointed to determine all matters of dispute agreeable to the rules of racing. Horses to start each day precisely at 12 o'clock.

	aged	6 years	5 years	4 years
full blood	140	133	126	119
ditto	133	126	119	112
ditto	126	119	112	105
2 ditto	119	112	105	98
ditto	112	105	98	91
ditto	105	98	91	84
ditto	98	91	84	77
ditto	91	84	77	70

At Whitehall, on the north side of severn, YOUNG TRAVELLER will cover mares this season, at two guineas each, to be paid before covering, or as much continental currency as will at the time purchase two guineas; eight dollars to the groom. He is a bright bay horse, fifteen hands high, was got by colonel Lloyd's Traveller, which was got by Morton's Traveller, whose dam was called Jenny Cammerton, imported by colonel Taylor into Virginia. Young Traveller's dam was got by Gorge's Juniper, his grand dam by Morton's Traveller, and his great grand dam by the Godolphin Arabian.

Good pasturage for mares, at six dollars a week, but I will not be answerable for any that may be lost.

2 WILLIAM YELDELL.

THE horse SWEEPER, which stood last year at Belair, in Prince-George's county, will be there again this season, from the 10th day of April till the 3d day of July, and will cover at two guineas each mare, and ten dollars continental currency to the groom; the money to be paid before the horse be led out of the stable, and if it should not suit all the persons who may bring mares to pay the guineas, as much continental currency as will at the time purchase them will be taken in lieu thereof. Sweeper is fifteen hands two inches and half high, was got by Dr. Hamilton's Figure; his dam was got by Othello, which was bred by col. Tasker, his grand dam by Morton's Traveller, and his great grand dam was colonel Tasker's Selima, got by the Godolphin Arabian.

There will be good pasturage (well fenced in) for mares, at six dollars a week, but I will not be answerable for any that may be lost.

2 JOHN CRAGGS.

Prince-George's county, March 10, 1780. To be SOLD, at PUBLIC VENDUE, on the second day of the ensuing March court, at Mrs. Gibson's, in Upper Marlborough, for continental currency or tobacco,

TEN country born SLAVES, consisting of one young fellow, used to plantation business, one valuable house wench and child, one ditto and three children, one boy about thirteen years of age, & two girls about ten or eleven.

FIELDER BOWIE.

A PETITION will be offered to the first session of the general assembly after this notice shall have been published eight weeks, for an act admitting to record and giving effect from the date to a deed executed in Prince-George's county, by Mary Athey to John Webster, the part of a tract of land called Athey's Choice.

3w JOHN WEBSTER.

February 26, 1780.

THE subscriber gives this public notice, that he will apply for letters of administration on his deceased father's estate, if his elder brothers, to whom he gives the preference, do not take them out within a month from this date.

3w 3X WILLIAM FRENCH.

WANTED IMMEDIATELY.

In the city of Annapolis.

A take the tuition of youth, in Latin, Arithmetic, and to read and write English. It is proposed to create a fund for his support, which is intended to be very liberal, and every way adequate to the times; the expenses of his board will be defrayed, and a school-house found. The number of pupils not to exceed twenty.

A proficient in the classics is most desirable; yet should no such one offer himself in some short time, any person of a good character, well qualified in the other branches above enumerated, will be accepted. Apply to

2 ELIE VALLETTE.

NOTICE is hereby given, that by an act of assembly made and passed at a session of assembly of the state of Maryland, begun and held at the city of Annapolis, on the 8th day of November, 1779, the bills of credit, dated January 1, 1767, emitted and made current by an act of assembly, passed November session, 1766, are directed to be brought in and deposited with the western shore treasurer, on or before the first of June next, or thereafter irrevocable; for which the holders of said bills of credit may, at their option, receive either bills of exchange drawn on the trustees of said state at London, or state loan-office certificates, bearing an annual interest of six per cent. But if the bills of exchange, or any of them, to be drawn in virtue of said act, shall not be paid, the same shall be renewable, but neither the drawer, or any endorser thereof, shall be answerable for, or liable to pay, any damages thereon, other than the charges of protest.

N. B. The printers in the adjacent states are requested to insert the above in their respective papers.

WHEREAS, colonel Edward Sprigg, late of Prince-George's county, deceased, having, by his last will and testament, directed his executrix to sell and dispose of part of a tract of land, lying in Frederick county, called Addition to Piles's Delight, before the first day of June after his decease, for the payment of his debts; and whereas his executrix, through sickness and inability of body, could not attend to as to make sale thereof by the time limited in the said will, she hereby gives this public notice, that after a continuance of this advertisement eight weeks in the public papers, she intends to petition the general assembly for an act empowering her now to dispose of the said land, in order to enable her to make a final settlement of the estate of the said testator.

3w MARY PINDELL, executrix.

ONE HUNDRED DOLLARS REWARD.

January 6, 1780.

RAN away from the subscriber's plantation, about seven miles from Annapolis, on the main road leading from thence to Baltimore, on Monday the 21st day of December last, a likely young NEGRO man, named TOM, about five feet eight inches high, a stout well set fellow with thick lips; and his legs rather large; but on when he went away, a light coloured country made cloth jacket, with a red short waistcoat under it, a pair of light coloured country cloth breeches, and also took with him a pair of leather breeches, dark coloured yarn stockings, and two pairs of shoes. It is apprehended that he may have endeavoured to get over into Virginia, from whence he was brought when a small boy and was then the property of John Morton Jordan, Esq; deceased. Whoever will apprehend the said negro, and bring him to the subscriber, shall receive the above reward if taken in Maryland, and if out of Maryland a further reward of one hundred dollars, besides all reasonable charges, paid by

ELIZABETH SCOTT.

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M A

MARYLAND GAZETTE.

FRIDAY, MARCH 31, 1780.

to the PEOPLE of MARYLAND.

NUMBER I.

I HAVE lived to a considerable age, in the eligible condition of a private man. My reserved and contemplative turn disqualifies me for being an actor, in the various scenes, which are exhibited, on the great theatre of the political world; but my inclination has always led me to gain some insight into the constitution, and laws of my country, and the nature of government in general. I can confidently assert, that I am exempt from the narrow views and prejudices of party. I have no interest to consult, or resentments to gratify; I therefore conceive it probable, that, in some things, I have juster ideas of the public utility, than men of far superior abilities, who have, many years, been treading the stage of politics, whose principles are deluged by an unbounded rage for popular applause, and whose tempers are embittered by censure or disappointment. These considerations have induced me to publish a series of remarks, with the reasonable expectations of suggesting some few hints to men of abler heads, and more extensive influence.

When the arbitrary measures of Great-Britain had compelled the American colonies to declare themselves independent, and to assume the powers of government, under their own authority, the attention of mankind was wonderfully excited. The history of the universe records but few instances, where a people assembled, by their representatives, to institute a system of government. Most of the ancient states have attained their present establishment by degrees. We cannot discover what was the original compact, or whether, in truth, an express original compact ever existed. It is a reasonable conjecture, that the real origin of government was conquest and usurpation; and that every portion of liberty, we enjoy, is a resumption of our natural, undelivered rights.

We meet with many compositions between a monarch, or a body of nobility, and the people. In all these, prerogative and privilege are carefully preserved; but the rights and interests of the lower, and more numerous, orders, by no means sufficiently guarded.

In America, the framers of the new constitutions were the genuine representatives of the people. They assembled upon terms of perfect equality, and the good of the whole was the sole principle. They had the experience of past ages for a guide, and the principles of every government should have been investigated. Under these circumstances, a person, unacquainted with human nature, might expect something like perfection to be the result of their solemn deliberations.

If good and bad are to be estimated by comparison, we have reason to rejoice in the constitution of Maryland; but will any man contend that it possesses an absolute perfection?

Some men, from a dread of innovation, or that unaccountable imbecility, which will rather submit to an inconvenience, than make a single exertion to remove it, cannot support the idea of violating what they call fundamental maxims. They imagine, that an attempt to improve any part of the building, would destroy the whole fabric. In my opinion, unless their ideas are right, and the constitution, in all its parts, is to be perpetual, an alteration should take place as speedily as possible. There are evils, which, in the beginning, might be easily remedied, that become incurable by length of time. The people are ever attached to ancient customs, however absurd and inconvenient; nor will they submit, without the greatest reluctance, to the most salutary change. For this reason, it is highly expedient, that the general assembly should immediately undertake to reform the constitution. They have ample time to deliberate, and to publish their bill, for the consideration of the succeeding assembly. My objections to some parts I shall state with freedom, and endeavour to make a proper use of that liberty which is secured by the 38th article of the declaration of rights.

I admire the institution of two branches of the legislature, to serve as a mutual check, to

correct each other's proceedings, and to temper the violence, which sometimes disgraces the proceedings of the wisest bodies. I conceive, no advantage could possibly arise from a third branch, in the person of the supreme magistrate. In this, as in many other respects, our constitution excels that of Great-Britain, which has so often been blazoned, by the pens of a Montesquieu, a Blackstone, and other celebrated writers; and I could wish some parts of that constitution had not been copied, without a due consideration of the principles upon which they appear to be founded.

The senate is restrained from originating, or amending, any bill for the disposition of money. The house of lords in England, and the senate of Maryland, are on different establishments; the former is a permanent, hereditary body; if they become corrupt, the evil is incurable; they are supposed to be influenced by the king, the dispenser of honour and profit, who can create peers at his pleasure, and gratify them with the splendour and emoluments of office. The senate is a temporary, elective body, and the members are under a greater disability of holding offices than the immediate delegates of the people, as the term for which they are chosen is of much longer duration. Upon the whole, the restraint discovers a jealousy of this respectable body, which is altogether without a solid foundation.

But this is not all; the public business is thereby frequently retarded, and if the rule were strictly observed, the delays and difficulties would be still greater. The mode of private amendments, and conferences, which were not allowed to appear on the journal, have, by former assemblies, been practised, to evade it. How much more manly would it have been to repeal this idle restriction, and relieve the senate from the tedium of waiting three fourths of a session for the deliberations of the house of delegates!

I solemnly protest to the reader, that I have very little connexion with any member of the senate, either by blood, or the offices of friendship. I court not the favours of any man. Nothing, therefore, but the love of candour, incites me to advance positions, which are sure to meet with an unfavourable reception. It has been common, upon every disagreement between the two houses, to represent the senate as "the rotten part of the constitution," and to speak in disrespectful terms of particular members; but by lopping away this branch of the legislature, our constitution would, indeed, be miserably maimed and defective! As to the individuals, against whom some charges have been exhibited, from a commendable but mistaken zeal, I cannot entertain the least doubt of their integrity and whiggism. As a member of the community, I feel myself under an obligation to any gentleman, who will undertake an office, by which he gains nothing but the unmeaning title of *honourable*. He acquires neither profit, influence, nor privilege; he sacrifices his importance with the people, and, by maintaining a freedom of sentiment, runs an extreme hazard of being suspected as an enemy to his country.

When the framers of the constitution required a certain portion of property, to qualify a person for an office, they undoubtedly proceeded upon this supposition, that a man without riches must be likewise destitute of honesty. The ancient Romans were directed by a different sentiment, and their history does not display any of the evils which resulted from their liberal way of thinking. Many important services were performed by very poor men, to whom they made no scruple of intrusting the highest offices. On the contrary, it is notorious, that the citizens of greatest wealth and family connections were ever the most corrupt, and brought the greatest mischiefs upon the commonwealth.

There are gentlemen, in the circle of my acquaintance, who are possessed of excellent talents; but from that discourteous, reserved, inflexible temper, which virtue sometimes infuses, have never acquired the popularity, which, in many employments of life, is necessary for the attainment of riches. A young gentleman above the age of twenty-five, qualified by his education, his principles and delicacy of senti-

ment, may want this single requisite. A worthy man is reduced by unforeseen calamities; a brave and gallant soldier has, notwithstanding the strictest economy, expended his patrimony in the service of his country; none of these are allowed to assist in the councils of the state, or to execute the office of sheriff.

Literature has been too little disseminated, to afford men of abilities for every important station. That policy must surely be erroneous, which, by creating this and other disqualifications, increases the grievance. It is moreover repugnant to the idea of perfect equality, announced by the first article in the declaration, "that all government of right originates from the people, is founded in compact only, and instituted solely for the good of the whole."

Perhaps the depreciation of the currency has, for the present, remedied the evil. It is the principle which I will for ever combat, because it is inconsistent with the spirit of a genuine republic.

There remains one argument, which is almost too obvious to be here mentioned. There is little probability, that a weak or worthless person, without property, will ever be promoted to an elevated trust, as he possesses no means of recommendation; but, to a man of sentiment, the reflection, that his poverty alone excludes him, is to the last degree humiliating, and repels one of the noblest incentives to virtue, and the attainment of knowledge.

That the legislative, judicial, executive, and military, powers, should be ever distinct and separate, would be a perfectly wise and salutary provision, if, in general, it extended no farther, than to prohibit a man from executing two offices at the same time. Can any substantial reason be given, why an unfortunate, disabled soldier, should be incapable of a civil appointment, or an officer on the civil list be ineligible to a seat in the legislature?

Whether a seat in the legislature should be an exclusion from the appointment to an executive office, is a point more difficult to be determined. In pure theory, it admits not of a doubt. The rule is calculated to insure disinterestedness and integrity. However, in instituting a law, the circumstances of the people must be consulted. What might be proper for a great, extended, government, may not be so well adapted to a state, which is not very considerable for its wealth or the number of its inhabitants.

That we want men of abilities, is universally acknowledged. If not constitutional to suppose, that our best men will always be elected into the senate, or house of delegates? From the residue, must be appointed the governor, the chancellor, the judges and other important officers. Would it not be sufficient to vacate the seat of a member of the legislature, upon his accepting an office of profit? An appointment, to act *without reward*, has been justly considered an evasion of the 37th article of the constitution, and amounts to a null proof, with me, that the assembly have thought that article impolitic.

Residence in the county is required as one of the qualifications of a delegate; the propriety of the rule has been frequently doubted; however, that I may not be deemed captious, I will not dispute upon this point. But the necessity of a whole year's residence, particularly in these unsettled, dangerous times, is beyond my comprehension. Delicacy forbids me to mention cases, where this provision has operated to deprive the state of the advice of its wisest men.

I have heard an anecdote respecting this matter, which, for the credit of some distinguished characters, I am willing to believe is not authentic.

A REPUBLICAN.

To the PRINTERS of the MARYLAND GAZETTE.

A WRITER in your paper of the 20th instant, under the signature of a Plebeian, speaking of the confiscating British property within this state, declares, "That he never had it in contemplation to exempt from confiscation the property of Mr. Buchanan, or of the proprietors of the Principio and Kingsbury iron-works; that he never heard Mr. Buchanan was our friend, and some of the owners of those

iron-works live at Birmingham, and are our bitter enemies, and even contributed to raise a regiment to reduce us to slavery; that he readily consented (and would answer for the Senator) to confiscate their estates, because they are inimical subjects of Great-Britain.

I have no acquaintance or concern with Mr. Buchanan, but am acquainted with most of the Principio company; part of them reside in this State, part in Virginia, and the remainder in Britain, and the proprietor (for one alone resides in that place) in Birmingham.

True it is, that the town of Birmingham, and a great many others in Britain, did contribute to raise regiments to reduce us to slavery: equally true it is, that none of the company contributed a farthing, and more especially the gentleman in Birmingham, who not only has a considerable share in the company, but near relations in this State.

Some of the gentlemen concerned in those works are dissenters, all warm and firm whigs, and have from the beginning approved of the votes and sentiments of the minority with regard to the American war; they are great opposers of the ministry; their actions and sentiments were influenced not only by a sense of duty, but it was consistent with their interest; they had a large share of property here, some of them traded in these States, and have great and many outstanding debts, and some connected by their affection to the people and the ties of blood.

I will mention one fact, which I make no doubt will convince the Plebeian. When petitions were solicited by the ministry, addressing the king for continuing the war with vigour against North-America, Mr. Burke declared in Parliament, that he had an anti-ministerial petition from the town of Birmingham, reproaching those ideas: this was signed by the only owner who lived in that town, his brother, and other inhabitants.

If all the friendship a man can exert, if his utmost wishes to do service to America, and every attempt in reason to put those wheels in execution, are not to atone for a man's unlucky situation (his estate being accidentally in Britain, on which he is obliged to reside) then the State must seize upon their effects, but to me it seems a very strange and ungrateful return for their warm exertions in our favour, and an extreme inconsistent conduct to destroy our friends and nourish and protect *verus*, our internal and worst of enemies, who do and have done every thing they could to injure us, and openly adhere to the old government, by their refusal to take the oath of allegiance.

ANGLO-AMERICANUS.

Baltimore-Town, March 22, 1789.

For the MARYLAND GAZETTE.

NUMBER III.

THE enemy has not been able to "engage allies." This was well known, before it was acknowledged by Lord North, in the house of commons. If the States of Holland are under obligation, by the treaty of Westminster, 1768, to furnish six thousand men, and twenty vessels, to the assistance of Great-Britain, it is in case of an attack by some neighbouring power, and not to carry on a war which the herself has unjustly waged. If Russia, on account of former favours, and commercial advantages, has stipulated to furnish twelve ships, in case of emergency, yet, still, this must have been, *the prerogative of heaven inviolate*, that is, preserving some attention to the justice of the cause in which they are demanded; a regard to which, no treaty, or stipulation, amongst men, can supersede. It was the spirit of every convention of the powers of Europe, to preserve a balance of power, and to secure themselves against the encroachments of each other, but certainly could have no reference to a revolution, in a new world, where no interests, which the former treaties could respect, existed. Nevertheless, we do not know in what light, the war, on the part of Britain, may begin to be considered by the powers of Europe. The enemy may have it in her power to make such representations to the several courts, of her anxiety for peace, of the haughty and ambitious humour of the house of Bourbon, and of the encroaching power of this house, as may revive ancient prejudices, beget suspicions, destroy confidence, and excite a combination against our ally. This, we know, the enemy is greatly active to effect; no stone has been left untaken, no argument neglected, no labour spared, to accomplish this purpose. All Europe has been stirred up by her insidious applications; courtiers, flatterers, princes, have been assailed; money, flattery, promises, ex-

pendent. When we consider, that all men have a natural propensity to have a hand in what is going forward, that princes are governed by their favourites, and favourites are assailed by various means, it exists a prodigy in politics, that the enemy, even though waging an unjust war, is yet without allies. It is the highest evidence of sound understanding, and regard to justice, in the powers of Europe, and their confidence in the probity, and just views of the monarchy of France.

But we cannot tell how long these just views of things, and this regard to justice, may remain with the powers of Europe; and it is to be considered by these States, what may be the consequence, should the enemy be able to excite these powers to act against the house of Bourbon. Pledged under the unequal contest, our ally may find it necessary to listen to what the enemy will call "equitable terms of accommodation." Our fate is linked with that of France and Spain. If these powers are brought to think of peace, even on unequal terms, we must think of peace also. Britain cannot hurt the stable empire of the house of Bourbon; but, by the assistance of allies, she may oblige her to desist from helping these States. There is no holding out against superior force; and therefore I admit it possible, that such may be the fate of war, or such the combination of alliances, that our ally may find herself unable to place us so completely beyond the reach of fortune, in this contest, as she most ardently desires.

I have stated these things, to shew the necessity of great exertions on this continent. Our early virtue, distinguished spirit, and unparalleled achievements, procured the French Alliance. From that time, like a great beauty, who has obtained a husband, we have grown careless in our dress, and luttish in our manner. *The people are to blame*, who are the source of power and council, in a free government. The people have become inattentive to their interests, regardless of the public measures. They suffer themselves to be imposed upon by popular arts, and appoint those to represent them in public councils, who are men neither of the first abilities, nor of a uniform steady attachment to the cause. They have admittedilly and groundless prejudices against those who are the most capable, and have been the most faithful in serving them. Many real whigs are thrown aside, and half-way moderate men are admitted to execute the offices of government. These things ought to be amended. It is high time that the people of this country awake from their lethargy. God and man will desert those who do not help themselves. Why is it that we have not expelled the enemy from every promontory, and corner of our continent? I do not mean to reflect upon our brave army, who are the only body amongst us, who, in my opinion, are purely virtuous. These brave fellows, thiving on the hills, fainting on the plains, or wading through a thousand marshes, have borne famine, nakedness, fatigue, and have done all that was in the power of men to do; but the unworthy body of the people have sunk into a slumber, and are fit only to be enslaved by those who shall rise up amongst themselves, or by a foreign enemy.

The idea of a peace, hastily entertained, has been of infinite disservice; imagining ourselves to have attained the summit of our wishes, we have sat down before we had arrived near the end of our course. The people have turned away from public affairs, every man to encrease his private fortune. A universal languor has spread over all minds. A remission of this kind is the most usual cause of disappointment in all enterprises. When we read the story of many great commanders, we find them, at first, watchful, and preserving the most exact discipline. After a course of victories, apprehending themselves to be secure, they become less vigilant, suffer the discipline of the army to relax, and are beaten. A remission of this kind is to be dreaded by nations, as well as individuals. It is the usual progress of empire, from vigour, industry, and fortitude, to conquest, renown, and riches; and it is the gradual stage of decline, from security, indolence, and luxury, to invasion, overthrow, and subjugation. In affairs of religion it is the case remarkably, and may illustrate the case in common affairs. The sacred writers, who appear to have understood the human heart well, address many of their exhortations, to this principle. The constant language of reward, is, "to him that overcomes."

I am not one who am lured by any particular circumstances of the times, though I have suffered as much by the depreciation of the cur-

* This I take from the general complaint of men from the different States.

rency as any one; but considering this as a *state of the occasion*, I bear it patiently. I do not complain of injuries sustained by the depreciation of the currency, when others, more numerous in their persons and their services, have sacrificed their lives in the debate? It is a just regard to the welfare of my country which prompts my language; and having a better opportunity than many others, to obtain information, I am warning, to my countrymen, of what may come to pass.

AN ANTI-ANGLO-AMERICAN.

For the MARYLAND GAZETTE.

A WRITER, under the signature of an Independent Whig, observes, that "no man in his right senses, will assert, that things are as they are, by the Senator. Indeed it seems to be a

general opinion, that he is not in his right senses. There are many things which mark an amazingly perturbed, and insane mind.

1. He conceives himself to be a subject of Great Britain, and what is more extraordinary, a subject of both countries (Britain and America), by which it would appear, that madness, intoxication, multiplies the objects of vision, and renders things double.

2. He conceives himself to be a commissioner from Britain, and will have it made a preliminary, that her adherents shall retain their property in these States, not considering, that the growing up of independence was a preliminary of the last commissioners, in which case it might be the interest of Great Britain, that her adherents should possess their property in these States; but supposing the establishment of our independence, it cannot be her interest, that these adherents should retain their property; and no other, but a mad commissioner would make it a preliminary.

3. He conceives himself to be a lawyer; acquainted with the law of nature, the law of nations, and the common law; and yet the direct reverse of what the gentleman has stated, as the law of nature, the law of nations, and the common law, is true in every position.

4. It appears from the mode, manner, and substance, of the writings of the gentleman, that he is unsettled in his judgment. There is no order through the whole; without any sensible detriment to his productions, you might read the last first, and the first last. Nay, if you begin with Calvin's case, and read the first number backwards, it will be more intelligible.

There is great reason to conclude, that he must be some crazy man. It is difficult to say why it is that he entertains such reflections against the house of delegates, or particular members, railing against these with the fury of a maniac. It is more easy to account for his reflection against speculators, having taken up the popular clamour, with which his ears have been assailed. Indeed, he may be said to have a speculatorphobia, or dread of speculators. He seems to imagine, that in a magical manner they can swallow whole countries, and do any thing. A poor fellow, in my knowledge, some years ago, who used to walk about with a long pole, and a crooked horn on the end of it, had a like conceit with regard to insects.

* Great-Britain being brought to concede our independence, will shortly concede every thing else. She will not have it in her power, nor will she be willing to make the restitution of the property of her adherents a preliminary. If it were possible that a spark of "gratitude" could be found in her breast, yet it will be more easy to indemnify these adherents at her own expense than to continue the war a single day, on their account; which might cost more, than the value of the property of these adherents. But it will be directly against her interest, that her adherents should possess their property in these States, as it will prevent their migration to the colonies, Canada, Nova-Scotia, &c. The last commissioners made a solemn declaration on this very subject; but it was at the same time a preliminary, that we should relinquish our independence; in which case, it was the interest of Britain, that her adherents should possess their property in these States; and still they would remain subjects, and answer a valuable end in propagating Toryism, and preparing the continent for the future designs of Britain, which no man can believe she ever will remit until she be enabled her independence placed beyond her reach.

† Any sentence may be taken out, and placed in any part of his performance; it is thus we say of an almanac, that without sensible variation it may serve all the neighbouring latitudes.

‡ The idea of a speculator is like that of a hog in the night; it fills the minds of men with terror, arising from its obscurity. If men could distinguish the grounds of commerce, and of the proper speculations, they would easily perceive, that the fears relative to speculators, in the present case, are groundless.

he imagines, and who, howling, would attempt to hurt him.

Opinions are his property, and fortune is his; perhaps, of the last not improvable part of his tender lady's persons, to finally to chance of the Others, among

lays, Great with it seems to a house of d discovers a great from the effect of l where the om the first g the symptom at the sympto at all, succo I am unwill at I take the in state of the inury fall.

out the mid rine. The co had at that rozen up, (a memory of m serves, which ave and othe is, the m sedding the whole plexus ad.

With regard here him, it is ut it is a calu proper to relat life consists gr a believing l duty of being to inherit in e would be h his pleading r is right res Athens, who y in a "thea recited; so a bellelore, he you have un believed him and if he ha kindess of b ns, it is not would have t if, for the p hands, it is should be the tuate gent better than t the Indians,

Chesler-T 5 That is, ad James, as requisite way and when a him had for

HAYI and justice of standings a of British ally unoffe the goods appropriat received, from indi from being time to ar it is an un founded; to the i means co and hum

"Wh their per from the yond sea ing judic

om he imagined to swim through the atmo-
sphere, and whom, falling down on his back,
whirling his pole horizontally, with a rapid
motion, howling miserably in the mean time, he
would attempt to drive away, lest they should
disturb him.

Opinions are various with regard to the cause
of his insanity. Some suppose, that he is one
of those who have been injured by the tender law;
others, perhaps, from former affluence, to a
sudden fall, or the loss of his property. Indeed this
is not improbable, if we consider that it is no
small part of the burden of his *illness*, that
the tender law is unjust. It is usual for dis-
tressed persons, to harp much on one string, which
originally has been touched in the first dis-
turbance of their reason.

Others, amongst whom, are several aged ladies
of the town, are of opinion it must be *love*: as
they say,

Crushed with care, or cross'd in hopeless love.
It seems to me, that in his railing against
a house of delegates, and particular members,
he discovers a sour, saturnine, humour, very
different from that good natured *illness*, which is
the effect of love. I have consulted Sappho's
poem, where she traces the progress of this passion,
from the first gaze of admiration, until she comes
to the symptom of madness; and I do not find
the symptoms discernible in this gentleman,
as, at all, accord with these.

I am unwilling to advance new theories;
but I take the state of his brain to be owing to
the state of the weather, in December, and in
January last. It may be recollected, that it was
about the middle of January, that he began to
rattle. The cold winds, and severe frosts which
had at that time, and by which the day was
frozen up, (a thing not before known in the
memory of man) gave an unusual *infusion* to his
nerves, which we all know, according to Boer-
haave and others, physicians, and great natura-
lists, is the most general cause of madness. On
supposing the *crisis* of some mad persons, the
whole plexus of the nerves has been found af-
fected.

With regard to what might be proper to re-
lieve him, it is evident that it is the *quarrel* said;
but it is a case in casuistry, whether it might be
proper to relieve him: if the happiness of human
life consists greatly in *imagination*; if he is happy
in believing himself possessed of the peculiar fa-
culties of being a subject of two countries, able
to inherit in *both*, and he hanged in neither,
it would be highly injudicious to deprive him of
his pleasing reverie of mind, by restoring him to
his right reason. We have a story of a man at
Athens, who apprehended himself to be constant-
ly in a theatre, and to hear admirable tragedies
recited; so that, when restored by the use of
belladonna, he cried out, "Verily, my friends
you have undone me." Another, at Venice,
believed himself present in a continual carnival,
and if he had been recovered, by the officious
kindness of his friends, and the skill of physi-
cians, it is not improbable, but his that exclamation
would have been to the same purpose. However,
if, for the purposes of religion, or which, on all
hands, it is agreed a madman is not capable, it
should be thought a duty to restore this unfor-
tunate gentleman, I can recommend nothing
better than to *huganaw* him, in the manner of
the Indians, or to use the warm bath.

C. D. J. L. S.

Chester-Town, March 17.

That is, to put him in a quigam, with beat-
ed flannel, and pouring hot water on these, raise a
copious vapour, which may cause him to sweat;
and when nature is pretty nearly exhausted, plunge
him head foremost into a cool stream or river.

TO THE PUBLIC.

HAVING proved, that the common law
and law of nations expressly establish
the justice of confiscating (for compensation of the
damages and expenses of the war) the property
of British subjects, even of those who are per-
sonally unoffending; I will now shew that the taking
the goods of the innocent subjects of a nation, and
appropriating them for satisfaction of injuries
received, either from the collective body, or
from individuals of the same nation, is so far
from being a novel doctrine, introduced at this
time to answer the purposes of speculators, that
it is as ancient as the formation of society, and
founded upon principles perfectly reconcilable
to the immutable rules of justice, and by no
means contrariant to the sentiments of honour
and humanity.

Where any English merchants are injured in
their persons, or their goods are spoiled, or taken
from them by merchant strangers, in parts be-
yond seas, and upon suit, or the king's demand-
ing justice for them, they cannot obtain it, up-

on proof thereof, they shall, by the common-law
of England, have a writ out of chancery, to ar-
rest any merchant strangers of that nation, or
their goods, which may be in England; which
writ is grantable of *common right*, by the chan-
cellor or lord keeper, to the subjects oppressed;
by virtue of which writ, the bodies of such mer-
chant strangers, although personally unoffending,
may be arrested and detained until justice is
done, or their goods may be confiscated, to the
full value of the damages, which had been re-
ceived.

But if there are not in England any merchant
strangers of the nation, by the subjects of which
the injury had been committed, whose bodies
may be arrested, or any of their goods, which
may be confiscated, in that case, letters of
marque may be granted to the person injured,
for the reparation of his damages, authorizing
him to take the persons, or goods, or any of the
subjects of that nation, wherever they may be
found, whether upon the high seas, or in any
other place, without the realm of England. Nor
is this mode of redress justifiable solely upon
principles of common law, but is conformable
to the laws and usage of the most civilized nations,
as well ancient as modern.

Hence then we find, that where the particular
subjects of a nation have committed an act of
injustice, which the collective body, when called
upon, in the person of its ruler, refuses or delays
to repair, the bodies and goods of every other
member of that nation, although they were no
way consenting to the injury, stand answerable
to those persons, who have been injured thereby,
as far as the amount of the damages; nor is this
unjust or unreasonable, for though by the law
of nature one man's goods are not bound for the
debts of another, yet the same may well be in-
troduced by the voluntary law of nations, and
that perfectly consistent, with the laws of nature;
for if fugitives, without any cause, may make
their goods and estates liable for the debts of a
stranger, much more may a society make liable
all their goods, corporeal or incorporeal, for the
payment of a debt, which the head thereof ought
to make good; or for the redaction of satisfac-
tion in those cases, where the sovereign hath not
done right to another, but hath thereby made
himself liable to render satisfaction. Hence it
was, that this custom was constituted by na-
tions, grounded on the urgency of human
needs, asserted with the greatest of necessities;
for, without this, intolerable licence would be
given for commission of depredations and inju-
ries, especially if only the goods of others were
made liable, who seldom possess any thing,
which the injured can readily seize upon for sa-
tisfaction; whereas the private subjects of the
nation, whose commercial concerns are various,
may be caught, more secure from danger, and
with much greater ease. Besides, the original
owners of such prize, being members of the
same society, may more easily obtain mutual
right for satisfaction of their losses, and their
future indemnity, than strangers could, who,
without such a tie, would be but little regarded.

If therefore the party injured cannot procure re-
dress, within a proper time, against the person
of whom he complains, or if there be a judgment
given, contrary to apparent right and law, if no
other relief can be had, the bodies and goods
of the subjects of that prince, who renders no
right, may be taken, not only by the jus gen-
tium & civile (the civil law and law of nations)
but by the ancient and municipal laws of Eng-
land. And the ships of that nation, against
which letters of reprisal are granted, may be at-
tacked by those laying such letters, and if re-
fused to be yielded up, may be assaulted and en-
tered; in doing which should it fall out by ac-
cident, not by design, that some of those, who
result, may happen to be slain, the fault will lie
at their own doors, for hindering the execution
of right, and that of which the law most justly
approves. Thus we see, however strange the
Senator may think it, that the innocent subjects
of a nation may not only be rightfully deprived of
their goods, but, should it become necessary,
from their resistance, may be even deprived of
their lives. And the dominion of goods taken
by those to whom letters of reprisal are granted,
become the captor's, ipso facto, by the law of
nations, until the debt and costs, that is, the
original damages and subsequent charges, are
satisfied. Nor is it the place of a man's na-
tivity, but of his dwelling, not of his origina-
tion, but of his habitation, which subjects him
to reprisal; the law not considering so much
where he came into the world, as where he im-
proves the world. Those therefore who are
born in Maryland, or any other of the thirteen

colonies, now states, and who at present reside
in Great-Britain, are not entitled to any excep-
tion in their favour; their goods are as liable,
as those of any other British subject, to be seized
for reprisal of damages. But whenever it hap-
pens that, in consequence of letters of reprisal,
the goods of innocent subjects are confiscated;
the sovereign of that state, against which such
letters are granted, must repair to them their
loss; out of the effects of him or them who origi-
nally committed the injury; or if that proves
deficient, it ought to fall as a common debt on
his country. For whenever such letters are
sealed, they immediately vest in the grantee a
national debt, to be satisfied, in such manner,
and by such means, as the same do direct, out
of the goods and estates of the subjects of him
who refuses or delays to do justice.

If we reflect, a moment, upon the above ob-
servations and principles of the common-law, and
law of nations, we shall clearly discover, 1. that
when acts of injustice have been committed by
private subjects of a nation, to render satis-
faction for which their sovereign, upon a re-
quisition being made, hath either refused, or
unreasonably neglected; or when a state in its
collective capacity has done an injury to ano-
ther, the injuring state immediately becomes a
debtor to that, which hath been injured, to the
full amount of the damages originally sustained;
and where satisfaction of those damages are re-
fused, become still further indebted, to the
amount of all the subsequent expenses incurred in
pursuit of redress. 2. That the property of the
injuring state may be confiscated to the value
of all those damages and expenses, not for
punishment of the injustice committed, but for
payment of that national debt, which thereby
became justly due to the state which was in-
jured. 3. That although the injuring nation,
in its collective capacity, or the guilty and cri-
minal members of that nation, may be con-
sidered the original and principal debtor, for
such damages and expenses, yet every indivi-
dual subject of the state, from their connection
with, and relation to, the collective body, and
all its members, are sureties for the payment of
that debt; because it is a part of that compact,
upon which mankind enter into society, esta-
blished and confirmed by the universal consent
and usage of nations, that, as every state, in
its collective capacity, ought to demean itself,
in such a manner, that none of its neighbours
be injured, so every individual of the state shall
be answerable for the good behaviour of that
collective body, of which he constitutes a part.
And therefore, 4. Although the property of the
principal debtor, to wit, of the collective body,
or the criminal subjects, of a state, where it
can with equal convenience and safety be seized,
ought first to be appropriated to the satisfaction
of the debt; yet where that cannot be done,
it is perfectly consistent with the strictest rules
of justice, and by no means incompatible with
the principles of honour and humanity, to seize
upon the property of the sureties, that is, of
any other subject of the state, although unof-
fending: as in the common case, where the se-
curity for debts is compelled to pay for the
laches or insolvency of the principal. To re-
proach the creditor with cruelty and injustice,
for prosecuting his unquestionable right against
the security, would be improper and absurd;
reproaches of the like nature are equally inap-
plicable in the present case.

The British nation, in its collective capacity,
is indebted to the United States, for all the
damages and expenses of the war. Every in-
dividual subject is a surety for the collective
body, and, as such, is answerable for the pay-
ment of this debt. If we cannot seize upon as
much property of the collective body of this
nation, as will satisfy the damages and expenses
of the war, we have an undoubted right to seize
upon the estates of as many of the sureties as
will be sufficient for that purpose. If these
sureties, and, if you please, the innocent sub-
jects of Great-Britain, are thereby deprived of
their possessions, why will the Senator persist
unjustly to throw the blame upon us, instead of
transferring it, where it is really due? To what
motive would he wish us to attribute his conduct?
To compliment his principles, must we sacrifice
his reason, and suppose his conduct to pro-
ceed rather from want of understanding, than
attachment to our cause? Or as the only alter-
native, must we conclude, that his prejudices
against some of the advocates for confiscation,
his partiality for individuals, who may be af-
fected by the measure, and his fears and appre-
hensions of some dreadful political hereafter,
have been sufficient to overcome both the end
and the other? We only prosecute our indispu-
table right, we only endeavour to obtain com-

1. *Molloy*, 16. 2. *Jus. Inf. de jura nat.* 52. 244.
3. *Molloy*, 38. 39. 4. *Ibid.* 56. 5. *Ibid.* 61.
6. *Ibid.* 54.

7. *Gen. Treat. of Com.* 210. C. 20. 8. *Molloy*, 45.

penation for the damages and expences of a cruel and unjust war; we have only in view to recover a debt, for the purpose of defending ourselves and our liberties, against our invaders. It is the British nation, which hath injured us, and to far is she from repairing the damages, that she still wantonly persists in the injuries; she neglects, she refuses to satisfy that debt, which is thereby due to us; It is Britain therefore that is guilty, and who only ought to be charged with, injustice. She is under a moral obligation to compensate the losses of all her innocent subjects, which they may sustain by her acts of injustice; if she neglects to do this, if she violates this obligation, against her you may give full scope to your indignation, against her it will be just; it will be a virtue.

Great Britain has endeavoured to strip us of our most valuable rights and privileges: she hath ravaged our country; she hath burned our cities and villages; all the British property we can seize will not repair one tenth part of the damages we have sustained. She, as a nation, was under every moral obligation to conduct herself so as not to injure us, nor her own subjects; it, in consequence of her misconduct, any of these should be deprived of their possessions, let them not accuse us, but Great-Britain, of injustice and dishonour.

When I hear certain persons inveighing against the indiscriminate confiscation of British property, as cruel and unjust; when I hear them brand one branch of our legislature with every opprobrious epithet, for originating a bill for that purpose, I lament their ignorance, for I would not willingly suppose them to be actuated solely by private interest, or superior attachment to Britons; and yet when I reflect on some of those, who are most clamorous on the occasion, it might not be any breach of charity to form such a conjecture. I should be sorry to believe, that they do not really think as they speak, but I could wish they would take some pains to make themselves acquainted with the subject, on which they so dogmatically decide; for certainly it is the highest degree of insolence, for persons, who never read one single page, concerning the laws of nature, of nations, and the municipal laws of England, who are totally ignorant of the very first principles, by which the subject must be investigated, and the justice of the measure determined, to pass their illiberal censures against the representatives of the state, with as much positiveness, as if they sat in the chair of St. Peter, and were in reality possessed of all its pretended infallibility.

"It is unjust, ungenerous, and cruel, to punish the innocent for the guilty." We will admit the truth of this assertion; but what service can be obtained from this admission? We are not proposing, at present, to inflict punishment on any person, either on the innocent or the guilty. Should we find ourselves in a situation to punish, we are no strangers to the laws of nature and nations, and well know what they will permit, or prohibit. At this time we are only endeavouring to obtain payment of as just a debt as ever was due from one state to another; unless the Senator, and other British advocates, chuse to throw off the mask, and declare openly that Great-Britain has not done us any damage, and has been guilty of no injurious conduct towards us: in a word, that she is only enforcing her just claims; and that we are still her subjects, and in a state of rebellion.

AN INDEPENDENT WHIG.

Baltimore, March 24, 1780.

WILLIAMSBURG, March 18.

BY a letter lately received from Charles-Town, we learn, that on the 25th of February, the enemy's main body still remained on John's island, but they had taken possession of their old lines at Stono, and detached 2000 men under the command of Lord Cornwallis to James's island, the extremity of which is not distant more than one mile and a half from the south part of the town. Accounts of their force were various; but from the first and second in command, and from the quarter master general's being with the army, it must be great. Of the fleet of 140 sail that left New-York, only 7 are missing, and of the troops embarked, only four companies. No measure that could tend to the preservation of the town, has been neglected, and the citizens seem determined to sacrifice every thing rather than give it up. They do not however to far rely on their own resources, as not to expect, and even wait for, with impatience, the assistance of their friends the Virginians.

Annapolis, March 30, 1780.

THE COMMITTEE OF GRIEVANCES AND COURTS OF JUSTICE will sit to do business in the committee room, every day, from eleven in the forenoon till four in the afternoon, during the present session of the general assembly.

Signed by order of the committee,
GOLDER, clk. com.

WILDAIR

STANDS this season at the head of West river, and will cover mares at three hundred dollars each, and ten dollars to the groom. The money to be paid before the horse is led out of the stable. He is a dark bay, upwards of fifteen hands and an half high, he was got by Mr. Delancey's imported horse Wildair, his dam by Ariel, his grandam by Othello, his great grandam a Barb, his sire was got by Old Cade, his grand-sire by the Godolphin Arabian.

N. B. Pasturage at ten dollars a week, but I will not be answerable for any that may be lost.

JOHN JOHNS.

BADGER

COVERS at Mr. Ogle's plantation, near Annapolis, at two hundred pounds the season and eight dollars the groom. He is full fifteen hands one inch high, a dark gray, and allowed by judges to be a fine horse. He was got by governor Eden's Badger, his dam by Samuel Galloway, Esquire's Selim, his grandam (an imported mare) by Spot, his great grandam by Cartouche, his great great grandam by Old Traveller, his great great great grandam by Sedbury, his great great great great grandam by Childers, out of a Barb mare.

Governor Eden's Badger was got by lord Chedworth's Bosphorus, who won seven king's plates, his dam by Othello, commonly called Black and all Black, who beat lord March's Bajazet over the Currah of Kildare, his grandam by the duke of Devonshire's Flying Childers. Badger won the fifty at Guilford, and got lamed at Epsom, the only times he started.

Good pasturage for mares at five pounds a week, but I will not be answerable for any that may be lost.

No mare will be received, unless the money is sent with her.

G. WATKINS.

Calvert county, March 8, 1780.

COMMITTED to my custody as a runaway, a negro woman named Monica, appears to be about eighteen years of age, five feet five inches high, who says she belongs to James Perry, of Montross county. Her master is desired to take her home, and pay charges.

HARPSICORDS, SPINETTS, and PIANO FORTES, repaired and put in tune, by ARCHIBALD CHISHOLM, in Annapolis.

He agrees either by the year, or so much per time, to keep any of the above instruments in good order.

FIFTY POUNDS REWARD.

Head of Severn, Jan. 17, 1780.

STOLEN from the subscriber, on Thursday morning the 13th instant, a coat, jacket and breeches, a pair of mittens, a comb, an ax, some powder in an osnabrig bag, and shot in a leather one. They were stolen by one PATRICK RILEY, an Irishman, about 5 feet 10 inches high, has yellow hair, a dark brown country cloth coat and breeches, and a whitish jacket, the breeches have a hole torn in the thigh; he has a cast in his eyes, a full red face, and very large limbs. He has a pass, which mentions his having had one from the governor of Virginia, which he lost, and that he is a deserter from the British army; he had with him a white bitch, with yellow spots, short ears and tail. Whoever will secure the said Riley so that he be brought to justice, shall receive one hundred dollars if taken in the county, and if out of the county the above reward, paid by

JOHN M'COY.

A PETITION will be offered to the first session of the general assembly after this notice shall have been published eight weeks, for an act to empower the subscriber (now a minor) to make a good and sufficient deed of conveyance, for certain tracts of land lying in Charles county, which he inclines to make sale of.

HARRISON MUSGRAVE.

A PETITION will be offered to the first session of the general assembly after this notice shall have been published eight weeks, for an act admitting to record and giving effect to a deed executed in Prince-George county, by Mary Athey to John Webster, part of a tract of land called Athey's Charn.

JOHN WEBSTER.

NOTICE is hereby given, that by an act of assembly made and passed at a session of the state of Maryland, begun and held at the city of Annapolis, on the 25th day of November, 1779, the bills of credit, dated January 1, 1787, emitted and made current by act of assembly, passed November session, are directed to be brought in and deposited with the western shore treasurer, on or before the 1st of June next, or thereafter, in order that the holders of said bills of credit may, at their option, receive either bills of exchange or state loan office certificates, bearing an interest of six per cent. But if the bills of credit, or any of them, to be drawn in virtue of said act, shall not be paid, the same shall be renewable, but neither the drawer, or any endorser thereof, shall be answerable for, or to pay, any damages thereon, other than the charges of protest.

N. B. The printers in the adjacent states are requested to insert the above in their respective papers.

WHEREAS, colonel Edward Spring, late of Prince-George's county, deceased, having, by his last will and testament, directed his executrix to sell and dispose of part of a tract of land, lying in Frederick county, called, Addition to Piles's Delight, before the first day of July after his decease, for the payment of his debts; and whereas his executrix, through sickness and inability of body, could not attend to as to make sale thereof by the time limited in the said will, she hereby gives this public notice, that after the continuance of this advertisement eight weeks in the public papers, she intends to petition the general assembly for an act empowering her to dispose of the said land, in order to enable her to make a final settlement of the estate of the said testator.

MARY PINDELL, executrix.

Office for stating and settling the public accounts, Annapolis, February 15, 1780.

THE commissioners having desired the notice for stating and settling the public accounts to be printed in the Maryland Gazette, think it necessary to give further notice, that they intend to continue setting every day in the said Gazette, Sundays excepted.

And as there appear many large sums due to the public for money advanced upon contracts (and for other purposes) which have been in many instances disregarded, the commissioners take this method to inform all persons concerned, that they are determined to pursue the directions of the legislature, as far as in their power; that they shall require a specific compliance with every public contract, as far as it is possible and equitable, and as they wish to prevent every unnecessary expence and delay, so they hope that who are interested will see the propriety and absolute necessity there is for them to render their accounts, and make satisfaction to the public as speedily as possible. These clerks of counties who have omitted to transmit lists of ordinary licences and fines, since the year 1775, are requested to forward them; the sheriffs indebted on those or any other accounts to perfect their payments; the supervisors of roads, who have had money advanced from the year 1774; the committees of the counties, and in general all persons who have public money or effects unaccounted for, will be pleased to take notice and comply with the requisitions of the legislature.

THO. GASSAWAY, clerk.

FOR SALE,

A NEGROWENCH about thirty years of age; she has been brought up to do either kitchen or plantation work, can spin very well, and is a very good plain cook. She will be sold for cash or tobacco, or any person having a likely young negro girl, about 10 or 12 years old, fit for house service, may have her in exchange, the owner being in great want of such ones. Enquire of the printers.

CASH given for clean Linen and Cotton RAGS.