

Bladensburg, Sept. 29, 1773
go to England this Fall, therefore
debted to me, and those who have
lent me, are hereby desired to come
and settle their accounts with
FRANCIS HATFIELD.

by the subscriber in Bladensburg,
a tract of land, lying in Frede-
rick county, about ten miles above Bladen-
burg, at the same distance from George-
town, containing 300 acres, well improved, with
a good house, kitchen, quarter, tobacco
plantation, stables, and a good garden well
cultivated, with very large apple, peach, and cherry
trees, and a person inclinable to purchase, may
view the land by applying to
WILLIAM MURDOCK.

by a friend to offer to publick sale
at Nov. court in Frederick-Town, at
10 o'clock, the land conveyed to me
by my late father, a tract of land on Seneca,
near Rubby Hill, containing 305 acres in
all, and is near the White Grounds, and
is of good a range as any in the county.
The place for a mill on it, with abun-
dantly convenient thereto. I am also in-
formed that there are 14 or 15 acres of fine
land and two pieces of good level high
ground of 50 acres in each, separated by a
small stream of poor land, from which I conclude,
that the buildings on that small rising,
and two pieces of 50 acres each, and im-
proved meadow, such a stock might be winter-
ed on, and make it valuable for a small force,
usually come in fat at the fall. And
that industrious men from St. Ma-
ry's, and are tired of paying rents,
and therefore credit will be given for all
money but ninety pounds sterling.

RICHARD HENDERSON.
of the lands advertised in this Gazette,
to be on the 22d inst. is put off till the
1st of Nov. (on account of the fitting of the pro-
perty when they will certainly be sold to the
highest bidder) at the house of John Holley, on the
1st of Nov. or current money, by
ZACH. MACCUBBIN.

by the subscriber, on the premises, at
10 o'clock, on the 18th of October, 1773,
a Tract of Land called Wallingsford Pur-
chase, containing 142 acres, lying in Prince-
George's county, on Cat-tail branch, within four
miles of Bladensburg; the soil is good either for
planting or for farming; the sale to begin at 11 o'clock
on the 18th.

JAMES WALLINGSFORD.
to be sold by the subscriber at
10 o'clock, by wholesale or in single packages,
a Parcel of German manufactures and rolls,
consisting of woollens, consisting of bed blankets,
broad and narrow clothes, duflin,
and shalloon; also a parcel of saddlery
and a small quantity of linen handker-
chiefs.

ROBERT DICK.
Lower Marlborough, Sept. 27, 1773.
The 29th of October next will be exposed
to publick sale,
a tract of land called Chew's Desire, re-
cently good, with timber and fire wood e-
nough to support the plantation for many years, and
already cleared. Also a lot, the most ad-
vantageous Lower Marlborough affords, with
facilities for house or kitchen. Likewise 12
cattle.

PHILEMON YOUNG.
under a table at the subscriber's house,
at the provincial court, a small par-
cel of money. Any one that claims it may
prove his property and pay the
debts on this advertisement.

ELEANOR WILLIAMSON.
Piscataway, September 23, 1773.
The subscriber has just imported about £. 400
worth of goods, consisting of green
clothes, Irish linen, rugs, Welsh and Ken-
tucky and several other articles, which he will
sell for cash or short credit on reasonable terms.

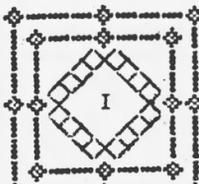
ALEX. HAMILTON.
Baltimore, October 3, 1773.
The schooner Elizabeth, Sixty
tons, commanded by Captain Sharpe, is
at the bay opposite Sharpe's island, a new
boat, about two tons burthen, her bottom
is painted with turpentine and red ochre, her stern paint
is yellow, and the sides or gunnels all
yellow, and the wind was about NNE it is apprehended
she will be driven on shore somewhere between the
Patuxent and Patowmack. Whoever finds
her and will either send her up here or give
information, shall be properly rewarded.

HENRY THOMPSON.
BEN and SON.

MARYLAND GAZETTE.

T H U R S D A Y, OCTOBER 28, 1773.

TO THE PRINTERS.



TAKE the liberty to submit
to the consideration of the pub-
lick, a few observations on the
performance in your gaz-
ette of the 7th instant, under
the signature of Solon. I dis-
fer with him in sentiment,
and think he is mistaken in
his policy.

I agree with him, that a re-
gulation of our staple would greatly conduce to the
prosperity of this province, and have no doubt but the
lower house will do every thing in their power to ob-
tain a regulation on such terms as they shall think
most for the advantage of the country;—I shall after a
few remarks endeavour to point out the only mode
that occurs to me, to obtain such an important point.

"The officers agree to a money regulation of
their fees, according to the old table after certain
real abuses shall be struck off."—But the officers will
not agree, that there are any real abuses in the prac-
tice of charging under the old table; the upper house
will not agree, that he charge by the commissary-ge-
neral for letters of administration granted by deputy
commissaries, and for which they are paid, is an
abuse—But insist upon and justify it solely under the
practice.—The upper house will not agree that the
charge by the secretary, for services never performed,
is an abuse.—Can there be a more plain and simple
proposition than this, that an officer shall not be paid
where he does no service? Yet this was in fact the
great obstacle to a settlement of officers fees, and can
there be any hope of a regulation of the fees of office,
in this province, if the upper house will not agree to
a proposition founded on the clearest principles of
justice?

It is a fact, too notorious to be controverted, that
the exorbitancy of the fees of office arise more from
the abuses of the old regulation than from the increase
of business.—Another objection is made to the old
table; in some instances the allowance is most unrea-
sonable, double, nay treble what is allowed in the
neighbouring colonies of Virginia and Pennsylvania
for the same service.

Policy requires an eye to the emoluments of office,
they should bear a proportion to the circumstances of
the province; if not reduced when outrageous, as
power naturally follows wealth, the officers, who are
always dependent on and attached to government,
will be too strong for the people; this influence is al-
ready too fatally experienced, scarce an office is held
without a rider, and, in a few years, we shall have
only deputies while the principals reside in Britain.

The government here claim a right to regulate the
fees of office by proclamation; this appears to me to be
a necessary preliminary point to be settled, previous
to a legislative regulation.—If such be the right of
prerogative, there is no necessity for a law, and it
would be an encroachment on prerogative to attempt
it.—I submit it to the cool consideration of my su-
periors, if it would be prudent to make any regula-
tion of fees, without that point is first settled and de-
termined. It was the sentiment of the delegates of
this province, in 1739, "that in safety to themselves,
their constituents and posterity, they could not
agree to a perpetual law, in respect to officers fees;"
and if a temporary law could now be agreed on, can a
good reason be assigned, why we should leave the
question open, to be revived hereafter, upon the ex-
piration of such temporary law?

"The governor has already given up, to the county
courts, as has long been desired, the writs of reple-
vin and of common recovery."—It is true that
the people have long desired, above thirty years have
their representatives attempted, to obtain a law for
the issuing replevins out of the county courts;—it was
as constantly refused by the upper house; the appa-
rent utility of the bill, the great ease and convenience
of the subject, in a speedy and convenient remedy for
the obtaining of justice, were not of sufficient weight
to obtain the assent of the upper house, without a re-
servation of the usual fee to the chancellor, on every
writ of replevin issued out of the county court, tho'
the service was to be performed by the clerk of the
county court, and tho' the chancellor was to do no-
thing for the reward, "as the price of the ease and
convenience of the subject."—If this most unrea-
sonable proposition of the upper house had been agreed
to, by the representatives of the people, it would have
established a precedent, to pay for a facile administra-
tion of justice, and a fee to the chancellor where no
service was done, a position incompatible with justice
and policy; and such a concession might have been
urged to support, and have precluded the lower house
from disputing, the unjust and extravagant charges by
the commissary-general, secretary and other officers,
for services never rendered.

I admit a new system, seemingly, has lately taken
place in the conduct of the upper house, they have
adopted the long contended for principles by the
lower house, that the subject is entitled to a speedy
and convenient remedy for the obtaining of justice,

and that the ease and convenience of the people is to
be consulted; and now by law replevins may be issued
out of the county courts, without a reservation of a
fee to the chancellor, and estates tail may be barred,
without the expence attending the suffering common
recoveries; but that the governor has given up (the
term is offensive to me) any thing but what justice and
the right of the subject required, I deny, and he can
claim no other merit, than having agreed to that,
which justice and his duty demanded. In truth, the
object of the bill, so much boasted of, and with so little
foundation, was extrinsic the bill; the upper house
and governor have done indeed, what had been for a
great number of years prest for by the lower house,
and which ought to have been done long ago, but then
they have now done it to answer a particular purpose on
the spur of the occasion.

"The only difficulty, which seems to remain is,
"what is to become of the clergy,"—"here is our
"stumbling block."

Every man, a friend to the church of England,
wishes for a liberal establishment for its ministers, but
the claim of 40lb of tobacco per poll, in tobacco, is
esteemed a burthen and a grievance, the people are
struggling to get rid of it, the clergy and government
are endeavouring to fix the yoke on them. I could
wish the point had never been put into a legal course
of determination; I could wish the clergy had com-
promised with the people, and taken the 4s per poll,
which they would willingly have paid, until a provi-
sion had been made by the legislature, and I wish to see
it settled, to general satisfaction, elsewhere, rather than
by a determination from the judges of the supreme
court, I mean, by the interposition of the general as-
sembly, or the verdict of a jury. I hope the proposi-
tion, that the present clergy shall receive 28lb of to-
bacco per poll, at the warehouse, from the tobacco-
maker, and 4s per poll from non tobacco-makers, will
never be agreed to by our representatives;—because
it revives the partial, unjust and odious distinction
between planters and farmers, members of the same com-
munity, is founded in the plainest iniquity, and ought
to be rejected with indignation, unless it can be
proved, indeed, that the planter, from the different
nature of his occupation, receives more benefit, more
spiritual grace, and comfort from his minister than the
farmer.

I widely differ in opinion with Solon, that the clergy
is the only difficulty,—the stumbling block to a regula-
tion of the staple, nor can I conceive, "if that bone
of contention was once digested, that every object
"on to passing the journal would be set aside, all par-
"ties ended, all disputes compromised, and the three
"branches of the legislature on those terms with each
"other, that every lover of his country could wish."
—I cannot view the clergy as solely chargeable with
the unhappy differences, that at present disturb and
distract this province.—I can see no connection be-
tween the clergy and a regulation of our staple; I can-
not see why a law may not pass to advance the trade
of the province, tho' no provision can be agreed on
for the clergy, nor can I comprehend what influence a
settlement of an allowance to the clergy can have on
the passage of the journal, for the payment of publick
creditors; they seem to me distinct and unconnected.

I have always thought, if an agreement could be
affected respecting the fees of office, that the provision
for the clergy would be easily agreed on; the inspec-
tion law fell, in November 1770, principally from a dis-
agreement between the upper and lower houses rela-
tive to OFFICERS FEES, the allowance to the clergy was
agreed on, at 4s per poll, without any partial distinction
between planter or farmer, and lawyers fees were settled.—
The clergy were not held up, as the bone of content
to be digested, till November session 1771, I think the
clergy are now tossed out as the tub to divert the at-
tention and draw the resentment of the people and
their representatives from the officers, and that it is
the scheme of government and its officers, that the
people, to prevent the heavy, the intolerable tax of
40lb of tobacco per poll, may be induced to compro-
mise with the officers.

"ONE branch of the legislature seems determined
"not to give up the clergy, nor assent to any inspec-
"tion law without some regulation of their dues, as well as
"the fees of the officers."—Ergo, Solon, the representa-
tives of the people, you mean, must submit; to be
sure this one branch of the legislature must not yield, such
submission, tho' warranted by every principle that
ought to influence a publick character, would affect
the dignity of government.—However as such a resolu-
tion has never been communicated to the lower house
by the governor, or upper house, I must take the li-
berty to remark on so extraordinary a position.

If the upper house should persist in their resolutions
with respect to the clergy; resolutions formed out of
complaisance to the sentiments of the governor ex-
pressed in his message to them, (A) and no agreement

(A) On the conference between the two houses on the
15th of November 1771, the lower house observe, "in the
present bill the lower house have adopted the provision
for the clergy proposed last session by the upper house. No
argument can be necessary to evince to the upper house the

can take place relative to officers fees; why then,
script of all disguise, the position of Solon is this,—the
inspection law is of great utility, the loss of it is felt
by the planters, and, to obtain it, the representatives
must agree to what is palpably and self evidently un-
just, respecting both officers and clergy.—I can ne-
ver believe either branch of the legislature can be so
dead to publick virtue, and act in so direct opposition
to the end and purpose of its existence and creation,
as to maintain, that the people shall not, in one in-
stance, have what is confessedly right, because they
will not, in another instance, agree to what is oppressive
and wrong.

But how will the settlement of the disputes respect-
ing the clergy compromise all disputes, and all parties,
and bring about the passage of the journal?

Is the tonnage—the 12d per hhd.—the common law
fines, forfeitures and ameriements (which include the
claim of the clerk of the council) officers fees, and the
late proclamation—settled?

I will now endeavour to point out the only mode,
that occurs to me, to obtain a law to regulate our
staple.—For the reasons above suggested, I have no
hope of an agreement between government, its officers
and the upper house, and our representatives, on the
subject of officers fees, and the proper provision for
the clergy.—It is my most fervent wish, that no bill
will pass to regulate officers fees, without an explicit
disavowal of the right of prerogative to settle fees by
proclamation; to submit to such an arbitrary, illegal
measure, would be most basely to betray the rights
of the people; to pass it over in silence, and leave it
to be revived, on some future occasion, would be a
temporising measure unbecoming the representatives
of a free people.—I as sincerely wish that no bill
will pass for officers fees, without a correction of all
abuses, and that the principle, hitherto maintained by
the people, that fees ought not to be exacted for ser-
vices not actually performed, will be steadily a he-
d to, and never departed from by their representatives.

"What then must we do?"—as there is no connec-
tion between a regulation of our staple and officers
fees, or the clergy, and a provision for the one may
well subsist, without a provision for the other, and
there is no probability of obtaining a regulation for
the whole, I would humbly propose, that a bill be
prepared by our representatives to regulate the staple
only, and that care be taken, by clauses in the bill, to
avoid all difficulties with respect to the act of 1701-2,
and furnish no grounds to affect the question, as to its
validity, and then if so useful, so beneficial a law
should be lost, it will be obvious to the world on what
points, and to whom the wound to our staple ought to
be imputed.—This mode cannot be objected to by
the upper house, without a manifest inconsistency of
conduct, as they, on the 31st of October 1770, sent
down a bill to the lower house, "to revive and conti-
"nue the late inspection law, and the supplementary acts
"thereto, except such parts as limited or concerned officers
"and lawyers fees or clergy's dues" and it may also be
remembered, that the upper house, in October session
1771, proposed, to leave the clergy out of the bill.—Add
to this, that the clergy's dues, in Virginia, and the
staple of that colony, which is tobacco, are regulated
by different laws.

Solon wishes, tho' an old man, to see the day when
party in this country shall have entirely subsided.—I
also wish to see the day when the authority and digni-
ty of government, will be honourably maintained.—
When the tonnage, and 12d per hogshead, and the
claim by the clerk of the council, is given up by go-

"propriety and justice of their own proposition. Your
"honours are now pleased to object to this part of the bill,
"and have observed, that "was passed the last session not
"having been productive of any regulation, can't, you pre-
"sume, be binding on both houses at this time." Permit us
"therefore to remark, that tho' upon the concurrence of both
"houses only, neither of them are legally bound; yet in
"point of civility, essential to the dignity of legislation,
"a departure from a proposition, solemnly made and deli-
"berately acceded to, cannot be justified, while the princi-
"ple remains, upon which the proposition was founded.
"You have not even intimated that you have changed your
"opinion of the propriety and justice of your own proposi-
"tion, nor have assigned any other cause, for departing
"from what you proposed, than the assurance you have
"had, by message, that his excellency will not pass the law,
"with the alternative extended to the clergy." And on the
"22d the lower house also observed, to their honours, "that
"the governor's message has determined your action tho' it
"does not seem to have convinced your understanding." Id.
"pa. 69.—The observation was founded in truth, and
"may well be evinced from the answer of the upper house of
"the 13th Nov. "If it could be shown, that any useful pur-
"pose may be attained by our agreeing to a bill, to be pre-
"sented for rejection, we should cheerfully adopt the alter-
"native in its fullest extent." That is, we still retain our
"opinion, as to the propriety and justice of our proposition, of
"extending the alternative to the clergy's dues, solemnly made
"and deliberately acceded to, but, as the governor has noti-
"fied that he will not assent, therefore we, tho' the princi-
"ple remains on which the proposition was made, must and
"will retract our opinion.—