

consolidate such inconsistent powers, the freedom of the people will be in danger until they are separated. This radical evil in our Colony demands immediate attention, and requires an instant cure. All men, by nature fond of power, are unwilling to part with the possession of it. The desire to command increases every day. The exercise creates affection; and what was granted as a trust, is soon claimed as a right. The affable, courteous, patriotick citizen out of power, frequently degenerates into the haughty, insolent tyrant, when vested with supreme command. No man, or body of men, ought to be intrusted with the united powers of Government, or more command than is absolutely necessary to discharge the particular office committed to him. A rotation of power, a rotation of office, with moderate salaries, are the best and most effectual means to preserve the liberties of the people. Our Convention was introduced as a temporary expedient—a child of necessity—to supply, in some measure, a want of Government. The old and constitutional Government could not be trusted. The present Convention, invested by the people at their election with the whole legislative power, exercise not only the legislative but the judicial and executive authority. This jumble of characters must and will introduce the most palpable errors and confusion into our publick affairs. The justly celebrated *Montesquieu* observes, that a complete tyranny is established by such a combination of powers. For the want of a proper Government, the greatest crimes to the State may be committed with impunity. Our paper money may be forged, intelligence conveyed to our enemies, and traitors bear arms against us. The first ought to be punished with death, and the two last with the loss of life and estate. The danger to the community from the commission of these crimes is very apparent. The Convention could not declare the penalty for the offence without pointing out some mode for the trial of the criminal. As legislators to make the law, and as judges to determine the breach, in the case of life, would seem too arbitrary, and deprive the people of the great bulwark of their liberty—trial by jury, no courts are established to execute the resolves of the Convention, as the law of the land: a trial by jury, therefore, could not be given, and on the greatest criminals no adequate punishment could be inflicted.

These, and many other reasons, will suggest themselves to every reader, and convince him that the present mode of Government by Conventions ought now to cease. Policy, prudence, and our safety, call for the establishment of a proper, effectual, and well-regulated Government. The writer of this paper would be for an abolition of Governments, if the conduct of the two last was wholly unexceptionable. It has been well observed, “that in the relation of constituent and representative, one principal security of the former is the right he holds to be fully informed of the conduct of the latter; and no case can exist in which it would be of more importance to exercise the right than the present, nor any in which the Representative would more willingly acquiesce in the exercise of it.” The late Convention was pleased to declare “that they had no intention or desire to prevent any person from freely examining into their conduct, or to exercise his judgment, or to communicate his sentiments, as to the abilities or fitness of any man to fill the office to which he is appointed; and that it is necessary, for the purposes of filling the places of highest trust with the best and most approved characters in the community, and for the preservation of publick liberty, that there should be such free investigations: the right of examining into the publick conduct of their rulers is inherent in the people.” The Convention have given their publick testimony of the propriety of the exercise of it, without the caution annexed. I would not wantonly and licentiously traduce, by misrepresentations, the conduct of any publick body or of any individual. The conduct of the *December* Convention, in appointing about fifty out of their number (eighty) to be Brigadiers and Field Officers of the Militia, has given great offence. A monopoly in trade or power will not be tolerated in a free Government. I am sorry to mention the mode of appointing officers of the regular troops. Merit should be the only recommendation to office. To truck, to bargain for each other's votes, without any inquiry into the pretensions or abilities of the person proposed, and with no other condition than if you will vote for my friend, I will give my voice for yours, was mean, dishonourable, and disgraceful. The refusal to vote individually, by which the

conduct of each member might be known to his constituents, was very exceptionable. That eighteen members should make the law for this Province, is impolitic and unjust. (a) An equal representation of the people is the best and greatest security for their liberty; and the publick cannot conceive the reasons for the Convention's rejecting a motion to that purpose. The charter of this Province has been deemed sacred by our Conventions. The Charter to the City of *Annapolis* grants the citizens a right to send two Delegates to Assembly, and an act of our Assembly confirms that right. The Convention disregarded the petition of the citizens to send Delegates to the Convention. The instructions given by the Convention to their Deputies in Congress discovered a want of confidence in their members or the Congress, and had a dangerous tendency to withdraw this Province from their union with the other Colonies. The draft of the instructions, as reported by the Committee, will be published, with a few strictures. The first Council of Safety consisted of sixteen gentlemen; (b) to prevent an abuse of power, from a continuance thereof in the same persons, the Convention resolved, that at each Convention one-half of the members should be ineligible to the succeeding Council. At the *December* Convention, seven gentlemen were constituted a Council of Safety, with power to any four or more of them to elect another in case of death. (c) At the last Convention, in *May*, nine gentlemen were elected a Council of Safety. (d) The *December* Convention left out of the Council of Safety gentlemen of abilities, and of known and approved attachment to the *American* cause. The last Convention continued the gentlemen appointed in *December*. Why did not the rule to prevent an abuse of power, from a continuance thereof in the same persons, take place at the last as well as at the *December* Convention? Were the gentlemen worthy of more trust or confidence than their predecessors? It is well known that one of the gentlemen in the Council has uniformly opposed every measure adopted by this Province for their defence; and that another gentleman exerted all his influence to rivet the forty per poll, and to establish a proclamation for officers' fees as the law of the land; this conduct could be no recommendation to sit in our Councils, and direct the military force of this Province. The transactions of the Convention relative to Governour *Eden* have given great disgust in this and our sister Colonies. Governour *Eden* (among other pieces of ill-behaviour) issued his proclamation to regulate and establish the fees of office; this conduct was stigmatized by the unanimous voice of the Delegates of *Maryland*, as arbitrary and tyrannical, and the advisers of the measure were voted enemies of this country: is it not remarkable that a Convention, composed of many of the same Delegates, should now, without any change in their Governour's conduct, express “their real wishes for his return to resume the Government of this Province?”

The times are full of danger, jealousy, and fear. The publick, it is hoped, will not be offended with the author for giving them information, and expressing his opinion of the publick conduct of their rulers;

— For he has no wish above

His country's welfare and his country's love.

AN AMERICAN.

TO THE PEOPLE OF MARYLAND.

There never was a time in which it was more necessary for you to inquire into the conduct of your Representatives. If, on examination and a strict scrutiny, you approve, let your honour and confidence be given to your present Delegates. If you find good cause to suspect their political principles or probity, discard, without hesitation, such men from your service with contempt, disgrace, and infamy. If you discover a want of judgment and fortitude, if their conduct is

(a) e. g. Three Delegates attend from nine Counties; two from each of them concur in opinion. The Province would be bound by eighteen members, though there should be forty-four dissenters.

(b) *M. Tilyman, John Beall, Berdely, Robert Goldborough, James Hallyday, Richard Lloyd, Edward Lloyd, Thomas Smyth, H. Hooper, Daniel of St. Thomas Jenifer, Thomas Johnson, Junr., William Pecu, Charles Carroll, Barrister, Thomas Stone, Samuel Chase, Robert Alexander, and Charles Carroll of Carrollton, Esquires.*

(c) *Daniel of St. Thomas Jenifer, Charles Carroll, Barrister, John Hall, Benjamin Rumsey, James Tilyman, Thomas Smyth, and Thomas Beallfield Hende, Esquires.*

(d) *Daniel of St. Thomas Jenifer, Charles Carroll, Barr., Thomas Hall, Benjamin Rumsey, George Plater, James Tilyman, Thomas Smyth, Thomas Beallfield Hende, and Willson Hayward, Esquires.*