

adding the Clause above-mentioned; however, I must say, it appears since that they were imprudent in the adding of the Clause; because,

First, This Clause, or any such, whether it passed or not, must have this bad Effect, that it will always be an Argument to deter any future Treasurer from paying any Money out of the Treasury upon any *Resolves*, without the Consent of the Council; for the Proceedings in this Affair will always shew, that although such a Thing had before been done, yet the House became dubious as to the Regularity of it, by endeavouring to confirm it by Law; and such an Endeavour in one Instance, will always be a strong Reason against the Regularity of it in any other, and must make their Consent necessary in all Cases: A Point that ought never to have been even tacitly confes'd, for Reasons that I have already given.

Secondly, Suppose the single *Resolve* of the House had been ever so irregular, and the Necessity of confirming it really great, it was imprudent in a Time of extreme Danger to hazard such a Bill; for nothing is more common than for Persons that have acted with an unequitable Tendency (as I think the Council's refusing to agree to the *Resolves* when first made is clearly shewn to have been), to continue so attached to their own Opinions as to persist in them, left by any Concession they should seem to condemn themselves; an Argument certainly true in the general, and strongly insisted upon against the tacking this Clause, before it was proved true by the fatal Event of the Bill.

Thirdly, The Possibility of ill Success, even in obtaining the Clause, made it farther imprudent, in that it must needs lay the Foundation of a future Controversy; for now it must either be persisted in, to the present Injury of the Country in general, or wholly given up, to the Destruction of the Liberties of the People. For, I beg Leave to say, in such a Case as the fixing a Negative Voice in the Council, in every Disposal of the Public Treasury, should this Country be ever so unhappy as to be under the Government of an avaricious and designing Delegate, countenanced by either a pusillanimous, a lording, or an influenced Council, there will be no Means left for the People to carry their Complaints home to England, but that of a private Contribution; and though there should be such a public Spirit subsisting, yet every one knows that such Funds are too slow and inactive for the Dispatch required in such Applications.

That such an unhappy Situation may befall us, all Histories contain Instances of full Proof; and indeed, he who looks upon the Changes made in Lord Howard's Days, cannot but conclude, that it was his Policy alone in aggrandizing the Power of the then Council, which produced that wonderful Complaisance, by which they voted that Fee, that would, by this Day, have carried Thousands of Pounds out of this Country.

On the other Hand, I cannot but observe, that the Imprudence of the House of Burgesses was, by the Council's rejecting the Bill, improved into a manifest Error: For,

First, Had they passed this Bill and Clause, they could not have endangered any Thing, because it would have governed in a single Instance only, and it being a Matter of so small a Consequence, with regard to the Thing to be done by it, methinks a Country confessedly in Danger, should not have been left defenceless, especially as they would have had it always in their Power, by their Negative now exercised on all the Bills, to prevent any Thing of a greater Consequence, from receiving any Benefit from this as a Precedent.

Secondly, They say the Bill was clogg'd with a Clause designed to compel their Assent, &c. I have already shewn that their Refusal to assent to the *Resolves*, was contrary to the Rules of intentional Justice, because, to have convinced the World that they did not know or believe themselves in an Error in the Advice they gave, to make the Demand above-mentioned, they ought rather to have contributed all in their Power, than have done any to obstruct an impartial Representation of the Thing. The compelling their Assent, therefore, was only obliging them to do what they really ought to have done. If we look farther into this Argument, and take from it it's Garnish of Language, I think we fairly may say it conveys an Idea of human Nature perversely clothed; that is, "We have rejected the Bill, because it contained a Clause compelling us to do what we had before resolved not to do." For,

Thirdly, Suppose it to be, as they say, that the single Vote of Money to an Agent, appointed by the House, &c. be contrary to the ancient and known Constitution, yet as it is not contrary to the Constitution to make an Act of Assembly, and an Act of Assembly can only govern in the parti-

cular Case for which it was made, the saying so is no sufficient Reason against their giving their Assent now, although they had refused it formerly; to persist therefore in refusing, is to be obstinate. To the Assertion of the *Resolves* being contrary to the ancient Constitution, I must answer that either my Abstracts are wrong, or the same Thing was done by the House of Assembly in the Lord Howard's Days, and because they had no Treasurer at that Time, they ordered the Auditor to pay the Money: This Instance, therefore, most militate against the pretended Antiquity of the Constitution. And here let me remind those Gentlemen, that it is not unequitable for the House of Burgesses to appoint and pay an Agent, because they themselves do the same Thing out of a Fund, of which they claim the sole Disposal; and solely, if it is just in their Case, it is so in that of the House of Burgesses: I say they pay an Agent for themselves, and I am persuaded, that Agent has never yet thought himself accountable to the House of Burgesses, nor ever address'd them in any Point where in he was not particularly appointed, and as particularly paid for it; Equality therefore must needs be Equivocal.

Fourthly, In Return for the "Concern they express, that the Burgesses should place the Safety and Preservation of their Country on the same Footing with the Payment of a Sum of Money, which the Burgesses, by adding such a Clause, acknowledge to have been by them ordered to be paid, contrary to the known Constitution of the Country;" let me observe, that 'tis a great Pity that after they have seen so clearly into the Nature of the Clause, and the true Arguments to be drawn from it, they should not foresee how applicable this pretty Sentence is to themselves: For who can avoid expressing their Concern, that the Council of Virginia should hold the Safety and Preservation of their Country, connected with his Majesty's Rights in the Back Territories, in no higher Esteem than a mere Punililio in Dispute, and refuse a Bill calculated for the Security of the Colony, purely because it contained a Clause, which the Council themselves acknowledge is in itself a Confession in the Burgesses, that they had acted irregularly and unconstitutionally in the Point that gave rise to the Dispute.

As the latter Part of the Message contains nothing in Excuse for the rejecting the Bill, but is only a Glossary tendered to the World, I shall observe no farther upon it: It being now Time to leave the Reader to his own Impartiality; I shall only add, that, as it appears to me, the Wisdom of Solomon would have been a much better Plan to have form'd the Proroguing Speech upon; had that been attended to, we might, perhaps, in another Session, have experienced the wonderful Effects of mild and soft Methods: It being far more glorious to have brought about a Reconciliation in the two Branches of the Legislature, than thus to have fann'd Contention into a mere Blaze. And when I reflect that the Sores of 1753 are not yet quite skinn'd over, it grieves me to see so beautiful a Step in Policy so strangely overlook'd.

I shall now conclude, by declaring, that I have not written to offend, and I have only censured where I thought Censure was due. And I wish I had an Opportunity, from the Proceedings of the last Session, of commending: I should have been more lavish in doing that, than I have been free in condemning. If in any Argument I am mistaken, I shall be ready to acknowledge the Error when convinced: For as I have no Attachment to any Party, but that which shall seem to me to pursue the Good of my Country, I can, with an un-deceiving Heart, say, that I have wrote with an un-biased and independent Pen: And I desire to bid my Country farewell at this Time; heartily recommending to them the *Palatine Motto*; *CONCORDIA PARVÆ RES CRESCUNT*; not improperly thus translated, *By Unanimity little States Flourish*.

A. BURGESS.

Virginia, Sept. 22, 1754.

PERTH AMBOY, October 5, 1754.

Thursday last his Excellency our Governor, was pleased to make the following SPEECH to the Council and General Assembly of this Province, now sitting here, viz.

Gentlemen of the Council, and of the General Assembly,

THE bold and unwarrantable Encroachments of the French, (with their Indians) upon his Majesty's Lands on the River Ohio, with their in-

fringing the King's Territories (even from South Carolina to Nova Scotia) together with their barbarous Depredations and Murders of his Majesty's Subjects, has been the chief Reason of my calling you together at this Time, when I hope you will see the absolute Necessity of the strict Union among all his Majesty's Provinces and Colonies, not only for the common Defence, but also for the better Safety and Welfare of each particular Province; and that you will now join with the neighbouring Governments, and cheerfully exert yourselves, in raising Men and Money for repelling the French, and for driving them from the continental Inroads they are making upon the King's Lands and People: And these Things you can be no Strangers to, while we have repeated undoubted Accounts, of their constantly alarming the Frontiers of his Majesty's Provinces, from their most southerly to their most northerly Bounds. I therefore hope, and have no Doubt, but that these Things, will fire you, (and every true English Heart) with a becoming Indignation against the very extraordinary Proceedings of the French, contrary to the Law of Nations, and in open Violation of the Treaties of Peace between the Crowns of Great Britain and the French King, and to which the French ought to have a just, and sacred Regard.

The present melancholy Situation of many of our Neighbours, require your speedy and humane Regard towards them, nor must you, Gentlemen, imagine yourselves exempted from these Cruelties and Barbarities. Nor if there be not an effectual Stop put to them, you may soon expect the Enemy on your own Borders: I have therefore lately sent (by Express) my Orders to the Colonels of the several Regiments in the Province to muster them, and to make a thorough Inspection, that Officers and Men be furnished with Arms and Ammunition, as the Law directs, and to may be ready for Service, upon any sudden Occasion. And here, I think proper to say, that it seems necessary to revive the Militia Act, and to amend and strengthen it, so as to answer the End and Purpose for which it was made, and this to be done more especially at this critical Juncture.

I have now also ordered to be laid before you a Plan for the Union of the British Colonies, on the Continent of America, as agreed on in the Congress of the Commissioners, from a good Number of the King's Provinces, lately held in the City of Albany; together with the particular Account of the several Conferences held with the Six Nations, and other Indians, at the said Congress. These Things, you will well deliberate upon, and do therein as you shall judge reasonable and necessary.

Gentlemen of the General Assembly,

What I have now mentioned, must, of Course, be attended with considerable Charge; and as the Provision for it most properly originates with you, I hope, not only for the King's Honour and Interest, but for the Safety and Welfare of the People you represent, you will give the needful Dispatch to every Thing to be done on your Part; and a ready Instance of your Duty in this Respect, will recommend you to the Royal Grace and Favour of the best of Kings.

Gentlemen of the Council, and of the General Assembly,

I am sensible it will soon be a very busy Time in your private Affairs; when you have therefore gone through what I have laid now before you, I shall be willing to give you such reasonable Recesse as you may desire.

Pertb Amboy,

October 3, 1754.

J. BELCHER.

The same Day there was a general Review of all the Train Bands of the County of Middlesex, when a Person, for his own Curiosity, having counted them, found 'em upwards of 900 Men, exclusive of Officers. They all marched thro' the Town in regular Order, before his Excellency.

N. E. W. YORK.

September 30. We have Advice from Albany, that about ten Days ago, a French Indian arrived there from Canada, and brought with him a young Woman, who had been taken and carried off from the back Part of Virginia about 2 Years since.

Last Night a Schooner arrived here from Cape Sable, in whom is come Passenger, Capt. Rodyard, late of a Sloop of this Port, who informs us, that on Wednesday, the 5th Inst. in a Violent Gale at South, he was droye ashore on Cape Negro, where his Vessel soon bilged, and went to Pieces, bur he happily sav'd all his People, and some of his Cargo. While he remained at Cape Sable, a fishing Schooner came in there, the Master whereof acquainted him, that in the same Gale in which he was cast away, he saw a white bottomed Schooner with Top-

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