

The Lower House of Assembly of MARYLAND, have constantly, and ineffectually, hitherto, since fifteen Hundred and Thirty-nine, RESOLVED, that his Lordship hath no Right to collect Twelve Pence per Hoghead on Tobacco exported.

CONSTITUTIONAL Tax on the People to support Agent of the Appointment of the Lower House, been greatly desired, frequently attempted, and is refused by the Upper House.

The Lower House of Assembly contend, That the Work of the Council his reasonable Reward, as well as every other Expence necessarily attending the Execution of the Powers of Government, ought to be paid out of the FINES, FORFEITURES, AMERCEMENTS, and OTHER MONIES, received by the Government for the Support thereof; and, "That Sentiment being directly opposite to the Opinion of the Upper House had, on mature Consideration, formed upon the Subject of the Clerk of the Council's Claim," principally occasioned the Non-payment of the Public Debt for upwards of Ten Years: Distress of Trade for Want of a Circulating Medium, and the extreme Necessity of Public Creditors, compelled the Lower House to agree to an Appeal to Majesty in Council, on the Subject Matter of Distress, without the Allotment of any Public Money for that Purpose, as the only Means to settle Disputes, and Public Credit, and lay a sure Foundation for future Ease and Good of the Province.

SUBSCRIPTION therefore, by RESOLVE of Lower House, has been open'd, and Subscriptions taken in by every Member, for maintaining an Agent, and supporting the Appeal on the Part of the People, as well as obtaining Redress of their Grievances; and, by RESOLVE also of the Lower House, as an additional Means of raising Money for same Purposes, the following SCHEME of a LIBERTY, by which to raise ONE THOUSAND POUNDS Common Money, is submitted to the PUBLIC.

1 PRIZE	of £. 500	is £. 500
1	— 250	— 250
1	— 100	— 100
2	— 50	are 100
2	— 30	— 60
4	— 20	— 80
4	— 15	— 60
10	— 10	— 100
20	— 5	— 100
50	— 4	— 200
80	— 3	— 240
73	— 2 : 10	— 182 : 10
1250	— 2	— 4500
1 First drawn Blank,	- - - -	13 : 15
1 Last drawn Blank,	- - - -	13 : 15
500 Prizes.		£. 6500
500 Blanks.		

Tickets, at Thirty Shillings each, amount to £. 7500 From which deduct - 1000 £. 6500

Two and an Half per Cent to be deducted from the Prizes, to defray the Expences of the Lottery.

The Drawing to be in the Court-House at ANNAPOLIS, in the Presence of the Managers, and as many of the Adventurers as shall be pleased to attend.

The Managers are, WILLIAM MURDOCK, Esq; THOMAS THOMAS SPRIGG, WILLIAM PACA, JOHN WELLS, THOMAS GASSAWAY, Scuth-River, THOMAS GOLDB, B. T. B. WORTHINGTON, HENRY HALL, JOHN HAMMOND, THOMAS JOHNSON, JOHN HALL, ANNAPOLIS, and SAMUEL CHASE, or such of them as shall be pleased to act.

The said Managers to give Bond to the Honourable SPEAKER, and be upon Oath for the faithful discharge of their Trust.

LIST of the PRIZES to be published in the MARYLAND GAZETTE, and the Prizes paid as soon as the Drawing is finished; and those not demanded in Months after the Drawing, to be deemed as generally given to the above Use.

The SCHEME to be made public in the MARYLAND and VIRGINIA GAZETTES, and PENNSYLVANIA JOURNAL.

"LIBERTY, without LIBERTY, is worse than DEATH," TICKETS may be had of any of the Managers, or of most of the Members of the Lower House of Assembly.

\* There not having been such a full Return of the SALE of TICKETS as could have been wished; rather too many TICKETS to lie on the Risk of the SCHEME, being still unfold; and as the Winter Season will be too far advanced after the November County Courts, the MANAGERS have resolved to begin the Drawing, certainly, on the Thursday after the Third Tuesday in May next, when many of the Adventurers may attend, with Convenience.—It is hoped by that Time all the TICKETS will be sold, but if they should not, the PUBLIC may rely on the LOTTERY's being then drawn. The MANAGERS take this Opportunity to return their hearty Thanks to those Gentlemen who have assisted in the SALE of TICKETS, and beg they will return any they may have unsold, at least a Week before the Drawing.

PRINTING-OFFICE: Where all PERSEMENTS, of a moderate Length, long Ones in Proportion to their weight, and of BLANKS, viz. COMMON and UPPER BONDS annexed; BILLS of Exchange performed in the neatest and

MARYLAND GAZETTE

THURSDAY, DECEMBER 3, 1767.

ANNAPOLIS, Nov. 25, 1767.

TO THE FREEHOLDERS AND FREE-VOTERS IN ANNE-ARUNDEL COUNTY.

\* The following PIECE was intended for this Paper last Week, but did not arrive in proper Time for Insertion.

GENTLEMEN, THE Writs of Election being issued, and the Third Day of next Month appointed for your Choice of DELEGATES, to represent you in future ASSEMBLY; I flatter myself, as an ELECTOR among you, and one as heartily disposed as any of you, to promote the Welfare of the Community, in general, and that of our County, in particular, I shall find your favourable Excuses for the following hasty and imperfect Thoughts I have ventured to submit to your Considerations, relative to the great and important Business in which you are so speedily to be engaged.—A Business of the highest Concern to yourselves, and of no less Import to the Province; I mean, that of electing and constituting our Representatives, whereon depends, in Part, (at least so far as our Powers and Discretion reach,) "The Sanity and Health of the whole STATE."

For, I trust, Gentlemen, that you are not to be taught at this Day, that it is by your Representatives, in Assembly convened, vested with the Authority you have delegated unto them, that you are, in the Reason and Intendment of our Laws and Constitution, supposed to be assisting or dissenting to each particular legislative Transaction that hath Existence in the Community: That it is by the Mouths of your Representatives, that you are enabled to speak; and in, and by them, and them only, "That you move and have your Being in the Legislature:" That on their Voices in Assembly, consequently rest, in a great Degree, the Preservation of your personal Security, personal Liberty, real and personal Property, Religion, and All that is dear to you—Your Lives, your Estates, stand equally exposed to the Jeopardy of their Decisions: They may hang the Sword of Penalty, provided in their Laws, perpetually over the former, and ruin the latter, by various and endless Taxes imposed upon it. In one Word, when once you have constituted your Representatives, which is briefly effected by your Election of them, your Powers of Government presently depart from you, and devolve on them, to be exercised by them in future Assembly: Hence your All (if they prove not Men of Integrity) becomes subjected to their Disposal; they may misuse, or abuse, at their Discretion, the sacred Trust you have reposed in them, for the Good of yourselves and the Community, and ye are destitute of any immediate legal Redress.

How cautious then ought you to be in the Disposition of such a Trust! How circumspect, how vigilant, in the Lodgement of such extensive Powers!—Powers, which placed, in honest, able, and upright Hands, may be productive of innumerable Blessings to Thousands! But, entrusted in weak, or (what is worse) in wicked Hands, may be the Means of endless Evil to ourselves, and destructive of the Constitution of our Government:—Be wary, therefore, be deliberate and nice, in the arduous Business on which you are entering. "Tent to the Quick," the Candidate (if unknown to you) who would solicit the sacred Trust of representing you: Inform yourselves well of his Qualifications, and be not overfond "of each new-hatch'd unsledg'd Pretender." Such of your former Representatives, who have merited well by their Conduct in Assembly,

"—and whose Adoption you have try'd, "Grapple—to your Souls with Hooks of Steel;" But, let each new Suitor for your Voices, "be testified in his own Bringings forth," and

\* " Judge of the Tree by its Fruit."

see " that the Stream of his Life, and the Business he hath helmed, give due Proclamation of his Sufficiency to serve you.

\* LORD COKE hath somewhere written, " what Properties a PARLIAMENT-MAN should " have;" but his Notions thereof, being (in my Opinion) rather fanciful, than solid, I shall take the Privilege of mentioning here, those Characteristics which I apprehend are more truly denotive of a sound ASSEMBLY-MAN. And, primarily, I would recommend, That he be ABLE in ESTATE, ABLE in KNOWLEDGE and LEARNING. By his ABILITY in the former, he at least is circumstanced to steer clear of all the dangerous Baits CORRUPTION may lay to entrap him. By his ABILITY in the latter, to serve his Country, at all Times, with Effect, Repute, and Credit. His KNOWLEDGE cannot be too great, his LEARNING too extensive, for so arduous an Employ. On the contrary, we have had sad Instances, which evince, that each may be vastly too slender—vastly too unequal, to so high a TRUST: Yet, what is very astonishing to me! How many little upstart insignificant Pretenders to the Honour of a Seat in our House of Assembly, do we find in almost every County in our Province! The Creature that is able to keep a little Shop, rate the Price of an Ell of Osabrigs, or, at most, to judge of the Quality of a Leaf of Tobacco, instantly commences STATESMAN, and esteems his little petty Parts adequate to the great and complex Science of LEGISLATION,

PERSONS of such a Cast—Nay, Men of superior Rank and Understanding in the Community, who are ambitious of receiving so high a Trust from the People, would do well to consider the Nature and Importance of it. " They are not, (as a celebrated Writer truly observes †, from one of whose Pieces I have made the following Extract) thus honourably to be distinguished from the rest of their Fellow-Subjects, merely that they may privilege their Persons, their Estates, or their Domesticks; that they may lift under Party-Banners, may grant, or withhold Supplies, may vote with, or vote against, a popular or unpopular Administration; but upon Considerations far more interesting and important. " They are intended to be the Guardians of our Constitution, the Makers, Repealers, and Interpreters of our Laws; delegated to watch, to check, and to avert every dangerous Innovation; to propose, to adopt, and to cherish any solid and well-weighted Improvement; bound by every Tie of Nature, of Honour, and of Religion, to transmit that Constitution, and those Laws, to their Posterity, amended, if possible, at least without any Derogation.

" AND how unbecoming must it appear in a Member of the Legislature, to vote for a new Law, who is utterly ignorant of the old? " What kind of Interpretation can he be enabled to give, who is a Stranger to the Text upon which he comments? Indeed (continues my " Author) it is really amazing, that there should be no other State of Life, no other Occupation, Art, or Science, in which some Method of Instruction is not looked upon as requisite, except only the Science of Legislation, " the noblest and most difficult of any. Apprenticeships are held necessary to almost every Art, commercial or mechanical. A long Course of Reading and Study must form the Divine, " the Physician, and the practical Professor of the Laws; but every Man," now a-Days, " thinks himself born a Legislator: Yet the great TULLY † was of a different Opinion. It is necessary, says he, for a SENATOR to be THOROUGHLY ACQUAINTED WITH THE CON-

\* See 4<sup>th</sup> Inst. Fol. 3. " First,—He must have no Gall. Secondly,—He must be inflexible, and unable to bow. Thirdly,—He must be of most ripe and perfect Memory. Fourthly,—Of greatest Strength and Understanding: And, Fifthly,—Philantropos; " that is, A Lover of Mankind." These are all allusive to the Properties of an ELEPHANT, which he hath fancifully transfer'd to a Parliament-Man. † Dr. BLACKSTONE's Discourse on the Study of the Law, 8<sup>o</sup>. † Vid. De Reg. III. 18.

STITUTION; and this he declares is a Knowledge of the most extensive Nature, a Matter of Science, of Diligence, of Reflection; with which, no SENATOR can possibly be fit for his OFFICE."

LORD COKE himself takes Notice of the Inconveniences that result to the Community in his Time, " by ill-judging and unlearned Legislators." " If Acts of Parliament, (says he) were, after the old Fashion, penned by such only as perfectly knew what the Common Law was, before the making of any Act of Parliament concerning that Matter; as also, how far forth former Statutes had provided Remedies for former Mischiefs and Defects, discovered by Experience; then should very few Questions in Law arise, and the Learned should not so often, and so much perplex their Heads: " to make Atonement and Peace, by Construction of Law, between insensible and disagreeing Words, Sentences and Provisions, as they now do. Provisions, many Times, on a sudden, penned, or corrected by Men of none, or very little Judgment in Law."

HENCE, Gentlemen, you may evidently discern the Expediency,—I might say, the Necessity of your REPRESENTATIVES being learned and knowing in the Laws of your Province, and those of our Mother-Country, now so largely adopted by us. I would not however, be understood to insinuate here, that none but Lawyers are qualified to represent you in Assembly. Far be it from me. Such of them who make the Laws their Study, and incessantly pore over them, with little other View, than to use them " as Springes to catch Wood-Cocks;"—Such of the Fraternity of the Law, I say, who exercise their Talents, " in the mean, but gainful Application to all the little Arts of Chicanery;" are not the Persons I am pointing out to you, as worthy of your Approbations: But those, (if any such there be among us) whether of the above Order of Men, or not, it matters nothing to me; who make our Laws their Study, for the good and beneficial Purposes of Society; the better to enable them to uphold our Constitution, and to protect themselves and the People in the just Possession of their Rights, Liberties and Properties.

AND thus much may probably be deemed sufficient, by way of Paraphrase, on the Ability of your Representative.

PERMIT me, now, to subjoin some other Qualities, equally essential with the former to him, and which must enter into his Composition, to render his Character perfect. And I would recommend, principally, that he be possessed of Honesty, Affability, Uprightness, Courtesy, and Courage. The Use and Excellency of all, and each of these Perfections, in a STATESMAN, must be so obvious to you, that I am persuaded they need no Comment or Explication from me. In one Word, and to picture at one Stroke, the Character of a proper Representative of the People, I would require that he be " a compleat Gentleman," in the genuine Acceptation of those Words. A Man of Learning, of Honour, of strict Principle;

" Firm to his Purpose, Steady to his Trust, " Inflexible to Ill, and obstinately just."

Let but a Candidate of this Sterling Stamp—one possessed of the above endearing Qualifications and Perfections—and, who, upon a thorough self-Examination, feels himself fully to be within my Description, stand forth among us, and solicit the Honour of our Suffrages.—" Let him, moreover, by a solemn, open, and explicit Renunciation of all Places, Pensions, and every other Species of Court-Merchandize, lay the Ground-Work for obtaining the Favour and Confidence of the PEOPLE; and, as far as Honour and Infamy can bind, give Security for the religious Observance of his Engagement:" Let him, I say, act this Part;—and, without the Spirit of Prophecy, I dare

\* See Preface to 2<sup>d</sup> Rep. † See Lord BOLINGBROKE on the Study of History