

December 21, 1772. lowest Bidder, on the second Monday, if fair, if not the next fair Day, Joshua Evans, near the Falls of Paoudou County, in Virginia, of a Brick Church, Fifty-three Feet in the clear, the Walls to be eight Feet from the Surface. One Hundred Pounds Virginia Currency will be taken the Day the Work is let, on and approved Security; Three Hundred Pounds more will be paid in other Payments will be agreed on the spot. Any Person willing to build is desired to attend at the Time laid, in order to undertake the same.

HUTCHISON. Church Wardens. February 15, 1773. Vendue, on Saturday the 6th Day, if fair, if not the next fair Day, in the Dwelling Place, Groceries, and sundry Household Furniture, many Plantation Utensils; and of almost all Kinds; a good Black-Four Years and a Half to serve; a Smiths Tools, One new Waggon in best Manner, One good Cart. Articles will be sold for Cash or Exchange.

had stolen from him about the last, One gray Mare, branded with a Letter on the Shoulder, the other is a natural pacer, about Nine or Fourteen Hands high. Whoever brings Mare, so as the Subscriber may get Five Pounds Reward, and if brought to Conviction, Five Pounds

RICHARD YEATES. Subscriber had some Time past assignments of a certain William Noble, himself to a certain Dr. John the space of Three Years and Three as it appears he never served his therefore to acquaint the Publick, who will apprehend the said William Noble, shall have the said William Noble for their Trouble, and all charges, paid by R. Y.

COB and ABRAHAM CLAUDE, MAKERS FROM LONDON, Shop, opposite Mr. Ghiselin's, is West-Street, Annapolis, they repair all Sorts of repeating, and plain Watches, in the most approved Manner, and at the most reasonable Rates. Those Ladies and Gentlemen favour them with their Custom, may have their Work done with the greatest Exactness, as they will execute all selves without employing any other person. They engage their Work for one Year: They will repair any Watches of their own warrant them as good as if bought

Allen, a Clockmaker from Bir-joined them, who makes and repairs musical, Chime, Town, and plain in the best Manner. He also repairs arms and most Kinds of Metal and Clocks, at reasonable Rates. Any Person, having Clocks out of Order, shall be waited on as soon as possible.

December 4, 1772. between Baltimore-Town and Mr. Searles's Plantation, a small Silver Watch, Campbell's-Town, No. 12. Chain, Steel Key, a Key belonging to Saddle Bags, a Glass Seal set in impression Two Doves and a Man's ever finds the said Watch, and delivers Christopher Limes in Baltimore-Town, the King of Prussia's Head, or to Mr. at Elk-Ridge Landing, shall receive Six Dollars, and no Questions asked. Silversmiths, and others, into the said Watch may fall, are earnestly give Notice thereof to the abovementioned, which will intitle them to the paid by JAMES WILSON, Musician.

and to be sold by the subscribers, at their on the Dock in Annapolis, CITY of choice. Barbados Rum and RACE, DAVIDSON and JOHNSON.

over Monday, January 19, 1773. Wholesale at a low Advance, for Cash in Bills, fifteen Hundred Pounds prime Cost of well assorted. COLIN CAMPBELL.

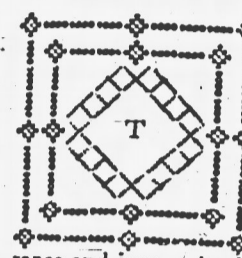
and S:O:N.

(XXVIIIth YEAR.)

THE MARYLAND GAZETTE.

THURSDAY, MARCH 11, 1773.

Though some counsellors will be found to have contributed their endeavours, yet there is ONE, who challenges the infamous pre-eminence, and who by his capacity, craft, and arbitrary counsels, is entitled to the first place among these betrayers of their country." Humie's Hist. of Eng. Vol. V. p. 243. 4to. edit.



HE most despotic counsels, the most arbitrary measures, have always found some advocates, to disgrace a free nation: when these men, in the room of cool, and dispassionate reason, substitute virulent invective, and illiberal abuse, we may fairly presume, that arguments are either wanting, or that ignorance and incapacity know not how to apply them.

Considering the known abilities, as a writer, of the person pointed out to be the principal adviser of the Proclamation, considering too, his legal and constitutional knowledge, we can hardly suppose, if solid reasons could be adduced in support, or extenuation of that measure, but what they would have been urged, with all the force of clear, nervous, and animated language. There will not, I imagine, be wanting lawyers, to undertake a refutation of Antilon's legal reasoning in favour of the Proclamation; I shall therefore examine his defence of it, rather upon constitutional principles, and endeavour to shew, that it is contrary to the spirit of our constitution in particular, and would, if submitted to, be productive of fatal consequences: but previous to my entering upon this enquiry, it will be necessary to expose the "shameless effrontery," with which Antilon has asserted facts, entirely destitute of truth, and from which he has taken occasion to blacken the character of a gentleman, totally unconnected with the present dispute. Who that gentleman is, no longer remains problematical; the place of his education, and his age, have been mentioned, to fix the conjectures of the publick, and to remove all doubt "He, instigated by inveterate malice, has invented falsehoods for incorrigible folly to adopt, and indurated impudence to propagate." Of this Antilon has confidently accused him; but upon what proof? on no other than his own conjecture. The first Citizen avers (and his word will be taken sooner than Antilon's) that he wrote the dialogue between two citizens, published in the Maryland Gazette of the 4th instant, without the advice, suggestion, or assistance of the supposed author or coadjutor. But the first Citizen, and the Independent Whigs are most certainly confederated; they are known to each other by an assertion this, Antilon, equally rash and groundless with your former. Why do you suppose this confederacy? From a similitude of sentiments with respect to your conduct, and Proclamation? If so, then indeed are nine tenths of the people of this province confederated with the first Citizen. The Independent Whigs however, as it happens, are unknown to the first Citizen; of their paper he had not the least intelligence, till he read it in the Maryland Gazette of the 11th instant: he now takes this opportunity, of thanking these gentlemen, for the compliments, which they have been pleased to bestow on his endeavours, to draw the attention of the publick, from other objects, to the real authors, or rather author of all our evils.

With what propriety, with what justice can Antilon reproach any man with malignity, when stimulated by that passion, he accuses others without proof of being confederated with the first Citizen, and from mere suspicion of so treasonable a confederacy, vomits out scurrility and abuse against imaginary foes? Not content with uttering falsehoods, grounded solely on his own presumption, he has imputed the conduct of "one of the confederates" to a motive, which if real, can only be known to the great searcher of hearts. This confederate is represented "as wishing most devoutly" (a pious and christianian insinuation) for an event of all others the most calamitous, the death of a most loved parent; ungenerous suggestion! unfeeling man! do you really entertain such an opinion of the son? Do you desire, that the assigned cause of the imputed wish should have its intended effect, create uneasiness, a coolness, or distrust? What behaviour, what incident, what passage of his life, warrant this your opinion of the son, supposing it to be real? That they have always lived in the most perfect harmony, united by nature's strongest ties, parental love, filial tenderness, and duty, envy itself must own. That father, whose death the son devoutly wishes for, never gave him cause to form a wish so execrable; he has been treated with the strictest affection, and indulgence by the father; in return for all that tenderness and paternal care—

"Him, let the tender office long engage,  
To rock the cradle of reposing age;  
With lenient arts extend a father's breath,  
Make languor smile, and smooth the bed of death."  
POPE.  
I cannot conceive what "the generous and spirited behaviour" is.

The words in small Roman letters are substituted instead of the words enterprise, and courage, made use of by the Author.

"viour of one of the confederates" (who by the bye is no confederate) on a former occasion, has to do with the present question, unless to divert the attention from the subject, or to introduce a specimen of satire, and falsehood prettily contrasted in antitheses. The period, I confess, runs smooth enough; but Antilon, let me give you a piece of advice, though it comes from an enemy, it may be useful; whenever you mean to be severe, confine yourself to truth; illiberal calumny recoils with double force on the calumniator. An expression of the first Citizen has been construed into a "preparation" to malign the minister's son: if this intention could be fairly gathered from the words inserted in the note (A) (and there are no other to give the least colour to the charge) it would cause the first Citizen unfeigned concern. To wipe off the imputation, I must beg leave to refer the reader to the dialogue published by the first Citizen; he will there see, that the said Citizen intimates, a confidence ought to be placed in our ministers, because they are men of property, "and have as deep a stake in the safety of the constitution as any of us." In answer to this reasoning, the first Citizen observes, that a minister's wealth is not always a security for his honesty; because, to increase that wealth, to maintain his seat, and to aggrandize his own, he may be tempted to enlarge the powers of the crown, (the first Citizen speaks generally) more especially should he (the minister) have any expectation of transmitting his post to one of his own family, to his son for instance. "It has been the maxim (says a judicious historian) of English princes when ever popular leaders encroach too much on royal authority, to confer offices on them, in expectation that they will afterwards become more careful, not to diminish that power, which has become their own."

It is not even asserted, that the minister does actually entertain a hope of securing his office to his son, but that, possibly, he may entertain such a hope. It may be impoetic in the supreme magistrate, to grant offices to many of, and to continue them in the same family, but it is natural for the head of that family, to wish it; if even to wish to transmit an office to his son, should be thought culpable in the father, yet still is the son exempt from all blame.

I must answer a question or two, put by Antilon, before I go into an examination of his reasons, in support of the Proclamation, that the argument may be as little interrupted, and broke in upon, as possible, by topics foreign to that enquiry. Antilon asks, "What do the confederates mean (he should have said what does the first Citizen mean) by dragging to light—made to feel the resentment of a free people—endeavour to set the power of the supreme magistrate above the laws—dread of such fate." Answer—By dragging to light, nothing more was meant, than that the house of delegates should again endeavour, by an humble address to the Governor, to prevail on him to disclose the ill ADVISER, or those ill advisers who have most daringly presumed to tread on the invaluable rights of the freemen of Maryland. "Made to feel the resentment of a free people" may need a little explanation; the sense of the subsequent quotations, is sufficiently obvious; if the real adviser, or advisers, of the Proclamation, could be discovered, in my opinion (I do not mean to dictate, and to prescribe to the delegates of the people) they ought, in justice to their constituents, humbly to address the Governor; to remove him, or them, from his counsels, and all places of trust, and profit, if they be invested with such, not merely as a punishment on the present transgressor, or transgressors, but as a warning to future counsellors, not to imitate their example. I have dwelt the longer on the meaning of the words—"made to feel the resentment of a free people," because I perceive pusillanimity and conscious guilt have inferred from the expression, "a sanguine hope in the confederates," that the free people of Maryland will become a lawless mob at their instigation, and be the dupes of their infernal rage.

Sleep in peace, good Antilon, if thy conscience will permit thee; no such hope was conceived by a thought of the sort never entered the first Citizen's head, nor (as he veily believes) of any other person. The first Citizen rejects with horror, and contempt, the cowardly aspersion. But should a mob assemble to pull down a certain house, and hang up the owner, methinks, it would not be very formidable, when headed and conducted by a monkey, against a chief of such spirit and resolution. Sarcasms on personal defects, have ever been esteemed the sure token of a bale and degenerate mind; to possess the strength and graces of your person, the gentleman alluded to, would not exchange the infirmities of his puny frame, were it, on that condition, to be animated by a soul like thine.

I have at length gone through the painful task, of silencing falsehood, exposing malice, and checking insolence. The illiberal abuse so plentifully dealt out by Antilon, would have been passed over with silent contempt, had he not so interwoven it with positive assertion of facts, that the latter could not be contradicted, without taking some notice of the former.

I shall now examine Antilon's reasons in justification

of the Proclamation, and after his example, I shall first compare the two transactions, the Proclamation, and the assessment of ship-money. That the latter was a more open, and daring violation of a free constitution (B) will be readily granted; the former, I contend, to be a more disguised, and concealed attack, but equally subversive, in its consequences, of liberty. Antilon's account of the levy of ship-money, though not quite so impartial as he insinuates, I admit in the main to be true. "The amount of the whole tax was very moderate, little exceeding £. 200,000; it was levied upon the people with justice and equality, and this money was entirely expended upon the navy, to the great honour and advantage of the kingdom." At that period the boundaries between liberty and prerogative were far from being ascertained; the constitution had long been fluctuating between those opposite, and contending interests; and had not then arrived to that degree of consistency and perfection, it has since acquired, by subsequent contests, and by the improvements made in later days, when civil liberty was much better defined, and better understood. The assessment of ship-money received the sanction of the judges. "After the laying on of ship-money," Charles, in order to discourage all opposition, had proposed the question to the judges, "whether in a case of necessity, for the defence of the kingdom, he might not impose this taxation; and whether he was not sole judge of the necessity." These guardians of law and liberty, replied with great complaisance (reflect on this, good reader) that in a case of necessity, he might impose that taxation, and that he was sole judge of the necessity." The same historian speaking of that transaction concludes thus: "These observations alone may be established on both sides, That, the appearances were sufficiently strong in favour of the King, to apologize for his following such maxims; and that, publick liberty must be so precarious, under this exorbitant prerogative, as to render an opposition, not only excusable, but laudable in the people." But I mean not to excuse the assessment of ship-money, nor to exculpate Charles, his conduct will admit of no good apology.

Now let us take a view of the Governor's Proclamation, advised by the minister, and of all its concomitant circumstances. A disagreement in sentiment, between the two branches of our legislature, about the regulation of officers fees, occasioned the loss of the inspection law in the month of November, 1770. Some proceedings in the land-office, had created a suspicion in the members of the lower-house of that assembly then sitting, "That the government had entertained a design, in case the several branches of the legislature should not agree in the regulation of officers fees, to attempt establishing them by Proclamation." To guard against a measure "incompatible with the permanent security of property and the constitutional liberty of the subjects," they in an address to his Excellency asserted, "That could they persuade themselves, that his Excellency could possibly entertain a different opinion, they should be bold to tell him, that the people of this province will ever oppose the usurpation of such a right." To which address the Governor returned this remarkable answer in his message of the 20th day of November 1770, "That his lordship's authority had not yet interposed in the regulation of fees of officers, nor had he any reason to imagine, it would interpose in such a manner as to justify a regular opposition to it." (C)

Notwithstanding this declaration, a few days after the prorogation of that assembly, the Proclamation of the 26th day of November (the subject of the present controversy) was issued, contrary to a seeming promise given by the minister (for I consider the Governor's speeches and messages as flowing from his minister's advice) and contrary to the opinion entertained by the minister himself, of its legality. The accusation will not appear too rash, when we reflect on the abilities of the man, his experience, his knowledge of the law and constitution, and his late firm and pitiful vindication of the measure. He knew that a "similar Proclamation published in the year 1733 had agitated and disjointed this province till the year 1747. The evils, which were thereby occasioned, ought strongly to have dissuaded a second attempt, to exercise such power." Antilon has admitted this fact, and has attributed "the most violent opposition that ever a Governor of Maryland met with" to this very measure—"He (Ogle) was so well convinced of the authoritative force of the Proclamation, for settling fees of officers, that he expressly determined, as Chancellor, by a final compulsory decree, fees should be paid upon the authority, and according to the very settlement of the Proclamation," which of his own will and mere motion he had pre-ordained as Governor.

What is the meaning of all this in plain English? Why, that Ogle made himself both judge and party; like the French King, he issued out his edict as a law, which he enforced in his own court, as judge. I am unwillingly, and unavoidably drawn into the censure of a man, who by his subsequent conduct, which was mild and equitable, fully atoned for the oppressions (shall I call them errors) of his former administration.

HUMIE