" underſtood." That you perſuaded him to think the proclamation was calculated *ſolely* for the benefit of the people, I eaſily credit, and that he really thought ſo, I will as readily admit: your *ſubdolous* attempts to involve the governor in *your* guilty counſels, and make him a partner in *your* crimes, diſcover the wiſdom of the maxim, "*The King can do no wrong*," and the propriety, nay, the neceſſity of its application to the ſupreme magiſtrate of this province. I ſhall adopt another maxim eſtabliſhed by the Britiſh parliament, equally, wiſe, and juſt, "*The King's ſpeeches are the "miniſters ſpeeches.*" The diſtinction, perhaps, will be ridiculed with falſe wit, and treated by ignorance, as a device of St. Omers. The proroguing ſpeech, though perhaps not penned, yet prompted by you, ſuggeſts that nine tenths of the people underſtood the proclamation was iſſued for their benefit; how is the ſenſe of the people to be known, but from the ſentiments of their repreſentatives in aſſembly? To judge by that criterion, the proclamation was not underſtood by nine tenths of the people as iſſued for their benefit. That the application of the above maxims ſhould give you uneaſineſs, I am not ſurpriſed; they throw guilt of bad meaſures on the proper perſon, on you, and you only, the real author of them; the glory, and the merit of good are wholly aſcribed to you, by your unprincipled creatures; the ſpirited reply to the petitioners for a biſhop was delivered, it is ſaid, in purſuance of your advice: be it ſo, claim merit wherever you can, I will allow it, wherever it is due; but ceaſe to impoſe on your countrymen, think not to aſſume all the merit of good counſels, and of bad to caſt the blame on others. Hampden has been deſervedly celebrated for his ſpirited oppoſition to an arbitrary, and illegal tax; a ſimilar conduct would deſerve ſome praiſe, and were the danger of oppoſition, and the power of the oppreſſor as great, the merit would be equal. The violent oppoſition, which Mr. Ogle met with, proceeded, I thought, in great meaſure from the cauſe aſſigned in my laſt paper; it certainly occaſioned great diſcontents.

The decree for the payment of fees "*according to the very ſettlement of the proclamation*," was given, as I conceived, in his firſt adminiſtration. A miſconception of Antilon's meaning lead me into this error; that I would wilfully ſubject myſelf to the imputation of a falſehood ſo eaſily detected, will ſcarcely be credited, unleſs it be believed, that the hardened impudence, and *habitual mendacity* of an Antilon, become *proverbial*, had rendered me inſenſible of ſhame, and regardleſs of character. "The Citizen has ſaid, the "proclamation ought rather to be conſidered as a di"rection to the officers, what to demand, and to the "people what to pay, than a reſtriction of officers"—Antilon affects to be much puzzled about the meaning of the word *direction*; it is ſurpriſing he ſhould, when he holds up the proclamation, as the ſtandard, by which the courts of juſtice are to be governed in aſcertaining coſts, as the only remedy againſt the extortion of officers, by ſubjecting them to the governor's diſpleaſure, and removal from office, if they ſhould exceed the eſtabliſhed rates, or to a proſecution for extortion, ſhould the legality of the proclamation be eſtabliſhed in the ordinary judicatories. It is a common obſervation confirmed by general experience, that a claim in the colony-governments of an extraordinary power as incidental to, or part of the prerogative, is ſure to meet with the encouragement, and ſupport of the miniſtry in Great-Britain. That the proclamation is a point which the miniſter of Maryland, *(our Antilon)* wants to eſtabliſh, is by this time evident to the whole province. Every artifice has been made uſe of, to conceal the dangerous tendency of that meaſure, to reconcile the people to it, and to procure their ſubmiſſion. Opinions of eminent counſel in England have been mentioned, the names of the gentlemen are now communicated to the publick; the ſtate, on which thoſe opinions were given, though called for, the perſon, who drew it, and adviſed the opinions to be taken, ſtill remain a profound ſecret. The ſacred name of majeſty itſelf, is proſtituted to countenance a meaſure, not juſtifiable upon legal and conſtitutional principles, to ſilence the voice of freedom, and of cenſure, and to ſcreen a guilty miniſter, from the juſt reſentment of an injured, and inſulted country. The whole tenor of Antilon's conduct makes good the old obſervation, "That when miniſters are pinched in "matter of proceeding againſt law, they throw it up"on the King" *(M)*. Antilon has repreſented the proclamation, as the immediate act of the governor, "*The governor was not to be directed, &c.*" now, to give it a ſtill greater ſanction, we are told, the governor's conduct in this very buſineſs, has met with the royal approbation. To what purpoſe was this information thrown out? Was it to intimidate, and to prevent all farther writing, and diſcourſe about the proclamation? Unheard of inſolence! The pride, and arrogance of this Antilon, have bereft him of his underſtanding; quos deus vult perdere, primò dementat. Speaking of the proclamation the Citizen has ſaid, "*In a land of freedom, this arbitrary exertion of prero*"*gative, will not, muſt not be endured.*" Antilon calls theſe *naughty words*, and intimates a repetition of them would be dangerous. In a free country, a contrary doctrine is inſufferable; the man, who dares maintain it, is an enemy to the people, perhaps, the time may not be very diſtant, when this haughty, ſelf-conceited, this *tremendous* Antilon will be obliged to lower his tone, and will find perchance my Lord Coke's ſaying prove true, "That the miniſter, who "wreſtles with the laws of a free country, will be ſure "to get his neck broke in the ſtruggle." I have aſſerted, that the Citizen's firſt paper was wrote without the advice, ſuggeſtion, or aſſiſtance of any perſon; theſe words, it ſeems, are not ſufficiently comprehenſive; What words of a more extenſive import can be made uſe of? I have denied all knowledge of the paper wrote by the Independent Whigs, till it was publiſhed in the Maryland gazette; to this moment the Independent Whigs are unknown to me. The communication to ſome gentlemen in private, of a paper wrote againſt an obnoxious miniſter, cenſuring his publick conduct, though the ſtrictures might meet with their approbation, ought not to render them ſo culpable, as to juſtify the miniſter in loading them with the foulеſt, and moſt virulent abuſe; Does the writer even deſerve ſuch treatment? I was too well acquainted with the temper, and character of Antilon, not to be prepared againſt the bittereſt invectives, which malice might ſuggeſt, and falſehood could propagate; ſuch, I was perſuaded, a cenſure of his meaſures, would draw on his cenſurer. Conſcious of my integrity, confiding in the goodneſs of my cauſe, and deſirous of counteracting the inſidious deſigns of a *wicked miniſter*, I took up my pen, determined to deſpiſe the calumnies of a man, which I knew, a candid publick would impute to his malevolence. The event has confirmed my apprehenſions, Antilon has poured out the overflowing of his *gaul*, with ſuch fury againſt the Citizen, that, to uſe the words of Cicero applied to Anthony.

"Omnibus eſt viſus vomere *ſuo more* non dicere" He ſeems according to cuſtom, rather to ſpew, than to ſpeak.

The extracts from Petyt were to ſhew, that the commons had cenſured proclamations iſſued to "*eſta*"*bliſh matters rejected by parliament in a ſeſſion immedi*"*ately preceding*;" That, "*Former proclamations had* "*been vouched to countenance, and to warrant the latter.*"

The Citizen had no intention to deceive the people; no wiſh, that more might be inferred from his "*little* "*ſcraps*," than what was plainly announced. The proclamations alluded to, were contrary to law: and it is contended, and, I truſt, it has been proved, that the proclamation for ſettling officers fees is alſo contrary to law. Had the Citizen deſignedly ſuppreſſed the titles of the proclamations recorded in Petyt, would he have mentioned the authors name, and referred his readers to the very page, from which the extracts were taken? Would he not rather have imitated the conduct of Antilon, who ſpeaking in his firſt paper, of a commiſſion iſſued by the King to the chancellor for ſettling fees, neither mentions the book, from which the quotation is given, nor the time of the tranſaction. I comprehend fully, Antilon, your threats thrown out againſt certain religioniſts, to ſhew the *greatneſs of your ſoul*, and your utter deteſtation of malice, I ſhall give the publick a tranſlation of your latin ſentence; the ſentiment is truly noble, and reflects the higheſt luſtre on it's author, or adopter.

"Eos tamen lædere non exoptemus, qui nos lædere non exoptant."

"We would not wiſh to hurt thoſe who do not wiſh "to hurt us"—in other words—I cannot wreak my reſentment on the Citizen, without involving all of his religion in one common ruin with him; they have not offended me, it is true, but it is better, that ninety-nine juſt ſhould ſuffer, than one guilty man eſcape; a thorough paſted politician never ſticks at the means of accompliſhing his ends; Why ſhould I, who have ſo juſt a claim to the character? Theſe, Antilon, are the ſentiments, and threats, couched under your latin phraſe, which *you even* were aſhamed to avow in plain Engliſh; how juſtly may I retort

——————pudet hæc opprobria dici,
"Et dici potuiſſe, et non potuiſſe refelli."

The concluſion of a late excellent pamphlet *(N)* is admirably ſuited to the preſent ſubject; I ſhall, therefore, tranſcribe it, taking the liberty of making a few alterations, and inſertions. "If we ſee *an arbitrary* "*and tyrannical diſpoſition ſome where*, the call for "watchfulneſs is a loud;" *That there is ſuch a diſpoſition ſome where, and where, we all know—the proclamation, and the arrogance of it's ſupporter, are convincing proofs.* "A tyrannical ſubject wants but a tyranni"cally diſpoſed maſter, to be a miniſter of arbitrary "power; if ſuch a miniſter finds not ſuch a maſter, "he will be the tyrant of his prince"—*or prince's repreſentative*—"as much as of his fellow ſervants, and "fellow ſubjects—I ſhould be ſorry to ſee" *the governor of this province* "In chains, even if he were "content to wear them—to ſee him unfortunately in "chains, from which perhaps he could with difficulty "free himſelf, till the perſon, who impoſed them, "runs away: which every good ſubject would, in "that caſe, heartily wiſh might happen; the ſooner, "the better for all."

FIRST CITIZEN.

(M) Grey's debates.

(N) Intitled, a ſpeech againſt the ſuſpending and diſpenſing prerogative.

COPENHAGEN, *February* 11.

ALL the captains and chief commanders of the royal navy of Denmark, were ſummoned to appear before the board of admiralty on the 8th inſtant when they received orders to take in a twelvemonths proviſion with all ſpeed. The victualling office had been previouſly appriſed of this, and the orders were ſo ſtrictly attended to, that they began the ſame day to take in biſcuit, &c.

LONDON, *February* 8.

On Saturday the Court of Common Pleas gave final judgment on the queſtion of law which came before it laſt term, "whether an action of treſpaſs and falſe impriſonment would lay againſt an attorney for any miſtake, or act proceeding from ignorance in the execution of his office and way of his profeſſion at the ſuit of the defendant." The Lord Chief Juſtice, who delivered the determination of the Court in a ſolemn argument which laſted for above an hour and a half, cited a variety of caſes in full proof, that an action would lay in the preſent inſtance, and a very great number of correlative deciſions, to ſhew that the grand principles of the common law went directly in ſupport of that opinion. He ſaid, that the act of impriſoning muſt be either defended, excuſed, or denied. It could not be defended, becauſe all the proceedings relative to the arreſt were totally informal and illegal, were therefore vacated, and the writ looked upon in the ſame light as if it had never been iſſued. It could not be excuſed, becauſe miſtake or ignorance are not inevitable; nor could it be denied, becauſe the fact had been already ſufficiently and ſatisfactorily proved. He next remarked, that there had been three perſons either virtually or actually concerned in the tranſaction; the Plaintiff, the Attorney, and the Officer who executed the writ. The firſt of whom was virtually a treſpaſs, by being bound by the act of her Attorney. The ſecond, as acting through miſtake or ignorance, was equally a treſpaſſer; but the officer, acting miniſterially, muſt always ſtand excuſed, becauſe he could not have done otherwiſe: beſides, as the proceedings were vacated, and the record of the whole tranſaction deſtroyed, an officer can never be anſwerable in ſuch a caſe. His Lordſhip then entered largely into an enumeration of the ſeveral advantages and privileges an attorney enjoyed under the common and ſtatute law, as well as the inſtances in which he lay open to be called to an account by his client, or adverſary, and at length concluded, by ſaying, that by the common law of England, confirmed by the ſtatute of Weſtminſter the firſt, an action of deceit would lie againſt an attorney for any damage ſuſtained in goods or chattels, at the ſuit of either his client or adverſary; and that this being a damage ſuffered in the perſon of the latter, an action might be well maintained; and therefore the motion for a new trial to ſet aſide a former verdict of damages awarded by a jury againſt an attorney now before the court, muſt be diſcharged. His lordſhip, among a great number of other authorities, quoted Glanville, Bracton, the year-books of Edward III. Henry IV. Edward IV. and Henry VI. Coke's inſtitutes, Crook Elizabeth, and Crook James, Brooke, Keeble, Raymond, Roll's abridgement, &c. &c.

March 6. Yeſterday bills were ſtuck up at the Royal Exchange, for volunteers to enter on board the following men of war under the command of admiral Spry, viz. the Ocean, Albion, Somerſet, Raiſonable, Torbay, Dublin, Boyne, and Kent.

Capt. Pallilton, who arrived a few days ſince in the river, ſpoke with, in lat. 27, long. 43, 30; five French men of war. The largeſt of them, which mounted 80 guns, carried an Admiral's flag at the foretop-maſt head.

The aſſiduous attention, ſays a correſpondent, which Lord Rochford has paid to ſettling the commercial differences between the courts of London and Liſbon, deſerves the higheſt praiſes, and the warmeſt thanks.

ANNAPOLIS, *May* 6.

Capt. Eden, in his paſſage, ſpoke the following veſſels: April 5, a ſloop from New-York, Quill, for Surinam, long. 46: 25 W. lat. 23: 48. Same day, brig Two Friends, Peter Bruſſton, from Madeira for Philadelphia, out 23 days, long. 51, lat. 24: 51: April 13, ſhip Trueman, Joſhua Shepherd, from Briſtol to Charles-Town, laſt from Cork, which ſhe left the 12th of February, long. 57: 4, lat. 26. Same day ſpoke ſloop Lively, Henry Miller, from London for Guadalupe, out 14 days, long. 59. April 24, ſloop Betſey, Andrew Low, from Georgia for New-York, out 9 days.

HAVING often heard that my old inveterate, though unprovoked, enemy Capt. Coolidge, (whoſe dear delight and employment for ſeveral years has been to invent and circulate many malicious falſehoods to bring infamy and ruin upon me and all my connections) had threatened to publiſh ſome *new* calumny, I waited, *knowing the man*, with my uſual indifference, to ſee what the mountain wou'd produce,——when behold——at laſt ——, a little black——ſomething crept forth—— to acquaint the world of the *important diſcovery*—— that Mr. Weſt had——*what?*——*refuſed to ſettle accounts with him!* Really? *Yes really!*——Indeed? *Yes indeed!* PRODIGIOUS!!!——————

Suppoſing the aſſertion to be true, (which I deny,)——how is the publick intereſted? can the publick ſettle the accounts?—I believe the publick will receive little entertainment from ſuch a controverſy;——for my part I am aſhamed to have my name appear on ſo contemptible an occaſion.—

But he wou'd make the world believe that I never let him have the accounts;——the *direct contrary* can be proved; and the *true* reaſon why the accounts have not been *finally* ſettled is, that his behaviour is ſo petulant and abuſive as to render it impoſſible for me to ſettle *peaceably* with him.——

However, ſince he has thought fit to relate *ſo piteous* a ſtory, and exhibit *ſo heavy* a charge *in the Gazette* againſt "S. Weſt" "ſaid Weſt," "the above Weſt" and four more "Mr. Weſts"——*ſaid* Weſt lets him know, *by the ſame channel*, that he need not deſpair or be in a paſſion;——for a ſuit is commenced againſt him to bring the diſpute before the *proper* tribunal: At the firſt court an order may be entered to refer the accounts to gentlemen capable of ſettling them and the award will ſhew *who had the beſt right to complain.*

S. WEST.

May 1, 1773.

Annapolis, May 4, 1773.

JANE and Anne Neilſon, have juſt imported, a neat aſſortment of the neweſt faſhion millenary which they will ſell on very reaſonable terms.