

though actually performed by the officer, whether an officer may lawfully receive not depend on his doing a service, but on having been enumerated, and having had to it in the first settlement, or table of office, under a right to receive fees co-eval with the office, that is, ascertain what fee is taken for doing a service, not having a fee annexed to it, then may government *libitum* the amount of officers' fees, large point out many services performed by officers, but no fee annexed to them, and receive such fees being old, and constituting a settlement of such, cannot according to Auld, be deemed an annexation of new fees.

"When the governor in 1693 under-regulate fees, there was an act of assembly purpose." The delegates did not object to or undertake to regulate fees, because already regulated by law. If that had been the case of the objection they would have been precluded at once all controversy; and upon this general principle—that the undoubted right of the freemen of this province no officers fees ought to be imposed on by the consent of the representative in—To which general position the govern-

The delegates produced several acts of law, that government could not settle officers by prerogative; but if they relied on assembly then in force, why did they not there was the necessity of citing acts of parliament what was already most clearly decided by a positive and subsisting law of the province. The instances mentioned by Antilon of by proclamation prove only the actual exercise of an unlawful prerogative. The dangerous use so often been made of bad, should caution the hasty admission of even good precedents, and always be measured by the principles of justice, and if found the least at variance, or therewith, ought to be speedily abolished. The instances mentioned by Antilon of by proclamation prove only the actual exercise of an unlawful prerogative. The dangerous use so often been made of bad, should caution the hasty admission of even good precedents, and always be measured by the principles of justice, and if found the least at variance, or therewith, ought to be speedily abolished.

"There is nothing like Swift, bathed in me more than this doctrine of prerogative. A job is to be done," (for instance a promise made for officers) "and upon searching you find it has been done before, there want a lawyer (an Antilon) to justify the act, by producing his precedents, without considering the motives and circumstances that induced them, the necessity, or convenience, or the times, the corruption of ministers, or the disposition of the prince then reigning."

"It is not probable the fees of some will in time exceed the governor's income." It is most probable. The governor's fees, fall far short of the register's fees for recording proceedings of the court, copies of the register pays his deputy 40 or £. 50 a pocket fees to the amount of 50,000 pounds discharged in money at 7½ per hundred except the marriage licenses. All the other of the governor's revenue will probably continue in their present state. The commissary's fees must increase with the business, the trouble and expense do not in proportion. The secretary has no trouble, of this office is a mere trifle compared to

at length waded through the argumentative adversary's last paper, I am now come to some more immediately addressed to myself; a still insists that I have assistants; and confess, as my productions are, he will not be the demerit of being single in my folly, was accused of confidence, and self conceit, represented as begging from others, the lit- tained in my last piece.

can reconcile contradictions, and expound laws of law, just as they may suit him.

"Veniet hic de plebe togata
Juris nobis, et legum signato solvat"

I take every opportunity of compliment- ing, somewhat at the expense of your confessions, but not of truth. The observa- tion, an unlimited confidence in a had minister, is already abused. Besides, the merit of being this further merit; the application of it is just. He denies in the most direct terms your influence ascribed to him. The most criminals seldom plead guilty in the after- noon, who have long ago forfeited all title to be credited. I repeat the questions put in my last paper. Was the proclamation by the whole council at the same instant? Was that measure? Did you not privately member of the board to open the scene while you lay lurking behind the curtain, promote mischief, though unwilling to be first mover?

A public concern are the objects of pub- lication. When the real advisers of a min- ister, the secrecy of the transaction, are unknown to the ostensible minister; if the known char- acter man, should perfectly correspond with the deed, an assurance of the truth of the ac- counts arises in the mind, far superior to the founded solely on his denial of the fact, and his positive allegations of innocence, or of in- fluence.

Pen. Farmer's 11th letter. "I recommend an- nual of that letter in my country; it is already an observation, pertinent to the present subject, as with the utmost elegance, perfectly, and

derated gaily. Many members of the council have already avowed the part they took in the measure, and pray what part did they take? that is the very thing we all want to know. If they acted only a secondary part, if mislead by your artful misrepresentations, and so- phistical reasons, they coincided with your opinion, and the least degree of blame can be imputed to them. They have expressed their resentment, at the indig- nity of the imputation—that imputation? that they were imposed on by your artifice? And they the first, will they be the last, whom you have deceived? If any gentleman of the council has taken offence at what I have said, it must be owing, either to misap- prehension, or to your craft suggestions. I meant not to offend; it would grieve me.

"To make one best man my foe." You still carp at the maxim, "The king can do no wrong," or rather at the application of it to the gov- ernor; the publick, and you more than any one see the propriety of the application; the governor per- haps, when too late, may be sensible of it also, and with that he had not placed a confid'ence, which he will hereafter discover has been abused, and may pos- sibly give him many hours uneasiness. "The Citizen" is a wretched, (says Antilon) "haunted by envy and malice."—Antilon has been already called upon for his proofs; the truth of the accusation rests entirely on his ipse dixit, which is at least a very nuptive evidence, that the accusation is false. Why Antilon am I sus- pected of bearing you malice? Have you injured me? Your suspicion implies a consciousness of guilt. What should excite my envy? The splendor of your family, your riches, or your talents? I envy you none of these; even your talents upon which you value your- self most, and for which only you are valued by oth- ers, are so tarnished by your meanness, that they always suggest to my mind, the idea of a jewel buried in a dunghill. As we agree in the essential points, that the revolution was both just and necessary, it is needless to say more on the collateral question, whether the declaration followed or preceded that in- stance; the dispute at best, is almost as insignificant as that about the words *abdicated*, and *deposed*, which disgraced the house of lords. That the national religion was in danger under James the 2d, from his bigotry and des- potic temper, the dispensing power assumed by him, and every other part of his conduct clearly evince.

The nation had a right to resist, and to secure its civil and religious liberties. I am as averse to having a religion crammed down peoples throats, as a procla- mation. These are my political principles, in which I glory; principles not hastily taken up to serve a turn, but what I have always avowed since I became capable of reflection. I bear not the least dislike to the church of England, though I am not within her pale, nor indeed to any other church; knaves, and bigots of all sects and denominations I hate, and I despise.

"For modes of faith let zealous bigots fight,
This can't be wrong, whose life is in the right."

Papists are distrusted by the laws, and laid under disabilities. They cannot, I know, (ignorant as I am) enjoy any place of profit, or trust, while they continue papists; but do these disabilities extend so far, as to preclude them from thinking and writing on matters merely of a political nature? Antilon would make a most excellent inquisitor, he has given me first) specimens of an arbitrary temper; the first requisite.

He will not allow me freedom of thought or speech. The resolves of a former assembly against certain reli- gionists have been compared to the resolves against the proclamation. I again repeat, the unprejudiced will discern a wide difference between those resolves, and the spirit which occasioned them; it would be no diffi- cult task to show the disparity, but I choose not to meddle with a subject, the discussion of which may re- kindle extinguished animosities. The contemptible comment on the expression, "We remember and we forgive," (scarcely deserves a mention. "This," says Antilon, "is rather too much in the imperial style." The Citizen did not deliver his sentiment only but likewise the sentiments of others, the catho- licks, who think we were hardly treated on that occa- sion, yet still remember the treatment, though our re- sentment hath intirely subsided. It is not in the least surprising that a man incapable of forming an exalted sentiment, should not readily comprehend the force and beauty of one. My exposition of the document of Minutius, as applied by you, is warranted by the whole tenor, and purport of your publications. To what purpose was the threat thrown out of enforcing the penal statutes by proclamation? Why am I told that my conduct is very inconsistent with the situation of one, who "over even the salvation he enjoys to the

favours of government?—If by inflicting prej- udices into the governor, and by every mean a wicked artifice you can rouse the popular resentment against certain religionists, and thus bring on a persecution of them; it will then be known whether the intimation I enjoy, be due to the favour of government, or not. That you have talents admirably well adapted to the works of darkness, malice to stir up the blackest, and means to stoop to the basest, is too true. The fol- lowing lines convey an imperfect idea of your char- acter:

"Squat like a toad, close at the ear of Eve,
Assuming by insidious art, to reach
The organs of her fancy, and with them
Foster illusions, as he lists."—Mistaken.
Impudence, crusted to a certain degree, excites im- agination, pushed beyond it, becomes ridiculous. The Citizen's *Kandahar misrepresentation* of Petyo is again intimated on. "The Citizen referred to the parliament- ary journal, he found the best was in the hands of the law. If in your hands, it was sufficient; he knew you

freedly, well inclined to expose his misrepresentations; even upon the catch, and ready to lay hold of even mistakes and inaccuracies, and when acknowledged, still to harp upon them." The crude notions of British policy, which Antilon in a former paper imputed to the Citizen, were quoted as the notions of Montes- quieu, enlarged upon, and explained by the writer of a pamphlet on the privileges of the lower house of as- sembly in Jamaica; he was apprized thereof in my last paper, and he calls this excusation a *tiny evasion*. The notions whether crude or born, were not the Cit- izen's, but I presume to assert, that so far from being crude, they are judicious, and discover a perfect know- ledge of our constitution. "Hume's history is a lu- cid apology for the Stuarts, particularly of Charles the first." Has the historian supplied any mat- rial facts? If not, but has given an artificial colour- ing to some, softened others, and suggested plausible motives for the conduct of Charles, all this serves to confirm the observation, that an account may in the main be true, and not entirely impartial; the principal facts may be related, yet the suppression of some at- tendant circumstance will greatly alter their character and complexion. I offered that the constitution was not so well improved, and so well settled in Charles's time, as at present. In answer to this, Antilon's mark, that the constitution was clearly settled in the very point infringed, by the levy of ship money. To this I reply, that the petition of right was only a con- firmation of former statutes against the same uncon- stitutional power, which had been assumed by most pre- ceding kings in direct violation of those statutes. To the imputation "That you have always favoured your mischievous tricks on others"—you reply—"routely" altered, but what proof have you?"—sufficient to support the charge—the mark of hypocrisy, which you have worn so long, is now falling off; the peoples eyes are at length opened; they know the real author of their grievances; and his efforts to regain lost popularity will be ineffectual; once distrusted, he will ever re- main so. A particular detail of all your mean and dirty tricks would swell this paper (already too long) to the size of a volume. I may on some future occasion en- tertain the publick with Antilon's cheats.

"Flebit, et insignis tota cantabitur urbe." They would discredit even a Scapin, and therefore must not be blended with a question of this serious and general importance. You have said, "You do not be- lieve me to be a man of honour or veracity." It gives me singular satisfaction that you do not, for a man de- stitute of one, must be void of the other, and cannot be a judge of either. Your mode of expression, which in general is clear and precise, in this instance discovers a confusion of ideas, so which you are not often liable; but you have stumbled on a subject of which you have not the least conception.

"Verbaque provisa rem non invita sequuntur.
If once the mind with clear conceptions glow,
The willing words in just expressions flow."

Honour, or veracity! Are they then distinct things? Do you imagine that they can exist separately? No; they are most intimately connected; who wants veracity wants principle, honour of course, and resembles Antilon.

FIRST CITIZEN.

A C A R D.

MY compliments and best respects to Dr. Crispin, and would have lent him my aid some time sooner, had not my attention been taken up with mat- ters of greater importance; but as our political dis- putes are now likely to subside, and peace and tran- quillity again restored to this present convulsed province, he may find it at this time will greatly com- pensate for my past delay. Abruptness in a writer, I confess, is not strictly consistent with the rules of com- plaisance, but as you know me to be, as the saying is, a plain right-down man, you must not expect any flowers, or "blossoms" (the usual embellishments of our modern performance) from me, therefore shall pro- ceed immediately to the point without ceremony. And really, friend Crispin, you seem hardly gratified. Nevertheless, as I know you to be a man of matterly genius, doubt not, but from the art of "scratching out," or "scratching in" you may extricate yourself from your late blunders, and by the force of sound reason and argu- ment justify the unjustifiable. Being a friend then as well to you as to your little "bark," I would advise you to divert, and take off the publick attention, by a nice and refined criticism on words, places, times, &c. —Admitting that Archbishop Laud was not hanged, could you to a demonstration make it appear by a *fact* that you did not dream of a rope? Admit accordingly, that a journeyman by name Seggib Man- gins, did tumble over a horse, cannot you from proofs, vouchers, &c. make it appear it was ever a land bar.—Admitting you did "write a letter to friend Jack deacid," cannot you prove it to have been wrote from a willing readiness to serve your friends, and not from lucrative views, as you had only one hind. Tob- on board.—Admit Meli. J. and C. did not see those "papers, proofs and vouchers," &c. that would like lightning instantly "dash conviction," cannot you impute it to their want of conception, and over-ruling modesty, &c. or what will still be of more weight, that one of them cannot claim the honour of an American birth.—And suppose you cannot support the charges, &c. against Mr. W.—, cannot you brow beat him many opprobrious and defamatory epithets, for daring to persist in his innocence. Cannot you, I say, friend Crispin, do all these things? I know your great abili- ties were formerly adequate to the task, but how far they may be impaired by this late unfortunate "dash." I will not undertake to determine. What? Not the single act of honour or probity through lie- nce pitiful, or a wound your pitiful indeed; I am up those amiable perfections which so plentifully bedeck your

noble scene of life—remind them of that ever memo- rable and praiseworthy act, in the C. C. C. office—that Sir, will be a gallant stroke upon your ant-go- ally, and must for ever wipe out any imputations of the want of honour; then you kill two birds with one stone, for a man of honour is surely a man of probity. I implore you then, by the sincerity, by all the senti- ments my service can express, once more to assume the bonnie old, shrew by thy salt and pickers, and wear thy pickers on the stump, become again the oracle of perfection, and suffer not the labour of thy function to be raised.—but hark ye—on your future failings let honesty be thy cloak and truth thy safeguard. For policy is become a poor shield of late; the ditcher will come home broke at last, and before you ever again allea without a "voucher," for when a politician is proved guilty, he ever after becomes suspected.

Upper-Marlboro'. From thy friend,
June 29, 1773. A BARBER.

ON A LATE DIVISION.

"Tis strange, in faith, 'tis passing strange,
To let how Things will alter.
How Men do stare to see the Change,
—A PATRIOT twin Duganier!"

The Spider went, as Spiders are,
To draw in Flies by D z z z;
Int' His Net, tho' pre d with Care,
His Foes no longer cozen.

The Simly Toils were spread in vain,
The Swam to enter decubed;
How claud'd are Things!—F z z all remain,
bave Bumble-Bee—who scout'd!

EUGENIO.

L O N D O N.

April 22. It may be depended on that Lord North is at present entirely uncertain about what part Great Britain will take in the affairs of Europe. He seems desirous of preserving peace, but many circumstances have lately occurred that render it doubtful whether he can do so; he preserves the honour of the nation at the same time.

The report yesterday at the west end of the town, was not that the ministry are fitted out a fleet, but that they have already actually fitted out one, which is sailed and gone for the Mediterranean; and on this ground, we are told, the friends of the court but particularly the partisans of the lords North and Sand- wick, plume themselves greatly. If there be any truth in the matter, the ministry can hardly have shown them- selves no mean politicians, at the very time when they were amusing the French with the hope of a new al- liance, thus to anticipate them in favour of an old friend, and by so feasonable a stroke probably to pre- serve the peace of Europe. It is unnecessary to add, that the above fleet is said to be gone to the assistance of the Russians against the combined fleets of France and Spain.

April 23. The approach of war it now is strikingly confirmed from all quarters, that the treasures of Lord Mahfield can no longer deny it. France has been preparing these four months; and till within these few days has lured us into a fatal security of neutrality. Can we be neuter and behold her riding in the Baltic and Mediterranean? the quay at Duthick is nearly filled with her boats, and filled with warlike stores and men. In a word, her object in the North is, to sup- port Sweden against Denmark and Russia; and in the Mediterranean, to support the Turks against Russia and the emperor; and we have not only hitherto been the dupes of this accursed policy, but are, so long as France pleases, to continue in this dark and brander- ing situation, and so the flames of war alarm us to a just sense of our folly and danger. The plan said down, and now pursuing by France, will inevitably draw every nation in Europe into a war; and we, from being the great empire in such disputes, are sunk to the low state of tools to France, acting by a second or third hand, under French councils.

April 24. After Lord North had yesterday moved the sum for extraordinary, it brought on the carpet a little conversation relative to the great delay in settling the judicature of Canada. Lord North assured the house, that ever since he had the honour of taking a part in the administration, he looked upon it as an ob- ject of the greatest consequence; that it had been laid before the ablest council for some time past; and that it now was under the consideration of the chancellor and the lord president; that it would soon be laid before the council; and that he hoped by the next ses- sion to see it brought before the house.

The following vessels are ordered to be got ready to fill the station at home of those mentioned by us in yesterday's paper, to be fitted with all possible speed for sailing: the Sandwich, the Courageux, the Gaffier, the Argonaut, the Invincible, the Defence, the Shrew- bury, the Defence, the Prince of Wales, the Ramilies, the Russell, the Augusta, and the A. d. nite.

Bishop Burnett gave an account what progress the duke of Gloucester made in his education under his tuition, by proofs on his publick examination, which was very extraordinary. It cannot be improper that every their apparent, or presumptive heir to the British throne, should be publickly examined at proper ages, as to improvement in literature, particularly his knowledge in the fundamental and moral princi- ples of our happy constitution, and his own limited monarchy. One of the best books to his instruction in these important and chief branches of education, is certainly the incomparable Mr. Hooker's ecclesiastical polity.