

though they have been changed over and over again, and those who found fault, have succeeded to those they found fault with; still the difficulties remain, and the honour of America is daily suffering under them. Bring all the men in congress now, who were concerned in forming the confederation, and they will not be able to support the character and dignity of the country under it, nor stem the difficulties which it throws in their way.

Without ever enquiring into the personal character and abilities of the members who, at any time, may compose the congress of the United States, it must ever shock a sensible mind to hear the sovereign authority of all the citizens of America, which is there represented, irreverently spoken of. The individual members may have their various degrees of abilities and accomplishments; but the power and authority which they represent is a sacred thing, and in supporting or defeating that, we support or defeat ourselves.

If the defect lies with the several legislatures, that from a desire to aggrandize their personal power, they are undermining the great cause and national dignity of America, let it be known; or if it arises from want of information in the bulk of the people, let it be removed by proper explanations; or if it springs from defect in the confederation let it be revised, not by congress, but by a continental convention, elected and authorized for the purpose. One fact however is certain, which is, that there is a defect somewhere and that it is our duty, interest, and happiness to remove it.

I carry my eye totally away from the persons who now, or at any future time, may, as I before said, compose congress. It is the powers necessary to be lodged and concentrated there, for the purpose of combining the strength and dignity of the empire, and enabling it to support itself with honour and safety, in the elevated rank it has assumed to, that the remarks apply.

And instead of showing our ignorance, or our illiberality, by reflections we know not why, we shall much better show our wisdom by learning the true cause of our difficulties, and our patriotism by removing them.

July 8. At a meeting of the committee for the city and liberties of Philadelphia, at the state house, June 30th, 1783. The following motion was agreed to, and ordered to be printed.

The committee for the city and liberties of Philadelphia, desirous that the resolutions of the town meeting held at the state house, the 14th instant, should be carried into full effect, do hereby give notice to all persons falling within the description of the 1st and 2d resolves of said town meeting, that unless they depart this state, within ten days hereof, such as may be found within this district after that time, will be dealt with in a proper manner.

The several printers are desired to give the foregoing a place in their papers, and to republish the 1st and 2d resolves of the town meeting above mentioned, that no one may plead ignorance.

1st. That we consider it as inconsistent with the interest and dignity of the good people of this state, that any person who hath voluntarily withdrawn himself from this, or any of the United States of America, since the 19th day of April, 1775, and hath joined the armies, or aided and abetted the measures employed by the king of Great-Britain against this country; or who hath been legally attainted, or expelled by this, or any of the United States, should be suffered to return to, or reside in the state of Pennsylvania.

2d. That we consider it our duty as citizens and individuals, to prevent any such persons returning into this state; and we do solemnly determine and mutually pledge ourselves to each other, to use all the means in our power, to expel with infamy, such persons who now have or shall hereafter presume to come among us, and the names of such persons be published in the news papers of this city, by the committee appointed to carry these resolves into execution.

Extract of a letter from New York, dated June 25.

"No more attention will be paid to the late orders than to the former—I am pretty confident the British will not leave this city till late in the fall, for it is certain no orders have as yet been received for that purpose. I have been told that all the foreign troops were to embark—but it now proves to be only three or four particular regiments."

It is reported that the islands of Cuba, Porto Rico, Louisiana, and East and West Florida will be formed into a viceroyship, and that his excellency general Calves will be appointed viceroy of the same. The regard this gallant and able commander has shewn for America, and the many services he has rendered to individuals of the United States, give us reason to hope for a confirmation of the appointment.

Among the many honours conferred on general Calves for his well-digested plans and enterprises during the late war, he is dignified by his prince with an addition to his coat of arms, a brig painted—metto YO SOLO (I alone)—in grateful memento of his having forced the port of Pensacola in a small brig of his own, after his admiral had refused the arduous and glorious undertaking.

Friday last about 1500 continental troops with a detachment of artillery, under the command of general Robert Howe, arrived at Frankfort, on their way to this city. They are chiefly three years men, from Massachusetts, whose terms of enlistment have not yet expired.

The ship Canada, Orrock, and brig Industry, Chadwick, arrived at Boston from London.

During the heavy gulf of rain, which fell on Tuesday afternoon, a man was killed by lightning at a house about eight miles from this city, on the Frankfort road. He was ascending the stairs, and had got near half way up, when the fatal flash reached him, and he fell instantly. It is supposed he received some hurt in his fall, as he bled much from a wound in his side, and died immediately after.

About a week before a negro boy was killed by lightning near the place where the above happened.

### TO THE EXAMINER.

WHATEVER encomiums the Examiner may pass on his own performances or however he may flatter himself with the approbation of an impartial public, until he brings other proofs than those of his own words, to support his charges against the Intendant, of his dis-

pening with the most positive laws, of assuming a controul of the executive, and disposing in an arbitrary manner of the public treasure, or, indeed, until he proves that the Intendant has paid public monies to persons not entitled to receive them, then, and not till then, he presumes will his conduct be censured.

The Intendant would not have mentioned the account, which he still presumes laid the foundation of the Examiner's rancour, had he not charged him with having unanswered some parts of the Examiner's first address; this part seemed to him the most weighty, and therefore he mentioned it in his second reply, and expected the Examiner would have stated the transaction as it happened. The Intendant cannot conceive that any words dropt from him before the governor and council, could bear the construction, "that he would abide by the determination;" but admitting he had, surely, upon examining the law, if he found that he could not be justified in passing this account, he was obliged to reject it. The words of the law all being of depreciation are, "that all debts due from this state since the first day of December 1777, and which remain unsettled or unpaid, shall be liquidated and adjusted agreeable to the table of depreciation established by congress." Was the Examiner's account either unsettled or unpaid? On the contrary, had he not settled it, passed it with the auditor, and given a receipt in full for his salary to the first of November 1780 or 1781? How then could he have expected that the Intendant could have possibly passed it, without introducing re-settlements upon every account that had been paid off preceding the date aforesaid? The Intendant was impeached with having insulted the governor and council, by rejecting an account which they thought ought to have passed. The Intendant mentioned (or boasted, if the Examiner likes the term better) that if this account had been re-settled, it would have occasioned probably a loss of 100, 150, or £200,000, to the state, and he believes that he was within bounds in his calculation. Notwithstanding the Examiner's assertion, that "few claims of the same nature could have been produced," the Intendant, with all due deference to the exalted abilities of the Examiner, begs leave to differ with him in opinion; for if A, call him Judge, Justice, Examiner, or by what other appellation you please, be allowed for depreciation on an account settled, signed, and passed the several offices, entered on the treasurer's and auditor's books, balanced by the money received, and a receipt in full given (which was the case in the present instance) would not B, a merchant, who sold goods to the state, or C, a mechanic, who laboured for it, with equal justice be entitled to a revision and settlement of their accounts? Common sense would point out that they would be equally entitled. Has the Examiner proved, that the Intendant "has disposed in an arbitrary manner of the public treasure, exercised the power of dispensing with the most positive laws, prevented the collection of the tax, &c. &c. in any other manner than by his own assertion?" The Intendant conceives, that he has already fully refuted the charges, and that it is not necessary to travel that ground over again; but will only remark, that the business of the five thousand tax originated with a committee of ways and means for raising an immediate supply of money for the benefit of the Maryland line, then hourly expected at Annapolis. Whether the assembly did right or not in adopting the plan of the committee in this respect, the public will determine; I am sure it was done from the purest principles of humanity and gratitude; it was done to alleviate, in some measure the seven years sufferings of a brave soldiery, to whose valour the United States of America are indebted for their liberty.

It was to satisfy your assertions, and not the governor and council's, that I stated the sums of money paid into the treasury; you, sir, had wilfully suppressed a part of the governor and council's address to the general assembly, by which you made it much broader than the address will bear, or that they intended it should, as will appear by the following extract from it relating to this business: "By a resolution passed at the close of the last session, specifics were ordered to be sold to pay off the arrearages of the barge equipment, amounting nearly to £1200, and by an act of the same session, the civil list was directed to be paid off in quarterly payments. Great and pressing as these demands are, the whole amount of monies lodged in the treasury for upwards of six months past (that is from the 6th of November to the 6th of May, the date of the address) to be applied in discharge of them, do not exceed £500. And we humbly submit to the consideration of the general assembly, whether it would not more become the justice, honour, and dignity of government, to direct an immediate sale of specifics on hand, and with the money pay the public demands, than to retain, merely in hopes of a rising market, a large quantity of wheat, and upwards of one thousand hogheads of tobacco." By the above extract it appears, that the governor and council confined the £500, as lodged in the treasury for the purpose of paying the arrears on the barge equipment and civil list only. How different is the sense of the address in their language from what you have asserted! and yet you have the modesty to disavow every principle of deception, and on no occasion conveyed a falsehood in the words of truth, or suppressed in his relation any material circumstance with which he is acquainted. I must beg leave to remark, that it was not at that time in the Intendant's power to lodge a shilling of money in the treasury, for the payment of the civil list; the only funds then appropriated for this purpose, were the present year's taxes. It was not my meaning, that the sum of £4984 3 7, put into the treasury, was subject to the orders of the governor and council; great part was otherwise appropriated by law, and therefore could not; but my meaning was to convict you of misrepresentation, which I have, I trust, now satisfactorily done. Had you given yourself one moment's time for reflection, you might have conceived, there were other modes of paying creditors in virtue of the governor and council's orders, than that of receiving money and paying it; or had you adverted to the circumstance, that the powers of the Intendant under the first law existed till the first of February, you would not, I presume, have taken up the room of near a column of the gazette, in pouring forth the illiberal abuse, you have done in your last Examiner against him, on this subject. The truth is that very little money, comparatively speaking, has passed through his hands; nor is it his wish to have a copper in his possession for the payment of state creditors. I cannot pass by unnoticed the following extract

from your last Examiner, to wit: "When you speak of money paid away by virtue of the governor and council's orders, you have for once, I presume, been guilty of an unwary confession. What right had you to take up the orders drawn upon the treasury by the governor and council?" The explication was not unwary, but your inference has not been properly drawn; however, to satisfy you and the public I had a right, and that was obliged to make use of it, I must remind you, that during the war, and even since, so great were and are the demands of government, and the funds so inadequate to its exigencies, that it was next to an impossibility to wait till money could be received and brought into the treasury. For instance, the governor and council order or request (which is the same thing) that the Intendant advance to Mr. Steward, for the purpose of carrying on the galleys, the sum of £2000; they request him to pay such and such necessitous creditors, or to pay persons who lent money in the year 1780, and were to have been repaid in three weeks, &c. &c. The Intendant, to comply with these and other requisitions, tells specifics on credit (ready money not being to be had but on the most disadvantageous terms) and draws upon these debtors; when these orders are taken up, they are carried to the treasurer, and entered as if payments had been made immediately from the treasury. But more fully to satisfy you as to the two thousand pounds and upwards (I might I believe have said ten instead of two) be it known unto you, and to all the other worthy Examiners in the state, that in consequence of the orders above referred to, the Intendant paid to Mr. Stephen Steward (within the times mentioned in the governor and council's letter) his order on Blair McLenichan, £350; on William McLaughlin, £75; on Mr. Brooks, for iron, to the amount of £174 3 3; cash £482 8; besides specifics, amounting to a much larger sum than all these put together. Orders on Samuel Smith, to persons who lent money to the state, £560 15 4, and paid him part of two orders drawn by the governor and council in his favour, £723 6 8; paid for clothing, furnished in consequence of the governor and council's advice, and by direction of the general assembly, £205 6 3; besides large sums paid to other creditors, and to members of congress, as well as their sums for the support of government; and all of them between the 6th of November and 6th of May above referred to, indeed between the 6th of November and 1st of February, when, by the Examiner's own acknowledgment, the Intendant had most competent powers. These and other advances not enumerated, will amount to more than ten thousand pounds, and will justify the Intendant's assertion, that he had paid away, in consequence of the governor and council's orders, upwards of £2000, not included in the £4984 3 7, paid into the treasury. However unwary the confession of the Intendant may have been in the eyes of the Examiner, it was nevertheless founded in truth, and the Intendant acted within the strict lines of his duty, in paying these monies in the manner he did. As to monies in general paid away by him in consequence of the governor and council's orders, and not carried to the treasury, since the first of February, they have been trifling, and such as from the nature of the transactions could not be brought in; for instance, monies advanced to the delegates of congress, and many other incidental charges. But, Sir, supposing the Intendant's powers less competent than they were, and supposing he had deposited all monies in the treasury as he received them, without directing the appropriations, could the war have been carried on, or could the immediate demands of the state have been supplied? Why could not? Why? Because by an incautious mode of business adopted by the late governor and council, of giving orders on the treasury, when there was not any money in it, and these having soon swelled to a considerable sum, and many of such orders having been left near at hand to be gratified, as monies came in to the treasury, they would have swallowed it up as fast as it was deposited, and left nothing for contingent expenses. After the first of February, if the Examiner will be pleased to consult the laws, he will find that, comparatively speaking, very little has or can come in soon to the treasury, but what the Intendant has the absolute disposition of. When the present taxes are gathered, and some tobacco paid for that is sold, then indeed the civil list will be paid. But I believe there is scarce a man on it (even the Examiner himself) but what will say, that the Maryland line ought to be paid five months pay, out of what is due them for a seven years painful service, before the six months salary due to the gentlemen on the civil is paid.

You say, "You cannot submit to be precluded from offering my opinion by the decision of the assembly, when I am fully persuaded the substance of the preamble you have quoted," by way of stopping the Examiner's mouth, "was suggested by yourself, and they did not make a full enquiry into the business. If they will in any case justify a ministerial officer, for usurping a power withheld by the constitution from the supreme executive power, I cannot perceive the least security for the execution of the laws, or the least reliance on public engagements." I aver, that you have not the least foundation to support the above opinion; the information the assembly received was given by the commissioners, and not by the Intendant; but, Sir, you form in your mind suppositions, and then draw from them the most unwarrantable conclusions. You charge the Intendant with often misquoting your words, and perverting the sense of them. I have reviewed the Examiners and the replies to them, and I must confess myself to be so stupidly ignorant, as not to perceive any material misquotation, or perversion of his words. You are pleased to say, "I did not say you were absolutely prevented from selling tobacco by the governor and council; but that they did not approve a sale upon long credit, at a time when there was a prospect of a rising market. They prevented you from making an improper sale, but afterwards urged you to sell." That is to say, they prevented a sale, and urged the selling. But, Sir, if the Intendant consulted them upon a sale he was about to make, and you were so well acquainted with the circumstances attending it, how can you assert in the most positive terms, "that the Intendant is enjoined to consult with the governor and council, but he never asked their opinion?" Now, Sir, either your first or last assertion is false; if he consulted them on the ca-

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