

MARYLAND.

gent spectator, when I see representatives are such to me appears also justice, and true policy. for leave to bring in a ment at Baltimore-town. of too much importance decision at all, without each house. Should ad- caison, should gentlemen of obnoxious members; they will convince every and is not their only prin- ought to be decided at t with mature delibera- undetermined, it pre- agitates the minds of ouble, renders the value and effectually checks all inhabitants of Baltimore- pernicious speculation; men will be benefited to ly proper and fair mea- caison, would be to fr- ection for a solemn dis- ou and your representa- ur true interests require. love of novelty, or ra- ems to have taken pos- ps it may be natural for- the important change, to try other; but if that is, the most baneful con- ndulging it. settled before the legisla- on the main question; will admit the projected legislature; and next, t. ture has taken an oath must with candour sup- consent to a plain viola- n if they should be con- o its principles can have intend, that Annapolis, ed place for the meeting er such arguments as have this opinion. Not only ent must receive a full regards the obligation with a sense of his duty, the government to Bal- f assembly. If the con- at Annapolis, and, be injurious to the state, ebbing the evil prescribed aration of rights, asserts, of the legislature ought t to the members there- the public records; and be convened, or held, at rinent necessity." Thus The sixty first clause directs, that the general is on a certain day. My —it was intended, first, d be in force upon the ment, and then to lay axims to direct their own of all future legislatures, the form of government, ent times, but they were y of men; each has the on of one must be made e neither of them can be et, unless a bill is to same, shall pass the ge- at least three months all be confirmed by the election of delegates, in w election." I contend, e to the declaration: ture at Annapolis; for declared that the legisla- ed, that the legislature nnapolis. By others it is g of the assembly was on- ooting the governor and e officers of government; when this particular busi- to have ended, and no n held, because no place e legislature, however, ion; they transacted the iled every other constitu- ed expedient. They, ixing the seat of govern- ote was framed, or ever there was no conference but when the business of as dispatched, each house e place of meeting; they ument, as of course, uture session they have rland not fluctuating, or ce for the meeting of the k, what, in the name of determined the members ace which was not named ny that the place is fixed aware of the consequences ture has never fixed the d since its first meeting are re, that the legislature can for its meeting. It would ed, if it should be found, long been administered hat we are, in fact, at this ul government, or law; y the case, if no place has e of the legislature. The

ninth article of the declaration, if it has any meaning at all, must mean, that no act of the legislature shall be binding, unless it be made at a place fixed for its meeting, or at a place to which it has adjourned, from evident necessity; and if it does not mean this, there is no safe constitutional check upon the legislative department. But if mine be the true construction of that article, the judicial department ought to have received any acts of the legislature as laws; indeed, the judges ought not to have acted at all, if they thought those acts, under which they received their appointments, were passed at a place not fixed for the meeting of the legislature. But the judges have thought proper to act under their commissions, and they have received as laws, the acts of assembly passed at Annapolis. By so doing, they have impliedly determined one of three things—either that the legislature may enact laws at a place not fixed for its meeting—or that Annapolis is the place fixed by the constitution—or, that although the constitution requires a place to be fixed, and the legislature has nevertheless passed acts at a place not fixed, the judges were bound to receive those acts as laws. The first determination would certainly be erroneous, because it would render void and of no effect, a part of the declaration which speaks the most clear, explicit, and sensible language. The last determination would be manifestly against the spirit of the constitution, throughout the whole of which this principle is discernible, that checks upon the trustees of the public are necessary for the security of our rights. It would have been impolitic in the extreme to have established no controul over the legislature, except in the people at large, who could never exercise it without a dissolution of the government, or at least a most violent convulsion of the state. It is time for the constitution to be fully and clearly understood. It is time to impress on the minds of these men (if such there be) who would enact laws repugnant to the directions of the constitution, that they are themselves the creatures of the constitution, and that it has prescribed limits to their power. To the judges is allotted the guardianship of our rights and liberties, and may Heaven inspire the men appointed to this sacred trust, with strength of discernment, firmness of mind and elevation of soul! May they never descend to be the base tools of faction, or the hirelings of a party! And may grand juries at length be brought to a thorough understanding of their own duties and importance! The true implied determination of the judges must, upon the whole, appear to be, that the declaration of rights, and the form of government, taken together, have appointed Annapolis for the place of holding the general assembly. This to me appears plain and uncontroversial; how yet, without pretending to be infallible, I cannot be mistaken in this point. Before the legislature, by a single act, can appoint Baltimore for the place of its meeting, the opinion of the judges ought to be taken on the points; whether Annapolis be not already appointed by the constitution; and whether any act of a single assembly, contrary to the constitution, can be received as a law. On another point it is unnecessary to appeal to their, or to any other opinion. We owe to the basis of allegiance, and afterwards intentionally violates the constitution, is perjured and forewarned. Having endeavoured to show, that the government cannot be removed by an act of the present assembly, without the concurrence of the succeeding assembly, I proceed to consider the arguments adduced for removing the government from Annapolis to Baltimore-town. In the first place it is said, that at Baltimore the members of the assembly may transact their private business whilst they are managing the affairs of government. This consideration is pressed home to their feelings; but surely their constituents cannot be benefited by having their attention drawn from the public business. Would any prudent thinking man, employ for the management of a business which required the utmost diligence and attention, a person, who at the same time, is carrying on a business much more interesting to him than that of his employer? I acknowledge, that, in general, the private business of the members might soon be dispatched, but the staunch friends at elections would expect their little affairs to be managed likewise. Indeed, it is not improbable, that our representatives might solicit ag-encies and commissions. Can any man then, seriously consider this first argument as dictated by a love of country? The man who prefers a small matter of private convenience, to a great matter of public good, and the man who can be swayed by such an argument as this, or who can use it, for the purpose of influencing another, is not, I conceive, in the slightest degree, entitled to the confidence of his countrymen. But the declaration of rights directs a place to be fixed, most convenient for the members. The meaning of this, my friends, is not that a place shall be pitched upon the most convenient for them, in their private capacities. It means, a place the most central, a place most convenient for them in their public characters, as members; no other construction could ever enter into the head of a rational man of patriotic principles. Let us then examine which place is better adapted for conducting public affairs: in Baltimore, the members would be occupied by private business; in Annapolis, they can have little business except that of the public. I will not hazard the indignation of the former so far as to assert, that it could not, with all its numerous buildings, afford proper accommodations; but I can safely say, that in Annapolis, the members of the legislature may always procure, at a reasonable rate, even elegant fare, comfortable lodging, and quiet apartments, remote from all that noise and bustle of business which is altogether inconsistent with calm thought and sober deliberation. The inhabitants of Baltimore-town must excuse me, when I object to its situation with respect to health; besides, it is subject to perpetual alarms from vessels bringing, or supposed to bring, contagion from abroad. But in these respects Annapolis has the advantage of almost every town on the continent. Again, it has been said, that Baltimore county pays one third part of the public tax. It is not worth while

to expose errors in the calculation, but admitting that Baltimore-town alone pays one half, this is no argument for making it the seat of government; it perhaps might, on that account, be entitled to a greater number of representatives. This is no reason, wherefore, Baltimore-town should govern the state. I think no man of reflection can expect, in a great town, that the deliberations of the legislature can be perfectly free, without having an army to protect it: Let us suppose a matter agitated in the assembly which rouses the passions of a mob, and about which popular clamours have been excited. Let us suppose such a case as the late religious bill; can any man suppose the house of delegates, at Baltimore-town, could, on such an occasion, have been at liberty to decide, contrary to the opinion out of doors. But in such a place as Baltimore-town, the consequence and power of the senate, consisting only of fifteen members, and those not the immediate representatives of the people, obnoxious on account of superior wealth, and perhaps obnoxious even for superior talents and virtue; the consequence and power of this branch of the legislature, so necessary to moderate, at times, the intemperate zeal, and to correct the hasty proceedings, of the other, would be totally annihilated. In a little time, no man of worth and importance would, at Baltimore-town, accept a seat in the senate. There are no idle fears, or artful suggestions, I speak the language of truth, common sense, and unerring experience. The congress, notwithstanding its doors were shut, at length deemed it necessary, for the purpose of free deliberation, to quit Philadelphia; it had experienced, likewise, the mischiefs resulting from the perpetual intrigues and cabals of a capital town. If congress, conducting the affairs only of the union, having nothing to do with the internal government of Pennsylvania, and keeping, as far as it could, its deliberations secret from the world, found it expedient to remove from Philadelphia, for the reasons I have suggested, surely, a body of men whose deliberations are public, cannot expect a freedom of debate in a large town, on matters interesting to its inhabitants. I have mentioned the case of congress, as recent, striking, and familiar, many other cases might be produced to the same purpose. I will say nothing of London or Dublin—in our sister and neighbouring state of Pennsylvania, a vast number of its citizens are eager to remove the government from their great commercial town. In South-Carolina, a similar measure is the subject of deliberation. What is it that influences the people in these states? They have had experience of the mischiefs against which I am endeavouring to guard you, my fellow citizens. It is your duty to profit from the wise regulations, and from the errors of every other government, both in the old and new world. I am far from considering the removal to Baltimore, as an event which the ordinary course of affairs will inevitably bring about. If you are wise, it can never happen. The influence of great and wealthy cities, it is true, has generally created them capitals; but it remains to be shewn, that the true happiness of their state has been thereby promoted. The objections against Baltimore will perpetually increase. If the same objections could be urged against Annapolis, I would instantly give my voice for a removal to some place, where your representatives might quietly deliberate, where the good of the state might be equally consulted, and where the influence of a part might not prevail against all the rest. The most specious reasons in favour of a removal to Baltimore, remain to be examined. We are told, that the legislature will never understand commerce, unless it removes for instruction to a great commercial town. I apprehend, that whenever the legislature is employed in the regulation of commerce, it would be infinitely better to summon to its bar those same enlightened merchants, than to give them such an alibi, as would bear down every other order in the community. Again we are told, that all power, wealth and grandeur, is to be derived to the state from commerce, it is incumbent on us to do every thing for the encouragement of our first commercial town. With submission, I conceive regularity and simplicity of manners to be of the greatest consequence to every commercial town. If the consequence of removing the government to Baltimore town, would be to pour into it a tide of wealth, to increase the number of inhabitants, and to promote the concourse of strangers, it would likewise be to infect every class of men with a baneful taste for luxury and dissipation. These vices in Baltimore town, with respect to magnitude, would bear such proportion to the same vices at Annapolis, as the number of persons in the former bears to the number of inhabitants in the latter. Baltimore not being yet the seat of government, does not, in a great degree, influence by its example the rest of the state; but once create it the capital, and the contagion of its evil example would soon reach the remotest corner. To the friends of human kind, to the lovers of virtue, to the real, and not pretended, advocates for religion, these considerations will appear of equal weight. I come now to mention some things in favour of the poor devoted city of Annapolis, which, to mean grovelling souls, will not perhaps have the weight of a feather. By taking from it almost the only support it ever had, it will inevitably tumble to this dust, and the fate of many meritorious citizens will be involved in its ruin. If the general good of the community requires a removal of the government, the interests of a few hundreds of citizens ought not to prevent it. I would, in such a case, contemplate with a silent grief, the destruction of this beloved city. But it would be difficult to suppose a case in which it could consist with the interest, policy, or justice of the state, to adopt a measure fatal to so many innocent, unoffending, meritorious persons. By the proposed measure, I have endeavoured to demonstrate, that the state will sustain a deep and lasting injury, independent of the damage it would sustain by the ruin of its present capital. It is with extreme reluctance I remark, that too many appear to feel a malignant pleasure in the prospect of such an event. I am well apprized of the hatred in which Annapolis was held by almost every other part of the state under the former government; this was occasioned by the overbearing intolerance of a few powerful men; the effect remains, notwithstanding the re-

moval of the cause, but if the cause did still exist, it would be childish to act on such a contracted pernicious principle. In the following position I certainly cannot incur the danger of a contradiction; should a few individuals of overgrown wealth, solicit the assembly to gratify them in a matter of no consequence to their happiness, but greatly to the injury of a considerable number of men, equally deserving, they ought, at least for once, to meet with a disappointment. I know it to be natural for men, who have sit-tenly, and in an unprecedented fortunate manner, attained superior wealth in a republican government, to aspire to the first honours in the state, and if they can bring government to the place of their residence, they may possibly expect little difficulty in the attainment of their wish. They do not perhaps reflect, that if Baltimore should be the seat of government, immediately will repair thither, men, whose competition in public and in private, will be equally injurious to their views. On an occasion like this, I beseech them, to pardon this remark, which, ill-timed as it may appear, they may consider as a satirical hint, and useful admonition. But what public reasons do these men offer? I have examined the most plausible of their arguments; I have done it with decency and candour, and I challenge them to answer me in the same manner. They will present the state with lots of ground, they will turn shoules for the present, and subscribe liberally for the erection of public buildings. This is what has been reported, from what authority I know not; but can these offers induce a legislature to quit, and in effect to lose, the best public buildings in America. Is it consistent with the dignity of a free people, barely to receive such proposals? If the removal of the government be a wise, public, and just measure, it should be adopted without such considerations, and the legislature should disdain to enter into a treaty with Baltimore, or any other town, for the sale of a perpetuity in the seat of government. On generous and noble minds, the following considerations cannot fail to make an impression— In spite of prejudice and detraction, Annapolis is, and ever has been, the seat of elegance, propriety, and refinement of manners. Harmony and friendship, for the most part, prevail amongst its citizens. It is here that examples of benevolence and patriotism are shewn; no rude mobs have ever disturbed the deliberations of any public body, under the present government, and the moderation with which they behave on this trying occasion, affords a strong presumption, that in this place there may always be a perfect freedom of debate. It was here that the late opposition to Great-Britain first began in the southern states, and the example exhibited by this little city, contributed greatly to kindle the flame far and wide, and to confirm and reassure its wavering friends; these things with history record. This city is known and held in high respect by our allies. To the legislature, and to the state at large, it will reflect a lasting disgrace, if, without more powerful reasons than have yet been suggested, a law should be passed, the consequence of which, in less than half a century, will reduce this town to a heap of ruins. Annapolis, ARISTIDES. Jan. 14, 1786. PHILADELPHIA, January 6. Extra of a letter, dated Frank and September 2. We have also our share of suite, and something like contention in this quarter, which at times may give uneasiness to individuals; but it has powerful influence to let on foot free inquiry, and to bring about surprising advances in political knowledge. This will be found useful in forming the manners of a people; and I am no, without hopes, that the next generation in Frankland will vie with Athens itself. You cannot conceive how little the exultants lately made themselves: They must yet busy themselves for their inconsistency and want of vigour; however we ought to rejoice at it, for it answers our purposes exceedingly. I think I see a defect in your Kentucky proceedings. It is a dangerous expedient to attempt to contravene the act of Congress of April 23, 1784; especially in aiming at unreasonable territory. It is too long for to be copying after the lordly spirit of the ancient stock. Perhaps it was for want of documents in proper information. I at times conclude, Frankland will rise superior to you yet; she has not such a weight to struggle with as you have, and her situation and genius will be greatly favourable to liberty and science. Extra of a letter from Paris, dated October 18. The king, wishing to encourage men of learning to become more useful, proposes to appropriate 300,000 livres to reward their talents, and employ them in discoveries, and in essential literary works more frequently. This attention on the part of his majesty, demonstrates how much he has at heart the progress of arts and talents. Under Mr. Neckar only the sum of 160,000 livres was employed for this purpose: Mr. Le Noir is the instigator of this beneficence, necessary for the honour of the kingdom. To be rented, or leased for three years, VALUABLE FARM, on the north side of Severn river, with a genteel house thereon, and all convenient out houses, &c. Possession will be given between this and Christmas. Application to be made to Richard Burland in Baltimore, or William Goldsmith in Annapolis. 14 X Stolen from a farm belonging to Colonel Edward Lloyd, on Wye river, Talbot county, the 30th of November last, a bright bay MARE, about thirteen hands high, branded on the near buttock B L, trots and gallops, and very lively, about seven years old. Twenty pounds will be paid on conviction of the thief, and a reward of three pounds will be given for taking up and securing the mare so that the owner may get her again, by RICHARD GRASON.