

ger commences as soon as the *Breach* is made; the *A tack* may be referred for some Governor yet unborn. Had the *Romans* been told, in *Augustus's* Reign, that the Power of appointing *Consuls*, being no longer in the Senate, the *Emperor* might make a *Horse Consul* if he pleased, it would certainly have been thought a very wild and extravagant Supposition; yet, this did afterwards actually happen; when *Caligula* was Emperor, he made his *Horse Incitatus* Consul. Those *Politicians*, therefore, (wretched ones I think them,) that argue for an unlimited Power of taxing in *County Courts*, from the Improbability of its being made a bad Use of, ought to be considered by a *free People*, who value their *Rights* and *Privileges*, not only for themselves but for their *Posterity*, as the *Abettors* of arbitrary Power, and the *Enemies* of true Liberty. And on this Occasion (it is so very pertinent to the Purpose), I cannot omit an Observation made at a Meeting of the *Freeholders*, by a Man of good Sense, who had neither the Mistortune to be a *Scotchman* or a *Roman Catholic*. Here are a Set of Men (says he), who have upon all Occasions been loudest in the Cry against the *Pope* and the *Pretender*; and yet they do all in their Power to introduce the very same arbitrary Measures we fear from them.

I have all along taken it for granted, that we in *America* have a just Claim to the *hereditary Rights* of *British* Subjects; and I believe no Man will dispute it, at least no Man worth regarding. In consequence of this, I say, that our *Constitution* is plainly an *original Contract* betwixt the *People* and their *Rulers*; and as many Jests as have been broke on this Expression, we might safely venture to defy the warmest Stickler for arbitrary Power to produce any one Point or Time, since which we know any Thing of our *Constitution*, wherein the whole Scheme of it would not have been one monstrous Absurdity, unless an *original Contract* had been suppos'd. This was the Case, as well before *Magna Charta*, as after it; for the *Lord Coke* (that Oracle of the Law) in diverse places asserts, and all *Lawyers* know, that this *Charter* is for the most part declaratory of *Old Rights*, and not a Grant of *new ones*: Indeed the *Sua Jura* and *Libertates Suas* so often mentioned, are an uncoubted Proof of it. Let any Man take an impartial View of the *English History*, and he must be convinced that the *Possessors* of any considerable Share of Property (no matter for their other Titles, I speak of them only as *Freeholders*) have always claimed the Privilege of keeping their Purse in their own Hands: Certainly this Right was acknowledged before *Magna Charta*, because it is said, that the great Assembly of the Nation, on their Parts, granted the King a Fifteenth of their Moveables, as a Consideration for the Acknowledgement and Confirmation of their *ancient Rights* contained in that *Charter*. Sometimes indeed it has been usurp'd by crafty, wicked, and tyrannical Princes; but then our brave *Ancestors* have never failed to assert and resume it the first favourable Opportunity: But whatever Disputes may formerly have been concerning the *original Contract*, there is not the least Room left for any such, since the Settlement made at the *Revolution*, which was an express *Renewal* of it: From that happy Period our *Constitution* has taken a *new Era*; not that the *People* acquir'd at that Time any *new Rights*, but that their *old ones* were more explicitly acknowledged and ascertained; perhaps some few additional Barriers were raised in favour of Liberty, that for the Time to come, *The Liberties and Properties of the Subject might be established upon sure and lasting Foundations*. But with what Justice could it be said, that this *valuable* had been obtained by the *Revolution*, if an unlimited Power of Taxing could be placed in a *County Court*? It has been already clearly made out, that this would be putting the *Liberties and Properties* of the Subject upon the most precarious Foundation, such a Foundation, as no Man would have any Thing he could call his own, whenever a rapacious Governor thought proper to lay his Hands upon it. What should be thought then of a Man, who made his Brags upon all Occasions, that he had studied the *Constitution* these twenty Years; and at last found out, that such a Power in *County Courts* was good Law, and agreeable to the *Constitution*? Ought it to be imputed to Weakness, or Design? The former is certainly the most charitable Supposition, unless he would rather choose to be reckoned a Knave than a Fool; however it would be but reasonable to give him his Choice. — After all, it would be merry enough, if it should be found that this *poor Student*, after so many Years Application, had not yet got quite perfect in his *Reading and Spelling*: — Such a Man, if there be such a Man (for I only reason Hypothetically), might, during the

The Words of the Prince of Orange's Declaration.

Infancy of a Country, by a little low Canning, attain to a Degree of Popularity. His Arts of Business (which are mechanically acquired), such as a Knowledge gain'd by Experience of the Forms and Modes of proceeding in Courts, perhaps in *Assemblies*, would easily pass upon the Ignorant for a Knowledge of the *Constitution*. By his Credit gain'd in this Manner, he might be thought an useful or necessary Man, while his Popularity lasted, and so be advanced into some *honourable Trust*. But this would be the most effectual Way to ruin him, and a Man of SUPERIOR PARTS and refin'd Policy ow'd him, and a Grudge, he would be fond of contributing to his Pretence well knowing that a Man of a weak Head cannot bear Elevation. It makes him quite giddy; he grows proud, haughty, insolent upon it, and tries to brow-beat every Man that will acknowledge his Greatness, or pay an implicit Submission to his Dictates; he swells, blows, and storms upon the least Intimation that he may be mistaken in his Judgment; especially should happen to be upon his darling Topic, the Liberty of the *Constitution* of his Country. In time, he grows contented and contemned; his old Friends forsake him, having found that he only made use of them to get into Power, and tyrannical and partial in the Exercise of it; favouring his *Mimions* in opposition to Men of true Merit, and preferring the Interest of a *Juncto* to that of a *whole County*. His new Friends would probably laugh in their Sleeves at all this, and the first favourable Opportunity to let him drop into his original *securty*, from whence Nature never intended to have rais'd him, and if that capricious Dame Fortune, in one of her Fits, should give him a Kick up Stairs, it was only with an Intention to divert herself, by tumbling him headlong down again. I am a Prophet, or the Son of a Prophet; yet, without being so, if there be any such Person as has been described, I could upon me to foretell that this would be his Fate; if there be such Person, there is no Harm done; a Man can't be too good for thinking.

It was my full Purpose, when I first began this Letter, to have explained the Act of Assembly, and vindicated the Liberty from the *Restraint* thrown upon it by the *unreasonable* Interpretation given to the Law; but in clearing my Way to either, either the Variety of Matter has deceiv'd me, or the narrow Time or Skill to put it in less Room. Be this as it will, narrow Confines of a *News-Paper* obliges me now to go to another Opportunity; so that if the *Freeholder* does not find himself, as has been predicted, you may expect to hear of him again in due Time.

A. FREEHOLD

H A G U E, October 17.

BY advices from Brussels, received by a minister of the French party, we have learned, that since the late meeting at Versailles, the court has sent dispatches into the Netherlands, to its minister there, for him to cause 6000 recruits to be rais'd in the cantons, in order to complete the regiments of that nation, and for speedily negotiating a loan of 12,000 men, to augment the armies of the king, as in Italy as in the Low Countries. This is done with the utmost secrecy, and without any noise. Marshal Saxe has received a courier from the king, with very important dispatches, which, as we are assured from good hands, import the two expeditions, which are to be made at the same time, one whereof is to be a siege of very great consequence.

L O N D O N.

Sept. 22. We are informed, that Admiral Scyver, an Admiral, has taken a rich French Prize.

A Declaration of War against France, on the Part of the General, who already call her an Enemy in their public Actions, would be the only Way to break off the present Communication between the Hague and the French Court, which shew that their High Mightinesses are actually in Earnest.

Certain alluring Bait, it is said, will be thrown in the way of a great Power, who has been long considered as the Weight that must turn the Scale in the present contest.

We hear that the Governor of Huls, who had given the Royal Highness the Duke of Cumberland so many Accusations, that he should defend the Peace to the last Extremity, gave it up to the French, without any remarkable Defence, and been lately tried by a Court Martial for the same; and a strict Examination of all Circumstances, was found guilty of Crimes laid to his Charge, and Sentence was going to be