

industriously dispersed throughout the Province. A notable Instance of a well bred Gentleman! *In a Word, such a Proceeding will be a lasting Monument of his Fame, and an unanswerable Silence b.w necessary a good Education is to make a wise Man, at least a Man fit for a polite and candid Writer.*

The thinking Part of Mankind will allow, that tho' Magistracy be a great and honourable Trust, yet it is a Trust which ought to be bounded with many and strong Restraints. Whether Chains or Ropes I presume our Author forgot to mention. Magistrates, in my humble Opinion, are already bounded and tied down by the same Laws which govern the rest of Society. What Occasion then of additional Restraints? Or, if their Trust and Power be aimed at, and that must be retrench'd or taken away, what then becomes of the great and honourable Trust? And every Violation of it, the smallest Violation of it, ought to meet with a proportionable Punishment; because Indulgence to the least Faults of Magistrates may be Cruelty to a whole People. What, no quarter for poor Magistrates? No Allowance for human Frailties? What an obdurate, rigid and hard-hearted Patriot is here! And how well does he appear rather surpass his Grandfire Care! Surely our Author, by a fatal Mistake, took Magistrates for Popes. How else could it have entered into his Noddle, that a Man, by being dubb'd a Justice, was from thence forward invested with a Spirit of Infallibility, as he certainly must, before he can in Justice be accountable for an Error in Judgment, or Failings and Weaknesses which are incident to and inseparable from the Nature of Man.

*It is the Bulwark of a British Constitution, that our Lives and Properties are secured by Laws made by ourselves, and executed by our Magistrates. Here for once we shall agree with the Freeholder, that his Doctrine is found and good. What a Pity is it then, that this judicious Author has unluckily knock'd it on the Head, in his second Essay on Liberty and the Constitution; where we find this memorable Expression; *If the Steps taken by one of the Parties be legal and valid, they strike at the Foundation of all Liberty.* Thus, by a wonderful Operation of our Laws, they secure our Lives and Properties at the same Time that they are destructive of our Liberties! What a profound Statesman is our Freeholder, and how unfathomable are the Depths of his double-refin'd Politics! When, Oh! when shall it please Almighty God to enlighten this Infant Country, and enable the brightest of her Sons to make such wise Distinctions and subtle Remarks? But alas! we want the Advantage of a better Education, and, in that, all Things.*

† *Come Wisdom, come, dispel these Clouds of Night;
And o'er the Province spread thy glorious Light:
Let Colleges arise at thy Command,
And send thy wise Instructors through the Land.*

*THEN indeed shall the Natives of Maryland, enter the Lists, and take up the Gantlets, with the most learned B—k—d that ever imbibed Grammatical Nonfense in a Hut, or received an aukward Education at a Charity School. *Whoever these Laws are wilfully or ignorantly misconstrued, to serve certain Purposes or bye Ends, and not the Good of the People in general, our Constitution affords a Remedy, a tried and practicable Remedy.* That Laws may be wilfully or ignorantly misconstrued will not be denied: But that they can be misconstrued ignorantly to serve bye Ends, is what I must desire at present to be excused from allowing; because, with Submission to the learned Philo and his Cousin Americano, a little native Sense tells me, that no Man can designedly do a Thing, and yet be ignorant of it.*

AND while I only contend that no Steps ought to be taken by any Set of Men whatever, to destroy, or even frustrate that valuable Branch of Liberty left in the People, a Liberty to lay their Wants and Complaints by Petition before the Legislature; I doubt not but the Prayers and good Wishes of every honest Man will attend me. Worthy Patriot! Good and pious Man! How does his Breast glow, his Pulse throb, and his Heart beat, with the Love of his Country! To me it is Matter of Wonder, that in this difficult and arduous Task, he had not invoked the Assistance of all the immortal Gods, as well as the Prayers of every honest Man. But before Assistance either human or divine is necessary, it is incumbent upon this poor oppressed and groan-

ing Patriot, to shew that the Magistrates have taken any Step to deprive him of this valuable Branch of Liberty; or that they have ever denied the Rights of the People, in an humble Manner to lay their Aggrievances, or what they esteemed such, before the Legislature; a Thing, not only in itself highly reasonable, but moreover agreeable to Magna Charta, and the Petition of Right. How very different has been the Conduct of those Gentlemen on that Occasion? Conscious of the Uprightness of their Intentions, whatever Light they might appear in to others, they were ever ready and willing to submit their Actions to the Judgment of those to whom alone they are accountable; beholding at the same Time, with a just Disdain, the little Arts and scandalous Devices of their Enemies, to render them contemptible in the Eyes of the World, and expose them to the Hatred and Insults of the People: In which laudable Design, however well they may have succeeded, their grand Project of preventing the Designs of the Justices from being carried into Execution, has nevertheless miscarried: They who had accepted of a Trust, and were satisfied of the Rectitude of their Measures, and the Measures of those by whom they were intrusted, were not to be intimidated by Clamours or Numbers, but remained immutably fix'd in their first Resolutions, agreeable to the Intrepidity of just and good Men, so nobly set forth by Horace in the following Lines:

*The Man resolv'd, and steady to his Trust,
Inflexible to Ill, and obstinately just,
May the rude Rabble's Insolence despise,
Their senseless Clamours, and tumultuous Cries.*

*HENCE it came to pass, that a memorable Remonstrance, containing in Substance nothing, in Nonfense much, handed in on an ever-memorable Day, by an ever-busy Gentleman of another County at the Head, at the Instance, and in the Name, of half a Dozen interested Leaders, and twenty-six misguided Freeholders of Prince George's, had not it's designed Effect. But since our Constitution, by our Author's own Confession, affords a Remedy for every Evil, why all this Fuss, this Clamour and Noise, about a single Instance of male Administration in a County Court, supposing for Argument Sake this to be one! Or is it reasonable or just, that violent Convulsions should ensue every false Step or Error in Judgment of a Court of Judicature; and the People be set together by the Ears, or in our Author's own Words, *a whole County set in an Uproar*: And that too before those, by whom alone the Matter is cognizable, have determined the Justice of the Complaint; or does not such an uncommon Mode of Proceeding betray the Badness of a Cause?*

HAVING thus concluded my Remarks on the Freeholder's first Letter, it seems absolutely necessary, before I proceed to a Consideration of the second, to premise, that a very wide and material Distinction is to be made between what is Law, and what ought not to be Law, for this plain and obvious Reason: If Magistrates act wilfully or corruptly, without or against Law, they are accountable and punishable for it; but if they act under a Law, be it never so pernicious in it's Consequences, let it even be destructive of Life, Liberty, Property, and all that is dear and valuable to Society; yet, as they had no Share in the making of it, they therefore cannot be answerable for it's Consequences, although obliged in their Administration to govern by it. The Necessity of this Distinction will further appear to every one who considers the Drift of the Freeholder's Arguments, and how much the principal Matter, to which he should have confined himself, has all along been departed from. It ought to be remember'd, that what originally gave Rise to this Dispute, was a Charge of male Administration, exhibited against a County Court, and founded on a Presumption that the Proceedings of it's Members were either against, or without Law. This then is the essential Point which the Freeholder should first have endeavoured to prove, and which was incumbent on him to prove: But that, we find, has been artfully laid aside, and a faint Attempt made towards demonstrating such a Law (which, by the Bye, is a Confession of the Law, and consequently a Giving up of at least half the Argument), to be inconsistent with a British Constitution. From whence it may naturally and reasonably be infer'd, that our Author himself was not insensible of the Badness of his Cause; for he must have supposed such a Law actually in Being, before any Conclusions could be drawn from it. But we shall cease to wonder at this Conduct of our Author, however extraordinary it may at first appear, when we consider his Motives, and the Advantages he expected