

P O S T S C R I P T
T O T H E
M A R Y L A N D G A Z E T T E. N^o. 160.

Mr. GIBSON,

FATHER than leave any thing behind me unobserved on the *Freeholder's* second Letter, I shall touch upon some other Particulars in it. He absolutely (I think) asserts, that the Parliament, or in America an Assembly, has not a Power, i. e. a Right to enact any thing contrary to a fundamental Part of the British Constitution. And this (he says) is a Fundamental, that all Money for the Use of the Publick, must come from the People; and that the sole Right of judging the Sum necessary, and directing the Application of it, is lodged in the People, or their Representatives. Now suppose this to be true, (I do not dispute it's being reasonable, but deny it's being fundamental, any otherwise than as it is seen to flow from the Law of Reason, the true and only Foundation) will it not follow, that in Conjunction with the other Branches of the Legislature, (for without them they cannot levy any thing) they may, by an Act, empower others to levy Money for certain Ends and Purposes, the Quantum of which they cannot foresee? I think it proper to ask our Author some Questions on this Head, Who, or what, can disable the Legislature? Are they not the supreme Power? Is the Power of such a Nature that it cannot in Part be delegated? Has it not been practised in this Province, ever since the Settlement of it? If the *Freeholder* would consider and answer these Questions, he might give some Satisfaction to his Readers. But what he seems to me to contend for, is, I think, absurd; the Legislature must be constantly sitting, the minutest Charge must come before them, they must consider and provide for the Poor, build Bridge, ferre Ferries, and every other Thing that requires a Charge from the Counties. Our Author, in his Fury, has asserted too much; he has turned the Dispute out of it's proper Channel; he tells us of many brave and bloody struggles our Ancestors had, in Opposition to arbitrary Impositions: But these Struggles were with the Kings, who pretended to raise Money without Consent of Parliament; his Arguments are adapted to that only Purpose, and against such a Power; and probably taken from Writers on that Subject; But can he shew any one Writer before himself, that ever asserted, that the Legislature cannot empower the Justices to levy any necessary Sum, to defray the County Charge?

He says further, that it is not in the Power of the Representatives to give up this ancient Privilege of the People. Well, and what then? Is delegating Part of a Power, to be exercised in the Name and by the Authority of the Constitutions, giving up that Power or Privilege? I think not. It is a retaining of it, as it is executed by their Authority, for the Good of the Whole; and which Power they may resume, or otherwise, when they see fit. Now how is this infringing an essential Part of the Constitution? It is so far from that, that it is executing just Power or Trust by Deputies under their own Authority; and so far is it from being unlimited, that it is derived under the best and surest Restraints that the Nature of the Trust will admit of, as I have already shewn. Our Author has heard or read somewhat, against a Power of raising Money, any otherwise than by the Representatives of the People; that is, in short, that the King shall not levy Money without Consent or Authority of the Commons: And all this he has turned against our Assembly, for enabling the Justices to defray their County Charges, which is not giving up any Power, but taking necessary Care to have the Power duly and legally executed: Is not this Wriggling? Is it not imposing on the Ignorance of the People? Suggesting their Liberties to be infringed from the Exercise of an Act of their own making? No Man that is sensibly would be guilty of thus prevaricating: There is nothing but Ignorance to be pleaded for it. It is a very heinous Crime to sow the Seeds of Discord and Dissension in the Minds of the People; it has a Tendency to inflame and put all Things into a Combustion; the Consequences whereof have often proved dreadful.

I come now to our Author's famous Supposition, that the Majority of the *Freeholders* should desire the Court-House to continue at Marlborough, and that there was an absolute Necessity for raising six hundred thousand Weights of Tobacco at this Time, to repair it. Now grant but the first, the second viz. the Necessity of raising the Sum, is evident to every Body, who knows any thing of the Court House; that it was both too small, and all to pieces. But it is the first that galls our Author and his Party; they want the Court-House at *Bladesburg*, and the Trade from *Patuxent*; this is the Liberty they want, and this only is in Danger: Now to make this the Cause of every Man in *Maryland*, is a Banter upon common sense. But to go on with his Supposition, that from the known Wisdom and Learning, Impartiality and strict Honesty of the present ruling Magistrates, there was nothing to be feared from the Exercise of such a Power, while in their Hands, nor from the present worthy Governor; yet in Times to come, an avaricious Governor, designing to enrich himself out of the Spoils of the People, may fill every Bench in the Province with a Set of Tools for his Purpose: Some Priests or other, under the Title of a public Charge, will never be wanting to levy large Sums. These Magistrates too are to appoint Commissioners to lay it out, and if they render satisfactory Accounts of the whole of the Jobb, to the Governor and Council, they are accountable at no other Tribunal. Here then is a Door opened into an endless Labyrinth of Miseries. I think I need not repeat the Remainder of this pretty Supposition: The Author himself grants it a very improbable One; and it so, why was it advanced? Can any Consequence be drawn from an Improbability? Oh, but it is a possible One, (says he). But should not he know, that what is very improbable is next to morally impossible? He would suppose the Governor and Council to be perjur'd Rogues; and that they could find out a Set of Justices all over the Province like themselves; and that these Justices would find Rogues for Commissioners to lay out the Plunder, that is, to put it into the Governor's Pocket; the Sheriff must be a Rogue too to join in all this; and must they not get Somebody likewise to make Shew of a public Charge, that an Account may be entred of the Particulars? Now, may not our Author as well suppose, that an Assembly might be corrupted to give up their Rights and Privileges at once? Is not this as possible as the other? And must not he suppose too, that the People would not have Virtue enough to make a stand against all this, and resume their Rights by the original Contract? This has been done, and will be done again, when Things are brought to such an Extremity as our Author supposes; except he'll suppose also, that the Majority of the People are so corrupted, that they will not be alarmed by such a Proceeding. But this is not to be supposed. For since Property is so much divided amongst the Bulk of the People, as it is with us, it is morally impossible but that they will at all Times be ready to defend it: They'll neither lavish it away by an unquestionable Attempt, nor wait till it is wrested from them by Tyranny. Now, before I rake into such a Heap of Trash and Dirt as is contained in his third Letter; I should gladly have a little more of it, and have done with such Stuff at once: I therefore think it necessary to call upon our Author to look back to the Method he proposed, especially the first Particular, to shew with what Views the Magistrates made the Order that has given him so much Offence. In this he would insinuate they had very corrupt ones; as may be drawn from the Whole of his Letters; and from the Expectation he has rais'd in every Body that reads him, or hears him read. Now if he declines this, I shall think it my Duty, with regard to the Public, and the injured Magistrates, to set Matters in a proper Light: I shall explain the Nature of Malevolence and Scandal, shew that they are diabolical Vices; whether they will hit our Author or not, shall be refer'd to the fair and candid Considerer: And so I bid him adieu for the present.

P H I L A N T H R O P O S.

