

or Commander in Chief for the time being.

When a regular Minister having no other Benefice, is appointed by the Governor, the Consent or Admission of the Vestry is not called for, on the contrary, it is unnecessary, and is made so by the Act, the Benefice being conferred by the Appointment of the Governor, nor can it be supposed, that it could be the Intention of the Legislature, to put it in the Power of a Vestry to hinder the Exercise of the Right of Patronage, when the Act directs under what Circumstances the Clergy shall be Supported at the Expence of the People, an Expence brought upon them by their Representatives, on the Terms explained and regulated by the Act, I would fain hope, that on mature Reflection, Matters will be accommodated, that Men of Sense will consider, <sup>that</sup> the Rights of Government, not only from the Justice due to His Lordship, but for the Tranquillity and good order of the Community, ought to be vindicated, however, should a different Temper prevail, I must think it to be the Indispensable Duty of Mr. Hughes to give notice of it, that the most vigorous Steps may be taken to bring to censure the Usurpers of his Lordships Rights, and the Disturbers of the Publick Peace.

Dan<sup>l</sup>. Dulany.

Sir After the Debate in Whitakers Case was over he showed Letters of Orders, as his Qualification, which appeared to be only Deacons Orders, and on this Circumstance and his Counsel declaring that on the Account of his defective Qualification they had hazarded the Matter on their Argument of Presumption, it was strongly recommended to have the Question again brought on upon the Suit of the Sheriffs Bond, but the affair was given up by the Adversaries, the Declaration of his Counsel was owing to his having produced his Letters of Orders when they advised him against it and the contemptuous manner in which he created them on the Occasion, I have Reason to know that the Man loved Litigation, and it is not improbable that what he showed was with the view of bringing on a Suit and that he might have the proper Qualification to produce when brought to the Necessity of doing it and perhaps if not a Knowledge a Suspicion of this deterred his Antagonists.

Sir We are favoured, as you say, with a Copy of Mr. Dulanys Opinion, relative to the dispute subsisting between our Parish and you, which Opinion we have had before Us and maturely considered, We shall, as we ever did, pay great Respect to Mr. Dulany as a Gentleman, and One eminent in the Law, yet we presume, should his Opinion differ on this Occasion with other Gentlemen of the Law, and also from our own Sentiments, we would hope it might not be esteemed criminal in us, and should we attempt to pursue the legal Methods for a candid and fair determination of a Matter of so much Importance to us, we cannot suppose, that, under a Colour of Supporting the Authority and Rights of his Lordship, the Supreme Magistrate would so much interfere by any vigorous proceeding as should in any manner impede or give the least Colour of affecting the Current of Justice or divert the least Rivulet thereof, Such a Doctrine must sound harsh in the Ear of every Freeman, much more of those who esteem themselves loyal Subjects of the British King, and acknowledge his Sovereignty, and depend on him for their protection both Civil and Religious.

We can assure Mr. Dulany that we have no Intention, nor would we designedly do any Act of Outrage, or any thing that should tend to give Colour for any Suspicion thereof, or would we want the Ruins of Government wrested out of the Hands of those, who by the Laws of the Land, are intrusted with them, but at the same time, we would not, by a servile Submission, Alienate Our Rights and Liberties, and tamely give up Our Freedom to Monarchy, but only desire that an Equilibrium may ever be the Motto of every Englishman. Mr. Dulany justly observes that the Repentment of Our Parish may be partly owing to what they suffered during the Incumbency of Whitaker, and we apprehend