

TO THE EDITOR OF THE AUGUSTA
CHRONICLE & GEORGIA ADVERTISER.

Milledgeville, 2d September, 1822.

SIR,

THAT same spirit, which prompts a faction in this State, the rude assaults of which, even the administration of the General Government (one individual excepted) cannot escape; ever on the alert to render any political occurrence subservient as far as possible to its ambitious objects, having seized upon the circumstance of a State Executive appointment to fill a vacancy, and exhibited the subject to the public by gross misrepresentation and exaggeration in colors only adapted to its own unjust purposes, has induced me to lay before the public, a correct, circumstantial, authentic statement of the transaction, with necessary remarks. You will do an act of impartial justice and much oblige me by publishing it entire if possible, in your paper; one reason for the request, is, that the Editors in this place, will only publish it by piecemeal, another, that as this affair has been noticed by the presses in Augusta and Savannah, it is necessary, that the antidote (truth) should accompany the poison (falsehood.)

Messrs. Canak & Hines;

The manner in which you have thought it to be your imperious duty to represent to the Public, what you term an expose of the facts, and circumstances attending a recent appointment by the Executive to fill a vacancy, renders it necessary, having a due regard to public opinion, to lay before that Public a correct statement of the transaction, which may not only be relied on as coming from the best authority, but I will add, can and will be proven when necessary.

It appears then, that on or about the 11th July, Abner Hammond, Secretary of State, left the Seat of Government without the knowledge or consent of the Governor; that on the 12th of August the public business could no longer proceed in the Secretary of State's office legally: On the morning of that day Governor Clark was informed that Thomas H. Crawford (a young man whom Col. Hammond had left in his office) was acting as Deputy Secretary of State, or signing Col. Hammond's name to Grants of Land, &c.—upon which the Governor directed Major Wood, one of the Secretaries of the Executive Department, to go and see upon what authority he, Crawford, was acting; he accordingly went and returned with a written Power of Attorney, which the Colonel had given for the purpose; upon which the Laws and Resolutions of the different Legislatures of the State were examined, to see if there was any such authority given, but none could be found. Mr. Clayton, the Treasurer, and Mr. Bozeman, the Comptroller General, were asked if they knew of any authority for such a course of procedure? they both replied that they did not. Mr. Clayton walked out of the Office, Mr. Bozeman remained, when the Governor enquired of him, if he knew when Col. Hammond was expected to return? He replied that he did not, and said, that he supposed it to be very uncertain, as Mr. Crawford had informed him that there had been a letter received from the Colonel at St. Mary's and that he spoke of going from thence to St. Augustine. Others, as well as Mr. Bozeman, have heard Mr. Crawford say that Col. Hammond spoke of going to St. Augustine, and if he did he expected he would not return until some time in October. The Governor immediately sent for Mr. Crawford to come into the Executive Office, and upon his doing so, he was informed by the Governor, that he understood that he, Mr. Crawford, was acting as Deputy Secretary of State, and requested him to show the authority for Col. Hammond making such appointment. Mr. Crawford replied that he did not know that there was any authority, but that he was authorized by Col. Hammond to act. The Governor then told him that there was no such authority, and that he forbid his acting and signing his name as Deputy Secretary of State. Mr. Crawford was then asked by the Governor, when Col. Hammond was expected back? He replied, about the first of September; after which Mr. Crawford left the office, and for the space of an hour or more declined doing any business, in consequence of the directions given him by the Executive. In this time George B. Clayton, Treasurer, went to the Office of the Secretary of State and immediately on his leaving it, Mr. Crawford called to General Benjamin Cleveland, for whom he had refused to do business in the aforesaid interim, and who was then in the yard of the State House, and told him to come in and

he would do his business, and which was accordingly done, by him the said Crawford, signing a Grant, "Thomas H. Crawford for Abner Hammond, Secretary of State:" Immediately after which the Governor passed an order, appointing Simon Whitaker, Esquire, Secretary of State; to fill the vacancy occasioned by the absence of Abner Hammond, Esquire, and directed Mr. Wood to go and inform Mr. Whitaker of it that evening, and to request him to come in early next morning, if he should accept the appointment. He accordingly came, when the Governor informed him of all the circumstances which had led to his considering the office vacant, and appointing him, and said to Mr. Whitaker, it would be discretionary with himself whether to hold the office until the meeting of the Legislature, or until Col. Hammond returned, but that he should prefer his resigning it on his return; and that he wished him, Mr. Whitaker, to continue young Crawford and the other youth with him in the office: to which Mr. Whitaker replied, that he thought that Col. Hammond should have attended to the duties of the office while he had it, but that he should have no objection to continuing the young men in office. Mr. Whitaker then gave bond, with security, for the faithful performance of the duties of the office; upon which the oaths of office were administered to him by the Executive, after which the Governor walked with him into the Secretary of State's office, and informed young Crawford that he had appointed Mr. Whitaker Secretary of State, and that he presumed that he would continue him and the other young man in the office; on which Mr. Whitaker said that he would, or that he should have no objection. Crawford left the office, after asking the Governor how long he had appointed Mr. Whitaker for, and being answered, that was not material to him, and that it was understood between Mr. Whitaker and himself. The Governor then returned to the Executive Office, and Mr. Whitaker proceeded to the discharge of the duties of his office, in signing Grants, &c. Not long afterwards the Governor going up to the Penitentiary, and returning to the State House; observed young Crawford go into the law office of Seaborn Jones, after which he returned to the Secretary of State's office, and attempted, as the Governor was informed by Mr. Whitaker, to transact business again as Secretary of State under Col. Hammond, but was prevented by Mr. Whitaker; and he refused to give up the key of the office, which it was presumed he had taken away, as it was missing out of the lock. The Governor then told Mr. Whitaker he had better get a warrant against him for his rudeness towards him in the office and for taking away the key of the office door; Mr. Whitaker went off, and after some time returned and said that the magistrate found some difficulty in issuing a warrant. He was then directed to have the lock taken off and another put on that had a key. Soon afterwards Mr. Wadlow, a carpenter, came into the Executive Office and said, that man Crawford would not let him take the lock off to put another on; upon which the Governor directed one of his Secretaries, Mr. Burch, to go and have the lock put on the door, and the key given Mr. Whitaker. Some short time afterwards a considerable noise being heard in the Secretary of State's office, the Governor came in and enquired what was the cause of it, and was informed that when Mr. Burch took hold of the door, to have the new lock put on, Crawford laid hold of him to prevent it, and a scuffle ensued between them. The Governor then directed Mr. Wadlow, to take off the lock, put the other on and give the key to Mr. Whitaker, which was accordingly done without further interruption. Nothing more on the subject occurred until the 19th of August, 1822. It is pertinent here, however, to observe, that when the difficulty first presented itself, and the Governor revolved in his mind the measures to be adopted to prevent an entire suspension of the legal Executive administration of the Government, he at first thought of appointing the young man Crawford to fill the vacancy, until the return of Col. Hammond; but when he reflected upon the importance of the office; the possibility, by death, of Col. Hammond never returning, the youth, inexperience, and apparent unfitness of the young man, to hold an office of such high trust, he declined the idea, and appointed Mr. Whitaker, nevertheless requesting him, as has been before mentioned, to continue Crawford in the office, which being proposed to him by Mr. Whitaker, he replied that he did not know what to do. He was told he might be indulged in time to think of it: he left the office, saying that he would return in a short time and let Mr. Whitaker know his determination. He accordingly returned and told Mr. Whitaker that he could not accept; that he had taken legal advice, and must hold to the office. He was told by Mr. Whitaker, that would not do, inasmuch as the Governor had appointed him Secretary of the State, and he was in possession of the office, and that he Mr. Crawford, could do nothing more in the office but as a clerk, if he chose.

On Monday, the 19th August, Col. Hammond, with a cane in his hand, accompanied by a large train of persons, went into the office of the Secretary of the State. As he entered the door, Mr. Whitaker rose and said, "How do you do, Col. Hammond?" The Colonel popped his cane down on the floor, and asked by what authority, Whitaker was in the office? Whitaker replied by saying, "Under an Executive appointment." The Col. then said, "God damn the Executive!—who gave him the authority? I order you out of this Office."—Mr. Whitaker said, he should not go out. The Colonel having called on witnesses, turned to Whitaker and said, "You damn'd insignificant rascal, I order you out of this office instantaneously."—Whitaker answered again that he should not go, and resumed his seat. The persons present were called by Col. Hammond to bear witness of Whitaker's violence, as he termed it: He then went immediately to the Executive Office, accompanied by Thomas H. Crawford and several others; (and here a scene was displayed which may perhaps be considered as unparalleled for ferocity on the one part, and for insolent audacity on the other. The Editors of the Journal, in their authentic statements barely observe, *harsh words ensued*;—they understand the advantageous effect of shades in their colouring, and painting, and not

withstanding their minuteness in other particulars, of their invention, the public are left to determine, as they can, what occurred on that occasion, or by whom the harsh words were used. If shame had any share in the suppression of the fact, it was so far commendable; but justice always requires the whole truth.) The Governor, being seated in the Executive chair, spoke to Col. Hammond and asked him to take a seat, pointing to a chair. He, Col. H. however did not comply; but advanced near to the Governor, and (in an angry and threatening tone) addressed him in the following manner?—

By what authority, sir, have you taken my office from me and given it to another?

The Governor.—By the authority which I possess as Executive of the State.

Col. Hammond.—You have no such authority.

The Governor.—That is not for you to decide.

Col. Hammond.—I could go and take it as you have done, but I am not disposed to follow your evil example, you damn'd rascal.

The Governor.—Leave the room, sir, I will not be abused in my office; and (rising from his seat turned round to a table behind him, picked up his cane) said, go out of the room; leave the office this instant.

Col. Hammond.—(retiring)—I will let you know you damn'd rascal, you are too insignificant.

The main question arising from a consideration of these facts is, "Had a vacancy as contemplated in the 9th Sec. 2d Article of the Constitution, occurred in the office of the Secretary of State?"—The words of that Section are as follows:

"When any office shall become vacant by death, resignation or otherwise, the Governor shall have power to fill such vacancy," &c.

In examining and determining the question proposed, it becomes proper to consider,

1st—The general powers of the Executive by the Constitution, to enable him to administer the government:

2ndly—The nature and intention of the Secretary of State's office, its connexion with, and dependence on the Executive; and

3rdly—Whether the duties of the Secretary of State can be legally performed by Deputy?

The duties required of the Governor as expressed in his oath of office, in the 5th Sec. 2d Article of the Constitution, are, to execute faithfully the office of Governor of the State of Georgia, and to preserve, protect, and defend the said State, and to cause justice to be executed, in mercy, therein according to the constitution and laws thereof. The 6th Sec. of the same article of the constitution declares him to be commander in chief of the Army and Navy of this State and of the Militia thereof. To enable the Executive to perform the several duties above required, all the subordinate offices known to the constitution, were created, and among others, that of the Secretary of State.

The constitution, in declaring the above to be the general duties of the Governor, shows that, by the constitution, he is vested with the several powers necessary to enable him to discharge those duties. Besides these, the Executive is invested by the constitution with certain other powers specifically set forth in the constitution, but in their use & application, they also may be not improperly termed general powers, such as his power to grant pardons, reprieves, and to remit sentences, &c. &c.

In the office of Secretary of State, all the Acts and Resolutions of the Legislature are deposited; all grants for lands within this State are made out and recorded; commissions for officers, both civil and military, are prepared and recorded; the Great Seal of the State is there deposited. The Secretary of State is the proper officer to furnish copies from the several records in his office. By the 13th Sec. 2d Article of the Constitution, the Executive office and the office of the Secretary of State, are connected; the words of that section are, "The Great Seal of the State shall be deposited in the office of the Secretary of State and shall not be affixed to any instrument of writing but by order of the Governor or General Assembly," &c. &c.

In obedience to orders from the Governor, the Secretary of State prepares commissions. The Secretary cannot use the Great Seal in the recess of the Legislature, but by order of the Governor, and yet, strange to tell, "The Deputy Editor" of the Southern Recorder will have it, that the Governor and Secretary of State are two "officers, separate and independent of each other."—

Were it true, as this Recorder of absurdities alleges, that these two "officers are separate and independent of each other," then the Secretary of State would be able, at his will and pleasure, to stop the proceedings of the Government. It would then be in vain, that the constitution has declared that the Great Seal shall not be affixed to any instrument of writing but by order of the Governor. How idle would it then appear in the framers of the constitution, to have called the Governor Commander in Chief of the Militia, if he is not clothed with authority sufficient to organize and bring them into the field? How can they be called into the field but by means of officers duly commissioned? and how are officers to be commissioned, if the Secretary of State should refuse to obey the orders of the Governor.

The Governor might then issue an order to the Secretary of State, in case of emergency; the Secretary might absent himself from his office, whether for health, pleasure or profit, is quite immaterial, or he might stately refuse to obey the order—the object of it is defeated; and thus, on the supposition, that the Secretary is independent of, and not subject to the orders of the Governor, we readily see how the administration of the government may be, at any time, suspended. The great interests of the people may be sacrificed! and for what?—Merely to gratify the whim, caprice, or pleasure of the Secretary of State; a strange absurdity indeed!!

The Secretary of State is elected by the Representatives of the people; but for what?—To do the business of the people. Yes; and without any exception, he is better paid for his services, than any officer in the State. During the three last quarters of the present political year, commencing on the first Monday in November, 1821, and ending on the first

Monday in August, 1822, the Secretary of State has, for services rendered, including his salary, drawn from the public Treasury, upwards of four thousand dollars. The fees, paid by individuals during the same time for business done in his office, may be fairly estimated at from three to five hundred dollars. Is it then right or reasonable to say, that it was intended by the constitution, that an officer, having so much important business committed to his charge, and being so liberally paid by the people for his services, should attend or not attend to the duties of his office, just as might best suit his convenience? Surely the people will not quietly consent to be gulled and imposed on in this way.

I will now proceed to consider, whether the duties of the Secretary of State can be legally performed by a Deputy.

I conceive they cannot, for the following reasons:—

1st—There is no law or resolution, which authorizes the appointment of a Deputy Secretary of State.

2dly—There is a law, the only fair construction of which, shows, that the Secretary of State cannot legally appoint a deputy. I refer to an act of the Legislature passed 15th December, 1810, Clayton's Digest, page 643—the third section of which contains the following words. "All grants, copy grants, testimonials, or any other document or paper whatsoever, heretofore issued out of the Secretary of State's office, purporting to be signed by a deputy Secretary of State, shall be held and taken as legal, provided the said paper shall be ascertained to be genuine."—It will be at once seen, that this Act of the Legislature was intended for no other purpose and goes no further in relation to this subject, than, to legalize the acts performed by a Deputy Secretary of State previous to the 15th December, 1810. From the intention of the Act and the words of the third section, the acts of a Deputy Secretary of State appear to have been considered illegal before the passage of the act, and there being nothing in the act to authorize a Deputy Secretary of State to act thereafter, it follows conclusively that a deputy derives no authority from the act of the 15th December, 1810; and furthermore, since the passage of that Act, a Deputy Secretary of State has not been known as such in this State, nor have any known attempts been made to introduce one, until the present time.

3dly—Reasoning from analogy we arrive at the satisfactory conclusion, that the Secretary of State cannot appoint a deputy until he is authorized to do so by the Legislature. The 12th Sec. 2d Article of the Constitution, creates the offices of Secretary of State, Treasurer and Surveyor General. Now, by comparing the different clauses of the constitution creating the offices, of Judge of the Superior Courts, Justices of the Inferior Courts, Solicitors General, Justices of the Peace, Clerks, Sheriffs, &c. &c. with the one creating the office of Secretary of State, it will be seen, that nearly the same words are used in the creation of them all, and that, in fact, they all exist precisely on the same principle, to wit—the mere declaration in the Constitution that, "they shall exist." All of them existing then on the same principle, it follows, that if the Secretary of State can, without Legislative authority, appoint a deputy, a Judge of the Superior Courts, or any of the officers before mentioned, can do the same thing. It will avail nothing against the force of this argument, to draw distinctions between those officers, and call one a judicial and another a ministerial officer. They were all created at the same instrument; they all breathe the same vital principle, and they all owe their being to the same common parent—"The Constitution."

All proceedings of the Legislature touching the subject, from the formation of the constitution to the present time, plainly show, that they did conceive and did determine, at different times, that no one of the before mentioned officers could, without legislative authority, legally appoint a deputy, or else why did the Legislature, as long ago as 1799, authorize Sheriffs to have "one or more deputies?" See 46th Section Judiciary Law of 1799, Crawford and Marbury's Digest, page 305. And why did the Legislature in 1817, deem it expedient and proper to authorize clerks to appoint deputies? And now I ask whether it is right and reasonable to contend, that the Secretary of State can, without an act of the Legislature, legally appoint a deputy to discharge the important duties of his office, when it does undeniably appear that even a clerk could not legally appoint a deputy, until permitted to do so by a solemn act of the Legislature.—Lamar's Digest, page 159.

Having now considered the subject as proposed, and shown under the third and last divisions of it, that the duties of the Secretary of State cannot be legally performed by deputy; and it appearing from the facts that the Secretary was himself absent, and it being uncertain at what time he would return; and moreover, it being impossible for the public business to progress, legally, without a Secretary of State; it appears that a vacancy, such as contemplated in the constitution, had occurred on the 12th day of August, 1822.

It is admitted that this vacancy had been occasioned "otherwise" than by death or resignation; but by whom was it to be determined whether the office was really vacant? and what occurrences other than death or resignation could occasion a vacancy? The constitution being silent in regard to these questions, the last one depends then entirely on the nature of the office, and the circumstances of the particular case, and both must, from the necessity of the thing, be determined by the Executive, and no one else; as he is the only person authorized to fill the vacancy. The power to determine, is incidental to, and united with the power to fill, and these two powers must remain united in the same person until separated by an alteration of the constitution.

All that has been said on the subject of Mr. Burch's acting for the Comptroller General, amounts, in substance, to nothing. He never did undertake to perform for that office any act which was intended or needful to be preserved, and thereafter used as evidence. No law can be found rendering it essential to the validity of a grant, that his name should appear on it. His name for several years past, never has been entered on a grant,

until, since the last session of the Legislature. Neither is it required by law, nor is it essential to the validity of a grant, that the Treasurer's name should be on it. The law requires every application for a grant to pay into the Treasury a given sum before it issues; and the only reason why the Treasurer's name is on it, is to show the Governor, that the fee required by law has been paid; so that in truth, his name and that of the Comptroller-General's on grants, add nothing to their validity, and might be dispensed with entirely, without injury to the grantee. Not so with the name of the Secretary of State; the Act of 1810, before referred to, settling the question, if it were not before settled, whether his name on a grant is essentially necessary to its validity.

But it has been roundly asserted, that all the State House Officers have been in the habit of acting by Deputy, and Anthony Porter and Edward Cary, Esquire, have been named as individuals, each having had the whole weight of the government on his shoulders at different times. In the first place, this assertion is false in point of fact;—and in the second, admitting it to be true, an illegal act committed yesterday, is surely no justification of the commission of the like illegal act to-day. The present Surveyor General has, at different times, been in office for nearly twenty years, and he never did authorize any one to act as Deputy Surveyor General.

That Mr. Porter, Mr. Cary, and others, have receipted on grants and entered them for the Treasurer and Comptroller General, and done like duties for them, will not be denied. But I am well convinced, that no one in capacity of deputy ever did stand in their stead, authorized to discharge any and every duty required of them. Did an execution against a defaulting Tax Collector ever issue from either of those offices signed by a deputy? If ever one did, I fancy it would puzzle even that sagacious head of the Recorder, with all his law and constitution, to convince a court that such execution was legal and valid. Suppose the Treasurer and Comptroller were to allow a report signed by a deputy to go from their offices to the Legislature, what would be the language of the Legislature to them? It would be, "Gentlemen, you were elected by us to do business for the people; we committed to your charge an important trust, not to be transferred nor assigned to another; your duty is a personal one;—we never did authorize you to do your official duty by deputy; you will therefore be pleased to retire without further ceremony. If we cannot find others willing to give their personal attention to the business of the public, we will then call for you and your duties."

Stress is attempted to be laid on a power of attorney; it is nugatory—nothing more nor less than an attempt to authorize a Deputy to perform acts that would be illegal; the principal having no authority by law to have the duties of his office performed by Deputy, can convey no legal power; but, for mere argument's sake, we will suppose such a course to be pursued. The Secretary of State, the Treasurer, the Surveyor General, and Comptroller General, all shall appoint their Deputies, each invested with a Power of Attorney. One of these heads of offices sets out to St. Marys or Augustine to bathe in salt water, another to Alabama on some land speculation, another to the City of Washington, or to some salubrious springs in the mountains for the preservation of his health, for five or six weeks, or months, or indeed during the term of his appointment; for if the power of attorney is competent for a day it is for any term within the limits of his appointment—the Governor remains at his post, surrounded, not by the heads of offices, the component parts of the Executive Department of Government, but by a host of deputies or attorneys, who may be known to him, as to their qualifications or not; it was sufficient that they were such persons as the several officers chose to place about him; and suppose that he would submit to act under such circumstances, every act of these deputies, which might be necessary to be introduced as evidence into a court of justice, must be accompanied by an attested copy of the power under which they acted. It would be an idle waste of time, to enumerate all the absurdities involved in such an idle method of executing the office of Governor.

It is a notorious fact, that with the 12th of August a crisis had arrived when the Executive Administration of the Government must cease for want of legal co-operation of the Secretary of State; or the Governor must exercise the authority vested in him by the Constitution to guard against such a state of things, by appointing a person to fill that office. To have suspended the government would have justly subjected him to censure, greater than all the abuse so iniquitously poured out against him for having dis-very charged his duty to the public; & the same persons, in all probability, would have taken the lead in denunciation of him. Among the various misrepresentations and falsehoods in circulation, one is, that the young man Crawford had not been, as they think, duly served with a copy of the Executive order appointing Mr. Whitaker. It was furnished to Mr. Whitaker, and exhibited by him to Crawford, who paid no attention to it. Another statement, in the Recorder, is equally untrue, that is, that Mr. Crawford informed the Governor that Col. Hammond was expected home daily; all the information he gave the Governor was what has been already stated, when interrogated to that point, that Col. Hammond was expected to return about the 1st September.

The assertion in the Recorder, that the Governor interfered in behalf of Gen. Newsan in the late election of Secretary of State is void of truth; nor did he even know that Col. Hammond was opposed to him. The assertion, that Mr. Crawford was threatened to be thrown out of the house is equally unfounded in truth.

With regard to what has been said about the conduct of other officers, equally erroneous, it is sufficient to say, that they have not in any instance impeded the administration of the Government, nor is it known that they have in any instance abused themselves for any time from their offices without the approbation of the Governor; and indeed, from the nature of the business of their offices, as these remarks apply to the Com-

troller General and the Treasurer, there is not that constant indispensable co-operation with the Executive, as with the office of Secretary of State. If any persons have assisted them in receipting for fees or Grants of Lands or in checking such receipts, or in making any entries in their books, such a course, however immaterial they might deem it, has not been sanctioned by the Governor; and it is presumed that no instrument issuing from either of their offices, liable to be introduced as testimony in a court of justice, and that any of their acts therein could affect the validity thereof, has ever been signed by any person but themselves. An application was made by Mr. Clayton to the Governor to sanction the appointment of a person to perform the duties of his office. It was refused, and the Treasurer told, that he had best perform them himself; and the same remark has been made to Mr. Bozeman.

How the Editors of the Journal have been able to ascertain that the Governor and Col. Hammond were of different politics, State and National, is unknown; it was presumed that they were pretty much the same. Although it is not known that the Governor ever heard the opinion of Hammond, on politics, for himself, however, it is well understood that he is no an-worshipper, nor does he belong to any faction.

That the Editors of the two papers in Milledgeville, so notably conspicuous for their hostility to Governor Clark and devotion to his enemies, should have pursued any other than the course they have adopted, was not to be expected. To omit an opportunity to heap insults and contumely upon him, whether he had acted right or wrong, would it appear be deemed by them, a dereliction of duties imperiously demanded of them; and although this language may appear strong, who, that bears in mind a recollection of the torrents of scurrilous abuse, that issued almost incessantly last year from their presses against him and the three State Commissioners, who effected a treaty for the lands, will pretend to doubt the correctness of it? The tendency of their labors was to destroy the well-earned fame and reputation of honorable men, whose faithful services and successful efforts had eminently contributed to the prosperity of the State. But their labors then proved vain—the good sense of the people prevailed,—and they were compelled to drink of the cup of disappointment.

They now pounce upon the case of Hammond with the keen avidity of famished vultures, and in imitation of their brilliant trope, of the lamp, I would say, let them go on rejoicing, if they can rejoice in such a feast, until satiated, they drop off, and die spontaneously amid the extatic sensation of their own perfect repletion: but their object is the same it has heretofore been—to mislead the public opinion, to deceive the people, and further the views of a faction; hence, among many other things equally irrelevant to the true merits of the transaction under consideration, they would try to excite, and enlist the public sympathy on their side, by stating, that Col. Hammond was dependant in a good degree upon this office for the support of his family. If this was true, it would prove too much—in the first place, that he should have been more regardful of his interest, in a proper and faithful discharge of his public duties; and, in the second place, that he had been a very bad economist. He was elected to this office in the year 1811: it is believed by those best informed on the subject, to have been worth not less than \$3,000 any year, and more than \$6,000 per annum for several years; but an average of the lowest sum, \$3,000 a year, for 11 years, would make \$33,000. If, after the receipt of such an amount of money, he is still dependant upon the office for the support of his family in a good degree, it would amount to a prodigality in the management of his affairs, which few will believe. It is, however, altogether irrelevant to the subject, and merited only to be noticed to expose the object and fallacy of its use.

In the Recorder, of the 27th instant, some Lawyer, (no offence is intended to the faculty; I only mean some quibbling Lawyer) in the borrowed garb of the printer, like the wolf in sheep's clothing, introduces himself to the public with a long harangue—the parentage is immediately known by the sinister features of the offspring. He argues, that if the Governor had the power, it must be general, and not be particularly used in putting a Secretary of State into office, and that it must be his duty to go to every quarter of the State (when necessary) to put all officers into possession of their offices.

Now, if his perceptive faculties had not been deranged, perhaps, from the indiscriminate habit of advocating right and wrong, so far as to blind him to truth and the propriety of a measure, he would at once have seen the distinction, and comprehended the reasons for it—that these officers (spoken of) throughout the State are not like the Secretary of State's office, one of the most important of the Executive Department of Government, & by its daily co-operation, absolutely necessary to the legal administration thereof, and further, that the Great Seal of the State, the symbol of the sovereignty of the people, the stamp of which gives validity abroad to the instrument which receives its impress, is under the control of the governor, no one dare to use it but by the order of the Governor or General Assembly.

When a Governor is elected, the Great Seal of the State is confided and delivered into his hands by the Representatives of the people, through the President of the Senate; it becomes an attribute of his authority; it is conveyed from his hand to the Secretary of State, to be deposited in that office—then, if the Governor decide that a vacancy has occurred by death, resignation, (or otherwise) in that office, and appoints a person to fill it to prevent a suspension of the Executive Government, should he not deliver that seal to the officer who is to use it by his order? If so, what then are the grounds of charges of lawless violence on the part of the Governor? It may truly be answered the malignity of faction. But, this writer would have advised (and naturally enough, as being in his line of business) a Mandamus, or a Quo Warranto, to be served on Col. Hammond at St. Mary's, or St. Augustine, two or three hundred miles off—the government in the interim to be suspended or stopped. The Governor had no need to resort to such means to put him in possession of the Great Seal of the State, which was already under