

The MARYLAND GAZETTE.

[XXIst Year.] THURSDAY, May 16, 1765. [N^o. 1045.]

his Majesty has been graciously pleased to direct that the said Inhabitants may become British Subjects, and remain in Possession of the cleared Lands they occupied at the Time of the Surrender of the said Islands, &c. &c. being informed that some Misapprehensions and Doubts have arisen concerning the Tenor and Meaning of the said Terms, the Commissioners, the better to enable the said Inhabitants clearly to comprehend the same, have directed the subsequent Abstract, taken from his Majesty's Instructions, to be translated into French, and dispersed in the said Island.

Abstract of the Terms and Conditions contained in his Majesty's Instructions, relative to the French Inhabitants of the Island of St. Vincent and Dominica.

THE native Caribbees of St. Vincent are permitted to remain undisturbed in their Cottages and Grounds, and the French Inhabitants in that Island and Dominica are encouraged to continue on the Lands which they have cleared, and to enjoy their Possessions, by Virtue of Leases under the Crown in the following Manner, and subject to the following Conditions, that is to say: The Lessee is to take the Oaths of Allegiance, and make and subscribe the Declaration of Abjuration; he is to hold by his Lease only such cleared Lands, as he was at the Surrender of those Islands, and still is possessed of, excepting where his very great Convenience makes some small Alterations necessary, in which Case small Parcels of contiguous Lands may be added and comprised therein as the Commissioner shall judge reasonable. In Cases where Lands were held before the late Peace by several French Proprietors jointly, some of whom are since retired from them, the said Lands are to be severed into Parts, and Indulgence shewn in the Division to those who are contented to remain and receive their Portions. But the Lands which have been occupied by religious Societies are not included within the Meaning of these Provisions, nor included to the same Favour, but are to be otherwise disposed of. And if any French Inhabitant there happens to be, who has occupied more than Five Hundred Acres of Land, as above described, in St. Vincent, or Three Hundred in Dominica, his Possessions are to be reduced to those Numbers. Neither the Lessee, or any Part of the Lands thereby demised, are assignable to any other Person, without a Licence first had from the Governor-General, and the Approbation of the Lords Commissioners for Trade and Plantations: And a Covenant is also to be inserted in the Lease, that the Lessee shall reside at least one Half of the Year, in the Island where the Lands lie. If it shall be found necessary to appropriate to public Uses, cleared Lands in the Possession of any French Inhabitant, he shall be paid for any Buildings, or Improvements thereon by fair Appraisement, and be allotted unencumbered Lands in lieu of his cleared Lands so appropriated as above-mentioned.

Under the Restrictions, and with these Conditions, Leases to be signed by the Commissioners, and passed under the Seal of the Islands, may be granted for the Terms of fourteen, twenty-one, thirty-two, or forty Years, at the Option of the Lessee, or (if they prefer it) for fourteen Years, renewable at the pleasure of the Lessee for a further Number of Years, not exceeding forty in the whole. And, in Consideration hereof, certain Fines are to be paid down and Quit-rents reserved to the Crown, according to the Nature and Circumstances of the Case. But if any French Inhabitants shall not be disposed to occupy the Land he has already cleared, upon the Terms of the Lease required of him, he will be permitted to take up uncleared Lands, unincumbered with those Terms, to be allotted him by the Commissioners, in lieu of the former, and be moreover paid for the Buildings thereon, by fair Appraisement.

Notice is hereby given, that the Commissioners intend to repair, with all convenient Speed, first to the Island of St. Vincent, and from thence to Dominica, in order to determine in each Island the several Matters which are to be settled with the said Inhabitants, in Conformity with the above Instructions: And moreover, in order to facilitate and expedite such Settlement, the said Inhabitants are required previously to prepare, and have in Readiness to be given, to the said Commissioners on their arrival, a full and exact Account of the following Particulars.

- I. The Number and Names of all white Persons, and of all other free Persons in each Family.
- II. The Number, Names, and Ages of the able Slaves and others belonging to each Family.
- III. A descriptive Account of the cleared Lands possessed and occupied by each Family, expressing the Number of Quarries, or Extent which the same consists of, what Parts thereof are under particular Culture, and with what planted; also a Description of the Buildings and Improvements thereon.
- IV. The Determinations of the said Inhabitants with regard to the Terms and Conditions explained in the preceding Abstract, declaring which of the Alternatives offered, they severally prefer, in order to become British Subjects, and enjoy the Privileges and Advantages of that free and happy Government.

And, lest any improper Insinuations should be used to alarm or prejudice the said Inhabitants, it is declared, that such Information is required with no other View, than to enable the Commissioners the more easily and speedily to settle the Business that is to be concluded with them.

It may not however be improper particularly to explain, that no Bargain or Agreement whatever can be sustained, which any of the said Inhabitants may have made or entered into with other Persons, respecting Lands or Houses, since the Time of the Surrender of the said Islands; nor will any Allowance be granted for Improvements of any kind, made in consequence of such unwarrantable Proceedings. All Lands and Houses (excepting the Town Lots granted by Governor Dalrymple, in Charlotteville, in the Island of Dominica) which shall not be judged by the said Commissioners actually to belong to French Inhabitants occupying the same, will be the Property of the King, and disposed of according to his Majesty's royal Instructions.

By Direction of the Commissioners,
JOHN GREG, Sec.

in Charles-Street. All Persons
ADVERTISEMENTs of a moderate
: And Long Ones in Proportion.

There has lately appear'd in New-York, a few Numbers of a Paper called THE SENTINEL, some of which we are requested to Re-Publish, and doubt not but they will please the Reader, as they seem to be wrote with a true Spirit, and love of Liberty.

THE SENTINEL. N^o II.

WITH Men indeed who look upon the People as so many Beasts of Burden, and themselves destined by Providence, to mount, spur and whip, till they have galloped them into Perdition, it will perhaps be of little Account that ENGLISHMEN have ever esteemed a TRIAL by JURIES as one of the greatest PRIVILEGES by which they are distinguished from the Rest of Mankind. But common Sense will and must allow, that of all imaginable Ways to come at the true Knowledge of Matters of Fact, that of examining the Witnesses *viva voce*, promises the greatest Success. There is something in the very Manner of a Witness's delivering his Testimony, in his Air, and Tone of Voice, in his appearing agitated or dispassionate, forward or unwilling, and in a Thousand other Circumstances, that has great Weight with every reasonable Man present at the Examination. All those Advantages are lost on reducing his Testimony to Writing. He is moreover, according to the Course of the Common Law, examined in open Court, where he has Time and Opportunity to explain himself. On the other Plan his Meaning must depend on the Explanation of the Examiner, who, either from Corruption, Ignorance, or Misapprehension, may greatly misrepresent him. Nay, a Witness will depose in a Corner, what he dares not to assert in the Face of the Court, and the Presence of his Neighbours. It is another Excellency of this Method of Trying Facts, that altho' the Jury ought to regard the Witnesses and their Testimony, yet they are not always bound by it; but may either from reasonable Circumstances inducing a Blemish upon their Credibility, tho' otherwise in themselves in Strictness of Law to be heard (and by the new-fangled Court attempted to be introduced, at all Events to be believed) pronounce a Verdict contrary to such Testimony, the Truth whereof they have just Cause to suspect.

There is another eminent Advantage peculiar to this Kind of Trial. The Judge is always present at the Time the Evidence is given. By this Means he is able in Matters of Law, emerging out of the Evidence, to direct the Jury; as well as in Matters of Fact to afford them additional Light and Assistance, by weighing the Evidence before them, and observing where the Question really lies.

Nor discovers the Law less Wisdom in appointing every Fact to be Tried near the Place where it happened. Hence the Jury must come from the Vicinity. By this Means they are acquainted with the Characters of the Witnesses; and how much such a Circumstance tends to the Investigation of Truth, I again submit to common Sense. But on the new System (that is, the System proposed by Notaries and Apothecaries and old Women) the Triers are not presumed to know any of the Witnesses; and what is still worse, are most likely to believe the least credible, who are always, the most prompt and peremptory.

And indeed when we consider that this Method of Trial is as ancient as the Con-

stitution itself; that the People of every Country best know what Constitution suits them best; that the People of England are in a great Measure the Makers of the Laws by which they are governed—That so far from ever having found this Method inconvenient, they glory in it, as a most distinguished Privilege. Is it not singular Pre-emption in any Man, to suppose himself capable of mending so excellent a System, or to pretend that so fundamental a Part of the Constitution was intended to be abolished by the bare Stroke of a Pen; or the Insertion of a single Word in a Governor's Instructions?

I will venture to add, that our Governors are frequently the least Qualified to try either Matters of Law or Fact. For among the Numbers with which we have been blessed, how few have been equal to their important Trust? Some indeed were not deficient in Knowledge. But then they laboured under a more capital Defect. They wanted Integrity: And so they could but accumulate Riches, and conciliate ministerial Favour by calumniating the People, they cared not if the Province sunk into eternal Perdition. Such we have seen. Of such our Fathers have told us. And what has been; may be again! And to such it were notable Wisdom indeed to entrust a Power of controuling the Impartial Decisions of the INCORRUPTIBLE TWELVE!

Again, from the Practice of re-examining the Verdicts of a Jury, would result such an Inundation of Perjury, as to render all Property absolutely precarious; and the Court contended for, next to the Inquisition, the most baneful Tribunal that ever entered the Heart of Man (I will not except the worst of Men) to conceive.

Nor could so pestilent a Judicatory fail of introducing such a Spirit of Litigiousness, as would in less than Half a Century, either depopulate the Country, or reduce the Inhabitants to a State of Beggary and Bondage. The Expence of such Appeals would be intolerable. Nay, on this Plan, the Evidence in the Courts of Common Law, must in every Case be all reduced to Writing; because as neither Party can be certain whether his Adversary will Appeal or Not, he must prepare himself for the worst. So must all the additional Evidence adduced before the Governor and Council on the first Remove, in order to prepare the Cause for the second before his Majesty and Council. And to reduce all the Testimony of the Witnesses in some of our common Law Trials to Writing, especially in Actions of Ejectment, wherein the Boundaries of Lands are in Question, and sometimes Fifty Witnesses examined, and great Numbers of Instruments offered in Evidence, would often occasion, as his Honour the Chief Justice well observed, an Expence surpassing the very Thing in Demand. And I am confident, that even to have penned all the Evidence produced on the Trial between *Forsy* and *Cunningham*, so as to be free from every Objection, either from the Court, the Jury, the Witnesses themselves, or the Counsel concerned, would have required at least a Month. Nay, even to the Party victorious, such would be his Dead Charges, that the well known ludicrous Representation of the Two Suitors, the Loser Stark-naked, and the Gainer in Rags, would be literally verified by daily Experience. Nor need any Lawyer desire above Six Years to accumulate a Fortune, which I am satisfied would give some of my Acquaintance such Mortification

and Chagrin, as ought (the Public apart) to make them less sanguine about carrying so dangerous a Measure.

Moreover, as the Expence, for the Delays, would be infinite. For what litigious Spirit would acquiesce in the first Decision? How liable were the Poor to be Oppressed by the Rich? From hence would result such endless and complicated Contention, that no Year would suffice the Governor and Council for dispatching the Appeals annually arising. And only think of the Infinity of Causes carried from all the Colonies before a Prince engaged in the arduous Affairs of Three Kingdoms. Nay, what a dignified Scene to behold a Monarch who holds the Balance of Europe, employed in weighing the little Circumstances respecting an Assault and Battery; or posing in his Royal Mind the contradictory Depositions in a private Action of Slander? Does not the Reader fancy he sees the Roman Emperor amusing himself with catching Flies; or him of *Syracuse* descending from his Throne to make a Mouse-Trap?

MARSEILLES, January 25.
CAPT. Faure, of Ciotat, Commander of the Roland, is arrived here from Alexandria in Egypt; on board which Ship the Surgeon discovered (when the Vessel was disarming) a Girl between 16 and 17 Years of Age, in Disguise, among the Cabbin-Boys, of which he informed the Captain; who, on questioning the Girl, found that Debauchery had no Share in this Adventure, but that the Desire of supporting her Mother, who was in great Distress, had induced her to put on Boy's Apparel, and enter for a Cabbin-Boy. This Girl, who is native of Sisteron in Provence, performed, during the Voyage, all the Duties of the Station, such as going aloft to furl the Sails, &c. with much Judgment and Spirit. The Proprietors of the Ship have thought proper to double her Pay; which she has accordingly received.

LONDON, February 5.
The Stocking Merchant at Doncaster, who lately sold twenty Pair at one Guinea each Pair, has got a Commission from some of the Nobility, for six Pairs, at six Pounds each Pair; which he has undertaken to execute. To so great Perfection has that Branch of British Manufactory arrived.

The Business of Quilting Bed-Carpets and Petticoats, which formerly the Females ingrossed, is now totally going into a different Channel, the Weavers in Spitalfields having struck upon a Method of Quilting in their Looms which is much cheaper and neater than any Person with a Needle can do.

Feb. 12. Last Week it was proved by the Company of Weavers, that there was at that Time no less than 1700 Looms unemployed among the Silk-weavers in London only, and further Enquiry is making to ascertain the particular Number unemployed elsewhere.

Friday the 8th Inst. a Journeyman Brushmaker, of so low Stature, that he is commonly in Derision called the Town Steeple, was married here; to a young Girl, also of the Pigmy Size. The Bridegroom and Bride both together measure 5 Feet 8 Inches in Height, and much about the same in Breadth. The Nuptials were celebrated with a good Deal of Mirth.

Feb. 20. There are at this Time, more Prisoners confined for Debt in the several Jails of this Kingdom, than has been known this Century; and it is said, that Petitions to Parliament, on this Account, are already come up from no less than twenty Capital Cities and Towns.

N E W - Y O R K, May 2.
By our latest Advices from England, among which we have many Particulars from a Gentleman who was present and heard all the Debates in Parliament when the Stamp Bill was brought in; we have collected the following Articles, viz. That the Accounts which have been published in all four Papers (taken first from the Boston Papers) rela-