

governor since its first publication, his majesty has shown a tender regard for the real interest and convenience of his subjects.

Your excellency is pleased to inform us, that you are required to signify to the two houses his majesty's disapprobation of the appointment of committees of correspondence, in various instances, which sit and act during the recess of the general court by prorogation. — So far as this matter relates to the board, it can relate to them only in the instance of correspondence with Mr. Agent Bolland, with whom, since they chose him agent, they have divers times appointed a committee to correspond during the recess of the court.

As this is a matter of great importance your excellency will permit us to discuss it with freedom. — When governor Bernard was in the chair he early discovered a disposition to infringe on the rights of the board; and this disposition increased, till at length, regardless of the dignity of his station, he descended to the most ungentlemanly treatment of them, when they either refused an acquiescence with his unwarrantable measures, or endeavoured to support their rights against his usurpation. They had long apprehended, that besides those personal attacks in council, he had by his letters been misrepresenting them to his majesty's ministers; but they had not full evidence of it, till they received authenticated copies of some of his letters to Lord Hillsborough, in which they found themselves personally abused, and all their rights and privileges in their public capacity, and their very existence in that capacity, struck at. Those letters having been laid before parliament unjustly procured a parliamentary censure of the council, and threats of further proceedings against them. Now, though it had been usual in a regular state of things for an agent to be appointed with the concurrence of the three branches of the general court, yet when that state became inverted, when the governor was endeavouring to destroy the rights of the council, when our constitutional rights in general were in danger, and no confidence could be placed in a governor, the principle of self-preservation and the right of defence, naturally inherent in man, both individually and socially considered, required and justified the two houses jointly or severally at their option, to choose an agent or agents for the defence of those rights independent of the governor. But it might frustrate the end of such choice, if they had not the power of appointing a committee to correspond with their agent when chosen: for although the governor should permit them to sit till they had informed and instructed their agent in every thing at that time thought needful, yet after the fullest information and instructions at first given, many things would probably arise during the general court's recess (which by successive prorogations the governor could prolong) to make such a correspondence necessary. If then there be sufficient reason for the appointing an agent independent of the governor (as it clearly appears to us there was and still continues to be) there must be sufficient reason for the means necessary to effect the end of that appointment: among which means is the keeping up and maintaining with him a correspondence, whereby they may be furnished from time to time, as he shall call for them, with all needful information and assistance; which in the recess of the general court cannot be done but by a committee. Among those means is also included a reasonable and just compensation for his services.

On this occasion your excellency will permit us to express our concern, that you were not pleased to give your assent to the first grant made to Mr. Bolland, for his services since his being agent by appointment of the council, when you were not under the obligation of an instruction forbidding you to give such assent.

If the council had an opportunity to state the reasons of that appointment, and those reasons had been permitted to accompany the representation which procured that instruction, it is humbly apprehended they might have occasioned an essential alteration in it, or wholly prevented it. But if the foregoing state of facts should come to his majesty's knowledge, we humbly trust he will see sufficient reason and be graciously pleased to revoke the said instruction.

The procuring instructions that are to affect the rights of either house, or in any other way injure the rights and interests of the province, without giving them a hearing, is a great grievance. In the law courts, even in the smallest concerns, the parties may be heard before judgment; and the opportunity for it is founded on the highest reason and justice. Is there not equal reason and justice that a whole province should be heard on the first motion for, and through the process of instructions that are to affect them in their greatest interests? but in what instance of instructions thus affecting them have they been heard? — when your excellency was stating the case of the council's appointing a committee to correspond with their agent, which has procured his majesty's disapprobation of their conduct, did not justice require the communication of it to the council for their observations on it, that from both together (if it was needful any representation should have been made on that head) his majesty might have had the means of forming a true judgment concerning it? and does not justice require a similar proceeding in all representations, on which are to be grounded any instructions that shall tend to lessen the rights of either house, or any other way affect the interests of the province?

On this occasion it is obvious to observe, that within these few years the ministry seem to have considered the governors of the province, not as crown officers with commissions under the great seal, but as officers within their department and under their direction. This remarkably appeared in the administration of governor Bernard, who very probably was the means of it: for there is reason to suppose, and his letters

shew it, that he laid a plan for depriving Americans in general, and this province in particular, of their liberties: and being a volunteer in the executing it, in order to secure himself, seems to have procured from the ministry letters of instruction from time to time, as he had occasion for them; whereby, without giving the province an opportunity of being heard, its rights, interests and character have been greatly injured. And as the same mode of proceeding has been continued, there is the same reason to complain of it. But it is humbly hoped from the goodness and justice of his majesty, and the distinguished virtues of the earl of Dartmouth, (his majesty's minister for the American department) that this province will be made happy by a removal of all its grievances.

In the mean time the board are affected with the deepest concern, that any part of their conduct should be disapproved by his majesty; but they humbly trust, that when his majesty shall be informed of the reasons on which it is grounded, it will notwithstanding be the object of his gracious approbation.

The ADDRESS of the HOUSE of REPRESENTATIVES, to his Excellency Governor HUTCHINSON.

May it please your Excellency,

YOUR speech to both houses at the opening of this session has been duly considered in the house of representatives.

The equitable adjustment of the disputes which have subsisted between the English inhabitants of the town of Edgartown, and the Indians of Martha's Vineyard, respecting their claim to the island Chappaquiddick, had the particular attention of the two houses of this assembly in the last session. A committee was then appointed to repair to the place in the recess of the court, and report the circumstances of that affair. Their report is daily expected, and we trust that the difference will be settled to the reasonable satisfaction of the Indians before the close of the present session.

With pleasure we hear from your excellency, that there is reason to expect his majesty's confirmation of the settlement of the Western line of this province, where it is bounded on the Eastern line of the province of New-York. This settlement, not only tends to bring to an issue, a dispute which has been the source of much mischief, but also to establish harmony between his majesty's colonies; upon which their own safety and welfare, as well as the interest of Great-Britain, at this juncture more especially, so much depends.

It affords great satisfaction to this house, to find, that his majesty has been pleased to put an end to an undue claim heretofore made by the governors of this province; grounded upon a supposition, that the consent of the chair was necessary to the validity of the judicial acts of the governor and council, whereby their proceedings, when sitting as the supreme court of probate, and as the court for determining in cases of marriage and divorce, have been so often impeded. The royal order, that the governor shall acquiesce in the determination of the majority of the council, respects not the council only, but the body of the people of this province. And his majesty has therein shewn his regard to justice, as well as the interest and convenience of his subjects, in refusing a clause in the charter from a construction, which in the opinion of this house, was repugnant to the express meaning and intent of the charter, inconsistent with the idea of a court of justice, and dangerous to the rights and property of the subject.

Your excellency is pleased to inform the two houses that you are required to signify to them his majesty's disapprobation of the appointment of committees of correspondence in various instances which sit and act during the recess of the general court by prorogation. You are not pleased to explain to us the grounds and reasons of his majesty's disapprobation; until we shall have such explanation laid before us, a full answer to this part of your speech will not be expected from us. We cannot however omit saying upon this occasion, that while the common rights of the American subjects continue to be attacked in various instances, and at times when the several assemblies are not sitting, it is highly necessary that they should correspond with each other, in order to unite in the most effectual means for the obtaining a redress of their grievances. And as the sitting of the general assemblies in this and most of the colonies depends upon the pleasure of the governors, who hold themselves under the direction of administration, it is to be expected, that the meeting of the assemblies will be so ordered, as that the intention proposed by a correspondence between them will be impracticable, but by committees to sit and act in the recess. We would moreover observe, that as it has been the practice for years past, for the governor and lieutenant governor of this province, and other officers of the crown, at all times to correspond with ministers of state, and persons of distinction and influence in the nation, in order to concert and carry on such measures of the British administration as have been deemed by the colonists to be grievous to them, it cannot be thought unreasonable or improper for the colonists to correspond with their agents, as well as with each other; to the end that their grievances may be so explained to his majesty as that in his justice he may afford them necessary relief. As this province has heretofore felt the great misfortune of the displeasure of our sovereign by means of misrepresentations, permit us further to say, there is room to apprehend that his majesty has in this instance been misinformed; and that there are good grounds to suspect that those who may have misinformed him have had in meditation further measures destructive to the colonies, which they were apprehensive would be defeated by means of committees of correspondence sitting and acting in the recess of the respective assemblies.

It must be pleasing to the good people of this province to find that the heavy debt which had been incurred by their liberal aids through the course of the late war, for the subduing his majesty's inveterate enemies, and extending his territory and dominion in America, is so nearly discharged. Whenever the house of representatives shall deem it incumbent upon them to provide for any future charges, it will be done, as it ought, by such ways and means as, after due deliberation, to them shall seem meet.

In the mean time, this house will employ the powers with which they are intrusted, in supporting his majesty's just authority in the province according to the royal charter, and in dispatching such public business as now properly lies before us. And while we pursue such measures as tend, by God's blessing, to the redress of grievances, and to the restoration and establishment of the public liberty, we persuade ourselves that we shall at the same time, as far as in us lies, most effectually secure the tranquillity and good order of the government, and the great end for which it was instituted, the safety and welfare of the people.

A N N A P O L I S, MARCH 1.

On Thursday evening last, the lady of the right honourable the earl of Dunmore, governor of Virginia, with ladies Catharine, Augusta, and Susanna Murray, lord Fincastle, Mr. Alexander, and Mr. John Murray, also captain Foy and his lady, embarked on board a yacht, the property of col. Lloyd, for York river, after having honoured this city with their company eleven days. On their departure they were complimented with a discharge of twenty-one guns from the battery, and the same number from the ship Annapolis, then lying in the harbour: Thomas Eden, esq; brother to his excellency our governor, accompanied them to the exterior bounds of this province, and left them below Smith's Point at eleven o'clock on Friday morning, with a fair wind, and a probability of arriving at York on that evening.

**C U S T O M - H O U S E.
E N T E R E D.**

Ship Totnes, John Hudson, from Liverpool.
Schooner Lemuel, James Armour, from Hispaniola.
Schooner Manchester, William Tuck, from Salem.
Sloop Grampus, John Brackett, from Boston.
Ship Kitty, Joseph Mullet, from London.
Brig Swift, George Sbraker, from Newcastle.
Schooner Betty, Silas Nowell, from Piscataqua.
Schooner Sally, Nathaniel Gray, from Boston.
Brig Lord-North, Leonard Jehan, from Guernsey.

C L E A R E D,

Schooner Liberty, William Powell, for Virginia.

March 2, 1774.

TO be sold a likely young country born negro fellow, aged twenty-six years, has had the small pox and measles, he has always been very healthy; any person in want, may depend he is well qualified for any sort of plantation work; for further particulars apply to Mr. Allen Quin in Annapolis.

THE managers of the Chester-Town lottery for repairing the town wharf, erecting ferry stairs, and building a market house, inform the public that, owing to the severity of the weather, and several unavoidable delays in forwarding tickets to those gentlemen whose names are mentioned in the scheme for the disposal of them, a considerable number of the tickets still remain on hand; for which reason they are obliged to postpone the drawing of the lottery to the second day of May next.

In the mean time the managers hope that every one who is desirous of promoting the public good, will assist in carrying this scheme into execution. And they flatter themselves, that those who are actuated only by motives of self interest, will not lose the opportunity of adventuring their money in this lottery, in which they will have so fair a chance of receiving it again with ample interest.

Annapolis, February 28, 1774.

THE subscribers being fully authorized by general letter of attorney, dated November 23, 1773, to receive, collect, and sue for, all debts due in this province, to Mr. John Buchanan, merchant in London; and Messrs John Buchanan and son, desire all persons indebted as aforesaid, to make speedy payment, and all persons having demands, as creditors of Mr. John Buchanan, or Messrs John Buchanan and son, are also desired to give speedy notice thereof to the subscribers.

**DANIEL DULANY,
JAMES DICK,
ANTHONY STEWART.**

Anne-Arundel county, March 1774.

WHETHERAS I have several times received damages by sundry persons driving their carts and waggons through my plantation; this is to forewarn all persons whatever, from driving their carts or waggons through my plantation, any further than along the public road, from the northern bridge, by Mr. Brice Worthington's mill. Likewise from hunting with dogs or gun through any part of my inclosures, as by so doing, they may depend on it that they will be done by as the law directs.

FRANCIS RAWLINGS