

[XXIth Year.]

THURSDAY, October 3, 1765.

[No. 1065.]

To his Excellency HORATIO SHARPE, Esq; Governor and Commander in Chief in and over the Province of MARYLAND:

The humble ADDRESS of the HOUSE of DELEGATES.

May it please your Excellency,

WE, his Majesty's most dutiful and loyal Subjects, the Delegates of the Freemen of the Province of Maryland, in Assembly convened, return your Excellency our Thanks for your Speech at the Opening of this Session; and beg Leave to assure you, that the Opportunity your Excellency has now afforded us, of promoting the true Interest of our Country, is extremely agreeable to us.

As we have thought it our indispensable Duty to our Constituents, at this Time to appoint a Committee of some of our Members, to join Committees from the Houses of Representatives of the other Colonies on the Continent, who are to meet at the City of New-York, on the first Tuesday in October next, in order to join in a general and united dutiful, loyal and humble Representation to his Majesty, and the British Parliament, of the Circumstances and Condition of the British Colonies and Plantations, and to implore Relief against some Acts of Parliament, we are informed are lately passed in England, whereby it is apprehended the Liberties of the Colonies will be greatly abridged, which, with the Matters necessarily relative to, and dependant upon, it, (wherein we have met with some very unexpected Delays) has so wholly engross'd our Attention, that we have not yet even settled any of our ordinary Rules for Proceeding, we cannot doubt but we shall stand excused for being thus late in Answering your Excellency's Speech; and having now very nearly compleated that Affair, and as the next Month will be chiefly taken up in Adjourn'd County Courts, by which Means several of our other Members must be taken from the Business of the House, or great Numbers suffer much by their Suits continuing open at this Time, we hope your Excellency will, as soon as the present important Business is finished, give us a short Recess of a few Weeks, that those Inconveniencies may be removed, when we shall be very glad to have an Opportunity of Proceeding to the Dispatch of the interesting Matters your Excellency has been pleased to recommend to us, and to concur with the other Branches of the Legislature, in every Measure tending to promote the general Welfare of our Country, which we are much pleased to be assured by your Excellency, you also consider as your own.

ROBERT LLOYD, Speaker.

September 28, 1765.

The Governor's ANSWER.

Gentlemen of the Lower House of Assembly,

AS I perceive by your Address, which hath been just presented to me, that you are desirous to have a short Recess of a few Weeks, I shall comply with your Request; but, it being probable that the Stamp'd Paper destined for this Province, in Consequence of the Act of Parliament that was made last Session by the Legislature of Great-Britain, will arrive here before I shall have an Opportunity of advising with you again, and that the Master of the Vessel who may have Charge thereof, will desire me to give Orders for it's being landed and lodged in a Place

of Security, especially as the Person appointed to distribute the Stamps here, has, I understand, left the Province, I should be glad to know how you would advise me, to act on such Occasion.

Sept. 28. HOR^o. SHARPE.

By the LOWER HOUSE of ASSEMBLY.

Sept. 28, 1765.

ORDERED, That Mr. JONAS GREEN, Printer, do publish in the MARYLAND GAZETTE, next Week, the following RESOLVES of this House.

Signed per Order,

M. MACNEMARA, Cl. Lo. Ho.

I. RESOLVED UNANIMOUSLY, That the first Adventurers and Settlers of this Province of Maryland, brought with them, and transmitted to their Posterity, and all other his Majesty's Subjects since inhabiting in this Province, all the Liberties, Privileges, Franchises, and Immunities, that at any Time have been held, enjoyed and possessed, by the People of Great-Britain.

II. RESOLVED UNANIMOUSLY; That it was granted by Magna Charta, and other the good Laws and Statutes of England, and confirmed by the Petition and Bill of Rights, that the Subject should not be compelled to contribute to any Tax, Tallyage, Aid, or other like Charge, not set by common Consent of Parliament.

III. RESOLVED UNANIMOUSLY, That by a Royal Charter, granted by his Majesty King Charles the First, in the Eighth Year of his Reign, and in the Year of our Lord One Thousand Six Hundred and Thirty-two, to Cecilius, then Lord Baltimore, it was, for the Encouragement of People to transport themselves and Families into this Province, amongst other Things, covenanted and granted by his said Majesty, for Himself, his Heirs, and Successors, as followeth:

“ And we will also, and of our more special Grace, for Us, our Heirs, and Successors, we do strictly enjoin, constitute, ordain, and command, That the said Province shall be of our Allegiance, and that all and singular the Subjects and liege People of Us, our Heirs, and Successors, transported, or to be transported, into the said Province, and the Children of them, and of such as shall descend from them, there already born, or hereafter to be born, be, and shall be Denizens and Lieges of Us, our Heirs, and Successors, of our Kingdoms of England and Ireland, and be in all Things held, treated, reputed and esteemed, as the liege faithful People of Us, our Heirs, and Successors, born within our Kingdom of England, and likewise any Lands, Tenements, Revenues, Services, and other Hereditaments whatsoever, within our Kingdom of England, and other our Dominions, may inherit, or otherwise purchase, receive, take, have, hold, buy and possess, and them may occupy and enjoy, give, sell, alien, and bequeath, as likewise, all Liberties, Franchises, and Privileges, of this our Kingdom of England, freely, quietly and peaceably, have and possess, occupy and enjoy, as our liege People, born, or to be born, within our said Kingdom of England, without the Let, Molestation, Vexation, Trouble, or Grievance, of Us, our Heirs, and Successors; any Statute, Act, Ordinance, or Provision, to the contrary thereof, notwithstanding.

“ And further, our Pleasure is, and by these Presents, for Us, our Heirs, and

“ Successors, We do covenant and grant, to and with the said now Lord Baltimore, his Heirs and Assigns, that We, our Heirs and Successors, shall at no Time hereafter, set or make, or cause to be set, any Imposition, Custom, or other Taxation, Rate or Contribution whatsoever, in or upon the Dwellers and Inhabitants of the said Province, for their Lands, Tenements, Goods or Chattels, within the said Province, or in or upon any Goods or Merchandizes, within the said Province, or to be laden and unladen within any the Ports or Harbours of the said Province: And our Pleasure is, and for Us, our Heirs, and Successors, We charge and command, that this our Declaration shall be henceforward, from Time to Time, received and allowed in all our Courts, and before all the Judges of Us, our Heirs, and Successors, for a sufficient and lawful Discharge, Payment and Acquittance: Commanding all and singular our Officers and Ministers of Us, our Heirs and Successors, and enjoining them upon Pain of our high Displeasure, that they do not presume, at any Time, to attempt any Thing to the contrary of the Premises, or that they do in any Sort withstand the same; but that they be at all Times aiding and assisting, as is fitting, unto the said now Lord Baltimore, and his Heirs, and to the Inhabitants and Merchants of Maryland aforesaid, their Servants, Ministers, Factors and Assigns, in the full Use and Fruition of the Benefit of this our Charter.”

IV. RESOLVED, That it is the Unanimous Opinion of this House, That the said Charter is Declaratory of the Constitutional Rights and Privileges of the Freemen of this Province.

V. RESOLVED UNANIMOUSLY, That Trials by Juries is the grand Bulwark of LIBERTY, the undoubted Birthright of every ENGLISHMAN, and consequently of every BRITISH SUBJECT in AMERICA: And that the Erecting other Jurisdictions for the Trial of Matters of Fact, is UNCONSTITUTIONAL, and renders the Subject insecure in his LIBERTY and PROPERTY.

VI. RESOLVED, That it is the Unanimous Opinion of this House, That it cannot, with any Truth or Propriety, be said, That the Freemen of this Province of Maryland, are Represented in the British Parliament.

VII. RESOLVED UNANIMOUSLY, That his Majesty's liege People of this ancient Province, have always enjoyed the Right of being Governed by Laws, to which they themselves have consented, in the Articles of Taxes, and internal Polity; and that the same hath never been forfeited, or any other way yielded up, but hath been constantly recognized by the King and People of Great-Britain.

VIII. RESOLVED, That it is the Unanimous Opinion of this House, That the Representatives of the Freemen of this Province, in their Legislative Capacity, together with the other Part of the Legislature, have the sole Right to lay Taxes and Impositions on the Inhabitants of this Province, or their Property and Effects: And that the Laying, Imposing, Levying or Collecting, any Tax on, or from the Inhabitants of Maryland, under Colour of any other Authority, is UNCONSTITUTIONAL, and a direct VIOLATION of the RIGHTS of the FREEMEN of this Province.