

agreed to and published, "a declaration and vindication of the rights and liberties of the English colonies in North America."

This second colonial Congress is universally acknowledged to have been one of the most enlightened, illustrious and patriotic bodies of men ever convened in any age or nation. Upon the subject of judicial independency their language is strong and unequivocal. After enumerating the several Acts of Parliament by which the jurisdiction of the colonial tribunals was superseded; and that of the subservient Vice-Admiralty, and other Courts substituted in its place, among other causes of complaint, this Congress thus conclude their Declaration of Rights: "To these grievous acts and measures Americans cannot submit, but in hopes their fellow-subjects in Great Britain will, on a revision of them, restore us to that state in which both countries found happiness and prosperity, we have, for the present, only resolved to pursue the following peaceable measures. 1. To enter into a non-importation, non-consumption, and non-exportation agreement or association. 2. To prepare an address to the people of Great Britain, and a memorial to the inhabitants of British America. And 3. To prepare a loyal address to his majesty; agreeable to resolutions already entered into." In their address to the king, prepared and published in pursuance of this resolution, they complain, among other things, that "the Judges of Admiralty and Vice-Admiralty Courts are empowered to receive their salaries and fees from the effects condemned by themselves." And, in the same address, they further complain, that "the Judges of Courts of common law have been made entirely dependent on one part of the Legislature for their salaries, as well as for the duration of their commissions." *The Journals of Congress, 14 October, 1774. (f)*

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(f) HASTINGS v. PLATER.—This bill was filed on the 13th of February, 1735, by Samuel Hastings, Samuel Minskie, and John Evitt, against Benjamin Tasker, George Plater, and Onorio Rozolini, executors of Rebecca Calvert deceased, who was administratrix of Charles Calvert deceased. The bill states, that the late Richard Smith, in his life-time formed a plan for causing a ship to be built by subscription in the City of Annapolis, in which each subscriber was to hold a share in proportion to the sum by him subscribed; that, having obtained from several persons subscriptions to a large amount, he employed the plaintiffs to build a ship as proposed, and engaged Patrick Simpson, since deceased, to take charge of her when built as master; that the plaintiffs in compliance with their agreement built and launched a ship, which was called the Maryland Merchant, and the greater part of her rigging, tackle and furniture, were bought and set up in her, and several officers and sailors were hired to navigate her on her intended voyage; but Smith having received all or the greatest part of the subscription money, embezzled so much of it, that he was unable to fit her for sea; that he had not paid these plaintiffs for their work and labor, and had besides involved them and Patrick Simpson in liabilities for several considerable sums of money on account of the ship; that the subscribers and contributors to the building of the ship in this state of things, seeing their prospects of deriving any advantage from their subscriptions to be almost hopeless, and feel-