

acts reaching this country, the Massachusetts Assembly, on the 11th of February 1768, addressed a circular letter to the speakers of the other assemblies, stating the grounds of their opposition to them; that they had forwarded petitions and remonstrances against the late duties; and then say, that "they have also submitted it to consideration, whether any people can be said to enjoy any degree of freedom, if the crown, in addition to its undoubted authority of constituting a governor, should also appoint him such stipend as it shall judge proper, without the consent of the people, and at their expense; and whether, *while the judges of the land, and other civil officers in the province, hold not their commissions during good behaviour, their having salaries appointed by the crown, independent of the people, hath not a tendency to subvert the principles of equity, and endanger the happiness and security of the subject.*" This letter, by the express command of the British minister, was by Governor Sharpe of Maryland, in a message of the 20th of June 1768, to the House of Delegates, denounced as a dangerous and factious attempt to disturb the public peace; and the House was requested "to take no notice of it, which would be treating it with the contempt it deserves." In reply to which message, the House, among other things, say, "be pleased to be assured, that we cannot be prevailed on to take no notice of, or *to treat with the least degree of contempt a letter so expressive of duty and loyalty to the sovereign, and so replete with just principles of liberty.*" Immediately upon the receipt of which reply the House of Delegates was prorogued by the governor.(f)

The attention of the colonists of this country having been thus, for the first time, solemnly drawn to the nature and importance of *judicial independency*, the subject was universally and thoroughly discussed; and soon became familiarly and perfectly understood. If England had seen, and ascertained the necessity of a *dependent and subservient* judiciary to enforce the *acts of trade*, and the acts for raising an *internal revenue*; the colonies, on the other hand, now saw as clearly, and became as thoroughly convinced, that an *impartial, firm, and independent* judiciary was no less necessary for the preservation of their rights and liberties. It was agreed, on both sides, that laws, whether good or bad, were futile without suitable agents to execute them. In consequence of the opposi-

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(f) Votes and Proceedings House Delegates, 22d June 1768, and the Council proceedings of the same time. 1 *Pitk. His.* 458, 461.