

MARYLAND GAZETTE,

Containing the latest Advices foreign and domestic.

THURSDAY, April 29, 1762.

TO BE SOLD,
 A Tract of Land called *Land Over*,
 containing Three Hundred and Twenty Acres
 lying in *Prince-George's County*; Part of
 is cleared, whereon is a good Orchard, to-
 with a small Dwelling-House, Tobacco
 and some other Out-Houses, all newly
 Also, Part of a Tract of Land called *Bar-*
 containing Two Hundred and Eight Acres,
 in the County aforesaid, on which is a good
 rd, and some other Improvements; both of
 Parcels of Land are well Watered and Tim-
 For Title and Terms, apply to
 WM. TURNOR WOOTTON.

Annapolis, February 4th, 1762.
 HE Subscriber having declined Business, and
 intending to remove soon to his District on
smack, desires all Persons indebted to him,
 and settle their respective Accounts, by
 Bill, or otherwise, with Mr. *George Clarke*,
 empowered to receive the same. The Ac-
 of those Persons who neglect complying
 his reasonable Requisition, will be immedi-
 in Suit. DANIEL WOLSTENHOLME.

TO BE SOLD,
 A few Pipes of choice old *Madeira WINE*,
 and good *Barbados RUM* by the Hoghead.
 GEORGE CLARKE.

Baltimore-Town, January 20, 1762.
 WANTED, as an OVERSEER,
 MAN who understands Plantation Business.
 Such a one, who can be recommended for
 and Industry, will meet with great En-
 rement, by applying to THOMAS JONES.

SOLD at PUBLIC VENDUE,
 on
Saturday the Sixteenth of June next, at the
of Arthur Charlton, in Frederick-Town,
Frederick County,

- THE following Tracts of LAND, late the
 Estate of Mr. *James Wardrop*, deceased,
 in *Frederick County*, Acres.
 - Tract called *Hazard*, lying on
Conococheague, containing 790
 - Ditto called *Partnership*, lying on
 West Side of *Manocass*, below the
Ford, 280
 - Bought*, lying on a Draught of
atam, near the Head of a Spring
mas Anderson's old Place, 500
 - n Spring*, lying on the East Side
 Run about 50 Perches below the
Spring, 210
 - Spring*, lying about a Mile from
Burgeff's, and near the main Road
 ads thro' *Frederick-Town*, 75
 - Spring*, lying about 8 Miles from
ck-Town, on a Run call'd *Mill*,
 that runs into *Kittockton Creek*, 114
 - 's Delight*, lying on a small Run
Curry's Branch, at the Foot of
dore Mountain, near *Curry's Gap*, 104
 - mbury*, lying Half a Mile from
Burgeff's Houle, 104
 - ry Hill*, lying about 8 Miles above
 outh of *Conococheague*, on the East
Lick Run, near *Patowmack River*, 86
 - stford*, lying near *John George Ar-*
 on the West Side of the Road
 g from *Conococheague* to *Frederick-*
 35
 - ord*, lying near a Branch called
Chrystie's Spring Branch, on the
 Side of the main Road leading
Frederick-Town, by *Robert Evans's*,
Oak Level, joining to a Tract of
 called *Needwood*, formerly laid out
 l. *Thomas Cresap*, 100
- Title, or Terms of Sale, apply to
 JAMES DICK.

WHEREAS the Act of Assembly of this
 Province, made and passed in 1733, for
 and making current Ninety Thousand Pounds,
 Expiring; The Commissioners of the Loan
 therefore think it their Duty, to inform all
 who have any Bonds in that Office, to come
 discharge the same; otherwise they will be
 ded against as the Law directs.

Signed per Order,
 ROBERT COUDEN, Cl. P. C. Office.

M RIND, at the PRINTING-
 may be supplied with this
 length are taken in and inserted
 in Proportion for long Ones.

By the LOWER HOUSE of ASSEMBLY,
 21st April, 1762.

ORDERED, That Mr. GREEN do Print and
 Publish in the *Maryland Gazette* for next
 Week, the Address to his Excellency the Governor,
 in Answer to his Message of the 20th of March.
 J. A. THOMAS, Cl. Lo. Ho.

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,

OUR Attention has been so much en-
 gaged in the Bill for his Majesty's Ser-
 vice, that we could not take a more
 early Notice of the extraordinary An-
 swer your Excellency was pleased to
 send us to our Address, in consequence of your
 Speech at the Opening of this Session.

We are sorry to be involved in a Dispute with
 your Excellency at the Beginning of this new As-
 sembly; but as you have thought fit to enter ob-
 liquely, into a Vindication of the Conduct of the
 Upper House, for refusing Bills so frequently sent
 them for Supporting an Agent, and by remote In-
 timations to contest the Necessity of employing
 One in the Service of this Province, we conceive
 our Silence might be construed into an Acquies-
 cence in your Excellency's Opinion, and are there-
 fore under an indispenfible Obligation to assert the
 Expediency of exercising a Right so essential to
 the most important Interests of our Constituents.

In our Address to your Excellency, we had no
 other Intention in mentioning the Want of an
 Agent, than to vindicate the Conduct of the late
 Lower House, and to account for the Generality
 of the Reprehension contained in Lord *Egremont's*
 Letter, and repeated in your Speech, which we
 conceived would have been restrained to the Upper
 House, had the Subject been properly represented.
 Hence we infer'd the Want of an Agent, and the
 injurious Treatment the People of this Province
 have met with from the Upper House, by their re-
 peated Refusal of Bills for the Support of a Person
 in that Character. This being the Case, we think
 your Excellency had not the least Foundation for
 engaging in a Controversy with us on this Head,
 nor can any Design be fairly infer'd from our Ad-
 dress, of imputing the Miscarriage of the Bills for
 Support of an Agent to your Excellency, as you
 are pleased to intimate. We therefore think your
 Excellency went a little out of your Way, in sup-
 posing we intended to include you in a Charge
 which is expressly confined to them.

Although your Excellency has not entered into
 a formal or express Denial of the general Necessity
 of employing a Provincial Agent in *London*, yet if
 your Reasoning in the particular Instance you
 mentioned can be supported, it necessarily super-
 sedes the Expediency of employing one on every
 other Contest between the Government and People.
 The Transmittal of the Journals and Bills to his
 Majesty's Ministers seems, in your Excellency's
 Opinion, to exclude the Necessity of establishing
 an Agent to represent our Transactions at Home,
 on the particular Subject of the late Supply Bills.
 If this Argument be admitted, it will follow, that
 let the Measures of his Lordship's Administration
 be ever so oppressive to the People, and the Re-
 monstrances of their Delegates be ever so well
 founded, your Excellency may also presume, that
 if the Journals may be supposed to contain a true
 Representation of their Proceedings, there cannot
 be that great Occasion which they apprehend for
 the Support of an Agent, because these Journals
 have been regularly transmitted for the Informati-
 on of his Majesty's Ministers. Since, therefore,
 it seems to be your Excellency's Opinion, that we
 have no Occasion for an Agent, in the particular

Instance mentioned in your Message, for Reasons
 which may be extended to every other Cause of
 Complaint, we think it amounts to little less than
 a general Denial of the Expediency of establishing
 a Person in that Character. This, we conceive,
 is a Doctrine of so dangerous a Tendency to the
 Rights of our Constituents, that we must insist
 a little on your Excellency's Patience, while we ex-
 plain and enforce the Right of the People to ap-
 point an Agent, and the Expediency of exercising
 that Right. The great End of employing an A-
 gent, is to represent, and bring to a final Deter-
 mination, any Matters in Dispute with the Propri-
 etary, by which the People may apprehend them-
 selves aggrieved. If the People think themselves
 aggrieved, they have a Right to apply to his
 Majesty for Redress. If they have this Right, it
 follows, that they must have a Right to the Means
 of giving his Majesty the fullest Information upon
 the Subject of their Appeals; and this, no doubt
 his Majesty, from his known Love of Justice and
 Tenderness to all his Subjects, would require; so
 that we conceive it not only an Invasion of the
 People's Privileges, but derogatory from his Ma-
 jesty's Dignity, to withhold from him the clearest
 Lights we can give him for the Information of his
 Judgment. If it be undeniable, that every Individ-
 ual has, on proper Occasions, a Right to appeal
 to his Majesty, and to employ any Agent he thinks
 proper to enforce his Cause, and place it in the most
 advantageous Light, it follows, *a fortiori*, that a
 whole Body of his Subjects must have this Right;
 we hope, therefore, we shall be excused if we say,
 it is too assuming in a Governor to undertake the
 judge of the Expediency of the People's having an
 Agent to support their Interests, when he may be
 considered as the Delegate of the Lord Proprietary,
 against whom they may be desirous to exhibit their
 Complaints, and the subordinate Instrument of
 those very Encroachments by which they are ag-
 grieved. But besides this, we think your Excel-
 lency a little unhappy in your Reasoning; for you
 infer, that there cannot be that great Necessity we
 seem to apprehend for the Appointment of an
 Agent, because the Ministry have been informed
 from our Journals of the Nature of our Disputes.
 Now we think your Excellency could not have
 produced a stronger Instance to shew the absolute
 Necessity of our having one, unless the Inefficacy
 of a particular Measure can be supposed to render
 any other Step unnecessary; for what have the
 Ministry done in Consequence of this Information,
 and your Excellency's Intimation to Mr. *Pitt*, one
 of his Majesty's then principal Secretaries of State,
 that you were afraid no Supplies for the King's
 Service would be granted in this Province, unless
 his Majesty should be pleased to have the Dispute
 thoroughly examined into, and finally settled?
 Have they determined the Disputes? Has any
 Thing ever been laid before us pointing out in
 Terms precise and explicit, that Branch of the
 Legislature which is charged with Obstinacy in
 adhering to their former Conduct? We beg Leave
 to say, that notwithstanding your Excellency's
 Averment to the contrary, no such Inference can
 with Propriety be drawn from any Thing yet com-
 municated to us from the Ministry; Matters are
 left just in the same Situation they were before:
 His Majesty has too much Wisdom, and too high
 a Sense of Justice, to decide the most essential In-
 terests of a free People, who are prevented from
 having any Advocate to support their Cause, upon
 an *ex parte* Representation. The Reprehension
 by this Means, as we conceive, remains General,
 and we make no doubt will go continue, 'til by
 an ample Discussion of the Allegations on both
 Sides, and a full Hearing of both Parties before
 a proper Jurisdiction, our Disputes may meet with
 a fair and constitutional Decision. As to Lord
Loudoun's Opinion of the Supply Bill of 1757,
 'tis true, the then Lower House did desire your
 Excellency to send a Copy of that Bill to his

Lordship, the Commander in Chief at that Time
 of the King's Forces in *North-America*; from the
 Perusal of which they expected, if he saw any
 Thing impracticable in the Execution of the Plan,
 for raising the Aids for the King therein proposed,
 or unjust or unreasonable in the Means, or too
 sparing in the Sum offered, he would have point-
 ed them out for their Consideration; and it does
 not appear that his Lordship thought that Bill
 liable to the least Objection in any of these Re-
 spects; but rather that from the generous Provision
 therein made for his Majesty's Service, and the
 Care taken in that Bill to lay the Tax equal, and
 in a Mode similar to that long since established,
 and hitherto continually used, in our Mother
 Country, and several of our neighbouring Colo-
 nies, he conceived a good Opinion of the Zeal of
 that Assembly to promote the Service of his Royal
 Master. His Lordship took Exception only to the
 Military Part of the Bill, by which the Duty of
 some Part of the Troops intended to be raised was
 particularly circumscribed, and not left at large
 to his sole Direction. His Words are these, "I
 am clearly of Opinion, that if it had passed into
 a Law of the Province, it would be a direct In-
 fringement of the King's undoubted Prerogative,
 and as such was very wisely rejected by the
 Upper House. At the same Time, I am willing
 to believe the Assembly had not considered it
 in that Light, or they would never have formed
 it in that Manner, nor had they considered that
 Right of the King, in Commanding his Sub-
 jects in Arms, which is a Right indisputed every-
 where, or they would never have dispured the
 Power of his Commission, to have marched the
 Troops raised by them, for the Defence of his
 Dominions, even out of their Province." This
 is the sole Objection his Lordship made to that
 Bill; and to this Objection, that House thought it
 prudent to give Way, and ever afterwards framed
 their Bills with a due Regard to it. How candid
 is it then to insinuate generally, that the Com-
 mander in Chief of the King's Forces in *North-*
America, applauded the Conduct of the Upper
 House in rejecting that Bill? When his Objection
 is confined to a particular Part only, which has
 since been omitted, and made in Terms which
 shew his favourable Opinion of their good Dispo-
 sitions to promote the Service of the King. As to
 Mr. *Pratt's* Opinion upon several Parts of the
 Supply Bill of 1758, we must put your Excellency
 in Mind, that you insisted on that Opinion to the
 late Lower House, and that, that House being de-
 sirous of paying it all due Regard, in their Address
 to your Excellency, expressed their Wishes, that
 that Opinion had been accompanied with a State
 of the Case on which it was founded; but you
 were pleased to decline giving them any Satisfac-
 tion on that Head. Your Excellency must be
 sensible how much Opinions of Council are Go-
 verned, by the Manner in which the Facts they
 are founded on are stated. And that this is not
 a mere speculative Notion, is evinced by a Com-
 parison between that Part of Mr. *Pratt's* Opinion,
 which relates to Lord *Baltimore's* Right of ap-
 pointing all the Officers for carrying that Bill into
 Execution, had it passed into a Law, with the
 Opinion of the present Chief Justice of the Com-
 mon Pleas at Home, when he was Attorney Gen-
 eral, and adduced by the Upper House in Sup-
 port of the same Point. As, therefore, Opinions
 of Lawyers (for in that Light we must consider
 Mr. *Pratt* in the present Case) depend so much
 upon the State of the Facts laid before them, and
 as the State on which that Opinion was given, does
 not appear, we apprehend we shall stand excused
 in not paying an implicit Regard to it. Your Ex-
 cellency confines the Reprehension contained in
 Lord *Egremont's* Letter entirely to the Lower
 House. On a like Occasion the late Lower House
 animadverted upon the extream Disingenuity of
 your Excellency, in wresting the Meaning of Mr.
Pitt's