To his Excellency FRANCIS BERNARD, *Esq; Governor and Commander in Chief of his Majesty's Province of the Massachusetts-Bay, in New-England.*

May it please your Excellency,

THE Inhabitants of the Town of Boston, legally assembled, taking into Consideration the critical State of the Public Affairs, more especially the present precarious Situation of our invaluable Rights and Privileges, civil and religious, most humbly request, that your Excellency would be pleased forthwith to issue Precepts for a General Assembly, to be convened with the utmost Speed, in order that such Measures may be taken, as in their Wisdom they may think proper for the Preservation of our said Rights and Privileges.

And your Petitioners, as in Duty bound, &c.

Upon a Motion made, and seconded, a Committee was appointed to take the State of our Public Affairs into Consideration, and report, at the Adjournment, the Measures they apprehend most salutary to be taken in the present Emergency.

Adjourned till the next Day 10 o'Clock. A. M.

Tuesday, the 13th of September, 10 *o'Clock,* A. M. *met accordingly.*

THE Committee appointed Yesterday to wait upon his Excellency, with the Petition and Request of the Town, reported from his Excellency the following Answer, in Writing.

GENTLEMEN,

MY Apprehensions, that some of his Majesty's Troops are to be expected in Boston, arise from Information of a private Nature: I have received no Public Letters, notifying to me the coming of such Troops, and requiring Quarters for them; whenever I do, I shall communicate them to his Majesty's Council.

The Business of calling another Assembly for this Year, is now before the King; and I can do nothing in it, until I receive his Majesty's Commands.

FRA. BERNARD.

The Committee appointed to take the State of our Public Affairs into Consideration, reported the following Declaration and Resolves.

WHEREAS it is the First Principle in Civil Society, founded in Nature and Reason, that no Law of the Society can be binding on any Individual, without his Consent, given by himself, in Person, or by his Representative, of his own free Election.

And whereas, in and by an Act of the British Parliament, passed in the First Year of the Reign of King William and Queen Mary, of glorious and blessed Memory, entitled, *An act declaring the Rights and Liberties of the Subject, and settling the Succession of the Crown:* The Preamble of which Act is in these Words, viz. "Whereas the late King James, the Second, by the "Assistance of divers evil Counsellors, Judges and Ministers, employed by him, did endeavour to subvert "and extirpate the Protestant Religion, and the Laws "and Liberties of this Kingdom;" it is expressly, among other Things, declared, That the levying Money, for the Use of the Crown, by Pretence of Prerogative, without Grant of Parliament, for a longer Time, or in other Manner, than the same is granted, is illegal.

And whereas, in the Third Year of the Reign of the said King and Queen, William and Mary, their Majesties were graciously pleased, by their Royal Charter, to give and grant to the Inhabitants of this his Majesty's Province, all the Territory therein described, to be holden in free and common Soccage: And also to ordain and grant to the said Inhabitants certain Rights, Liberties and Privileges, therein expressly mentioned: Among which it is granted, established and ordained, that all and every the Subjects of them, their Heirs and Successors, which shall go to inhabit within said Province and Territory, and every of their Children, which shall happen to be born there, or on the Seas in going thither, or returning from thence, shall have and enjoy, all the Liberties and Immunities of free and natural Subjects, within any of the Dominions of them, their Heirs and Successors, to all Intents and Purposes and Constructions whatever, as if they, and every of them, were born within the Realm of England.

And whereas, by the aforesaid Act of Parliament, made in the First Year of the said King William and Queen Mary, all and singular the Premises contained therein, are claimed, demanded and insisted on, as the undoubted Rights and Liberties of the Subjects born within the Realm.

And whereas, the Freeholders and other Inhabitants of this Town, the Metropolis of the Province, in said Charter mention, do hold all the Rights and Liberties, therein contained, to be sacred and inviolable: At the same Time publicly and solemnly acknowledging their firm and unshaken Allegiance to their alone rightful Sovereign King GEORGE the Third, the lawful Successor of the said King William and Queen Mary, to the British Throne: Therefore,

Resolved, That the said Freeholders, and other Inhabitants of the Town of Boston, will, at the utmost Peril of their Lives and Fortunes, take all legal and constitutional Measures, to defend and maintain the Person, Family, Crown and Dignity of our said Sovereign Lord GEORGE the Third; and all and singular the Rights, Liberties, Privileges and Immunities, granted in the said Royal Charter; as well those which are declared to be belonging to us, as British Subjects, by Birthright, as all others therein specially mentioned.

And whereas, by the said Royal Charter, it is specially granted to the great and general Court or Assembly therein constituted, to impose and levy proportionable and reasonable Assessments, Rates, and Taxes, upon the Estates and Persons of all and every the Proprietors and Inhabitants of the said Province or Territory, for the Service of the King, in the necessary Defence and Support of his Government of the Province, and the Protection and Preservation of his Subjects therein: Therefore,

Voted, as the Opinion of this Town, That the levying Money, within this Province, for the Use and Service of the Crown, in other Manner than the same is granted by the great and general Court or Assembly of this Province, is in Violation of the said Royal Charter; and the same is also in Violation of the undoubted natural Rights of Subjects, declared in the aforesaid Act of Parliament, freely to give and grant their own Money, for the Service of the Crown, with their own Consent, in Person, or by Representatives of their own free Election.

And whereas, in the aforesaid Act of Parliament, it is declared, That the raising, or keeping a standing Army, within the Kingdom, in the Time of Peace, unless it be with the Consent of Parliament, is against Law: It is the Opinion of this Town, that the said Declaration is founded in the indefeasible Right of the Subjects, to be consulted, and to give their free Consent, in Person, or by Representatives of their own free Election, to the raising and keeping a standing Army among them; and the Inhabitants of this Town, being free Subjects, have the same Right, derived from Nature, and confirmed by the British Constitution, as well as the said Royal Charter; and therefore the raising, or keeping a standing Army, without their Consent, in Person, or by Representatives of their own free Election, would be an Infringement of their Natural, Constitutional, and Charter Rights; and the employing such Army, for the enforcing of Laws, made without the Consent of the People, in Person, or by their Representatives, would be a Grievance.

The foregoing Report, being divers Times distinctly read, and considered by the Town——The Question was put, Whether the same shall be accepted, and recorded? And passed unanimously in the Affirmative.

Upon a Motion made, and seconded, the following Vote was unanimously passed, viz.

WHEREAS, by an Act of Parliament, of the First of King William and Queen Mary, it is declared, that for the Redress of all Grievances, and for amending, strengthening, and preserving the Laws, Parliaments ought to be held frequently; and, inasmuch as it is the Opinion of this Town, that the People labour under many intolerable Grievances, which, unless speedily redressed, threaten the total Destruction of our invaluable, Natural, Constitutional and Charter Rights.

And furthermore, As his Excellency, the Governor, has declared himself unable, at the Request of this Town, to call a General-Court, which is the Assembly of the States of this Province, for the Redress of such Grievances:

Voted, That this Town will now make Choice of a suitable Number of Persons, to act for them, as a Committee, in Convention with such as may be sent to join them, from the several Towns in this Province, in order that such Measures may be consulted and advised, as his Majesty's Service, and the Peace and Safety of his Subjects, in the Province, may require. Whereupon, the Hon. James Otis, Esq; Hon. Thomas Cushing, Esq; Mr. Samuel Adams, and John Hancock, Esq; were appointed a Committee for the said Purpose; the Town hereafter to take into Consideration what Recompence shall be made them for the Services they may perform.

Voted, That the Select-Men be directed to write to the Select-Men of the several Towns within this Province, informing them of the foregoing Vote, and to propose, that a Convention be held, if they shall think proper, at Faneuil-Hall, in this Town, on Thursday, the 22d of September Inst. at Ten o'Clock before Noon.

Upon a Motion made, and seconded, the following Vote was passed, by a very great Majority, viz.

WHEREAS, by an Act of Parliament, of the First of King William and Queen Mary, it is declared, That the Subjects, being Protestants, may have Arms for their Defence: It is the Opinion of this Town, that the said Declaration is founded in Nature, Reason, and sound Policy, and is well adapted for the necessary Defence of the Community.

And forasmuch, As by a good and wholesome Law of this Province, every listed Soldier, and other Householder, (except Troopers, who, by Law, are otherwise to be provided) shall be always provided with a well fixed Firelock, Musket, Accoutrements, and Ammunition, as in said Law particularly mentioned, to the Satisfaction of the Commission-Officers of the Company; and, as there is at this Time, a prevailing Apprehension, in the Minds of many, of an approaching War with France; in order that the Inhabitants of this Town may be prepared, in case of sudden Danger: Voted, That those of the said Inhabitants, who may at present be unprovided, be, and hereby are requested, duly to observe the said Law, at this Time.

The Honourable Thomas Cushing, Esq; communicated to the Town, a Letter, lately received from a Committee of Merchants in the City of New-York, acquainting him with their Agreement, relative to a Non-importation of British Goods——Whereupon the Town, by a Vote, expressed their high Satisfaction therein.

The Town, taking into their serious Consideration, the present Aspect of their Public Affairs, and being of Opinion, that it greatly behoves a People, professing Godliness, to address the Supreme Ruler of the World, on all important Occasions, for that Wisdom which is profitable to direct:

Voted unanimously, That the Select-Men be a Committee to wait on the several Ministers of the Gospel, within this Town, desiring, that the next Tuesday may be set apart, as a Day of Fasting and Prayer.

Ordered, That the Votes and Proceedings of the Town, in their present Meeting, be published in the several News Papers.

The Town voted their Thanks to the Moderator, for his good Services, and then the Meeting was dissolved.

Attest. WILLIAM COOPER, Town Clerk.

Sept. 22. Saturday Evening last his Excellency the Governor received a Letter from his Excellency General Gage, Commander in Chief of his Majesty's Forces in North-America, advising him, that in Obedience to his Majesty's Commands, he had directed Two Regiments, viz. the 14th and 29th, under the Command of Lieut. Colonel Dalrymple, to embark at Halifax, and proceed to Boston, as soon as possible, one of them at present to be at Castle-William, the other in Town; and that Provision be made for them agreeable to Act of Parliament. On Monday Morning the Gover[nor] laid the same before his Majesty's Council.

His Excellency also laid before the Council, an [ex]tract of a Letter, which he had received the Day bef[ore] by Captain Bruce from London, from the Right Hon[our]able the Earl of Hillsborough, his Majesty's Prin[cipal] Secretary of State for the Colonies, setting forth, T[hat] his Majesty had thought fit to signify his Pleasure, [after] taking the Opinion and Advice of his principal [Ser]vants, that the Troops intended for the Re[inforcement in] North-America, in the next Spring, consisting of T[wo] Regiments, from Ireland, should be immediately [sent] over to America, and landed at Boston——T[he] Transport Vessels were preparing, with all possible D[is]patch, in order to proceed to Cork, to take on b[oard the] said Regiments, which are to be augmented [with] Draughts, to 500 Men each.

The Frigate which will convoy the Transports fr[om] Ireland to Boston, together with a Ship of the L[ine] preparing for the Reception and Conveyance of L[ord] Botetourt, his Majesty's Lieutenant and Governo[r] General of Virginia, are to remain in these Seas, [in] case the Commander in Chief of his Majesty's Fo[rces] shall be of Opinion that his Majesty's Service requires [it].

A Committee of his Majesty's Council was chosen [to] confer with the Select-Men of the Town, in regard [to] the Provision necessary to be made for the above Troo[ps].

It is reported, *via* Marblehead, that the Two Re[gi]ments destined for this Place, were embarking on boa[rd] 6 or 8 Men of War, and armed Vessels, and expect[ed] to sail as on Thursday last.

September 26. *On Thursday last, the 22d Instant, a N[um]ber of Gentlemen, upwards of* 70, *from the diffe[rent] Parts of this Province, assembled at Faneuil-Hall, in [this] Town: These Gentlemen, by the Appointment of the se[ve]ral Towns to which they belong, to the Number of [Two] Towns, besides Districts, then and there convened, [to] consult and advise the most effectual Measures for p[ro]moting the Peace and good Order of his Majesty's Sub[jects] in the Province, as far as they lawfully might, un[der] the present very dark and threatening Aspect of the Pu[b]lic Affairs. The Debates and Proceedings are o[pen]. Their First Step was to prepare an humble Petition [to] the Governor of the Province, praying that his Excel[len]cy would be pleased to convene the Constitutional Asse[mbly] of the Province; and Three of their Number were a[p]pointed to present the same.*

The PETITION is as follows, viz.

May it please your Excellency,

THE Committees chosen by the several Towns [in] this Province, and now convened in Boston, [to] consult and advise such Measures as may most effect[u]ally promote the Peace and good Order of his Majes[ty's] Subjects in this Government, at this very dark and [di]tressing Time, take the earliest Opportunity, openly [to] disclaim all Pretence to any authoritative or governm[en]tal Acts: Nevertheless, as we freely and voluntar[ily] come from the different Parts of the Province, at t[he] earnest Desire of the Inhabitants, and must be suppos[ed] to be well acquainted with their prevailing Tempe[r], Inclination, and Sentiments, under the present threa[te]ning Aspect of our Public Affairs, we think ourselv[es] indispensibly obliged, from a Sense of Duty to his Ma[]jesty, to whom we and the People of this Province be[ar] the firmest Allegiance, and from the tenderest Conce[rn] for the Welfare of his Subjects, with all due respect to your Excellency, to declare our Apprehension of th[e] absolute Necessity of a General Assembly.

If ever this People needed the Direction, the Care, and the Support of such an Assembly, we are humbly of Opinion that their present Circumstances immediately require it.

Your Excellency cannot be insensible of their uni[]versal Uneasiness, arising from the Grievances occasi[]oned by the late Acts of Parliament for an American Revenue: From authentic Information that the dut[]ful and loyal Petition of the late House of Representatives has not been allowed to reach the Presence of our gracious King: From the Dissolution of the late General Assembly: From undoubted Advice, that the Enemies of Britain, and the Colonies, are still unwearied in the most gross Misrepresentations of the People of the Province, to his Majesty's Ministers, as being on the Eve of a general Insurrection; and, from the alarming Intelligence, that the Nation, by Means of such Misrepresentations, is incensed to a high Degree, so that it is generally apprehended, that a standing Army is immediately to be introduced among the People, contrary, as we apprehend, to the Bill of Rights——A Force represented to be sufficient to over-awe and controul the whole Civil Power of the Province, which must render every Right and Possession dreadfully precarious!

From these weighty Considerations; and also, that the People may not be thrown into a total Despair; that they may have a fresh Opportunity at the next Meeting of the Parliament, of taking off the Impression, from the Mind of the Nation, made by such Misrepresentations, as is before mentioned; and, by that Means, preventing the most unhappy Consequences to the Parent-Country, as well as to ourselves: We beg Leave most earnestly to pray, that your Excellency would commiserate his Majesty's truly loyal Subjects of this Province, under their deplorable Circumstances, and restore to them the full Possession of their invaluable Charter-Right to a General Assembly, and cause one to be immediately convened; that the most effectual Measures may be taken, in the Manner prescribed by our happy Constitution, for the Redress of Grievances; for the preventing an unconstitutional Encroachment of Military Power on the Civil Establishment; for the promoting the Prosperity of his Majesty's Government, and the Peace, good Order, and due Submission of his Subjects in the Province, and making the necessary Provision for the Support of Government; and finally, for the Restoration of that Harmony, Union and Affection between the Nation and the Colonies, which appear to us, to be in the utmost Danger of being totally and irrecoverably lost.——As in Duty bound the Committee shall ever pray——

In the Name and Behalf of the Committees,

THOMAS CUSHING, Chairman.

[*The Remainder of our Intelligence from Boston, will be inserted next Week.*]