

MARYLAND GAZETTE.

THURSDAY, JULY 13, 1769.

OPENED, Subscriber, living in Church...

THOMAS HYDE, SLICER, MAKER, at Mr. JAMES CA...

to inform the Public, that sells the following Articles, all of neat and fashionable Man...

Frederick County, April 4, 1769, All-Saints Parish, having Autho...

JOSEPH WOOD, Registrar, Piscataway, April 15, 1769, or small Quantities, as may be...

Imported, Philip & John Briscoes Stores, at Philip & Chaptico, Importment of EAST-INDIA and EU...

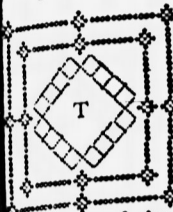
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L O N D O N, April 15.



HEY write from Lisbon, that his most faithful Majesty has found...

Of all the Taxes ever proposed for the public Benefit, perhaps a high Duty on kept Mistresses would be the most reasonable, and it would produce (if we judge from their Numbers) more Money than any Tax whatso...

A Match is talked of between a Noble Duke and the Daughter of the late Sir Samuel Fludyer, with a Fortune of 200,000l.

It is said his Grace the Duke of Grafton is in a Treaty of Marriage with a Lady of very great Fortune.

April 25. These are strange Times, for Matters of the utmost Moment remain in the greatest Uncertainty. Is John Wilkes, Esq; a Member for Middlesex, or not a Member? Is Col. Luttrell legally in Parliament, or not? If the Col. be legally in Parliament, who chose him? Certainly he must represent those who chose him. Did the County choose him? Yes, if 290 odd were more than 1140 odd; but if he be not chosen by the County, but by the House, may he not be said to be the greatest Representative in Great-Britain? For does he not then represent all the rest of the Representatives?

May 4 A Lady of some Eminence at Bath, seeming desirous for some Days, the Faculty were consulted, and by the Experiment usual in that Disorder, shaving the Head, she came at once to her Senses. On examining her Hair, Four Pounds of Pomatum, One lb. of Wool, and another of black Pins, were found mixed in it, which it is imagined had occasioned her Illness.

B O S T O N, June 15.

On Tuesday last a Committee of the Honourable House of Representatives waited on his Excellency the Governor with the following Message, viz.

May it please your Excellency, THE House of Representatives have duly considered your Message of the 31st of May, and are sorry to find your Excellency declaring, that you "have no Authority over His Majesty's Ships in this Port, or his Troops within this Town; and that you can give no Orders for the Removal of the same."

We clearly hold, that the King's most excellent Majesty, to whom we have, and ever shall bear, and since the convening of this present Assembly we have sworn, true and faithful Allegiance, is the supreme executive Power through all the Parts of the British Empire; And we are humbly of Opinion, that within the Limits of this Colony and Jurisdiction, your Excellency is the King's Lieutenant, Captain-General and Commander in Chief, in as full and ample a Manner, as is the Lord Lieutenant of Ireland, or any other his Majesty's Lieutenants in the Dominions to the Realm of Great-Britain appertaining.

From hence we think it indubitably follows, that all Officers, Civil and Military, within this Colony, are subject to the Order, Direction and Controul of your Excellency, so far at least as is necessary for the Safety of the People, and the Security of the Privilege of this House, as they are to the King's Majesty within the Realm. And tho' we admit, that Peace and War are in the King's Hand, and that it is an indisputable Part of the Royal Prerogative, necessary for the Preservation of the Common-Wealth, as all other well-grounded Prerogative Powers are, that to define the Fleets, and march the Armies of the State to any Part of the World, where they may be necessary for the Defence and Preservation of the Society, belongs to the Crown; yet it is impossible to believe, that a Military Power or a Standing Army, procured and stationed here in Consequence of Misrepresentations of the Duty and Loyalty of his Majesty's Subjects of the Province, and suddenly quartered not only contrary to Act of Parliament, and to every Principle of Reason, Justice and Equity, but accompanied with every Mark of Contempt, Reproach and Insult, to as brave and loyal a People as ever served a Prince, can be uncontrollable by the supreme Executive of the Province; which, within the Limits of the same, is the just and full Representative of the supreme Executive of the whole Empire.

It is well known, that it is no uncommon Thing for Disturbances to happen in populous Cities; and such as have unfortunately taken Place in this Province, have been greatly misrepresented: We have not only been told of, but all Parts of the Empire have been alarmed with, Apprehensions of Danger to his Majesty's Government in North-America in general, and in this Province in particular, by Reason of the most ex-

aggerated Accounts of certain Disturbances, which however, have in every Instance been far, very far from being carried to that atrocious and alarming Length to which many have been in Britain, at the very Gates of the Palace and even in the Royal Presence.

It is most certain, that every Subject has a Right, to have the Rules of his Duty, Obedience and Allegiance clearly defined and determined: Hence it may be inferred, that very miserable is the Servitude of those, who know not, whether they are subject to an absolute Power, Civil or Military; or both, as may most effectually prosper the Machinations and fulfil the Purposes of Despotism.

It must be obvious to all Jurists, and to every Man endued with an ordinary Understanding, that the Doctrine your Excellency has been pleased to advance, in your Answer to the Message of the House, involves us in that State which is called by the Learned, Imperium in Imperio; or at least establishes a Military Power here, uncontrollable by any Civil Authority in the Province.

It has been publicly said, that the Military Power is become necessary in this Colony, to aid and support Civil Government; for which we have no less Authority than the Resolutions of the Two Houses of Parliament, and the Declaration of one of his Majesty's principal Secretaries of State: The Use of the Military Power to enforce the Execution of the Laws, is in the Opinion of this House inconsistent with the Spirit of a free Constitution, and the very Nature of Government. Nor can there be any Necessity for it; for the Body of the People, the Poffe Comitatus will always aid the Magistrate in the Execution of such Laws as ought to be executed. The very Supposition of an Unwillingness in the People in general, that a Law should be executed, carries with it the strongest Presumption that it is an unjust Law; at least that it is unlawful.—It cannot be their Law; for by the Nature of a free Constitution, the People must consent to Laws, before they can be obliged in Conscience to obey them.—In Truth, no Law however grievous, has been opposed in the Execution of it in this Province; and yet a Military Power is sent here purposely to aid in the Execution of the Laws: And what adds to the Injustice of those who procured this Armament is, that it was procured at the very Time when the People were dutifully supplicating the Throne for the Redress of Grievances, occasioned by Acts of Parliament for the Purpose of raising a Revenue in America.—We think we can infer from your Excellency's Declaration, that this Military Force is uncontrollable by any Authority in the Province: It is then a Power without any Check here, and therefore it is so far absolute.—An absolute Power which has the Sword constantly in its Hand, may exercise a rigorous Severity whenever it pleases—what Privilege, what Security is then left to this House, whose very Existence to any Purpose depends upon its Privilege and Security?—Nothing remains in such a State, if no Redress can be had from the King's Lieutenant in the Province, but that the oppressed People unite in laying their fervent and humble Petition before their Gracious Sovereign.

On Wednesday Morning his Excellency the Governor sent the following Message to the House by the Secretary; but the House having adjourned to this Morning, the Secretary then delivered the same, viz.

Gentlemen of the House of Representatives, NOTWITHSTANDING the Doubts and Difficulties which you have expressed to me in your Message of this Day: It is certain that I have no Authority to give Orders for the Removal of the King's Ships out of the Harbour, or his Troops out of the Town: Whoever is acquainted with the Arrangement of the Commands in America, which are all derived from the same King, knows that it is so.

I am sorry that this Question should cause the Non-Activity of the Assembly for an entire Fortnight; the Expence of which has already cost the Province upwards of Five Hundred Pounds lawful; and is, for what I can see, still increasing; besides the Inconvenience accruing to Persons attending the General Court for Business, which falls harder upon them as Individuals, than Expences generally dispersed among the People.

I cannot sit still and see such a Waste of Time and Treasure to no Purpose. If therefore you still continue of the Opinion, "that the keeping an armed Force in this Town, and within its Harbour is a Breach of Privilege, and inconsistent with that Freedom with which you have a Right to deliberate; consult and determine," I must apply such Remedy as is in my Power to remove this Difficulty; and the only Means I have are to move the General Court to a Place where it cannot operate.

It is an indifferent Thing to me where the General Court is held: I know not that it is necessarily confined to any Town; that Town seems to be the most proper for it, where the Business can be most conveniently, for it, where the Business can be most conveniently, easily and readily done: And as it is apparent from your own Resolutions, and a Fortnight's Experience, that you do not think that this is, at this Time; a proper Town for the General Court to sit in; I shall remove it to Cambridge, against which Place no Objection, that I know of, can be formed.

PROVINCE-HOUSE; FRA. BERNARD. June 14, 1769. The Secretary then, by Order of the Governor, adjourned the Court to Harvard-College in Cambridge, to Friday the 16th Inst. at Ten o'Clock Beforenoon.

June 19. On Friday Morning last, the Cannon at the Mainguard of the King's Troops, opposite the Court-House, were removed, and shipped on board one of the Cutters, as were also the other Stores belonging to the Detachment of the Royal Train of Artillery; the Company have since embarked, and all failed for Halifax.

Yesterday the 6th Regiment began to embark from Castle-Island, on board several of his Majesty's Vessels, and are to sail this Week for Halifax; the Rippon Man of War will fail the same Time. The 64th Regiment is soon to embark for the same Place. The 29th Regiment is to go from Town, to the Barracks at Castle-Island. The 14th Regiment remains here.

June 22. Tuesday last a Committee of the Honourable House of Representatives, in General Court assembled at Cambridge, there waited on his Excellency the Governor with the following Message, being a Reply to his Excellency's Answer to their Message of the 13th Instant, viz.

May it please your Excellency, AS you have not thought proper in your Reply to the Message of this House, of the 13th Instant, to throw any Light on the Subject, or invalidate the Principles we therein advanced, your Excellency will allow us to conclude, that those Principles were well grounded, and that there is no Reason for us to alter our Sentiments on this interesting Point.

You are pleased to intimate that much Time and Treasure has been spent in determining a merely speculative Question: The House regard a Standing Army posted within the Province in a Time of the most profound Peace, and uncontrollable by any Authority in it, as a dangerous Innovation; and a Guard of Soldiers with Cannon planted at the Doors of the State-House, while the General Assembly was there held, as the most pointed Insult ever offered to a free People, and its whole Legislative. This, Sir, and not the Question of your Excellency's Authority to remove his Majesty's Ships out of the Harbour, or his Troops out of the Town of Boston, was the principal Cause of the "Non-activity of the Assembly." Had your Excellency felt for the Assembly and the People over whom you preside, even though you had supposed yourself not properly authorized, you would have employed your Influence, at least, for the Removal of this Grievance; especially as his Majesty's Council, as well as this House, had before expressed to your Excellency their just Indignation at so unprecedented an Affront. But instead of the least Abatement of this Military Parade, the General Assembly has been made to give Way to an armed Force: As the only Means in your Power to remove the Difficulty we justly complained of, your Excellency has ordered a Removal of the General Assembly itself, from its ancient Seat and Place, where the Public Business has generally been done with the greatest Convenience, Ease, and Dispatch.—It is with Pain that we are obliged here to observe, that the very Night after this Adjournment was made, the Cannon were removed from the Court-House, as though it had been designed, that so small a Circumstance of Regard should not be paid to the Assembly, when convened by the Royal Authority, and for his Majesty's Service in the Colony.

You are pleased to pass a Censure upon this House, in saying that, "you cannot sit still and see such a Waste of Time and Treasure to no Purpose."—Those alone are answerable for any Expence of Time and Treasure on this Occasion, who have brought us into such a Situation, as has hitherto rendered our proceeding to Business incompatible with the Dignity, as well as the Freedom of this House.—No Time can better be employed than in the Preservation of the Rights derived from the British Constitution, and insisting upon Points which, though your Excellency may consider as non-essential, we esteem its best Bulwarks.—No Treasure can be better expended than in securing that true old English Liberty, which gives a Relish to every other Enjoyment. These we have the Satisfaction to believe, are the Sentiments of our Constituents, to whom alone we are accountable how we apply their Treasure: And we are fully persuaded, from what we have already heard, that, notwithstanding the apparent Design of your Message to prejudice their Minds against us, what your Excellency is pleased to call our "Non-activity," will receive their Approbation, rather than their Censure; for an entire Fortnight spent in Silence, or a much longer Time, cannot be displeasing to them, when Business could not be even entered upon, but at the Expence of their Rights and Liberties, and the Privilege of this House.

June 26. Thursday last Capt. Stevens arrived here in 30 Days from Jamaica: On the 29th of May he saw a large Ship full of Soldiers, which shou'd Spanish Colours; and the Day following, off Cape Orientas, he fell in with 4 more large Ships full of Soldiers, under Convoy of a Ship of the Line, and passed them within Pistol Shot, hail'd them Three Times, but could get no Answer; these latter were standing thro' the Gulf of Mexico, and supposed to be bound to the Mississippi.

Last Friday Morning Brigadier General Pomeroy set out for New-York, in order to embark in the Packet for England: This Gentleman has commanded the King's Troops here thro' the Winter, in such a Manner as to engage the Respect of the whole People; for altho' it is considered by the Province in general, as the greatest Injustice and Insult that this brave and loyal People ever experienced, the having Trooped