

MARYLAND GAZETTE.

THURSDAY, AUGUST 24, 1769.

House of Richard Earle, in Alexandria, on Monday the 21st

Tract of Land known by the Name of **PRINCE-WILLIAM** County, lying about 7500 Acres. The Quality of this Land, and its being free of all strong Recommendations to those who purchase it. The Land will be sold in Parcels, the Purchasers at the Day of Sale, for the greatest Part of the Money required) and Interest. We think it is the Public, (as there has been some in the Sale of this Land) that it will be of at the Time now mentioned, to the Subscribers for certain Sums, and engaged for. The Sale will be on **WEDNESDAY, DANIEL CARROLL, HENRY ROZER.**

Piscataway, April 15, 1769. Large, or Small Quantities, as may be desired by the Purchasers, of LAND, lying in Frederick County, of Small and Large Tracts, called **CALEDONIA**, containing about 450 Acres, and the Land as level as common, is well watered, and has a Credit on it. The Purchaser of 3 or 4 Years Credit, on paying the Purchase-Money down, and giving Security, for the Remainder. For further Information, apply to **Mr. Charles Beatty**, in Frederick County. **GEO. FRANKLIN.**

May 26, 1769. The Subscribers are appointed a Committee of County Court, to inspect the Public Accounts, and Papers in the said County, and agreeable to Instructions, we do hereby give Notice, that we intend to meet at **Frederick-Town** for this Purpose, on the Fourth Day of September next, when we will apply, may have their Deeds and Records compared with the Records. **ANDREW HEUGH, THOMAS PRICE, JEN^{ts}. CAMPBELL, THO^s. SPRIGG WOOTTON.**

A H E M E O F A T T E R Y
HUNDRED DOLLARS, for completing the REFORM'D CALVINIST CHURCH, in a SCHOOL-HOUSE, in **Sharpsburg**, in Frederick County, Maryland. To consist of Two Tickets, at Two Dollars each: Five Tickets, at One Dollar each: and Ten Tickets, at Fifty Cents each. The Prizes are as follows:
- 100 - - - 200
- 50 - - - 150
- 25 - - - 100
- 15 - - - 50
- 10 - - - 30
- 4 - - - 1900
First drawn Blank, - 25
Last drawn Blank, - 25
6005^{ra}rais'd.
Tickets, 2 Dollars each, 4000 Dollars.

There are little more than Two Prizes, and the Profits retained, on the whole. The Drawing is on the 14th of September, at **Sharpsburg**, as soon as the Tickets are drawn. Fourteen Days previous Notice, in the **Maryland Gazette** in Preference of Managers at least, and as many of the Managers as shall think proper to attend, will be in Six Months; at farthest, the Prizes of the Tickets are already engaged. Messieurs **George Stricker, Christian Smith, William Good, Abraham Luger, Michael Focklar, George Dagen**, and who are to give Bonds, and be on the Discharge of their Trust. Prizes to be published in the **Maryland Gazette** as the Drawing is finished, and the Prizes drawn off, without any Deduction. Prizes to be deemed as generously given, and applied accordingly. Prizes of Seven Shillings and Sixpence, in Preference, will be received in lieu of each Dollar Ticket, and the said Currency to be paid by the Prizes drawn by the Managers.

Printed by **J. B. BIRD**, at the PRINTING-HOUSE; ADVERTISEMENTS, and all other Business, Long Ones, and most kinds of BLANKS, with their proper BONDS, and all other PRINTING-WORK performed.

LETTER from the Council of the Province of MASSACHUSETTS-BAY, in Vindication of themselves and the Province.

To the Right Hon. the Earl of HILLSBOROUGH. Province of Massachusetts-Bay, Boston, April 15, 1769.

MY LORD, THE Council having received from Mr. Bollen authenticated Copies of Six Letters from Governor Bernard to your Lordship, containing many unjust Reflections upon the Council, and divers Misrepresentations of their Conduct, and also manifesting his earnest Wish and Endeavours to bring about an Alteration in the Civil Government of the Province, we are obliged, in Justice to ourselves and the Province, to address your Lordship on the subject of those Letters, and pray your candid Attention to what we have now the Honour to write to your Lordship. In the first of the said Letters, dated November 1, 1768, Governor Bernard informs your Lordship, he now proceeds to conclude his Narrative of his Endeavours to get Quarters for the King's Troops. The preceding Part of this Narrative we have not seen; but if there be in it the same Want of Candour, and if it is discoverable in the concluding Part, contained in the said Letter, it is necessary for your Lordship's Information to give you our Narrative on the same Subject; which we shall do as summarily as may

On the 19th of September, the Governor called the Council, and communicated to them a Part of your Lordship's Letter of the 30th of July, informing of the two Regiments being ordered to Boston, from the said Letter, and also communicated a Letter from General Gage, of the 12th of September, informing of two other Regiments being ordered from Halifax, one of them to Castle-William, and the other to the Town; both Letters requiring that Quarters be prepared for their Reception. The Halifax Regiments being first expected, the Council immediately advised, that the Barracks at Castle-William should be prepared for the Reception of the said Regiments: And with Regard to the other, as it was an Affair that more immediately concerned the Town of Boston, they thought it advisable to appoint a Committee to confer on it with the Select-Men; who in the Conference very justly observed, that by Act of Parliament it was made unlawful to take any Measures for quartering Troops 'til the said Barracks provided by the Province were full; and they said they could do nothing in the Affair. This being reported to the Governor in Council, on the 22^d he proposed to the Council that a House in the Town, called the Manufactory-House, should be fitted up for the Reception of the Troops: But it was objected that the Act of Parliament had in a very particular Manner directed the Council to do any Thing contrary to that Direction.—The Governor however strongly urged them to do it, and was very angry because they declined assenting to Act of Parliament. The Council desired an Adjournment, that they might give him a written Answer to his Proposal; which, after repeated Refusals, he at length granted.

On the 24th they waited on the Governor, and delivered to him their Answer.—He proposed an Alteration in it, which they were then for considering; but he said they might do it on Monday Morning the 26th, and, without the Formality of another Meeting with him, deliver the Answer to the Secretary.—It was done accordingly, and the Answer delivered at that Time to the Deputy Secretary, the Secretary himself not being at his Office.—These Circumstances are minutely mentioned, because the Governor took great Offence at the Council's ordering their said Answer to be published in one of the News Papers of that Day; and said he should represent to your Lordship the Indignity offered him, by the Council's publishing their Answer before it was presented to him. But your Lordship will perceive from the foregoing Account, which contains the true State of the Fact, that the Answer was presented to the Governor, Two Days before the publishing of it; and that the Circumstances, posterior to its being presented, were quite immaterial, even in the Estimation of the Governor himself.

In the Debate on the forementioned Proposal it was said by one Gentleman, that Castle-William being a Part of the Town of Boston, it would comport with the Requisition for quartering, to quarter both the Regiments at the Castle. Though this was casually said, and no Stress laid upon it, and was not adopted by the Council, the Governor notwithstanding represented it to the Commanding Officer of the Regiments, as the Reason of the Council's not agreeing to his Proposal; and it is possible he may have made the same Representation to your Lordship. But your Lord-

ship will please to judge of the Reasons the Council proceeded upon, by what is contained in their Answer aforesaid, and by nothing else: Which Answer it appears by the printed Votes of the House of Commons, was, with other Papers, laid before that House the 27th of November last; it being there called "Minutes of Council the 26th September 1768, extracted from the Boston Gazette," and was enclosed in Governor Bernard's Letter to your Lordship of that Date, as may be seen in the Votes, Page 79 and No. 54 of the said Papers. These Minutes are mentioned as extracted from the Boston Gazette: by which it seems the Governor represented to your Lordship that the said Answer was published before it was presented to him: And it being said to be extracted from the Boston Gazette, which the Governor styles a most infamous Paper, seems intended to reflect some Infamy on the Answer. But the Truth is, it was first published in the Massachusetts Gazette, (authorised by the Governor and Council) and from thence taken into all the other Boston News Papers.

On the 29th of September a Council was held at Castle-William, Captain Smith, Commanding Officer of the Sea Armament, and Lieut. Col. Dalrymple of the Troops, being desired by the Governor to attend.—The Governor informed those Gentlemen what had been the Resolutions of the Council with Regard to quartering the said Troops, and what he was pleased to call the Reason of the Resolutions, viz. that the Castle being in the Town of Boston, the Council declined providing Quarters for the Troops, before the Barracks at the Castle were full.

It appears above that the Governor had no Foundation for saying the Proceeding of the Council was grounded on the Reason he mentioned; and he had not the Candour and Justice to inform the said Gentlemen of the written Answer aforesaid, containing the true Reason of the Proceeding, and of which the Council informed them.

Colonel Dalrymple acquainted the Board, that his Orders from the Commander in Chief, were, that one of the Regiments now arrived should be quartered in the Town of Boston; and that he could not consider Castle-William to be in the Town of Boston, within the Intention of his Orders; that he could not himself depart from the said Orders, and that he now made a Requisition for Quarters accordingly. Whereupon (after the said Gentlemen had retired) his Excellency desired that the Board would re-consider the Proposal he had made before to them of fitting up the Manufactory-House as Barracks for the Reception of Col. Dalrymple's Regiment, which is the Regiment destined for the Town, in Case it can be done at the Expence of the Crown; and in Case they should adhere to their former Resolution, that they would assign their Reasons therefor.

The Governor was immediately told the Act of Parliament obliged them to adhere to their former Resolutions. Whereupon with such a spoke on the Occasion, he entered into an angry Dispute, and began to take Minutes of what they said in Answer to him, in order that he might represent it to Administration at home.

This was objected to as an unfair Way of proceeding, and he was told if he wanted a fuller Answer than what had already been given, he should have it in Writing, if he would give Opportunity for it. But this was refused, and he insisted on our immediate Answer. Accordingly an Answer was agreed on, and given to him, and was enclosed in the Governor's Letter to your Lordship dated October 1, 1768, as may be seen by the printed Votes, No. 56 of the said Papers.

We are very sorry to have Reason to complain that in the Whole of this Affair the Conduct of the Governor was arbitrary and unbecoming the Dignity of his Station.

On the 30th of October Col. Dalrymple being admitted with Capt. Smith before the Board, took Occasion to explain the Intention of his Requisition by Letter, viz. That as the Board could not think themselves authorised to provide Barracks in the Town, inasmuch as Barracks had already been provided by the Government at Castle-William, he had encamped some of his Troops, and was providing Barracks for the rest in the Town, so that he considered all as his Barracks, and demanded Barrack Provisions agreeable to Act of Parliament. Whereupon his Excellency moved to the Board that they would appoint some suitable Person to make such Provision.

The Council desired Time to consider, and give an Answer to his Motion; but the Governor refused it, insisting on the Answer immediately.

However after repeated Solicitations, and much Alteration, the Governor adjourned the Board to Wednesday October 5, when they gave him an Answer; a Copy whereof (as appears by the forementioned printed Votes) was enclosed to your Lordship in the Governor's Letter of that Date.

Part of the said Answer runs thus, "Advised that agreeable to his Excellency's Motion, one or more Person or Persons be authorised and appointed, to furnish and supply the Officers and Soldiers, put and placed in the Barracks, with Fire, Candles, &c. as particularly mentioned in the Act of Parliament; provided the Person or Persons so to be authorised and appointed will take the Risk of the Province's paying him or them, all such Sum or Sums of Money so by them paid, laid out, or expended for the Purpose aforesaid."

The Governor said that this Proviso defeated the Purpose of the Advice, and was intended to defeat it, as every one must be well assured that no Person would undertake to advance Money at such a Risk. His Excellency was told, that without such a Proviso, an Undertaker would have an equitable, if not a legal Demand on the Council, to make good all Damages, in Case the General Court should refuse to repay him the Money advanced.—That it would be unreasonable to expect the Council would subject themselves to such a Demand; and that in Case they were not subjected by Law, it would be deceiving the Undertaker, and be a manifest Act of Injustice not to inform him of the Risk; for a Risk it must be, as it was impossible for any one to determine what the General Court would do, either in this, or in any other Case whatever.—Whereupon the Governor proposed, in a Manner very dictatorial, that the Proviso should stand thus, "That such Person should undertake this Business, upon the Credit of the General Assembly of the Province, according to the Intent and Meaning of the said Act of Parliament, and not upon the Credit of the particular Persons of the Governor and Council." But this proposed Alteration not taking off the Risk from the Undertaker but in Words, and it not being in the Power of the Council to pledge the Credit of the General Assembly, it was rejected. It was very unfortunate to the Province, and to his Majesty's Service in general, that the General Court could not be sitting at a Time when their Aid was so essentially necessary.

On the 12th of October a full Council was advised to be called on the 26th, in order to consider divers Matters of Importance which the Governor said he had to lay before the Council. In the mean Time General Gage came to Town from New-York, viz. on Saturday October 15, and on Monday the 17th, the Governor called a Council, and introduced the General; and here begins the concluding Part of the Governor's Narrative of his Endeavours to get Quarters for the King's Troops, as appears by a Copy of his Letter to your Lordship, dated November 1, 1768; on which Letter we beg Leave to make a few Remarks.

It appears by the said Letter the General demanded Quarters in Town for the Two Regiments then here; and that he should reserve the Barracks at the Castle for the Two Irish Regiments expected, or such Part of them as they would contain. The Council represented to the Governor that they had already given their Sentiments fully on this Subject, in their Answer delivered to him on the 24th of September, and referred him to that, but this being not satisfactory, they desired him to postpone the Affair to the 26th of October, when a full Council was expected, agreeable to his Appointment. This was refused. Whereupon the Governor proceeded, as he observes, in a Course of Questions, which finally issued in a Vote of Six against Five, that the Governor be desired to order the Manufactory-House to be cleared of its present Inhabitants, that it might be fitted up for the Reception of such Part of the Irish Regiments as could not be accommodated at the Castle Barracks. On this Affair the Governor observes, "that the whole was a Scene of Perversion, to avoid our doing any Thing towards quartering the Troops, unworthy such a Body." We deny that any Thing was done to avoid quartering the Troops; on the contrary every Thing was done, in the Power of the Council, consistent with their Idea of the Act of Parliament; and consistent with what seemed to be the Governor's Idea of it on the 19th of September, when the Affair of quartering was moved: For when the Act was produced, and some of the Council had expressed their Opinion, that, according to the Act, Quarters could not be demanded before the Barracks at the Castle were full, the Governor afterwards, in the Course of the Debate upon it, implicitly acknowledged the Propriety of that Opinion, by urging it as the Council's Duty in the Case they were considering, to pay no Regard to the Act: which Injunction of his, if they had complied with, he might have justly charged them with Perversion unworthy such a Body. †

* See Maryland Gazette No. 1236.

† It is proper to mention here a Circumstance, which will shew the Duplicity of the Governor in a strong Light. On the said 19th of September, when the Affair of quartering the Troops was moved, he urged very strongly that Provision should be made by the Council for that Purpose; but it being said that the Proceeding in quartering must be regulated by the Act of Parliament, the Governor affected to appear ignorant of there being such an Act, and afterwards seemed very loth that it should be produced. It was however produced and considered; and that Council, after appropriating the Barracks at Castle-William for quartering the Troops by Virtue of a Resolution of the General Court, thought themselves obliged to adhere to the Act of Parliament as the Rule by which to regulate their future Conduct, in that Matter. But the Governor at that Time, and at the next following Council, zealously urged them to Measures contrary to the said Act. It cannot be supposed the Governor was ignorant of the Act. His Duty on that Occasion in particular required him to be acquainted with it; and it appears by his Letter to Lord Hillsborough of the 5th of November, that he and Lieut. Governor Hutchinson held a Consultation together on his Lordship's Letter to the Governor, giving Information of the coming of the Troops and requiring Quarters to be provided for them. At such a Consultation on the very Affair of providing Quarters, it

* See Maryland Gazette No. 1236.