

MARYLAND GAZETTE.

THURSDAY, SEPTEMBER 14, 1769.

IMPORTED, Spencer, from Bristol, and to be L D, by Wholesale, well assorted GOODS, about prime Cost. For Terms apply to Messrs. Smyth and Sully, (of) JAMES CHESTON, the Subscriber, on the 23d of August in Queen-Anne's County, the said Men, viz. JOHN ADAMS, Age, 5 Feet 8 or 9 Inches high, complexion, much pitted with the old impudent Look, a Blemish in front light Hair, and is mark'd on Letters I A, and something else, what: Had on, a half worn Hat, Coat, with Gold Twist or Basket woven lappelled Jacket, old Sheep-rib'd worsted Stockings, and Shoes and Heels filled with Stubs, and a white Shirt.

Age, about 23 Years of Age, 5 Feet high, broad Shoulders, and very black Hair just cut before, black complexion, and a down Look, his Teeth are gone from before, One being between each Vain old Felt Hat, Ofnabrig Shirt of light colour'd Cloth Coat, Linsey with a Cloth Back, old blew Shoes, the Soles and Heels fill'd

and secures the said Servants, and shall have Forty Shillings, or if secured in any Jail in any County shall have Three Pounds for each, and reasonable Charges, by DAVID LINDSEY, TURBUTT BETTON, WHELCROFT, Jeweller in West-Street, Annapolis.

of the Servants lately belonging Knapp with all the Materials for Watch and Clock-making Business the Public, that he Repairs all Watches, in the best and most and as he has a complete Apparatus with more Expedition and Accuracy, they may depend on having in the most careful Manner, and an heretofore.

of the Goldsmiths and Jewellers of extensive Manner, as he has variety of Materials, and has experience in the executing the above Ladies and Gentlemen who please their Custom, may depend that of his Abilities to merit their whole Study and greatest Am- great Variety of ready made Work will Sell at the most reasonable best Prices for old Gold, Silver (of) June 22, 1769.

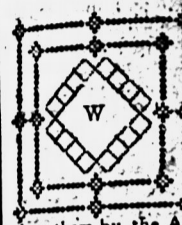
DOLLARS REWARD. Monday Night, from the Subscriber, County, Maryland, Two Convict MICHAEL HEWNE, or KEIRN, and is by Trade a Tailor; he is slim Visage, dark Complexion, black hair on his Head, a little above his which represents a French Neutral, that is for one: Had on, and took with away, a blue Cloth Surtout Coat, a striped red and white lappelled sagram; a Pair of ribbed worsted Silk Handkerchief, a new Cassimere, and a good Pair of Shoes.

OWELL, about 30 Years of Age, thin Visaged, dark Complexion, Hair, which grows very low down like a horn, talks much in the R, and has a very down Look; is a Reaping, and Mowing, and is a blue Broad Cloth Coat, with a pair Buttons, a Pair of Snuff coaches, half worn. As they have may perhaps change their Dress with them, and it is probable, they up said Servants, and brings them of the Province, shall have a Reward, if in the Province, Six Dollars, both, the above Reward, paid by R. GRESHAM.

they went off in a Canoe, and made Bay, from Chester River.

at the PRINTING, ADVERTISEMENTS, continuance. Long Ones 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, concluded.



With regard to the first, in Addition to what has been already observed, we beg Leave further to remark, that such hath been the Zeal of his Majesty's Council for his Majesty's Service, that they have always done every Thing within their Power to promote it; and have even exceeded the Authority given them by the Act for punishing Mutiny and Desertion. About the Beginning of the late War when there arrived a Number of his Majesty's Troops in the Harbour of Boston, immediately and without the least Hesitation, the Barracks at Castle-William (within the Township of Boston, and but Three Miles from the Center of the Town) were built by the Province for the Accommodation of the King's Troops, and were in the Judgment of Sir Jeffery Amherst, when here, the best and most commodious of any in North-America. These were, by the Governor and Council provided with Necessaries for those Troops, and furnished with every Thing that by Act of Parliament was required, and even beyond its Demands; and the like Provision has been made divers Times since, as Troops have occasionally arrived here. And now again, upon the News that his Majesty had ordered Troops hither, the Governor and Council directed the Provincial Commissary-General, that the Barracks aforesaid should be put into proper Order for their Reception; and that Barrack Utensils, &c. should be provided with the utmost Expedition, which was done accordingly. These are Facts that no one can deny. But it has been said that the Council did not exert themselves for the Provision of the Troops in Boston, to which it is answered, that if they did every Thing that by the Act of Parliament last made they were obliged to, or might do, surely they did their Duty, and are not to be blamed; this was the Case, nor did they omit any Thing within their Department. By the Preamble of the Act it appears plainly that the Public Houses and Barracks are first to be filled, and by the first enacting Clause, the Constables, Tything-Men, &c. are required to quarter and billet the Soldiers, and in their Absence or Default, a Justice of the Peace is to do it, they and no others; Consequently if the Council had quartered any Soldiers at any Place, even in Inns or Livery-Stables, against the Mind of the Owner, he could maintain Trespass, and no Order of Governor and Council could have defeated the Action. But in Case there should not be sufficient rooms for the Officers and Soldiers, in such Barracks, Inns, &c. that in such, and no other Case, and upon no other Account, it shall and may be lawful for the Governor and Council to order Quarters; from whence it clearly appears, the Council exceeded their Authority in Favour of his Majesty's Troops, rather than otherwise.—Is it not manifest, my Lord, that the Governor and Council had no Right to meddle in the Affair of quartering aforesaid, excepting it was for the Residence of such Officers and Soldiers, for whom there might not be room in such Barracks, Inns and Public Places? then, and in that Case, and upon that Account, and in no other Case, had the Governor and Council any Right, Power or Authority to give Orders touching the quartering the said Residue; but this never took Place, none were quartered as directed by said Act, saving those at the Barracks at Castle-William. This is the true Construction of the Act of Parliament, which is a penal Statute; and every penal Statute is to be construed strictly. It never was the Intention of the Council to evade the Act in the least Measure, or to give in such a Construction as would render it of no Effect in this Province, notwithstanding what the Governor hath most injuriously suggested to the contrary. This Act respects his Majesty's Troops either when at Winter Quarters or when upon their March; or both; it is not to be imagined that the Parliament of Great-Britain when they made this Act, had in Contemplation, that there would be a great Number of the King's Troops sent to the Plantations, to keep the King's Peace there, which the Troops have no Authority to do, simply considered as the King's Troops, but only as Part of the said Militia, under the Direction of the Civil Magistrate. But whether this was the Intention of Parliament or not, the King has a right to send his Troops where he in his great Wisdom shall think best; and to recall the King's Troops in their Landings, on their March, or at Quarters, is Rebellion and high Treason, and it would be very unbecoming his Majesty's Council not to give them all that Assistance they were commanded by Law to give them.

As to the Omission of Duty, particularly with regard to the suppressing Riots, Mob, Disorders of the like, the Council can with Truth say, it is not in the Governor's Power to give one Instance, wherein they have not exerted themselves to the utmost to suppress them. In Proof of their having done so, they can appeal to their Answer to the Governor, relative to a Libel published against him; to the Proclamations they have advised him to issue; to the Orders they have given the Attorney-General to prosecute those who have been Rioters, or otherwise Disturbers of the Peace, and to the Rewards offered to induce Persons to bring them to Justice. The Governor never laid any Thing of this Nature before the Council; wherein they were not as fond of having the Transgressors brought to condign Punishment; as the Governor himself; and of taking every legal Measure to effect it.

Nor do we know an Instance of any Magistrate being complained of before the Governor and Council, but the Council carried their Resentment as high against him as the Governor, and some of them much higher. Why then should the Tenor of such Officers' Commissions depend on the Will of the Governor? Which is what he greatly desires, and which will be the Case, should he succeed in his Desire. Such a Dependence is quite contrary to the Tenure by which the Judges in England, before the Accession of his present Majesty, held their Commissions; and much more so now, since their Commissions continue in Force notwithstanding the Demise of the King. If there has been no Instance since the Charter of a Difference in Sentiment between the Governor and Council, to the present Time, relative to the displacing or superseding any Civil Officer (and we don't know of one) What Foundation can there be for the Governor's Complaint, and the Representations he has given, but what arises more from an unjust and ungrateful Prejudice against the Province, than a real Regard to the King's Authority? How he could write to your Lordship, that his Informations to you were founded on the strictest Truth and Candour, is truly surprising; and to declare, as he has divers Times done, that he never wrote to the Prejudice of this Country, shews what Credit his Letters deserve. If the Governor knows there are Persons in the Magistracy that have acted a Part unworthy or inconsistent with their Office, was he not, in Duty to his Majesty, bound to exhibit a Complaint against such to the Council? and when he should observe any Failure on the Part of the Council to remove such Persons, it would have been early enough for the Governor to represent the Council in the unkind and unjust Light he hath done. It hath been the Happiness of his Majesty's Council; from the Grant of the Charter 'til lately, to be on the best Terms with the King's Representative. These have indeed been frequent Disputes between the Governor and the House of Representatives, but never (that we know of) between the Governor and Council 'til now. That it is so at this Day, is our Unhappiness, not our Crime. Never was there a Council that have born so much from a Governor, as the present Council have born from Governor Bernard. How often have they been threatened by him, that in Case they would not come into his Measures, he would have their Conduct before the Ministry? How often hath he demanded Answers to his Questions immediately, purely to enquire them, without allowing them Time to consider the Subject, or to assign the Reasons of their Answers? In how many Instances has he demanded the Advice of the Council on their Oaths, relative to Matters of no Public Concern, and altogether foreign to the true Intention of their Oaths as Counsellors, and on which they were not obliged by their Oath of Office to give their Advice, or to make any Answer? How often has he upon asking Advice, refused receiving it, because it did not suit him? And tho' nothing can be more absurd than to ask Advice, and to tell the Persons of whom it is asked, that it must be in this or the other Manner; (in which Case it is the Advice of the Person asking Advice, and not the Advice of them from whom it is asked) yet this has been very much his Practice.

How kind and just would it have been in Governor Bernard, to let the Council have previously known the several Articles of his intended Complaint against them, and of his Purpose (as far as in him lay) to bring about the most essential and fundamental Alterations in the Constitution of this Government; that they might have had Opportunity of answering for themselves and their Country; and not be condemned (as he intended they should be) unheard, especially at a Time when there was no House of Representatives to defend the Province. Had he been what his Station required him to be, the Father of this People, he would have done so; and by so doing have had the Applause of the King, his Royal Matter, who delights in nothing so much as in doing Justice himself, and seeing all in Authority under him imitating his Royal Example.

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We have the Honour to be, with the most perfect Regard, my Lord, your Lordship's most obedient, and most humble Servants, SAMUEL DANFORTH, ISAAC ROYAL, JOHN EAVISO, WILLIAM BRATTLE, JAMES BOWDOIN, THOMAS HUBBARD, HARRISON GRAY, JAMES RUSSELL, ROYAL TYLER, JAMES PIERCE, SAMUEL DEXTER. The major Part of the Council.

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BASTIA, June 9. THE Count de Vaux called to march, the Twenty-second Inf. to Vivario: a Corps of 6000 Men, which was repulsed by the Troops of General Paoli. A Body of 10,000 Men was then sent against him, but the Corsicans having broken down the Bridge on the old River, the French attempted every possible Means to pass it, and lost a great Number of Men by the Fire of the Corsicans, and were obliged to retire. This Fire was redoubled in the Night, and with such Vivacity, that the French fled with the Loss of some Colonels, and several Officers, Hunters, and Volunteers. In vain a large Detachment penetrated into the Center of the Mountains, the Measures taken by the Corsican General prevented any Attack; so that Count de Vaux, seeing his Efforts unsuccessful, has given Orders for Twelve Thousand Men to advance.

LEGHORN, June 16. This Morning arrived here an English Ship, having on board General Paoli and some of his principal Officers. June 24. General Paoli is returned hither from the Excursion he made to Pisa with Mr. Dick, the British Consul, Clement Paoli, Saliceti, Abutucci, and several other principal Corsicans, are still in this City. ROME, June 24. Prince Charles Edward Stuart, who occasioned a Civil War in England, in the Year 1745, has lately made his Appearance in this City. On Thursday last he was presented by his Brother Cardinal York, to his Holiness the Pope, who gave him a most cordial Reception, and conversed with him above Three Quarters of an Hour. This unfortunate Prince seemed tired of having lived so long in Obscurity, and determined to launch again into the great World. His Visit here has caused much Speculation, and some Politicians say, that in Case the French should not keep Corsica for themselves, they would do well to make his Highness a Present of that Kingdom.

PARIS, July 10. We have received some disagreeable News from Corsica; a dreadful epidemical Disorder rages among the Troops, and the Inhabitants, in several Parts of the Island, take every Opportunity to stab all the French that fall into their Hands. A Major of Artillery, and some other Officers, have lately been assassinated in this Manner; but it is hoped the Count de Vaux will take proper Measures to put a Stop to this perfidious Carnage.

LONDON, July 3. The following is a Copy of a Letter sent to a Chief Magistrate. Archway-Street, June 29, 1769. Lord W. presents his Compliments to the L. M. of London, and begs to assure his Lordship, that he should be extremely glad to give him any Information relative to the presenting the Petition of the Livery of London to his Majesty; but the Secretary of State never takes the King's Pleasure with Regard to the Time and Place of receiving Petitions. They are usually presented to the King either on a Sunday, as his Majesty is going or returning from Chapel, or on a Thursday, as he goes to, or returns from the Drawing-Room.

Yesterday Messrs. Townsend and Sawbridge, the Sheriffs elect, gave Bond to serve the said Office. Yesterday Morning the following verbal Message was sent to several Printers of this City: "My Lord Mayor requires you to attend the Court of Aldermen this Day at Twelve precisely." In Consequence of which they were all in waiting 'til near Two, when only One of them was called in, to be examined relative to the Card from Lord Weymouth to the Lord Mayor, which was given in our last. His Lordship asked him by what Means a Copy of the Card was obtained, declaring that his Motive for ordering their Attendance was to assure his Brethren, that it was published without his Knowledge. The Story relative to the Affair is as follows: Monday last night the Right Hon. the Lord Mayor sent to Lord Rochford to know when it would be con-

The Sentiment of the Council is this, that when the Troops are at Quarters in the said Town where there are good Barracks provided, these must be filled first. But the Council never was so absurd as to construe the Act, that when the King's Troops were upon the March a Hundred Miles from such Barracks, no Provision should be made for them on their March; in such Case, my Lord, the same Provision ought to be made for them as if no Barracks had been in the Province.

As to the Omission of Duty, particularly with regard to the suppressing Riots, Mob, Disorders of the like, the Council can with Truth say, it is not in the Governor's Power to give one Instance, wherein they have not exerted themselves to the utmost to suppress them. In Proof of their having done so, they can appeal to their Answer to the Governor, relative to a Libel published against him; to the Proclamations they have advised him to issue; to the Orders they have given the Attorney-General to prosecute those who have been Rioters, or otherwise Disturbers of the Peace, and to the Rewards offered to induce Persons to bring them to Justice. The Governor never laid any Thing of this Nature before the Council; wherein they were not as fond of having the Transgressors brought to condign Punishment; as the Governor himself; and of taking every legal Measure to effect it.

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