

MARYLAND GAZETTE.

THURSDAY, MARCH 21st 1771.

RAN away about the 25th of December last, from East-Fredrick Furnace, a Country born Negro Man named JACOB, about 25 Years of Age, 5 Feet 6 or 7 Inches high, a likely lively Fellow, not very black, has very white Teeth, which stand rather wide than close to each other, is well acquainted with the Neighbourhood of Annapolis, pretty quick spoken, and has formerly had a scald Head: His Cloathing is uncertain, tho' tis likely he had a Fearnought short Coat or upper Jacket, a Cotton Jacket and Breeches, Osnabrig Shirt, common Country made Negro Shoes, and mill'd Yarn Stockings. He took with him an old very brown or rather black Draft Horse, about 14 and an Half Hands high, stout made, broad round Buttocks, swish Tail, and probably then, as usual, shod all round.

Whoever will deliver the Negro at the Works, or Annapolis, shall have, if taken in the Province FIFTY SHILLINGS, and if out of the Province FIVE POUNDS Pennsylvania Currency, or if out of the Province and secured in any Jail and Notice given, FIFTY SHILLINGS, and for the Horse TWENTY if delivered at the Works, or Annapolis.

If any Body has seen the Negro or Horse, Notice of it would be thankfully acknowledged, as it is unknown what Road the Fellow has taken.

JACQUES & JOHNSON.

THE Constables of the several Hundreds in Arundel County, are ordered to attend the County Court the Second Wednesday in March, August, and November.

Signed per Order,
JOHN BRICE, Clrk.

January 3, 1771.

THE Copartnership of James Christie, junr. and John Boyd of Jeppa, Baltimore County, having expired and been dissolved on the First Instant, and the Subscriber and his Agents being solely and fully empowered to settle and finish the Business of the Concern. It is requested of those who have Claims against it, to bring them in, that they may be adjusted and paid, and those who are indebted to the Copartnership are desired speedily to pay off their respective Balances, or at least to give Bond, with Security, if desired, for them, either to Mr. Thomas Miller at Jeppa, or at Baltimore-Town, to

(w11) JAMES CHRISTIE, junr.

December 14, 1771.

RAN away from the Subscribers, a Servant Man named William Henry Bowden; he is a free made Man, about 24 Years of Age, and has followed the Occupation of a School-Master: Had on when he went away, a blue Coat, Country made Jacket, with Lappels, Snuff coloured Velvet Breeches, and wears his own Hair, which is black and straight: It is supposed he took a small bay Mare away with him, the Mare has Two white Feet, and her Mane hangs on the rising Side; there was a good Saddle on the Mare, and a Pair of blue Hoofing Bands, with Leather and Surcingle to the Saddle.

Whoever takes up the Man and Mare, and secures them, so as the Owners shall get them again, shall have Five Pounds paid them, if taken out of the County, and if taken in the County, Satisfaction for their Trouble, paid by the Subscribers

WINLOCK RUPUM,
JEREMIAH CARTER.

N. B. The above Servant was born in England, he is a great Talker, and loves gaming.

January 16, 1771.

TO be SOLD at PUBLICK SALE, on Thursday the 21st Day of March next, at the House of Mr. Samuel Swearingham, in Frederick-Town, Frederick County, for ready Money, or good London Bills of Exchange,

PART of a Tract of Land, lying in Frederick County, situated on Little Menocetsy, called The Addition to Happy Choice, containing 834 Acres, it being Part of the real Estate of Mr. Jacob Sprigg late of Prince George's County, deceased; and which by his last Will and Testament was ordered to be sold, for certain Purposes in the said Will mentioned. The Land will be sold in Parcels, or the whole together, as it may appear best for the Advantage of the Estate.

W. T. WOOTTON, Execut.

N. B. All Persons indebted to the Estate of the said Mr. Jacob Sprigg, are desired to make immediate Payment; and those who have just Claims against said Estate, are requested to let me know them on or before the Day of Sale, that they may be sealed.

(15) W. T. WOOTTON.

E GREEN, at the PRINTING, at 12s. 6d. a Year; ADVERTISEMENTS, for each Week's Continuance. Long One ready Printed, most kinds of BLANKS, several Sorts, with their proper BONDS. Manner of PRINTING-WORK performed.

VIENNA, Sept. 7.

are informed, that the Confederates in Poland, and those retired to Hungary, have declared the Throne of Poland vacant.

MADRID, Nov. 5. Monday last a Courier arrived here from London, with the Answer of the British Court to the Propositions made on our Part. It does not yet come to an Agreement.

appears, that we are not yet come to an Agreement. It appears, that we are not yet come to an Agreement.

of it would be thankfully acknowledged, as it is unknown what Road the Fellow has taken.

JACQUES & JOHNSON.

LONDON, Dec. 13.

Further Proceedings in the Lower Room of the Robin-Hood Society on Monday last.

Mr. D-m-r-r. I hope we shall not proceed to any Business till we have done ourselves Justice upon this Infult committed by the Members of the Upper-Room. I was One who underwent the Indignity of being turned out of their Room; and I therefore move, that this Committee do immediately break up, that we may consider what ought to be done on this Occasion with the President in the Chair.

L-m-d J. C-v-n-d-h, I agree with the Gentleman who spoke last, as to the Infult; but hope he will suffer us to finish the Business the Committee is upon, and we may afterwards proceed on any Motion he may have to make in the Room.

Members cried out, Aye, Aye. The Committee soon broke up, and the President took the Chair.

Mr. D-n-n-g. Sir, I agree with my Friend who spoke some Time ago, that we ought to do ourselves Justice upon this Proceeding of the Upper-Room; for as a Member of the Lower, I am far from being satisfied with doing nothing more than what the Right Hon. Gentleman on the Treasury-Bench proposed last, the clearing the Room of all poled Strangers. Because the Members of the Upper-Room have indecently turned us out, I do not think we do enough in barely following so has an Example. No, Sir, we must go further; and for One, I will not rest till we have made a full Enquiry into this Matter; wherein there appears to me to have been a Determination against this Room; and therefore I move, that a Committee be appointed to inspect the Journals of the Upper-Room, and to report to this Room their Opinion.

Right Hon. G. O-w. Sir, when I moved some Time ago that the Room should be cleared, I did it in Consequence of the other Room having thought fit to remove the Members of this Room from theirs. I looked upon it as a disregarding Conduct towards the Lower-Room, for whose Dignity I feel too sensibly not to be anxious to maintain it on all Occasions. I was impatient to have this Room exert its Power over them, exactly as they had their's over us; and as long as I have a Seat here, it shall not be my Rank if you are behind-hand with them. But, Sir, I thought and continue to think, that Resolution is all that is in our Power, and all we should think of. The Members of the Upper-Room have not infringed any Privilege of our's; they have not injured us; they have not insulted us. What can be the Effect of the Gentleman's Motion? We shall only find what we know already, that the Members of the Upper-Room have exerted a Right which they have; which, however unhandsome to this Room, is still their Right; and I do not conceive that we can have any Thing to say against it, but to treat them as they treat us, and I fancy they will tire first, and some soon to their Sense and temper good Humour. This Motion, I am sure, will not forward that, but tend to promote ill Blood between us, which we all wish to avoid. I am therefore against the Motion.

Col. B-r-e. The Right Hon. Gentleman says very truly, that the Members of the Upper-Room have acted as if they were out of their Senses; and we shall be thought so too, if we let the Matter rest where it is. Sir, it is to the outrageous and daring Behaviour of certain Members of the Upper-Room, who trust to their Majority, that we are indebted for this Infult on this Room. It was a Conduct that shocked the honest Part of that noble Assembly. They acted like themselves; they withdrew, rather than give their Sanction to such an unworthy and unprecedented Behaviour. I myself was present, and will affirm that no C-r-t or R-r-g-n ever equalled the horrid Indecency I was there a Witness to. Sir, we give up the Rights of our Constituents, and of our own Honour, if we do not resent this Usage, or if we only make so tame a Return to it, and so disgraceful a One, as to act as improperly as they have done. I am for the Motion, and hope it will go further.

L-m-d N-th. At the very Time that we are complaining, and justly complaining of the unfriendly, and I think, improper Behaviour of the One Room of the Society to the other, it ill becomes our own Dignity to suffer such a Language to be held, as that which the Gentleman has used towards a Part of the other Room, which thought fit to differ with that Part of the Members, which the Gentleman calls the honest Part of the Room. What Right has that Gentleman to brand the other Part of the Room with being otherwise? Their Conduct in clearing the Room indiscriminately of all Strangers, including the Members of this Room, I condemn as much as any Body; and I wish on this Occasion that a Distinction could have been made, and only Members of the Upper-Room had been removed, that they might expect no Admission here while they refuse it to us. But, Sir, I agree with my Right Honourable Friend who sits near me, that Retaliation is all we can exert. Searching the Journals of the Upper-Room will be useless and nugatory, and therefore disgraceful, and unworthy of us. I am clearly against the Motion; and to put an End to it, I move you to adjourn.

SERGEANT GLYNN'S SPEECH, In the Lower House, in Consequence of a Motion concerning the Power of the Attorney-General to file official Informations.

AS I have been particularly concerned in the Discussion of the Question now agitated, I think myself bound in Duty to the Publick, and to my own Character, to deliver my Sentiments upon the fresh Subject which has been started. I must therefore agree with my honourable Friend, who spoke last but One, in asserting, that Reports injurious to our Courts of Justice have gone abroad, and taken deep Root throughout the Kingdom. They are current in the Metropolis; they are current in the Country. Confined neither to private Conversation, nor to the published Prints, Magazines and Pamphlets, these Scurrilous and Surmises have found their Way into the Remonstrances addressed to the Throne. London and Middlesex have both complained of the Point. It is then absurd to allege that they are but idle and groundless Rumours, which being lightly taken up, will be as lightly laid down; they are, on the contrary, grave and serious Matters, which have made a deep and lasting Impression upon the Minds of the People. They have inflicted a Wound, which cannot be healed but by a thorough and honest Inquiry. This is the only Balsam, the only Catholicon which can be applied with any Prospect of Success. Will you then refuse to try the Effect of this Remedy? Will you shut your Eyes to their Complaints? You may take that Part, but I fear that it will not be the Way to ally the Ferment; of whose Existence you must all be sensible, however much some of you may affect not to know or to despise it.

But you ask what are these Rumours, those Reports which have created such Jealousies and Anxieties, and which of sufficient Magnitude and Importance, to call for the Attention of this respectable Assembly? Respectable as you are, I cannot think that you will at all be degraded by taking into Consideration a Subject which has engaged, and does still engage, the Thoughts of the London and Middlesex. Were there no other Part of the Realm to be gratified by this Inquiry, it would be the no Mark of Impudence in you to grant them this Indulgence. They are neither a small nor an inconsiderable Part of his Majesty's Subjects, and it will be a just and honourable Acknowledgment to have them for their Friends. Can they hope for this desirable Event, except they embrace the proposal I have made? They and the whole People of England will hold them as Enemies, if they do not give up the Power which they have over the very essence of the Constitution, and must be as dear to every true Englishman as the Blood which warms the Veins. Nothing will, I am persuaded, separate them but the Power that fears a sudden Heart's Stroke. Do you imagine that Englishmen, while they are a People, will allow the unconstitutional Power of these Reports to be entrenched? They know too well that it is

the best Palladium of their Liberties, and they will never part with it, but with their Lives. Let this be the sacred Right, which unhallowed Hands are never of having encroached to ravish from them. Rules of Evidence, and Rules of Law, are said to have been laid down by Judges, which are the Foundations of Justice, and which, if tolerated, will render them in the Hand of a temporising and unprincipled Legislature, mere Engines of Oppression.

We are informed that a Judge has laid it down as a fixed, established Doctrine in Law, that a Master is not criminally answerable for the Misdemeanors of his Servants. If a Book or a Pamphlet, for Example, is sold in a Bookeller's Shop, and without the Knowledge of the Master, we are taught by a Professor of the Law, that the Master is responsible and punishable for this Act. It would be idle to enter largely into the Merits of this Case at the present Time. Not to mention that I have been prevented by the Gentleman who started this Proposition, and who held it forth in a strong, but not an overcharged Light, I am prevented by the self-Evidence of the Case. The monstrous Absurdity, the glaring Iniquity of the Doctrine, is so plain, so palpable, that it may be safely left to the common Sense, to the Feelings and Hearts of Mankind. They will judge, they will determine, without any Sophistry, without any jejulious Reasoning, and like an upright, unbiaised Jury, will bring in this Maxim guilty.

But false Rules of Evidence are not only countenanced. False Rules of Law are said to be suffered, and cherished with the same pious Care. Juries are told that they are only competent Judges of Fact, not of the Law. For Instance, if a Man charged with publishing a Libel is brought before a Jury, they are not to inquire with what Intention he published; their sole Province is to determine whether he actually published, and whether the alleged libellous Expressions are to be applied, as they are in the Indictment. If they find these Two Points proved and ascertained, they must bring in the Defendant guilty, and leave to the Judge the Construction of the Expression, and the Malice or Innocence of the Intention. Now I am at a Loss to determine whence this Doctrine is derived, I am sure it is not to be found in any Code of natural Law. The human Heart revolts at it; as Criminality must for ever depend upon the Intention. This is so clear a Case, that I will not disgust the Room with any further Explanation. If Guiltiness then depends upon the Intention, what do the Jurors then judge of, if they do not judge of the Intention? The Publication of a certain Quantity of Paper and Print? There is no Guilt in publishing and printing considered in that Light. It is the Intention alone, that constitutes the Essence of Guilt; and if the Jurors do not judge of that, they judge of nothing. Thus then stands the Fate of Nature. Let us now see how the Law of England stands. Is it contrary to the Author of Nature's Law, which the Author of Nature's Mind? God, forbid!—We are not in such a distressful Situation. The Law of England is conformant to the sacred Principles of Rectitude. It is noble, uniform and consistent, and disfavours this modern Innovation. Modern Law may fall it, since I am at a Loss to find a single Precedent, by which it is authorized. If a Precedent should be found, I will take upon me to say, that it is not a good one, and that I will on a proper Occasion prove it not to be a Law. Thus much I thought proper to say of the Reports which prevail, and of the Necessity of adopting the proposed Inquiry. The Deceit of my Situation prevents me from offering any Thing from my own Knowledge. As to the Motion for amending the Paper before you, I give my hearty Consequence.

Mr. Dunning, on Tuesday last, speaking on the Power of the Attorney-General, in regard to giving Informations, closed a very eloquent and patriotic Speech to the following Purport: "That this Power periodically assumed, never originally belonged to the Constitution; that it was first introduced by arbitrary Ministers, the more effectually to answer the Purposes of private Pique and Revenement, and that it being countenanced at any Time by any Minister, ever forfeited the Badge of his Cause, and the Fountains of his Mind; that for his Part he was totally for abolishing this Share of the Chamber Tyranny; and he was very sure that every Man would be of the same Opinion, who preferred the real good of the Constitution to the Honour of Party."

SPEECH on the second Reading of the Bill for the better preventing Delays of Justice, by Reason of Privilege of Parliament, of the 24th of June, 1770.

LORDS.

WHEN I consider the Importance of this Bill to your Lordships, I am not surpris'd it has taken up so much of your Consideration. It is a Bill, indeed, of no common Magnitude. It is no less than to take away from this Bill, the Power which is exercised in Courts of Equity, for Admiralty, and the King's Cognizance of Prætorial, Admiralty, and Admiralty, against Peers and Members of the House of Commons, and their Servants;