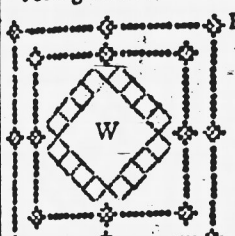


MARYLAND GAZETTE.

THURSDAY, JUNE 11, 1772.

An ACT for the better regulating the future MARRIAGES of the ROYAL FAMILY.

Most gracious SOVEREIGN,



HEREAS your Majesty, from your paternal affection to your own family, and from your royal concern for the future welfare of your people, and the honour and dignity of your Crown, was graciously pleased to recommend to your Parliament, to take into their serious consideration, whether it might not be wise and expedient to supply the defects of the laws now in being, and, by some new provisions, more effectually to guard the descendants of his late Majesty King George the Second (other than the issue of Princesses who have married, or may hereafter marry, into foreign families) from marrying without the approbation of your Majesty, your heirs or successors, first had and obtained:

We have taken this weighty matter into our serious consideration, and, being sensible that marriages in the Royal Family are of the highest importance to the State, and that therefore the Kings of this realm have ever been intrusted with the care and approbation thereof; and, being thoroughly convinced of the wisdom and expediency of what your Majesty has thought fit to recommend upon this occasion:

WE, your Majesty's most dutiful and loyal subjects, the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, do humbly beseech your Majesty, that it may be enacted; and be it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, that no descendant of the body of his late Majesty King George the Second, being the grandchildren and presumptive heirs of the reigning King, male or female, (other than the issue of Princesses who have married, or may hereafter marry, into foreign families,) shall be capable of contracting matrimony, without previous consent of his Majesty, his heirs, or successors, signified under his great seal, and declared in council (which consent, the better to preserve the memory thereof, is hereby directed to be set out in the licence and register of marriage, and to be entered in the books of the Privy Council); and that every marriage, or matrimonial contract, of any such descendant, without such consent first had and obtained, shall be null and void, to all intents and purposes whatsoever.

Provided always, and be it enacted by the authority aforesaid, that in case any such descendant of the body of his late Majesty King George the Second, being above the age of twenty-five years, shall persist in his or her resolution, to contract a marriage, disapproved of, or dissent from, by the King, his heirs or successors, that then such descendant, upon giving notice to the King's Privy Council, which notice is hereby directed to be entered in the books thereof; may, at any time, from the expiration of twelve calendar months after such notice given to the Privy Council aforesaid, contract such marriage; and his or her marriage, with the person before proposed and rejected, may be duly solemnized, and shall be good, without the previous consent of his Majesty, his heirs, or successors, as if his act had never been made, unless both Houses of Parliament shall, before the expiration of twelve months, expressly declare their disapprobation of such intended marriage.

And be it further enacted by the authority aforesaid, that every person who shall knowingly, or wilfully, refuse to solemnize, or to assist, or be present, at the celebration of any marriage with any such descendant, at his, or her, making any matrimonial contract, without such consent as aforesaid, first had and obtained, except in the cases above mentioned, shall be duly punished thereof, incur and suffer the pains and penalties ordained and provided by the statute of provisions and præmunire, made in the sixteenth year, of the reign of Richard the Second.

The following is an exact Copy of the LORDS PROTEST against the Bill for regulating the Marriages of the Royal Family.

Die Martii, 3^o Martii 1772.
THE order of the day being read for the third reading of the bill intitled an act for the better regulating the future marriages of the Royal Family, and for the Lords to be summoned.

The said bill was accordingly read the third time. Proposed that the said bill do pass; which being objected to, after a long debate.

The question was put, whether this bill shall pass. It was resolved in the affirmative.

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Dissentient,
Because we think the declaratory principle in the preamble of the bill, to be without foundation in

law, (in the extent there stated) to be unnecessary for the avowed purposes of the bill, and likely to be attended with very dangerous consequences, as that preamble does assert, "that we are sensible that marriages in the Royal Family are of the highest importance to the State, and that therefore the Kings of this realm have ever been intrusted with the care and approbation thereof."

The maxim here laid down, "that because marriages of the Royal Family are of the highest importance to the State, they are therefore intrusted to the Kings of this realm," is founded on a doctrine absurd and unconstitutional, but which hereafter will have the force of a parliamentary declaration of law, the immediate tendency of which is to create as many prerogatives in the Crown, as there are matters of importance in the State, and indeed to extend them in a manner as vague and exceptionable as had ever been done in the worst and most despotic periods in the history of this nation; and we apprehend that some future and even more dangerous use may be made of this preamble, as it is much more extensive than is necessary for any purpose avowed in the bill.

2dly, Because this declaratory preamble seems to justify the words which his Majesty has been advised (we think very improperly) to use in his message to his Parliament, whereby a prerogative is assumed in an extent for which none of his Judges, in their unanimous opinion delivered to this House, do not find any authority.

3dly, Because the term Royal Family being general, and not qualified by the exception of "the issue of Princesses married into foreign families," seems to carry (very idly as we apprehend) the royal prerogative beyond the jurisdiction of the Crown of Great Britain, can therefore, as applied in the preamble, be warranted by no law, and is indeed contrary to common sense.

4thly, Because, if this parliamentary declaration of law can operate in any degree as a retrospect (an operation against which we have no security by any thing contained in the bill) it is pernicious and unjust; if it can have no such retrospect (as was asserted in argument by the friends of the bill) it is then at best frivolous and unnecessary.

5thly, Because the enacting part of the bill has an inconvenient and impolitic extent, namely, to all descendants of George the Second. In course of time that description may become very general, and comprehend a great number of people; and we conceive it would be an intolerable grievance, that the marriages of so many subjects, perhaps dispersed among the various ranks of civil life, should be subject to the restrictions of this act, especially as it has been asserted in argument, and endeavoured to be maintained by the authority of the grand opinion given by the Judges in the year 1717, that the care and approbation of the marriage includes the education and custody of the person. We fear that this extensive power would come in time to make many of the first families in the kingdom totally dependant on the Crown, and we therefore lament that the endeavours so earnestly used in the committee, in some degree to limit the generality of that description, were not suffered to take effect.

6thly, Because, as the line is too large with regard to the description of the Royal Family, so we think that the time of nonage for that Family is also improperly extended. We conceive that the age of twenty-one years is that limit, which the laws of this country and the spirit of the constitution has, with great wisdom, given to minority. It seems indecent to the Royal Family to suppose they will not be arrived at the age of discretion as soon as the lowest subject of the realm; and we cannot conceive but they may be as capable of choosing a wife at the age of twenty-one, as of being intrusted with the regency of the kingdom, of which by law they are at that age capable. We also conceive that the deferring their age of majority as to marriage till twenty-six is impolitic and dangerous, as it may tend to drive them into a disorderly course of life, which ought the more to be guarded against in men of high rank, as the influence of their example is the most forcible and extensive.

7thly, Because the power given by this bill, to a Prince to marry after the age of twenty-six, having first entered in the books of the Privy Council his intention so to do, for twelve calendar months, is totally defeated by the subsequent proviso, "Unless both Houses of Parliament shall, before the expiration of the said twelve months, expressly declare their disapprobation of such intended marriage."

We think this proviso lays great difficulties on future Parliaments, as their silence, in such a case, must express a condemnation of the King's refusal; and their concurrence with such refusal may prove a perpetual prohibition from marriage to the person concerned.

We conceive the right of conferring a discretionary power of prohibiting all marriages (whether vested in the Crown alone, as intended by the message, or in the manner now enacted by the bill) to be above the reach of any legislature, as contrary to the original inherent rights of human nature, which, as they are not derived from or held under civil laws, by no civil laws whatsoever can be taken away. We freely allow that

the legislature has a power of prescribing rules to marriage, as well as to every other species of contract, but there is an essential and eternal difference between regulating the mode in which a right may be enjoyed, and establishing a principle which may tend entirely to annihilate that right. To disable a man during his whole life from contracting marriage, or, what is tantamount, to make his power of contracting such marriage dependant neither on his own choice, nor upon any fixed rule of law, but on the arbitrary will of any man, or set of men, is exceeding the power permitted by the Divine Providence to human legislators. It is directly against the earliest command given by God to mankind, contrary to the right of domestic society and comfort, and to the desire of lawful posterity, the first and best of the instincts planted in us by the Author of our nature, and utterly incompatible with all religion, natural and revealed, and therefore a mere act of power, having neither the nature nor obligation of law.

8thly, Because we conceive this bill to be pregnant with civil discord and confusion; it has a natural tendency to produce a disputed title to the Crown. If those who may be affected by it are in power, they will easily procure a repeal of this act, and the confirmation of a marriage made contrary to it; and, if they are not, it will at least be the source of the most dangerous party, that not competent, as being contrary to the common rights of mankind. Such a claim, supported, as it may be, by peculiar hardship in the case, null, as we conceive, at no very remote period, create great mischief and confusion.

Lastly, Because this bill, which resorts to such harsh and unusual methods, at the same time provides for its own purpose very uncertainly and very imperfectly; for it secures no remedy against the improper marriages of Princesses married into foreign families, and those of their issue, which may be as materially affected the interest of this nation, as the marriages of Princes residing in the dominions of Great Britain. It provides no remedy, at any age, against the improvident marriage of the King reigning, the marriage, of all others, the most important to the publick. It provides nothing against the indiscreet marriage of a Prince of the Blood, being regent at the age of twenty-one, nor furnishes any remedy against his permitting such marriages to others of the Blood Royal, the regal power fully vesting in him as to this purpose, and without the assistance of his Council. We cannot therefore, on the whole, avoid expressing our strong disapprobation of an act, making so many of the foundations of law, religion, and publick security, for ends wholly disproportioned to such extraordinary efforts, and in favour of regulations, so ill calculated to answer the purposes for which it is pretended they are made. And we make this Protest, that it may stand recorded to that posterity, which may suffer from the mischievous consequences of this act, that we have no part in the confusions and calamities brought upon them, by rendering uncertain the succession of the Crown.

- | | |
|--------------|--------------|
| RICHMOND, | DORSET, |
| ABERGAVENNY, | TORRINGTON, |
| PORTLAND, | MILTON, |
| ABINGDON, | DEVONSHIRE, |
| ROCKINGHAM, | ALEMARLE, |
| FITZWILLIAM, | CRAVEN, |
| STAMFORD, | JOHN BANGOR. |

Dissentient,
Because the liberty of marriage is a natural right inherent in mankind.

Because this right is confirmed and enforced by the holy scriptures, which declare marriage to be of divine institution, and deny to none the benefit of that institution.

Because the law of nature and divine institutions are not reversible by the power of human legislatures.

Because there is a total difference between regulating the mode of exercising the right derived from the law of nature, or assuming and granting a discretionary power of taking it quite away.

Because, though we think it expedient and agreeable to the dictates of reason, that minors should not marry without the consent of their parents or guardians, and that such consent should be necessary to render their marriage good and valid, as it likewise is in the exercise of all their other rights during the term of their nonage, it can no more be inferred from thence that we acknowledge a right to continue such restraint throughout their whole lives, than that we acknowledge a right to keep men or women in a state of endless nonage, which, unless in the case of idiots or incurable lunatics, would be absurd, unjust, and a manifest violation of the law of nature.

Because, if a perpetual restraint upon marriage, or power given to restrain it, without limitation of time or age, be contrary to the natural and divine law, (as we apprehend it to be) a law authorizing such restraint, or conferring such a power, must be null and void in itself.

Because, in any case, where the right of succeeding to the Crown of these realms may come to depend on the force or invalidity of the power given by this Bill, an appeal made against it would probably bring upon the Royal Family and the Nation all the miseries and horrors of civil war.

... that the Stage-wagon
... Bolton, that plies from
... begin the 11th of this
... Chester-Town on Mon-
... till the Navigation is
... are; she will arrive at
... Noon, where a com-
... Joseph Yallow, will take
... and sails immediately
... Day the Waggon will set
... arrive at Chester-Town on
... will go to James Hodges's
... a compleat Boat to take
... sail immediately for An-
... apolis Saturday Morning
... k-Hall, where the Wag-
... of the Boat, to take the
... Chester-Town. The News
... om Philadelphia on Sun-
... n Monday; she was built
... has excellent Accom-
... and as she will be kept
... by to induce Gentleman
... of Travelling, as it
... is Trouble and Expence
... we shall do our utmost
... affage agreeable to them.
JOHN BOLTON,
JOSEPH TATLOW,
JAMES HODGES.

Annapolis, April 14, 1772.
... ds leaving this Province
... who are indebted unto
... respective Debts by the
... all lawful Means will be
... and all those who have
... are requested to send in
... may be adjusted.
JOSEPH SELBY,
... has a Quantity of Ladies
... addles: Also Chaife Har-
... d-dipose of on very rea-
... Money only.

LOTTERY
DOLLARS,
CURING THE DOCK IN
POLIS.

Dollars.	Dollars.
2000 - is - 2000	
1000 - is - 1000	
500 - are - 1000	
250 - are - 1000	
100 - are - 500	
50 - are - 500	
20 - are - 500	
10 - are - 500	
4 - are - 3000	
	10000

at Two Dollars } 10000
to - - - }
... ME, there are more than
... Prize, and the Prizes are
... of Fifteen per Cent. but as
... is very valuable, it is
... will very soon be disposed
... Number of them are already
... on the Second Monday in
... sooner full, in the Presence
... at least, and as many of
... to attend.

Mess. Lancelot Jacquet, Wil-
... ca, Thomas Johnson, Thomas
... James Tilghman, William
... John Brice, Charles Wallcut,
... Harwood, John Clapham,
... Brooke Hodgkin, William
... William Deards, James Brit,
... Dundas, John Galloway,
... Samuel Harvey Howard; who
... upon Oath for the faith-
... trust.

... published in the Gazette,
... be paid in One Month after
... demanded within Six Months
... rously given for the Emolu-

... may be had of any of the

at the PRINTING
ADVERTISEMENTS
... uance. Long Ones
... kinds of BLANKS,
... their proper BONDS
... WORK performed