

MARYLAND GAZETTE.

THURSDAY, JUNE 30, 1774.

May 30, 1774... IMPORTED... subscribers, at their store... annapolis, ... of goods, suitable for... seasons. ... OLAS MACCUBBIN, and ... HENRY MACCUBBIN.

venue, on the premises, ... of July next, for Lond... current money, ... tracts or parcels of land, lying... Aldermanston, ... about five miles from Lond... the same distance from Hen... patents two hundred six and... less. The soil is good either... of any kind, and there is... where a valuable meadow... trouble. The improvement... house, and a tobacco house... will be shewn to any person... at thereon, and the title and... at any time before the sale, on... Patrick Sim Smith of Calvert... of sale, by ... WILLIAM T. GREENFIELD.

subscriber, living in Prince... the mouth of the eastern... river, Maryland, for curren...

000 acres of land, granted by... of Virginia, directed to... county, to be laid on some of... any gentleman is inclinable to... county, by sending the warr... will direct it to any other... being pretty well acquainted... country, doubts not but in a... little inferior to any on the... been so kind, that it is fur... who hath seen it. I was in... by several gentlemen of Virgi... down the Ohio last fall, that... salt springs, and by boiling... its water, got near two quart... ainted with gentlemen that an... the frontier counties of Virgi... if it would not suit to com... to see my land laid out, on... they would have it executed... could on the main river Ohio... purchase the whole, or part... onable terms. BARTON LUCAS.

IMPORTED... bookfeller and stationer in... annapolis, ... of books--amongst which are... taries on the laws of England, ... arts and sciences, 3 vol. 4to. ... Buchan's domestic medicine, ... Hume's essays, 2 vols. octavo. ... of criticism, 2 vols. Ferguson's... ickson on agriculture, 2 vols... names. An elegant edition of... translated from the French, ... of man, 2 vol. 4to. by Lord... Millar on the distinction of... of feeling. Man of the world, ... of the British poets... school-books, small historio... th a large quantity of royal... y, and thin post, foolscap, ... Dutch quills, best red and... Irish wafers. To be sold at W. Aikman's shop, ... dies, price 1s. 6d. each.

June 1, 1774... from the subscribers plantati... r, in Anne-A. undel county, ... th ult. a dark bay mare, fire... n hands high, has a black... ar in her forehead, is branded... et all round with the letters... ell. Whoever takes up the... her to the subscriber, (or will... may be bad again) shall have... sides reasonable charges paid. JOSEPH COWMAN.

Bladensburg, May 23, 1774... advance, for ready money of... rt credit, ... chosen printed cottons and... e newest patterns. JAMES HOGGAN.

any just claims against O... rderick county, are desired... and bring them in legally attes... ed to the said Orlando Giff... e immediate payment to the... y impowered to settle his ba... JOSHUA GRIFFITH.

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for the better regulating the government of the pr... of the Massachusetts-Bay, in North-America.

WHEREAS by letters patent under the great seal of England, made in the 3d year of the reign of their late majesties king William and queen Mary, for uniting, erecting and incorporating, the several colonies, territories, and tracts of land therein mentioned, into one real province, by the name of their majesties province of the Massachusetts-Bay, in New-England, whereby it was among other things ordained, and established, that the governor of the said province should from thenceforth be appointed and commissioned by their majesties, their heirs and successors, it was however granted and ordained, that from the expiration of the term, for, and during which the said twenty persons named in the said letters patent, were appointed to be the first counsellors or assistants to the governor of the said province for the time being, the aforesaid number of 18 counsellors or assistants should yearly once every year, for ever thereafter, be, by the general court or assembly, newly chosen.

And whereas the said method of electing such counsellors or assistants, to be vested with the several powers, authorities, and privileges therein mentioned, although conformable to the practice heretofore used, in such of the colonies thereby united, in which the appointment of the respective governors had been vested in the general courts or assemblies of the said colonies, hath by repeated experience, been found to be extremely ill adapted to the plan of government established in the province of the Massachusetts-Bay, by the said letters patent herein before mentioned, and hath been so far from contributing to the attainment of the good ends and purposes thereby intended, and to the promoting the internal welfare, peace, and good government, and to the maintenance of that just subordination to, and conformity with the laws of Great-Britain, that the manner of exercising the powers, authorities, and privileges aforesaid, by the persons so annually elected, hath for some time past been such as had the most manifest tendency to obstruct, and in great measure defeat the execution of the laws, to weaken the attachment of his majesty's well-disposed subjects, in the said province, to his majesty's government, and to encourage the ill-spirited among them to proceed even to acts of direct defiance to, and defiance of, his majesty's authority; and it hath accordingly happened, that an open resistance to the execution of the laws hath actually taken place in the town of Boston, and the neighbourhood thereof, within the said province.

And whereas it is, under these circumstances, become absolutely necessary, in order to the preservation of the peace and good order of the said province, the protection of his majesty's well-disposed subjects therein resident, the continuance of the mutual benefits arising from the commerce and correspondence between this kingdom and the said province, and the maintaining of the just dependence of the said province upon the crown and parliament of Great-Britain, that the said method of annually electing the counsellors or assistants of the said province should no longer be suffered to continue, but that the appointment of the said counsellors or assistants should henceforth be put upon the like footing as is established in such other of his majesty's colonies or plantations in America, the governors whereof are appointed by his majesty's commission under the great seal of Great-Britain:

Be it therefore 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 this fame, that from and after the

so much of the charter granted by their majesties king William and queen Mary, to the inhabitants of the said province of the Massachusetts-Bay, in New-England, and all and every clause, matter, and thing, therein contained, which relates to the time and manner of electing the assistants, or counsellors, for the said province, and all elections and appointments of such counsellors and assistants made in pursuance thereof, shall be void, and that from and after the said

the council or courts of assistants of the said province for the time being shall be composed of such of the inhabitants or proprietors of lands within the same, as shall be thereunto nominated or appointed by his majesty, his heirs, and successors, by warrant under his or their signet or sign manual, and with the advice of the privy council, agreeable to the practice now used in respect to the appointment of counsellors in such of his majesty's other colonies, in America, the governors whereof are appointed by commission under the great seal of Great-Britain; provided the number of the said assistants or counsellors shall not at any one time exceed

and elected from time to time, under the said charter, except as hereinafter excepted; and shall also, upon their admission into the said council, and before they enter upon the execution of their offices, respectively take the oaths, and make, repeat and subscribe the declarations required, as well by the said charter as by any law or laws of said province now in force, to be taken by the assistants or counsellors, which have been so elected and constituted as aforesaid.

And be it further enacted by the authority aforesaid, that from and after the

it shall and may be lawful for his majesty's governor for the time being, of the said province, or in his absence, for the lieutenant-governor, to nominate and appoint, under the seal of the province, from time to time, the judges of the inferior courts of common pleas, commissioners of oyer and terminer, the attorney general, sheriffs, provosts, marshals, justices of the peace, and other officers to the council or courts of justice belonging, and to remove the same without the consent of the council; and that all judges of the inferior courts of common pleas, commissioners of oyer and terminer, the attorney general, sheriffs, provosts, marshals, and other officers so appointed by the governor or, in his absence, by the lieutenant-governor alone, shall and may have, hold, and exercise, their said offices, powers, and authorities as fully and completely, to all intents and purposes, as any judges of the inferior courts of common pleas, commissioners of oyer and terminer, attorney general, sheriffs, provosts, marshals, or other officers, have or might have done heretofore under the letters patent, in the third year of the reign of their late majesties king William and queen Mary, any law, statute, or usage, to the contrary notwithstanding.

Provided always, and be it enacted, that nothing herein contained shall extend, or be construed to extend to annul or make void the commission granted before the

to any judges of the inferior courts of common pleas, commissioners of oyer and terminer, the attorney general, sheriffs, provosts, marshals, justices of the peace, or other officers; but that they may hold and exercise the same, as if this act had never been made, until the same shall be determined by death, removal by the governor, or other avoidance, as the case may happen.

And be it further enacted by the authority aforesaid, that upon every vacancy of the offices of the chief justice and judges of the superior court of the said province, from and after the

the lieutenant-governor, without the consent of the council, shall have full power and authority to nominate and appoint the persons to succeed to the said offices, who shall hold their commissions during the pleasure of his majesty, his heirs and successors; and that neither the chief justice and judges appointed before the said

nor those who shall hereafter be appointed pursuant to this act, shall be removed, unless by the order of his majesty, his heirs or successors, under his or their sign manual.

any other meeting, except the business expressed in the leave given by the governor.

And whereas, in pursuance of an act of assembly of the said province, made in the 7th year of the reign of William the third, and three other acts of assembly made in the eleventh year of the same reign, jurors, as well grand as petty, have been usually summoned and returned by the constables of the several towns, by virtue of writs or warrants directed to them, by the clerks of the several courts, requiring them to assemble the inhabitants of the said towns, to chuse fit persons to serve as jurors for such towns, and to summon and return such persons so chosen; which practice of chusing jurors, and returning them, without the intervention of the sheriff, has been found to be detrimental to the administration of justice; be it therefore enacted by the authority aforesaid, that from and after the

next ensuing, so much of the said acts of assembly, and of all other laws now in force, within the said province, as directs the returns of juries to be made by the constables, by an election of the inhabitants of the several towns, shall

and all jurors, as well grand as petty, shall be returned by the sheriffs of the several counties, and no otherwise; and the justices of the superior court of the said province, at a convenient time before the sitting of the superior court in every county, and the justices of the peace for every county in the said province, at a convenient time before the sitting of the quarter session of such county, shall issue their precepts or warrants to the sheriff of such county, for such several courts respectively to summon, out of the freeholders and inhabitants of such county qualified to serve upon juries, such a number of good and lawful men as such precept or warrant shall direct, to serve upon the grand jury at such respective court; and such persons so summoned and returned by the said sheriff, or such of them as shall appear, shall be impanelled and sworn the grand inquest for the body of the county, and shall continue as such during the sitting of such respective court, and until they shall be dismissed by the same; and in all indictments, informations, actions and causes depending before the superior court, or any court of quarter session, or common pleas, in the said province, which shall be at issue and ordered for trial, the juries shall be summoned, impanelled, and returned, by the sheriff of the county, out of the freeholders and inhabitants of the said county qualified to serve upon juries, and shall be chosen and arrayed in such manner and form, and by and with such regulations and restrictions, as is directed and ordered in and by an act of parliament, made in the seventh and eighth years of the reign of his late majesty king William the third, intitled,

"An act for the ease of jurors, and better regulating of juries;" and one other act, made in the eighth and ninth years of the same reign, intitled, "an act to enable the returns of juries as formerly, until the first day of November, one thousand, six hundred and ninety-seven;" and one other act of parliament, made in the third year of the reign of his late majesty king George the second, intitled "An act for the better regulation of juries; and one other act made in the twenty-fourth year of the same reign, intitled, "An act for the better regulation of trials by jury; and for enlarging the time for trials by nisi prius, in the county of Middlesex."

And be it further enacted by the authority aforesaid, that lists of the freeholders and inhabitants of the several towns, qualified to serve upon juries, shall be returned to, and recorded at, the quarter-sessions for the several counties, and shall be delivered to the several sheriffs in manner and form as directed by the said acts of parliament, or any of them; and until such lists of such freeholders and inhabitants shall be delivered as aforesaid, the sheriff of any county shall, and may summon and return fit persons to serve upon juries as aforesaid, out of the body of the freeholders and inhabitants of the county, qualified to serve upon juries, according to his judgement and discretion; and whenever the judges of the superior court shall award a special jury to be struck (which they are hereby authorized and impowered to do in such manner as special juries have been usually struck in the court at Westminster at trials at bar) and if the sheriff of the county in which such jury shall be awarded, shall not have received lists of the freeholders and inhabitants qualified to serve upon juries, as herein before ordered and directed, such sheriff shall attend the proper office of the said court with a list of

of the principal freeholders and inhabitants of the said county qualified to serve upon juries, and the said special jury shall be struck out of the said list; and it shall and may be lawful for the justices of the said superior court, and they are hereby authorized and impowered, upon the motion of either of the parties, in any case or action which shall be brought to issue, to order the said cause or action to be tried in any county, other than the county in which the said cause or action shall have been brought or laid; by a jury of such other county, as they shall judge fit and proper; any act of assembly or provincial law to the contrary notwithstanding.

And be it further enacted by the authority aforesaid, that all clerks of courts, sheriffs, constables, and other persons within the said province, to whom the

sheriff shall attend the proper office of the said court with a list of