XIXth YEAR.] THE (No. 1506.)

MARYLAND GAZETTE.

THURSDAY, JULY 21, 1774.

LONDON, *April* 28.

WE are informed that a general discontent prevails all over Ireland on account of the stamp act; and it is expected that next sessions there will be petitions from all parts of that kingdom to parliament, [illegible]ing the stamp-act might be repealed.

[illegible]e hear that a new order is speedily to be instituted, [illegible] which all those baronets of 100 years date will be [illegible]titled. The order is to be worn on the left breast, [illegible]ich is to be a small globe interwoven on the coat, [illegible] this device round it, *chevalier de sens ani*[illegible]

May 2. A scheme is in agitation for establishing a [illegible] for silver coinage at New-York, in America, for [illegible] better regulation of American currency, which [illegible] shortly be executed.

[illegible] gentleman just arrived from Plymouth informs, [illegible] whilst he was there, a small vessel was purchased, [illegible] order to be sunk under water four or five fathom [illegible], in which a man has undertaken to live thirty [illegible]; great wages are depending upon this under[illegible]ng. However if we can believe Derham, in his [illegible]tise on experimental philosophy, we may suppose [illegible] experiment very practicable. He says, that a boat [illegible] so contrived as to be rowed under water, in the [illegible] of James I. for many hours by six men, whilst [illegible] was in the steerage, who, as the air became con[illegible]sed and unfit for respiration, let a certain chymical [illegible] out of a cask, which so rarified the air, that the [illegible] breathed as well as if they had been upon land.

[illegible] premier has hinted his desire [illegible] of retiring as soon as America is, by his endea[illegible], brought to a state of tranquillity. If this is true, [illegible] not likely to have a new premier for some years. [illegible] advocates for the present administration have [illegible]strious circulated a report, that when the sheriffs [illegible] London waited on lord Chatham, he told them, the [illegible]ent measures against America were exceedingly [illegible]per, and the minister would have deserved to lose [illegible]head, if he had not acted exactly as he has done; [illegible] is precisely the reverse of the truth. That great [illegible] declared, that it was to the last degree unprece[illegible]ted and unjust to punish men without being heard. [illegible]t the Americans had been always ready to grant [illegible]ies when constitutionally required; which he him[illegible] had fully experienced. That this country could [illegible] exist without her American commerce, which was [illegible]ample retribution for our protection. He added, [illegible] he was perfectly persuaded that America would [illegible]er think of refusing obedience to parliament, as [illegible] as we abstained from so gross an act of oppression [illegible] injustice, as forcing our hands into their purses.

May 5. Many people have been wicked enough to [illegible]nuate that no offers have been made to government [illegible] the loss the India company sustained by the tea; [illegible] can contradict these assertions with truth; for Messrs. [illegible]ampion and Dickenson, Haly and Hopkins, Lane, [illegible], and Frazer, &c. have offered ninety thousand [illegible]nds to lord North, to indemnify the company for [illegible] loss sustained, to hold back the Boston bill; but [illegible]n lord North replied, "that things were gone too [illegible] to be altered."

Prince Gallitzin, the Russian minister at the Hague, [illegible] received an authentic letter from Petersbourgh, [illegible]ed April 19, with the following advices.

"Yesterday (the 18th of April) the empress received [illegible] Czariko Zelo, by two officers of rank, the important [illegible]d agreeable news that the rebels, in number 9 or [illegible],000 men, commanded by the impostor Pugatscheff, [illegible]o stiles himself Peter III, have been entirely de[illegible]ted, and that he himself with difficulty escaped with [illegible]r of his companions. Seeing the body of troops [illegible]der general prince de Gallitzin advance, in order to [illegible]gage him, and rescue the town of Orenbourg, which [illegible] kept shut up, he had assembled his best troops in [illegible] fortress of Tatischewa, on the river Yain, which [illegible] in the way to Orenbourgh. Prince Gallitzin at[illegible]cked this place the 2d of April, and carried it sword [illegible] hand. The rebels had 2000 men killed on the spot. [illegible]o taken prisoners, and lost 36 pieces of cannon. [illegible] were dispersed, and the impostor himself with [illegible]ficulty escaped. He afterwards went to another for[illegible]s called Berda, not far from Orenbourg, where there [illegible]re 4 or 5000 of his men. However, he had not [illegible]e to take shelter there, for the governor of Oren[illegible]burg hearing of his defeat, sent a large detachment to [illegible]ake an [illegible] upon the rebels at that place, and he, [illegible]th about 1000, in a panic, abandoned Berda; but [illegible]s not doubted we shall have a good account of them, [illegible]nce Gallitzin having sent parties every way to inter[illegible]pt the scattered remains of them; those who re[illegible]ained at Berda surrendered to the governor of Oren[illegible]burg, and great numbers of others surrender them[illegible]ves every day. Our loss doth not exceed 150 or 200 [illegible]en.

"This happy event seems to have put an end to an [illegible]air which has made so much noise throughout Eu[illegible]pe, and been so much exaggerated by our enemies."

The following is the petition of [illegible] natives of America, resident in England, and which was presented to the house of commons on Monday by Sir George Savile, [illegible] the two bills depending relative to the Americans.

WHEREAS the petitioners are again constrained to [illegible] complain to the house of two bills, which, if carried into execution, will be fatal to the rights, liberties, and peace of all America; and that the petitioners have already seen, with equal astonishment and grief, proceedings adopted against them, which, in violation of the first principles of justice, and of the laws of the land, inflict the severest punishments, without hearing the accused. Upon the same principle of injustice, a bill is now brought in, which, under the profession of better regulating the government of the Massachusetts Bay, is calculated to deprive a whole province, without any form of trial, of its chartered rights, solemnly secured to it by mutual compact between the crown and the people; the petitioners are well informed, that a charter so granted, was never before altered, or resumed, but upon a full and fair hearing; that therefore the present proceeding is totally unconstitutional, and sets an example which renders every charter in Great Britain and America utterly insecure; the appointment and removal of the judges at the pleasure of the governor, with salaries payable by the crown, puts the property, liberty, and life of the subject, depending upon judicial integrity, in his power; the petitioners perceive a system of judicial tyranny deliberately at this day imposed upon them, which from the bitter experience of its intolerable injuries, has been abolished in this country: of the same unexampled and alarming nature is the bill, which, under the title of a more impartial administration of justice in the province of Massachusetts Bay, empowers the governor to withdraw offenders from justice in the said province, holding out to the soldiery an exemption from legal prosecution for murder, and, in effect, subjecting that colony to military execution: the petitioners intreat the house to consider what must be the consequence of sending troops, not really under the controul of the civil power, and unamenable to the law, among a people whom they have been industriously taught, by the incendiary arts of wicked men, to regard as deserving every species of insult and abuse; the insults and injuries of a lawless soldiery are such as no free people can long endure; and the petitioners apprehend, in the consequences of this bill, the horrid outrages of military oppression, followed by the desolation of civil commotions; the dispensing power which this bill intends to give to the governor, advanced as he is already above the law, and not liable to any impeachment from the people he may oppress, must constitute him an absolute tyrant; that the petitioners would be utterly unworthy of the English ancestry which is their claim and pride, if they did not feel a virtuous indignation at the reproach of disaffection and rebellion, with which they have been cruelly aspersed; they can with confidence say, no imputation was ever less deserved; they appeal to the experience of a century, in which the glory, the honour, the prosperity of England, has been, in their estimation, their own; in which they have not only borne the burthen of provincial wars, but have shared with this country in the dangers and expences of every national war; their zeal for the service of the crown, and the defence of the general empire, has prompted them, whenever it was required, to vote supplies of men and money, to the utmost exertion of their abilities; the journals of the house will bear witness to their extraordinary zeal and services during the last war, and that but a very short time before it was resolved here to take from them the right of giving and granting their own money; if disturbances have happened in the colonies, they intreat the house to consider the causes which have produced them, among a people hitherto remarkable for their loyalty to the crown, and affection for this kingdom; no history can shew, nor will human nature admit of, an instance of general discontent, but from a general sense of oppression: the petitioners conceived, that when they had acquired property under all the restraints this country thought necessary to impose upon their commerce, trade, and manufactures, that property was sacred and secure; they felt a very material difference between being restrained in the acquisition of property, and holding it, when acquired under those restraints, at the disposal of others; they understand subordination in the one, and slavery in the other; the petitioners wish they could possibly perceive any difference between the most abject slavery, and such entire subjection to a legislature, in the constitution of which they have not a single voice, nor the least influence, and in which no one is present on their behalf; they regard the giving their property, by their own consent alone, as the unalienable right of the subject, and the last sacred bulwark of constitutional liberty; if they are wrong in this, they have been misled by the love of liberty, which is their dearest birthright, by the most solemn statutes, and the resolves of this house itself, declaratory of the inherent right of the subject, by the authority of all great constitutional writers, and by the uninterrupted practice of Ireland and America, who have ever voted their own supplies to the crown, all which combine to prove that the property of an English subject, being a freeman or freeholder, cannot be taken from him but by his own consent; to deprive the colonies therefore of this right, is to reduce them to a state of vassalage, leaving them nothing they can call their own, nor capable of any acquisition but for the benefit of others; it is with infinite and inexpressible concern, that the petitioners see in these bills, and in the principles of them, a direct tendency to reduce their countrymen to the dreadful alternative of being totally enslaved, or compelled into a contest the most shocking and unnatural with a parent state, which has ever been the object of their veneration and their love; they intreat the house to consider, that the restraints which examples of such severity and injustice impose, are ever attended with most dangerous hatred. In a distress of mind which cannot be described, the petitioners conjure the house not to convert that zeal and affection, which have hitherto united every American hand and heart in the interests of England, into passions the most painful and pernicious; most earnestly they beseech the house not to attempt reducing them to a state of slavery, which the English principles of liberty they inherit from their mother country will render worse than death; and therefore praying the house will not, by passing these bills, overwhelm them with affliction, and reduce their countrymen to the most abject state of misery and humiliation, or drive them to the last resources of despair.

HOUSE OF LORDS.

PROTEST.

Die Mercurij, 11° *Maij*, 1774.

THE order of the day being read for the 3d reading of the bill, intitled, "an act for the better regulating the government of the province of the Massachusetts Bay, in New-England;" and for the lords to be summoned;

The said bill was accordingly read the 3d time.

Moved, that the bill, with the amendments, do pass,

Which being objected to,

After a long debate,

The question was put thereupon.

It was resolved in the affirmative,

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Dissentient.

BECAUSE this bill, forming a principal part in a system of punishment and regulation, has been carried through the house without a due regard to those indispensible rules of public proceeding, without the observance of which no regulation can be prudently made, and no punishment justly inflicted. Before it can be pretended, that those rights of the colony of Massachusetts Bay, in the election of counsellors, magistrates, and judges, and in the return of jurors, which they derive from their charter, could with propriety be taken away, the definite legal offence, by which a forfeiture of that charter is incurred, ought to have been clearly stated and fully proved; notice of this adverse proceeding ought to have been given to the parties affected; and they ought to have been heard in their own defence. Such a principle of proceeding would have been inviolably observed in the courts below. It is not technical formality, but substantial justice. When therefore the *magnitude* of such a cause transfers it from cognizance of the inferior courts, to the high judicature of parliament, the lords are so far from being authorised to reject this equitable principle, that we are bound to an extraordinary and religious strictness in the observance of it. The subject ought to be indemnified by a more liberal and beneficial justice in parliament, for what he must inevitably suffer by being deprived of many of the *forms* which are wisely established in the courts of ordinary resort for his protection against the dangerous promptitude of arbitrary discretion.

2dly, Because the *necessity* alleged for this precipitate mode of judicial proceeding cannot exist. If the numerous land and marine forces, which are ordered to assemble in Massachusetts Bay, are not sufficient to keep that single colony in any tolerable state of order, until the cause of its charter can be fairly and equally tried, no regulation in this bill, or in any of those hitherto brought into the house, are sufficient for that purpose; and we conceive, that the mere celerity of a decision against the charter of that province, will not reconcile the minds of the people to that mode of government which is to be established upon its ruins.

3dly, Because lords are not in a situation to determine how far the regulations of which this bill is composed, agree or disagree with those parts of the constitution of the colony that are not altered, with the circumstances of the people, and with the whole detail of their municipal institutions. Neither the charter of the colony, nor any account whatsoever of its courts and judicial proceedings, their mode, or the exercise of their present powers, have been produced to the houses. The slightest evidence concerning any one of the many inconveniences, stated in the preamble of the bill to have arisen from the present constitution of the colony judicatures, has not been produced, or even attempted. On the same general allegations of a declaratory preamble, any other right, or all the rights of this or any other public body, may be taken away, and any visionary scheme of government substituted in their place.

4thly, Because we think, that the appointment of all the members of the council, which by this bill is vested in the crown, is not a proper provision for preserving the equilibrium of the colony constitution.