

GENTLEMEN,

THE uninterrupted harmony which has subsisted between me and the council, has been one of the most satisfactory events of my administration. It has been my constant inclination and endeavour to preserve it by every means consistent with my duty. My conduct to you as a body, and as individuals, has ever been such as to manifest a disposition to oblige you as far as was in my power. If this has been hitherto the case (which I believe none of you will deny) it is not probable that I should, at this unhappy period, wantonly and without cause, do any thing that might endanger that harmony, or occasion "even the appearance of disunion." Why you should, therefore, of a sudden, apprehend that I meant, in my reply to your address, to cast any reflections on your conduct, I cannot conceive. If my expressions are, as you say, *darkly* penned, that circumstance might have afforded you a just pretence for asking an explanation, but surely not for an unhesitating application to yourselves of any matter "which your consciences tell you that you do not deserve."

Your address was perfectly satisfactory to me, except that part in which you gave your opinion respecting the personal safety of the officers of this government. I should have been very happy if I could have joined you in that opinion; and should not then have failed congratulating you on so joyful an occasion. It did not appear to me that it was warranted by the circumstances really existing in the province, and it evidently carried with it an implication that the degree of apprehension mentioned in my speech was ill-founded. As nothing was farther from my intentions than the exciting of false alarms, I did not chuse to lie even under the suspicion. On that account I thought it necessary to particularize some of the reasons which induced me to differ in sentiments with you on that point. Whether you or I have the best grounds for our opinions others will judge. I expressed not the least doubt of your thinking the opinion you have just and right, but I thought it proper at the same time to assure you, that I could not agree with you in that opinion, "without being guilty of a subterfuge, which gentlemen of your candour must disapprove." Why you should from these words suppose, that I meant a distant hint, that you had been guilty of such a subterfuge, I cannot imagine; especially as your "consciencs tell you that you do not deserve it." Nor can I conceive that you have the least pretence for taxing me with "throwing an unworthy reflection on the inhabitants of this province." Whatever I may think applicable to *some individuals* on the present occasion, I have said nothing which can, without manifest perversion of my words, be applied to the people at large. My real opinion of them, and my confidence in their affection and regard, are too fully and clearly expressed in my speech, and my conduct has been conformable thereto, not to defeat any purpose that may be intended by such an unworthy suggestion.

Though I think as favourable of the crown-officers in general in this province as you can do, yet I am not able to comprehend that it must therefore be an "un-generous insinuation" to intimate that *some* of them have been induced, by timidity or other motives, to "depart from the line of their duty." That *some* have actually departed from the line of their duty, from some motives or other, is a matter too publicly known to justify any attempt at concealment, particularly as you have at this session advised me to suspend one of the most considerable of them from his office on that account only.

I entirely agree with you that "aspersions ought not to be thrown out but on the surest grounds." Why then have you, without any foundation whatever, thrown out that a "general calumny and detraction" on "all ranks of people in this province" is to be found in my reply? Is it because I there told you, that "it is not likely that there will be found many of them who will chuse to pay such a price (as their honour) for such a consideration" as their safety? Or is it because I said that it was not "probable (if they should) that they would meet with your approbation?" Or is it merely to give you some pretence for introducing an, otherwise, inapplicable quotation.

Far be it from me (however we may differ in sentiments on particular points) to pretend any doubt of your zeal in the cause of "public justice, the honour of government, and support of the constitution." I have never given the least intimation of the kind; but, on the contrary, I have had frequent occasion, and never omitted any opportunity of signifying my approbation of your conduct. Even the reply, at which you have so caustically taken offence, contains "my hearty thanks for the assurances you gave me of your readiness to exert yourselves in the defence of the constitution," &c. But if you expect an implicit "confidence in your assertions," even when they may happen to appear to me evidently not well founded, you expect more than is possible for you to obtain. I ever wish you to give me your sentiments fully and freely on all occasions. They will always have weight with me, if not too repugnant to my judgment. But if, from my own knowledge of things, I entertain a different opinion, I shall not hesitate to tell you so, nor to give you my reasons, even though I should be previously certain that my expressions would be again tortured for reflections and innuendos never intended.

Were it proper for me to mention here the steps I took, in a private way, to prevent all cause of dissatisfaction on account of the exceptionable part of your address, before it was presented in form, no one could be at the least loss to determine which of us have given the stronger proofs of a sincere disposition to avoid "even the appearance of disunion." But of this circumstance, though well known to some of your members, you, as a body, may, perhaps, with a specious propriety, declare yourselves totally ignorant.

W. FRANKLIN.

PHILADELPHIA.

By authentic advices from Cambridge we learn, that on Wednesday night, the 23d ult. the continental troops at that place, broke ground on Cobble-hill, (the nearest eminence, and about half a mile from Bunker's-hill) that to the surprize of every one, not a single shot has been fired either from Bunker's-hill, the shipping, or floating battery. That our troops have been at work

there ever since, and were well covered when the account came away.

That two half-moon batteries are erected for occasional use, between Litchmore's-point and Cambridge-river, and another work at the cauleway going to Litchmore's-point, commanding that pass, and two other works between Sewall's-point and Roxbury, to be occasionally man'd, if the ministerialists should come out when the bay is froze.

That, by order of general Howe, 500 of the poor inhabitants of Boston had been landed at Shurley's-point, (about 20 miles by land from Cambridge)---that they are destitute of every necessary of life---as soon as notice was received of this event, a committee from the general court was appointed to take care of them, but notwithstanding the utmost expedition which could be made by the general and the gentlemen of the court, three of them perished on the beach, and the rest were in a most deplorable condition. General Washington, with his usual humanity, ordered provisions to them immediately, and until they could be removed, but the apprehensions of the small-pox, which prevails in Boston, make their relief infinitely difficult.

That an ordnance store ship for Boston is missing, her convoy having been arrived two weeks---a circumstance which has much alarmed the ministerialists at Boston.

IN CONGRESS, December 7.

WE the delegates of the thirteen united colonies in North America, having taken into our most serious consideration a proclamation issued from the court of St. James's, on the 23d day of August last. The name of majesty is used to give it a sanction and influence; and, on that account, it becomes a matter of importance, to wipe off, in the name of the people of these united colonies, the aspersions, which it is calculated to throw upon our cause; and to prevent, as far as possible, the undeserved punishments, which it is designed to prepare for our friends.

We are accused of "forgetting the allegiance which we owe to the power that has protected and sustained us." Why all this ambiguity and obscurity in what we ought to be so plain and obvious, as that he who runs may read it? what allegiance is it that we forget? allegiance to parliament? we never owed---we never owned it. Allegiance to our king? our words have ever avowed it---our conduct has ever been consistent with it. We condemn, and with arms in our hands---a resource which freemen will never part with---we oppose the claim, and exercise of unconstitutional powers, to which neither the crown or parliament were ever intitled. By the British constitution, our best inheritance, rights, as well as duties, depend upon us. We cannot violate the latter by defending the former. We should act in diametrical opposition to both, if we permitted the claims of the British parliament to be established, and the measures pursued in consequence of those claims to be carried into execution among us.

Our sagacious ancestors provided mounds against the inundation of tyranny and lawless power on one side, as well as that against faction and licentiousness on the other. On which side has the breach been made? is it objected against us by the most inveterate and the most un-candid of our enemies that we have opposed any of the just prerogatives of the crown, or any legal exertion of those prerogatives? why, then, are we accused of forgetting our allegiance?---we have performed our duty: we have resisted in those cases, in which to resist is stipulated as expressly, on our part, as the right to govern is, in other cases, stipulated on the part of the crown. The breach of allegiance is removed from our resistance as far as tyranny is removed from legal government.

It is alleged that "we have proceeded to an open and avowed rebellion." In what does this rebellion consist? it is thus described---"arraying ourselves in hostile manner to withstand the execution of the law, and traitorously preparing, ordering and levying war against the king." We know of no laws binding upon us, but such as have been transmitted to us by our ancestors, and such as have been consented to by ourselves, or our representatives elected for that purpose. What laws, stamped with these characters, have we withstood? we have indeed defended them; and we will risk every thing, do every thing, and suffer every thing in their defence. To support our laws, and our liberties established by our laws, we have prepared, ordered, and levied war: but is this traitorously, or against the king? we view him as the constitution represents him. That tells us he can do no wrong. The cruel and illegal attacks, which we oppose, have no foundation in the royal authority. We will not, on our part, lose the distinction between the king and his ministers. Happy it would have been for some former princes, had it been always preserved on the part of the crown.

Besides all this we observe, on this part of the proclamation, that "rebellion" is a term undefined and unknown in the law. It might have been expected that a proclamation which, by the British constitution, has no other operation than merely that of enforcing what is already law, would have had a known legal basis to have rested upon. A correspondence between the inhabitants of Great-Britain and their brethren in America produced, in better times, much satisfaction to individuals, and much advantage to the public. By what criterion shall one who is unwilling to break off this correspondence, and is, at the same time, anxious not to expose himself to the dreadful consequences threatened in this proclamation, by what criterion shall he regulate his conduct? he is admonished not to carry on correspondence with the persons now in rebellion in the colonies. How shall he ascertain who are in rebellion, and who are not? he consults the law to learn the nature of the supposed crime, the law is silent upon the subject. This, in a country where it is often said and formerly with justice, that the government is by law, and not by men, might render him perfectly easy. But proclamations have been sometimes dangerous engines in the hands of those in power. Information is commanded to be given to one of the secretaries of state of all persons "who shall be found carrying on correspondence with the persons in rebellion, in order to bring to condign punishment, the authors, perpetrators, or abettors of such dangerous designs."

Let us suppose, for a moment, that some persons in the colonies are in rebellion, and that those, who carry on correspondence with them, might learn, by some rule, which Britons are bound to know, how to discrim-

minate them. Does it follow that all correspondence with them deserves to be punished? it might have been intended to apprise them of their danger, and to reclaim them from their crimes. By what law does a correspondence with a criminal transfer or communicate his guilt? we know that those who aid and adhere to the king's enemies; and those, who correspond with them in order to enable them to carry their designs into effect, are criminal in the eye of the law. But the law goes no farther. Can proclamations, according to the principles of reason and justice and the constitution go farther than the law?

But, perhaps, the principle of reason and justice and the constitution will not prevail: experience suggests to us the doubt: if they should not, we must resort to arguments drawn from a very different source. We, therefore, in the name of the people of these united colonies, and by authority, according to the purest maxims of representation derived from them, declare, that whatever punishment shall be inflicted upon any persons in the power of our enemies for favouring, aiding, or abetting the cause of American liberty, shall be retaliated in the same kind and the same degree upon those in our power, who have favoured, aided, or abetted, or shall favour, aid or abet the system of ministerial oppression. The essential difference between our cause and that of our enemies, might justify a severer punishment: the law of retaliation will unquestionably warrant one equally severe.

We mean not, however, by this declaration, to occasion or multiply punishments: our sole view is to prevent them. In this unhappy and unnatural controversy, in which Britons fight against Britons and the descendants of Britons, let the calamities immediately incident to a civil war suffice. We hope additions will not, from wantonness, be made to them on one side: we shall regret the necessity, if laid under the necessity, of making them on the other.

Extract from the minutes,
CHARLES THOMSON, Secretary.

WILLIAMSBURG, December 2.

Since lord Dunmore's proclamation made its appearance here, it is said he has recruited his army, in the counties of Princess Anne and Norfolk, to the amount of about 2000 men, including his black regiment, which is thought to be a considerable part, with this inscription on their breasts:---"Liberty to Slaves."---However, as the rivers will henceforth be strictly watched, and every possible precaution taken, it is hoped others will be effectually prevented from joining those his lordship has already collected.

The army that went down last week, under command of col. Woodford, to obstruct Dunmore's progress of joining men in the lower counties, fell in with a party of twelve or thirteen of Dunmore's friends, and made them all prisoner. Lieut. col. Scott, with the advanced guard, upon his arrival at the Great Bridge, found the enemy intrenched there, and it is said a smart firing began by some of the riflemen, which was returned, and continued a considerable time on both sides, but to what effect we know not. It is also said, that Thursday last was fixed upon by our troops to begin a general attack; they were healthy, in good spirits, and had great prospect of success.

Some accounts from Norfolk are, that Dunmore's party has demolished several houses back of the town, and fortified themselves; also, that col. Hutchings, and some other gentlemen, their prisoners, had been removed to the ships on account of the gaol having been set on fire.

A copy of the Oath extorted from the people of Norfolk and Princess Anne by Lord Dunmore.

"We the inhabitants of ---, being fully sensible of the errors and guilt into which this colony hath been misled, under colour of seeking redress of grievances, and that a set of factious men, filling themselves committees, conventions, and congresses, have violently, and under various pretences, usurped the legislative and executive powers of government, and are thereby endeavouring to overturn our most happy constitution, and have incurred the guilt of actual rebellion against our most gracious sovereign: We have therefore taken an oath abjuring their authority, and solemnly promising, in the presence of Almighty God, to bear faith and true allegiance to his sacred Majesty George the third; and that we will, to the utmost of our power and ability, support, maintain, and defend his crown and dignity, against all traitorous attempts and conspiracies: whatever. And whereas armed bodies of men are collected, in various parts of this colony, without any legal authority, we wish them to be informed, that however unwilling we should be to shed the blood of our countrymen, we must, in discharge of our duty to God and the king, and in support of the constitution and laws of our country, oppose their marching into this county, where their coming can answer no good end, but, on the contrary, must expose us to the ravages and horrors of a civil war, and, for that purpose, we are determined to take advantage of our happy situation, and will defend the passes into our county, and neighbourhood, to the last drop of our blood.

Last Wednesday night some of Dunmore's banditti, mostly negroes, came ashore, and went to the house of Mr. Benjamin Wells, at Mulberry-island; after threatening and abusing him in a most infamous manner, they robbed him of a his most valuable effects, and carried off two negro women.

Nine negroes, (two of them women) who had been endeavouring to get to Norfolk in an open boat, and put ashore on Point Comfort, were fired upon by some persons in pursuit, taken and brought here on Thursday; two of the fellows are wounded, and it is expected the rest will soon be made examples of.

At a meeting of the committee of Elizabeth city and town of Hampton, October 9, 1775, present, William Roscow, Willard Curle, Henry King, John Tabby, Worlich Westwood, William Armistead, Cary Selden, Jacob Wray, John Cary, and Miles King. Mr. Joseph Selden being summoned to appear before this committee to give an account of the business which had lately induced him to wait on lord Dunmore several times on board the ship William, appeared, and informed this committee, that he was sent the first time by his father to pay about twenty pounds due his lordship from the clerk of this county since October last; and that, at another time he went on board to pray his lordship would discharge him from the custody of capt. Squire, who