

NORTH-CAROLINA GAZETTE.

With the latest Advices, Foreign and Domestick.

SEMPER PRO LIBERTATE, ET BONO PUBLICO.

Remainder of the AUTHENTIC DEBATES on the NEW-ENGLAND FISHERY BILL in the HOUSE of LORDS, March 16. [See No. 326.]

LORD Sandwich in Reply observed, that the Facts which the Evidence had been called to prove were simply these: That three Thousand Sailors were bred every Year by the British Newfoundland Fishery; that consequently, in ten Years, thirty Thousand Seamen were added to the maritime Strength of this Country; that this was an Object of vast Consequence; and if the New-England Fishery produced hardly any Seamen, it was too much to sacrifice the maritime Strength of England to a People, who had committed every Outrage against the Sovereign Authority of this Country.

The noble Lord observed, that it was illiberal to cavil at the Evidence; Mr. Carter was a Merchant of considerable Consequence, and great Respectability.

With Respect to the Impracticability of conquering America, the noble Lord who spoke last could not be told when he questioned the Power of Great-Britain in this Respect; so far from the Inferiority of Numbers being any Obstruction to the Success of the English Troops, the contrary was the real Fact; Inferiority of Numbers, however paradoxical it might seem, would accelerate Success; there was a prodigious Difference between disciplined Troops and a multitudinous Rabble; if March should be pushed to Extremity, the noble Lord for his Part would wish that one hundred Thousand Americans should take the Field, in Preference to twenty Thousand; the Reason was this: Troops must have Substance, the greater Number of Troops therefore, the greater will be the Difficulty of procuring Substance, and consequently the Country People will suffer greater Distresses, which will soon lead them to seek that Protection from a legal Government, which they feel to experience from Anarchy and civil Disorder; thus the Americans would conquer themselves by eating up their Country.

But was this not likely to be the Case, the noble Lord had no Sort of Opinion of the Bravery of the Americans; he thought them mere Bluffers, who felt bold only in Proportion as Danger was at a Distance, and when it approached would lay down their Arms, or Broom-sticks, and run away. At the Siege of Louthburgh a Party of these brave Americans were employed, they talked of the wonderful Feats they would perform, and compared themselves to Romans; but finding the Place likely to make Resistance, these Romans very courageously ran away. And thus they would do on every Occasion if real Danger approached, when at a Distance they would bluster, resolve, write, plot, and look big.

With Respect to Taxation, the learned Lord who spoke last had cavilled at the Person who thought "Taxation no Tyranny." Lord Sandwich confessed he thought it no Tyranny; "for it it was Tyranny, the English were the most tyrannized over of any People since Heaven, for they were the most heavily taxed."

Lord Shelburne combated the Bill thus: If it was meant as a Bill to regulate the Fishery, parliamentary Aid was totally unnecessary, the official Powers annexed to the Admiralty Department were quite sufficient; if the Bill was not meant as a commercial Regulation, it was foreign to the Purpose to talk of the Advantages that would accrue to the British Newfoundland Fishery. Whenever the Regulations of this or any other Branch of Commerce should come before that House, there was no Doubt but that Attention would be paid which the Magnitude of the Object required; but the noble Lord recollecting a Writer, who compared the intricate Mazes and Meanderings of Commerce to the Multiplicity of almost imperceptible Fibres with which the Body of Man abounded. The circuitous Course of Trade it was impossible to trace through the several Channels, it needed the Ken of the human Intellect, as the fine Fibres of the Body defied the Exploration of the human Sight; it required therefore the most accurate Attention to obtain even a superficial Knowledge of the one, the most diligent Inspection to be tolerably conversant in the other.

With Respect to the supposed Advantage, derivable from the British Fishery, the noble Lord was not inclinable to attribute those Advantages so much to the Fishery, considered as a Branch of

Commerce in the Abstract, as to certain Practices adopted by the Persons concerned in the Fishery, with which Sir Hugh Palliser was intimately acquainted, though it would have been highly indelicate to have pressed him on the Subject.

The noble Earl paid the highest Compliments to Sir Hugh Palliser, both as a Commander and a most skillful Negotiator; in the latter Capacity the noble Earl had tried him, during the Time he had the Honour to bear a Part in the Administration of this Country. Sir Hugh had foiled the Guerchy in so many Points, that the Frenchman had described him to be "dur comme ni Lord Chatham."

The noble Earl expressed his surprize that so much Attention should now be paid to the Newfoundland Fishery. Was it a greater Object than at the Time of passing the Canada Bill? For by that Bill the Territories of Newfoundland were infringed, yet such Infringement was not urged as the main Objection to that Bill. That the Newfoundland Fishery merited the Attention of Government was certain, for it was an Object on which the Council, in King William's Time employed their Attention; and even so early as Charles the Second, the Measures of that Prince were execrated, because they were fraught with such pernicious Policy, as to permit the French to share in the Newfoundland Fishery. The Regulations, therefore, of this Fishery being in the Admiralty Department, the present Act was superfluous; but if it was designed to coerce the Americans, Time would discover whether the Tide of Popularity ran against the Favourers or Opposers of that, and other Acts of a similar Complexion.

Lord Suffolk, in Favour of the Bill, said, it was not meant entirely to deprive the New-Englanders of their Fishery; for the Faith of Parliament would be pledged to restore the Fishery the Instant it should appear that the Americans had returned to their Obedience.

Lord Radnor declared he never yet had been able to make up his Mind on the Affairs of America, so as to give his Vote on either Side of the Question; but what had fell from the last noble Lord had determined him to give his Voice against the Bill. For if the Newfoundland Fishery was a most valuable Branch of Commerce to this Nation, he could not be persuaded to pledge his Faith as a Lord of Parliament, for the Surrender of that Trade to the Americans.

The Duke of Grafton, in reply to what fell from Lord Camden, said, it could not be expected that Lord Chatham's conciliatory Bill should pass the House, as it struck at the Repeal of no less than nine Acts of Parliament, some of which were Money Bills. His Grace avowed himself the same zealous Friend of America, however Appearances might be against him. He wished to see the Period when the Taxation of America would be dispensed with, as an Amplitude of Taxes was included in their Purchase of English Manufactures.

Lord Abingdon said that Reason, Justice, Confidence, Principle and Instinct, all prompted him to pronounce the Bill a most infernal and diabolic Measure. How the Right Rev. Bench reconciled it to their Consciences, he was unable to conceive; for his Part he put his Trust in the Almighty, and though he knew all he could say would avail nothing against a ministerial Majority, yet he cautioned the Lords against Injustice, as in the judicial Visitation of Providence it generally fell heavy on the Heads of those who planned Iniquity.

This closed the Debate, and on a Division the Numbers stood thus, for the Bill, 104; against the Bill, 29.

PROTESTS. HOUSE OF LORDS.

Die Martii, 21 Martii, 1775.

THE Order of the Day being read for the third reading of the American Restraining Fishery Bill, and for the Lords to be summoned, the same was accordingly read the third Time; and several Amendments being made thereto, it was moved, "that the Bill, with the Amendments, do pass;" which being objected to, after Debate, the Question was put thereon; it was resolved in the Affirmative.

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Discontent.
BECAUSE the Attempt to coerce by Force the whole Body of the Inhabitants of great and popu-

lous Provinces is without Example in the History of this, or perhaps of any civilized Nation; and is one of those unhappy Inventions, to which Parliament is driven by the Difficulties which multiply upon us, from an obstinate Adherence to an unwise Plan of Government. We do not know exactly the Extent of the Punishment we inflict upon it, which is universal, and includes all the Inhabitants. Amongst these many are admitted to be innocent, and several are alleged by Ministers to be, in their Sense, even meritorious. That Government which attempts to preserve its Authority by destroying the Trade of its Subjects, and by involving the innocent and guilty in a common Ruin, if it acts from a Choice of such Means, confesses itself unworthy; if from Inability to find any other, admits itself wholly incompetent to the End of its Institution.

Secondly, BECAUSE the English Merchants are punished without any Guilt, real or pretended, on their Part. The People of the proscribed Provinces, though failing in their Duty to Government, ought to be permitted to discharge their Obligations to Commerce: Without their Fishery that is impossible. The Merchants of England entertain no Fears for their Debts, except from the Steps which are said to be taken in their Favour. Eight Hundred Thousand Pounds of English Property, belonging to London alone, is not to be trifled with, or sacrificed to the Projects of those who have constantly failed in every Expectation which they have held out to the Public; and who are become more bigoted to Methods of Violence, in Proportion to the Experience of their Inefficacy, and the mischievous Consequences which attend them.

Thirdly, BECAUSE the People of New-England, besides the natural Claim of Mankind to the Gifts of Providence on their own Coast, are specially entitled to the Fishery by their Charters, which have never been declared forfeited. These Charters we think (notwithstanding the Contempt with which the Idea of public Faith has been treated) to be of material Consideration. The Bill therefore not growing out of any judicial Process, seems equally a Violation of all natural and civil Right.

Fourthly, BECAUSE we conceive that the Attempt which has been made to BRIBE the Nation into an Acquiescence in this arbitrary Act, by holding out to them (by Evidence at the Bar) the Spoils of the New-England Fishery, worth upwards of 500,000 l. a Year, to be a Scheme full of Weakness and Indecency;—of Indecency, because it may be suspected that the Desire of the Confiscation has created the Guilt,—weak, because it supposes that whatever is taken from the Colonies is of Course to be transferred to ourselves. We may trample on the Rules of Justice, but we cannot alter the Nature of Things. We cannot convey to Great-Britain the Advantages of Situation which New-England possesses for Fishery. If the Value of the Commodity should be enhanced at the foreign Markets, by the Exclusion of so large a Part of the Supply, it may either greatly injure the Sale of the Commodity itself, or put the Consumers on new Articles of Consumption, or new Methods of Supply, to the just Ruin of those who, deluded by Avarice, have CHOSEN, from the vain Hope of an enhanced Market, to disturb the natural, settled, and beneficial Course of Traffick.

Fifthly, BECAUSE we do not apprehend that the Topic so much insisted upon by a Lord high in Office, in Favour of his Project, namely, the COWARDICE of his Majesty's American Subjects, to have any Weight itself, or be at all agreeable to the Dignity of Sentiment which ought to characterize this House. We do not think it true that any Part of the Subjects of this Empire are defective in Bravery. It is to the last Degree improper to act upon such a Supposition, as it must highly disgrace our Arms in Case of Misfortune, and must take away all Honour from them in Case of Success. Nothing can tend more effectually to defeat the Purposes of all our coercive Measures, than to let the People, against whom they are intended, know, that we think our Authority founded in their Betenels; that their Resistance will give them some Credit, even in our own Eyes, and that we attribute their Obedience only to their Want of Courage. This is to CALL for Resistance, and to PROVOKE Rebellion by the most powerful of all Motives, which can act upon Men of any Degree of Spirit and Sensibility.

acted, but that the Country People in open Boat had boarded and taken the Tender, and retaken the Prize. The Lieutenant lost an Arm, the Gunner wounded in the Head, and the Doctor's Mast in his legs. The Seamen were sent Prisoners into the Country.

That an Express was arrived to the Congress at Philadelphia, with a particular Account of the taking of Tyondoroga, which important Post they strongly recommended to their Wisdom to sufficiently secure, to prevent any Incurions from Canada.

By a Gentleman from Salisbury, we have an Account, that the famous Joseph Pottaway had been tried at the Court of Oyer and Terminer lately held there, for a Robbery, had been convicted, received Sentence of Death, and was to be executed. This is the Person who, in Company with Jacob Odam, robbed Mr. John Foy, as mentioned in this Paper sometime ago. Odam surrendered himself to Government, and is now in this Gaol. He has impeached Pottaway, and many others, some of whom, we hear, have been taken, and bailed, though it appeared by Odam's Confession that they were accessory to Foy's Robbery. The Father of Odam accompanied his Son here, and on suspicion of his being accessory to the many Felonies committed by him, has been committed to Gaol. This public Notice is therefore given, that if any Thing is alleged against him he may be brought to Justice.

Charlotte Town, Mecklenburg County, May 31.
This Day the COMMITTEE met, and passed the following RESOLUTIONS.

WHEREAS by an Address presented to his Majesty by both Houses of Parliament in February last, the American Colonies are declared to be in a State of actual Rebellion, we conceive that all Laws and Commissions confirmed by, or derived from the Authority of the King or Parliament, are annulled and vacated, and the former civil Constitution of these Colonies for the present wholly suspended. To provide in some Degree for the Exigencies of the County in the present alarming Period, we deem it proper and necessary to pass the following RESOLUTIONS, viz.

1. That all Commissions, civil and military, heretofore granted by the Crown, to be exercised in these Colonies, are null and void, and the Constitution of each particular Colony wholly suspended.

2. That the Provincial Congress of each Province, under the Direction of the Great Continental Congress, is invested with all legislative and executive Powers within their respective Provinces; and that no other Legislative or Executive does or can exist, at this Time, in any of these Colonies.

3. As all former Laws are now suspended in this Province, and the Congress have not yet provided others, we judge it necessary, for the better Preservation of good Order, to form certain Rules and Regulations for the internal Government of this County, until Laws shall be provided for us by the Congress.

4. That the Inhabitants of this County do meet on a certain Day appointed by this Committee, and having formed themselves into nine Companies, to wit, eight for the County, and one for the Town of Charlotte, do choose a Colonel, and other military Officers, who shall hold and exercise their several Powers by Virtue of this Choice, and independent of Great-Britain, and former Constitution of this Province.

5. That for the better Preservation of the Peace, and Administration of Justice, each of these Companies do choose from their own Body two discreet Freeholders, who shall be empowered each by himself, and singly, to decide and determine all Matters of Controversy arising within the said Company under the Sum of Twenty Shillings, and jointly and together all Controversies above the Sum of Forty Shillings, yet so as their Decisions may be a final Appeal to the Convention of the Select Men of the whole County; and also, that any one of these shall have Power to examine, and commit to Confinement, Persons accused of Petit Larceny.

6. That two of the Select Men, thus chosen, do, jointly and together, choose from the Body of their particular Company two Persons, properly qualified to serve as Constables, who may assist them in the Execution of their Office.

7. That upon the Complaint of any Person to either of these Select Men, he do issue his Warrant, directed to the Constable, commanding him to bring the Aggressor before him or them to answer to the said Complaint.

8. That these eighteen Select Men, thus appointed, do meet every third *Tuesday* in *January, April, July, and October*, at the Court-House in *Charlotte*, to hear and determine all Matters of Controversy for Sum exceeding Forty Shillings; also Appeals. And in Cases of felony, to commit the Person or Persons convicted thereof to close Confinement, until the Provincial Congress shall provide and establish Laws and Modes of Proceeding in such Cases.

9. That these eighteen Select Men, thus convened, do choose a Clerk to record the Transactions of the said Convention; and that the said Clerk, upon the Application of any Person or Persons aggrieved, do issue his Warrant to one of the Constables, to summons and warn the said Offender to appear before the Convention at their next sitting, to answer the aforesaid Complaint.

10. That any Person making Complaint upon Oath to the Clerk, or any Member of the Convention, that he has Reason to suspect that any Person or Persons indebted to him in a Sum above Forty Shillings, do intend clandestinely to withdraw from the County without paying such Debt, the Clerk, or such Member, shall issue his Warrant to the Constable, commanding him to take the said Person or Persons into safe Custody until the next sitting of the Convention.

11. That when a Debtor for a Sum below Forty Shillings shall abscond and leave the County, the Warrant granted as aforesaid shall extend to any Goods or Chattels of the said Debtor, or any Person, and the Goods or Chattels be seized and sold in public Sale, the Proceeds for the Space of Thirty Days, to be

Turn if the Debtor fails to return and discharge the Debt, the Constable shall return the Warrant to one of the Select Men of the Company where the Goods and Chattels are found, who shall issue Orders to the Constable to sell such a Part of the said Goods as shall amount to the Sum due; that when the Debt exceeds Forty Shillings, the Return shall be made to the Convention, who shall issue the Orders for Sale.

12. That Receivers and Collectors for Quittrents, Public and County Taxes, do pay the same into the Hands of the Chairman of this Committee, to be by them disbursed as the public Exigencies may require. And that such Receivers and Collectors proceed no farther in their Office until they be approved of, and have given to this Committee good and sufficient Security for a faithful Return of such Monies when collected.

13. That the Committee be accountable to the County for the Application of all Monies received from such Officers.

14. That all these Officers hold their Commissions during the Pleasure of their respective Constituents.

15. That this Committee will sustain all Damages that may ever hereafter accrue to all or any of these Officers thus appointed, and thus acting, on Account of their Obedience and Conformity to these Resolves.

16. That whatever Person shall hereafter receive a Commission from the Crown, or attempt to exercise any such Commission heretofore received, shall be deemed an Enemy to his Country; and upon Information being made to the Captain of the Company where he resides, the said Captain shall cause him to be apprehended, and conveyed before the two Select Men of the said Company, who, upon Proof of the Fact, shall commit him the said Offender into safe Custody, until the next sitting of the Convention, who shall deal with him as Prudence may direct.

17. That any Person refusing to yield Obedience to the above Resolves shall be deemed equally criminal, and liable to the same Punishments as the Offenders above last mentioned.

18. That these Resolves be in full Force and Virtue, until Instructions from the General Congress of this Province, regulating the Jurisprudence of this Province, shall provide otherwise, or the legislative Body of Great-Britain resign its unjust and arbitrary Pretensions with Respect to America.

19. That the several Militia Companies in this County do provide themselves with proper Arms and Accoutrements, and hold themselves in constant Readiness to execute the command, and Directions of the Provincial Congress, and of this Committee.

20. That this Committee do appoint Colonel *Thomas Falk*, and Doctor *Joseph Kennedy*, to purchase 300 lb. of Powder, 600 lb. of Lead, and 1000 Flints; and deposit the same in some safe Place, hereafter to be appointed by the Committee.

Signed by Order of the Committee.

EPII. BREVARD, Clerk of the Committee.

WILLIAMSBURG, MAY 13.
FREDERICKSBURG, Committee Chamber, *Saturday the 29th of April, 1775.*

AT a Council of one hundred and two members, Delegates of the Provincial Convention, officers and special deputies of fourteen companies of light horse, consisting of upwards of six hundred well armed and disciplined men, friends of constitutional liberty and America, now rendezvoused here in consequence of an alarm occasioned by the powder being removed from the county magazine in the city of Williamsburg in the night of Thursday the 21st instant, and deposited on board an armed schooner by order of his Excellency the Governor.

The Council having before them the several matters of intelligence respecting this transaction, and particularly a letter from the Hon. PEYTON RANDOLPH, Esq; Speaker of the late House of Burgesses of Virginia, received here last night by an express dispatched to Williamsburg for the purpose of gaining intelligence, informing that the Gentlemen of the city of Williamsburg and neighborhood have had full assurances from his Excellency that this affair shall be accommodated, and advising that the Gentlemen assembled here should proceed no further at this time, this Council came to the following determination, and offer the same as their advice to those public spirited Gentlemen, friends to BRITISH LIBERTY and AMERICA, who have honoured them by this appointment. Highly condemning the conduct of the Governor on this occasion, as impolitic, and jolly alarming to the good people of this colony, tending to destroy all confidence in Government, and to widen the unhappy breach between Great Britain and her colonies, ill timed and totally unnecessary, consider this instance as a full proof that no opinion which may be formed of the good intentions of a Governor in private life can afford security to our injured and oppressed country, but that obedience to arbitrary, ministerial mandate, and the most oppressive and tyrannical system of Government, must be the fatal line of conduct to all his Majesty's present servants in America; at the same time jolly dreading the horrors of a civil war, influenced by motives of the strongest affection to our fellow subjects of Great Britain, most ardently wishing to heal our mutual wounds, and therefore preferring peaceable measures whilst the least hope of reconciliation remains, do advise that the several companies now rendezvoused here do return to their respective homes. But considering the just rights and Liberty of America to be greatly endangered by the violent and hostile proceedings of an arbitrary Ministry, and being firmly resolved to resist such attempts at the utmost hazard of our lives and fortunes, do now pledge ourselves to each other to be in readiness, at a moment's warning, to assemble, and, by force of arms to defend the laws, the liberty, and rights of this, or any other colony, from unjust

and wicked invasion. Ordered that expresses be dispatched to the troops assembled at the Bowling Green, and also to the companies from Frederick, Berkeley, Danmore, and such other counties as are now on their march, to return them thanks for their cheerful offers of service, and to acquaint them with the determination now taken.

GOD SAVE THE LIBERTIES OF AMERICA.

The foregoing determination of Council having been read at the head of each company, was cordially and unanimously approved.

As a Committee appointed and held for Hanover County, at the Court-house, on *Tuesday the 9th of May, 1775.*

P R E S E N T,

John Syme, Samuel Overton, William Crogbrook, Meriwether Shelton, Richard Morris, Benjamin Anderson, John Pendleton, John Robinson, Nelson Barkley, and George Dabury, junior.

AGREABLE to a Resolution of the Committee held at Newcastle the 2d Instant, setting forth, that they being fully informed of the violent Hostilities committed by the King's Troops in America, and of the Danger arising to the Colony by the Loss of the Public Powder, and of the Conduct of the Governor, which threatens altogether Calamities of the greatest Magnitude, and most fatal Consequences to this Colony, and therefore recommending Reprisals to be made upon the King's Property, sufficient to replace the Gunpowder taken out of the Magazine, it appears to this Committee, that the Volunteers who marched from Newcastle, to obtain Satisfaction for the Public Powder, by Reprisal, or otherwise, proceeded on that Business as follows, to wit, "That an Officer with 16 Men was detached to seize the King's Receiver General, with Orders to detain him; and this, it was supposed, might be done without impeding the Progress of the main Body. The said Receiver General not being apprehended, owing to his Absence from home, the said Detachment, according to Orders, proceeded to join the main Body on its March to Williamsburg; and the Junction happened the 3d Instant, at Doncastle's Ordinary, about Sunset. A little after Sunrise next Morning, the commanding Officer being assured that proper Satisfaction, in Money, should be instantly made, the Volunteers halted, and the Proposal being considered by them, was judged satisfactory as to that Point; and the following Receipt was given, to wit, "Doncastle's Ordinary, New Kent, May 4, 1775, received from the Hon. Richard Corbin, Esq; his Majesty's Receiver General, 330l. as a Compensation for the Gunpowder lately taken out of the Public Magazine "by the Governor's Order; which Money I promise to convey to the Virginia Delegates at the "General Congress, to be, under their Direction, "laid out in Gunpowder for the Colony's Use, and "to be stored as they shall direct, until the next "Colony Convention, or General Assembly, unless "it shall be necessary, in the mean Time, to use "the same in Defence of this Colony. It is agreed, "that in Case the next Convention shall determine "that any Part of the said Money ought to be returned to his Majesty's said Receiver General, "that the same shall be done accordingly.

Test, PATRICK HENRY, Jun."

SAMUEL MERIDITH. (A true Copy)
PARKE GOODALL.

It was then considered, as that a General Congress would meet in a few Days, and perhaps a Colony Convention would shortly assemble, and that the Reprisal now made would amply replace the Powder, with the Charges of Transportation, the commanding Officer wrote the following Letter, and sent it by Express.

S I R, MAY 4, 1775.
The Affairs of the Powder is now settled, so as to produce Satisfaction to me, and I earnestly wish to the Colony in general. The People here have it in Charge from Hanover Committee to tender their Service to you, as a Public Officer, for the Purpose of escorting the Public Treasury to any Place in this Colony where the Money would be judged more safe than in the City of Williamsburg. The Reprisal now made by the Hanover Volunteers, though accomplished in a Manner least liable to the Imputation of violent Extremity, may possibly be the Cause of future Injury to the Treasury. If therefore you apprehend the least Danger, a sufficient Guard is at your Service. I beg the Return of the Bearer may be instant, because the Men wish to know their Destination. With great Regard, I am,
Sir, Your most humble Servant,
PATRICK HENRY, Jun.

7) ROBERT CARTER NICHOLAS, Esq; Treasurer.

Test, SAMUEL MERIDITH. (A true Copy)
GARLAND ANDERSON.

To which an Answer was received from the said Mr. Nicholas, importing, that he had no Apprehensions of the Necessity or Propriety of the proffered Service. For which Reasons, and understanding, moreover, from others, that the private Citizens of Williamsburg were in a great Measure quieted from their late Apprehensions for their Persons and Property, the Volunteers judged it best to return home, and did so accordingly, in order to wait the further Directions of the General Congress, or Colony Convention. It appears also to this Committee, that before, and on the March, strict Orders were repeatedly given to the Volunteers to avoid all Violence, Injury and Insult, towards the Persons and Property of every private Individual; and that in executing the Plan of Reprisal on the Persons of the King's Secretaries, and his Property, Bloodshed should be