

Grievances

No Delegated Power can be greater than the Power from whence it is derived —

Prerogative in the Supreme Power is nothing but the Power of doing publick Good without a Rule —

Subordinate Powers have no authority beyond what is by positive grants & Commission delegated to them they have not a Power of exercising even the prerogative of doing goods beyond that grant & Commission; much less of employing it to carry uncertain projects or to serve private purposes —

A certain Commission directs to govern not only according to the Fundamental Laws of the Mother Country but also according to the particular Laws & Customs of that Colony over which it grants the governing Power provided the same are not repugnant to the Laws of the Mother Country —

It may be requisite for the particular Economy of a Colony in some Cases to make Laws different in some respects from the Laws of the Mother Country: For Instance where the very being and Subsistence of a Colony requires a permission of holding some of the Human Kinds in perpetual Slavery which by the fundamental Laws the Mother Country absolutely abhors within its self. Then Laws must be framed in that Colony for the better management of such Slaves and to restrain from Acts of Violence & Cruelty the absolute Masters of such whose hard fate it is to undergo so debased a Condition of Life —

The Repugnancy so provided against can only relate to what is subversive of that form of Government that Liberty & Property established by those fundamental Laws, and what tends to dissolve that dependency of the Colony on the Mother Country, and to lessen that Utility which is necessary for the well being of both; and for which it was first settled —

Whatever Customs & Laws of that Colony circumscribed within these bounds are established & have been allowed of they are the Customs & Laws by ^{ch} which that Colony should be governed jointly with the fundamental & General Laws of the Mother Country extending to that Colony —

A Subordinate Power appointed to govern that Colony by such a limited Commission who acts contrary to those Customs & Laws or in Violation of them, Abuses his Authority

is guilty of a breach of Trust & Exerts an Arbitrary Way

Whoever of that Community are affected in their persons Liberties or Properties, by an arbitrary Ministration of Power are publicly aggrieved; & whatever measures are pursued manifestly tending to support such a ministration are public Grievances; and the advisers and abettors of such measures are Enemies of the Publick.

To interrupt and restrain the Representatives of the People in their Consultations by peremptory Messages requiring them to proceed on a particular business contrary to their privileges and only to please a Favorite — To shew harsh treatments & to harass with rogations those who maintain their privileges — To evade making a Reparation and by pretended Neglect to excuse the non performance of an agreement — To take offence after a Reconciliation — To repent of a confession made — and being led away by insinuations to conceive ill of those who in discharge of their Duty asserted these privileges — To be inflamed with resentment against them for ^{imagined} disrespect — To Meditate revenge & for that end to concert projects for the introducing innovations, the source of many and great mischiefs — To Countenance and abett those who for private Views were entering into schemes of raising Contributions for Effecting such innovations manifestly tending to prejudice the properties of many people whenever such Acts are done by a subordinate Power are they not Grievances? and are not the advisers & abettors thereof chargeable as Enemies to the Publick.

At the time when appeals were known to be made to the supreme Power by the contending parties concerning these differences for a subordinate Power to transfer the Seat of Power from the Place where it was held time immemorial to a Town, the Inhabitants of which were the projectors of the intended innovations —

— To attempt the removal of the Records contrary to Law — To alter the tenor of ancient writs in order to hold Courts at an unusual place distant from the place where the public Records are deposited — To require may to make necessary that the Records in which the Property & Estates of the Community depend, should be frequently transferred from one Town to another at a considerable distance Occasioning delay of business & Expence to the Officers where such Records are kept & a great Hazard & certain damage of those Records —

To dismantle a Town of its Rights Advantages & Securities not only by removing the Seat of Government but by drawing of most of the

Regular forces which used to be quartered there by carrying away the Artillery many Arms & most of the Magazines of Powder which were ever before kept there And by convening the Legislature at a place placed contrary to ancient usage & custom in consequence of all which the Markets became destroyed. The Inhabitants of the Town & adjacent Country impoverished & those parts endangered of becoming desolate, & the properties of being utterly ruined, does not a subordinate Power so acting thereby give great cause of Complaint. Are not such proceedings great Grievances which cry aloud for Redress? & do they demand public Justice to be required of the advisers & abettors —

To endeavour to intimidate people whose properties were attacked from consulting for their common defence by doubling Guards & making extraordinary Military show under pretence of guarding his Person when no danger threatened it — to use every means of Power & influence to draw after him all public Officers & to contrive how to harass & perplex those who were not eager to promote his Designs, To slight the Petition of several of respectable bodies of the Community complaining of the heats & Animosity occasioned throughout the Country by their contentions & supplicating that the Legislature might be convened in order to conciliate the minds of the People & heal these differences — to strive to overawe the Judges by harsh Messages indirect answers Suspensions Informations & Proclamations thereby demeaning the dignity of those honourable posts & at last to drive them to a necessity of resigning their Posts by making the execution of their duty interfere with the Liberties of the People; if to put in practice these things are not what are great Grievances? If the advisers & abettors are not, who are Enemies to the Publick?

To deprive the Publick of the services of those who had benefited the Publick in a Series of good conduct by taking from them their Commissions in order that inferior Men the Instruments of faction might be preferred — To obstruct the course of Justice by ill timed and abrupt dissolutions of Elections repeated on purpose to give a Party all advantages for obtaining a Majority devoted to give a sanction for unwarrantable proceedings, on Recompence for supporting & forwarding their concerted innovations — To imprison without assigning Cause — To deny hearing the Defence of the accused — To threaten Imprisonment for Life — To suspend the Execution of the Law — To dismiss Suits without

allowing them a hearing — To try the Subjects in a summary way
contrary to Law — To prohibit the assistance & advice of Councils —
To condemn imprison & load with Irons for the extorting confessions
of imaginary Crimes & accomplices — To have recourse to a military
force for the same purposes & to intend & threaten transportation —
To devise and run at confiscations; are not these the heaviest & most
insupportable Grievances? And how ought the advisors & abettors to be
stigmatized?

To dispossess men of their Estates by military force
without any legal process — To employ the Power & Office of State in
Corrupting — To preengage Electors — To prescribe to their choice those
won over to bad designs by solicitations threats & promises — To influence
Elections & new Model the ways of Elections & to keep secret the times
of holding them Contrary to ancient Usage — To add Rewards & punish-
ments & to make use of all arts of perverted Law for the taking of all
those who stand in the way of such designs & will not betray the
Liberties of their Country — To practise the basest Means at the expense
of every thing solemn & sacred for gaining Elections, & to countenance
the use of such means for all this to cull up Governments by roots
& to crush the sufferers with the most oppressive Grievances.

To Stop Ships with Stores going to their usual port of loading
thereby preventing the Planter from recovering the benefits of his Estate
And on the Supplication of a Captain for a little pass to go to his port,
To say in an imperious manner. I will not let you thither, nor shall
any Ship load there this Year, And thereupon to give orders to the
Publick Officers not to clear out that or any other Ship for that Port
So this treating British Subjects as what they are? Is it not exer-
cising the most arbitrary Power over a free People? Ought the Prop-
erties of Britons to be thus Spoiled with

Grievances

Hall Family Papers and Sugar Plantation Records

1709 - 1892

MSS.0220

Oversize: FB-226-44

**POLITICAL AND PUBLIC DOCUMENTS - Documents
Related to Governor Charles Knowles - Grievances, undated**



Copyright: UC Regents

Use: This work is available from the UC San Diego Libraries. This digital copy of the work is intended to support research, teaching, and private study.

Constraints: This work is protected by the U.S. Copyright Law (Title 17, U.S.C.). Use of this work beyond that allowed by "fair use" requires written permission of the UC Regents. Permission may be obtained from the UC San Diego Libraries department having custody of the work (<http://libraries.ucsd.edu/collections/mscl/>). Responsibility for obtaining permissions and any use and distribution of this work rests exclusively with the user and not the UC San Diego Libraries.