

North Carolina Gazette

N E W B E R N, DECEMBER 24.

TO HIS EXCELLENCY

JOSIAH MARTIN, Esq; Captain General, Governor, and Commander in Chief, in and over the Province of North-Carolina.

The humble Address of the COUNCIL.

May it please your EXCELLENCY,

WE, the Members of his Majesty's COUNCIL of this Province, return your Excellency our Thanks for your Speech at opening this Session.

We assure your Excellency that we will concur in any Law for establishing the Courts of Justice upon such a Plan as may, with his Majesty's Approbation, be at the same Time suitable to the Condition and Circumstances of this Community. To make the Establishment of the Courts permanent, and to render the Salaries of the Judges respectable, are Points we sincerely wish to see accomplished.

We thank your Excellency for the free and candid Communication of those Terms upon which the Law for regulating Attachments can be made; and we earnestly hope they may be so far reconcileable as not to impede the passing of a Court Law, upon which the very Being of this Province depends.

We bear the fullest Testimony to the Wisdom and Prudence of the Measure your Excellency has taken in the Exercise of his Majesty's Prerogative, vested in you by his Royal Commission: The Necessity of issuing Commissions of *Oyer and Terminer* was indispensable; the Occasion, so justly described in your Excellency's Speech, called loudly for that Protection; which the *English* Constitution teaches every dutiful Subject to look up for and expect from the King, the Fountain and Distributer of Justice to all. And permit us, Sir, to add, that when we cease to owe Allegiance to our Sovereign, then, and not till then, shall we presume to question the Legality of his Commissions to hold Courts of *Oyer and Terminer* in this Province.

We will pay all due Attention to the other Matters recommended to us by your Excellency; and, laying aside all useless Professions, endeavour to pursue the true Interest of our Country.

To which his Excellency was pleased to return the following Answer.

Mr. President, and Gentlemen of his Majesty's Honourable COUNCIL,

I RETURN you my Thanks for this Address. Your Approbation of my Conduct is highly acceptable to me, and adds to the Satisfaction I derive from Consciousness of the Rectitude of my own Intentions; the firmest Confidence of the Legality and Expediency of the Measures I have taken for the Public Good, and the fullest Evidence that they have afforded that Protection to his Majesty's subjects in this Province for which they were calcu-