BOSTON.

In the House of Representatives, March 6, 1774.

WHEREAS this House did on the 12th day of February last, address his Excellency the Governor and Council, for the removal of Peter Oliver, Esq; Chief Justice of his Majesty's Superior Court of Judicature, Court of Assize, and General Goal Delivery over this whole Province, for certain reasons therein set forth, and did afterwards address the Governor, praying that he would further consider the said former address for the removal of the said Chief Justice, and that he would take the advice of the Council thereon: And his Excellency did utterly refuse to comply with the request of the House, and lay the same before the Council for advice:

"And whereas this House did also on the 24th day of February, proceed to impeach the said Peter Oliver, Esq; of certain high crimes and misdemeanors, before the Governor and Council, a Court competent, in the opinion of this House, for the trial of the same, to the intent of the determining the necessity of the removal of the said Peter Oliver, Esq; from his said office:---But his Excellency hath, in his Message of the 26th of February, declared, that "while such process as this House has attempted to commence, appears to him to be unconstitutional, he cannot shew any countenance to it." Therefore to prevent any doubts or delays, or advantages being taken---on account of the mere informality of any of our former proceedings, this House has thought proper to exhibit the same articles of charge and complaint against the said Peter Oliver, Esq; in such form as will remove all colour or pretence of exception viz.

"Province of Massachusetts Bay.

To his Excellency THOMAS HUTCHINSON, Esq; Governor and Commander in Chief in and over his Majesty's Province of the Massachusetts Bay, and to the Honourable his Majesty's Council.

ARTICLES of high crimes and misdemeanors offered and presented to his Excellency the said Governor, and to the Honourable his Majesty's Council, against Peter Oliver Esq; Chief Justice of the Superior Court of Judicature, Court of Assize, and General Goal Delivery, over this whole Province, this first day of March, Anno Domini 1774, and in the fourteenth year of his Majesty's reign.

WHEREAS their late Majesties King William and Queen Mary, of glorious memory, [illegible] regard to the English constitution, and the [illegible] establish the same in this his Majesty's province [illegible] charter made and granted in the third year of [illegible] Charles the first, and the 3d of the subjects [illegible] their heirs and successors, which should come [illegible] exhibit within this province and territory, and every of their children which should happen to be born upon the seas in comming hither or returning from hence, should have and enjoy all liberties and immunities of free and natural subjects within any of the dominions of them their heirs and successors, to all intents, constructions, and purposes whatever, as if they and every of them were born within the realm of England.

And in the said charter it is further granted and ordained, that the Great and General Court or Assembly of the province, which is before established in the same charter, shall for ever have full power and authority to erect and constitute judicatories and courts of record, or other courts, for the hearing, trying and determining of all manner of crimes, &c.

And the said General Court or Assembly, hath by the same charter, full power and authority to impose and levy proportionable and reasonable assessments, rates and taxes upon estates and persons of all and every the proprietors and inhabitants of the province, for his Majesty's service in necessary defence and support of his Majesty's government of the province, and the protection and preservation of the inhabitants thereof: To the intent that the inhabitants of this his Majesty's province might always have and enjoy that eminent privilege of the English constitution, of supporting the executive and judicial officers in the government of this province by the free grants of the people.

And whereas the Great and General Court of this province, in pursuance of the power and authority granted as aforesaid, and of the good intention thereof, have at times appropriated exclusively from the passing of the said charter, made provision by their own grants for the support of his Majesty's Superior Court, that many evil minded persons, [illegible] regardless of the [illegible] for the good intentions [illegible] charge, the [illegible] combined and conspired together, and with divers evil disposed persons from the said charter wholly [illegible] with the [illegible] evil intent and purpose [illegible] defeat and destroy the [illegible] and to [illegible] and [illegible] of [illegible]

mode of supporting the executive and judicial officers of the government by [illegible] for which intent they did by false representations, procure to be made and passed in the Parliament of Great-Britain, an act for the establishment of a revenue to be levied in America, and appropriated among other things for the defraying of the charge of the administration of justice in such colonies where his Majesty should judge proper; and also by false representations and evil advice, have procured the annual grant of large sums of money, to be paid annually out of the said revenue, to the Justices of the said Superior Court; by the establishment of which the said Justices of the said Superior Court, would alienate from any connexion with the people of this province, for whose benefit they are and ought to be appointed, and would be indebted to his Majesty for his grants made to them for their services; and by means thereof become subject to the influence and direction of his Majesty's ministers of state, in matters appertaining to the distribution of justice in this province; whereby a foundation will be laid of a union of the department of the judicial powers here, with that of the Kings ministers of state in Great-Britain, than which nothing is more to be dreaded by a free people.

And whereas Peter Oliver, Esq; Chief Justice of the Superior Court of Judicature, Court of Assize and General Goal Delivery over this province, a court wholly erected and constituted by the Great and General Court of Assembly by a power granted to the said General Court by the clause in said charter aforementioned, well knowing the premises, but not regarding the same, with design to pervert the constitution of this province, as established by the said Royal Charter, and to introduce into the said Court, a partial, arbitrary, and corrupt administration of justice, declining to take and receive any more the grants of the General Assembly of this province, did, on or about the 10th of January, at Boston, in the county of Suffolk, take and receive [illegible] resolve for the future, to take and receive from his [illegible] ministers and servants, a grant or salary for his service Chief Justice of the said Superior court, against his own knowledge of the said charter, and of the way and manner prescribed therein, for the support of his Majesty's government in the province, and contrary to uninterrupted and approved usage and custom, since the erecting and constituting of the said court. And the said Peter Oliver, Esq; continues in his said resolution so to do, against the opinion and remonstrance of the other Judges of the said court, each of whom has declared respecting himself, his resolution to the contrary. And whereas the annuited sum of £100 sterling, granted by his Majesty, and annually to be paid to the said Peter Oliver, Esq; for his services as Chief Justice of the said Superior Court, together with the hopes of his augmentation, if he is still suffered to continue in his said office, cannot fail to have the effect of a continual bribe in his judicial proceedings, and exposing him to a violation of his oath. And by his accepting and receiving the said sum, he hath betrayed the corruption and baseness of his heart, and the sordid lust of covetousness. In breach of his engagement, to rely solely upon the grants of the General Assembly, especially implied and involved in his accepting said Office.

And the said Peter Oliver, Esq; by his taking and receiving the said grant out of the revenue unjustly levied and extorted from the inhabitants of the American colonies, hath as far as lay in his power, put a sanction on, and established the said revenue, which is a most destructive infraction of the constitution of this province, and a violation of the natural and most essential rights of the people, -- the exclusive right of giving, granting, and appropriating their own property, and of judging of the merits of their own servants. And hath counteracted the reasonable petitions of the representatives of the people to his Majesty, and other their constitutional endeavours to obtain the redress of their grievance.

And the said Peter Oliver, Esq; by his conduct as aforesaid, in defiance and contempt of the known sense of the body of this people, expressly and repeatedly declared and published by their representatives and otherwise, hath wickedly and perversely endeavoured to continue and increase the discontent and calamities of this people, and the grievance aforementioned, at a time when there is ground to hope that his Majesty's royal wisdom determined by the said conduct of the said Peter Oliver, Esq; and the continued false representations of others, will be graciously pleased to revoke said grant, and direct [illegible]

And the said Peter Oliver, Esq; on the 8th day of February instant, dared and [illegible] to be delivered in this House, a written [illegible] [illegible] [illegible] in the words and figures following, viz.