

have the Ministry done in Consequence of this Information, and your Excellency's Intimation to Mr. Pitt, one of his Majesty's then principal Secretaries of State, that you were afraid no Supplies for the King's Service would be granted in this Province, unless his Majesty should be pleased to have the Dispute thoroughly examined into, and finally settled? Have they determined the Disputes? Has any Thing ever been laid before us pointing out in Terms precise and explicit, that Branch of the Legislature which is charged with Obstinacy in adhering to their former Conduct? We beg Leave to say, that notwithstanding your Excellency's Averment to the contrary, no such Inference can with Propriety be drawn from any Thing yet communicated to us from the Ministry; Matters are left just in the same Situation they were before: His Majesty has too much Wisdom, and too high a Sense of Justice, to decide the most essential Interests of a free People, who are prevented from having any Advocate to support their Cause, upon an *ex parte* Representation. The Reprehension by this Means, as we conceive, remains General, and we make no doubt will so continue, 'til by an ample Discussion of the Allegations on both Sides, and a full Hearing of both Parties before a proper Jurisdiction, our Disputes may meet with a fair and constitutional Decision. As to Lord Loudon's Opinion of the Supply Bill of 1757, 'tis true, the then Lower House did desire your Excellency to send a Copy of that Bill to his Lordship, the Commander in Chief at that Time of the King's Forces in *North-America*; from the Perusal of which they expected, if he saw any Thing impracticable in the Execution of the Plan, for raising the Aids for the King therein proposed, or unjust or unreasonable in the Means, or too sparing in the Sum offered, he would have pointed them out for their Consideration; and it does not appear that his Lordship thought that Bill liable to the least Objection in any of these Respects; but rather that from the generous Provision therein made for his Majesty's Service, and the Care taken in that Bill to lay the Tax equal, and in a Mode similar to that long since established, and hitherto continually used, in our Mother Country, and several of our neighbouring Colonies, he conceived a good Opinion of the Zeal of that Assembly to promote the Service of his Royal Master. His Lordship took Exception only to the Military Part of the Bill, by which the Duty of some Part of the Troops intended to be raised was particularly circumscribed, and not left at large to his sole Direction. His Words are these, "I am clearly of Opinion, that if it had passed into a Law of the Province, it would be a direct Infringement of the King's undoubted Prerogative, and as such was very wisely rejected by the Upper House. At the same Time I am willing to believe the Assembly had not considered it in that Light, or they would never have formed it in that Manner, nor had they considered that Right of the King, in Commanding his Subjects in Arms, which is a Right indisputed every where, or they would never have disputed the Power of his Commission, to have marched the Troops raised by them, for the Defence of his Dominions, even out of their Province." This is the sole Objection his Lordship made to that Bill; and to this Objection, that House thought it prudent to give Way, and ever afterwards framed their Bills with a due Regard to it. How candid is it then to insinuate generally, that the Commander in Chief of the King's Forces in *North-America*, applauded the Conduct of the Upper House in rejecting that Bill, when his Objection is confined to a particular Part only, which has since been omitted, and made in Terms which shew his favourable Opinion of their good Dispositions to promote the Service of the King? As to Mr. Pratt's Opinion upon several Parts of the Supply Bill of 1758, we must put your Excellency in Mind, that you insisted on that Opinion to the late Lower House, and that, that House being desirous of paying it all due Regard, in their Address to your Excellency, expressed their Wishes, that that Opinion had been accompanied with a State of the Case on which it was founded; but you were pleased to decline giving them any Satisfaction on that Head. Your Excellency must be sensible how much Opinions of Council are Governed, by the Manner in which the Facts they are founded on are stated. And that this is not a mere speculative Notion, is evinced by a Comparison between that Part of Mr. Pratt's Opinion, which relates to Lord Baltimore's Right of appointing all the Officers for carrying that Bill into Execution, had it passed into a Law, with the Opinion of the present Chief Justice of the Common Pleas at Home, when he was Attorney General, and adduced by the Upper House in Support of the same Point. As, therefore, Opinions of Lawyers (for in that Light we must consider Mr. Pratt in the present Case) depend so much upon the State of the Facts laid before them, and as the State on which that Opinion was given, does not appear, we apprehend we shall stand excused in not paying an implicit Regard to it. Your Excellency confines the Reprehension contained in Lord Egremont's Letter entirely to the Lower House. On a like Occasion the late Lower House animadverted upon the extream Disingenuity of your Excellency, in wresting the Meaning of Mr. Pitt's Letter, to the Disadvantage of that House; and we think it not very decent in your Excellency, to pervert the Meaning of Letters from his Majesty's Ministers, by arbitrary and forced Constructions, merely for the sake of throwing an Odium on our Proceedings. There is not a Syllable in the Secretary's Letter confining the Censure of the Miscarriage of former Bills to the Lower House; and we will never suppose, that our Conduct will be condemned, without a fair Opportunity of vindicating it. If we are wrong, we will on all Occasions submit; but as *British* Subjects we claim a Right to be Heard, nor shall we ever be induced to deviate from what we think Right, by any Suggestion from your Excellency, that his Majesty's Ministers disapprove of our Conduct. Under the Administration of so gracious a Sovereign as at present fills the Throne, we trust, we shall never incur the Royal Displeasure, by a firm Adherence to the Privileges of our Constituents, and that while we express our ardent Desire, and use our utmost Endeavours on all Occasions, to bring our Complaints in a proper Manner before his Majesty, he will not impute to Obstinacy, a Conduct resulting altogether from a Sense of our Duty; in which, if we are so unhappy as to be Mistaken, it is not our Fault that we have continued in our Error, but the Fault of those, who, by refusing to pass a Bill for the Support of an Agent, have precluded us from the Means of bringing our Contests before the proper Tribunal for a Decision.

The Bill for the Advancement of Justice, was Read the second Time, and committed for Amendment.

The Petition of John Paca, Robert Adair, and Margaret Paca, was Read the second Time:

Ordered, That Mr. Lee, Mr. Plater, and Mr. Allen, be a Committee to enquire into the Facts contained in the said Petition, and Report the same to the House.

A Bill, entituled, *An Act to change the Name of Zaccheus Barrett to that of Onion*;

A Bill, entituled, *An Act empowering the Justices of Baltimore County Court, to assess and levy a Sum of Money, and for other Purposes therein mentioned*;