

L. H. J.  
Liber No. 48  
May 6

Objection. And we beg Leave to assure your Excellency, that Mr. Rawlings, in his Actings mentioned in the Report of our Committee, appeared from such Evidence beyond a Doubt, to have been moved by his Prejudices, and hurried on by his Passions, rather than guided by his Understanding, and directed by his Knowledge.

Your Excellency observed in Favour of Mr. Rawlings (as you was pleased to say) as he did not insist on it himself, that he was indeed applied to by a Commissioned Officer, before he proceeded to issue his Warrant against that Kelly, who was represented to be a Person liable to be impressed for his Majesty's Service by the late Act. We can only now say, that if this was truly the Case, Mr. Rawlings was much wanting to himself in not denying the contrary when laid to his Charge before this House.

Your Excellency was further pleased to say, Mr. Rawlings's Desire that his Conduct might be examined into in a legal Manner, by a proper Court of Judicature, which might punish his Offence, if he had transgressed the Laws, or manifest his Innocence if he was without Offence, did not seem to betray any Consciousness of Guilt, and that indeed, from the Papers that had been submitted to your Excellency, and his own Asseverations, you must confess, and must observe as much to us, that it did not, as you before hinted, then appear to you, that he had been Guilty of any Misdemeanour whatever. It is no Wonder, May it please your Excellency, that Mr. Rawlings, considering the Impotence of the Person injured, and the Power of his Friends, and well knowing his Conduct must undergo a public parliamentary Enquiry, should be desirous that it should rather come under that of any other Jurisdiction: He must naturally suggest to himself (if not, Council could advise him) that if the Matters alledged against him, were brought before any inferior Court, he might not be without a Chance at least of making a private Composition, of which he must despair in Case an Enquiry of the Nature of that which has been made, was once set on Foot, because he well knew, public Justice would there be satisfied, future Misbehaviour would there be guarded against.

As to Mr. Rawlings's Asseverations (for we presume we have shewn that from the Papers his Conduct was blameable) we must humbly take the Freedom to observe, that what they were your Excellency alone can know; but that if the Asservations of Public Officers, accused to your Excellency by this House of having abused his Majesty's good Subjects of this Province, in the Execution of their Trusts, are to have more Weight with your Excellency than the Representation of this House, founded on careful Examinations, it wou'd seem to be discouraging that Public Enquiry, which the Nature of our Trust will nevertheless always indispensibly oblige us to make, into the Behaviour of all Persons intrusted with the sub-