

L. H. J.
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the Aids for the King, therein proposed, or unjust or unreasonable in the Means, or too sparing in the Sum offered, and that he would have signified his Opinion relative to such Matters, I am far from thinking that House would have thought his Lordship a competent Judge of the Propriety or Impropriety of all those Parts of the Bill, or if he had ventured to give his Opinion thereon, that they would have paid any regard to it, when they afterwards disregarded that of his Majesty's Attorney General, who had seen what had been urged by the Two Houses both for and against it; and I cannot help thinking you are too hasty in drawing from his Lordship's Silence, this Conclusion, That he did not think the Bill in any of these Respects liable to the least Objection: Could he indeed have then seen all that afterwards passed between the Two Houses thereupon, or on a Bill very similar to it, his Lordship might perhaps have been able to form some Judgment of the Propriety or Impropriety of the general Plan, and particular Parts of it; but it would surely have been a little unreasonable for the Lower House to expect his Lordship, without hearing or seeing what could be offered on both Sides, would undertake to determine concerning any besides the military Part of it, of which his Lordship probably thought himself as capable of judging, as the Gentlemen who had framed it.

That Opinion of Mr. Pratt's, was, I apprehend, given on a Perusal of the Bill, and Messages that in 1758 passed between the Two Houses, which, as I conceived they contained a full and true State of the Dispute between them on the Bill, I therewith transmitted; and the Opinion I communicated to the Lower House undoubtedly shews that he was intimately acquainted with the several Points in Dispute between them; and being all that I received from England in Return, if I declined giving that House any Satisfaction they wanted, it was owing to my not having it in my Power to gratify their Wishes. I am indeed sensible, that the Opinions of Counsel are governed by the Manner in which the Facts they are founded on, are stated, and I perceive there is some Difference between those of the late Lord Chief Justice Willes, and his Majesty's late Attorney-General, with respect to the Nomination of Officers; but as the Lords of Trade, in their Report Two Years ago on some Laws passed in Pennsylvania, which Report met with the Concurrence of his Majesty's Council, have repeatedly declared their Sentiments concerning the Right of the Crown, and in that Government of the Proprietors to the Nomination of Officers, I am in Hopes that their Lordships Opinion will always have it's Weight with us, and that Right of the Proprietary be never again controverted in this Province.

As you were pleased, in Answer to my Speech at the Opening of the Session, wherein I avoided making any particular Application to the Lower House of the Reprehension contained in the Secretary