

Contemporary Printed Pamphlet  
Md.Hist.Soc.

constitutional officers, and all others which by the laws are not otherwise provided for: but I do not conceive my Lord has any original right to nominate new officers appointed for the execution of a new law, without the consent of the two Houses;

[*The opinion of Charles Pratt, the attorney-general of the Crown, of which the opening paragraph is printed above occupies pages 100 to 104 of the printed pamphlet. It will be found printed in full in Archives of Maryland, Vol. LVI, pages 202-204*]

p. 105 Observe the sophistry of the pamphleteer, where he says, "This I say, can have no relation to any thing but the Parliamentary privileges in this instance, reciprocally subsisting between the several branches, and can by no torture of expression, be construed to extend to an invasion of the prerogative, which is always exercised independently of either branch."

How slightly and unconcernedly he mentions the attempt made by the Lower House upon the Parliamentary rights and privileges by their bill, i. e. the supply bill for his Majesty's service! tho' he himself says, "It can have no relation to anything but the Parliamentary privileges in this instance." The Lower House cannot, without the highest presumption, assume the privileges of the House of Commons of Great Britain, nor can they, without the utmost arrogance, invade the legislative rights or privileges of the Upper House of Assembly, "by not admitting them to an equal share in the nomination of commissioners."

p. 106 Nor is there any impropriety in the Upper House's claiming an equal right in the nomination of commissioners, as is explained by the foregoing opinion of Mr. Attorney-general.

The Remarker again continues his wonted method of quibbling in these words: "I cannot help making one remark upon an expression in the opinion of the attorney-general, and that is, the word unreasonable, &c."

Why this criticism on the word unreasonable? Does Mr. Attorney-general shew any passion or warmth by this expression? Is not the word rather of a mild, than of an harsh signification? Is not the admonition intended by him conveyed in the most gentle terms, by the use of that very word? Does he not sufficiently justify the use of this term in the following words: "Because it is unreasonable for one branch of the legislature to assume a power to tax the other by officers of their single appointment."

As to the words, undutifulness and disloyalty, adopted by the Remarker, they are not in the question, nor ever came out of any body's mouth but his own.

p. 107 The Maryland constitution and government, is formed, comparatively speaking, as near as can be, upon the same plan, and is an epitome of our Government, and constituted and exercised accordingly. The Lord-proprietor exercises his authority and legislative