

ernment, your House should be permitted to assume and exercise the Power you claimed. You are not sworn to determine according to Evidence; to do equal Right and Justice to all Men indiscriminately. The Witnesses examined before you, in a Case of this Nature, would be liable to no Prosecution, if perjured; there would be no distinct Cognizance of fact and Law; no Challenge allowed to prevent Partiality; no Examination of your Conduct, however improper, in any other Jurisdiction; no new Trial, Writ of Error or Appeal; your Determination whether of Acquittal or Conviction, would be no Bar to a second Prosecution in a legal Judicatory; on these Grounds I was advised and pursued the Step, which, I am convinced was constitutional, which the Occasion required, and which the general Security demanded, and am extremely sorry that it has proved to be so offensive to you. M.^r Steuart has already severely suffered for any Irregularity he may have committed, by a rigorous and ignominious Imprisonment; to inflict double Punishment for the same Delinquency, is not consistent with the equitable Spirit of our Constitution, though he may be liable to it.

L. H. J.
Liber No. 54
Nov. 30

His Lordship's Authority has not yet interposed in any Regulation of the fees of Officers, nor have I any Reason to imagine that it will interpose in such a Manner as to justify a regular Opposition to it. So far as I may be concerned in any such Measure, I shall take good Care to act on mature Consideration; what I shall judge to be right and just, will be the only Dictate by which I shall be determined.

M.^r Calvert and M.^r Steuart have been made acquainted with your Complaint against them, and I send you their Answer, by which you will observe, that they did not intend referring to any Proclamation respecting their Dues; nor do I perceive any Irregularity in their Conduct, as I am of Opinion they were not bound to do the Services without an immediate Payment of, or Security for, their fees; the Rate which had obtained under Act of Assembly for more than twenty three Years, and expired so lately as the 22.^d October last, seems to be the most unexceptionable they could follow. His Lordship has, I think, the clearest Right to dispose of his real Estate, upon such Terms as he may think proper; to direct the formal Observances in making Titles to his Grants; and to settle and regulate the Rewards his Officers, in this Department, may demand and receive. Be assured, Gentlemen, that I shall, on every Occasion, pay a due Regard to your Rights; that I shall never countenance the illegal Exactions of any Officers, nor submit to any Usurpation, which may essentially endanger that constitutional Balance of counteracting Powers, so necessary to the Protection of the People, and the Preservation of the Publick Peace."

A Commitment to be kept safe, tho' you had no legal Authority to commit *at all*, was not a Punishment severe enough to be inflicted on the Person, who incurred your Displeasure, but he must be kept