

called out of the ordinary Course of Procedure. But, *May it please your Excellency*, as possibly the Rights and Privileges of this House may have been called in Question, and the Rights, Liberties, and Privileges of the People may possibly have been infringed without the least Shadow of an Intent or Design to do either, we must humbly beg Leave here, with Freedom and Candour, to lay open our Sentiments to your Excellency on this Occasion.

We are very clearly convinced of your Excellency's Desire and Endeavours to promote the Welfare and Happiness of the good People committed to your Care, as far as you can, consistent with the Powers given you; and it creates in us the deepest Concern, that notwithstanding your Excellency's Wishes and Intentions, so laudable, Acts should be done, which must, at least in their Consequences, have very contrary Effects; and we are at a Loss to what Cause to impute it, unless to the ill Advice and Council of some Persons, who have the Honour to be nearest your Excellency, together with the Misinformations and Misconstructions of the Conduct of this House, imposed upon your Excellency by others, whose too close Attachment to their private Interests, creates in them too slight a Regard for the public Welfare.

And, *May it please your Excellency*, it may be proper to remark, that Mr. *Rawlings* was not called to appear before this House in his private Character, that is, merely as one of the good People of this Province, who we hope never will be prosecuted out of the ordinary Course of Procedure; but in his public Character, as a Person intrusted with a Share of the Power of executing the Laws in Being, for their good Order and Government; he was not called upon in Consequence of the Complaint of any private Person, in order to give such Person Damages for any Wrong Mr. *Rawlings* might have done him in his private Capacity, but upon the Representation of one of the Members of this House, in order that his Conduct, in his public Character, might undergo a parliamentary Enquiry; and either his Innocence be made manifest, or all bad Effects, which might flow from his Abuse of Power in his public Station, for the future, prevented, by his Misconduct being laid before your Excellency: And that Mr. *Rawlings*, in such his public Character, stood before this House in the ordinary and constitutional Cause of Procedure, we flatter ourselves we shall be so happy as to satisfy your Excellency.

That the supreme executive Power of the Government of this Province, is at present placed in the Hands of your Excellency, we with Pleasure acknowledge, and that by the Rules of our Constitution of Government, it is in the supreme Magistrate to branch out and subordinate that Power into a great Number of Offices and Trusts, supposed to be erected for the good Order and Benefit of the Community: But at the same Time we must humbly observe, that for the Conduct of every Individual, invested with such subordinate Power by the Supreme, he is in some Degree accountable to the Public, as he has the sole Power to appoint, and (as the Practice has been here) at Pleasure to remove them. This being truly the Case, both here and in our Mother-Country (save that their Officers are not removeable at Pleasure) and the Supreme Magistrate being too often environed with Persons, whose Interests with, and Influence over him, depends upon their standing as Bars between him and all true Information, our Ancestors found it absolutely necessary to contend for, insist upon, and even in the worst of Times practise it as their undoubted inherent Right (and from which no Considerations could make them depart) by their Representatives in Parliament, freely to enquire into the public Conduct and Behaviour of all those who should be intrusted with any Share of that executive Power of Government, which they had, for the Good of the Whole, by original Compact, put into the Hands of One; and whenever Abuses of it were discovered, to have them punished; those in the Supreme by inflicting such Pains and Penalties on his Ministers, who were supposed to be his Advisers, and by whom he was supposed to act (for by our Constitution he was always supposed not to do Wrong) as were thought adequate to the Offences, and removing them for ever from his Councils; and those in the Inferior, by truly representing their Misconduct to the Supreme, and requesting him to have them dealt with, for their Offences, according to Law, and deprived of all Opportunity of longer exercising a Power to the Prejudice, which was put into their Hands for the Benefit, of the People, who had originally put themselves under his Protection.

It was, *May it please your Excellency*, in Consequence of this inherent indisputable Right, which we cannot, if we would, give up, and are Resolved not even to wave, that we troubled your Excellency with a Representation of the Conduct of Mr. *Rawlings*, as a Justice of the Peace for *Frederick County*, which, from his own Letter and Commitment, before mentioned; and from the Spirit of Revenge with which he appeared clearly to act, by the Testimony of disinterested Witnesses, to be actuated through the Whole, we thought sufficiently blameable, to deserve the mild Treatment he received from this House, and did hope in Return to our Address on that Subject, to have had the Pleasure of your Excellency's Approbation of our Conduct, and to have heard of Mr. *Rawlings*'s Removal from his Trust, or at least of your Excellency's Caution to
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