

Contempo-
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Faults there might have been in the Bill, yet as the Lower House, by an express Message accompanying it, requested the Upper House would point out their Objections, and at the same time gave them an Assurance of their Readiness to make Alterations to Passages justly exceptionable, the Upper House, by declining any Measures of Accommodation, have made themselves answerable for all the bad Consequences attending the Miscarriage of the Bill.—But now let us consider this Matter in another Light. The Lower House have sent up a Bill nine Times to the Upper House, which the latter have as often rejected. Each House throws the Blame on the other, that nothing has been done for His Majesty's Service; and as the Dispute is inflamed to a great Degree of Animosity, there is very little Prospect that the two Houses should ever come to any Agreement on this Subject. What then is to be done? Which of the two Houses is to recede? Let us suppose that both Parties think themselves right, and then we cannot but applaud the Firmness of both, in adhering to their respective Opinions. But it has been urged, that the Upper House have the Opinion of the late Attorney General in their Favour, and this ought to turn the Scale, and induce the

p. 21 Lower House to alter their Mode of Taxation; to which I answer—

First, That notwithstanding all the Asseverations which have been published to the contrary, it appears most clearly, from the Opinions of the Attorney General, laid before the Lower House, that he did not give them upon a View of the Bill and Messages between the two Houses, but upon a Case stated, because he expressly refers to such a Case *.

Now as the Opinions were sent down by the Governor to the Lower House, it follows that the Case, on which those Opinions were founded, must have been stated by the Proprietor's Adherents, and consequently in a Manner to countenance, as much as possible, the Claims of his Lordship.

It is well known, that very minute Differences, in two Cases relative to the same Matter, may produce Opinions totally repugnant, and yet both right. With little Reason then can it be alledged, that an Opinion thus procured ought to have any Weight in influencing the Lower House to depart one Tittle from what they had before asserted. If indeed the Government and the Lower House had concurred in stating a Case, and submitting all controverted Points to the Determination of the Attorney General, it might have been contended, with some Reason, that his Opinion ought to be decisive.

p. 22 But would any Man of common Prudence, in the petty Concerns of private Life, suffer the smallest Part of his Property to be affected by the Opinion of a Lawyer, procured by the Ex Parte Representation of his Opponent? With how much more Reason then is

* Attorney General's Opinion: "Having given my Sense upon each of the Objections, so far as they have been taken up and maintained by the Upper House, in the Margin of that Part of the Case, I shall only add here," &c. [This appears as a footnote in the original.]