

## APPENDIX

### PAPERS RELATING TO CERTAIN ACTS PASSED BY THE GENERAL ASSEMBLY OF MARYLAND, 1751-1754

#### I

#### LEGAL OPINION OF CHARLES PRATT TO THE GUARDIANS OF FREDERICK, THE YOUNG PROPRIETARY, AS TO THE ADVISABILITY OF PERMITTING THREE ACTS TO REMAIN LAWS

[EDITOR'S NOTE.—The General Assembly at its June, 1751, Session, passed three acts, which Arthur Onslow and John Sharpe, the guardians of Frederick, the Lord Proprietary, still a minor, questioned the advisability of giving their assent to on his behalf. The endorsements and the papers show that they were submitted in June, 1752, to Charles Pratt for a legal opinion as to their merit, by Hugh Hamersley, at this time an assistant secretary for Maryland affairs to Frederick's guardians. Pratt, who later became Lord Chancellor and first Earl Camden, wrote in his own hand the opinion which follows (pages 627-630), advising the assent of the guardians on behalf of Frederick to two of the acts and the dissent or veto to the third, although his advice as to the last was not followed. "The Speaker" referred to in the endorsement was Arthur Onslow (1691-1768), for many years speaker of the House of Commons, and one of the young Proprietary's guardians. The identity of "the Attorney General" mentioned in the endorsement is not clear, as there is a question whether the endorser referred to Sir Dudley Ryder (1691-1756), who held this office in 1752, or to William Murray (1705-1793), later the Earl of Mansfield, one of the legal advisers to the guardians, who became Attorney-General a short time later.]

Case on the 3 Maryland Laws herewith left which are  
transmitted for the Lord Proprietarys Assent

Calvert  
Papers  
No. 486  
1752

By the Charter of this Province Power is given to the Lord Proprietary with the Consent of the Majority of the Freeman of the Province their Deputys or Rep.<sup>ves</sup> Assembled together to make & Enact Laws as well in respect to the Publick State & Cond.<sup>n</sup> of the Province as for the Private advantage of Individuals under this restriction only. p. 1

"Ita tamen Quod Leges prædict sint rationi consone, & non  
"sint repugnant nec contrar, sed quoad Convinen fieri poterit  
"Consentanee Legibus, Statut, Consuetud ac Juribus hujus  
"regni nostri Ang.<sup>1</sup>"