

“ Majesty’s principal Secretaries of State, and had
 “ referred his Lordship for proof of the necessity of
 “ the measure to the minutes of the legislative Council
 “ in their last session ; we have examined those
 “ Minutes, together with the letter referred to by
 “ Sir Guy Carleton (copy of which has been communicated
 “ to us by Lord George Germain) and
 “ having made known to Mr. Livius the matters
 “ in charge against him, we did appoint a day for
 “ hearing him in his defence, and gave notice
 “ thereof to Sir Guy Carleton, that he might attend
 “ and make good the reasons assigned for his
 “ removal ; but he submitting, whether his attendance
 “ might be necessary, as his charge was
 “ confined to the papers before us, we proceeded,
 “ on the day appointed, to hear and consider what
 “ Mr. Livius had to offer in his justification and
 “ defence, and now beg leave, humbly to represent
 “ unto your Majesty ;

“ That before we proceed to examine the papers
 “ to which we are referred for proofs of Mr.
 “ Livius’s misconduct, we think it necessary to
 “ premise, that no part of the charges contained in
 “ those papers, apply to impeach the Chief-Justice
 “ in his judicial character and capacity in any
 “ particular ; and it is our duty here to observe,
 “ that your Majesty, by the seventeenth article
 “ of your instructions to the Governor of Quebec,
 “ was graciously pleased to direct, that he should