

Resolved, That the Lord Proprietary, in the Year 1717, by accepting the Fines on Ordinary Licences as a Gift from the People, under a Law, setting forth, that many tedious and chargeable Debates had happened concerning the Appropriation of 'em, which, it is mentioned in the same Law the Representatives of the good People of this Province had to that Time insisted cou'd not be made without their Assent thereto in a Law, and which the Delegates and Representatives as aforesaid, in that General Assembly, cou'd not depart from, did thereby consequentially Disclaim all Pretensions of Right to those Fines, by Prerogative, and by accepting them for many Years under the Continuance of that Act, did Acquiesce in the Right of the People to dispose of 'em.

Resolved, That the Message from the Upper House, of the 24th Instant, in the Part contending that the Emission of Four Thousand and Fifteen Pounds Six Shillings, according to the Intention of the Bill sent up by this House, as proposed to be amended (if an Amendment were necessary) in such Manner as might be agreeable to that House, for making that Emission as Current, of the same Value, and on the same Footing, with the Paper Currency, now actually in Circulation, to all Intents and Purposes, wou'd depreciate the Credit of our Paper Currency, does not give any Answer to the Reasoning of this House in their Message of 21st Instant, but is rather a Repetition of their Assertions in their former Message on that Head, and consequently, that the sole Reason of their Refusal to pass that Bill, must clearly appear to be the Appropriation of Ordinary Licence Fines, as designed by that Bill.

Resolved, That the Part of the said Message from the Upper House, endeavouring to shew the Lord Proprietary's Right to Ordinary Licence Fines, by Prerogative, does not in the least shew, that his Lordship, though he did Licence some few Persons in the Infancy and Ignorance of this Province, and at a Time when Prerogative made large Encroachments on the Rights and Privileges of the People, not only here, but even in our Mother Country (as may be shewn by many Instances, wou'd Time now permit) ever received any Thing by Way of Fine for those Licences; and it clearly appears, even from the Words of his Lordship's Proclamation about that Time (as recited in that Message) commanding all Ordinary-Keepers that had taken Licences to come and renew the same, that there were also, at the same Time, Public-Ordinary-Keepers that kept such Ordinaries without any Licences at all, which manifestly shews, that his Lordship cou'd not prevent Persons from keeping Ordinaries without Licences, and consequently, that he must be sensible his Power, by Prerogative, was not sufficient to compel them even to take Licences, much less to pay a Fine for them.

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem. The House met according to Adjournment, &c.

Mr. Chapline appeared in the House.

Mr. M. Tilghman, from the Committee of Laws, brings in, and delivers to Mr. Speaker, the following ingrossed Address, viz.

To his Excellency HORATIO SHARPE, Esq; Governor and Commander in Chief in and over the Province of MARYLAND.

The humble ADDRESS of the House of DELEGATES.

May it please your Excellency,

WE have re-considered your Message of Monday; and as we have already earnestly endeavoured, as far as the Circumstances of our Country will admit, to provide for the Requisitions made by the Letters of Sir Thomas Robinson, and General Braddock, and every other Purpose relative to his Majesty's Service on the present Exigency; and as we cannot, in Duty to our Constituents, or consistently with our own Privileges, wave insisting on the same Ways and Means which have already been proposed, for replacing any Monies that may be granted, we have not the least Hopes of Success in making any further Proposal.

The Appropriation of the Ordinary Licence Fines (which has at last appeared to be the great Obstacle to our repeated generous Grants) we are so firmly of Opinion, is the undoubted Right of the Country, that nothing will ever induce us to give them up, or to do any Thing which may weaken that Right; and since the Gentlemen of the Upper House, by their Messages, seem determined not to depart from what they look upon, in this Particular, as the Lord Proprietary's Right by Prerogative, there is no Room to expect any Thing further can be done, and therefore we once more request your Excellency to put an End to this Session.

Feb. Session, 1755.

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