

If any Person having one Benefice with Cure of Souls, being of the yearly Value of £8 or above Accept & take another with Cure of Souls, and be Instituted and Inducted in Possession of the Same, then and immediately after such Possession had thereof, the first Benefice shall be adjudged in Law to be void. And it shall be Lawful for every Patron having the Advowson thereof to present another, and the Presentee to have the Benefit of the same, in such like manner and Form as tho' the Incumbent had died or resigned.

It is Manifest that Pluralities are as strictly inhibited by this Statute and the Canon before Recited as by the third Clause of the Act of Assembly which expresses itself.

“That the Minister shall have the 40 p Poll in each respective Parish having no other Benefice to officiate in, presented, Inducted or Appointed by his Excellency the Governor or Commander in Chief for the time being.

Provident as these Respective Words “no other” may appear, they are really and totally needless and unnecessary the Case being before Provided for by the Canon and Statute above Mentioned. The Governor or Commander in Chief is an officer Subordinate either to the King or Lord Proprietary. A Patron by Courtesy, a Patron in Common with other Patrons, who were to induct a Minister into a Second Living Mero Motu, could not render the Tenure valid, but the former Living would become, ipso Jure, by the Canon and ipso facto by the Statute, Void. For tho' the Livings in Maryland are not assess'd in the Kings Books, in a Court of Justice they would be judged *ad Valorem*. But this Restriction was never meant to Confine the King, Supposing the Government in his Majesty's Hand, nor the Lord Proprietary in whom it is vested, whose Supremacy in Church and State is incontestable. This Restriction Cannot annul the Cannon & Statute Law, the Ancient Prerogative of the Crown or the Rights of the Royal Charter which are transcendent to, and far above the Controul of any Act of Assembly, and whether express'd or Implied, must be held Sacred and Inviolate.

We shall soon see what Remedy is Provided in this Case, and We must Conclude it as far as Laws can bind, a Legal one.

Nor is this the only Case where the same Specific Distinction between the power of the Crown or Lord Proprietary and of the Principal officers within the Province is made.*

* This Illustration being from a Civil Matter, to a Matter Ecclesiastical the Laws Relating to which are totally distinct, is only so far in point as to show, that even in Civil Promotions there is a Material Difference between the Powers of the Crown or the Lord proprietary, and of the