

Oppressive as this law was to many, its validity was not questioned for seventy years. For one thing, as the quality of tobacco was not specified, the tax-payers usually paid the tax in the very poorest and cheapest sort, so that the stipends of the clergy were not only inadequate, but even beggarly. In consequence it was hard to get clergymen of any standing or respectability to accept the livings, and the condition of the Church became scandalous, and gave rise to loud complaints. "A Maryland parson" was a by-word for any drunken or disreputable wearer of the cloth.

This miserable and shameful state of things was, however, remedied by the growing population of the Province increasing the number of taxables in each parish, but especially by the inspection law of 1747, which raised the price of tobacco to such an extent that the salaries of the clergy became respectable, and even liberal.

In 1763 the tax was reduced from forty to thirty pounds, and even then it was so ample that we are told that the income of the incumbent of All Saints Parish in Frederick county was more than 450 pounds sterling, and increasing at the rate of fifty pounds a year, and that there were but two parishes in the Province in which the clergyman's income was less than a hundred pounds sterling.

This supplementary Act of 1763 was temporary and expired in 1772, and Gov. Eden, taking the same ground which he took with reference to the act fixing officers' fees, announced that as the act of 1763 had expired, and no other had been enacted in its place, the permanent act of 1702 became valid again with its tax of forty pounds.

Great dissatisfaction followed, and the legality of the Governor's position was being fiercely debated, when an acute lawyer (writing under an assumed name) published the startling opinion that the Act of 1702 had no validity and had never had any. For the Assembly which passed that act had been summoned and had met on March 16, 170½ in the name of King William III., and the laws then passed were assented to by the Governor on behalf of his Majesty on the 25th of the same month. But King William had died on March 8, and Anne was the reigning sovereign when the Assembly met, therefore it should have been called and the acts assented to in her name. It was even a question whether the Governor's commission had not expired with the monarch who issued it—at all events, the Act of 1702 was void *ab initio*.

This opinion, as was natural, found a large following. Many refused to pay their ministers anything, and a plentiful crop of lawsuits sprang