

Thursday August the 2^d 1716

U. H. J.

The Upper House met & were Present as yesterday

His Excellency represents to the House that by the negligence of M^r Charles Lowe who is Agent for the Lord Proprietary & the Lord Guilford his Guardian, He has not yet had any Instructions from their Lordships Either in Case of his Death or Absence where the Power of the Governm^t shall be lodged or who shall execute the same That as he has been formerly in great Danger of his Life by several violent fitts of Sickness there may happen great prejudice and Confusion among the people upon his Death If It should please God He should die before the Lord Proprietary & his Guardian by some special Instruction make provision therefore He desires the Opinion & Advice of this House what may be done to prevent the mischiefs may ensue on such a Casualty. Resolved nemine Contradicente that the not sending into this Province particular powers & Instructions for the Administration of the Government here in Case of his Excell^{cy}'s Death or Absence is a great omission in his Lordship's Agent And that the same cannot be otherwise provided for than by some Act of Assembly directing where the s^d Powers shall be lodged and how executed until his Lordship the R^t Honble the Lord Prop^{ry} and his Guardian's directions and Instructions shall be sent into this province

Whereupon the following message was sent to the Lower House Viz.

By the Upper House of Assembly
August the 2^d 1716

It being represented by his Excellency the Govern^r to this House that by the Omission of the R^t Honb^{te} the Lord Prop^{ry} & his Guardian's Agent in England their Lordships have not yet sent any Instructions or Authoritys into this Province either in Case of the Death or Absence of the Governor where the power of this Governm^t shall be Lodged or who shall execute the same, That his Excellency the present Governour has been formerly in great danger of his Life by Several Fitts of Sickness there may happen great prejudice & Confusion among the people upon his death If It should please God he should die before the Lord Proprietary and his Guardian by some special Instruction make provision therefore—

This House do unanimously resolve that not sending into this Province such powers and Instructions for the Administration of the Governm^t here in Case of the Death or Absence of the Govern^r is a great omission in his Lordships Agent And conceive that the ill Consequences of such neglect at