

Baltimore, but the Charter did not, nor could it confer a Power upon his Lordship to Tax the People without their Consent. On the other Hand it was not in the Power of the People either to deprive His Lordship of what the Charter had granted, or to regulate his Exercise of these Rights without his Consent. When the Government was immediately in the Hands of the Crown, his Lordship being then under a Disability, the Act passed with the Royal Concurrence, by which the Provision for the Clergy was made; for which Purpose the People were with their Consent Taxed and Terms of the Application of the Tax were settled. His Lordship by assenting to an Act for that purpose, might give up his Advowsons or Patronages, He might bind Himself by restrictions in the Exercise of these Rights and it can't be doubted but that the Act, which passed with the Concurrence of the Crown, when he was under the Disability of Nonconformity, is as binding as any other Act can be to which his Lordship's Assent has been given. The short Question then will be, whether he is to be considered as Incumbent. The fact is that he has been appointed by the Governor in the usual manner, the Act is so explicit and clear that the Recital of it is sufficient, I apprehend, to give Satisfaction: the Poll assessment shall be always paid and allowed to the Minister of each 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. Lib. C. B.  
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When a regular Minister, having no other Benefice, is appointed by the Governor, the Consent or Admission of the Vestry is not called for, on the contrary, it is unnecessary, and is made so by the Act, the Benefice being conferred by the Appointment of the Governor, nor can it be supposed, that it could be the Intention of the Legislature to put it in the Power of a Vestry to hinder the Exercise of the Right of Patronage, when the Act directs under what Circumstances the Clergy shall be supported at the Expence of the People, an Expence brought upon them by their Representatives, on the Terms explained and regulated by the Act. I would fain hope, that, on mature Reflection, Matters will be accommodated, that Men of Sense will consider that the Rights of Government, not only from the Justice due to His Lordship, but for the Tranquillity and good order of the Community, ought to be vindicated. However, should a different Temper prevail, I must think it to be the Indispensable Duty of M<sup>r</sup> Hughes to give notice of it, that the most vigorous Steps may be taken to bring to Censure the Usurpers of his Lordship's Rights, and the Disturbers of the Public Peace. p. 14

Dan<sup>l</sup> Dulany.