

cellency is pleased to say as foll^o His L^dship in the Eleventh U. H. J.
Article of my Instructions already laid before you Asserts
the Ordinary Lycences to be undoubtedly in his Lordship
and then disposes of them as his Lordship thinks fitt, being a
branch of his Prerogative And therefore I cannot in his
L^dships name Pass this bill into An Act, which takes from
his Lordship's right and gives it him only as a Complim^t
And hope the lower house will think Convenient to alter some
part of the Preamble to this Bill.

Whereupon you may p^ceive that the Law Cannot pass with p. 55
the Preamble as it now stands, And We must further Observe
to you that We are of opinion that the Right of granting
Ordinary Lycences is in the Lord Prop^ry nothing having yet
appeared to us shewing the Contrary But if you Cannot Come
up to our Opinion We desire you'll Join in a Conference with
some members of this house whereby we hope to Convince you
of the Reasonableness thereof

Signed p order John Beard Cl up ho.

Sent to the lower house with the bill p Col Coursey & Col
Smyth, who returne & say they Delivered them

Col John Mackall and three others with a Bill for punish-
ment of such as shall Counterfeit the Lord Prop^ry greater or
lesser Seale at Armes within this Province.

Passed by the Lower house, And On Reading thereof here
the following Message prepared.

By the Uper Ho: of Assembly June 6th 1717

Gent. This bill being Read t'will pass with the Amendm^{ts}
proposed Viz. That the p^rson Convicted of any the Crimes in
this Act mentioned shall be whipt with thirty nine lashes, stand
in the Pillory two Hours & be banished this Province for ever,
Instead of being punished by having both his Ears cut off

Signed p order Jn^o Beard Cl Up ho.

Sent p Esq^r Hall who returns & says he Delivered it. M^r
Robert Tyler & five Other members from the Lower House
with the following Message.

By the Lower Ho of Assembly June 6. 1717

May It please yo^r Hon^{rs}

On Reading your Message by Col Coursey and Col Smyth p. 56
on the bill for regulateing Ordinaries We Cannot Concurr
with the Opinion of your house And therefore have Resolved
that the Conference be granted and that M^r Tyler Col John