

to the Upper House (pp. 236-238). When it reached that house it was read once and immediately rejected, and returned without comment to the Lower House (pp. 208-209). Thus for the sixth time the two houses split on the rock which Sharpe had urged the Lower House to avoid, and the Supply bill again failed of passage. On April 8, the Lower House ordered that the rejected bill be printed with the votes and proceedings of that house, and that an allowance to the clerk of the house be included in the Journal of Accounts for entering it upon its journal (p. 265). It will be found printed on pages 263-306. It was also printed by order of the Lower House in separate pamphlet form together with two other rejected bills, viz., the Naturalization bill drawn up in the Upper House and amended in the lower chamber (pp. 309-313), and the bill for the relief of landowners about to be unduly taxed under the £40,000 Supply bill of 1756 (pp. 257-262). This Supply bill is an enormously long one, occupying forty-three printed pages of this volume. It can be compared with the similar Supply bill that was passed by the Lower House at the September-December 1757 session and rejected by the Upper House, printed in full in the preceding volume of the *Archives*, which it resembles in essential features, but varies in the arrangement and order of its paragraphs (*Arch. Md.* LV, 707-750). Its income tax features will be found on pages 270-271.

On April 9, the day following the rejection by the Upper House of the Supply bill, the Governor sent a message to the Lower House saying that, as the Honorable Colonel Howe was returning to New York to-morrow, he would be glad to know what reply he was to send to General Amherst's letter communicated to them at the opening of the session, especially as the day was near at hand when his Excellency desired that the Maryland forces to be raised be ready to march (p. 306). To this the house rejoined that in its bill which had been just rejected by the Upper House it had done everything "consistent with its constitutional rights" that could be expected from the King's dutiful and loyal Maryland subjects and could do no more (pp. 308-309). The Governor's reply was to prorogue the Assembly until July 7, 1760. Reference to the Supply bill at this session ends with an address from the Upper House to the Governor, under date of April 10, in which that house justifies its rejection of the bill on the grounds that it "is essentially the same with the five Bills we had in as many Sessions before Dissented to . . . and is the same with that His Majesty's Attorney General in the Opinion Communicated to General Assembly at the Commencement of this Session held to be Absurd, unreasonable, against the Duty we owe to the Mother Country . . . and to have a Tendency to erect a Power and Authority in the Lower House which neither the Crown nor the Parliament would ever suffer them to Exercise" (pp. 223-224). This reference is, of course, to the opinion given in 1759 by Charles Pratt, Attorney-General of the Crown, to Frederick Lord Baltimore in regard to the constitutionality of various measures which the Lower House had endeavored to force upon the Upper House (pp. 202-204). It is discussed at length in a later section of this introduction (pp. li-lij).

At the *September-October 1760 session* of the Assembly, before proceeding to introduce a Supply bill for His Majesty's Service, the Lower House as usual