

and the Charter, it would find that its claims were refuted, and that "ever since the constitution was established in its present form . . . the Upper House had been a Constitutional Check upon any Frantick humour that might Siese the Lower House" . . . a check that was fortunate at this particular season. The objections of the Lower House to the Upper House as its attendant branch were ridiculous. The several legislatures in British America, except one or two at most, consist of three branches, and the middle branch in each [the Council or Upper House], three instances only excepted, are appointed in like manner as in Maryland. Do not think that an Upper House is a misfortune peculiar to this Province. But when the Lower House railed at former times, it might also lament that the Proprietary and Upper House had admitted it as part of the government. The Upper House forbore to reply in a declamatory strain, as the Lower House had done, in order to influence an Assembly of constituents rather than to correct errors and convince the understanding. Nor will it join in an endless dispute over the phantoms that have been raised. Let the Lower House pay some regard to truth and decency if it would aspire to the rights and privileges of the House of Commons. The rights of the House of Commons are inherent in its *Lex parliamenti*; the rights of the Lower House of the Maryland Assembly are those under the Royal charter, the particular usages, and the common law of England, and what those rights are, the charter, Assembly journals, and law books make clear. The Upper House is equally with the Lower the constitutional guardian of the people's liberties. Our ancestors wisely adopted an Upper House as a check upon the pretensions their representatives might impose upon them. This house now saves them from the ruins their favorite, but untried, Assessment bill would impose (pp. 56-64).

Governor Sharpe, writing to Cecilius Calvert, soon after this Assembly was prorogued, under date of May 11, 1762, upon the events of the session, in discussing the close votes on the Supply bill in the Lower House, thus summarizes its course in the house: "If you will be pleased to compare the Votes in former Sessions, You will observe that the Number of Opponents to the Assessment Bill is greatly increased & as they are in general the most sensible Men in the House there were longer & more frequent Debates upon it this Session than have ever before been during my Administration so that it was doubtful on more occasions than one whether those who for some years past have had the Management of Affairs in the Lower House would be able to carry their Points & indeed could all the Members who dislike their Schemes have constantly attended during the whole Session it is not improbable that they would in a great measure have been disappointed" (*Arch. Md.* XIV; 52).

On April 14, the day following the rejection of the Supply bill in the Upper House, an unsuccessful attempt had been made in the Lower House by Proprietary members to secure by other means than by the assessment and income tax plan, an appropriation of £10,520:5:3 for the support of three hundred Provincial troops on the frontier and for recruiting eighty-four men for the King's regular regiments. It was moved in the house that various unexpended