

MSS Ar-
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ment of the Province been a few Instances of His exercising such Power, but good Policy must make the Proprietary very cautious in the Exercise of this Prerogative

3.^d The Upper House or Council in Maryland does consist of Twelve Members, Nine of whom do hold Offices, but in value far short of the Amount suggested by the Querist, & in the other Colonies abovementioned several of the Council & their nearest Relations do hold Places of much greater Profit than any in the Disposal of the Proprietary of Maryland, nor is it to be supposed that such Gentlemen by holding those Offices are in any respect the less or worse qualified to consult for the publick Good or to serve His Majesty in the Station of Councillors

[p. 3] 4.th Tho the Members of the Upper House are nominated by the Proprietary & have probably some sense of Gratitude yet as they are at least as much interested in the general Welfare of the Province as any of the other Inhabitants & must out of Regard to their Posterity & near Relations be averse to countenancing any Encroachment of the Proprietary on the Liberty Priviledges or property of the People, it cannot be supposed that the Proprietary did he endeavour to carry any unwarrantable Schemes into Execution would find the Gentlemen of the Upper House ready to make him a Compliment at the Expence of their own honour, & the happiness of those with whom they are most closely connected, especially when they would by such a Step render themselves justly obnoxious to the Execrations of the whole Province.

[p. 4] 5.th As the King has a Right to dissent to any Acts of Assembly made in the Crown Governments, which His Majesty often does, so the Proprietary of Maryland claims & from time to time tho but seldom hath by Virtue of his Charter & the Power reserved to himself by his Commission to the Lieutenant Governor exercised the power of dissenting to Laws made there & transmitted for his Approbation in which Case he gives Reasons for such his Dissent as that the Laws are repugnant to Acts of Parliament or the like & till his Dissent is published under the Great Seal the Laws continue in force; Nor can it be said with greater propriety that there are four Branches of the Legislature in Maryland & three of them in the Proprietary, than that the Legislature in Virginia or the other Colonies abovementioned consists of four Branches & that the King has three of them; but suppose there were twice as many Negatives in the Legislature of Maryland, yet if no Act could be made without the Consent of the People's Delegates their Liberties & Properties would be as well secured as if the Legislature consisted of only the Proprietary & House of Delegates for it cannot be supposed that an

[p. 5] Upper House of Assembly however dependent would go greater Lengths to serve the Proprietary at the People's Expence than he would go himself the Existence then of such a Middle Branch con-