

out the temporary duration of the bill, by which means it would be perpetual; but the Lower House did not proceed any further in that bill, and so the bill dropped. Since that opposition, the duty has been constantly paid under the act of 1704, and the same has been always acquiesced in, (as far as I know) and as every merchant in the Maryland trade can testify; which behaviour of the Assembly and people of Maryland (it is apprehended) sufficiently testifies their approbation and consent to the force and effect of that act. The act of 1704 is by tenor perpetual; can it be supposed, the King, or the Lord-proprietor his Majesty's Hereditary Governor, will con-  
cede at any time to an alteration by act of Assembly, from perpetual to temporary? This is not to be expected.

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I have heard an observation made, that it was the sense of some of the Legislature of Maryland, i. e. of the Lower House, that acts granted to the Proprietor for support of Government, did not extend to the King; the meaning of this can only be, that acts made for support of Lord Baltimore's Government cannot be extended to, or sufficient to raise a support for his Majesty's Government: this may be true, and yet it will not follow from thence, that acts made for support of his Majesty's Government will not be sufficient for support of the Government, of which Lord Baltimore by himself, his Deputy, or Lieutenant-governor, has the administration. And further, whether by providing a support for his Majesty, his heirs, and successors, which the act of 1704 does, the Lord Baltimore may not with sufficient propriety, so as to satisfy the act, be said to be the successor of the King in hac parte, if the Government is so totally changed from the King to Lord Baltimore, as that it cannot be called the King's Government. But if it can still be called the King's Government, which it most certainly is, and which appears by allegiance paid to the King, and by his Majesty's approving his Lordship's appointment of the Lieutenant-governor, tho' the Lord Baltimore administers the same Government under the King: then the law of 1704, by the express words intended, and does actually provide for the support of that Government, which his Lordship now administers; and Lord Baltimore, as successor to the King in hac parte, is meant and included in the act: for Lord Baltimore is but his Majesty's Hereditary Governor, and at most but the King's useful substitute, so that it is always the King's Government.

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And it is to be observed, that during the time the administration of the Government was immediately under the Crown, and whilst it was supported by the act of 1704, three pence per hogshead on tobacco was levied for the necessary charges of the Government, which necessary charges by subsequent acts were explained, and the three pence raised thereby was appropriated for a magazine, and to provide arms and ammunition. The same three pence (I am informed) was raised by an act in 1734, the late Lord having at that time the administration of the Government.

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