

After thanking the members of the Lower House for having taken favorable action about the construction of a lighthouse on Cape Henry, Governor Eden promised to let them have the data which they had requested (p. 276 and Appendix VII; also see *Arch. Md.* LXI, xlv-xlvi). Although nothing further was done at this session, the Maryland Assembly in 1773 did appropriate money for building and maintaining a lighthouse at Cape Henry (Hanson's *Laws of Maryland*, November-December session, 1773, Chap. XXIX).

So far the relations between Eden and the Delegates had been pleasant enough. On October 30, 1770, the Lower House received a report which ended this cordial relationship. It was submitted by the Committee of Grievances and Courts of Justice, which, as we have seen, was appointed at each session of the legislature. The report charged that William Steuart, as Clerk of the Land Office, had taken, contrary to the law, "notes of hand" for the payment of excessive fees and that he had also imposed an oath as Justice of the Peace not required by law. It appears that Steuart claimed that as the fees had been authorized by Benedict Calvert and George Steuart, Judges of the Land Office, their collection was not illegal (pp. 294-295).

This report involved one of the most controversial acts ever enacted by the General Assembly. It was entitled "An Act for amending the Staple of Tobacco, for preventing Frauds in his Majestys Customs, and for the Regulation of Officers Fees." It was enacted in 1763. The reason this act was important was that tobacco was still the currency of Maryland. In order to prevent changes in value it was given a fixed specie value. In certain cases specie could be paid instead of tobacco at the fixed rate. As is stated elsewhere, the act was the subject of much discussion between the Upper and Lower Houses (pp. xxix-xxx). Some sort of a compromise might have been worked out but for the unyielding attitude of the Upper House on the question of the fees of public officers. The Councillors would not consider any reduction in these fees.

This attitude was subject to criticism. Members of the Council held the most lucrative positions in the colony. Walter Dulany was the Commissary General (p. 298), a position previously held by Daniel Dulany (p. 409), and Benedict Calvert and George Steuart had been appointed Judges of the Land Office. These men were naturally opposed to any reduction of their fees. Unfortunately, as members of the Council they also constituted the Upper House. Accordingly, when, in the latter capacity, they argued against the reduction of their fees as colonial officers, the members of the Lower House could hardly be expected to believe that the position taken by members of the Upper House was free from personal interest (p. 430).

The act for amending, or regulating, the staple of tobacco, which had been passed in 1763, expired on October 22, 1770, while the Assembly was in session. This is why Benedict Calvert and George Steuart had instructed William Steuart, their clerk and agent, to charge the same fees as provided for in the act which had expired. This action of Calvert and George Steuart was condemned in the report of the Committee of Grievances and Courts of Justice. As a result of that report the Lower House, on November 1, took action. The Delegates asserted that they had the sole right to impose or fix taxes or fees