

demned the attitude of the Upper House. In these "Resolves," which were ordered published in the *Maryland Gazette*, not only was the position taken by the Councillors characterized as manifesting "an unreasonable Attachment to the Emoluments of Office," but instances were given of "illegal and oppressive" charges of fees (pp. 429-431; *Maryland Gazette*, Dec. 6, 1770).

Soon after this Elie Vallette, Register of the Commissary General's Office, published a statement defending as legal the fees charged in his office (*Maryland Gazette*, Nov. 29, 1770). Reverdy Ghiselin, Clerk of the Provincial Court and Secretary's Office, issued a similar statement about the legality of fees charged in the Secretary's Office (*ibid.* Dec. 6, 1770).

Despite the condemnatory resolutions of the Lower House and his own dispute with that chamber in regard to the arrest of William Steuart, Governor Eden went ahead, and, five days later, as we have seen, issued a proclamation fixing officers' fees according to the provisions of the expired Act of 1763.

Another bill which was the subject of much dispute between the Upper and Lower Houses was entitled "An Act for Issuing Writs of Replevin Out of the County Courts of this Province." The reason for its being an issue is explained and a copy of the proposed bill itself can be found in the *Archives of Maryland*, Vol. LXI, xxxviii, xl, cvi, 503-504, which contains the Proceedings and Acts of the General Assembly for 1766-1768. Even before this the bill had come up for consideration (*Arch. Md.* LVI, xxvii, xl-xli; *ibid.* LVIII, xxxviii; *ibid.* LIX, xxxvii). As the preamble to the bill recited, it was introduced to remedy the inconvenience caused people living at a distance from Annapolis who had to come there to the Chancery Office in order to obtain writs of replevin.

When the General Assembly convened during November, 1769, the same bill was introduced (p. 11). The Upper House proposed amendments to the bill to which the Lower House would not agree. The Delegates said that they could not imagine that the Governor, as Chancellor, would mind the trifling loss in fees that would result from the passage of this bill long desired by the colonists (pp. 15, 17-18, 31, 55, 66, 67, 68-69, 72-73). The Councillors did not think the Governor was so much concerned about the loss in fees as he was afraid if the Lower House were successful in having the bill passed as drawn up it would be a precedent for other similar attacks upon the proprietary (pp. 26-28, 86).

The bill in regard to issuing writs of replevin was again introduced during the sessions of the Assembly which met from September 25 to November 2, 1770, and from November 5 to November 21 of the same year (pp. 191, 348). As the two Houses could not agree it once more failed of passage (pp. 201, 363, 377, 415).

On another bill the Upper and Lower Houses could come to no agreement and that was one entitled "An Act to enable the Commissioners for Emitting Bills of Credit to Pay to John Duckett, William Mills and John Peacock the Sums of Money therein mentioned." The Delegates on November 16, 1770, returned this bill to the Upper House with the comment that as they claimed the exclusive right to originate financial bills, the proposal of the Councillors to make Duckett an allowance in the Journal of Accounts was an infringement