

L. H. J.  
Liber No. 54  
June 26

The Bill, entitled, An Act for the Independency of the Justices, the Enlargement of the County Court Jurisdiction in Cases of Equity, and the Authority of the Deputy Commissaries, The Bill, entitled, An Act to enable the Commissioners for emitting Bills of Credit to pay the Executor of Philip Hammond the Sum of Money therein mentioned; and, the Bill, entitled, An Act to prevent counterfeiting the Paper Money of other Colonies; were severally read a second Time, passed, and sent to the Upper House by M.<sup>r</sup> Paca, and M.<sup>r</sup> Gilpin.

George Steuart, Esq. from the Upper House, delivers to M.<sup>r</sup> Speaker the Bill, entitled, An Act for the Establishment of religious Worship in this Province, for the Maintenance of the Clergy, and other Purposes therein mentioned, thus indorsed, "By the Upper House of Assembly, June 26.<sup>th</sup> 1773. Read the first Time and will not pass.

Signed by Order, U. Scott, Cl. Up. Ho."

And the following Message.

By the Upper House of Assembly, June 26.<sup>th</sup> 1773.

Gentlemen,

We think it ought to be adopted "in all well grounded Christian States," as an inviolable Principle, to preserve religiously the publick Faith, and to observe with the utmost Strickness the Duties of Justice, and have therefore returned with our Negative your Bill, to which you have given the Title, "An Act for the Establishment of religious Worship in this Province, for the Maintenance of the Clergy and other Purposes therein mentioned," for we are of Opinion that the Act of Assembly, entitled, "An Act for the Establishment of religious Worship in this Province according to the Church of England, and for the Maintenance of Ministers," passed at a Session of Assembly, begun and held at the City of Annapolis in this Province of Maryland on the sixteenth Day of March, Seventeen Hundred and One-Two, was "enacted by legal and constitutional Authority," and therefore is in full Force and Virtue. If upon a dispationate, and mature Consideration, you should not deem it improper at this Time, when Suits are depending on the Validity of the Act of 1701-2, for either or both Houses to publish their Sentiments on the Question, as they may tend to influence the Determinations of the Courts, we shall be ready to enter into a full Discussion of the Subject, on your Communication to us of the Reasons which may have induced you to entertain the Opinion, that the "Act of 1701-2 was not enacted by legal and constitutional Authority, and is therefore void."

We are not only persuaded that the declared Foundation of your Bill is entirely defective, but also that the Provisions of it, aiming