

tant resolutions—to which constant reference will be necessary—which declared (5) that the Province was not under the circumstance of a conquered country; that if it were, the present Christian inhabitants were the conquerors, not the conquered; but that not even against the Indians was conquest the method of settlement. On the contrary, the lands were purchased—(6) that this Province had always hitherto had the common law and such general statutes of England as were not restrained by words of local limitation, and the Acts of Assembly—subject to the same rules of construction as those used by the judges in England. These rules had received the Proprietor's approval by the commissions given to their judicial magistrates except where such words had been casually or carelessly omitted; that whoever advised his lordship or his successors to govern by any other rules were evil counsellors— and (7) that these resolutions were not occasioned by any apprehension of infringement of their principles by the proprietors, but had the intent of informing their posterity as to the nature of their constitution.

The Upper House postponed consideration of these resolves, on the plea that they desired to consult the Attorney-General concerning them, and did not give their approval until two years later.⁴

Not many days later the session came to an end. When the Assembly next met, the Governor communicated to them⁵ the dissent of the Proprietor to the Act of 1722. The letter of veto bore date of March 19, 1722 [3], and further required that this dissent should be recorded. The Governor was instructed, also, not to allow the passage of any Act for the introduction "in a lump" of the English statutes, which had always been held not to extend to the plantations unless by express words located thither. Any one or more found convenient for Maryland should be enacted *de novo* whole or in part.

⁴U. H. J. MS., Nov. 4, 1722. See below, pp. 34-5.

⁵L. H. J. MS., Sept. 25, 1723.