

Col. Ward, from the Upper House, delivers to Mr. Speaker, the following Message, viz.

By the Upper House of Assembly, August 6, 1729.

Gentlemen,  
To Answer to your Message, by Capt. Gordon, and Mr. Jennings, We are of Opinion, that it will be more convenient for all the Members of both Houses to join, in presenting the Address to the Governor, by which it will appear to be done by the Consent of the whole Country, and thereby gain the greater Credit to what shall be propos'd, relating to that Affair, to our Neighbouring Colony of Virginia; with which, if you concur, we are ready to present it, in the Conference Chamber.

The House joins with the Proposal made in the said Message: Whereupon Mr Speaker left the Chair. and he, and the rest of the Members of this House, went to join the Members of the Upper House.

Mr. Speaker, and the rest of the House, return.

Mr. Speaker re-assumes the Chair.

Benjamin Tasker, Esq; from the Upper House delivers to Mr. Speaker, the Paper Bill, Intituled, An Act to prevent vigorous Prosecutions on Sheriffs, Testamentary, Administration, and Deputy Commissaries Bonds.

Indors'd thus:

By the Upper House of Assembly, August 6, 1729.

The Ingros'd Bill, whereof this is the Original, is read and assented to.

Sign'd per Order, John Ross, Cl. Up. Ho.

The Bill, Intituled, A Supplementary Act to the Act, Intituled, An Act for improving the Staple of Tobacco.

Indors'd thus:

By the Upper House of Assembly, August 4, 1729.

Read the first Time, and order'd to lie on the Table.

Sign'd per Order, John Ross, Cl. Up. Ho.

And thus Indors'd, viz.

By the Upper House of Assembly, August 6, 1729.

Read the second Time, and will pass, with the following Amendments; Page 1st, Line 16th, the Word make be left out; and in the 23d Line of the same Page, between the Words use and nor, insert not to restrain any Servants or Slaves, who are Tradesmen, from doing any such Work for the particular Use of their Masters and Mistress, on their own Plantation or Plantations; and in the 21st Line of 3d Page, the Words and other Officers be left out, and in 24th Line of 4th Page, between the Words Counter and any the Words following be inserted, such Person paying the whole Cost accruing upon such Prosecution.

Sign'd per Order, John Ross, Cl. Up. Ho.

And the following Message, viz.

By the Upper House of Assembly, August 6, 1729.

Gentlemen,

We have read and considered your Message of the 2d Instant, by Mr. Beale, and Five others, in Answer to Ours of the 30th of July last; and are sorry to find our Reasons therein given for not passing the Bill sent up by your House, for Improving the Staple of Tobacco, and for Easing the Inhabitants of this Province, in the Payment of Tobacco-Debts, have not given you Satisfaction. But we are much more concern'd and surpriz'd at your alledging that you never heard any Attempts have been made to procure his Lordship's Dissent to the former Tobacco-Law, when it has been so publicly talk'd of, and notoriously known throughout this whole Province, that the Clergy have had some Meetings upon that Occasion, and as 'tis generally thought, some of them are gone over to Great Britain, on Purpose to procure a Dissent to that Law: Our Surprize is still augmented, when you say you cannot conceive to what End such Application should be made; whereas it is known to all Persons who have any Experience in Publick Affairs, that such Applications have proved heretofore fatal to our Laws, by inducing his Lordship to Dissent to them: For altho' it be true, as you assert, that we have a Legislative Power within this Province, and that our Laws when Enacted here, have the Force of Laws; yet we have repeated Instances, that when the Royal Prerogative, or that Part of it which his Lordship is invested with, by the Royal Charter, has been exercis'd in Dissenting to our Laws, they have been no longer esteemed as such, nor are ever put in Execution to those Ends and Purposes for which they were design'd. You confess that his Lordship has Dissented to several of our Laws, and tell us, that you hope it will soon be determined, Whether he has Authority so to do or not? To which we Answer, that whenever it shall be determined by a proper Authority, that his Lordship has not that Dissenting Power, We shall readily submit to such Determination; but 'till then, we think ourselves oblig'd to be conformable to our Legislative Constitution, in such Manner, as it has been derived to us from our Ancestors.

We are very much alarmed, and think ourselves injured by forc'd Constructions put upon our Message, as if we intended any Thing therein, in Derogation of His Majesty's Sovereign Prerogative; such an Intention we disown, of which We have as zealous and dutiful a Detestation, as your House can have; and therefore We desire you'll avoid all Insinuations for the future of calling our Loyalty in Question, which, We doubt not, will always appear equal to your own.

We think you have no Reason to doubt what we mean by a Dernier Resort, since it cannot in this Case be properly applied to any but his most Sacred Majesty; to whose Sovereign Prerogative, as inherent in his Royal Person, or such Prerogatives as are delegated to our Proprietary, when executed by him as a Substitute, We shall always pay an awful Regard; and endeavour so to behave our selves, in all the Acts of Legislation, as not to forfeit that inestimable Privilege: For which Reason, we are unwilling to make repeated Acts to the same Purpose, so soon the One after the Other, lest we should justly be suspected of endeavouring thereby to avoid the Effect of a Dissent to our Laws, and so by abusing our Legislative Power, draw upon our selves such Restraints, as may, in a great Measure, deprive us of it.

To conclude, We are, and always shall be, ready to do any Thing that reasonable we can, for the Benefit and Advantage of our Country; and as an Instance of that good Disposition, proposed to your House in our former Message, the preparing a Supplementary Bill, to supply the Defects in the

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