

And an Ingrossed Bill, entituled, *An Act to enable the Rector, Vestrymen and Church-Wardens of St. James's Parish in Anne-Arundel County, to Lease Lands belonging to St. James's Church, in manner and to the uses therein mentioned :*

Were severally Read and Assented to, and sent to the Upper House, with the Paper Bills, by Col. *Colvill* and Capt. *Hyland*.

Mr. Speaker communicates to the House the following Message communicated to him, *viz.*

*Gentlemen of the Lower House of Assembly,*

When I sent a Message last Session, desiring your House to nominate Two of your Members to join Two of the Upper House, in a Treaty with the *Indians*, I little thought you would have ventured at giving any Instructions to such Members for their Conduct, either before, or at such Treaty; since it was never imagined (I believe), that the Recommendation of a Person, as fit for a Trust or Duty, gave any Right or Authority to the Persons recommending, to direct his Behaviour in any Case; and much less where such Directions might possibly clash or interfere with those he might receive from the Power, by which he was to be invested with such Trust: But I find by a Copy of Instructions sent with your Address of the 23d Instant, that you seem to entertain a contrary Opinion, and which Opinion you endeavour to establish (I suppose) by way of Experiment, how far you may succeed in attempting to get into your Hands a Power, quite inconsistent with our Constitution; and that not in a trifling Case, but upon an Occasion which so greatly concerns the Well-being of this Province, and the Honour and Dignity of Majesty itself, under whom his Lordship holds the Powers and Exercise of Government, that you cannot be surprized if I consider particularly the Liberty (for so I must call it) you have taken in giving Instructions, the Nature of those Instructions, and the Justification of them in your Address.

The Prerogative of making, or treating about Peace or War, is such an acknowledged and undoubted Right in the Crown, that either or both Houses of Parliament never pretended to authorize, or instruct any Minister employed in such Negotiations: This Power is delegated by the Royal Charter, to the Lord Proprietary of this Province, who has done me the Honour, with the Royal Approbation, to appoint me Governor thereof; and yet the Lower House of a *Maryland* Assembly, without my Concurrence or Privity, has in this Instance assumed to themselves an Authority, which a *British* House of Commons never attempted. You cannot now, for the Reasons already given, believe my Willingness to accept of Two Persons upon your Nomination, transferred any other Power to you, than that of Recommending only; and it was impossible for you to conceive their Seats in your House intitled you to any such Authority, since you could not be ignorant that it very rarely happens any Plenipotentiary, or other Minister, is employed in such Negotiations, but who is of the one or other House of Parliament; so that I cannot but look on these Instructions as an Essay, to set up a Power in your House, unknown to every Constitution and Government under the *British* Crown.

The Instructions themselves fall next under my Consideration, and I may safely appeal to every candid Person, whether the whole Tendency of them is not rather to lessen, than support the Dignity of this Government, and to inflame and aggravate, rather than pacify and settle, any Difference which may be between this Province and the *Indians*: For these Purposes, the