

cences as a Grant from the People, and that with Expressions, strongly insinuating, that such Application cannot be made without the Assent of the Representatives of the People, in a Law; to which we answer, that if the late Lord Proprietor, out of his great Condescension to the Importunities of the People, thought proper to pass such an Act, he did not thereby part with his Prerogative, neither can his passing that Act, be construed so as to divest him of his Prerogative, but rather a Suspension of the Exercise of it; and we insist, that if the present Lord Proprietor's Ancestors had passed, or assented to, twenty Acts of the same Kind, such Assent cannot divest him of the Right he has, in Virtue of his Prerogative here, as Lord and Proprietary of the Province, and which is devolved upon him by Inheritance, under the Royal Charter, granted to his noble Ancestors, and that his Prerogative remains in the same Plight and Condition as it would have been in, if such Act or Acts had not been assented to, and is not in the least weakened and infringed thereby.

We readily agree with you, that there is not the least Occasion for entering into Disputes, upon Matters which are so very obvious, and we must confess, we are at a Loss to find any good Reason, why his Lordship should, at this or any other Time, give up his Prerogative, in an Instance where it is contended he has no Right in Virtue of it, purely because he meets with Opposition in the Exercise of it, and because his Excellency our Governor, has, very lately in his Behalf, been so very generous to the Country, to forbear insisting on it, to serve a very pressing and important Occasion. We have made these Remarks, Gentlemen, to justify our saying, in our former Message, that the Attempt to appropriate the Fines arising upon Ordinary Licences, was striking at the Lord Proprietary's Prerogative, and not with any Design to enter into a Controversy upon that Point, at this improper Season, when our Duty to the best of Kings calls loudly upon us to employ our Time more to the Advantage of the common Cause against our Enemies. And, now Gentlemen, having finished all that we intend to say to you upon this Bill, we must tell you plainly, that if you are determined to adhere to it, in the Parts that we have objected to, and will not defer insisting on your Right to appropriate the Fines arising upon Ordinary Licences, until a more favourable and suitable Juncture, the End of our Meeting here will be entirely frustrated, for we cannot concur with you; and hope we shall stand justified in this Conduct, not only before his most gracious Majesty, and our noble Lord Proprietor, but also before all other impartial and unprejudiced Persons whatsoever: But if you can (at this Time of imminent Danger of losing our Laws, Liberties and Religion, and every Thing else that is near and dear to us, and being subjected to Popish Tyranny and Slavery,) prevail upon yourselves to fall upon some other unexceptionable Measures, for raising a necessary Supply, towards rendering effectual his Majesty's Royal Intentions against our most avowed and inveterate Enemies the French, we do assure you we will most cheerfully give all the Assistance in our Power, to the Dispatch of such a Bill, by which Means we may join in giving a sure Testimony of our firm Attachment to his Majesty's most gracious Person and Government, and shew, that we are always ready to obey his Royal Commands.

Signed per Order, J. Ross, Cl. Up. Ho.

His Excellency communicated to Mr. Speaker the following Message, viz.

Gentlemen of the Lower House of Assembly,

IT having been intimated to me, that the Upper House has not been able to agree with Yours, about the Means of raising so large a Sum for his Majesty's Service, as your Vote, at the Beginning of this Session, had given me Room to expect would be granted; I take the Liberty to communicate to you a Letter, that I have lately had the Honour to receive from General Braddock, hoping it will add some Weight to Sir Thomas Robinson's Letter, which has been already laid before you, and incline you to answer, in some Measure, his Majesty's Expectations thereby made known, at least so far as to provide Victuals for such of his Majesty's Forces as may, at their Arrival, be, for a short Time, quartered in, or have Occasion to march through, this Province. Let me hope also, that you will not be averse to continuing on Foot those Men that have been already raised in this Government, and to granting a Sum of Money for that Purpose, as well as for defraying such incidental Charges, as will be occasioned by our hiring or impressing Horses, or Carriages, in this Province, to convey the Soldiers Baggage, and by my Appointment of Persons, at proper Places, to carry any Dispatches between the General's Head-Quarters, and this Place, or elsewhere, as his Majesty's Service may require.

H O R A T I O S H A R P E.

On reading and considering the Governor's Message of this Day: Ordered, That the Committee of Laws do prepare an Address to his Excellency thereon.

Feb. Session, 1755.

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