

FRIDAY, May 5, 1758.

THE House met according to Adjournment: The Members were called, and all appeared as Yesterday. The Proceedings were Read.

Mr. *Sullivan* appeared in the House.

The Bill, entituled, *A Supplementary Act to an Act, entituled, An Act for Limitation of certain Actions, for avoiding Suits at Law*, was Read the second Time, and will pass; and was sent to the Upper House by Mr. *Wilson* and Mr. *John Hammond Dorsey*.

On Reading the second Time the Bill, entituled, *An Act to Repeal Part of an Act, entituled, An Act Repealing Part of an Act laying an Imposition on Negroes, and several Sorts of Liquors, imported; and also on Irish Servants, to prevent the Importing too great a Number of Irish Papists into this Province; and to lay a Duty upon Rum, Spirits, Wine and Brandy, imported into this Province from Pennsylvania, or the Three Lower Counties or Delaware, called New-Castle, Kent and Sussex*, the Question was put, That the said Bill do pass. Resolved in the Affirmative.

For the AFFIRMATIVE,

{	Messieurs	Reeder,	Worthington,	Waggaman,	Woodward,	Handy,
		Sothoron,	J. J. Mackall,	Wilson,	Murdock,	Harris,
		Hammond,	Reynolds,	Govane,	Frazer,	Chapline,
		Gassaway,	E. Gantt,	Cockey Deye,	T. Gantt,	E. Dorsey.
		Carroll,	Hanson,	Dulany,	King,	

For the NEGATIVE,

{	Messieurs	Williamson,	Edmondson,	J. H. Dorsey,	Baker,	E. Tilghman,
		Hynson,	Oldham,	Owings,	Ward,	Bracco,
		Tilden,	Sullivan,	Hyland,	Lloyd,	Beatty.
		M. Tilghman,	Lecompte,	Earle,		

Which Bill was accordingly Indorsed, "Read the second Time, and will pass;" and was sent to the Upper House by Mr. *Carroll* and Mr. *Harris*.

Mr. *Reynolds* and Mr. *Tilden* have Leave to go home.

The Governor communicated to Mr. Speaker, the following Message, viz.

GENTLEMEN of the Lower House of ASSEMBLY,

ALTHO' I am not satisfied of the Propriety of your Address of the 17th of April, or that you keep yourselves within the Bounds of your Duty, when you undertake to direct the Executive Power in it's Administration, and endeavour to influence or anticipate the Determinations of the Ordinary Jurisdictions; yet as such Pains have been taken to infuse Suspicions and Jealousies into the Minds of the People, I shall Answer that Address, and explain the Reasons which induced me, with Advice of the Council, to Order several Companies of Militia to the Western Frontier of this Province since the last Session, not doubting but they will convince every impartial Person, that what you would represent as the Result of an Arbitrary and Oppressive Design, was in fact both a Legal and Necessary Measure.

Since no Person, however fond he may be of censuring my Conduct, will blame or make me accountable for the violent Storm, or the severe Weather that happened after Captain *Browne*, and Captain *Gasson*, received my Orders to march, I pass over what you relate concerning these Accidents; neither do I think it necessary to make any Apology for proroguing the Assembly on the 8th of March last, after your House (as appears by your Journal) dropt all Thoughts of doing the Business for which alone you were called together; but shall proceed at once to examine the most material Parts of your Address, and endeavour to shew that I have not issued any Orders which can be called illegal or unnecessary, and that none of the Inconveniencies or Hardships which any Companies of Militia are said to have suffered, can, with the least Appearance of Justice, be imputed to me.

Were I not desirous of avoiding all unnecessary Disputes with you, I might enumerate many Instances of Governors exercising far greater Authority over the Militia of this Province, before they received any additional Power from an Act of Assembly, than has ever been exercised since I came to this Government; but as you tell me that you have, in your Address, proceeded on a Presumption, that the Orders which were sent to the abovementioned Captains of Militia, were given by Virtue of the Law, for the Ordering and Regulating the Militia of this Province, for the better Defence and Security thereof, I shall endeavour to shew, that on that Presumption, those Orders were in no Respect unlawful.

That