

House any such independent Authority; and therefore, I think, the Upper House are right, notwithstanding this Claim, in which they ought to be supported by the Proprietary, because it is unreasonable for one Branch of the Legislature to assume a Power of Taxing the other by Officers of their single Appointment.

*As to the Insufficiency of the Allowance of the Commissioners of the Loan-Office;*

My Lord should not meddle with this Question, which is proper to be discussed and settled by the Two Houses, as it concerns only the Quantum of Allowance for the Officers, and does not encroach upon any of the Proprietary's Rights.

*As to the Duties required from Lord Baltimore's private Officers, his Agent, and Receiver;*

Here my Lord ought to interpose; for it is a great Indignity to compel his Lordship's Agents into a Public Service, without making them a liberal Allowance and Compensation for their Trouble.

*As to that required from the Sheriffs;*

This my Lord will leave to be debated by the Two Houses.

*As to the Power of the Upper House to examine Claims and Accounts;*

The Upper House are right in making a Stand to this Clause in the Bill, and should take Care how they admit Encroachments of this Kind, where they are supported by Arguments drawn from the Exercise of like Rights in the House of Commons here: The Constitutions of the Two Assemblies differ fundamentally in many Respects. Our House of Commons stands upon it's own Laws, the *Lex Parliamenti*; whereas Assemblies in the Colonies are regulated by their respective Charters, Usages, and the Common Law of *England*, and will never be allowed to assume all those Privileges which the House of Commons are intitled to justly here, upon Principles that neither can nor must be applied to the Assemblies of the Colonies.

*As to the Narrowness of the Exemption of Persons to be Assessors;*

My Lord has nothing to do with this.

*As to the Double Tax on Non-Jurors;*

My Lord would do right to join with the Upper House in opposing this Double Tax, because it is a Breach of Public Faith, and tends to subvert the very Foundations of the *Maryland* Constitution, and can be excused by nothing but a well grounded Jealousy of dangerous Practices, and Disaffection in the Papists.

*As to the Clauses enabling Debtors and Tenants to retain;*

This is very absurd, but my Lord need not meddle with it.

*As to the Tax on Non-Residents and Imports;*

The Upper House are clearly right in that Part of their Objection which relates to *British* Merchandizes imported; for I am satisfied the Mother Country will never endure such an Imposit upon their Trade. The Province may by the same Rule prohibit the Importation, as well as they may tax the Merchandize imported; and it seems to be a very unwarrantable Attempt to make the *English* Importer of Goods, carried to *Maryland* in the Way of Trade, pay a Tax for the Defence of that Province for no other Consideration but the Liberty of Trading there, to which they have an original Right, which cannot be invaded, diminished, or even regulated by any Thing this Province can do.

*As to the Tax on Tenants for Life;*

My Lord will leave this to be settled by the Two Houses.

*As to the Tax on Uncultivated Lands;*

This seems to me a very unreasonable Tax, and ought to be resisted by the Proprietary, because it seems to be principally at his Estates.

*As to Tax on Plate and Ready Money;*

My Lord has nothing to do with this.

*As to the Tax on the Governor;*

This is rather an uncivil than an unjust Tax, and therefore the Upper House would do well to oppose it as far as they may in Reason.

Having given my Sense upon each of the Objections, so far as they have been taken up and maintained by the Upper House, in the Margin of that Part of the Case, I shall only add here a general Piece of Advice to Lord *Baltimore*: That in this Disposition of the Lower House to assume to themselves any Privilege which the *English* House of Commons enjoy here, his Lordship should resist all such Attempts, where they are unreasonable, with Firmness, and should never allow any Encroachment to be established upon the Weight of that Argument singly; for I am satisfied neither the Crown nor the Parliament will ever suffer these Assemblies to erect themselves into the Power and Authority of the *British* House of Commons.

C. PRATT.

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