

ORDERED, That Mr. *Chafe* and Mr. *Ringgold* do prepare and bring in the same.

Mr. *Chafe* brings in and delivers to Mr. Speaker the said Bill: Which was read the First and Second Time, by an especial Order, and will pass. Sent to the Upper House by Mr. *Chafe* and Mr. *Johnson*.

They return and acquaint Mr. Speaker they delivered the Bill.

On Motion, Leave given to bring in a Bill, to ease the Inhabitants of this Province in the Payment of Attornies Fees and Dues to the Clergy.

ORDERED, That Mr. *Ringgold* and Mr. *Chafe* do prepare and bring in the same.

His Excellency the Governor communicates to Mr. Speaker the following Message and Letter, viz.

G E N T L E M E N,

IT has been the Object of my anxious Attention, and is my very earnest Wish, to cultivate an amicable Understanding with the Representatives of the People of *Maryland*; and I am therefore deeply affected with Concern, to be thus driven to express a Disapprobation of the Spirit, by which some of your Proceedings have been guided, and which prompted your last Address. My Duty I shall always esteem it to be, to avoid every Occasion of reasonable Complaint; but I must not forget, that it is my indispensable Duty, to check the Exercise of such Powers, as are incompatible with the indubitable Authority of Government, the permanent Security of Property, and the constitutional Liberty of the Subject. Pretences for Censure are so easily framed, that the most circumspect Behaviour cannot prevent them. When they unhappily excite Animosity, give Rise to querulous Expostulation, tend to promote popular Discontent, and obstruct the Course of publick Business, though the Mischiefs they produce are much to be lamented, yet I cannot but derive great Consolation from Reflexion, when they spring from Passions I am not answerable for. Your positive Assertion, that the last Prorogation was an undue and ill advised Exertion of Power, permit me, Gentlemen, to observe, carries with it no Reasoning to convince my Judgment, nor any Authority to preclude a Vindication, especially as the Motives, which influenced me to apply for the Advice of those who are appointed by the Constitution to give it, and the Reasons by which they evinced the Propriety of their Opinion, have not been explained to you. When Conjecture is indulged, there is great Danger of Deception. Jealousy may raise an Alarm, which an accurate Information of Circumstances might prevent; and under this Influence, Animadversion be directed against the Product of mere Imagination. Whether it would have been more regular in your Department to have called for a Detail of those Motives and Reasons, and arraigned my Conduct in the Exercise of an unquestionable Prerogative, because not agreeable to your Views, or conformable to your Ideas, than it would be in mine, should I require an Account of, and on the same Ground condemn, your Conduct, when exercised in any peculiar Privilege of your House, I shall not undertake to determine; but I must remark that, a precise Information of the Subject ought to have preceded your peremptory Decision upon it, especially a Decision derogatory from the Character of those, who are bound by the strictest Ties not to deserve the Reproach it conveys.

I do not mean to shelter, under Forms, the Principles on which I was advised, and pursued the Measure of Prorogation, and shall therefore frankly explain them. When I acted upon them, I acted on a Conviction that I performed a most incumbent Obligation. When I review them, I have great Complacency in the firm Persuasion, that I did what I ought, and should have been culpable if I had omitted. It can hardly, I presume, be a Question, whether, when a Subject in this Government is illegally deprived of his personal Liberty, it is the Duty of the executive Power to relieve him? Whether, where the Authority to afford Relief is placed, there the Application for it is regular; where this is cognizable, there the Propriety of it is determinable? The Right of Petition is established for Purposes so important, and secured and enforced by Sanctions so interesting, that the Representatives of a free People can never, on any Occasion, dispassionately wish to impair or discountenance it. They would rather be inclined to connive at Improperities in the Manner of exercising the Right, than scan it with a View to censure.

Mr. *William Stuart* having been committed, by Order of your House, to the common publick Jail, made his Application to me, for Relief against the Oppression of an arbitrary Procedure, claiming that Benefit of Protection, to which he, in common with his Fellow-Subjects, is entitled. A Copy of his Commitment was laid before me, by which it appeared, that, on the accumulative Charge "of having taken Notes of Hand as the Clerk of the Land-Office, "for the Payment of Fees contrary to Law, for imposing an Oath as a Justice of the Peace "not appointed and required by Law, and for an high Contempt of your House," he was committed "to be kept safe and close in the publick Jail, until he should be thence discharged "by Order" of your House. I required the Consideration and Advice of the Council upon all the Circumstances of the Case, and their Opinion was, that you had assumed an unwarrantable Jurisdiction, which, if admitted, would cancel all the Guards and Securities provided by a wise and free Polity for the Protection of the Subject, and that, having been illegally deprived of his personal Liberty, Mr. *Stuart* was entitled to the Relief, which an Exertion of the Prerogative might afford him. In Consequence of this Opinion, and the Reasons by which it was supported, I interposed by proroguing the General Assembly from Friday till the Monday next following, after having passed all the Bills ready for my Assent, and flattered myself, that a short Recess (as it had been on other Occasions) would rather be productive of sedate Reflexion, than of the heavy Charge, that I had effectually dismissed a publick Offender from Confinement, ob-