

80 VOTES AND PROCEEDINGS, OCTOBER 1771.

Which was read; and the Amendments proposed were read and agreed to, and the Bill passed for engrossing.

ORDERED, That Mr. Hall and Mr. Grahame do present the Address to his Excellency, which was prepared Yesterday. They return and acquaint Mr. Speaker they have delivered it.

The engrossed Bill N^o. 39, was read and assented to, and sent to the Upper House with the Paper Bill thereof, by Mr. T. Wright and Mr. W. Richardson.

The House adjourns till To-morrow Morning 9 o'Clock.

S A T U R D A Y, November 30, 1771.

THE House met. All Members present as on Yesterday, except Mr. Weems. The Proceedings of Yesterday were read.

His Excellency communicates to Mr. Speaker the following Message.

Gentlemen of the Lower House of Assembly,

A SINCERE undissembled Solicitude for the Welfare of the People, and a generous inflexible Firmness in vindicating their constitutional Privileges, are so laudable, that I should be inclined at least, to excuse a little Excess in the Measures which a sanguine Disposition might form, and eagerly pursue for the Promotion and Stability of the general Interests, to secure Property against Rapaciousness and protect Liberty from Violation, but so many Instances have proved this Virtue of Publick Spirit does not always exist in the greatest Purity, when it is professed with the most ardent Zeal, that Caution and Hesitation in giving Credit to splendid Professions of Disinterestedness, and of Regard for the general Good, can be blamed only by the Folly of Credulity, and the Rashness of Inexperience. Rulers under the Visor of Tenderness, may infringe the Rights of the Subject, and Demagogues under the Guise of Patriotism, fatally seduce their Followers into a Subserviency to their most selfish Views. I wish to have the Sincerity of my Professions tried by my Actions, and that they, who have arraigned my Conduct, may be judged by the same Test. The Censure you have passed in your violent Resolves on a Measure, the Situation of the Province consequent to your own Proceedings in a late Session, rendered necessary, and Passages in my Message, at that Time, having been interwoven with the Reasoning of your extraordinary Address, oblige me to explain those Proceedings, and investigate the Spirit that dictated them; from which, if I am not very much deceived, it will appear to have been the great Object to excite popular Animosity, and that the Resentments you have expressed against my Proclamation, have proceeded from your Persuasion of its having been calculated to prevent Litigation and secure the Publick Peace, and your Apprehension, if left to its proper Effect, it would extinguish the Discontent you took so much Pains to kindle. They who are most impatient of the regular Controuls of an Authority to which they are subordinate, are, not seldom, eager to usurp Power, and disposed, when they expect Submission, to exercise it with haughty Rigour.

The Commitment of Mr. Stewart, the Register of his Lordship's Land-Office, by the Lower House to the common Jail, to be there kept *safe and close until discharged by Order of the House*, appeared to me to be most arbitrary and oppressive; on this Occasion all the Powers, legislative, executive and judicial, were assumed by your House. I interposed and prorogued the Assembly, and assigned the Reasons of my Conduct in the Message to which you have alluded in your Address, and which being fully explanatory of that Transaction, I must take the Liberty to recite.

“ GENTLEMEN,

“ 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 Reflection 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