

Sake, that Usage is to determine the Right, then it will follow, that the most recent Precedents ought to prevail; for although the Upper House may be able to produce some antient Precedents in Favour of their Claims, when the Representatives of the People were not so wary in maintaining their Privileges as could be wished, yet I believe, upon a View of the Journals for many Years back, they will find, that when the Lower House have, upon particular Exigences, suffered any Amendment to Supply Bills, it has been generally, if not in every Instance, with a Reservation of their Rights, which can only amount to an occasional Waver, and not to a Cession of such Rights. But if the People of *Maryland*, as *free British Subjects*, ever had any Title to this Privilege, and there has been no uninterrupted Usage to the contrary, they need not rest upon the Authority of Precedents, since their Claim stands as good and valid to this Day as it was at the first Settlement of the Province, notwithstanding any Concessions which the Arts of Government, or particular Emergences, may at Times have drawn from them.

It is contended by the Upper House, *that the Representatives of the People, although they should call themselves the House of Commons of Maryland, would have no Right to deduce their Privileges from the Lex Parliamenti of the House of Commons of England*, because, as they very shrewdly and profoundly observe, the two Bodies would still be distinct, that is, not the same, notwithstanding such an Appellation. I shall not take
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