

To his Excellency ROBERT EDEN, Esq; Governor and Commander in Chief in and over the Province of Maryland.

The humble ADDRESS of the HOUSE of DELEGATES.

May it please your EXCELLENCY,

AT the opening of this Session, you were pleased to say, "that you had only to request, that we would proceed to compleat the Business recommended to us at the opening of the last Session of Assembly." We shall therefore take up that Business as nearly as can be done, in the same State it was dropt by the late abrupt Prorogation. We should be wanting in Duty to your Excellency, to the People and to ourselves, were we to pass over in Silence a Measure, from which so many ill Consequences flow. When we view, as its Effects, a considerable Charge to the Province; a total Stagnation of Business for several Days; Bills of Importance before both Houses unfinished, that must be taken up anew; the Journal of Accounts laying before the Upper House; the Petitions of many People defeated, or with Expence and Difficulty renewed; an Enquiry into the Grievances of others stopped, and the Parties laid under a Necessity either of attending at a heavy Expence, or going away unheard; a publick Offender released, and publick Justice evaded; we cannot but complain of the Prorogation as an undue and ill advised Exertion of Power: That Power, with which your Excellency, as supreme Magistrate, is constitutionally invested for the good of the People. Whatever might have been your Excellency's Motive, we may be allowed to conjecture, that as the immediate Releasement of Mr. *William Steuart* was to be the certain Effect, his Commitment was the true Cause of the Prorogation; and as we are unwilling that our Conduct should at any Time appear to your Excellency in a disadvantageous Light, and think it our Duty to represent to you the Misbehaviour of your Officers, we take the Liberty of presenting you with a Copy of a Report from the Committee of Grievances at the last Session relative to Mr. *William Steuart*, and of the Resolves and Proceedings of this House in Consequence of it: By which it will appear, that he, as Clerk of the Land-Office, by Instructions from his Principals, had taken Notes of Hand for the Payment of Fees according to Proclamation or Regulation, which should happen, and had also tendered and administered an Oath not appointed or required by Law. These are Attempts, may it please your Excellency, which, as Guardians of publick Liberty, we are indispensably obliged to take Notice of, and to suppress in their very Beginnings: They are such a Violation of the Law, such an Invasion of the Right of the Subject, as cannot be submitted to by a free People.

The Proprietor has no Right, Sir, either by himself, or with the Advice of his Council, to establish or regulate the Fees of Office; and could we persuade ourselves, that you could possibly entertain a different Opinion, we should be bold to tell your Excellency, that the People of this Province ever will oppose the Usurpation of such a Right.

We will not suppose that your Excellency had any Knowledge of, or could possibly countenance these Transactions; and, therefore, we can with the greater Freedom remonstrate against the Conduct of the Honourable *Benedict Calvert* and *George Steuart*, Esquires, who have thus daringly insulted the whole Legislature at that Time assembled for the very Purpose of regulating Officers Fees, by attempting to introduce a Regulation of Fees by Proclamation; a Measure odious to the whole Province, to those, especially, who can remember the Time when the illegal Project was first set on Foot. We are persuaded that your Excellency will, upon every Occasion, pay a due Regard to our constitutional Rights; and as we cannot but view these Proceedings of the Registers of the Land-Office as very high Misdemeanors, and have thought it our Duty to remonstrate against them, we will not entertain a Doubt but that your Excellency, upon this Information of the representative Body, will also consider them as great Infringements of the Rights of the People, and will immediately call those Officers before you, and signify your Displeasure at, and Disapprobation of, their Conduct; and it is our Request that, upon a Repetition of the Offence, your Excellency will, without Hesitation, displace them from their Office. The imposing an Oath without the Authority of Law is an Offence so arbitrary and dangerous in its Nature, that we shall submit to your Excellency, how prudent it may be to continue Mr. *William Steuart* in the Magistracy.

Which was read and assented to, and signed by Order of the House by the honourable Speaker.

ORDERED, That Mr. *Smallwood* and Mr. *Wootton* do acquaint his Excellency, that this House hath prepared an Address to be presented to him, and desires to know when and where he will be pleased to receive it.

They return, and acquaint Mr. Speaker, that the Governor signified he would receive the Address immediately in the Council-Chamber.

ORDERED, That Mr. Speaker, attended by the whole House, do present the Address to his Excellency.

Mr. Speaker, upon his Return, reports, that he delivered the Address to his Excellency.

The Message from the Upper House, brought in by *Daniel Dulany*, Esq; was read a Second Time.

ORDERED, That Mr. *Ringgold*, Mr. *J. Hall*, Mr. *Johnson*, Mr. *Tilghman*, Mr. *Worthington*, Mr. *W. Paca*, Mr. *Chase*, Mr. *Bordley*, and Mr. *Allen*, do prepare and bring in a Message in Answer thereto.

ORDERED, That Mr. *Allen* do acquaint the Reverend Mr. *Jacob Hindman*, that he is requested by this House to read Divine Service, every Morning during this Session, at Three Quarters after Seven.