

to the Assembly in 1721 the Governor was able to express his great pleasure "that those little heats which lately disturbed you are now happily at an end."

Of the important legislation accomplished during the period comprised in this volume, the session of 1721 witnessed the passage of an Act for Preventing the Making of Trashy Tobacco, and for Bettering the Staple of the Province, and in the following February (1721/2) a special session of the Assembly was called for the purpose of making some amendments to the Act in order to render it more effective. The need for legislation upon this subject was urgent. The quality of the tobacco shipped from Maryland had deteriorated, and its price had consequently declined. Considerable quantities had been condemned in England and ordered to be burned, greatly to the loss both of the owners and of the royal revenues from the import duty. Both the Governor and the Proprietary urged the vital importance of improving the quality of the staple, and as an encouragement thereto the latter consented to continue to accept a duty upon tobacco in lieu of his quit rents upon land, although the duty was levied upon the hogshead and a diminution in the quantity of shipments resulting from the maintenance of a higher standard in quality would correspondingly reduce his revenue.

This reform was, however, unpopular with the representatives of the people, and at the session of 1722, the Lower House made attempts first to repeal, and then to nullify the Act. These efforts were defeated by the Upper House.

The session of 1723 was a prolonged one, and was notable for the enactment of two measures of important constructive legislation; first, the creation of Circuit Courts for the trial of all matters of fact as well as all criminal cases in the counties in which they arose, thus relieving the Provincial Court of its criminal jurisdiction and the people of much hardship from the expense and delay incident to attendance upon that court; and secondly, the passage of an Act for the establishment of a Free School in every county of the Province.¹

In an instruction from Lord Baltimore to the Governor dated March 19, 1722, and laid before the Assembly at the session of 1723, it was denied that the Statutes of England had the force of law in Mary-

¹The Free School at Annapolis was established in 1696. An Act passed at the session of 1715 for vesting in the Rector, Governors and Visitors of the Free Schools title to certain land in Annapolis, was classed as a private act in the journals and therefore was not included among the laws of the session printed in Volume XXX of the Archives. The text of the Act is given, however, in Bacon's *Laws of Maryland at Large*, being Chapter V of the session laws.