

voidable accident, shall forfeit and pay the sum of one hundred pounds common money, and a majority of the said field officers may compose the said court; and, in case of the absence of the lieutenant, from sickness or other cause, then the summons for the meeting of the said court shall be issued by the oldest field officer of the county in manner and form aforesaid, under the penalty aforesaid."

Agreed to retain the words, "from actual service or imprisonment," proposed to be struck out by the senate.

Agreed to the following clauses:

"*And be it enacted*, That the said draughts for nine months shall be sent to the American camp commanded by at least one commissioned officer for every twenty-five men, which commissioned officer shall be taken from among any officers who may be draughted, in such manner as the governor and council shall direct: And if a sufficient number of commissioned officers proper for the purpose be not draughted, then the governor and council are empowered and requested to nominate a number sufficient for the purpose aforesaid, which officers so appointed shall be commissioned by the governor, paid by this state, and take charge of the said draughts, and conduct them to the American camp, and remain with them during the time for which the said draughts are continued in service; and that the governor and council be directed to request the commander in chief to appoint such officers from the regular battalions of this state, to command the said draughts, in conjunction with the officers with them sent, in such manner as to him shall seem proper.

"*And be it enacted*, That all recruits and substitutes for nine months, or three years, or during the war, shall be subject to the continental articles of war, and the men draughted, together with the officers sent from this state, shall not be turned into companies with the regular soldiers, unless by their own choice, or voluntary act, and shall be subject only to such rules and regulations as shall be agreed upon by the general assembly of Maryland"—instead of the clauses relating to draughts and substitutes, proposed by the senate to be added at the end of the sixth page of the bill, beginning at the words, "*And be it enacted*, That the said draughts," and ending with the words, "regular soldiers."

Agreed to constitute a court of appeals, in the following manner: "*And*, for hearing appeals from the determination of said court-martial, *Be it enacted*, That the governor and council may, and they are hereby empowered and requested, to issue their commission to each and every county of this state, thereby constituting five of the most respectable inhabitants of such county, who may be above the age of fifty years, or otherwise exempt from militia and military duty, and who may have taken the oath prescribed by the act, entitled, An act to punish certain crimes and misdemeanors, and to prevent the growth of toryism, to sit as judges of a court of appeals; which said court shall have full power and authority, on complaint to them made in nature of an appeal from the judgment of the said court-martial, within ten days after their first meeting, to hear and determine all such complaints in a summary way, and may, in their discretion, mitigate or grant relief against such judgment of the court-martial."

Agreed to strike out the words "of the recruits raised as aforesaid," in page 8, and the words "recruits or," in the tenth line of same page, as proposed by the senate.

Agreed, that the clause relative to the persons who are to maintain the families of absentees stand in the following form: "*And be it enacted*, That all expences that may accrue, by granting any assistance or support to the families of such absentees, shall be defrayed by an equal assessment on the property of all such aged, excused and exempt persons, except as aforesaid, who are not paupers, to be assessed by the justices of said courts, at every county court, if need be, and collected by the sheriffs of the several counties in the same manner county levies are collected, who shall be allowed at the rate of five per cent. for collection, and the said sheriffs shall pay the money so collected to the justices aforesaid, to be by them laid out for the purpose of affording a comfortable and adequate support to the families of such absentees while on service."

By order,

R. RIDGELY, cl. com.

Mr. Bruff and Mr. Lethbury, from the house of delegates, deliver to the president the bill, entitled, An act to procure troops for the American army, thus endorsed; "By the house of delegates, April 11, 1778: Amended agreeable to the report of the conferees of both houses, and will pass."

"By order,

G. DUVALL, cl. ho. del."

Which was read as amended, passed, and sent to the house of delegates by Thomas Contee, Esq;

Mr. West and Mr. Bowie, from the house of delegates, deliver to the president the engrossed bills, No. 4 and 5, with the paper bills thereof; which engrossed bills were thus severally endorsed; "By the house of delegates, April 11, 1778: Read and assented to."

"By order,

G. DUVALL, cl. ho. del."

The said engrossed bills were read, assented to, and the paper bills sent to the house of delegates by William Hindman, Esq;

On