

POST MERIDIEM. The House met.

Capt. *Ware*, appeared in the House.

Col. *Hooper*, from the Upper House, delivers to Mr. Speaker, the Paper Bill, entitled, *An Act for the Building a Vestry House at Chester Church, in Kent County, and Inclosing the Church Yard*: Indorsed, "By the Upper House of Assembly, Nov. 14, 1766: The Ingrossed Bill, whereof
" this is the Original, is Read and Assented to.

" Signed by Order,

U. SCOTT, Cl. Up. Ho."

G. *Plater*, Esq; brings in and delivers to Mr. Speaker, a Bill, entitled, *An Act for the Adjournment and Continuance of Frederick County Court*: Which was Read the First and Second Time, by an especial Order, and will Pass.

D. *Dulany*, Esq; from the Upper House, delivers to Mr. Speaker, a Bill, entitled, *An Act to Repeal Part of an Act, entitled, An Act for the Encouragement of such Persons as shall undertake to build Water-Mills*: Indorsed, "By the Upper House of Assembly, Nov. 14, 1766: Read the
" First and Second Time, by an especial Order, and will Pass.

" Signed by Order,

U. SCOTT, Cl. Up. Ho."

Which Bill was Read here the First Time and Ordered to lie on the Table.

The House adjourns till the Morrow Morning at IX of the Clock.

S A T U R D A Y, November 15.

THE House met. All appeared as on Yesterday, except Mr. *Sullivan*, S. *Wilson*, Esq; and Mr. *Key*.

The Petition of the Magistrates of *Frederick County*, was Read the Second Time, and Leave is given to bring in a Bill according to Prayer.

ORDERED, That Mr. *Fielder Gantt*, H. *Hollyday*, and J. *Hall*, Esqrs. and Capt. J. *Chapline*, do prepare and bring in a Bill accordingly.

William Murdock, Esq; brings in, and delivers to Mr. Speaker, the following Report, viz.

By the Committee appointed by the Honourable House, to Enquire and Report to the House by what Law or Custom the Lord Proprietary of this Province receives the Fines, Forfeitures, and Amerciaments, arising in the Courts of Justice; and also the Twelve-pence per Hoghead on all Tobaccos Exported out of this Province; the annual Amount of such Fines, Forfeitures, Amerciaments, and Twelve-pence per Hoghead, for the last Seven Years; to what Uses and Purposes the same have been applied, with their Opinion as to the Justice of such Receipt and Application; and that the said Committee have Power to send for Persons, Papers, and Things, necessary to perfect such Enquiry and Report.

YOUR Committee, in pursuance of the Directions of the Honourable House, do find, that King *Charles the First*, by Charter, dated in the 8th Year of his Reign, *Annoque Domini 1633*, amongst other Things, Granted to *Cacilius Calvert*, first Lord Proprietary of the Province of *Maryland*, "All and singular such, and as ample Rights, Jurisdictions, Privileges, Prerogatives, "Royalties, Liberties, Immunities and Royal Rights, and Temporal Franchises, whatsoever, "as well by Sea as by Land, within the Regions, Islands, Islets, and Limits, aforesaid; to be "had, exercised, used, and enjoyed, as any Bishop of *Durham*, within the Bishoprick or Coun- "ty Palatine of *Durham*, in our Kingdom of *England*, ever heretofore hath, had, held, used, or "enjoyed, or of Right could or ought to have, hold, use, or enjoy."—Under this Charter, the Lord Proprietary in the Infancy of this Province, took the Fines and Forfeitures arising at the Common Law, as supreme Magistrate; and, having in his Hands all the executive Powers of Government, his Successors have continued, in like Manner, to receive them, either by themselves or their Governors here, down to the present Time, without any Interruption that we know of, but only during that Period in which the Government was in the Hands of the Crown, when the Fines and Forfeitures were received by Officers under the Crown, and not collected by the Agent of Lord *Baltimore* as Part of his private Fortune and Estate; the Forfeitures appropriated by particular Acts of Assembly to the Support of Government, and given to the Lord Proprietary from Time to Time for that Purpose, have likewise been received in Virtue of those Acts: To what Uses the said Fines and Forfeitures arising at the Common Law, or under particular Acts of Assembly, have for some Years past been applied, your Committee are not informed, but have Reason to think they have been disposed of at the Pleasure of the Lord Proprietary for the Time being, and not appropriated to any public Use whatever.

Your Committee observe, that after the Government came again into the Hands of the Lord Proprietary, in the Year 1716, it was thought Necessary to pass an Act for transferring the Payment of all such Fines, and Forfeitures, as should thereafter arise and happen upon the Breach of any the Penal Laws of this Province, to the Right Honourable the Lord Proprietary; by which Act, amongst other Things, it was enacted, that "Where, by any of the Laws of this Pro-