

the test to all officers, because he is bound by the very nature of his office to maintain and defend the freedom and independency of this state; and therefore these especial duties ought to be pointed out in the oath of office, although contained in the test.

We are not to learn our duties we owe to our country as citizens and legislators, nor have we forgot the sacred obligation confirmed by the oath taken by us before we acted as senators. We thank you however for the attention shewn to our welfare, by your friendly admonition. We only wish it had been communicated free from those insinuations which are vainly calculated to wound our reputation.

We have receded from our amendments relating to absentees and non-associators, or have altered them in such manner, as we think will take away every objection. To the persons who since the 14th day of August, 1775, fled from this state, twelve months are allowed for their return, and instead of signing the association they must take the oath of fidelity to enable them to hold any office of trust or profit in this state; and unless they return during the war, they will be deprived even of this advantage, and will remain for ever excluded from all employments civil and military. Non-associators residing in this state must, instead of signing the association, take the oath of fidelity before the first of August, or draw on themselves the above incapacity. We have lengthened the time to the first of August for taking the oath, because we conceive there is no difference between punishing men by a retrospective law, and one to operate within a limited time, so short as to exclude the possibility of notice.

We still remain of the same opinion with respect to the reward allowed for taking up persons travelling without passes; have therefore rejected it. The reward we consider as a tax upon travellers from our sister states, unacquainted with our laws, and as an encouragement to the idle and profligate to lie in wait for travellers merely for the sake of the money to be obtained from them. We must also observe, that even a compliance with the law will not exempt the compliers from the payment of the fine.

Desirous of giving every effectual security to our government, and convinced of the importance of many parts of the bill, we should be very sorry that the loss of it should be imputed by your and our constituents to either house; and therefore we are unwilling to suppose a determination in your house, which might be inferred from the conclusion of your message, to reject the bill altogether, unless you can obtain our consent to those parts of it upon which we differ with you.

If an agreement of the two houses cannot be obtained upon every part of the bill, surely there can be no reason to justify such an attachment to opinion in either, as to reject the whole upon that account. We propose therefore, that if you should still differ with us upon the amendments retained, that such parts of the bill as can be agreed to by both houses, pass into an act.

“ By order,

R. POTTS, cl. sen.

Which was read the first time and ordered to lie on the table.

Mr. Tillard has leave of absence.

The bill, entitled, An act to establish a board of commissioners to superintend the marine department, &c. read a second time, passed, and sent to the senate by Mr. Jordan and Mr. Kent. They return and acquaint Mr. Speaker they delivered the bill.

Mr. Kent from the committee appointed to examine the accounts and proceedings of the commissioners of the loan-office, brings in and delivers to Mr. Speaker a report, which was read the first time and ordered to lie on the table.

This house having, agreeable to the form of government, appointed a board of auditors to state and adjust all accounts of this state, relating either to the collection or expenditure of the revenue, RESOLVED, That the governor and the council, or in the absence of the governor the council, be authorized to examine and adjust all accounts transmitted by the auditors, and to draw orders on either of the treasurers for payment, and the treasurer shall pay all such orders. Sent to the senate for their concurrence by Mr. Ennalls and Mr. Brice.

Adjourned till 3 o'clock.

#### P O S T M E R I D I E M.

The house met. Mr. Ridgely appeared in the house.

Samuel Wilson, Esq; from the senate, delivers to Mr. Speaker the bill, entitled, An act to continue the acts of assembly therein mentioned, thus endorsed; “ By the senate, April 14, 1777: “ Read the first time and ordered to lie on the table.

“ By order,

R. POTTS, cl. sen.

“ By the senate, April 16, 1777: Read a second time and will pass with the amendment herewith sent.

By order,

R. POTTS, cl. sen.”

Amendment proposed by the senate.

Strike out the word “ seven” in the 11th and 12th lines of the 4th page, and insert the word “ three” in each line.

By order,

R. POTTS, cl. sen.

The amendment was read and agreed to, and the bill passed for engrossing.

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