

Witness our Trusty & well beloved ffrancis Nicholson Esq^r Lib. H. D.
Cap^t Gen^l & Govern^r in Chief in & over our s^d province and p. 329
Territory of Maryland.

ffr. Nicholson

Ordered that the Sherriff of Ann-Arrundell County do (vpon sight hereof) take into his custody the body of Jeremiah Waters Master of the Briganteen, called the Hare, now riding in Herring Bay within the s^d County, as also summon Samuell Chew, so that they both be & appear before his Excell the Govern^r (at the port of Annapolis) to Answer & c^a

Came accordingly the s^d Jeremiah Waters & Samuell Chew, who being asked concerning the Lading of the abovementioned ship taken in at the Madera's this last Voyage & her Entry making here, & the Reason of his Running with the s^d Vessell from one place to another, after such Entry making; and the s^d Waters Examination & Answer being taken in Writing; Ordered that it be Referred to M^r Attorney & Sollicito^r Gen^l to consult whether a Master, Entring his Vessell in one Port can by Vertue thereof go to any other place & Land Goods, than where the Officer Entring the same has Jurisdiction.

Ord^r of Reference, whether Wine shipt by an Alien & imported in a Vessell belonging to ths province, should pay the 4^d p Gall & c^a

Ordered that it be Referred to M^r Attorney and Sollicito^r Gen^l whether Ten pipes of Wine imported last year in the Briganteen called the Hare (belonging to the Consul of the Madera's) ought not to pay the 4^d p Gall Duty notwithstanding the Vessell importing the same is this Countrey built & off & belonging to this province; And that they consult what the Law says in such Case.

Whitehall

Which s^d Reference came Reported thus, Viz^t

To his Ex^{ncy} the Govern^r & c^a

Report vpon the above Ord^r

In obedience to this Command We humbly say that according to the Reason & sence of the Law in our thought, the Ten Pipes of Wine ought to pay the Duty; ffor the Clause in the Law is only in favour of Residents in this Province & increase of Shipping & Navigation, both which faile in the present Case; And when the inductive Reason of any Law, either indulgent or penall failes, the bare Letter ought to attend it, which We humbly submit to your Excell & are

Whitehall

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Yo^r most obedient
George Plater
Will^m Dent