

L. H. J. for the whole of which he was Ready to pay the Imp<sup>t</sup> and desired that noe advantage might be taken ag<sup>t</sup> him for the same for want of a post Entry, and that this house would be pleased to order him to whome he should pay the s<sup>d</sup> Impost.

It is resolved upon by the house that he pay the same to the navall officer for the District of the port of Annapolis and that no advantage shall be taken thereon for want of such post Entry as a foresaid, if his Ex<sup>cy</sup> and the hon<sup>ble</sup> Councill shall approve of the same.

Signed by order  
Ch<sup>r</sup> Gregory clk: house of Delegates.

Ordered that M<sup>r</sup> Benj<sup>a</sup> Hall and M<sup>r</sup> Thomas Hicks carry up the afores<sup>d</sup> Message to his Ex<sup>cy</sup> and Councill.

The Comittee appointed to draw up the address to his Ex<sup>cy</sup> on behalfe of M<sup>r</sup> Philip Clarke presented the same which was read, Viz<sup>t</sup>

To His Ex<sup>cy</sup> Francis Nicholson Esq. Cap<sup>t</sup> Gen<sup>l</sup> &c. and his Maj<sup>ties</sup> hon<sup>ble</sup> Councill.

The humble address of the house of Delegates.  
May it please yo<sup>r</sup> Ex<sup>cy</sup>

It being evident to this house that M<sup>r</sup> Philip Clarke one of the members thereof is now detained in prison, and it falling under our Consideracōn, to inquire for what crime the said Philip Clarke was so detained, and whether under such convictions as debarred him from the Service of this house in order whereunto Inquiry was made of the Sherriffe by what precept and for what crime the said Philip Clarke was by him detained, his answer was that he was detained by virtue of a Capias ad Satisfaciendum for six thousand pounds of Tobacco due to the King, but could produce no such precept, and having examined former presidents in the like case do find that no member ought to be restrained from the Service of this house, but for Treason, felony, or denying surety for the peace.

Therefore do humbly conceive that his being present here is our undoubted Right and priviledge, and for that Reason do humbly pray your Ex<sup>cy</sup> that the said Philip Clarke may be permitted to come and sitt in this house as being esteemed a usefull member thereof.

Signed by order  
Ch<sup>r</sup> Gregory Clk: house of Delegates.

M<sup>r</sup> Benjamin Hall and Thomas Hicks, returne and say they have delivered their Message.