

ing Prisoner in Ann Arundel County Goal Michael Taylor a languishing Prisoner in Prince Georges County Goal William Burroughs a languishing Prisoner in Kent County Goal, James Carter a languishing Prisoner in Cecil County Goal Sarah Butcher a languishing Prisoner in Dorchester County Goal and William Bigges a languishing Prisoner in St Marys County Goal thus subscribed

26 July 1740

Read and assented to by the Lower House of Assembly

Signed p Order M Macnemara Ct Lo H.

Read and assented to by this House and Ordered to be so subscribed

Adjourned till Monday Morning ten of the Clock

Monday Morning 28 July 1740

July 28

This House met again according to Adjournment

Present

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The honourable	{	Benjamin Tasker Esq ^r	} Col Charles Hammond	
		Edmund Jenings Esq ^r		} Col Levin Gale
		Cot James Hollyday		

The following Message is sent by Col Gale

By the Upper House of Assembly 28 July 1740

Gentlemen

We are very much surprized, that you should think it inconsistent with Your Duty, and the Laws of the Province, to allow the Article of 120^l Tobacco to the Chancellor, since that Fee arises from the Mercy and Lenity of the Governor Shewn to an Offender by the Seal of a Pardon: And it must appear very extraordinary that the Use or Charge of the Seal for such a Purpose is found fault with by the Representatives of the People, nor can We presume there is any Law against the Allowance, for We never heard that the Seal to a Pardon was ever before scrupled, or otherwise paid, than by the Publick

As We apprehend from the Reasons you give for the disallowance of the 54898^l Tobacco to the Secretary and Attorney General, that you are not thoroughly apprized of the Nature of Those Fees, or the Prosecutions on which they arose; We must observe to you, that little if any, of the Account of 5647½ due to the Secretary is founded on the like Prosecutions as those in the Other Accounts of 21250½ to the Secretary and 28000 to the General, and therefore not lyable to Your Objections in Your Message of the 26 Instant; But as to those two latter Accounts, the Prosecutions on which the fees arise were commenced and carried on for the Punishment of Violences and Outrages committed on the Borders of this Province, and in Order to preserve the Peace and protect and secure such of Our