

Friday Morning 10 July 1747

This house met again according to Adjournment

U. H. J.  
Liber No. 34  
July 10

Present as yesterday

An Engrossed Bill from the Lower house by Mess<sup>rs</sup> Worthington & Hall Entituling an Act repealing an Act of Assembly Entituled an Act to Enable the Rector Vestrymen and Church Wardens for the Time being of Saint Anns Parish in Ann Arundel County to Lease Certain Lotts in the City of Annapolis in Manner and to Uses therein mentioned and to Enable the said Rector Vestrymen & Church Wardens to Lease certain Lotts of Land within the said City of Annapolis, thus Subscribed 9 July 1747

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 3 of the Clock in the afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

The following Message is Sent to the Lower house with the Assize Bill by Cof Plater

By the Uper house of Assembly 10 July 1747

Gentlemen We can never think of Departing from the first amendment Proposed to the Assize Bill, since the Bill as it now Stands in that Point would Destroy a foundementual Part of the Constitution of the Provincial Court and is neither Consonant to Reason nor in any Sence agreeable to the Laws of England.

As to what Relates to the Special Verdicts in civil Cases the words p. 196 we Propose being the same as they were in the former Acts we cannot Depart from them

We are persuaded You cannot on a Matture Consideration Desire Us to reside from the fourth amendment Since it may happen as that Part of the Bill now Stands, that not only a Guilty Person may be acquitted but even an Innocent Person Punished on a Doubt Besides the Clause import such an absurdity by Supposing the Prayer of the Criminal should either Enlighten the understanding or Clear up the Doubts of the Judge that neither house would Desire should appear in a Law

As to the duration of the Law that we may take from You all Doubt of our Earnestness to Comply with the Expectation of Your house as far as Possible We Propose the Continuance of it to be untill the first day of November 1749

Signed p Order John Ross Ct Up Ho.

Adjourned till to Morrow Morning ten of the Clock.