

nesses residing beyond sea and for the more easy foreclosure of mortgages." No papers explaining why this act was dissented to by the Lord Proprietary have been unearthed, so further comment is unprofitable, but it was doubtless on legal grounds and on the advice of William Murray, later Lord Mansfield, as it was he who at this time was the legal advisor to Frederick, and upon whose recommendation the act next mentioned was also vetoed.

An act had been passed in 1720 vesting a good title in Richard Bennett in certain lands in Maryland. The Assembly at this 1753 session repealed this earlier act, and under the terms of the repeal ownership in the land was wrested from Bennett Chew, a minor, who had inherited it from Richard Bennett, and vested by the act in another claimant, Thomas Catterall. Reading the voluminous papers in the case reported in the Appendix, the repeal act seems to be a clear case of confiscation of private property by legislative authority without due process of law. Murray in his opinion to the Proprietary, dated November 16, 1754, declares, "I think the Act of Repeal so very bad and unjust upon the Face of it, and so Dangerous an Example, that if no Opposition had been given to it, nor Application made to the Lord Proprietary He ought in Wisdom and Justice, of his own accord, to have dissented thereto, and I apprehend that no more is necessary then to read the two Laws to be fully convinced that the last ought not to stand; nor such a Precedent be endured." It would be interesting to know how such legislation could have passed both houses, especially in view of the fact that Bennett Chew, probably then about eighteen or nineteen years old, was a step-son of no less a person than Daniel Dulany, the elder, and had at the time two influential step-brothers, Daniel Dulany, the younger, and Walter Dulany, in the Lower House.

Acts authorizing the cutting of entails, empowering vestrymen to build and repair churches, appointing visitors to county schools, authorizing the exchange of lands, the laying out of Long Point in Cecil County, the building of county prisons and court houses, and the recovery of moneys from delinquent sheriffs, will be found among the laws passed. The usual act empowering the public printer, Jonas Green, to print the session laws and the Votes and Proceedings of the Lower House for the session was approved. A former act prohibiting the sale of liquors and the holding of horse races near the yearly meetings of the Quakers was further strengthened; and another old act was amended to prevent the sale of strong liquors by persons having no license.

The fourth session of the Assembly elected in 1751, which met February 26, 1754, was called by the Governor to act upon the critical situation which was rapidly developing on the western frontier. Sharpe addressed both houses and transmitted to them a letter from the Lords of Trade and Plantations directed to the governors of the several colonies, urging them to secure the appointment