IV

IMPORT DUTIES ON CONVICTS

A

MEMORIAL OF JOHN STEWART, 1757

MEMORIAL OF JOHN STEWART, MERCHANT OF LONDON, DATED MAY 4, 1757 REQUESTING THAT HE BE REIMBURSED FOR THE IMPORT DUTIES PAID BY HIM ON CONVICTS TRANS-PORTED INTO MARYLAND, WHICH DUTY WAS PAID UNDER THE ACT OF THE ASSEMBLY OF 1754; TOGETHER WITH AN OPINION FROM WILLIAM MURRAY, FORMERLY THE KING'S ATTORNEY-GENERAL AND NOW LORD MANSFIELD, THAT THIS DUTY WAS IMPOSED CONTRARY TO THE LAWS OF ENGLAND.

To The Right Honourable The Lord Baltimore Proprietor of His Majesty's Colony of Maryland.

The humble Memorial of John Stewart Merchant of London.

Sheweth

That about the Year 1754 the Assembly of that Colony passed a Law imposing a Duty of 20.^{s} ℗ Head on all Servants imported there;—Under the Authority of which Law the Naval Officers there have exacted and received of Your Memorialist's Agents the Sum of 20.^{s} ℗ Head for Convicts transported to that Place in Obedience to Your Memorialist's Contracts with His Majesty and his Courts of Justice in this Kingdom.

When Your Memorialist first received Advice of such Law, Your Memorialist apprehensive of its Consequences directed His Majesty's Attorney General's Opinion to be taken as a Rule for his Conduct.

Such Opinion with the Case Your Memorialist now presumes thus to lay before Your Lordship,

4.th Geo: 1. 1. 11.   This Statute, for the more effectual Trans-portation of Felons,

" After Reciting that it had been found by Experience that the
" Punishments inflicted by the Laws against the Officers therein
" enumerated had not proved effectual to deter persons from being
" Guilty of those Crimes: And that many Persons to whom Royal
" Mercy had been extended upon Condition of Transporting them-
" selves to the West Indies, had often neglected to perform that
" Condition; And that in many of His Majesty's Colonies and Plan-
" tations in America, there was great Want of Servants, who by
" their Labour and Industry might be the Means of improving and
" making the said Colonies and Plantations more useful to this
" Nation: