

but likewise for the Repealing or Explaining so much of the Law in Question as will prevent the like Exactions for the future.

Here Your Memorialist finds it necessary from a cursory View of the Act in the Hands of M^r Calvert to express his Apprehensions that the ambiguous Term of Servants, which appear to be the Object of that Duty may admit of some Doubt as to the true Construction thereof. As Convicts transported are by the Statutes of this Kingdom declared to be the Servants of the Contractor and his Assigns and are by the Inhabitants of that Colony generally called Seven Years Servants and by that Denomination distinguished from indentured Servants, it obviously appears that your Lordship's Officers have acted under the Indemnity of that Law and therefore Your Memorialist can have no Remedy against them.

Jn^o Stewart

[Endorsed on back]

To The Right Honble The Lord Baltimore M.^r Stewart's Memorial

4 May 1757 R^d H H

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THE CASE AS PRESENTED BY LORD BALTIMORE, AND THE LEGAL OPINION OF THE ATTORNEY-GENERAL, SIR ROBERT HENLEY, 1757

THE OPINION OF SIR ROBERT HENLEY, THE KING'S ATTORNEY-GENERAL, DATED JUNE 27, 1757, TO FREDERICK, LORD BALTIMORE, IN REGARD TO THE DEMAND OF JOHN STEWART FOR THE REIMBURSEMENT OF DUTIES COLLECTED FROM HIM UNDER THE ACT OF 1754 OF THE MARYLAND ASSEMBLY UPON CONVICTS SHIPPED INTO MARYLAND, AND AS TO WHETHER THE IMPOSITION OF THIS DUTY WAS CONTRARY TO THE LAWS OF ENGLAND; TOGETHER WITH A RESUMÉ OF THE MARYLAND AND BRITISH LAWS BEARING ON THE MATTER.

Case

24 July 1754 An Act was passed by the Governor, Council & Assembly of the Province of Maryland Entitled "An Act for his Matys Services" Reciting a Letter from Lord Holderness to the Governor in Aug.st Preceding Signifying the March of y.^e French & their Indians to Commit Hostilities on his Matys American Dominions & that the Governor of Virginia had likewise given Notice that the French had Dispossessed many British Subjects of their Settlements and also Reciting the Defeat of Colonel Washington near the Borders of that Province. Therefore to Demonstrate their Willingness to Answer his Matys Commands & to Assist their Neighbouring

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