

days later this house addressed the Governor and attempted to explain why it would not follow Aitken's request, and in this reply took its usual dig at the good faith of the Governor. Had it known earlier, said the House, of Mr. Aitken's appointment as Indian Agent, it might have passed a different bill. It added that if the Cherokees now on the border came with the knowledge of Mr. Aitken's attitude, they should apply for some other reward, but if they came to Maryland without that gentleman's permission they will certainly expect the rewards promised them for scalps and prisoners. Nor would the house consent to a bounty act until the Governor's statement was verified that Virginia no longer offered scalp bounties, and until it had an opportunity to examine Mr. Aitken's commission from the King and the Virginia regulations in regard to bounties. This insulting address to the Governor was adopted by the Lower House by a vote of 28 to 8 (pp. 345-346).

Early in the March-May, 1758, session an act was passed on March 31 appropriating £300 for additional presents to the Cherokee Indians on the frontier and for a small party of them then in Annapolis. Payments were also to be made of £36:9:9 to John Cromwell for conducting the party from Fort Frederick to Annapolis, £20 to Richard Smith as an interpreter, and £40 to Catherine Jennings for their maintenance in Annapolis (pp. 476, 690-691). Other expenses were incurred in conducting the Indians back to Fort Frederick (pp. 565-566).

#### DUTY ON CONVICTS

The question of the legal validity of the collection by the Province of an import duty on convicts shipped from Britain to Maryland and sold here as servants, became a heated political question at these sessions. The dumping of convicts into Maryland by the home government had always been resented by the more far-seeing people of the Province. Sent over as purely commercial ventures by ship owners, and upon arrival sold by the captains to the highest bidders as servants bound out for seven years or upwards, these unfortunates with few exceptions proved to be poor servants, and if they survived their terms of servitude turned out to be equally poor citizens. In an attempt to restrict this trade and at the same time to derive any revenue possible from it, the Assembly at the July, 1754, session, had in the Supply act imposed the heavy duty of 20 shillings on each servant having seven years or longer to serve, with a view to thus bringing convicts under the taxable servant class (*Arch. Md.*, 1, 550). This act, which had expired by limitation, had been only partially enforced, because certain ship owners, notably John Stewart of London, had refused to pay the 20 shilling duty on the ground that these were convicts and not servants, and that the rights of the Crown to do what it saw fit with its convicts were thus infringed. In this view the Governor and the Upper House were reluctantly inclined to concur until the home government should definitely rule on the question.

The Lower House now sought to force the Governor's hand. On May 4, 1757, it addressed the Governor, severely censuring him for his failure to bring suit against the Naval Officers of Annapolis and of the Potomac and their