

L. H. J.
Liber No. 51
Oct. 24

their Rights and Privileges of Treaties and Trade with the English, of whom we yet frequently purchase their Rights of such Lands as we take up, as well as of the Lord Proprietary.

Resolved further, That this Province hath always hitherto had the Common Law, and such general Statutes of England, as are securitative of the Rights and Liberties of the Subject, and such Acts of Assembly as were made in the Province to suit it's particular Constitution, as the Rule and Standard of it's Government and Judicature; such Statutes and Acts of Assembly being subject to the like Rules of Common Law, or equitable Construction, as are used by the Judges in construing Statutes in England; which happy Rules have, by his Majesty and his Royal Ancestors, and also by his Lordship and his Noble Ancestors, or some of them, been hitherto approved, by having the Commissions of Judicature to include Directions of that Nature to the several judicial Magistrates; unless those Words
p. 9 have at any Time been casually or carelessly omitted by the Officers in this Province, that drew such Commissions.

Resolved, That the Levying and Taking the Sum of Twelve Pence Sterling per Hogshead, by the Right Honourable the Lord Proprietary of this Province, on all Tobacco exported out of the same, under Pretence and Colour of the Act of 1704, is not warranted by Law.

Resolved, Nemine Contradicente, That if the above Act of 1704 had been in Force from the Restoration of the Government by the Crown to the Right Honourable the Lord Proprietary, to this Time; yet, the Sum of Three Pence Sterling, Part of the said Twelve Pence Sterling, agreeable to the Plain Construction of the abovementioned Act of 1704, and her late Majesty Queen Anne's Instructions to her Governor here when the said Act was in Force, ought to be applied towards the purchasing of Arms and Ammunition for the Defence of this Province.

Resolved, That the Hours of Sitting this Session, for Dispatch of Public Business, be from Nine of the Clock until One; and from Two of the Clock Afternoon until Five.

Ordered, That Col. Tilgman do acquaint the Reverend Mr. Clement Brooke, That he is desired by this House to Read Divine Service, at a Quarter before Nine in the Morning, and at Five of the Clock Afternoon, during this Session.

The House appointed Mr. John Goldsborough, Alexander Williamson, Esq; Mr. Carroll, Mr. Edward Dorsey, Mr. Key, and Mr. Murdock, a Committee of Elections and Privileges.

Mr. Murdock, Mr. John Goldsborough, Mr. Gassaway, Major Waggaman, Mr. Govane, Col. Cresap, and Major Hynson, a Committee of Accounts.