

the English Nation", as its Christian inhabitants had been "encouraged by the Crown to transplant themselves hither for the Sake of improving and enlarging it's Dominions" and as such it's inhabitants were entitled as in the past to the benefits of "the Common Law and such general Statutes of England as are securative of the Rights and Liberties of the Subjects; and such Acts of Assembly as were made in the Province to suit it's particular Constitution", and that all commissions to judges should distinctly so declare (p. 16-18).

The house further resolved that, although it denied that the law of 1704 imposing an export duty on tobacco was still legally in force; even if this act were unjustly construed to be valid, the misappropriation of three out of the twelve pence export duty by the Proprietary for his personal use, on the grounds that this was his prerogative, was clearly unwarranted and illegal. Under this act, which was passed in 1704 when Maryland was a royal province, a duty of twelve pence a hogshead was to be collected on all tobaccos shipped out of the Province, three pence of which was to be applied to the purchase of arms and ammunition for defense. After the Province was restored to Proprietary rule in 1714, the lords Baltimore continued to collect the tax formerly spent for defense and appropriated it for their personal use.

Governor Sharpe opened the session with an address to both houses in which he declared that the events of the last session "were such as unhappily gave occasion for an odious Distinction to be made Between the Inhabitants of Maryland and those of the Neighboring Colonies and inclined His Majesty's Generals who were appointed to command his Forces in these parts to entertain a very unfavourable Opinion of the People of this Province". The Governor further said that he had told the commander that he did not believe it was the desire of the people in general to be exempted from contributing their quota for the contemplated expedition under Forbes, but that the failure to do so was due to the disagreement between the two houses as to the method of raising the money; and that General Forbes as a result of these representations had advanced funds for the support of the Maryland troops now in service under him until the Assembly could meet again and reimburse him. The Governor urged the Assembly to devote itself first to the preparation of a Supply bill and not to allow itself to be diverted to other less important matters (pp. 3-5). Forbes in a letter to Sharpe dated at the Camp at Carlisle, July 20, 1758, which was laid before the Assembly, wrote that "being very adverse to your Troops being disbanded at this critical Juncture when in all Probability I shall have great occasion for their Service, I am induced to Advance a Sum of Money . . . to pay your Troops the arrears that are due to them" and that "I shall not Scruple to Assure them that they will most Certainly be paid as Long as they shall Continue in the Service". Forbes also said that he had repaid Mr. Ross for the advances made by him to victual the Maryland troops, and added that these advances were made "upon the Credit of the Province to be repaid me out of the first Money that your Assembly may raise", and requested that the Governor will "Communicate with Letter to them that they may be thoroughly apprised of my Intention and Expectation" (p. 5).