

Magistrates of Ann Arundel County is further referred till Saturday next

L. H. J.  
Liber No. 54  
Oct. 24

The House adjourns till To-Morrow Morning 9 O'Clock

Friday October 25.<sup>th</sup> 1771

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The House met.

All Members present as on Yesterday.

The Proceedings of Yesterday were read.

M.<sup>r</sup> W. Richardson, M.<sup>r</sup> S. Wright, M.<sup>r</sup> Sim and M.<sup>r</sup> Worthington appeared in the House

The Order of the Day being read; the House resumed the Consideration of the Matter relative to M.<sup>r</sup> John Frederick Augustus Priggs and after some Debate thereon referred the further Consideration thereof till To Morrow Morning

His Excellency communicates to M.<sup>r</sup> Speaker the following Message

Gentlemen,

A Revision of the Criminal Law had been recommended in May Session 1768 to the Assembly then convened by my worthy Predecessor, and at the Opening of a late Session, I also requested your Consideration of the same Subject.

From the Answers given to Colonel Sharpe, and to myself, on those Occasions, as well as from other peculiar Circumstances, I inferred that a general Recommendation would be sufficient; but an Explanation of the Grounds, on which I have pressed you to consider the State of the Penal Law, being now desired, I must observe, that there is not I apprehend, any precise, invariable Rule established, by which the Extent of the Penal Statutes of England may be ascertained; and, therefore, in what Cases Punishment may be regularly inflicted in this Province according to their Prescripts, is a Question, on which various Sentiments may be expected, and in fact, have often occurred. Should the Position be admitted, that such of the Penal Statutes extend hither, as are suitable to the Circumstances of the Country, still what are, or are not thus suitable, may be, in many Instances, on a Consideration of Statutes denouncing even Capital Punishment, in, at least, one hundred and sixty Cases, a very doubtful Question; and which being determinable by the Courts, seems moreover to admit too great Authority in the Judges, and to give too much Scope for Contrariety in the Decisions which a rigorous or compassionate Disposition may influence; for Men's Qualities, when not controuled by fixed and established Provisions, will generally slide into their most deliberate, and best