

act differed from the act of 1763 that expired in 1770 only in that the pay of the clergy and the fees of officers were divorced from the regulation of tobacco, a critical difference to be sure. All tobacco exported from the Province after January 1, 1774 must be inspected and approved and marked at one of the public warehouses. These 1773 warehouses were in most cases the same as the older ones: the owners of the buildings were obliged to permit their continued use (p. 163), unless they had already converted them to other purposes. Inspectors were provided for, two for most of the houses, one for the smaller ones, and their salaries were set in the law, salaries in tobacco, naturally. They were nominated by the vestries of the parishes in which the houses lay, and were appointed by the Governor. The duty of inspectors was to determine that the tobacco brought before him was sound, well-conditioned merchantable and clear from trash. If it was so adjudged, it was to be weighed and the weight branded on the cask. That done, the inspectors must give the person who brought it in, signed notes for the full quantity, notes that were current and transferable. Long and detailed provisions against forgery were made. Penalty was death without benefit of clergy, and penalty for demanding tobacco on a forged note was thirty-nine lashes on his—or her—bare back and two hours in the pillory. There is an extract from the act in the *Maryland Gazette* for December 9 and 16, 1773. It should be remembered that the "Act for the Regulation of the Staple of Tobacco" was not so much a regulation of an agricultural crop as the regulation of money, and so an absolute necessity to the prosperity of the Province. Tobacco lacked most of the essentials of a good currency, but in the Maryland of that day, currency it was.

The lapse of the Inspection Law in 1770 had made imperative the passage of another law to the same end: it brought up also the question of the incomes of the clergy, for that too had been part of the tobacco act. The act of 1702 for the establishment of the Church of England had provided for the clergy what was usually spoken of as the forty per poll, "a Tax or Assesmt of Forty pounds of Tobo p Poll . . . upon every Taxable Person within each respective Parish wthin this Province." (*Archives*, XXIV, p. 265.) This forty per poll had been cut by the Act of 1747 to thirty per poll, and the continuations of that act had automatically continued that amount. Accordingly then, when the act expired, the clergy had some legal justification for contending that the 1702 provision revived and that they were once more entitled to forty per poll. But the logic of circumstances ran against the logic of law. The argument was advanced that thirty per poll of tobacco inspected and passed would yield the clergy more than they had been getting from forty pounds of poor quality tobacco. Dissenters had never liked having to pay for the support of a church in which they did not believe, and they were increasing in numbers and in strength, especially the Quakers in Anne Arundel and on the Eastern Shore, and the Presbyterians on the lower Eastern Shore. Even within the Church of England, some felt that forty per poll was too much, especially since the parishioners had not a shred of control. Of this, the clergy did not fail to remind them. More than one clergyman, reproached by his vestry, answered in substance that all he was interested in was what the Proprietary thought.