

Consideration thereof had do think fit to amend the same & viz^{ly}

1st The Tails of Hogsheads not to exceed 90⁰
2 The Penally laid on false package, in manner as the said Bill doth Express being (besides the Taps of the hoghead of Tobacco so false packed) the forfeiture of one thousand pounds of Tobacco, this house also think too grievous, and do propose in stead thereof the Taps of the hhd to be burnt as aforesaid and four hundred pounds of Tobacco more forfeiture —

3 That for Evidence in such Cases this house think it unreasonable. the Merchant himself or Person to whom the Tobacco is due, should be allowed of as Witnesses for himself; but do conceive that the Receiver or party Employed to receive the same together with one more not Interested may be good Evidence. —

4 That the Draughts taken out of the hoghead by the Receiver shall forthwith be carried before two of the next Justices of the County and proved before them by the Oaths of the Receiver and one more as aforesaid, which shall be sufficient to Convict the Party Delinquent —

5 That if the Breach of this Act shall appear to be committed through the Wilfulness Remissness or Negligence of the Overseer or other hyreling, such Overseer or hyreling shall make Good the Damages Sustained by the Owner out of his own Cop or other his own private Estate, So farr forth as the same will amount to, and if done by a Servant or Slave he shall receive Corporall Punishment for the same at the next Provinciall or County Court according to his Meritt at the Discretion of the Justices

With these Amendments this house think reasonable to pass the Bill, and Desire the Lower house to concur —

Signed P. Order P. John Lewellin C^o of Assembly.

John Prior called into the house, and this house not having found any positive Proof or Circumstance against him; neither hath any appeared to the Lower house (as this house conceive by their last Message) he is Dismissed without further Trouble —

Adjourn till to Morrow Morning 9 a Clock

May the 9th 1682 Upper house met —

Present

The Right Honourable the Lord Proprietary

The honourable { Philip Calvert Esq^r Chan^r } Coll: Vincent Lowes — }
 { William Calvert Esq^r Sec^y } Coll: William Stevens }
 { Coll Thomas Sailer } }

Michael Parony and Major Charles Boteler according to Summons make their Appearance —

Major Boteler Examined and required to inform this house what he knoweth concerning the Town Land at Bullle Creek, saith that the same was always taken and esteemed to be the Land of William Berry and that was done in laying out thereof and erecting the same into a Towne now done in his Presence and by the Advice of William Berry which the People inhabiting thereof who had been thereby encouraged to Build and Seal thereon well hoped had been a sufficient reserve from all future Surveys —