

his residence among us attended with danger to the state; to order his departure, taking his property with him. We think it unnecessary to insert your proposed power to a justice to arrest the disaffected, as the only security for his good conduct is to be a bond, which former experience has proved to be but little security to the state. We have to propose to your honours, that every minister, public teacher, or preacher of the gospel, and all officers in the land or sea service, or in the militia of this state, be required to take the oath or affirmation of fidelity in the bill, and also that all persons rightfully continuing in office, as the commissioners of towns, teachers, visitors or trustees of public or county schools, and the members of the corporation of Annapolis, take the same oath or affirmation within three months, or be disqualified, and their places supplied agreeable to their respective institutions.

Your amendments relative to the persons who deserted the defence of this country, and non-associators, remain only to be considered. We are apprehensive that on this subject we are misunderstood by your honours. By the bill, the first were not only incapacitated to hold any office in this state, but also prevented from ever returning, under the penalty of imprisonment for life. Your honours by your first amendment proposed, that unless such persons returned during the war, and subscribed the association within ten days thereafter, they should be incapable to hold any office of trust or profit in this state. This amendment was rejected, and this house adhered to their bill, with a proposition of allowing nine months for such absentees to return and take the oath of fidelity in the bill. It is not the intention of this house that those deserters of their country should ever return, unless within the time now agreed on. We agree to the time of their flight and the twelve months allowed for their return, and we also consent to lengthen the time for non-associators to the first of August. The bill will be corrected agreeable to the amendments now agreed to, on your honours answer relative to absentees, and to our proposition to require the oath of fidelity in the bill to be taken by the persons proposed and above enumerated.

By order,

G. DUVALL, cl. ho. del.

Messieurs Brice and Crabb from the house of delegates, deliver to the president the bill sent to them by Mr. Paca this day, together with the following message:

By the HOUSE of DELEGATES, April 17, 1777.

May it please your honours,

WE have considered the message attending your negative to the bill, entitled, An act to establish a board of commissioners to superintend the marine department, &c. We are willing to circumscribe and limit any powers your honours may think too extensive, which will provide against the expence you are apprehensive will attend the powers given by our bill. The propriety of establishing a board to superintend our marine, and to import stores, must be apparent, when it is considered that the governor and the council must necessarily be engaged in business of more momentous concern. We send the bill back, assured that your objections go not to the establishment of the board, but to their powers, as we are unwilling to burthen the executive department with a business that must engross their entire attention, and request your honours to point out your particular objections to the bill, which will be duly attended to.

By order,

G. DUVALL, cl. ho. del.

Which was read and ordered to lie on the table.

Mr. Turner and Mr. Bond from the house of delegates, deliver to the president the engrossed bills No. 5; 6; 7; 8; 9; 10; 11; 12; 13; 14; 15; 16; 17; and 18.

Mr. Jackson and Mr. Polk from the house of delegates, deliver to the president a bill, entitled, An act for holding an election for sheriffs in Somerset county, and to enable the governor and council to determine the validity of elections for sheriffs, which was read a first and second time by an especial order and will pass.

Sent to the house of delegates by Matthew Tilghman, Esquire.

Senate adjourns till to-morrow morning 10 o'clock.

F R I D A Y, April 18, 1777.

SENATE met according to adjournment. Present the same members as on yesterday. The proceedings of yesterday were read.

The petition of A. F. Cheney was read and referred to the house of delegates. Sent to the house of delegates by Matthew Tilghman, Esquire.

In consequence of notice given by Messieurs Tilghman, Carroll, Wilson, and Charles Grahame, the 12th April, 1777, they filed the following protest:

DISSENTIENT,

BECAUSE, the oath prescribed by the bill, entitled, An act to punish certain crimes and misdemeanors, and to prevent the growth of toryism, as a test to be taken on admission into office, and agreed to by the message, is different from the oath of support and fidelity directed by the 55th article of the form of government, and therefore contrary to the 35th article of the declaration