

24 VOTES AND PROCEEDINGS, NOVEMBER, 1782.

We propose therefore adjourning on that day to the first Monday in April next; we shall dispatch and send down to you any business before us, and we request you will send us up such bills as you think absolutely necessary, that if they meet with our concurrence, they may by that time be passed into laws, and receive the seals.

By order,

J. MACCUBBIN, clk.

The following resolutions were read and assented to:

BY THE SENATE, DECEMBER 30, 1782.

RESOLVED, That the intendant lay before the general assembly, this session if in his power, or early in the next, an account sales, and an account current, of all specifics which he has disposed of, distinguishing in the account what specifics have been sold, which were collected, previous to his entering upon the execution of his office, from those which have been since that period collected and sold.

RESOLVED, That the intendant state what foreign trade he has engaged in, and the profits or loss attending it.

By order,

J. MACCUBBIN, clk.

The bill for an addition to Baltimore-town, &c. was read the second time and will pass.

On motion, the question was put, Whether the bill, entitled, An act to punish the counterfeiting continental bank bills, be referred to the next session of assembly? The yeas and nays being called for appeared as follow:

A F F I R M A T I V E.

Honourable Matthew Tilghman, Esq; president, honourable John Smith, Charles Carroll, Barrister, Richard Barnes, and William Hindman, Esquires.

N E G A T I V E.

Honourable John Henry, Charles Carroll, of Carrollton, and James M^cHenry, Esquires.

The resolution directing the intendant of the revenue to sell specifics to pay the journal of accounts, was read and assented to.

The senate adjourns till to-morrow morning 9 o'clock.

T U E S D A Y, December 31, 1782.

THE senate met. Present as on yesterday, except John Smith, Esq; The proceedings of yesterday were read. Edward Lloyd, Esq; appeared in the senate.

The petition of Benjamin Eyre and Jacob Morgan; the resolution directing the intendant to sell specifics, &c. the messages respecting the stadt-house and adjourning; the resolutions directing the intendant to give an account of specifics sold, &c. the several letters communicated by the governor, with the enclosures; and the bill for an addition to Baltimore-town, in Baltimore county; were sent to the house of delegates by James M^cHenry, Esq;

The senate proceeded to the second reading of the bill, entitled, An act for the more effectual paving the streets of Baltimore town, in Baltimore county, and not having time to go through the same, the further consideration thereof was postponed till to-morrow morning.

James M^cHenry, Esq; delivers to the present the following protest to the supply bill:

Dissent:

BECAUSE I conceive it an indispensable duty to record my testimony against a bill, that invades the constitution, and outrages the rights and dignity of the people, notwithstanding this branch of the legislature possesses in itself powers calculated to preserve their rights, this dignity and the constitution, and notwithstanding a course of annual submission to the house of delegates endangers public liberty, in the establishment of a perpetual tyranny over the senate.

BECAUSE the bill enacts, "that from all interest of money or tobacco, which shall become due between the first day of January seventeen hundred and eighty-three and the first day of January seventeen hundred and eighty-four, the debtor may deduct one sixth part of the said interest, any agreement to the contrary notwithstanding, and any contract hereafter made to the contrary shall be void in law; and if any creditor shall refuse to allow such deduction, he shall forfeit treble the sum of money or quantity of tobacco by him so refused to be deducted, to the use of such debtor, and such debtor may recover the forfeiture, on warrant, before a justice of the peace, if the sum does not exceed his jurisdiction, and if it does by action at law, as for money or tobacco received to his use."

BECAUSE this empowering of the debtor to withhold one sixth of the legal interest from the creditor, is an unequal and unjust tax, admitting it to be a tax "for the current expenses of the state;" unequal and unjust, because it falls only upon one description of the society, and a violation of the thirteenth article of the declaration of rights, which provides, that every person in the state (paupers excepted) "ought to contribute his proportion of public taxes for the support of government, according to his actual worth in real or personal property;" to have made this an equal tax, it should have been a general tax upon money.

BECAUSE