

thus endorsed; "By the house of delegates, December 13, 1793: Read the first time and ordered  
"to lie on the table.

"By order,

W. HARWOOD, clk.

"By the house of delegates, December 19, 1793: Read the second time and will pass.

"By order,

W. HARWOOD, clk."

A bill, entitled, A Further supplement to an act, entitled, An act to regulate the inspection of tobacco, passed November session, seventeen hundred and eighty-nine, thus endorsed; "By the house  
"of delegates, December 12, 1793: Read the first time and ordered to lie on the table.

"By order,

W. HARWOOD, clk.

"By the house of delegates, December 19, 1793: Read the second time and will pass.

"By order,

W. HARWOOD, clk."

A bill, entitled, An act for the support of Rebecca Fowler, thus endorsed; "By the house of delegates, December 19, 1793: Read the first and second time by especial order and will pass.

"By order,

W. HARWOOD, clk."

The clerk of the house of delegates likewise delivers the following resolutions:

BY THE HOUSE OF DELEGATES, DECEMBER 17, 1793.

RESOLVED, That the treasurer of the western shore, on the application of James Hutchings, issue to the said James Hutchings, or his assigns, a certificate for the sum of £. 393 7 4, bearing an interest of six per cent. from the time of issuing the same.

By order,

W. HARWOOD, clk.

BY THE HOUSE OF DELEGATES, DECEMBER 18, 1793.

RESOLVED, That no process or execution issue against Ignatius Baggett, of Charles county, on his bond to the state, until the fifteenth day of May next.

By order,

W. HARWOOD, clk.

BY THE HOUSE OF DELEGATES, DECEMBER 17, 1793.

RESOLVED, That the treasurer of the western shore do and he is hereby authorized to release Henry Ennalls, of Dorchester county, from the payment of fifty-one pounds four shillings, being the amount of the improvements found on a piece of vacant land taken up by him, adjoining a tract of land called Muir's Good Luck, lying and being in Dorchester county.

By order,

W. HARWOOD, clk.

All which said bills and resolutions were severally read the first time and ordered to lie on the table.

The clerk of the house of delegates returns the bill, entitled, An act to regulate and discipline the militia of this state, and the bill, entitled, An act for the better regulation of apprentices, with the following messages; which were read.

BY THE HOUSE OF DELEGATES, DECEMBER 19, 1793.

GENTLEMEN OF THE SENATE,

WE return for your reconsideration the bill, entitled, An act to regulate and discipline the militia of this state. This house, on consideration of the amendments proposed by the senate, have assented to all of them except the 7th, 9th, 14th and 26th; from these we hope you will recede.

By the 7th amendment you propose, that all apprentices under twenty-one years of age, all actual labourers in agriculture under twenty-one years of age, whether hirelings or not, all professors and teachers in any university or college, all schoolmasters, all students under twenty-one years of age in any university, college or school, should be exempted from militia duty. Should this amendment be adopted, we apprehend it would exempt a very considerable part of the militia of this state, and the far greater part of the persons who are proposed to be exempted, are, in the opinion of this house, of all others the most proper to form an active and efficient militia. We think the youth of the state cannot be too early trained to arms, after they have acquired personal strength sufficient to enable them to perform militia duty; and we cannot conceive it would be injurious to any description of persons who are the objects of the proposed exemption. It moreover appears to us to contravene the tenor of the act of congress, which provides, that the militia of the United States shall be composed (with a few exceptions,) of all free able-bodied white male citizens between eighteen and forty-five years of age. It must be admitted, that each state have a right to make exemptions; but in the exercise of this right, it appears to this house that it would be repugnant to the letter and spirit of the act of congress to extend the exemptions to those who would, if incorporated in the militia, form so respectable a part of it.

We cannot concur with your 9th amendment respecting the appropriation of the fines; they were imposed for the purpose of compelling compliance with the law, not to raise a revenue to the state. We are of opinion they cannot be better applied than to the purposes of the regiment in which they shall arise, and that the officers will be more competent than the legislature to make the application for the benefit of the regiment. 'Tis true, the commutation to be received from certain classes of citizens by this bill, was to be paid into the treasury, but this arose from a suggestion, that persons acknowledged by our laws to be conscientiously scrupulous of bearing arms, would be equally so of paying money to be laid out in arms, and would be better satisfied if it were paid into the treasury.

The clause of our bill, which you propose to strike out by the 14th amendment, secures, in our opinion, to our fellow-citizens, an invaluable right. We mean that of applying to the usual tribunal of justice whenever they may find themselves aggrieved by that summary mode of procedure which the necessity of having an active and effective militia has compelled us to sanction; abuse of power is almost inseparable from the possession of any considerable portion of it, and ought, as far as possible, to be guarded against by the representatives of a free people; for these reasons we cannot concur with this amendment.

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