

Notes and Resolves,

OF THE

Lower House of Assembly, of the Province of M A R Y L A N D.

(Die Mercurij Octobris 30.)

THE House met this Day according to Adjournment. The Members were call'd, and all present as Yesterday, except Major Perry, absent thro' Sickness. Yesterday's Proceedings were read.

The Bill Entituled, *An Act to prevent the Abuses of Concealing Convicted Felons, and other Offenders, imported into this Province; and for the better Discovery of them.*

Read and ordered to be thus Indors'd, viz.

By the Lower House of Assembly, October 30, 1728.

Read the second Time, and will pass.

Sent to the Upper House by Mr. George, and Mr. Robins; who return and say they deliver'd the same.

The Ingros'd Bill, entituled, *An Act reviving and continuing an Act of Assembly of this Province, entituled, An Act for the better Relief of poor Debtors: The Ingros'd Bill, entituled, An Act empowering the Justices of Calvert County, to finish the Court-house of that County, by an Assessment on the Inhabitants thereof; as also for the Relief of John Critchard and William Kidd, two of the Builders of the said Court-house: And the Ingros'd Bill, entituled, A Supplementary Act, to the Act for Establishment of Religious Worship in this Province,* were severally read and assented to by this House; and sent to the Upper House by Mr. Smith, and Mr. Thomson; who return and say they delivered the same.

Philip Lee, Esq; from the Upper House, delivers Mr. Speaker the following Message, viz.

By the Upper House of Assembly, October 30, 1728.

Gentlemen,

In Answer to your Message Yesterday, by James Harris, Esq; and Three more, we have appointed Philemon Lloyd, and Philip Lee, Esqs; Members of this House; to join Daniel Dulany, Esq; James Harris, Esq; Major Robert King, and Mr. Philip Key, Members of your House, in a Committee to consider of such Amendments to the Tobacco Bill as shall be thought necessary; who are ready to attend immediately.

The Question being put, Whether a Supplementary Bill to the Act, entituled, *An Act for the better Administration of Justice in Testamentary Affairs, &c.* should be brought in or not. Resolv'd in the Affirmative.

Benjamin Tasker, Esq; from the Upper House, delivers Mr. Speaker the following Message, viz:

By the Upper House of Assembly, October 30, 1728.

Gentlemen,

In Answer to your Message Yesterday, by John Beale, Esq; and Mr. Worthington, we did not believe that any Special Reasons could have been expected from us, upon the Account of the Addition of the Words (*as are*) next before, agreeable to the Usage and Constitution of this Province; it being obvious, that the Amendment was made with no other View, than of giving a clearer and more explicit Interpretation of the Design of the Oath, viz. That the Judge shall do equal Law and Right to all the King's Subjects, according to the Acts of Assembly, &c. and according to the Laws, Statutes, and reasonable Customs of England, *as are* agreeable to the Usage and Constitution of this Province. But forasmuch as you have declared your selves of Opinion, That what hath been intended by this House, as an Explanation only, hath render'd the Form thereof inconsistent with the Design of the Oath of a Judge or Justice; We desire to know of you, what other Design (for we know of none) is contained in the propos'd Form of the Oath, than that of doing Right to the King's Subjects, according to such Laws, Statutes and reasonable Customs of England, as are agreeable to the Usage and Constitution of this Province.

The Governour's Answer to the Address of this House, of Yesterday, sent to Mr. Speaker, and by him communicated to this House, was order'd to be enter'd in the following Words, viz.

Gentlemen,

I thank you for your obliging Address, Yesterday presented me. Your Satisfaction in the Sense I had expressed of some daring Designs against the Freedom of Legislation, is most agreeable to me; as, doubtless, your Resentments against the Authors of them, must be very grateful to the good People you represent. I shall, as you desire, lay before you such further Notice and Papers, as I may find conducive to a Discovery of the Persons therein, either openly or secretly concern'd; that being known and distinguished; any Influence they might otherwise have, may be happily disappointed. I embrace this, as a proper Opportunity to assure you of my steady Adherence to the Maintenance and Preservation of the Constitution of MARYLAND.

BENEDICT LEONEAD CALVERT.