

# Notes and Resolves,

OF THE

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

( Friday, June 12, 1730. )

THE House met according to Adjournment. The Members were called, and all present as Yesterday. The Proceedings of Yesterday were read.

An ingross'd Bill, Intituled, *A Supplementary Act to the Act for the Advancement of Justice.*

An ingross'd Bill, Intituled, *An Act for the Naturalization of John Hendrickson, &c.*

An ingross'd Bill, Intituled, *An Act to confirm two Deeds of Sale, the one from George Oldfield, and Petronella his Wife, &c.*

An ingross'd Bill, Intituled, *An Act to record a Deed of Bargain and Sale, made by Thomas Humphreys, Esq; and Mary his Wife, to John Gresham, Esq;*

An ingross'd Bill, Intituled, *An Act to cut off an Entail of a Tract of Land, called Marshes Seat, &c.*

And an ingross'd Bill, Intituled, *An Act for laying out the Town a new, commonly called Chester Town in Kent County, and for ascertaining the Bounds thereof,*

Were severally read and assented to; and sent to the Upper House, with the Paper Bills thereof, by Capt. Elliot, and Capt. Blackstone; who return, and say they delivered the same.

John Hall, Esq; from the Upper House, delivered to Mr. Speaker, the Bill for Relief of several poor Prisoners.

And the following Message,  
Gentlemen,

By the Upper House of Assembly, June 12, 1730.

In Answer to your Message, by Mr. King, and Mr. Johnson, in Relation to the Bill for the Relief of Prisoners; this House is not of Opinion, the Indorsement by our House will be inconsistent in general, with the Design of the Bill, seeing the Prisoners are to be discharged from every Creditor, save the Sheriff, and from him on Delivery of their Effects for the Space of Two Years; in which Time, by their Industry, they may be enabled to get some Subsistence for their Family, (if any,) and discharge the Residue of their Debts due to the Sheriff, who, we conceive, in Justice, ought to have his Imprisonment Fees secured, seeing the many and great Hazards he runs by Escapes, being subject, in such Case, to pay the whole Debt the Prisoner is in Execution for: And it is further to be considered, the great Expence they are at in finding them with Provisions, which makes the Act of Parliament you mention, no Example to the Legislation here, in Regard the Sheriffs in England do not support the Prisoners, who live on the Charity of the People, or their own Effects; nor is there any Example that we know of, in any the Neighbouring Colonies, where Sheriffs, by Act of Legislation, have suffered as the Sheriffs of this Province, from Time to Time, have done, which we conceive, to be highly unjust in Respect to the Difference between them and other Creditors; the Imprisonment of the Debtor being Voluntary in the One, and Compulsory in Respect to the other. And therefore this House insists on the Bill passing, with the Amendment proposed. And, for further Reasons, refer you to the Sheriff's Petition herewith sent.

Col. Rider, from the Upper House, delivered to Mr. Speaker, the Paper Bill, Intituled, *An Act for the laying out of Land, and erecting a Town, at a Place called Broxen's Point, in Cecil County.*

The Paper Bill, Intituled, *An Act to Inroll and Record an Indenture between Mathias Van Bebber, of the one Part, and Thomas Bordley, Esq; of the other Part.*

The Paper Bill, Intituled, *An Act for the Relief of James Peerman, &c.*

And the Paper Bill, Intituled, *An Act for ascertaining the Form of Oath of Judge or Justice.*

Severally Indors'd thus:

The ingross'd Bill, whereof this is the Original, is read and assented to.

By the Upper House of Assembly, June 12, 1730.

And the Paper Bill, Intituled, *A Supplementary Act to the Act, Intituled, An Act to limit the Continuance of Actions in several Courts within this Province, &c.*

Sign'd per Order, John Ross, Cl. Up. Ho.

Indors'd thus:

Read and pass'd for Ingrossing.

By the Upper House of Assembly, June 10, 1730.

And the ingross'd Bill thereof, Indors'd thus: June 12, 1730.

Sign'd per Order, John Ross, Cl. Up. Ho.

Read and assented to by the Upper House of Assembly.

The said ingross'd Bill was read, and assented to by this House.

Sign'd per Order, John Ross, Cl. Up. Ho.

And