

close Confinement, will, instead of increasing, lessen their Estates; and consequently, be a Detri-
ment, and not an Advantage to their Creditors. Besides, as their future Acquisitions will be subject
to the Payment of their just Debts, so the sooner they are enlarged, the sooner they will be in a
Condition, by their Labour and Industry, to satisfy their Creditors in Part, or the Whole: Where-
as a long Confinement will certainly impair the Health of such as may escape with Life, and ren-
der any Satisfaction being made to the Creditors wholly impossible. This House is inform'd, that
there are now above Twenty Men in the Goal of *Prince George's County*, (and many more expected
to be in the same Condition very soon,) which Number being confined in so narrow a Compass as
any of our Goals, must prove fatal to many of them, and the maintaining so many, ruinous to
the Sheriff.

Your Honours are very sensible of the melancholly Condition the County is in, and that great
Numbers of even industrious People have been obliged to run in Debt, beyond what they are able
to comply with: And, should their Creditors be rigorous, and the Legislature not interpose,
great Part of the Province would soon be depopulated, and no new Inhabitants could be expected
in the room of those that would leave it.

As to the Prisoners who have applied to this Assembly, and are mentioned in the two Bills sent
to your Honours, this House is willing to come into any Measures to subject them to any Examina-
tion before the County Courts, or at the next Assizes: To the End, that if any of them have
committed any Frauds, they may be detected; and that such as have done so, may receive no Be-
nefit from the Expedient, which this House conceives will effectually obviate the Objection made to
these Acts by your Honours. This Provision being made, we request your Honours will pass the
Bills.

Sign'd per Order, M. Macnemara, Cl. Lo. Ho.

Sent with the Bill, intituled, *An Act for the Relief of Robert Brooks, &c.* And the Bill, intituled,
An Act for the Relief of James Gibson, &c. by Col. *Hanson*, and Six more.

Philemon Lloy'd, Esq; from the Upper House, delivers Mr. Speaker the following Message, *viz.*

Gentlemen,

By the Upper House of Assembly, 3 August, 1732.

We are willing to recede from our Amendments propos'd to the Bill for speedy Recovery of small
Debts, in relation to the Constables Office, and desire your House will proceed in passing the same.

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

The Bill, intituled, *An Act for the speedy Recovery of small Debts out of Court, &c.*

Read, and pass'd for Ingressing. Mr. *Grabb* hath Leave to go Home.

The House adjourns until Two of the Clock in the Afternoon.

Thursday Afternoon, August 3, 1732.

The House met according to Adjournment. The Members were call'd, and all present as in the
Morning.

The following Message, *viz.*

By the Lower House of Assembly, 3 August, 1732.

May it please your Honours,

In Answer to your Message by Col. *Ward*, it is true, the *Three Pence per Hogshead* has been here-
tofore given to the Governors of this Province: And that ever since the Year 1720, our Governors
have had only a Moiety thereof; and the other Moiety has been applied to support Schools; but
the Duty has not always been either for Three Years, or during the Governors Government: For,
in *October 1720*, there was an Act to continue the said Duty until *September 1721*. This, as all
other Duties on Tobacco, is payable by the People, and therefore ought to be applied and disposed
of with their Consent. And altho' his Lordship recommended the Application of one Half of that
Duty to support Schools, and the Assembly agreed thereto, and hath pass'd several Laws for that
End, which are all expired, his Lordship never had any Property in the Duty, nor was any Part
thereof of his Gift; and therefore the Right of continuing, or not continuing the same, devolves
on the Legislature, of which We, as Representatives of the People, are a Part, and the Part in
which all Bills, for laying any Duty or Imposition, ought to begin: And therefore your Honours
have no Right to justify, that the *Three Pence per Hogshead* be raised by one Law as heretofore, and
continued for any certain Space.

As to what concerns His Excellency the Governor, we do, with the greatest Sincerity, assure
your Honours, that we have that Regard for him, which a grateful People ought to have for the
best of Governors: And that our limiting the *Three Half Pence per Hogshead*, to be paid him for
One Year only, did not proceed from any Disrespect to his Person, or Diffidence in his future Con-
duct, but to assert our own Right in disposing of Money, which We, and the People we represent,
must pay; and to have it in our Power to acknowledge our Gratitude to, and demonstrate our Re-
gard for our Governor, oftener than we could otherwise have. And, as the Duty is to be ap-
plied to very different Purposes, we conceive it to be more regular to have it in separate Bills, than
in One; and that its being in One formerly, is not a good Reason to continue it so still, if a more
proper Method can be fallen upon, which we conceive separate Bills to be, for the Reasons already
given: And therefore we desire your Honours will pass the Bills as they are.

Sign'd per Order, M. Macnemara, Cl. Lo. Ho.

Sent by Col. *Belt*, and Mr. *Courts*. They return and say they delivered the same.

The following Message:

By the Lower House of Assembly, August 3, 1732.

May it please your Honours,

This House hath Resolv'd to allow for the Publick Charge of this Assembly, from *Tuesday* last,
to *Saturday* next, at the Rate of Ten Shillings current Money for every Hundred Pounds of To-
bacco, and desires the Concurrence of your House.

Sign'd per Order, M. Macnemara, Cl. Lo. Ho.

Sent by Mr. *Goldborough*, and Mr. *Needles*. They return, and say they deliver'd the same.

John Hill, Esq; from the Upper House, delivers Mr. Speaker, the Bill, intituled, *An Act repealing
Part of an Act, intituled, An Act laying an Imposition on Negroes, &c.*

Indors'd thus:

By the Upper House of Assembly, August 2, 1732.

Read