

Michael Howard, Esq; from the Upper House, delivered to Mr. Speaker, the following Message: X
Gentlemen, *By the Upper House of Assembly, 5 August, 1732.*

We have read and considered your Message of Yesterday, by Mr. *Daniel*, and Three more, relating to the Prisoners in the several Gaols in this Province, and have the same compassionate Regard for those who are really Objects of Charity, which you are pleased to express.

But as we could not think it justifiable by extending our Charity to One Person, to do a manifest Injustice to another, we therefore thought it necessary to make a Resolve of this House the last Session, obliging all Persons who intended to apply for the Passing of Private Laws, to give timely Notice to such Persons as might be concerned therein, that they might have an Opportunity to assert their Rights, when such Applications were made.

And that no Persons might be surprized by this Resolve, Copies of it were sent into all the Counties in this Province, and ordered to be published by the several Sheriffs in whose Custody the Prisoners are, and who doubtless gave Notice of it, to such as were in their Custody; and yet those Prisoners as careless of complying with this Resolve, as they have heretofore been in paying their just Debts; or perhaps fearing that their Creditors would be able to make such Representations to the Legislature, as would hinder the Passing a Law in their Favour, have refused or neglected to give Notice to their Creditors, pursuant to the said Resolve, and depended upon the too great Indulgence heretofore used, in Cases of the like Nature. We cannot but observe, that your Method of treating us upon this Occasion, seems very extraordinary; you tell us in your last Message, that your House is not aware of any Objections of Weight, that can be made against the Enlargement of the Prisoners, other, than that they have not complied with the Resolution of our House, seeming not to allow it to be made upon Principles of Reason and Justice, and insinuating that proper Measures had not been taken for the Publication of it: Whereas we conceive, the Security of the Rights and Properties of the People, which was the Foundation of that Resolve, is a sufficient Reason to justify the making of it, and the Methods before recited, taken for the Publication, such, as were most likely to effect it; this being premised, we are of Opinion, that was there no other Reason for rejecting the Prisoners Bill, but that of not complying with the Resolve of this House, it would be a sufficient Justification; but the great Abuse of the Lenity of the Legislature, in Cases of this Nature, has encouraged Debtors, not only to neglect the Payment of their Debts, but to abuse, and even dare their Creditors to prosecute for them; and when prosecuted to Judgment, and Executions issue, the Debtors avoid the Sheriff, until just before a Session of Assembly, and then suffer themselves to be taken on Purpose to be released, which they accordingly have been, altho' many of them, by their own Industry, were able to pay their Debts, and did not deserve that Favour: When we are thus endeavouring to prevent such Abuses as these, we think you cannot justly charge us with inflicting the highest Punishments for a Non-Compliance with a new Resolution, especially if it be considered, that the not passing the Bills for the Relief of the Prisoners, is not inflicting a Punishment, as your Message suggests, but only denying an extraordinary Favour, because we think the Persons desiring it, are not justly entitled to it. To conclude, we cannot consent to the Passing the Bills prepared by your House, for the Relief of Prisoners as they now stand; but if your House are inclined, to prepare a new Bill, for the Relief of all Prisoners for Debt, which might be a standing general Rule for the Future, and not surprize either Creditor or Debtor, we shall be ready to concur in any proper Measures for that Purpose.

Philip Lee, Esq; from the Upper House, delivered to Mr. Speaker the following Message: X
Gentlemen, *Sign'd per Order, John Ross, Cl. Up. Ho.*
By the Upper House of Assembly, 5 August, 1732.

His Excellency the Governor, in a Paper directed to this House, having recommended an Amendment to the Act, for *Regulating the Militia in this Province*, and likewise that some Care should be taken for cleaning and preserving the Arms and other Utensils of War, lodged in the several Counties, which cannot be effectually done, but by an Act of Assembly for that Purpose; We therefore propose, that a short Bill be prepared, empowering the Captain, Lieutenant, and Ensign, or any Two of them, to impose and levy Fines on any of the Souldiers not performing their Duty, this being the Defect complained of, in the Militia Law; and also for raising the Three Pence per Hoghead on Tobacco, for furnishing Arms and Amunition in this Province, Part of which may be applyed towards cleaning and preserving the Arms, &c. in the several Counties, and the remaining Part, to such other Uses as shall be thought necessary for the common Safety: With which if your House concurs, a Bill may be prepared accordingly.

Benjamin Tasker, Esq; from the Upper House, delivered to Mr. Speaker, a Bill, intituled, *An Act for the Assessment of Sixty Thousand Pounds of Tobacco, on the Inhabitants of St. Paul's Parish in Prince George's County, &c.* X

Indors'd thus:

Read the first Time, and order'd to lie on the Table.

And thus:

Read the second Time, and will pass.

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

By the Upper House of Assembly, 4 August, 1732.

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

By the Upper House of Assembly, 5 August, 1732.

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

Which Bill was read here, and pass'd for Ingrossing.

Col. Ward, from the Upper House delivered to Mr. Speaker, the Bill, intituled, *An Act for raising a Duty of Three Pence per Hoghead, on all Tobacco exported out of this Province, for the Uses therein mentioned.* X

Indors'd thus:

Read the first Time, and order'd to lie on the Table.

And thus:

Read the second Time, and will pass, with the following Amendments; that in 17 Line, after the Word *Cask*, put, or other Package; and after the Word *Maintenance*, in 26th Line, add, for which Collection,

By the Upper House of Assembly, 4 August, 1732.

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

By the Upper House of Assembly, 5 August, 1732.

Collection,