

lowing, viz. " *And be it further Enacted*, That an Act, entituled, *An Act for ordering and regulating the Militia of this Province for the better Defence and Security thereof*, made at a Session of Assembly begun and held at the City of *Annapolis* the Twenty-sixth Day of *April*, *Anno Domini*, One Thousand Seven Hundred and Fifteen, is hereby Revived and continued in full Force."

We humbly conceive, that the last recited Act of 1722, being a supplementary, explanatory and dependant Act on that of 1715, and the continuing Clause of the latter, viz. " for Three Years and to the End of the next Session of Assembly after the End of the said Three Years," not being Repealed, but Revived and Continued therewith, and there not being any Expressions to shew it to be the Intention of the Legislative Power, that the Act of 1715 should be perpetual, we apprehend the same has been long since Expired: And altho' this be our Opinion on that Point, we take leave further to observe to your Excellency, that if the said Act were in it's full Force, yet it does not appear to us, that your Excellency, and the Honourable Board, have acted agreeable to the letter, meaning, or intention thereof.

It gives us great Concern to have any cause of Complaint against or Difference with, your Excellency and that Honourable Board, and therefore truly wish, and hope to find, that the Welfare and Ease of the People may and will be the Measure and Rule of Acting.

We therefore hope you will agree with us, that it is a high Infringement on the Liberties of the People of *Maryland*, to Levy any Taxes on them under colour of Law, as not only we, but our Constituents generally conceive has been done in this Case.

Being Read, and Assented to, was Ordered, on behalf of the House, to be Signed by the honourable Speaker.

Mr. *Worthington*, and Mr. *John Goldsborough*, are sent to acquaint his Excellency, that this House hath prepared an Address to him, and desires to know when and where he will be pleased to receive it: They return and acquaint Mr. Speaker, he will receive it immediately in the Conference Chamber.

Mr. *Thomas*, and Capt. *Hopper*, sent to present the Address: They return and acquaint Mr. Speaker, they have Presented it.

On Motion of a Member, that a Bill be brought in for Issuing Writs of Replevin out of the County Courts: Leave given, and Ordered, That the Committee of Laws prepare and bring in the same.

The House adjourns to 2 of the Clock.

Post Meridiem.

The House met according to Adjournment.

The Petition of the back Inhabitants of *Prince-George's County*, complaining of the Injuries done them by Deer-Hunters, and praying that a Bill may be brought in for their Relief; Read and Granted.

The House taking into Consideration, the Report from the Committee of Aggrievances and Courts of Justice, relating to *Thomas Ireland*, Junr. a Magistrate of *Calvert County*, and after having Heard the said *Ireland* by his Council,

Resolved, That the Proceeding of the said *Ireland*, in the said Report set forth, is illegal and oppressive: And Ordered, That the Serjeant at Arms take the said *Ireland* into his Custody, and him keep, until he shall be duly Discharged.

The following Ingrossed Address, viz.

To his Excellency THOMAS BLADEN, Esq; Governor of Maryland;
The Humble ADDRESS of the House of DELEGATES of the said Province.

May it please your Excellency,

YOUR Message in Answer to our Address praying an Account of all the Fines and Forfeitures and the Amerciaments in the Provincial Court, that have arisen and been paid, and how and to what Uses applied in the Support of this Government, from the Year 1715 to this Time, to be laid before us, we humbly beg Leave to say is by no Means satisfactory. Those Fines and Forfeitures are, some by the Common Law, and others by Acts of Assembly, levied on the People; and are taken, of the People by his Lordship, or his Officers, under the Authority lodged in him as Governor and executive Power of the Laws of this Province; and as such we conceive he, or his Officers for him, are authorized to receive and take those several Articles but in Trust, and for the Benefit only of that People among whom they are levied: And altho' his Lordship, as Governor, or those he shall think fit to depute for that Purpose, hath the Disposal of those several Articles; yet we contend, that Power in it's Nature is but restrained, and that he is not at Liberty to put them into his own Pocket, nor to dispose of them otherwise than for the Ease and Welfare of that People for whose Benefit and Protection that Trust is raised. And we are in some Measure supported in this Opinion by that Distinction taken by your Excellency, between the Fines and Forfeitures at the Common Law, which you say " are as much his Lordship's Right as any Thing else can possibly be," and those appropriated by Acts of

Assen-