

Saturday Morning, June 2, 1750.

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

Edmund Jennings, Esq; from the Upper House, delivers to Mr. Speaker the following Message; viz.

By the Upper House of Assembly, June 2, 1750.

Gentlemen,

AS to the Amendment which this House proposed, in applying the Moiety of several Fines to the Lord Proprietary in Support of Government, we must observe, that all Fines by the Common Law, as well as on Penal Acts, are Rights properly belonging to Government: For, amongst other Reasons, it is always thought for the Benefit of the People, that such Fines should be applied to the Government, as they may be in particular Cases remitted to the Offender; which cannot be done if they are appropriated to particular Uses, tho' the Family of the Person unhappily forfeiting is reduced to Want and Beggary, and the Person himself rendered incapable to pay any Part of his just Debt; and therefore such Fines are never to applied, but upon cogent Motives. However, as the due Execution of the Inspection Law is of the last Consequence to the Welfare of the Province, we are extremely desirous of doing any Thing for that End; therefore we shall agree, that the Fines which now stand in the Bill appropriated to the County Schools, shall be applied to the several and respective Counties, to defray the Expence that hath or may accrue in the due Execution of that Act: And consequently we must insist, that our Amendment also, in Line 11 of Page 7, and in 16th Line of Page 9, shall be in the like Manner.

As to the Amendment proposed in Page 7, Line 6, we shall recede therefrom, in case the following Clauses be substituted in it's Stead.

And be it further Enacted, That no Inspector or Inspectors whatsoever, shall directly or indirectly, either for himself or any other Person, buy or receive, by way of Barter, Loan, or Exchange, any Tobacco whatsoever, or suffer or permit any Tobacco to be bought by any Person or Persons whatsoever, with any Money arising by the Sale of any Goods, Wares, or Merchandizes whatsoever, made by any of the Inspector or Inspectors, either upon their own Accounts or the Accounts of any other Person or Persons whatsoever, under the Penalty of Twenty Shillings Currency for every Hundred Weight of Tobacco so bought or received, to be applied in the same Manner as are now proposed.

Provided always, That nothing herein contained shall be construed to hinder any Inspector from receiving his Rents in Tobacco, which shall be first viewed, examined, and stamped, according to the Directions of this Act.

Although we agree, that it is very reasonable to suppress the Inspection House at Magotty; yet we cannot, for many Reasons, consent to the suppressing the Warehouse at Annapolis.

As to the Salaries at Bladensburg, Queen Anne, Marlborough, and Benedict Town Inspections, although we are very apprehensive the Reduction of Salaries may have many ill Consequences, and Discouragements in executing the Inspection Law; yet, if you still insist on it, we will not disagree with you in this Point, but wish you would continue the same Salaries, as settled by the former Act.

We recede from such of our other Amendments, as were not agreed to by your House in your Message of the first Instant, or not taken Notice of by us in this Message.

Signed per Order, J. Ross, Cl. Up. Ho.

And the Bill entituled, A Supplementary Act to the Act entituled, An Act for amending the Staple of Tobacco, &c.

The Question was put, Whether this House agrees to the Amendments proposed by the Upper House in the Message of this Day; or Not? Resolved in the Affirmative.

For the AFFIRMATIVE,

- |         |       |                |            |               |           |           |
|---------|-------|----------------|------------|---------------|-----------|-----------|
| Messrs  | {     | Mills,         | B. Bond,   | Robert Lloyd, | Lux,      | Murdock,  |
|         |       | Key,           | Smallwood, | Sullivan,     | W. Smith, | Duany,    |
|         |       | Barnes,        | Stoddert,  | Hooper,       | Wootton,  | Selby,    |
|         |       | N. Smith,      | Lee,       | Colvill,      | Addison,  | Chaplain, |
|         |       | Richard Lloyd, | Wilson,    | Hyland,       | Sprigg,   | Owen.     |
| Wilmer, | King, | Sheredine,     |            |               |           |           |

For the NEGATIVE,

- |        |   |                |                 |            |              |           |
|--------|---|----------------|-----------------|------------|--------------|-----------|
| Messrs | { | Carroll,       | Heighe,         | Paca,      | Davis,       | J. Henry, |
|        |   | Worthington,   | B. Mackall,     | Hopper,    | Robins,      | Crabb,    |
|        |   | Bordiey,       | J. Goleborough, | Wilkinson, | Scarborough, | Prather.  |
|        |   | J. J. Mackall, | Oldham,         |            |              |           |

The Bill entituled, A Supplementary Act to the Act entituled, An Act for amending the Staple of Tobacco, &c. was read; and with the Amendments proposed and agreed to by the Upper House, passed for Ingrossing.

Col. Lloyd, from the Upper House, delivers to Mr. Speaker the Bill entituled, An Act to empower James Sterling, Rector of St. Paul's Parish in

[May Sess. 1750.]

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