

King or Hoghead for defraying the Charges of Government aforesaid, as well for such Ships or Vessels as have already cleared before the making of this Act, as for such remaining in this Province, be raised, levied, collected, and paid unto our Sovereign Lady the Queen's most excellent Majesty, her Heirs, and Successors, for the Support of her Government for the Time being, in and over this her Majesty's Province aforesaid, and the Territories to the same belonging, for every Hoghead and Quantity of an Hoghead of Tobacco, which have been for and during the Time aforesaid, or which hereafter shall be at any Time shipped in any Ship or Vessel, to be exported out of this Province, or any the Territories, Islands, Ports, Rivers, Creeks, or Places, thereunto belonging, as aforesaid.

*And be it further Enacted by the Authority aforesaid, by and with the Advice and Consent aforesaid, That the said Duty and Imposition shall be from Time to Time paid and satisfied by the Master or Masters of every such Ship or Vessel respectively, in which any such Tobacco shall be exported, upon his or their Clearing, or taking out his or their Dispatch or Dispatches, for every such respective Ship or Vessel, and before the Departure of such Ship or Vessel coming into this Province, shall at their first Arrival here, and before their loading on board any Goods or Commodities of the Growth, Production, or Manufacture of this Province, give good and sufficient Security to his Excellency, or to the Officer thereunto especially appointed, for the Payment of the said Duty or Imposition accordingly.*

*That he shall, and it is the true Intent and Meaning hereof, That this Act, nor any Thing herein contained, shall be adjudged, construed, reputed, or taken (any Thing herein expressed to the contrary notwithstanding), to diminish or make void his Lordship's Right to the other Moiety of the said Two Shillings per Hoghead, to be paid in Consideration of his Rents and Alienation Money in Tobacco at Two Pence per Pound, during the Term of his natural Life (but that the same be kept and hereby preserved to his Lordship in as full and ample Manner as by the said Law is expressed or intended), or in the least to discharge his Lordship of receiving the Rents aforesaid at Two Pence per Pound, as by the said Act is enjoined, during also the Term of his natural Life; nor to discharge his Lordship from accounting for the Arrears of the One Shilling per Hoghead, for supporting the Government and providing Arms and Ammunition, but that he be obliged to all the aforesaid Matters and Things as fully and strongly as if the said Law were in full Force.*

*And be it further Enacted by the Authority aforesaid, That every Master of a Ship or Vessel as aforesaid, at the Time of his Clearing, shall upon Oath declare the Quality and Quantity of his Loading; and that the Naval Officer, by the Governor aforesaid appointed for the Time being, shall, and is hereby empowered to administer the said Oath; and in case the said Master shall refuse the said Oath, or upon Suspicion of having Goods on board for which he hath not cleared, it shall be lawful for the said Naval-Officer to enter on board any such Ship or Vessel, and the same to search for any such Goods as aforesaid; any Thing in this Act beforementioned notwithstanding.*

Whereupon it was *Resolved*, That the Raising and Levying the Sum of 12 *d.* Sterling per Hoghead on all Tobacco Exported, &c. by the Lord Proprietary of this Province, is Arbitrary and illegal.

*Resolved also*, That if the Lord *Baltimore* could, with any Propriety, be deemed the Heir or Successor to the Crown, yet, that the Sum of 3 *d.* Part of the 12 *d.* now raised and collected under Colour of the abovementioned Act, should, according to the plain and natural Construction thereof, confirmed by her late Majesty Queen *Anne's* Instructions for that Purpose, be applied towards maintaining a Magazine for the Defence of this Province.

The House nevertheless Reserving and Asserting the Rights of their Constituents, his Majesty's Subjects, the Freemen of this Province, and Protesting against the above violent and oppressive Invasion thereof, have, at this Time of imminent Danger, *Resolved*, That the Sum of 3100 *l.* be laid out and applied in the Purchase of Arms and Ammunition for the Defence of this Province: And have accordingly made a Provision in the Act, entitled, *An Act for his Majesty's Service, and further Defence and Security of this Province.*

*The House adjourns until the Morrow Morning at IX of the Clock.*

WEDNESDAY MORNING, October 6, 1756.

THE House met according to Adjournment: All the Members appeared as Yesterday, except Mr. *Thomas Reear.*

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