

316 VOTES AND PROCEEDINGS, NOVEMBER 1770.

said *Lowe* said, or whether he said any Thing. This Deponent afterwards drew near to the said Parties, and saw the said *Samuel Luckett* pay Thirty Pounds of Tobacco to the said *Lowe*, who, after figuring on a Piece of Paper, said to the said *Samuel Luckett*, you may as well pay it, there's not above Two Hundred and Fifty due, or thereaway. The said *Samuel Luckett* afterwards said, here's a Crop Note which I give as Security till I settle the Affair, which *Lowe* received, and said to the said *Addison*, there's a Note Mr. *Luckett* gives as Security till he settles it, at the same Time delivering the Crop Note to the said *Addison*, which Mr. *Addison* received, saying, its very well. This Deponent further saith, that very soon afterwards, and as this Deponent thinks, within an Hour, the said *Samuel Luckett* went into the Court-House, where the aforesaid *Addison* then was, and after touching him by the Sleeve, the said *Addison* looked round, and again looked from the said *Samuel Luckett*, who held a Tobacco Note open before his Face; but the said *Addison*, as if unwilling to look on the same Note, looked over it towards the Lawyers who were then pleading in Court. This Deponent further saith, that he heard the said *Samuel Luckett* ask the said *Lowe* why he did not execute his Horse, to which the said *Lowe* answered, "No damn you I've got your Body and that's better." And further this Deponent saith not.

JOHN B. LUCKETT.

Sworn to the Day and Year first before written, before

R. GHISELIN.

ORDERED, That the Serjeant at Arms attending this House, do forthwith take into his Custody, the Body of *John Addison*, Sheriff of *Prince-George's* County, and *Michael Lowe*, his Deputy, and have them immediately at the Bar of this House, to answer to the Complaint of *Samuel Luckett*, of *Prince-George's* County, for illegally executing the Body of the said *Luckett* for Fees.

ORDERED, That the Clerk of this House do issue Subpœnas for all such Witnesses as may be applied for by *Samuel Luckett*.

*John Ridout*, Esq; from the Upper House, delivers to Mr. Speaker the following Message.

By the UPPER HOUSE of ASSEMBLY, November 10, 1770.

GENTLEMEN,

IN the last Session of Assembly we returned, with a Negative and Message, the Bill, entitled, *An Act for amending the Staple of Tobacco, for preventing Frauds in his Majesty's Customs, and for the Regulation of Officers Fees.* Our Message, containing a general Proposition for Alterations, we hoped might produce a Conference, and thereby facilitate an Agreement between the Two Houses for passing an Act of great Utility to the Province.

We were then governed by Precedents, which appear on the Journals, particularly in the Year 1745, when an Act for the Limitation of Officers Fees, which had taken Rise in the Lower House, was returned from this, with a Negative and Message.

Upon the Return of this Bill, in the Manner mentioned, the Lower House proposed a Conference by Message, and a Bill in Consequence of it was framed.

In the Year 1766, when the Journal of Accounts was returned to your House with a Negative, there was a similar Proceeding; but this Method having failed of the Effect we wished, and imagining it might be more agreeable to you that a Conference should be proposed by this House, we this Session retained your Bill, and on our Part made the Overture for a Conference, according to the Course pursued in 1747, when the first Inspection Act passed.

By your Message of Yesterday, we find that neither is this Method agreeable to you, but you desire us to point out Amendments, and that you will agree to a Conference thereon, "if you judge it expedient."

You must be sensible, that if we were to enter minutely into a Consideration of all the Parts and Articles of the Bill, detail all our Exceptions, and apply distinctly our Observations, in Support of our Opinion, it would be a Work of great Length, take up much Time, and be productive of a considerable Expence; and especially, if this Proceeding should draw from you a Message of the same Kind, and you at last not judge a Conference to be expedient; wherefore we make the following general Propositions: That the Regulation of the Fees of Officers and Lawyers, and the Provisions dependant thereon, be the same as in the last Inspection Act: The Mode of recovering Penalties be the same: That there be no new Allowance on Tobacco Payments, or that the Clause, in which it is comprised, may be so explained as clearly to extend only to cropped Tobacco: That all Persons, whether they shall make Tobacco or not, may elect to pay all Fees in Tobacco or Money, in the Manner provided by the Bill: That the Poll-Tax may be paid in the same Manner, with this Difference only, that in Case of Payment in Money, the Clergy may receive on 32 instead of 30 per Poll: That the Inspection may be closed at the Time directed by the last Regulation. Should you think the Income from the Fees of the Secretary, Commissary-General, and Judges of the Land-Office, will be too great on this Plan, we propose, if you think proper, that there may be an annual stated Income paid to these Officers respectively, of Six Hundred Pounds Sterling, in lieu of all other Fees, Perquisites and Emoluments, and that these may be accounted for, and applied to the publick Use, as the General Assembly shall direct.

Lastly, That the Fees and Proportion of the Poll-Tax, which became due during the Existence of the late Regulation, and remain unsatisfied, may be accordingly paid.

Signed by Order,

U. SCOTT, Cl. Up. Ho.

Which was read and ordered to lie on the Table,

Daniel