

326 VOTES AND PROCEEDINGS, NOVEMBER 1770.

An Act to remedy the Omission of the Enrollment of a Deed of Bargain and Sale from *Thomas Collier to Thomas Lightfoot, William Lightfoot, Abraham Mitchell, Walter Franklin and Samuel Franklin.*

To the honourable Speaker,
To the Clerk,

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Mr. *Chafe* brings in, and delivers to Mr. Speaker the following Message :

By the LOWER HOUSE of ASSEMBLY, November 16, 1770.

May it please your HONOURS,

WE return the Bill for the Payment of *John Duckett* and others, whereon, to endorse your Assent or Negative, according to the established Mode of parliamentary Proceeding, this House will ever claim, as their inherent, undoubted and fundamental Right, the sole and exclusive Formation of all Money Bills, as well for the Application and Disposition, as for the granting and raising of all publick Money ; a Right so essential to the Liberties and Properties of those we represent, that we are determined never to give it up, or wave or weaken it in any Manner ; and we must observe, that your Proposal to make Mr. *Duckett* an Allowance in our Journal of Accounts, is an Infringement of that Right. Mr. *Duckett's* Claim arises from a Contract made with the Lower House, in November Session 1766, for transcribing a Record Book in the Land-Office, which contains Grants and Certificates of some of the most ancient and valuable Lands in this Province ; and which, from the peculiar and uncommon Damage it then appeared to have sustained, it was deemed necessary to have immediately copied ; and Mr. *Duckett*, in Expectation of an immediate Payment, undertook the Work for 4 *d.* per Side, to be paid in Dollars at 7/6 ; which, had it been done in the Land-Office, at 9^{ths} Tobacco per Side, the then established Allowance for recording, would have cost more than treble his Charge. We must also remind your Honours, that in Consequence of the same Contract with Mr. *Duckett*, he was paid a Sum of Money for transcribing the Journal of this House from 1692 to 1715, by an Ordinance of both Houses, in May Session 1768, in which a Sum of Money granted to the late Governor was included. These Considerations will, we doubt not, evince to your Honours the Justice of Mr. *Duckett's* Claim to an immediate Payment, and be sufficient to prevail on you to pass the Bill.

We beg Permission also to remind your Honours, that our Journal of Accounts, sent up for your Assent only, early in the last Session, was not returned to us, when, by your Advice, as his Lordship's Council of State, the late Prorogation happened, and by that Means we have been deprived, this Session, of an Opportunity of making such Additions thereto, and of adjusting the publick Claims in such Manner as we should esteem just and proper.

Signed by Order,

JOHN DUCKETT, Cl. Lo. Ho.

Which was read and ordered to lie on the Table.

Mr. *W. Paca* brings in, and delivers to Mr. Speaker the following engrossed Address :

To his Excellency ROBERT EDEN, Esq; Governor and Commander in Chief in and over the Province of Maryland.

The humble ADDRESS of the HOUSE of DELEGATES.

May it please your EXCELLENCY,

WE find, by Reports of the Committee appointed to inspect into the State of the several publick Offices, in every Session since the Year Seventeen Hundred and Sixty-six, down to the last, Copies of which we herewith present to your Excellency, that there are many Errors and Omissions in the Commissary's and Land-Office, and a Neglect in not making up the Records of Judgments for several Years, in the Secretary's Office, and some of the Alphabets and Record Books much out of Repair, both in the Commissary's and Land-Office ; and that there are Two Bundles of Wills and Inventories, exhibited in Seventeen Hundred and Fifty-nine and Seventeen Hundred and Sixty, in the Commissary's Office, not yet recorded.

The evil Consequence of Negligence or Remissness in the Execution of publick Offices, the Records of which are almost the only Evidence of Property in this Province, are but too obvious. We therefore hope your Excellency will use your utmost Influence, to have the Errors, Omissions and Damages which have happened, rectified, supplied and repaired, as far as can be ; and also, that there be a more exact Discharge of Duty by Gentlemen who enjoy such publick Offices.

The Law directs Bonds to be given, in large Penalties, by those Officers for the Discharge of their several Duties, which we might order to be put in Suit for these Failures, except in the Instance where the Two Bundles of Wills and Inventories are not recorded, an improper Bond having been given by *Daniel Dulany*, Esq; the then Commissary-General, which makes an Application to your Excellency in this Case more especially necessary ; and we shall be glad that this Method of Proceeding may have the desired Effect.

Which was read and assented to, and signed by Order of the House by the honourable Speaker.

ORDERED, That Mr. *Dickinson* and Mr. *N. Thomas* do acquaint his Excellency, that this House hath prepared an Address to be presented to him, and desire to know when and where he will be pleased to receive it.

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