

VOTES AND PROCEEDINGS, FEBRUARY 1777. 101

Communicated to the governor by Mr. Craufurd.

In progression on a second reading the bill, entitled, A supplementary act to the act, entitled, an act to promote the recruiting service, the question was put, That no common labouring servant shall be valued at more than at the rate of thirty shillings per month for each month he shall have to serve? Resolved in the affirmative.

A F F I R M A T I V E.

Messieurs	Read, Jordan, Lethrbury, Perkins, Maxwell, Galloway,	Allein, Turner, Jackson, Maddox, Polk, Ennalls,	Smoot, R. Bond, Bowie, Craufurd, O. Sprigg,	Magruder, S. Chase, Brice, Banning, Kent,	Bruff, Wright, Bordley, Bishop, Sheredine,	Downes, Douglass, Dickinson, Smith, J. T. Chase.
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N E G A T I V E.

Messrs.	Hall, Henry, Deye,	Ridgely, Stevenson, Shepherd,	Chaille, Edelen, J. Bond,	T. Bond, Archer, Smithson,	Williams, Wootton,	Crabb, Burgess.
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The bill being read throughout by an especial order, the question was put, That the said bill do pass? Resolved in the affirmative.

A F F I R M A T I V E.

Messieurs	Read, Jordan, Lethrbury, Perkins, Maxwell, Allein,	Turner, Jackson, Maddox, Polk, Ennalls,	Smoot, R. Bond, Bowie, Craufurd, O. Sprigg,	Magruder, S. Chase, Brice, Banning, Kent,	Bruff, Wright, Bordley, Bishop, Sheredine,	Downes, Douglass, Dickinson, Smith, J. T. Chase.
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Sent to the senate by Mr. Magruder and Mr. Maxwell. They return and acquaint Mr. Speaker they delivered the bill.

Samuel Wilson, Esq; from the senate, delivers to Mr. Speaker the bill, entitled, An act to punish certain crimes, &c. and the following message:

By the S E N A T E, April 18, 1777.

Gentlemen,

WE shall not, in answer to your message by Messieurs Hall and Lethrbury, enter into a disquisition of any subject, not necessary to produce a passage of the bill referred to. We shall upon all future occasions receive with pleasure information produced by your deliberations; and though the constitution has given us power over your bills, yet you may be assured, this authority shall never be exercised to reject any regulation, which in our judgment consists with the true policy of a free and virtuous society. We do not agree that the persons particularly enumerated in your proposition, be inserted in the bill. If the enumeration comprehends persons not included by the general words in the form of government, we conceive it ought not to be made; if the persons particularly mentioned in your proposition will be included by the general words, the enumeration is not only unnecessary, but will have the effect of creating a doubt, whether others who appear to fall within the same reason, not being particularised, can be required to take the oath; an inconvenience intended to be guarded against by the general comprehensive words adopted by the framers of our government. We have no doubt but the militia and military officers of this state, subsisting commissioners of towns, teachers, visitors and trustees of public or county schools, and members of corporations, may be required to take the oath under the general terms of the bill. A clause for disqualifying *ipso facto*, all officers of profit or trust, who neglect to take the oath within three months, and for supplying the places thus vacated agreeable to their respective institutions, we think right, and therefore we agree that such a clause, pursuing the general terms of the bill, be inserted. We are sorry that there should still continue a diversity of opinion respecting absentees; we meant to deprive them of office only, should they not comply with the conditions of our amendment; not to subject them to imprisonment for life, if they returned after that time; and when you proposed to limit the time for their return to nine months, instead of during the war, as was by us proposed, we apprehended there was no other disagreement between us. You have now explained your intention to be different from what we understood it to be; and we, upon re-consideration of this subject, do not agree to that part of the clause inflicting the penalty of imprisonment for life upon return after twelve months, because we cannot see the policy of the exclusion which will thereby be produced,