

VOTES AND PROCEEDINGS, OCTOBER 1777. 51

" *Be it enacted*, That no general, field, commissioned, warrant, or staff officer, or other officer, nor any soldier, or person in the regular service of this state, or the United States, or any of them, shall be affected by any matter or thing herein contained.

" *And*, To prevent this state from becoming an asylum for the disaffected fugitives from other states,

" *Be it enacted*, That the governor and council, or any magistrate of the county, on their or his own knowledge, or on information, that any male person, above the age of eighteen years, belonging to any of the united states, has taken shelter in this state; shall immediately cause such person to be apprehended, and examined, and, if such person cannot, upon such examination, produce a certificate of his having taken the oath, or affirmation, prescribed by his state, or, if such person has not taken the oath, or affirmation (as the case may be) which has been prescribed by this state, and refuses to take the said oath, or affirmation, and shall also refuse to take the following oath, or affirmation if a quaker, menonist or dunker, viz, " I, A. B. do swear, or solemnly affirm (if a quaker, menonist or dunker) that I do not hold myself bound to yield any allegiance or obedience to the king of Great-Britain, his heirs or successors; and that I will be true and faithful to the United States of America, and will, to the utmost of my power, support, maintain, and defend, the freedom and independence thereof," the governor and council, or the said magistrate, may commit such person to the public gaol, or the governor and council may remand such person back to his own state, and in such manner as they may adjudge the most expedient. And if such person hath property in this state, he shall be subject to the treble tax aforesaid, in manner and form prescribed as aforesaid, and such person shall also be subject to all the disabilities imposed by this act, and upon every commitment of such person by any magistrate as aforesaid, the said magistrate shall immediately give notice thereof to the said governor and council."

In the 5th line of the 11th page, strike out from the word "bonds" to the words "be transmitted," and insert, "taken in the name of any president of convention, council of safety, or in the name or names of any other person or persons for the use of this state."

Strike out the last paragraph of the 12th page to the word "crimes" inclusive, and insert the words, "Whereas persons, guilty of high treason, may, by being out of the reach of a legal process in the common course of proceedings, evade a trial and the punishment due to their crimes."

By order,

A. C. HANSON, cl. sen.

Which amendments were read and ordered to lie on the table.

William Paca, Esq; from the senate, delivers to Mr. Speaker the bill, entitled, An act to indemnify the creditors of British subjects and other persons of this state, &c. thus endorsed; "By the senate, November 18, 1777: Read the first time and ordered to lie on the table.

By order,

A. C. HANSON, cl. sen.

"By the senate, December 16, 1777: Read the second time and will not pass.

By order,

A. C. HANSON, cl. sen."

And the following message:

By the S E N A T E, December 15, 1777.

Gentlemen,

WE have returned with a negative your bill, entitled; An act to indemnify the creditors of British subjects and other persons of this state, who have suffered by the army and navy of Great-Britain since the present war. We do not think it expedient at this time to hold out a promise to the sufferers mentioned in the bill, of indemnification out of British property, as persons who may hereafter suffer ought on the same principle to be entitled to a similar indemnification, and this expectation may occasion many to be more neglectful of their property; and leave it exposed to the depredations and seizure of the enemy, and even encourage the secretly disaffected to suffer their stock to fall into the enemy's hands. Besides the extent of such future indemnifications cannot now be ascertained, and the damages hereafter committed may exceed all the British property in this state, and therefore if the present sufferers should be immediately indemnified, an unjustifiable preference will take place.

By order.

A. C. HANSON, cl. sen.

Which was read.

Charles Carroll of Carrollton, Esq; from the senate, delivers to Mr. Speaker the following message:

By the S E N A T E, December 16, 1777.

Gentlemen,

WE are ready to proceed to ballot for five commissioners, to go to Frederickburg, for the purpose mentioned in your message; and have appointed Brice T. B. Worthington and Charles Grahame, Esqrs. to join any committee you may appoint to examine the ballot boxes. No person has been named in the senate in addition to the list communicated.

By order,

A. C. HANSON, cl. sen.

Which was read.

Brice