



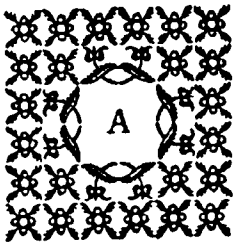
Votes and Proceedings

OF THE

LOWER HOUSE of ASSEMBLY

OF THE

Province of *MARYLAND*.



T a Session of Assembly held at the City of *Annapolis*, on Monday the Twenty-third Day of *February*, *Anno Domini* One thousand seven hundred and fifty-six, in the fifth Year of the Dominion of the Right Honourable FREDERICK, Absolute Lord and Proprietary of the Provinces of *Maryland* and *Avalon*, Lord Baron of *Baltimore*, &c. (his Excellency HORATIO SHARPE, Esq; being Governor), the following Delegates appeared in the Lower House of Assembly, *viz.*

The Honourable Col. HENRY HOOPER, Speaker;

For *St. Mary's* County,
Mr. THOMAS REEDER.

For *Kent* County,
Mr. WILLIAM HYNSON,
Capt. ALEXANDER WILLIAMSON,
Mr. HUGH WALLIS.

For *Anne-Arundel* County,
PHILIP HAMMOND, Esq;,
Major HENRY HALL,
Capt. JOHN GASSAWAY.

For *Calvert* County,
Col. WILLIAM FITZHUGH,
Mr. THOMAS REYNOLDS,
Mr. JAMES JOHN MACKALL,
Mr. BENJAMIN MACKALL.

For *Charles* County,
Mr. BAYNE SMALLWOOD,
Capt. JOHN STODDERT.

For *Talbot* County,
Mr. JOHN GOLDSBOROUGH,
Mr. MATTHEW TILGHMAN,
Mr. JAMES EDGE.

For *Dorchester* County,
Mr. JOSEPH COX GRAY.

For *Cæcil* County,
Mr. MICHAEL EARLE,
Mr. HENRY WARD.

For *Baltimore* County,
Mr. JOHN PACA,
Mr. WALTER TOLLEY,
Mr. WILLIAM GOVANE.

For *Prince-George's* County,
Mr. WILLIAM MURDOCK,
Mr. GEORGE FRASER,
Mr. JOHN HAWKINS, junr.

For the City of *Annapolis*,
Mr. STEPHEN BORDLEY,
Mr. WALTER DULANY.

For *Queen-Anne's* County,
Mr. ROBERT LLOYD,
Col. EDWARD TILGHMAN,
Mr. HENRY CASSON,
Mr. JOHN BRACCO.

For *Frederick* County,
Mr. JOSEPH CHAPLINE,
Mr. JOSIAH BEALL.

A sufficient Number of Delegates to compose the Lower House of Assembly having met at the Stadt-House, Ordered, That Mr. *Smallwood* and Mr. *Govane*, do acquaint his Excellency therewith. They return and acquaint Mr. Speaker with having delivered the Message.

February Session, 1756.

Col.

Col. Tinker, from the Upper House, delivers to Mr. Speaker the following Message, viz.

“ By the Upper House of Assembly, May 21, 1756.

“ Gentlemen,

THIS House agrees, that the Treasurer of the Western Shore send to England, for the Use of the Public, for Books, Paper, Parchment, and Ink-Powder, to the Amount of Thirty Pounds Sterling; and that Mr. Hunt be directed to pay for the same out of the Public Money lodged in his Hands for the Use of the Public.
Signed per Order, J. Rofs, Cl. Up. Ho.”

Benjamin Calvert, Esq; from the Upper House, delivers to Mr. Speaker the Bill entituled, *An Act for suppressing certain Warehouses therein mentioned*; and the Bill entituled, *An Act for preventing the Importation of German and French Papijs, &c. severally indorsed*, “ By the Upper House of Assembly, May 21, 1756. Signed per Order, J. Rofs, Cl. Up. Ho.”
“ Read the second Time, and will not pass.

Richard Lee, Esq; from the Upper House, delivers to Mr. Speaker the Bill entituled, *An Act to empower the Justices of the severall County Courts, to make Provision for the late Inhabitants of Nova-Scotia, &c. and the Bill entituled, An Act for the Assessment and Payment of the Public Charge of this Province*; severally indorsed, “ By the Upper House of Assembly, May 21, 1756. Read the second Time, and will pass.
“ Signed per Order, J. Rofs, Cl. Up. Ho.”

Which Bills were severally read here, and passed for ingrossing.

Samuel Chamberlaine, Esq; from the Upper House, delivers to Mr. Speaker the Bill entituled, *An Act for preventing all Retailers of Liquors from selling in small Quantities*; indorsed, “ By the Upper House of Assembly, May 21, 1756. Read the second Time, and will pass, the Appropriation of the Fines in the several Places of the Bill being left out.
Signed per Order, J. Rofs, Cl. Up. Ho.”

Which Bill was here read, with the Amendment proposed, and with which Amendment this House doth not concur.

A Motion, that Leave be given to bring in a Bill, *To make Provision for the Children of Mr. Thomas Crepp, junior, who was slain in a late Battle with a Party of Indian Enemies*, was granted. Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

The House adjourns until the Morrow Morning at VIII of the Clock.

SATURDAY MORNING, May 22, 1756.

THE House met according to Adjournment, &c.

Mr. Lloyd, from the Committee of Laws, brings in and delivers to Mr. Speaker an ingrossed Bill entituled, *An Act to empower the Justices of the severall County Courts, to make Provision for the late Inhabitants of Nova Scotia, &c.* and an ingrossed Bill entituled, *An Act for the Assessment and Payment of the Public Charge of this Province*; which were severally read and assented to, and sent to the Upper House, with the Paper Bills thereof, by Mr. John Handy and Mr. John Reeder.

His Excellency the Governor communicated to Mr. Speaker the following Message, viz.

“ Gentlemen of the Lower House of Assembly,

“ WHEN I laid before you a Copy of the Ordinance, made and agreed to by the Governor, Council, and Representatives, of the Province of the Massachusetts-Bay, together with his Excellency General Shirley's Letter, desiring that a Person might be empowered also, by this Government, to indent for and receive the Arms and Ammunition that his Majesty has been most graciously pleased to order for our Use, I was in Hopes that you would have framed a short Bill for that Purpose; and, lest the Officer that his Majesty has appointed to distribute the Arms, should, upon Enquiry, find, that a Resolve of your House is not equivalent to an Act of the Legislature, and thereupon refuse to deliver them, I must recommend it to you to prepare such a Bill, and thereby authorize the Treasurers to defray the Expence of conveying the Ammunition and Arms hither.

“ HOR^o. SHARPE.”

And be it further Enacted by the Authority aforesaid, That if any itinerant Popish Priest or Jesuit, after his coming into or arriving in this Province, and before the Entry of his Name, and intended Place of Residence, with the Clerk of the County Courts, as abovementioned, shall presume to preach, pray, or say Mass, either Public or Private, to any Number or Congregation of Persons whatever, he shall forfeit and pay, for such Offence, and being convicted thereof, the Sum of One Hundred Pounds Current Money.

And for the better Discovery of such Persons, who are Popish Priests or Jesuits, and may conceal themselves, and travel about in Disguise, Be it further Enacted, That if any Person, who shall be suspected to be a Jesuit, Seminary or Massing Priest, being examined by any Person of Credit and Repute, shall refuse to answer directly and truly whether he be a Jesuit, or a Seminary or Massing Priest, as aforesaid. every such Person, so refusing to answer, shall be taken up and carried before the next Justice of the Peace for the County where he shall be so taken, and if he persists in refusing to give Answer directly and truly before such Magistrate, whether he be a Jesuit, Seminary or Massing Priest, shall, for his Disobedience and Contempt in that Behalf, be committed to Prison by such Justice as aforesaid, and thereupon shall remain and continue in Prison, without Bail or Mainprize, until he shall make direct and true Answer to the said Questions, whereon he shall be so examined.

And be it further Enacted, That all such Armour, Gunpowder, and Ammunition, of whatsoever Kind, as any Papist whatever, within this Province, hath or shall have in his House or Houses, or elsewhere, or in the Hands and Possession of any other Person at his or their Disposition, shall be taken from such Papist, or Others, which have or shall have the same to the Use of such Papist, by Warrant of any Four Justices of the Peace of the County where such Papist shall be Resident (other than such necessary Weapons as shall be thought fit by the same Justices to remain and be allowed for the Defence of the Person or Persons of such Papiests, or for the Defence of his, her or their Houses), and that such Armour and Ammunition, so taken, shall be kept and maintained in such Places as the Justices of the Peace, for the said County, shall, at their next County Court, direct and appoint.

And be it further Enacted by the Authority aforesaid, That if any such Papist, having, or which shall have, any such Armour, Gunpowder, and Ammunition, or any of them, or if any other Person or Persons, who shall have any such Armour, Gunpowder, and Ammunition, or any of them, to the Use of any such Papist, shall refuse to declare or manifest to the said Four Justices, or either of them, what Armour, he, she or they have, or shall have, or shall let, hinder, or disturb, the Delivery thereof to the said Justices, or to any other Person or Persons authorized by their Warrant to take and seize the same, then every such Person, so offending, contrary to this Act in this Behalf, shall forfeit and lose, to the Right Honourable the Lord Proprietary, his Heirs and Successors, his and their said Armour, Gunpowder, and Ammunition; and shall also be imprisoned by Warrant of or from any Four Justices of the Peace of such County, by the Space of Three Months, without Bail or Mainprize.

And to prevent the Importation of *Irish* Papiests into this Province, by Way of *Newcastle* on *Delaware*, Be it Enacted by the Authority aforesaid, That no Person whatever shall import or bring into this Province from or by Way of *Newcastle*, or any other Part or Place in the Counties of *Newcastle*, *Kent*, and *Sussex* upon *Delaware*, or from any Part or Place in the Province of *Pennsylvania*, any *Irish* Servant or Servants, being Papiests, whatsoever, on Pain of forfeiting Twenty Pounds Current Money for every such Servant so by him or them imported, or brought into this Province, as aforesaid. Provided always, That nothing herein contained shall hinder any Person or Persons, who shall remove from any of the Places aforesaid, in order to settle and reside within this Province, from bringing with him, her, or them, such menial Servant or Servants as he, she, or they, shall be possessed of at the Time of his, her, or their Removal.

And be it further Enacted, that all the several Fines and Forfeitures imposed by this Act, shall be divided into two equal Parts, whereof one Half shall be paid to the Right Honourable the Lord Proprietary, his Heirs and Successors, for Support of Government; the other Half to the Informer, or him or them that will sue for the same, in any Court of Record, having Jurisdiction thereof, by Action of Debt, Bill, Plaint, or Information, wherein no Essoin, Protection, or Wager of Law shall be allowed.

Provided always, and be it further Enacted, That an Act made at a General Assembly, begun and held at the Town and Port of *Annapolis* the second Day of *April*, in the Year of our Lord God Seventeen hundred and Six, entituled, An Act declaring several Acts of Parliament, made in the Kingdom of *England*, to be in Force within this Province, be, and is hereby repealed and made void.

This Act to continue for Five Years, and to the End of the next Session of Assembly which shall happen after the Expiration of the said Five Years.