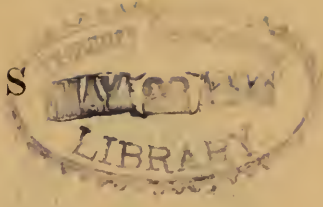






Proceedings of the Convention

PROCEEDINGS



OF

THE CONVENTIONS

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OF THE

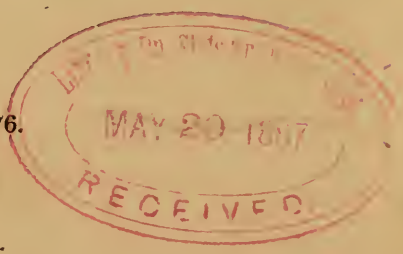
PROVINCE OF MARYLAND,

HELD AT

THE CITY OF ANNAPOLIS,

IN

1774, 1775, & 1776.



BALTIMORE:
JAMES LUCAS & E. K. DEEVER.
ANNAPOLIS—JONAS GREEN.

1836.

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PROCEEDINGS OF THE CONVENTIONS
OF THE
PROVINCE OF MARYLAND,
HELD AT

The City of ANNAPOLIS, on the twenty-second day of June, 1774;
on the twenty-first day of November, 1774; on the eighth day
of December, 1774; on the twenty-fourth day of April, 1775;
and on the twenty-sixth day of July, 1775.

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PROCEEDINGS.

At a meeting of the COMMITTEES appointed by the several counties of the province of MARYLAND, at the city of Annapolis, the 22d day of June, 1774, and continued by adjournment from day to day, till the 25th day of the same month, Were present,

NINETY-TWO MEMBERS.

MATTHEW TILGHMAN, Esq; in the the Chair.

JOHN DUCKETT chose Clerk.

It being moved from the chair to ascertain the manner of dividing upon questions, it was agreed, that on any division each county have one vote, and that all questions be determined by a majority of counties.

The letter and vote of the town of Boston, several letters and papers from Philadelphia and Virginia, the act of parliament for blocking up the port and harbour of Boston, the bill depending in parliament subversive of the charter of Massachusetts bay, and that enabling the governor to send supposed offenders from thence to another colony, or *England*, for trial, were read, and after mature deliberation thereon,

I. *Resolved*, That the said act of parliament, and bills, if passed into acts, are cruel and oppressive invasions of the natural rights of the people of the Massachusetts bay as men, and of their constitutional rights as English subjects; and that the said act, if not repealed, and the said bills, if passed into acts, will lay a foundation for the utter destruction of *British* America, and therefore that the town of Boston and the province of Massachusetts, are now suffering in the common cause of America.

II. *Resolved*, That it is the duty of every colony in America to unite in the most speedy and effectual means to obtain a repeal of the said acts, and also of the said bills, if passed into acts.

III. *Resolved*, That it is the opinion of this committee, that if the colonies come into a joint resolution to stop all importations from, and exportations to, Great Britain, until the said acts, or bills, if passed into acts, be repealed, the same will be the most

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speedy and effectual means to obtain a repeal of the said act or acts, and preserve North America and her liberties.

IV. *Resolved*, Notwithstanding the people of this province will have many inconveniences and difficulties to encounter, by breaking off their commercial intercourse with the mother country, and are deeply affected at the distress which will be thereby necessarily brought on many of their fellow-subjects in Great Britain, yet their affection and regard to an injured and oppressed sister colony, their duty to themselves, their posterity, and their country, demand the sacrifice—and therefore that this province will join in an association with the other principal and neighbouring colonies, to stop all exportations to, and importations from, Great Britain, until the said acts and bills, if passed into acts be repealed: the non-importation and non-exportation to take place on such future day as may be agreed on by a general congress of deputies from the colonies—the non-export of tobacco to depend and take place only on a similar agreement by Virginia and North Carolina, and to commence at such time as may be agreed on by the deputies for this province and the said colonies of Virginia and North Carolina.

V. *Resolved*, That the deputies from this province are authorised to agree to any restrictions upon exports to the West Indies, which may be deemed necessary by a majority of the colonies at the general congress.

VI. *Resolved*, That the deputies from this province are authorised, in case the majority of the colonies should think the importation of particular articles from Great Britain to be *indispensably* necessary for their respective colonies, to admit and provide for this province such articles as our circumstances shall necessarily require.

VII. *Resolved*, That it is the opinion of this committee, that the merchants and others, venders of goods and merchandizes within this province, ought not to take advantage of the above resolve for non-importation, but that they ought to sell their goods and merchandize that they now have, or may hereafter import, at the same rates they have been accustomed to do within one year last past; and that if any person shall sell any goods which he now has, or hereafter may have, or may import, on any other terms than above expressed, no inhabitant of this province ought, at any time thereafter, to deal with any such person, his agent, manager, factor, or storekeeper, for any commodity whatever.

VIII. *Resolved unanimously*, That a subscription be opened in the several counties of this province, for an immediate collection for the relief of the distressed inhabitants of Boston, now cruelly

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deprived of the means of procuring subsistence for themselves and families, by the operation of the said act for blocking up their harbour, and that the same be collected by the committees of the respective counties, and shipped by them in such provisions as may be thought most useful.

IX. *Unanimously resolved*, That this committee embrace this public opportunity, to testify their gratitude and most cordial thanks to the patrons and friends of liberty in Great Britain, for their patriotic efforts to prevent the present calamity of America.

X. *Resolved*, That Matthew Tilghman, Thomas Johnson, jun., Robert Goldsborough, William Paca, and Samuel Chase, Esqrs., or any two or more of them, be deputies for this province, to attend a general congress of deputies from the colonies, at such time and place as may be agreed on to effect one general plan of conduct, operating on the commercial connection of the colonies with the mother country, for the relief of Boston and preservation of American liberty; and that the deputies for this province immediately correspond with Virginia and Pennsylvania, and through them with the other colonies, to obtain a meeting of the general congress, and to communicate, as the opinion of this committee, that the twentieth day of September next will be the most convenient time, and the city of Philadelphia the most convenient place, for a meeting, which time and place, to prevent delay, they are directed to propose.

XI. *Resolved unanimously*, That this province will break off all trade and dealings with that colony, province, or town which shall decline or refuse to come into the general plan which may be adopted by the colonies.

XII. *Resolved*, That the deputies for this province, upon their return, call together the committees of the several counties, and lay before them the measures adopted by the general congress.

Ordered, That copies of these resolutions be transmitted to the committees of correspondence for the several colonies, and be also published in the Maryland Gazette.

By order,

JOHN DUCKETT, Clk. Com.

At a Provincial Meeting of DEPUTIES, chosen by several of the counties in MARYLAND, held at the city of Annapolis, November the 21st, 1774, and continued by adjournment to Friday the 25th day of the same month, Were present,

FIFTY-SEVEN DEPUTIES.

MATTHEW TILGHMAN, Chairman.

JOHN DUCKETT, Clerk.

The delegates appointed to represent this province, at the late continental congress, laid the proceedings of the congress before this meeting, which being read and considered, were unanimously approved of: And thereupon it is *Resolved*, That every member of this meeting will, and every person in the province ought, strictly and inviolably to observe, and carry into execution, the association agreed on by the said continental congress.

It is recommended by this meeting, That, during the present time of public calamity balls be discontinued.

Several counties not being fully represented, from the want of sufficient notice of the time of this meeting, *Resolved*, That this meeting will adjourn to Thursday the 8th day of December next; and that a letter be wrote to those counties, earnestly to request them to send their deputies to attend punctually on that day, as matters of very great importance to this province will be then taken into consideration.

The meeting adjourned to Thursday the 8th day of December next.

JOHN DUCKETT, Clerk.

At a meeting of the DEPUTIES appointed by the several counties of the province of MARYLAND, at the city of Annapolis, by adjournment, on the 8th day of December, 1774, and continued till the 12th day of the same month, Were present,

EIGHTY-FIVE MEMBERS.

Mr. JOHN HALL in the Chair. And,

Mr. JOHN DUCKETT, Clerk.

The proceedings of the continental congress were read, considered, and *unanimously* approved.

Resolved, That every member of this convention will, and every person in the province ought, strictly and inviolably to observe and carry into execution the association agreed on by the said continental congress.

On motion, *unanimously resolved*, That the thanks of this convention be given, by the chairman, to the gentlemen who represented this province as deputies in the late continental congress, for their faithful discharge of that important trust: And the same was done accordingly.

To increase our flocks of sheep, and thereby promote the woollen manufacture in this province, *Resolved*, That no person ought to kill any lamb, dropt before the first day of May yearly, or other sheep, after the first day of January next, under four years of age.

To increase the manufacture of linen and cotton, *Resolved*, That every planter and farmer ought to raise as much flax, hemp, and cotton, as he conveniently can; and the cultivation thereof is particularly recommended to such inhabitants of this province, whose lands are best adapted to that purpose. And *Resolved*, That no flax-seed of the growth of the present year, ought to be purchased for exportation, after the twelfth day of this month.

It being represented to this convention, that many merchants and traders of this province, from a scarcity of cash to make their remittances, and other causes, had sold their goods, within twelve months next before the twentieth day of October last, at, and sometimes even below, the prime cost; and that, in many different parts of this province, merchants had vended their goods at a very different advance on the prime cost; and it appearing to this convention to be unjust to compel such merchants to sell their goods at prime cost, and that one general rule, allowing a reasonable profit to the trader, and preventing him from taking advantage of the scarcity of goods which may be occasion-

ed by the non-importation, would give great satisfaction to the merchants and people of this province, *Resolved unanimously*, that no merchant ought to sell his goods, at wholesale, for more than 112 one-half per cent.—at retail, for cash, for more than 130 per cent.—on credit, for more than 150 per cent. advance on the prime cost; and that no merchant, or other person, ought to engross any goods, wares, or merchandise whatsoever. And in case any question should arise, respecting the prime cost of goods, every merchant or factor possessing or owning such goods, ought to ascertain the same on oath, if requested to do it by the committee.

As a further regulation to enforce an observance of the late continental association, *Resolved unanimously*, That in all cases where breaches of the continental association, or the resolves of this convention, shall happen and be declared such by any committee of a county, no gentleman of the law ought to bring or prosecute any suit whatever for such offender: And if any factor shall commit any breach of the said association or resolves, that no gentleman of the law ought to bring or prosecute any suit for any debt due to the store of which the said factor has the management, after notice as aforesaid.

Resolved, That it is earnestly recommended by this convention, to the people of this province, that the determinations of the several county committees be observed and acquiesced in: That no persons, except members of the committees, undertake to meddle with or determine any question respecting the construction of the association entered into by the continental congress: And that the peace and good order be inviolably maintained throughout this province.

Resolved unanimously, That if the late acts of parliament, relative to the Massachusetts bay, shall be attempted to be carried into execution by force in that colony, or if the assumed power of parliament to tax the colonies shall be attempted to be carried into execution by force, in that or any other colony, that, in such case, this province will support such colony to the utmost of their power.

Resolved unanimously, That a well regulated militia, composed of the gentlemen, freeholders, and other freemen, is the natural strength and only stable security of a free government, and that such militia will relieve our mother country from any expense in our protection and defence; will obviate the pretence of a necessity for taxing us on that account, and render it unnecessary to keep any standing army (ever dangerous to liberty,) in this province: And therefore it is recommended to such of the said in-

habitants of this province as are from sixteen to fifty years of age, to form themselves into companies of sixty-eight men; to choose a captain, two lieutenants, an ensign, four sergeants, four corporals and one drummer, for each company; and use their utmost endeavors to make themselves masters of the military exercise: That each man be provided with a good firelock and bayonet fixed thereon, half a pound of powder, two pounds of lead, and a cartouch-box, or powder-horn, and a bag for ball, and be in readiness to act on any emergency.

Resolved unanimously, That it is recommended to the committees of each county to raise by subscription, or in such other voluntary manner as they may think proper, and will be most agreeable to their respective counties, such sums of money as, with any monies already raised, will amount to the following sums in the respective counties, to wit:

In St. Mary's county, -	£ 600	In Worcester, - - -	533
Charles, - - - -	800	Somerset, - - - -	533
Calvert, - - - -	366	Dorchester, - - -	480
Prince-George's, - -	833	Caroline, - - - -	358
Anne-Arundel, - - -	866	Talbot, - - - -	400
Frederick, - - - -	1333	Queen-Anne's, - -	533
Baltimore, - - - -	933	Kent, - - - -	566
Harford, - - - -	466	Cecil, - - - -	400

£ 10,000

And that the committees of the respective counties lay out the same in the purchase of arms and ammunition for the use of such county, to be secured and kept in proper and convenient places, under the direction of the said committees.

Resolved unanimously, That it will be necessary that a provincial meeting of deputies, chosen by the several counties of this province, should be held in the city of Annapolis, on Monday the 24th day of April next, unless American grievances be redressed before that time; and therefore we recommend that the several counties of this province choose deputies, as soon as conveniently may be, to attend such meeting: And the committee of correspondence for this province are empowered to call a meeting of the said deputies, before the said 24th day of April, if they shall esteem it necessary.

Resolved unanimously, That contributions from the several counties of this province, for supplying the necessities and alleviating the distress of our brethren at Boston, ought to be continued in

such manner and so long as their occasions may require; and that it is the duty of the committees of each county to collect and transmit the same as soon as possible.

Resolved unanimously, That the honourable Matthew Tilghman and John Hall, Samuel Chase, Thomas Johnson, jun., Charles Carroll of Carrollton, Charles Carroll, barrister, and William Paca, Esquires, or any three or more of them, be a committee of correspondence for this province.

Resolved unanimously, That the honourable Matthew Tilghman, and Thomas Johnson, jun., Robert Goldsborough, William Paca, Samuel Chase, John Hall and Thomas Stone, Esquires, or any three or more of them, be delegates to represent this province in the next continental congress, and that they, or any three or more of them, have full and ample power to consent and agree to all measures which such congress shall deem necessary and effectual to obtain a redress of American grievances; and this province bind themselves to execute, to the utmost of their power, all resolutions which the said congress may adopt: And further, if the said congress shall think necessary to adjourn, we do authorise our said delegates to represent and act for this province, in any one congress to be held by virtue of such adjournment.

Resolved unanimously, That it is recommended to the several colonies and provinces, to enter into such or the like resolutions for mutual defence and protection, as are entered into by this province.

As our opposition to the settled plan of the British administration to enslave America, will be strengthened by an union of all ranks of men in this province, we do most earnestly recommend, that all former differences about religion or politics, and all private animosities and quarrels of every kind, from henceforth cease and be forever buried in oblivion; and we intreat, we conjure every man, by his duty to God, his country, and his posterity, cordially to unite in defence of our common rights and liberties.

Ordered, That copies of these resolutions be transmitted by the committee of correspondence for this province, to the committees of correspondence for the several colonies, and be also published in the Maryland Gazette.

By order,

JOHN DUCKETT, Clerk.

At a meeting of the DEPUTIES appointed by the several counties of the province of MARYLAND, at the city of Annapolis, on Monday the 24th of April, 1775, and continued by adjournment from day to day, till the third of May, were present,

ONE HUNDRED MEMBERS.

The hon. MATTHEW TILGHMAN, Esq. in the Chair.

GABRIEL DUVALL, appointed Clerk.

Resolved unanimously, That his Majesty King George the third is lawful and rightful King of Great Britian, and that the dominions thereunto belonging, and that the good people of this province do owe, and will bear faith and true allegiance to our said lawful and rightful King, as the sovereign, constitutional guardian, and protector, of the rights of all his subjects.

On motion, That a committee be appointed to prepare a draft of a letter to the committee of correspondence for Philadelphia, acquainting them that this convention had received from gentlemen of their committee, an *Extract of a letter from New York*, communicating the very interesting and important intelligence, that a number of troops were ordered for that city, which was to be the place of arms, and fortified; that all communication between that city and the southern and eastern provinces was to be cut off; that the people of that colony were concerting means to prevent such scheme, were embodying themselves, and desired the immediate assistance of the southward colonies, before the arrival of the troops; that this convention were greatly alarmed and deeply concerned for that colony, and therefore desired to be acquainted with the authenticity of that account, and the particulars thereof; and that the committee of Philadelphia would give this convention as full and particular accounts of the state of the colony of New York, and of their own province, as they possibly can; what conduct, it is expected, will be adopted by their colony, and of all other matters which they may think of consequence to the general welfare of America. The previous question was moved for and put, whether the above question be now put? And resolved in the affirmative.

The above question was then put, and resolved in the affirmative.

The following letter was accordingly sent to the committee for the city and liberties of Philadelphia :

Annapolis, Saturday, April 29, 1775, 5 o'clock, afternoon.

GENTLEMEN,

The extract of the letter from New-York, communicating the very interesting and important intelligence, "That a number of troops were ordered for that city, which was to be the place of arms, and fortified; that all communication between that city and that southern and eastern provinces was to be cut off; that the people of that colony were concerting means to prevent such schemes, were embodying themselves, and desired the immediate assistance of the southward colonies before the arrival of the troops," was this morning, about 10 o'clock, received, and immediately laid before the provincial convention now sitting: The convention are deeply concerned for New-York, and request to be acquainted with the authenticity of that account, and the particulars thereof, and that you will advise them what conduct it is expected will be held by New-York, your province, and the Jerseys, on the very interesting and trying occasion.

By order of the convention,

MAT. TILGHMAN, chairman of the convention.

Resolved unanimously, That all exportations from this province to Quebec, Nova-Scotia, Georgia, and Newfoundland, or any part of the fishing coasts, or fishing islands, and to the town of Boston, ought immediately to be suspended until the continental congress shall give further orders therein.

Resolved, That it is earnestly recommended to the inhabitants of this province, to continue the regulation of the militia, as recommended by the last provincial convention, and that particular attention be paid to forming and exercising the militia throughout this province, and that the subscriptions for the purpose by the said convention recommended be forthwith completed and applied.

Resolved, That it is the sense of this convention, that the honourable Matthew Tilghman, Esq., Thomas Johnson, jr., Robert Goldsborough, Samuel Chase, William Paca, John Hall, and Thomas Stone, Esquires, the delegates of our province, or any three or more of them, do join with the delegates of the other colonies and provinces, at such time and place as shall be agreed on, and in conjunction with them, deliberate upon the present distressed and alarming state of the British colonies in North America, and concur with them in such measures as shall be thought necessary for the defence and protection thereof, and most conducive to the public welfare. And as this convention has nothing so much at heart as a happy reconciliation of the differences between the mother country and the British colonies in North America, upon a

firm basis of constitutional freedom; so has it a confidence in the wisdom and prudence of the said delegates, that they will not proceed to the last extremity, unless in their judgments they shall be convinced that such measure is indispensably necessary for the safety and preservation of our liberties and privileges. That in the present state of public affairs, this convention is sensible, that measures to be adopted by the continental congress, must depend much upon events which may happen to arise; and relying firmly upon the wisdom and integrity of their delegates, this province will, as far as is in their power, carry into execution such measures as shall be agreed on and recommended by the general congress.

Resolved, That it be recommended, that the sum of £600 be raised in the different counties of this province by subscription, under the direction of the several committees, in the following proportion:

In St. Mary's county £36, Charles 48, Calvert 22, Prince George's 50, Anne Arundel 52, Frederick 80, Baltimore 56, Harford 28, Worcester 32, Somerset 32, Dorchester 29, Caroline 21, Talbot 24, Queen Anne's 32, Kent 34, Cecil 24.

And that the several sums to be raised on the western shore be paid to Mr. Charles Wallace of the city of Annapolis, and the several sums to be raised on the eastern shore be paid to Mr. Thomas Ringgold of Chestertown, to defray the expenses of the delegates at the ensuing continental congress.

Resolved, That it is recommended to all ranks and denominations of people, to use their utmost endeavors to preserve peace and good order throughout this province.

This convention, deeply considering the distressed and perplexed situation of British America, the weakness of all human counsels, and that the hearts of all men are in the disposal of the Supreme Being, do recommend, that the eleventh day of this instant may be observed throughout this province, as a day of fasting and humiliation, and that the inhabitants of this province, on that day, in an especial manner, by prayer and supplications, humbly and devoutly implore the blessing, support and protection of Almighty God, for the preservation of the rights and liberties of America, and the restoration of peace, union and happiness to the British empire.

This convention, taking into consideration, that the time proposed for the meeting of the next continental congress is near at hand, and that it is highly expedient, that the delegates of this province should attend the said congress as early in their session as may be, where the state of the city and colony of New York, as

the circumstances of the other colonies and provinces, may be best known, and measures for the security of the city and colony of New York, as well as the safety of all British America, be best concerted and provided for. And whereas it is now altogether uncertain when an answer may be received to the letter sent on Saturday last to the committee of correspondence in the city of Philadelphia, and it being necessary that the members of this convention should return to their respective counties, it is therefore, *Resolved*, That this convention do now rise.—And it is recommended to such of the counties in this province, where it may be necessary, forthwith to make choice of deputies to represent them in a provincial convention, to be held in the city of Annapolis, on Monday the 22d of May, unless an earlier or later day should be appointed by the delegates of this province, or any three of them, appointed to attend the continental congress.

The following were received by return of the express sent by the provincial convention to the committee of correspondence for Philadelphia.

Philadelphia, May 1, 1775.

GENTLEMEN,

We have duly received your favor of the 29th ult. As the accounts from New York, were not handed to this committee through a channel that gave us the satisfaction we could wish; and as they were very important, we thought proper immediately to despatch some of our members to that place, in order that they might, on the spot, learn the true situation of affairs there, and what the inhabitants of New York expect from the southern colonies. On their return, or on the receipt of any certain intelligence, we shall immediately communicate the particulars to you.

In mean time we have to inform you, that, upon the receipt of the late intelligence, this city and county immediately took the alarm, and are forming with all possible expedition; and by accounts from other counties in this province, the same spirit prevails every where; and we hope, in a short time, we shall be in a condition to unite our efforts with the rest of the colonies.

Inclosed we send you a letter from Newport, Rhode Island, which contains a particular account of the situation of affairs to the eastward, together with some important intelligence.

By order of the committee,

JOHN NIXON, *chairman*.

TO MATTHEW TILGHMAN, Esq. chairman of the provincial convention of the province of Maryland, now sitting at Annapolis.

Newport, April 25, 1775.

GENTLEMEN,

You have, without doubt, before this time, heard of the bloody, savage massacre of a number of the inhabitants of Lexington, a town about 12 miles north-west from Boston, perpetrated by a detachment of about 1200 of the king's troops, and what ensued thereon. We inclose you two accounts, which may be more particular than any you have yet received: The one was brought us by a gentleman who left Cambridge on Thursday last in the forenoon, and is contained in the hand bill; the other is in the newspaper. Since we received these accounts, we have been credibly informed that the number of the king's troops, killed and taken, amounts to about 300, besides many were wounded and carried into Boston; the number of Americans to about 40 killed and wounded, and it is said about 4 or 5 taken prisoners. A large body of men, not less than 20,000, are assembled, and form a semicircle from Charlestown to Roxbury: what their plan of operation will be is unknown. By a gentleman of the committee of correspondence for the town of Providence, in this colony, who arrived here this afternoon, we are informed, that the provincial congress of the Massachusetts bay, now sitting, have determined that a standing army of 30,000 men should be raised in the New England colonies, expecting that the southern colonies will assist in furnishing monies for their support. That our people had taken possession of a hill on Dorchester point, which commands general Gage's works on Boston Neck, and that they had made entrenchment within gun shot of those works at Roxbury. That two men of war had arrived at Boston, and brought the three generals that have been expected, that 6000 troops had embarked for that place when those men of war left England. There were not more than 300 Americans in a body at any one time during the action on Wednesday, and they acquitted themselves with such intrepidity as has convinced the king's officers, that Americans can and will fight. All communication between the town of Boston and the other parts of the colony being shut up, and things being in a state of confusion, renders it almost impossible to obtain any certain particular intelligence from that quarter: However, the foregoing account we think may be depended upon. We had hoped that the dispute between Great Britain and these colonies would have been settled without bloodshed; but the parliament of Great Britain it seems have determined to push their iniquitous unconstitutional measures by dint of arms. The sword of civil war has been drawn by the king's troops, and sheathed in the bowels of our countrymen. May

peace, with liberty soon present the scabbard ; and may Americans never be obliged again to take up arms but against a foreign foe. We hope that the union, which has so remarkably taken place throughout the American colonies, may acquire, if possible, greater firmness by this unjustifiable, inhuman, murderous attack upon our countrymen ; for, upon an universal firmly cemented union of the American colonies, under God, depends the salvation and establishment of American liberty. I am, in behalf of the committee of correspondence for the town of Newport, gentlemen, your and America's sincere friend.

WILLIAM ELLERY.

To the committee of correspondence for the city of Philadelphia.

In committee, Philadelphia, May 1, 1775, received per capt. Whitman this day, and forwarded to Annapolis.

J. B. SMITH, Sec. of committee.

At a meeting of the DELEGATES appointed by the several counties of the province of MARYLAND, at the city of Annapolis, on Wednesday the 26th day of July, 1775, and continued till the 14th day of August, in the same year, were present,

ONE HUNDRED AND FORTY-ONE MEMBERS.

The hon. MATTHEW TILGHMAN, Esq. was chosen chairman.

And GABRIEL DUVALL, appointed clerk.

Resolved unanimously, That the following association be signed by the members of this convention, and by all other the freemen of this province.

ASSOCIATION of the FREEMEN of MARYLAND, July 26, 1775.

The long premeditated, and now avowed design of the British government, to raise a revenue from the property of the colonists, without their consent, on the gift, grant, and disposition of the commons of Great Britain; and the arbitrary and vindictive statutes passed under colour of punishing a riot, to subdue by military force, and by famine, the Massachusetts bay; the unlimited power assumed by parliament to alter the charter of that province, and the constitutions of all the colonies, thereby destroying the essential securities of the lives, liberties, and properties of the colonists; the commencement of hostilities by the ministerial forces, and the cruel prosecution of the war against the people of the Massachusetts bay, followed by general Gage's proclamation, declaring almost the whole of the inhabitants of the united colonies, by name or description, rebels and traitors; are sufficient causes to arm a free people in defence of their liberty, and justify resistance, no longer dictated by prudence merely, but by necessity, and leave no other alternative but base submission, or manly opposition, to uncontrollable tyranny. The congress chose the latter, and for the express purpose of securing and defending the united colonies, and preserving them in safety against all attempts to carry the above mentioned acts into execution by force of arms, *Resolved,* That the said colonies be immediately put into a state of defence, and now supports, at the joint expense, an army to restrain the further violence, and repel the future attacks, of a disappointed and exasperated enemy.

We, therefore, inhabitants of the province of Maryland, firmly persuaded that it is necessary and justifiable to repel force by force, do approve of the opposition by arms, to the British troops employ-

to enforce obedience to the late acts and statutes of the British parliament, for raising a revenue in America, and altering and changing the charter and constitution of the Massachusetts bay, and for destroying the essential securities for the lives, liberties, and properties of the subjects in the united colonies. And we do unite and associate as one band, and firmly and solemnly engage and pledge ourselves to each other, and to America, that we will, to the utmost of our power, promote and support the present opposition, carrying on, as well by arms, as by the continental association, restraining our commerce.

And as in these times of public danger, and until a reconciliation with Great Britain, on constitutional principles, is effected, (an event we most ardently wish may soon take place) the energy of government may be greatly impaired, so that even zeal unrestrained may be productive of anarchy and confusion; we do, in like manner unite, associate and solemnly engage, in maintenance of good order and the public peace, to support the civil power in the due execution of the laws, so far as may be consistent with the present plan of opposition, and to defend, with our utmost power, all persons from every species of outrage to themselves or their property, and to prevent any punishment from being inflicted on any offenders, other than such as shall be adjudged by the civil magistrate, the continental congress, our convention, council of safety, or committees of observation.

That the committees of observation in every county, as soon as conveniently may be, appoint persons in each parish or hundred, to offer or carry the said association to all freemen resident within their county (the household of his excellency the governor excepted) and require their subscription to the same, which association, when subscribed, shall be returned by the committees to the convention. And in case any freeman within their county shall not subscribe, upon application or within ten days thereafter, his name, shall be returned by the said committee to the next convention, to the end that the convention may take order therein.

Resolved, That there be forty companies of minute-men enrolled in this province as soon as may be, each of which companies to consist of one captain, two lieutenants, one ensign, four sergeants, four corporals, one drummer, one fifer, and sixty-eight privates; and that the said forty companies be enrolled in the counties and proportions following, to wit:

In Worcester, 1, Somerset 1, Dorchester 2, Talbot 1, Caroline 1, Queen Anne's 2, Kent 1, Cecil 2, St. Mary's 2, Calvert 1, Charles

3, Prince George's 3, Anne Arundel 4, Baltimore 5, Harford 3, Frederick 8.

And that, for the enrollment of every such company, a proper person be appointed by the committee of each respective county, to enlist a sufficient number of men who shall voluntarily offer themselves, to make up the non-commissioned officers and privates of each of the said companies, for their respective county; in the enrolment of whom, care should be had that the men be strong and effective, and live as convenient as may be, for their frequent and ready assembling and exercising together.

That the form of the enrollment of minute-men be as follows, to wit: "We whose names are subscribed, do hereby enroll ourselves into a company of minute men for ——— county, agreeably to the resolutions of the provincial convention held at Annapolis the 26th day of July, 1775, to continue such until the 1st day of March next, and engage, that we will respectively march to such places, either in this or the neighboring colonies, and at such times as we shall be commanded by the convention, or the council of safety of this province, or by our officers in pursuance of the orders of the said convention or council; and that we will respectively fight with and employ the arms wherewith we are entrusted, for the preservation of American liberty, against whomsoever we shall be commanded, by such authority as aforesaid, with our whole power. Witness our hands, this ——— day of ——— 1775."

That each company as soon as enrolled and viewed, and allowed by the committee of their county, or by such person or persons as shall be appointed by such committee for that purpose, shall elect and choose their proper officers, by ballot, who shall be appointed and commissioned by the delegates of this province sitting in convention, or at any time when they are not sitting in convention, by the council of safety in the name of the convention.

That the said companies in Frederick county compose one battallion; those in Baltimore and Harford counties jointly another; and those in St. Mary's, Charles and Prince George's counties jointly another; and that to each of the same battallions there be one colonel, one lieutenant-colonel, two majors, one quarter master, and one adjutant, appointed and commissioned as aforesaid, by the convention or council of safety.

That as soon as conveniently may be, after the officers to the said battallions on the western shore are commissioned, eight men be drafted from every company of the said battallions, to compose one company of light infantry to each battallion, to which company the convention or council of safety shall, as aforesaid, appoint

and commission one captain, two lieutenants, and one ensign, and the captain of each company of light infantry may appoint non-commissioned officers thereto.

That all the officers of the said minute-men rank according to their commissions and the date of priority thereof.

That the minute-men be exercised two days in every week, and that for one of those days each of the non-commissioned officers and privates be allowed two shillings and six pence common money.

That each of the said battalions in Frederick and Baltimore and Harford counties, be exercised in battalions, at such convenient times and places as shall be appointed by the field officers of the respective battalions, every of which times being accounted as one of the two days of exercise. And that the said other companies of minute-men exercise with some battalions of militia, at at the times of their being exercised in battalion, in their respective county, and as to this purpose, be subject to the commands of the field officers of such battalion.

That until other arms are provided, the minute-men exercise with their own firelocks, but that as soon as others can be provided by the public, each colonel have delivered to him firelocks with steel ramrods and bayonets, cartouch boxes, worms, priming wires, and brushes fitted thereto, and flints, sufficient for his battalion, and he shall deliver to each captain in his battalion, sufficient for his company, who shall deliver and distribute the same to his company; receipts of all which deliveries shall be given, the men being answerable to the captains, the captains to the colonels, and colonels to the conventions, for the return of the said arms and accoutrements in good order, unless prevented by unavoidable accidents.

That the companies of minute-men not so joined in battalion, be armed and provided, and the captains and men of those companies responsible for a return of the public arms and accoutrements, in the same manner as the men of the battalions are to be armed and provided, and their colonels, and they are as aforesaid responsible.

That every able bodied effective freeman within this province, between sixteen and fifty years of age, (clergymen of all denominations, practising physicians, the household of his excellency the governor, minute and artillery men, and such persons who from their religious principles cannot bear arms in any case, excepted,) as soon as may be, and at furthest before the 15th day of September next, shall enroll himself in some company of militia, in the

following form, to wit: "We whose names are subscribed, do hereby enroll ourselves into a company of militia, agreeable to the resolutions of the provincial convention held at Annapolis the 26th day of July, 1775; and we do promise and engage, that we will respectively march to such places within this province, and at such times, as we shall be commanded by the convention, or the council of safety of this province, or by our officers in pursuance of the orders of the said convention or council, and there with our whole power fight against whomsoever we shall be commanded by such authority as aforesaid. Witness our hands, this —— day of —— 1775.

That each company of militia consist of such officers as are recommended by former resolutions of the convention, and of about sixty-eight privates.

That each company already formed, if it now is, or before the 15th day of September next, shall be made up to fifty privates, or upwards; and shall have subscribed the said form of enrollment, shall confirm their election of officers already made, or elect others in their stead, by ballot, as they shall think proper; and that officers so chosen for all companies which shall be hereafter formed, as recommended by the said former resolves; after which confirmations and elections, and before the first day of October next, each captain of militia shall transmit a roll of his company to the committee of observation which shall be appointed for his county, who shall as soon as may be, transmit a memorandum or certil cate of the names of the captains, lieutenants, and ensign, and of the numbers of non-commissioned officers and privates, to the council of safety; in order that commissious may issue in the name of the convention to those officers; which shall be done by the same convention, or council of safety aforesaid.

That no company shall exceed the number of 74 privates, or consist of less than 50; and if a greater number than 71 shall be enrolled in any one company, then the enrollment of any after the first 68 effective privates shall be deemed void, and such shall enroll in some other company, and if a number of men shall be enrolled not amounting to fifty privates, besides sufficient for non-commissioned officers, for any one company, they shall not be considered as a company; yet as the local circumstances of some neighborhoods may make it very inconvenient for a full company of militia to meet weekly for exercise, at one and the same place, in such case the officers may appoint two places at each of which a several part of their company may be mustered, not oftener than three times out of four; so that every fourth time at least the whole may be mustered together.

That no company be permitted to choose officers before a sufficient number of men be enrolled to make up 50 privates, besides non-commissioned officers.

That after enrollment in pursuance of these resolves, no man be permitted to leave the company in which he shall have been enrolled, without the consent of his captain in writing.

That the committee of observation in each county make diligent inquiry after, and transmit to the convention or council of safety, the name of every able bodied effective freeman as aforesaid, in their respective county, if there shall be any such, who shall not enroll himself either as a minute or artillery man, or in the militia, according to the preceding resolves, to the end, that the convention may take order therein; against whom no further-proceedings or measures shall be taken, but by the future order of the convention.

That the committee of observation for each county shall divide the militia of their county into battalions or companies of light infantry, each of which battalions to consist of such eight companies of militia as the same committee shall appoint; and the same committee also assigning to each battalion, one company of light infantry, which light infantry shall be armed in such manner as the council of safety shall direct; and that to each of the said battalions there be one colonel, one lieutenant-colonel, two majors, one quarter master, and one adjutant, who shall be appointed and commissioned by the delegates of this province sitting in convention, or at any time when they are not sitting in convention, by the council of safety in the name of the convention; which officers shall rank and martial the companies of their respective battalions.

That every company of militia be exercised one day in every week, and that every battalion of militia be exercised in battalion at such times and places as the field officers of the battalion shall appoint, not oftener than once in every month, nor seldomer than once in every two months; the day of exercise in battalion being accounted as the day of exercise for that week.

That the colonel of every battalion of minute men and militia, shall employ a skilful and able adjutant for his battalion, who shall train and exercise the battalion, and the several companies thereof, according to the directions of the colonel, and shall receive for a month of thirty days, sixteen dollars; and that the companies of minute men not formed in battalion, as to the purpose of being trained and exercised by the adjutant, be esteemed as a company of the battalion with which they shall exercise as before directed.

That every field and commissioned officer having no reasonable

excuse shall appear at the time and place of muster, and there do and perform his duty according to his office and station; and for every neglect or refusal, he shall be fined a sum not exceeding fifteen shillings common money, to be adjudged if a field officer, by the other field officers present, or a majority of them; and if a commissioned officer, below the rank of a field officer, by the other commissioned officers present, or the major part of them.

That every non-commissioned officer and private of the minute men and militia appear at the time and place appointed for their respective appearance, for mustering, with his firelock and other accoutrements in good order, and there orderly, diligently, and obediently attend to instruction, and perform his exercise in arms, according to the commands and orders of his officers, and if any minute or militia man shall not appear at the time and place of muster with his firelock and other accoutrements in good order, having no reasonable excuse, or shall not there, after appearance, behave himself decently, and in a manner suitable to the attention and care requisite in such exercise, he shall forfeit and pay a sum not exceeding five shillings common money for every such neglect or misbehaviour, which shall be determined by the captain, lieutenants and ensign, or any two of them, either on their own view, or on representation and proof thereof, and on non-payment shall be committed to the custody of the sergeant of his company till payment.

That if complaint shall be made of gross misbehaviour, or breach of duty of any commissioned officer, by any committee of observation, or any two commissioned officers of the corps or company to which such officer, against whom complaint shall be made, doth belong, or by any one officer of superior or equal rank to the officer complained against, then the council of safety may appoint a court martial, to consist of not less than five, nor more than nine of the commissioned officers, of the same corps or county, who, or a majority of whom, shall hear, try, determine, and give sentence on such offence, so that the same sentence extend not further than to a pecuniary fine, not exceeding ten pounds common money, or to a public and solemn acknowledgment of the fault of the offending officer, or to a suspension or loss of his military commission; which sentence being transmitted to, and approved by the council of safety, shall be accordingly executed.

That all fines on officers of inferior rank to a field officer, and also on non-commissioned officers and privates, shall be to the use of the company to which such person belongs, and that all fines on field officers to be to the use of the battalion to which they respectively belong.

That if any company or corps of minute or militia men shall be called forth into actual service, the officers and men respectively who shall be so called forth, whilst they are in actual service, shall be subject and liable to the rules and regulations established by the continental congress for the government of the continental army, and shall for a month of thirty days, and so pro rata, be entitled to and receive the following pay, to wit:

A Colonel, - . . .	£20 0 0	Each Sergeant, - . .	£2 10 0
A Lieutenant Colonel, 16	0 0	Each Corporal, - . .	2 5 0
A Major, - . . .	12 0 0	Each Drummer, - . .	2 5 0
A Quarter-master, - . .	7 10 0	Each Fifer, - . . .	2 5 0
An Adjutant, - . . .	7 10 0	Each Private, - . . .	1 17 6
Each Captain, - . . .	9 0 0	A Surgeon, - . . .	15 0 0
Each Lieutenant, - . .	7 10 0	Every Surgeon Assist.	7 10 0
Each Ensign, - . . .	6 0 0		

That if a sufficient number of men shall enroll to make up a company of artillery men, they may choose their proper officers, who shall be commissioned as aforesaid, and subject to the same rules as the militia.

And whereas, it is absolutely necessary in this time of imminent danger, that there should be some power existing, which may superintend the execution of the orders and resolutions of the convention, and occasionally, from time to time, promote the prudent and necessary preparations for defence, and in case of necessity, call forth a due proportion, or even the whole of the force of the province, in an orderly and regular manner, whereby the strength of the whole will be greatly increased in the common defence, and the rights and liberties of all better secured.

Resolved, That sixteen persons, eight of whom residing on the western shore, and eight on the eastern shore, shall be chosen by ballot, by this convention, and be styled and denominated the council of safety of Maryland.

That any nine or more of the said council of safety convened, or the major part of them, direct and regulate the operations of the minute men and militia, and may as aforesaid, grant all military commissions, appoint and commission field officers, and appoint and regulate the rank of all military officers. And in the recess of the convention call forth the minute men into action in any place or places in this province or the neighboring colonies, and the militia into action in any place or places in this province, at such time and times, in such proportions, and on such occasions as they may judge necessary; and do all such other matters and things for securing and strengthening this province and providing for the de-

fence thereof, as they shall deem necessary and expedient, and execute such other powers as may be entrusted to them by the convention of this province.

That as at some times a necessity for taking speedy measures, may be so pressing that a delay till the council of safety could assemble together, would be highly dangerous, and many things of less moment may well and more conveniently be transacted by a majority of members residing on the respective shores, the members residing on either shore respectively, or the major part of them, or such of them as shall be in this province, may not only grant commissions for court martials when applied for, and hear, determine, and punish high and dangerous offences, according to the resolutions of this convention, but may also in case of instant danger, or pressing necessity, call forth the minute men or militia of their respective shore; yet it is recommended, if time will permit, for the whole council of safety, or nine of them to meet and consult together, that those of either shore do not separately call forth the minute men or militia, and that if time will not permit such meeting and consultation, then, as soon after the separate act done as may be, the whole council of safety shall be summoned, and the orders and resolutions of a majority of any nine or more of them, shall control and govern; it being the intention of this convention that a joint council, when the same can be held on things of moment, should have the supreme direction.

That any two or more of the said council of safety call a meeting of the members on their respective shore, or of the whole.

That any officer of the minute men or militia may be suspended from the exercise of his commission by the council of safety, or that branch of it residing on the shore whereon such officer resides; or if the council of safety should think proper, they may, upon full hearing, displace any field officer, and appoint and commission another in his stead; and that on the death, resignation or removal of any commissioned officer, below the degree of a field officer, from his office, the council of safety may appoint and commission another in his stead.

That the council of safety, or either branch thereof, for expenses incurred on its respective shore, may from time to time, draw orders on the treasurer of their respective shore, for the bills of credit to be issued by virtue of the resolutions of the convention, who shall accordingly pay such orders.

That the council of safety may, in case they shall think it necessary, summon and call the convention to meet before the day to which it may stand adjourned.

That the council of safety continue such until the next convention, and no longer, and that they render an account of their proceedings, and always be subject to the control of the convention,

Resolved, In order to prevent an abuse of power from a continuance thereof in the same persons, that at each convention, eight members of the preceding council of safety, four residing on the eastern and four on the western shore, shall be ineligible to the succeeding council; and that the said eight persons, immediately before the choice of the new council of safety, be ascertained by ballot.

That for providing for the defence of this province, and for encouraging and promoting the manufacture of salt-petre, erecting of a powder mill, and the several other purposes directed by this convention, *Resolved*, That bills of credit of the denomination of dollars and parts of a dollar, to the amount of 266,666 dollars, and two third parts of a dollar, be printed and struck with all convenient speed, under the care and direction of Messrs. Thomas Hyde and Willaim Wilkins, supervisors, in manner and form following, to wit:

“This bill of ——— shall entitle the bearer hereof, to receive gold and silver, at the rate of four shillings and six pence sterling per dollar, for the said bill, according to a resolve of the provincial convention of Maryland, held at the city of Annapolis, on the 26th day of July, 1775.”

That the said bills shall have such devices and marks as the said supervisors shall think proper, and the number of the said bills, as well as the denominations thereof, shall be the following and no other, to wit: seven thousand and ninety-six bills of sixteen dollars each, seven thousand and ninety-six bills of eight dollars each, seven thousand and ninety-six bills of four dollars each, seven thousand and ninety-six bills of two dollars and two-thirds of a dollar each, ten thousand five hundred and twelve bills of one dollar and two-thirds of a dollar each, ten thousand five hundred and twelve bills of one dollar and one-third of a dollar each, ten thousand five hundred and twelve bills of one dollar each, and ten thousand five hundred and twelve bills of two-thirds of a dollar each.

That the supervisors shall use the best of their care and diligence that the said bills, according to their respective denominations aforesaid, and according to the manner and form aforesaid, be forthwith printed; and that the number of any of the denominations thereof be not exceeded, or any clandestine or fraudulent practice used by the printer, his apprentices, servants, or others concerned in printing thereof.

That the printer and all his apprentices and servants, which he may employ in the said work, before he or they enter upon the same, take before some justice of the peace, in the presence of one or both of the supervisors, the following oath, to wit: "I, A. B. do swear, that I will truly, faithfully and honestly perform the duty of printer of the bills of credit, directed to be printed by a resolve of the convention of Maryland; and that I will not advisedly print, or stamp, a greater number of blank bills of credit than in that resolve mentioned; or of any other denominations than therein expressed, except such sheets as may be so blotted, unfair or imperfect, in the impressing or printing thereof, that the same shall be unfit for use. So help me God."

That the printer shall not, by himself, servants, or any other person by him employed, print, stamp, stitch, or bind the said bills, or any of them, but in presence of one or both of the said supervisors; and in every intermission of the work, the supervisors shall safely and securely lock up the press and stamps, with which the work shall be performed, and the impressions that shall be then made, in the room in which the printing and binding shall be done, and the keys of such room shall keep in their possession; and when all the said bills shall be printed and stamped, the stamps shall be delivered by the printer to the said supervisors, and by them to the convention of this province, or in their recess to the council of safety.

That Charles Wallace, John Davidson, Nathan Hammond, Richard Tootel, James Erice, John Brice, Thomas Brook Hodgkin, John Duckett, Robert Lloyd Nicols, Samuel Sharpe, Richard Tilghman, jr., James Hindman, Peregrine Tilghman, William Perry, Jeremiah Banning, and Joseph Bruff, be signers of the said bills.

That the said supervisors, as soon as the said bills shall be printed, stamped, stitched, and bound, shall deliver three fourth parts thereof in value to the treasurer of the western shore, and the other fourth part thereof in value to the treasurer of the eastern shore; and the said treasurers shall deliver out to the signers, residing on their respective shore, sufficient of the said bills, to be immediately numbered and signed by them, not only for payment of the money immediately demandable from them respectively, but also to the amount of 3000 dollars over and beyond the same; and each of the same bills shall be signed and numbered by some two of the said signers, and returned again to the respective treasurer; and so from time to time, shall the said bills be delivered out, signed, numbered, and returned, either of the said treasurers not keep

ing by him, at any one time, ready numbered and signed, more than 3000 dollars beyond the said monies now payable.

That receipts of every delivery of the said bills, before and after the numbering and signing the same, be given by the treasurers and signers.

That Thomas Harwood, junior, be treasurer for the western, and William Hindman, treasurer for the eastern shore, who shall, from time to time, out of the said bills of credit, pay off and discharge all such drafts and orders as shall be made by order of this convention, or the council of safety, or either branch thereof, as aforesaid.

That the treasurer of the western shore, out of the bills of credit, pay to each of the supervisors two dollars and two-thirds of a dollar, for each day's attendance as aforesaid; to the engraver of the said bills, one hundred and ninety-two dollars for his services; and to the printer, four hundred dollars for his services, and the paper, ink, and other materials necessary for the said work. And the said treasurers shall also respectively pay to each signer of every thousand of the said bills, one dollar and one third part of a dollar for his service.

That each of the said treasurers shall retain, for his services, at the rate of one-half per cent. on all monies by him paid and delivered, and no more.

That the said treasurer of the western shore shall give bond in the penalty of twelve thousand pounds sterling, and the treasurer of the eastern shore shall also give bond in the penalty of four thousand pounds sterling; both of which bonds shall be with sufficient securities, to be approved of by any two of the obligees in the said bonds, and payable to the honorable Matthew Tilghman and Daniel of St. Thomas Jenifer, Esquires, and Charles Carroll of Carrollton and Edward Lloyd, Esquires, conditioned for such treasurer's faithful discharge of his trust.

That he will keep a just and true account of all bills of credit and monies which he shall receive or pay, and of the names of those to whom the same shall be paid or delivered; and that he will render a true and perfect account of all payments by him made, to the convention of Maryland, or the council of safety, or any other persons by a convention of this province appointed to examine his accounts; and that he will be answerable for all bills of credit and monies which he may receive, and pay all orders drawn by the convention, or council of safety, or the branch thereof residing on his shore.

That torn and defaced bills shall be exchanged at reasonable and convenient times.

That the said bills of credit shall be redeemed and sunk on or before the first day of January, 1786, by taxes, or other legislative provision.

That this convention bind their constituents, and pledge the faith of this province, for the redemption of the said bills, on or before the said first day of January, 1786.

Resolved, That the freeholders of each county in this province, and other freemen having a visible estate of forty pounds sterling, or qualified by law to vote for burgesses, do on the second Tuesday of September next, meet together at the court-houses of their respective counties, (except as herein after excepted) and do there, under the inspection of their respective delegates in this present convention, or any three or more of them, to whom it is recommended to attend for that purpose, by a majority of voices of such of the said electors as shall be present, elect, of the most discreet and sensible of those who are qualified as aforesaid to vote, a committee of observation for each county respectively, for the term of one year then next following, to consist of the following numbers; that is to say, for St. Mary's county, twenty-four; for Charles county, thirty-two; for Calvert county, fifteen; for Prince-George's county, thirty-three; for Anne-Arundel county, thirty-four; for Frederick county, fifty-three; for Baltimore county, thirty-seven; for Harford county, eighteen; for Worcester county, twenty-one; for Somerset county, twenty-one; for Dorchester county, nineteen; for Caroline county, fourteen; for Talbot county, sixteen; for Queen-Anne's county, twenty-one; for Kent county, twenty-two; for Cecil county, sixteen. And that from and after such election, the committees of observation in being, at and immediately before such election, in each county respectively, be and are hereby declared to be dissolved.

That the committees so to be elected, or a majority of any seven or more of them, met together, shall have full power and authority to carry into execution the association and resolves of the continental congress and conventions of this province, so far as the same relate to the commercial opposition to the measures of the British ministry, in which the united colonies are engaged; and to censure any person or persons, who within their respective counties shall be by them adjudged to have been guilty of any breach or breaches thereof, in such manner and degree as hath been or shall be directed by the said congress and conventions. And shall further have full power and authority, on probable proof that any person has been guilty of any high and dangerous offence, tending to disunite the inhabitants of this province in their present opposition,

or to destroy the liberties of America, to cause such person to be apprehended, and forthwith sent, together with the charge against him, to the council of safety on that shore where the offence shall be committed, who shall proceed to examine into the charge, and if the same shall be sufficiently proved, pronounce sentence thereon, that such person be imprisoned, in such place and manner, and for such time, as shall be adjudged, not beyond the rising of the next convention, who, if they think proper, may take further order therein; or that he depart this province within a certain time to be limited.

That all persons pay obedience to and acquiesce in the determinations of such committees of observation and council of safety, and that no person whatsoever, other than the said committees and council, presume to inflict any punishment for any such breaches or offences. And on the same day, or the next, to which the said delegates are empowered to adjourn, the said electors also choose by ballot, five of the most discreet and sensible of such freemen, as aforesaid, of their county, to be delegates for the same, in any provincial convention to be held for this province, within one year then next following, with full power and authority to such delegates, or any three or more of them, to appear and act for such county, in such convention; and to consent and agree to, and bind such county to perform and execute all such matters and things as such convention or a majority of the counties of this province shall determine to be necessary for the preservation of the liberties of America.

And in case any of the said delegates shall die, or refuse to act, the said committee of observation for the respective county shall have full power to appoint by ballot one of the said committee, to be delegate for the said county, with the like power and authority, in the place of any such delegate who shall die or refuse to act; provided that no such appointment shall be made, unless two third parts of such committee shall be present.

That each committee of observation shall, as soon as conveniently may be after their appointment, choose by ballot five of their members, to be a committee of correspondence for their county, for the said time of one year, with power to any two or more of them to act as such.

That as the small-pox is now at Queen's-town, and it will in all probability be dangerous to the inhabitants of Queen Anne's county to assemble there for electing the committee of observation and delegates for that county, the election of the committee of observation and delegates for the said county shall be held at the house of George Hanson, instead of the court-house of that county.

That for the ease and convenience of the people of Frederick county, there be three different places of election; that the said county be divided into three districts, to wit, upper, middle, and lower; the upper district to be bounded by the south mountain, and the lines of the county westward of the south mountain: the middle district to be bounded from the mouth of Monocacy with Potowmack to the south mountain, with that mountain to the temporary line, with the lines of the county to the head waters of Patuxent, and with the lines of the lower district to Potowmack; the lower district to be bounded with Potowmack to the mouth of Monocacy, then with Monocacy to Bennett's creek, and with the creek to the head waters of the Patuxent: that there be elected in the lower district one delegate, two persons to act as a committee of correspondence, and seventeen as a committee of observation: that in each of the other districts there be elected two delegates and eighteen persons to act as a committee of observation, and that three persons be elected in the middle district to act as a committee of correspondence. That the elections for the upper district be held at Elizabethtown, those for the middle district at Fredericktown, and those for the lower district at Hungerford's; and that no person residing or voting in one shall be admitted to vote in either of the other districts.

Resolved, That for encouraging the manufacture of salt-petre, a sum not exceeding one thousand pounds common money be advanced, on proper security, for erecting one or more salt-petre works, to be repaid in good merchantable salt-petre at the rates herein after mentioned: and that for all good merchantable salt-petre manufactured in this province and delivered to the order of the council of safety, before the first day of October, 1776, there shall be allowed at the rate of half a dollar per pound, according to the resolves of the continental congress.

That a sum not exceeding one thousand pounds common money, be appropriated for erecting and working a powder mill on the account of this province; and that the said two sums of one thousand pounds each, be under the management of the council of safety.

Resolved, That the committee of observation in each county appoint one or more person or persons in their respective counties, to receive all sums of money, which shall be voluntarily given, to be applied towards the arming and defending this province, or towards erecting manufactories of any kind, or for the immediate relief of such of the inhabitants of this province as are or may become necessitous, from the present general calamities; which per-

sons shall give receipts for the money by them respectively received, and keep and return accounts thereof to the treasurer of their respective shore, specifying and distinguishing from whom the same shall have been received, and if any, what part thereof shall have been given for either of the said purposes, particularly: and the said money shall be paid to the said treasurer, and may be applied and laid out by the council of safety, or that part of it residing on each shore respectively, for the purposes before mentioned; having regard, in the application, to the intention of the donors, and promoting the subsistence of the necessitous, rather by erecting manufactories, and the employment of such as labour therein, or in work of any kind, than by immediate gifts; it being the opinion of this convention, that such charities may be rendered much more extensively beneficial, by having the same placed under a general direction; and that the council of safety may also, on proper security and terms they approve of, advance a sum not exceeding one thousand pounds common money, for erecting and carrying on one or more salt works in this province.

Resolved, That the committee of observation in each county, as soon as may be, transmit to the branch of the council of safety for their respective shore, a particular account of all arms and ammunition purchased in their county, pursuant to resolves of the convention in December last, and of all sums of money subscribed and actually paid in or contributed, and by whom, for the purchase of the said arms and ammunition; and that each branch of the council of safety order the treasurer of their shore to pay to such person as shall be appointed by each of the said committees, on their respective shore, the amount of the money so paid in and actually expended in the purposes aforesaid, before the transmitting of such account, that the same, as well as all other money paid in, not expended as aforesaid, may be returned to the subscribers or contributors thereof.

Resolved, That the honourable Matthew Tilghmam and John Beale Bordley, Esqs., and Robert Goldsborough, James Hollyday, Richard Lloyd, Edward Lloyd, Thomas Smyth, and Henry Hooper, Esqrs., residents of the eastern shore, and the honourable Daniel of St. Thomas Jenifer, Esq., and Thomas Johuson, jun., William Paca, Charles Carroll, barrister, Thomas Stone, Samuel Chase, Robert Alexander, and Charles Carroll of Carrollton, Esqs., residents of the western-shore, or any nine of them, be a council of safety for this province.

That every member of the council of safety, before he enters on the execution of his office, having subscribed the association, take before some justice of peace, the following oath, to wit.

“You, A. B. do swear, that any matter or thing which shall come to your knowledge as a member of the council of safety, and which you shall know is by a majority of the council ordered to be kept secret, you will not divulge, unless in a convention of delegates, or to the members of the council of safety, or with the leave of the convention, or of a majority of the council of safety. So help you GOD.” And that the clerk of the council of safety, or of either of the said branches thereof, shall before he enters on execution of his office, before some justice of the peace, take an oath in the same form, except, instead of the words “as a member of the council of safety,” inserting, “as clerk of the council of safety,” or “as clerk of the eastern or western shore branch of the council of safety,” as the case may be.

Resolved, That the resolution made by the convention of this province, held at the city of Annapolis in December last, “That no person ought to kill any lamb dropt before the first day of May yearly, or other sheep after the first day of January then next, under four years of age,” be repealed, so far as it relates to the killing of lamb; but it is earnestly recommended, that the continental resolve respecting the killing of sheep be most strictly observed.

Resolved, That in all suits and actions now depending or commenced within this province, where there is no real dispute, the suitors and attornies proceed, with all convenient speed, to settle the same by judgment, reference, or other amicable way; and that all suits and actions now depending or commenced (where there are real disputes, and which cannot be settled in an amicable manner, or tried with justice to the parties) ought to stand and remain, during these times of public calamity, in their present state and condition, or be continued until otherwise ordered by act of assembly, or some future convention; save and except only that bail may surrender their principals in their own discharge, and for want of other bail, that the principal may be committed; and that hereafter proper provision ought to be made, by act assembly, for reinstating, re-establishing, and prosecuting the business of the courts, and for barring the act for the limitation of suits.

Resolved, That in all suits and actions now depending or commenced, the depositions of any witness or witnesses, taken before two justices of any county court, or one of the justices of the provincial court of this province, in presence of the adverse party to him that requires such depositions to be taken, if upon due notice he thinks fit to be present, or upon notice doth refuse to be present, (the notice being proved) ought to be received as good evidence in any of the courts of this province, as if such evidence were personally

present upon the trial, and should declare the same *viva voce*; provided such witness or witnesses cannot be had at the trial of the cause in which such depositions shall be taken.

Resolved, That no civil original writ, suit, or action shall be commenced or renewed in any court of law, or any magistrate's warrant of a civil nature issued, within this province, after publication and due notice of this resolve, unless in the following cases, to wit; actions founded in wrong done to the person or property; such as ejectment, trespass, trover, replevin, detinue; also all real actions, actions for words, and for money or tobacco actually had and received by one person for the use of another; attachments under the late act of assembly, and against persons non-resident; actions or process on loan office bonds; without the license or permission of the committee of observation of the county where the debtors or defendants reside, which shall or may be granted in the instances and manner herein after mentioned, and not otherwise; that the said committees respectively do, upon application, give license for bringing or prosecuting suits in the following cases, that is to say; when debtors refuse to renew their obligations or other securities, or to give reasonable security, or to liquidate and settle their accounts and give promissory notes for the balances, or to refer their disputes, if any, to one or more indifferent persons, or are justly suspected of intention to leave the province, or to defraud their creditors; and that the said committees may in their discretion grant licenses in the following cases, to wit, for the bringing actions by and against executors and administrators, as such, and their securities, and for the bringing actions against guardians for the recovery of filial portions, or the rents and profits of orphans' estates.

Resolved, That no execution shall issue upon any judgment obtained in the provincial court after April term last, or in the county courts after the last March adjourned courts, without such license as aforesaid, save only in the cases above specified, or where the original actions shall be brought by license from the committee of observation.

Resolved, That the committees of observation now in being in each county, and the committees of Frederick county, in their respective districts, meet as soon as they conveniently can, after publication and due notice of these resolves, and that committees hereafter to be chosen, meet as soon as they conveniently can, at the court house, or some other place agreed upon by themselves, and appoint by the ballot, seven of their number to be a committee for licensing suits; which said committee shall meet on the first and

third Mondays in every month, for the purpose of receiving applications, and give notice of the place where they intend to meet.

Resolved, That it is earnestly recommended by this convention to all the inhabitants of this province, to make payment without compulsion when they are able, or give security as above mentioned, and particularly that they pay the public taxes, and interest money due in the loan-office; it being the design of this convention to prevent oppression and imprisonment of poor debtors, but not to give any pretence of non-payment to those who are of sufficient ability to pay their just debts.

Doubts being entertained, whether merchandize or other commodities taken on board craft, or in any manner water borne, before the 10th day of September next, may not be considered as exported within the 4th article of the continental association, although the said merchandise or commodities be not before that time taken on board the ship or vessel that shall export the same, *Resolved*, That where any such merchandise or other commodity whatsoever, is or shall before the same 10th day of September be laden on board the ship or vessel that shall actually export the same, such loading on board shall be deemed a sufficient exportation, within the spirit and intention of the said article, and not otherwise.

It appearing to this convention, that a person arrested by the sheriff of Baltimore county, and in his custody for debt, had been rescued by some disorderly people in that county, and that the riot had been suppressed, and the prisoner so rescued had been restored to the custody of the said sheriff, by the intervention and activity of captains Buchanan and Gist, and the companies under their command. And this convention being fully impressed with the necessity that the civil power in the ordinary administration of justice should be supported, it is *Resolved*, That this convention do highly approve of the conduct of the said captains and their companies, in the suppression of the said riot, and support of the civil authority, and that this resolve be communicated to the said captains and their companies, by the delegates of Baltimore county in this convention.

Ordered, That out of the public arms in the possession of colonels Joshua Beall, Richard Lloyd, Edward Lloyd, and Henry Hooper, a quantity of arms, with proportion of lead and ammunition sufficient for a company, be by them delivered to such captain of minute men as the council of safety shall direct.

Resolved, That the late committee of observation for Cecil county be authorised to act as usual, until the second Tuesday of September next.

Resolved, That the honourable Matthew Tilghman, Esq. and Thomas Johnson, jun., Robert Goldsborough, William Paca, Saml. Chase, Thomas Stone, and John Hall, Esqrs., or any three or more of them, be deputies to represent this province in continental congress, and that they or any three or more of them, have full and ample power to consent and agree to all measures which such congress shall deem necessary and effectual to obtain a redress of American grievances; and further we do authorise our said deputies to represent and act for this province in any continental congress which may be held before the 25th day of March next.

Ordered, That the treasurer of the western shore pay to Thomas Johnson, jun., Samuel Chase, William Paca, John Hall, and Thomas Stone, Esqrs., or either of them, the sum of five hundred pounds common money, and that the treasurer of the eastern shore pay to the honourable Matthew Tilghman, and Robert Goldsborough, Esqrs., or either of them, the sum of two hundred pounds common money, to defray the expenses of their deputation to the next continental congress.

Resolved, That the treasurer of the western shore pay the delegates who attended the late congress, the sum of one hundred and twenty-six pounds sixteen shillings and six-pence common money, out of the bills of credit to be issued, being the balance of their actual expenses; and that the several counties which have not already paid in their proportion of money, for support of the said delegates, shall pay the same as soon as may be, to said treasurer, for the use of the public.

Resolved, That there be a convention of delegates of this province at Annapolis, on the third Tuesday of March next, or on such day before that time as shall be appointed by the council of safety.

Ordered, That a committee be appointed to report the expenses attending the sitting of this convention, and that Mr. Chase and Mr. Goldsborough be a committee for that purpose; who report the expenses as follows, to wit:

To Gabriel Duvall, for 20 days attendance as clerk,			
at 20s. common money per day		£20	0 0
To Robert Reynolds, for 20 days attendance as door			
keeper, at 10s. per day		10	0 0
To Robert Reynolds, for candles and cleaning the room		1	10 0
			<hr/>
		£31	10 0

Ordered, That the treasurer of the western shore pay the above sums.

Signed by order of the convention,

G. DUVALL, *Clk.*

PROCEEDINGS OF THE CONVENTION

OF THE

PROVINCE OF MARYLAND,

HELD AT

The City of Annapolis, on Thursday, the seventh of December,
1775.



At a CONVENTION of DELEGATES, chosen by the several counties of the province of Maryland, at the city of Annapolis, on Thursday the seventh of December, 1775.

PRESENT.

For St. Mary's County.

John Allen Thomas,
Richard Barnes.

Charles County.

William Smallwood,
Francis Ware,
Josias Hawkins,
Thomas Stone,
Robert T. Hooe.

Calvert County.

Benjamin Mackall, 4th,
Alexander Somerville,
Edward Gannt,
Patrick Sim Smith,
William Allein.

Prince George's County.

Joseph Sim,
Thomas Contee,
John Rogers.

Anne Arundel County.

Charles Carroll, barrister,
Thomas Johnson, jun.
Samuel Chase,
Charles Carroll of Carrollton.
Frederick County, Middle District.

Charles Beatty,
Baker Johnson.

Lower District.

Henry Griffith.

Baltimore County.

Robert Alexander,
Benjamin Nicholson,

John Moale,
Walter Tolley, jun.
Jeremiah T. Chase.

Harford County.

John Love,
Richard Dallam.

Cecil County.

John Veazy, jun.
Joseph Gilpin,
John D. Thompson,
Nathaniel Ramsey,
Patrick Ewing.

Kent County.

Peregrine Letherbury,
Emory Sudler,
William Sluby.

Queen Anne's County.

Turbutt Wright,
James Tilghman.

Talbot County.

Matthew Tilghman,
Nicholas Thomas.

Caroline County.

Joshua Clark,
Richard Mason.

Somerset County.

George Dashiell,
Gustavus Scott.

Worcester County.

Samuel Handy,
Smith Bishop,
Joseph Dasheill.

The honorable MATTHEW TILGHMAN, Esq., was unanimously chosen President,
And Mr. GABRIEL DUVALL, appointed Clerk.

Ordered, That Gabriel Duvall qualify himself as clerk, by taking oath, that he will faithfully, diligently and honestly, discharge the office of clerk to this convention, and that he will not disclose or reveal the secrets thereof.

The convention appointed Mr. Allen Quynn messenger to attend this convention, and ordered that he qualify himself as such, by taking the oath of office and secrecy, as above directed to be taken by the clerk.

The convention appointed Mr. Robert Reynolds door keeper, and ordered that he qualify himself as such, by taking the oath of office and secrecy, as above directed to be taken by the clerk.

Ordered, That the clerk write to the several absent members, and require their immediate attendance here.

The convention adjourns till to-morrow morning half after nine o'clock.

FRIDAY, December 8, 1775.

Convention met. All members present as on yesterday. The proceedings of yesterday were read. Mr. Richard T. Earle, a member for Queen Anne's county, appeared and took his seat in the house.

Certificates of the qualification of the clerk, messenger, and door keeper, were produced and filed.

A letter from Mr. John Hanson, jun., chairman of the committee of Frederick county, was read, together with several papers therein enclosed, relating to Allen Cameron, John Smith, and John Connolly, now in custody, by order of the said committee.

On motion, *Resolved*, That a sum not exceeding two hundred pounds currency, be appropriated for building a strong log jail, in Frederick town, in Frederick county, at least thirty feet long and twenty in breadth, lined with two inch plank on end, of two stories, with split logs, and plank floors, the upper story to be divided into three rooms, with a stove in each room. And that a small house be built for the keeper, and occasionally for a guard, enclosing the door of the said jail.

Ordered, That the treasurer of the western shore pay the said sum of money, or any part thereof, to James Johnson and Thomas Beatty, or their order, and that the same, or such part thereof, as shall be necessary, be laid out by them in building the said jail.

Adjourned till 3 o'clock.

POST MERIDIEM.

Convention met.

Ordered, That the messenger be directed to hire an express to dispatch letters to the several absent members.

The convention adjourns till to-morrow morning half after nine o'clock.

SATURDAY, December 9, 1775.

Convention met. All members present as on yesterday. The proceedings of yesterday were read.

On motion, *Resolved*, That a committee be appointed to examine the several claims upon the treasury, and report the same to the convention; and Mr. Contee, Mr. Sim, Mr. Earle, Mr. Hooe, Mr. Moale, and Mr. Tolley were elected by ballot to be the said committee.

Resolved, That they, or any four of them, have power to act.

Resolved, That the several returns of subscriptions for arms and ammunition, within this province, be referred to the said committee.

Mr. Peter Waters, a member for Somerset county, appeared and took his seat in the house.

The house taking into their consideration, that this province, by means of the necessary attendance of some of its deputies now in convention, is at present unrepresented in congress, directed the president to know of Mr. John Hall, whether it was convenient for him to attend in congress; and Mr. Hall having signified that it was very inconvenient to him at this time, and that it was his wish, that some other gentleman might be appointed in his stead; and it being represented, that Mr. Robert Goldsborough, through long indisposition, is at present unable to attend that service, it is therefore,

Resolved, That, in the present critical and dangerous situation of the United Colonies, it is highly necessary that three deputies from this province do immediately attend in congress, now sitting at Philadelphia; and that for this purpose, two gentlemen be now appointed, and added to the number of deputies already chosen; and Robert Alexander and John Rogers, Esquires, were elected by ballot.

Resolved, That Robert Alexander and John Rogers, Esquires, together with those already chosen, be deputies to represent this province in the continental congress; and that the said deputies, or any three or more of them, have full and ample power to consent and agree to all measures which such congress shall deem necessary and effectual to obtain a redress of American grievances, and be authorised to represent and act for this province in any continental congress which may be held before the twenty-fifth day of March next.

Adjourned till 3 o'clock.

POST MERIDIEM.

Convention met. Mr. John Ennals, and Mr. James Murray, members for Dorchester county, Mr. William Adams and Mr. John Adams, members for Somerset county, and Mr. Aquila Hall, a member for Harford county, appeared and took their seats in the house.

On motion, *Resolved*, That the deputies from this province to the continental congress, be each allowed the sum of fifteen pounds common money per week, during their attendance in congress.

Convention adjourns till Monday morning half after 9 o'clock.

MONDAY, December 11, 1775.

Convention met. All members present as on Saturday, except Mr. James Tilghman, Mr. Mackall, Mr. Smith, Mr. Sim, Mr. Contee, Mr. Rogers, Mr. Gilpin, and Mr. Moale. The proceedings of Saturday were read. Mr. Pollard Edmonson and Mr. James Lloyd Chamberlaine, members for Talbot county, appeared and took their seats in the house.

The proceedings of the committee of observation for Talbot county, relative to Mr. Francis Baker, a member returned for the said county, together with several resolves of the continental congress, were read the first time and ordered to lie on the table.

On motion, *Resolved*, That the parliamentary post be not permitted, or suffered to travel in or pass through this province, with any mail, packages or letters; and the several committees of observation are requested and directed to see this resolution strictly observed and executed.

Ordered, That the above resolve be published in the Maryland Gazette.

On motion, *Resolved*, That every member of this convention, consider himself under the ties of virtue, honour, and love of his country, not to divulge, directly or indirectly, any matter or thing agitated or debated in convention, during the time of debate, or before the same shall be determined, which the mover thereof shall openly request to be kept secret, without the leave of the convention, or a majority thereof, or any matter or thing, which a majority of the convention shall order to be kept secret; and that every person who shall violate this agreement, shall be expelled this convention, and considered as an enemy to America, and liable to be treated as such; and that every member signify his consent hereto by signing the same.

Adjourned till 3 o'clock.

POST MERIDIEM.

Convention met.

The convention took into their consideration the proceedings of the committee of Talbot county, on the case of Mr. Francis Baker, who had been guilty of a breach of the continental association, and who had been since elected a member for Talbot county. The said Francis Baker appeared, acknowledged his offence, and expressed great contrition and sorrow for the same, and prayed a remission of the penalty annexed by the congress to his crime, that he might not be declared an enemy to America, but be permitted to enjoy the rights of a member of this community, on such terms and conditions as this convention may think proper to impose; and promised a strict compliance with all continental and provincial resolutions: whereupon it is *Resolved*, That the seat of the said Francis Baker be vacated, and that the electors of Talbot county elect another person as a member and committee man for that county, in the room and place of the said Francis Baker, the committee giving ten days notice of the election, excluding the days of notice and election, and any three of their members to be judges thereof: That the said Baker not offering himself for any office of trust, his offence be not published, nor any further proceedings had against him.

Ordered, That the clerk make out and transmit a copy of the above resolve to the committee of observation for Talbot county.

On motion, *Resolved*, That this convention will, on Thursday next, take into consideration the state of the province.

The proceedings of the eastern shore branch of the council of safety, relating to Mr. Isaac Atkinson, were read the first time, and ordered to lie on the table.

Convention adjourned till to-morrow morning half after nine o'clock.

TUESDAY, December 12, 1775.

Convention met. All members present as on yesterday. The proceedings of yesterday were read. Mr. Contee, Mr. James Tilghman, Mr. Mackall, Mr. Smith, and Mr. Gilpin, appeared in the house.

On motion, *Resolved*, That the committee of observation for Talbot county, be requested immediately to send Isaac Atkinson, under a guard of four of the militia of that county, to this convention; and that the sheriff of Talbot county deliver the said Atkinson to such guard.

Ordered, That the accounts of expenses attending the prosecution of Isaac Atkinson, be referred to the committee appointed to examine the several claims upon the treasury.

The proceedings of the committee of Kent county, relative to the conduct and behaviour of the Rev. John Patterson were read, and are as follow :

“At a meeting of a special committee held for Kent county, on the 16th day of August, anno domini 1775, present, Thomas Smyth, chairman, and thirteen members.

“This committee being informed that the Rev. Mr. John Patterson, of Kent county, had some time past publicly spoken words which reflected upon the convention ; upon which the matter was considered, and *Resolved*, that summons issue to the said Patterson, for him to appear before the next committee to be held for the county aforesaid, on Monday the 21st instant, to which time this committee is adjourned.”

“Monday, the 21st day of August, the committee met according to adjournment, present, thirty-one members.

“The Rev. John Patterson appeared in consequence of the summons issued at the last meeting, and being interrogated with regard to the disrespectful words which it was alleged he had spoken against the convention, confessed that he had reflected on the proceedings of the convention, as well that held in December last, as the one held in July last ; that the first had undertaken to preclude persons who were not members of the committee, from judging of the propriety of their proceedings ; that he conceived the said convention had entered into that resolution, to cover a duplicity of conduct of the continental congress ; that it was depriving men of their liberty, and that he considered himself brought as a criminal, to receive a mock trial ; that the multitude were deluded ; that he did not see why he should not judge upon the proceedings of the convention, it was a liberty the people of New York had taken ; upon being asked who in New York, he answered, doctor Cooper and doctor Chandler, and said that he should think it a higher honor to be ranked with those gentlemen, than to have the approbation of this committee, or even the convention ; that the last convention had treated James Chrystie in a tyrannical, cruel, and oppressive manner, and that there was more liberty in Turkey than in this province ; that the convention had forbid him from passing any censure on the congress ; that he had not done it since, and that if the committee should forbid him from passing any censure on the convention, he would not, but should then confine himself to censures on the committee.

“Upon which it was unanimously voted, that the whole proceedings against said Patterson be transmitted to the council of safety for this province, for them to take order therein.

“A true copy from the minutes.

W. HALL, clerk com.”

Whereupon it is *Resolved*, That the committee of observation for Kent county be requested immediately to take into custody the Rev. John Patterson, and send him under a guard of four of the militia to this convention.

On motion, That Mr. Robert Buchanan, elected a delegate for Kent county, attend his duty in convention on Monday next the 18th of this present month, and that the committee of observation for that county procure a copy of this order to be served on Mr. Buchanan as soon as may be. The previous question was called for and put, whether the above question be now put? Carried in the negative.

Ordered, That the treasurer of the western shore pay to Samuel Chase, or his order, forty pounds common money, to be accounted for.

On motion, *Resolved*, That no boat or other vessel belonging to this province, go out of this province without a license in writing from this convention, the council of safety hereafter to be appointed, or from some committee of observation, and that the particular place such boat or vessel shall be designed to go to, shall be expressed in all licenses granted by the committees of observation. And if any such boat or vessel shall be navigated beyond the limits of this province without such license, or if after having obtained such license, the skipper thereof shall, without absolute and inevitable necessity, go to, or touch at, any place out of this province, other than that mentioned in such license, or shall carry any person or letter, of which he shall not give previous notice to such committee, or shall bring back any person, or letter, of which he shall not give notice to some committee of observation, as soon as may be after his return, such skipper, and all other persons accessory to such misbehavior, may be punished by imprisonment; but it is understood that this resolution is not to prohibit the crossing Potowmac, although the boats or vessels employed or used therefor should go up the creeks or arms of Potowmac river making into Virginia, or to prohibit passing or re-passing at the ferry on Potowmac river.

On motion, *Resolved*, That no member of this convention depart the house without leave thereof.

Adjourned till 3 o'clock.

POST MERIDIEM.

Convention met. Mr. Robert Tyler, a member from Prince George's county, and Mr. Jeremiah Jordan, a member from Saint Mary's county, appeared and took their seats in the house.

A petition from the frontier inhabitants of Frederick county, and a memorial from the magistrates of said county, were read the first time and ordered to lie on the table.

Ordered, That a committee be appointed to inquire into the truth of the facts set forth in the memorial from Frederick county court, and the petition of the frontier inhabitants of said county, and report the same to the convention; and Mr. Smallwood, Mr. Jeremiah T. Chase, Mr. John Allen Thomas, Mr. Chamberlaine, and Mr. James Tilghman were elected by ballot, a committee for that purpose.

Mr. Sim appeared in the house.

Convention adjourns till to-morrow morning half after 9 o'clock.

WEDNESDAY, December 13, 1775.

Convention met. All members present as on yesterday, except Mr. Alexander. The proceedings of yesterday were read.

Mr. John Stull, a member for the upper district of Frederick county, and Mr. Henry Hooper, a member for Dorchester county, appeared and took their seats in the house.

On motion, *Resolved*, That a committee be appointed to devise the best ways and means to promote the manufacture of salt-petre; and Mr. Carroll, of Carrollton, Mr. Thomas Johnson, Mr. Bishop, Mr. Ramsey, and Mr. Gilpin, were elected by ballot, a committee for that purpose.

A letter from the committee of observation for Somerset county, to the eastern shore branch of the council of safety, dated 21st November, 1775, was read.

Resolved, That this convention doth approve the conduct of the committee of observation for Somerset county in raising the company of men mentioned in the said letter.

Resolved, That this province will discharge the pay, according to the rates allowed by the last convention to militia in actual service, of the said company, and also the reasonable expenses of subsistence from the time of their entering into actual service, till the further order of this convention.

Resolved, That the said company of men be subject to the orders of the said committee, who shall provide for their pay and subsistence.

Resolved, That the treasurer of the eastern shore pay to the said committee, six hundred dollars on account, and that such part thereof as may be necessary, be expended by them for the purposes aforesaid.

Ordered, That the clerk make out and transmit a copy of the above resolutions to the committee of Somerset county.

Ordered, That the committee of claims be a committee to examine the accounts of the treasurers of the eastern and western shores, and report the state of the same.

On motion, *Resolved*, That a committee be appointed to examine and report the returns by the committees of observation, of persons in the several counties of this province, who have subscribed, or refused or neglected to subscribe, the association directed by the last convention; and Mr. Wright, Mr. Chamberlaine, and Mr. Tolley, were elected by ballot, a committee for that purpose.

Resolved, That a committee be appointed to examine and report the returns by the committees of observation of the companies of artillery, minute and militia men, enrolled or formed into battalions, and of the persons who have enrolled themselves either as minute, or artillery-men, or in the militia, according to the directions of the last convention; and Mr. Mackall, Mr. Nicholson, and Mr. James Tilghman, were elected by ballot a committee for that purpose.

Resolved, That a committee be appointed to examine and report the quantity of arms and ammunition belonging to this province, and the state and condition of such arms and ammunition, and Mr. Ware, Mr. Beatty, and Mr. Hooper, were elected by ballot a committee for that purpose.

Ordered, That association papers be immediately transmitted to Kent Island, to be subscribed by the freemen of that Island, and that the delegates of Queen-Ann's county transmit the same.

Adjourned till 3 o'clock.

POST MERIDIEM.

Convention met. Mr. William Ennalls, a member for Dorchester county, Mr. Nathaniel Potter and Mr. Henry Dickinson, members for Caroline county, and Mr. Peter Chaille and Mr. John Done, members for Worcester county, appeared and took their seats in the house. Mr. Waters and Mr. Handy have leave of absence.

The convention being informed that there are a number of cannon and shot at Fort Cumberland, Old Town, and Fort Frederick, and also a number of small arms at Isaac Baker's in Frederick county belonging to the public,

Resolved, That the committee for inquiring into the state of arms and ammunition, agree with some person or persons for the carriage of such of the said cannon as are fit for use, and shot, to Baltimore Town, and for the collection of as well the said small arms, as any other small arms in Frederick county belonging to the public, and conveying them to Fredericktown, to be there repaired and put in order.

Convention adjourns till to-morrow morning half after 9 o'clock.

THURSDAY, December 14th, 1775.

Convention met. All members present as on yesterday, except Mr. Waters and Mr. Handy. The proceedings of yesterday were read.

A memorial from Alexander M'Faddon, of Frederick county, was read the first time and ordered to lie on the table.

Mr. Benjamin Rumsey, a member for Harford county, appeared and took his seat in the house.

The convention having received information, that Ezekiel Hunter of Caroline county, had by his conduct broke up a company of militia of that county, and refused to submit to and abide by the determination of the said committee upon his conduct, and had brought with him to the committee an armed force to oppose the determination of the said committee, *Resolved*, That the committee of observation for Caroline county be empowered immediately to take into custody the said Ezekiel Hunter, and examine into his conduct, and either confine him in the jail of their county, or send him under a sufficient guard with the charge against him, to this convention, or acquit and discharge him as the convention shall think proper.

Ordered, That the clerk make out and transmit a copy of the above resolution to the committee of Caroline county.

Mr. Mason has leave of absence.

It appearing to this convention by sundry depositions, that William Bartlett Townsend of Worcester county, had left this province with inimical designs against the same, and that the said William Bartlett Townsend, had carried sundry inhabitants of this province to join Lord Dunmore, who is now carrying on hostilities against the colony of Virginia, and has committed depredations upon the property of some of the inhabitants of this province; and this convention being also informed, that the committee of observation for Worcester county had fixed a guard upon the estate of the said William Bartlett Townsend, as well to save the same from waste, as to prevent the said William Bartlett Townsend carrying the negroes thereon to join him with lord Dunmore; and application hav-

ing been made by Bartlett Townsend, son of the said William Bartlett Townsend, to take the management of the said estate into his possession, to secure the same against waste, and to prevent the negroes thereon being removed.

Resolved, That it be recommended to the committee of observation for Worcester county aforesaid, to commit the said estate to the said Bartlett Townsend, taking bond with sufficient security, for his taking care of, managing and securing the said estate, and every part thereof, first having the same inventoried and appraised, and to be accountable for the same; and to take such measures as shall be necessary to prevent the negroes on the said estate being carried out of this province, or removed to any place where they may be liable to be taken out of this province, and to return and deliver up the said estate, and every part thereof, as soon as the said William Bartlett Townsend shall surrender himself to the committee of Worcester county, to take his trial before the convention if sitting, or the council of safety hereafter to be appointed.

Ordered, That the clerk make out and transmit a copy of the above resolution to the committee of observation for Worcester county.

Mr. Robert Buchanan, a member for Kent county, appeared and took his seat in the house.

A petition from sundry inhabitants of Baltimore county, relative to the election of committee men and delegates for said county, being read, *Ordered*, That the same be taken into consideration on Wednesday next.

Adjourned till 3 o'clock.

POST MERIDIEM.

Convention met.

The proceedings of the committee of Kent county were read to Mr. Robert Buchanan in his place, and the said Robert Buchanan heard thereon; upon which Mr. Buchanan confessed that he had refused to enroll according to the resolution of the last convention, and that in consequence of his reasons, fourteen others had also refused; and declared, he having conceived himself not well treated by the said committee, at the time the said proceeding passed, was rather short in his answers to them, and did not give the committee that satisfaction respecting his conduct, in the subject by the said proceedings referred to, as was in his power, or as he would have done, had he not apprehended himself ill treated by the committee. Mr. Buchanan then withdrew, and the convention

having considered the said proceedings and conduct of the said Robert Buchanan.

Resolved, That the proceedings of the committee of Kent county, respecting Mr. Buchanan, are approved by this convention: And that Mr. President from the chair signify to the said Robert Buchanan in his place, that this convention censures the conduct of the said Robert Buchanan, in having refused to enroll in the militia, on the terms directed by the last convention, and in having encouraged others to imitate his example; thereby setting up his own judgment in opposition to the determinations of that convention, and that the said Robert Buchanan be informed by Mr. President, that he and those who disapproved the scheme adopted by the same convention, for regulating the militia, ought to have applied to the next convention for such alterations as they thought necessary; that such applications would have been duly considered and attended to; but that the said Robert Buchanan ought in the mean time to have acquiesced in the regulations agreed to in convention by the representative body of the province.

Ordered, also, That Mr. President signify to Mr. Buchanan, that this convention highly disapprove his conduct and behaviour before the committee, respecting the charge exhibited against him, which the said committee were bound by their duty to examine into and proceed on.

Mr. Sudler has leave of absence till Monday next.

Ordered, That the committee of Kent county deliver to Mr. Sudler, out of the public arms in their possession, one hundred firelocks, forty bayonets, two hundred pounds of powder and all the cutlasses.

The order of the day for taking into consideration the state of the province being read, *Ordered*, That the same be referred for further consideration till to-morrow.

Mr. Allein has leave of absence.

Convention adjourns till to-morrow morning half after 9 o'clock.

FRIDAY, December 15th, 1775.

Convention met. All members present as on yesterday except Mr. Mason and Mr. Allein. The proceedings of yesterday were read. James Hollyday, Esquire, a member for Queen-Anne's county, and Mr. Thomas Bond, a member for Harford county, appeared and took their seats in the house.

Upon reading the proceedings of the committee of Anne Arundel county against Robert Davis, he appeared and presented a memorial, which was read and considered, and thereupon Mr. President was directed to inform Mr. Davis, that it was his duty to at-

tend the committee, when requested, and to subscribe the association, when offered to him; that this convention highly disapproves his indecent conduct and^d behaviour to the gentlemen ordered by the committee of Anne Arundel county to compel his attendance before them, but in consideration of his submission and sorrow for his offence, have ordered him to be discharged.

Ordered, That Robert Davis's memorial, with a copy of the above resolve, be sent to the committee of Anne Arundel county.

Adjourned till 3 o'clock.

POST MERIDIEM.

Convention met. Mr. Josias Beall, a member for Prince George's, appeared and took his seat in the house. Mr. Bond has leave of absence.

On motion, *Resolved*, That a committee be appointed to draw the form of commissions for the officers of the militia of this province, and Mr. Thomas Johnson, Mr. Hollyday, and Mr. Wright, were elected by ballot a committee for that purpose.

Mr. Nicholson has leave of absence till Monday next.

Resolved, That if the assistance of the militia of Somerset and Worcester counties, or either of them, should be needed and requested by the committee of Accomack or Northampton county, this convention is desirous such assistance should be given; and this province will pay and subsist the militia in that service.

The order of the day for taking into consideration the state of the province was read and considered; *Ordered*, That the same be referred for further consideration until to-morrow.

Convention adjourns till to-morrow morning, half after 9 o'clock.

SATURDAY, December 16, 1775.

Convention met. All members present as on yesterday except Mr. Nicholson and Mr. Bond. The proceedings of yesterday were read. Mr. Sim has leave of absence.

Upon reading the proposals of Jacob Myer of Frederick county, for building a powder mill; *Ordered*, That the same be referred to the committee for devising the best ways and means to promote the manufacture of salt petre.

The order of the day, for taking into consideration the state of the province, was read and considered, and after some time spent in debate thereon, *Resolved*, That this convention will, in the afternoon, resolve itself into a committee of the whole house, to consider of the same.

Adjourned till 3 o'clock.

POST MERIDIEM.

Convention met. Mr. Gantt has leave of absence.

Isaac Atkinson, according to order, being brought before the convention in custody of Captain William Hyde, the proceedings of the Eastern shore branch of the council of safety, respecting the said Isaac Atkinson, were read; and he was informed by Mr. President, that the convention would hear any thing, which he had to say in mitigation of his offence; the said Isaac Atkinson declared, he never meant to injure America, his native country, and was extremely sorry for what he had done; that he was ready and willing to make any concessions, and atonement to his country, which were in his power, and this convention thought necessary; that he was willing to give security for his good behaviour in future; whereupon, it is *Resolved*, That the President reprimand the said Isaac Atkinson for the offence, of which he stands condemned; and that the said Isaac Atkinson be informed by the President, that this convention views him, as a man guilty of a crime of a heinous nature against this country, which was and is entitled to his aid and assistance: but that this convention, considering the penitence and contrition of the said Isaac Atkinson, and that a numerous family must suffer by a continuance of his imprisonment, had thought proper to mitigate his punishment.

Resolved, That the said Isaac Atkinson be discharged from confinement, first having given bond with good security, payable to the President, in the sum of one thousand pounds currency, for his future good behaviour; and for the payment of such reasonable expenses as shall be adjudged by the convention to have been incurred in guarding and confining him.

Resolved, That the thanks of this convention are due to the committee of Somerset county, and to all those patriotic and spirited friends of Worcester and Somerset counties, who were active in arresting and securing the said Isaac Atkinson, and quelling that dangerous spirit, which was discovered by the said Isaac Atkinson, and others, who joined in inimical designs against this country.

Ordered, That the said Isaac Atkinson be continued in custody, till he give the security above mentioned.

Ordered, That four men of Captain Hyde's company guard the said Isaac Atkinson.

The Convention resolved itself into a committee of the whole house. Charles Carroll, Esq., barrister, in the chair.

After having spent some time in considering the state of the province, Mr. President resumed the chair; and Mr. Carroll reported,

that the committee, according to order, had taken under their consideration the state of the province, but not being able to go through the same, had directed him to move for leave to sit again.

Resolved, That this convention will, on Monday next, resolve itself into the said committee.

Convention adjourns till Monday morning half after 9 o'clock.

MONDAY, December 18, 1775.

Convention met. All members present as on Saturday, except Mr. Gantt, Mr. Sim, and Mr. Sudler. The proceedings of Saturday were read. Mr. William Baird, a member for the upper district of Frederick county, appeared and took his seat in the house.

The petition of Thomas McCobb of Lincoln county, in the colony of Massachusetts bay, was read the first time and ordered to lie on the table.

The Rev. Mr. Patterson, according to order, was brought before the convention in custody of a guard of four of the militia of captain Johnson's company. The proceedings of the committee of Kent county, respecting the conduct and behavior of the said Rev. Mr. Patterson, were read; and he was informed by Mr. President, that the convention would hear any thing he had to offer in his defence. Mr. Patterson was then heard and ordered to withdraw.

Ordered, That he attend in the afternoon at three o'clock.

Adjourned till three o'clock.

POST MERIDIEM.

Convention met, and took Mr. Patterson's case into consideration, and thereupon *Resolved*, That Mr. Patterson be informed by the president, that it is not the intention of this convention to preclude the inhabitants of this province from judging of their proceedings with decency and temper; but that those who apprehend any defect therein, ought to apply for such alterations and amendments, as may be thought proper and necessary; and such applications will always be attended to and duly considered. And in the mean time this convention expects an acquiescence in such measures as may be thought necessary for the safety of the country, until the same are reconsidered by the representative body of the people. That the expressions and declarations made use of by the said Mr. Patterson were highly indecent and intemperate, for which, and for his disrespectful conduct to the committee of Kent county, he deserves the censure of this convention. That the president do accordingly censure Mr. Patterson for the indecency and intemperance of his expressions and declarations, reflecting upon

the proceedings of the conventions of this province, and for his disrespectful conduct to the committee of Kent county, and caution him against such behavior in future.

That in consideration of Mr. Patterson's declaration and resolution, that he will not do any act to oppose or impede measures which have been and are thought necessary for the preservation of American liberty, and upon his acknowledging before this convention, the impropriety of his rash and imprudent behavior before the said committee, and paying the expenses incurred in bringing him to the convention, he be discharged.

Resolved, That this convention do highly approve the conduct of the committee of Kent county, in calling to account the Rev. Mr. Patterson, for having spoken disrespectfully of the proceedings of the conventions of this province, in terms which cannot be justified by an individual in opposition to the representative body thereof.

Ordered, That the committee of observation for Frederick county, immediately send in two wagons, under the guard of four of their militia and an officer, to Baltimore town, three thousand pounds of gunpowder, to the care of Mr. William Lux of that town.

A letter from the committee of Baltimore county was read. *Ordered*, That the same be referred to a committee of the whole house.

The order of the day for taking into consideration the state of the province was read. *Ordered*, That the same be referred for consideration till to-morrow.

The convention adjourns till to-morrow, morning half after nine o'clock.

TUESDAY, December 19, 1775.

Convention met. All members present as on yesterday. The proceedings of yesterday were read.

The petition of Abraham Jarret and Robert Harris, captains of companies of minute men in Harford county, was read the first time and ordered to lie on the table.

On motion, that the proceedings of the eastern shore branch of the council of safety, together with the depositions therewith sent, relative to Benjamin Shockley, be read; the same were read accordingly.

Thereupon it is *Ordered*, That the committee of Worcester county order Benjamin Shockley before them, and reprimand him, and upon his making proper concessions that he be discharged.

The order of the day for taking into consideration the state of the province was read.

The convention resolved itself into a committee of the whole house to consider of the same; Mr. Carroll in the chair.

After some time spent therein, Mr. President resumed the chair, and Mr. Carroll reported, that the committee according to order had under their consideration the state of the province, but not being able to go through the same, had directed him to move for leave to sit again.

Resolved, That the same be referred for further consideration till to-morrow.

Mr. Wright has leave of absence.

Mr. John Duckett was appointed clerk assistant to the convention.

On motion, *Ordered*, That the committee of claims estimate and report a proper allowance to a guard for the security of prisoners or offenders.

A petition from sundry inhabitants of Harford county, was read the first time and ordered to lie on the table.

Convention adjourns till to-morrow morning half after 9 o'clock.

WEDNESDAY, December 20, 1775.

Convention met. All members present as on yesterday. Mr. Sim and Mr. Gantt appeared in the house. The proceedings of yesterday were read.

The order of the day for taking into consideration the petition from Baltimore county, which was referred from Thursday last to this day, being read, the same was considered, and thereupon it is *Resolved unanimously*, that Robert Alexander, Benjamin Nicholson, John Mole, Walter Tolley, jun., and Jeremiah T. Chase, returned delegates for Baltimore county, are duly elected.

The petition of Samuel Dorsey, of Anne Arundel county, was read the first time and ordered to lie on the table.

The order of the day for taking into consideration the state of the province, being read, *Ordered*, That the same be referred for consideration till to-morrow.

Convention adjourns till to-morrow morning half after 9 o'clock.

THURSDAY, December 21, 1775.

Convention met. All members present as on yesterday, except Mr. Wright. The proceedings of yesterday were read.

A letter and deposition of Thomas Hammond, and the memorial of William Whetcroft, were read the first time and ordered to lie on the table.

Mr. Mason appeared in the house.

Edward Davis was brought before the convention on suspicion of attempting to convey intelligence to lord Dunmore, and examined: *Ordered*, That the said Edward Davis be committed to the custody of Mr. William Cayton, until the further order of this convention; and that the treasurer of the western shore pay the said William Cayton for his trouble and expense, during the confinement of the said Davis, three shillings and six pence common money per day.

Adjourned till 3 o'clock.

POST MERIDIEM.

Convention met. Mr. Sudler appeared in the house.

A letter from the committee of Kent county, dated December 20, 1775, was read the first time and ordered to lie on the table.

Mr. Done has leave of absence.

On motion, *Resolved*, That the sum of fourteen shillings currency per day, and reasonable itinerant charges, be allowed to each member attending this convention.

The order of the day for taking into consideration the state of the province being read, the convention resolved itself into a committee of the whole house to consider of the same; Mr. Carroll in the chair.

After some time spent therein, Mr. President resumed the chair, Mr. Carroll reported, that the committee according to order had under their consideration the state of the province, but not being able to go through the same, had directed him to move for leave to sit again.

Resolved, That this convention will to-morrow resolve itself into a committee of the whole house to consider of the same.

On motion, *Resolved*, That if any member of this convention depart the house without leave thereof, such member shall forfeit his allowance for attendance.

Mr. Somerville has leave of absence.

The convention adjourns till to-morrow morning half after nine o'clock.

FRIDAY, December 22, 1775.

Convention met. All members present as on yesterday, except Mr. Somerville and Mr. Done. The proceedings of yesterday were read. Mr. Buchanan and Mr. Griffith have leave of absence.

A memorial from Baltimore county court, together with several depositions therewith sent, were read the first time and ordered to lie on the table.

Mr. John Duckett being unable through sickness to attend as clerk assistant to the convention, Mr. John Callahan was appointed in his stead.

Ordered, Mr. John Callahan qualify himself as such, by taking the oath of office and secrecy, as before directed to be taken by the clerk.

Certificate of the qualification of the said Callahan was produced and filed.

On motion, *Resolved*, That a committee be appointed to consider and report the most effectual method of establishing a gun lock manufactory, and the expense thereof; and Mr. T. Johnson, Mr. Sudler, and Mr. Beatty, were elected by ballot a committee for that purpose.

The order of the day for taking into consideration the state of the province being read, *Ordered*, That the same be referred for further consideration till to-morrow.

Mr. Hawkins has leave of absence.

Convention adjourns till to-morrow morning half after 9 o'clock.

SATURDAY, December 23, 1775.

Convention met. All members present as on yesterday, except Mr. Griffith and Mr. Hawkins. The proceedings of yesterday were read. Mr. Moale has leave of absence till Monday next. Mr. Edmonson has leave of absence for a few days.

The petition of Edward Parker, of Cecil county, relative to the establishing a linen and woollen manufactory, was read the first time and ordered to lie on the table.

On motion, *Resolved*, That a committee be appointed to receive all proposals relating to the establishment of manufactories of any kind within this province, and report their opinion thereon; and Mr. Gilpin, Mr. Ewing, Mr. Rumsey, Mr. Ramsey, and Mr. Earle, were elected by ballot a committee for that purpose.

On motion, *Resolved*, That the deputies for this province attending in congress, are instructed, that it is the sense of this convention, that all India teas imported into this continent before the first day of March last, may be sold and used without any prejudice to the cause of America, and that they endeavor to procure the same to be permitted by the congress, not taking into such permission any teas imported for or on account of the English East India company, or imported from Great Britain contrary to the continental association, if any such there be.

Adjourned till 3 o'clock.

POST MERIDIEM.

Convention met.

The petition of sundry inhabitants of the three lower counties, Newcastle, Kent and Sussex on Delaware, praying that Richard Ellis of Cecil county, may be continued their captain, was read a first and second time and granted.

On motion, *Resolved*, That a committee be appointed to consider what alterations and amendments are necessary in the regulation of the militia of this province, and report their opinion thereon; and Mr. Smallwood, Mr. Ware, Mr. T. Johnson, Mr. J. Tilghman, and Mr. Hooper, were elected by ballot a committee for that purpose.

The order of the day for taking into consideration the state of the province being read, *Ordered*, That the same be referred for further consideration till Tuesday next.

Mr. Hooe has leave of absence.

Convention adjourns till Tuesday morning half after 9 o'clock.

TUESDAY, December 26, 1775.

Convention met. All members present as on Saturday, except Mr. Moale, Mr. Edmondson, Mr. Hooe, Mr. Sim, Mr. Smith, Mr. Contee, and Mr. Tolley. The proceedings of Saturday were read.

Mr. Johnson brings in and delivers to Mr. President, a report from the committee appointed to devise the best ways and means to promote the manufacture of salt-petre, which was read the first time and ordered to lie on the table.

The order of the day for taking into consideration the state of the the province, being read, *Ordered*, That the same be referred for further consideration till to-morrow.

Convention adjourns till to-morrow morning half after 9 o'clock.

WEDNESDAY, December 27, 1775.

Convention met. All members present as on yesterday. The proceedings of yesterday were read. Mr. Contee and Mr. Moale appeared in the house.

The petition of Patrick Graham, of Charles county, praying a remission of the judgment pronounced against him by the last convention, was read the first time and ordered to lie on the table.

The convention proceeded to take into consideration the report from the committee appointed to devise the best ways and means to promote the manufacture of salt-petre, and thereupon *Resolved*, That a small salt-petre work be erected at a principal inspecting

house, or in the neighborhood of Tobacco houses, or in some other public and convenient place in each county, at the public expense, for the making crude nitre; that thus, besides the advantage immediately accruing from carrying on so many works in different parts of the province, the good people thereof may be generally instructed in the art of making crude nitre; and as a further inducement thereto, and that this art may be still more extensively diffused and practised, that a liberal price ought to be allowed for all crude nitre manufactured in private families; that all the crude nitre, whether made by individuals, or at the county manufactories, be carried to one refinery, where the same may be purified by a skilful refiner in large quantities without waste, and made fit for manufacturing into gunpowder.

That seventeen hundred pounds common money be appropriated, one hundred pounds to be placed in the hands of a discreet and active person in the lower district, and one hundred pounds in the hands of a discreet and active person in the middle district of Frederick county; and the residue thereof, one hundred pounds for each other county, to be placed in the hands of a discreet and active person in each county, who shall be called a supervisor; and that so much of the said one hundred pounds as may be necessary, shall be laid out by the said supervisor in purchasing, procuring, and setting up, proper kettles, tubs, and other necessary utensils and conveniences, for manufacturing rough nitre, at some such place as aforesaid, in his county; and also in erecting a rough shed convenient thereto, under which the earth, from which the ley shall have been drawn, may be placed, that the same may become again impregnated with nitre.

That each of the said supervisors be empowered to lay out the residue of his one hundred pounds, in hiring laborers to assist a skilful workman, who shall be employed in each of the said works, and in procuring and removing earth impregnated with nitre fit to be used at the said works.

That the supervisor of each of the said works employ a skilful workman to carry on, direct, and manage the process of making crude nitre at the said works respectively; and that the same supervisor pay to the said workman one shilling common money, for each pound of good crude nitre that he shall manufacture and deliver at the same works, as his wages and reward for his skill and labor.

That the said workmen show and explain to those who will attend the work, and may be desirous of instruction, the method and process of making crude nitre.

That each supervisor pay to any person who shall deliver to him good crude nitre, manufactured at any place within this county, other than the said public work, for the use of the public, after the rate of two shillings common money for every pound thereof.

That as soon as a contract shall be made for building a powder mill, pursuant to the resolution of the late convention, a public work be erected convenient thereto, under the management of a skilful person, for purifying nitre. And the several supervisors shall, from time to time, send all the crude nitre which shall be made at the said works, and otherwise come to their hands as aforesaid, to the said public refinery.

That each supervisor draw from the treasurer of his shore, as well the said one hundred pounds, as the sum of two shillings common money, and no more, per pound, for all crude nitre by him sent to and delivered at the said refinery.

That each of the said supervisors render an account of his transactions to every convention, by the third day of every session thereof; and that on such account he be allowed all the said disbursements, the actual expenses of sending the crude nitre to the refinery, and for his trouble the sum of two pence for every pound of rough nitre made at the works under his care, and the sum of one penny for every other pound of crude nitre by him collected as aforesaid, and sent to the said refinery; and that he pay the balance of the money in his hands into the public treasury for the use of the public, if so ordered.

That it be strongly recommended to such of the good people of this province, whose circumstances and conveniences will allow them to pursue the following directions, to place in open houses, or sheds admitting the air, but excluding the rain and sun, the stalks and trashy leaves of tobacco, trodden straw, the sweepings of stables mixed with rich mould, collected from the floors of barns and out houses, and from time to time to sprinkle with urine, brine, or water, this collection of various substances, so as to occasion the fermentation and speedy putrefaction thereof, that the whole mass, when perfectly rotten and digested, may be dug, stirred up, and thoroughly blended, and thus left without further damping, so loose and light, as to attract more readily, and be more plentifully impregnated with nitre for future use.

Mr. Jeremiah Jordan was appointed supervisor for St. Mary's county. Mr. Thomas Sernes for Charles county. Dr. Edward Johnson for Calvert county. Mr. Richard Richardson for Anne Arundel county. Mr. Daniel Clark for Prince George's county. Mr. Thomas Richardson for the lower district, and Mr. Charles

Beatty for the middle district of Frederick county. Dr. Charles F. Weisenthal for Baltimore county. Mr. Amos Garrett for Harford county. Mr. Henry Hollingsworth for Cecil county. Dr. John Scott for Kent county. Mr. William Hemsley for Queen Anne's county. Mr. James Benson for Talbot county. Mr. Thomas Ennals, B. W. for Dorchester county. Mr. Joshua Clark for Caroline county. Mr. George Day Scott for Somerset county. And Mr. Joshua Townsend for Worcester county.

That upon the death or refusal of any supervisor, the committee of observation for the county where such death or refusal shall happen, are required immediately to nominate and appoint some other discreet and active person in his place.

Mr. Beatty brings in and delivers to Mr. President a report from the committee appointed to consider and report the most effectual method of establishing a gun lock manufactory, and the expense thereof, which was read the first time and ordered to lie on the table.

Adjourned till 3 o'clock.

POST MERIDIEM.

Convention met. Mr. Tolley appeared in the house.

The petition of Patrick Graham of Charles county was read a second time and granted.

Mr. Johnson brings and delivers to Mr. President the form of a commission for the officers of the militia of this province; which was read a first and second time, and agreed to, and is as follows:

The delegates of the freeman of Maryland in convention, to _____, We, reposing especial truth and confidence in your fidelity, courage, good conduct, and attachment to the liberties of America, do by these presents, constitute and appoint you to be _____ You are therefore carefully and diligently to discharge the trust reposed in you, by disciplining all officers and soldiers under your command; and we do hereby strictly enjoin and require them to obey you as their _____ And you are to observe and follow all such orders and directions as you shall, from time to time, receive from this or a future convention, or from the council of safety of Maryland for the time being, according to the rules and regulations established by this or a future convention. This commission to be in force until revoked by this or some future convention of the delegates of the freemen of Maryland, or by the council of safety of Maryland, for the time being, according

to the powers and authorities in such council of safety to be hereafter vested by such convention.

Given _____ this _____ day of _____ anno domini 177 .

By order of the convention,

MAT. TILGHMAN, President.

Ordered, That 2500 copies thereof be immediately printed.

Mr. Chamberlaine brings in and delivers to Mr. President a report from the committee appointed to examine into facts contained in the memorial preferred by the justices of Frederick county, which was read the first time and ordered to lie on the table.

The convention took into consideration the report from the committee appointed to consider and report the most effectual method of establishing a gun lock manufactory, and the expense thereof; and thereupon *Resolved*, That a gun lock manufactory be established in Fredericktown in Frederick county, or in the neighbourhood thereof. That twelve hundred pounds common money be appropriated for erecting and carrying on the said manufactory, and be subject to be drawn out and applied for that purpose by three commissioners, who shall, over and above, have power to draw out of the public treasury any sum of money, not exceeding one dollar, for every good musquet lock, made at the said manufactory and delivered pursuant to the orders of the convention, or council of safety in the recess of the convention.

Resolved, That Mr. Charles Beatty, Mr. James Johnson, and Mr. John Hanson, jun. or any two of them, be commissioners for the above pupose.

Resolved, That the said commissioners, or any two of them, be directed to purchase ground, not exceeding one half acre, in or near Fredericktown, sufficient for erecting shops for the said manufactory; which ground is to be conveyed to the said commissioners, for the use of this province; that the said commissioners or any two of them, draw on the treasury of the western shore for the price of the said ground; in the purchase of which, and in the buildings, it is recommended to the said commissioners, to be as frugal of the public money as may be.

The order of the day for taking into consideration the state of the province being read, *Ordered*, That the same be referred for further consideration till to-morrow.

Convention adjourns till to-morrow morning half after 9 o'clock.

THURSDAY, December 28, 1775.

Convention met. All members present as on yesterday. The proceedings of yesterday were read. Mr. Smith appeared in the house.

Mr. J. Tilghman brings in and delivers to Mr. President, a report from the committee appointed to consider what alterations and amendments are necessary in the regulation of the militia of this province, which was read the first time and ordered to lie on the table.

On motion, *Resolved*, That the council of safety to be appointed by this convention, be empowered to advance on loan for two years, without interest, on bond with good security, any part of the one thousand pounds appropriated by the last convention for erecting and working a powder mill, to such person or persons as will undertake and give good security for erecting and working the same, such person or persons undertaking that such mill shall be capable of manufacturing at least eight hundred pounds of gunpowder per week, and that the salt-petre which may belong to the public, shall be there manufactured into gunpowder for a just and reasonable price; the same powder-mill to be erected within fourteen, and not less than six miles from Baltimore town.

Upon reading a second time the memorial and depositions from Baltimore county court, *Resolved*, That a committee be appointed to consider of the truth of the facts therein set forth, and report their opinion thereon; and Mr. Nicholson, Mr. Hollyday, Mr. J. Tilghman, Mr. Rumsey, and Mr. T. Johnson, were elected by ballot a committee for that purpose.

Adjourned till 3 o'clock.

POST MERIDIEM.

Convention met.

Mr. Chamberlaine brings in and delivers to Mr. President a report from the committee appointed to examine and report the returns of the committees of observation of persons in the several counties of this province, who have subscribed, or refused or neglected to subscribe the association directed by the last convention; which was read the first time and ordered to lie on the table.

The, order of the day for taking into consideration the state of the province being read, *Ordered*, That the same be referred for further consideration till to-morrow.

Convention adjourns till to-morrow morning half after 9 o'clock.

FRIDAY, December 29, 1775.

Convention met. All members present as on yesterday. The proceedings of yesterday were read. Mr. Griffith appeared in the house.

Mr. Contee brings in and delivers to Mr. President a report from the committee appointed to examine the several claims upon the treasury, which was read the first time and ordered to lie on the table.

Adjourned till 3 o'clock.

POST MERIDIEM.

Convention met. Mr. Hawkins appeared in the house.

Mr. Earle brings in and delivers to Mr. President, a report from the committee appointed to receive all proposals relating to the establishment of manufactories of any kind within this province, which was read the first time and ordered to lie on the table.

On motion, *Resolved*, That a committee be appointed to prepare a draught of instruction for the deputies representing this province in congress; and Mr. Hollyday, Mr. Carroll, barrister, Mr. J. Tilghman, Mr. Scott, and Mr. Rumsey were elected by ballot a committee for that purpose.

Mr. Dallam has leave of absence.

The order of the day for taking into consideration the state of the province being read, *Ordered*, That the same be referred for further consideration till to-morrow.

Convention adjourns till to-morrow morning half after 9 o'clock.

SATURDAY, December 30, 1775.

Convention met. All members present as on yesterday, except Mr. Dallam. The proceedings of yesterday were read. Mr. Clarke has leave of absence. The proceedings of the council of safety were read.

The order of the day for taking into consideration the state of the province being read, the convention resolved itself into a committee of the whole to consider of the same; Mr. Carroll in the chair.

After some time spent therein, Mr. President resumed the chair, and Mr. Carroll reported, that the committee according to order had under their consideration the state of the province, but not being able to go through the same, had directed him to move for leave to sit again.

Resolved, That this convention will on Monday next resolve itself into a committee of the whole to consider of the same.

Convention adjourns till to-morrow morning half after 9 o'clock.

MONDAY, January 1, 1776.

Convention met. All members present as on Saturday, except Mr. Clarke. The proceedings of Saturday were read. Mr. Bond appeared in the house.

A letter from Messrs. Wilfred Neale, Gerrard Bond, and James Eden, of St. Mary's county, and sundry depositions, relative to the conduct of Basil Patterson, were read; and upon consideration thereof, *Resolved*, That the said Basil Patterson, together with the said letter and depositions, be sent and delivered up to a justice of the peace for St. Mary's county, that the charge against him may be inquired into by a civil magistrate, and order taken therein according to the due course of law.

Ordered, That the treasurer of the western shore pay to Nicholas White, or his order, out of the bills of credit in his hands, fifty-six pounds, six shillings and a penny, common money, for repairing guns, as per account.

Mr. Contee brings in and delivers to Mr. President the following report.

In obedience to the honorable convention, your committee appointed to estimate the expenses of bringing Basil Patterson to answer, and carrying him back to St. Mary's county to some magistrate there, do report as follows:

To James Brown and Ignatius Edwards, for bringing Basil Patterson from St. Mary's to Annapolis, four days, - - - - -	£ 4 0 0
To ditto for carrying Basil Patterson to St. Mary's county, and delivering him to a justice of the peace there, - - - - -	1 0 0
To ditto for Patterson's expenses to Annapolis and back to St. Mary's, and when at Annapolis, about 7 days, - - - - -	1 15 0
	<hr/>
	£ 6 15 0

Signed per order, JOHN CALLAHAN, clk. com.

Ordered, That the treasurer of the western shore pay to James Brown and Ignatius Edwards, for their expenses in bringing Basil Patterson from St. Mary's county to this convention, and carrying him back, out of the bills of credit in his hands, six pounds sixteen shillings common money.

The order of the day for taking into consideration the state of the province being read, the convention resolved itself into a committee of the whole to consider of the same; Mr. Carroll in the chair.

After some time spent therein, Mr. President resumed the chair, and Mr. Carroll reported from the committee the following resolutions, to wit:

Resolved, That this province be immediately put in the best state of defence.

Resolved, That a sufficient armed force be immediately raised and embodied under proper officers, for the defence and protection of this province.

Resolved, That 1444 men, with proper officers, be immediately raised in the pay and for the defence of this province.

Resolved, That 8 companies of the said troops, to consist of 68 privates each, under proper officers, be formed into a battalion.

Resolved, That the remainder of the said troops be divided into companies of one hundred men each.

Resolved, That two companies of the said troops, to consist of one hundred men each, be companies of matrosses, and trained as such.

Which were read and agreed to.

On motion, *Resolved*, That a committee be appointed to report resolutions for raising, clothing, and victualling the forces to be raised in this province; and Mr. Johnson, Mr. Stone, Mr. Carroll, barrister, Mr. Rumsey, and Mr. Ware, were elected by ballot a committee for that purpose.

On motion, *Resolved*, That a committee be appointed to report rules and regulations for the government of the forces to be raised in this province; and Mr. T. Johnson, Mr. Carroll of Carrollton, Mr. Stone, Mr. Rumsey, and Mr. J. Tilghman, were elected by ballot a committee for that purpose.

Mr. S. Chase has leave of absence on Wednesday next.

Adjourned till 3 o'clock.

POST MERIDIEM.

Convention met. Mr Sim and Mr. Somerville appeared in the house. Mr. Letherbury, Mr. Sudler, and Mr. Sluby, have leave of absence.

Convention adjourns till to-morrow morning half after 9 o'clock.

TUESDAY, January 2, 1776.

Convention met. All members present as on yesterday. The proceedings of yesterday were read.

On motion, *Resolved*, That the acceptance of any office in the regular forces to be raised in this province, shall be a disqualification of the officer accepting the same, from and after the making out and acceptance of his commission, to be a delegate to serve in convention, or to be of the council of safety, or a member of any committee of observation, or of any other civil office under the au-

thority of the convention, during the continuance of his said commission.

The convention proceeded to elect by ballot field officers for the battalion.

Mr. William Smallwood was elected colonel, Mr. Francis Ware lieutenant colonel, Mr. Thomas Price first major, Mr. Mordecai Gist second major.

They then proceeded to elect seven captains for the seven independent companies; the ballots were as follow :

For Rezin Beall, 15. John Gunby, 14. John Watkins, 11. James Hindman, 10. John Allen Thomas, 9. Lemuel Barrett, 7. Edward Veazey, 6.

The following persons were then elected captains of the battalion :

John H. Stone, 15. William Hyde, 11. Barton Lucas, 10. Thomas Ewing, 10. Nathaniel Ramsey, 10. Peter Adams, 9. John Day Scott, 8. Samuel Smith of John, 8. George Stricker, 7, light infantry.

Adjourned till 3 o'clock.

POST MERIDIEM.

Convention met.

The petition of Thomas M'Cobb of Lincoln county, in the colony of Massachusetts bay, setting forth, that in consequence of a resolution of the general court of that colony, he had obtained a permit from the select men and committee of correspondence of Georgetown, in Lincoln county in the same colony, to import grain into the said county, and praying leave to load his vessel, was read; and thereupon it is *Resolved*, That the said petitioner be allowed to load his said vessel in Somerset county: And it is *Ordered*, That the loading of the said vessel be under the inspection of the committee of observation for Somerset county, who are required, before the said vessel shall depart, to appoint the tract for her voyage, and have the captain and mate of her sworn to perform the same, so far as they can, and that they will use their utmost endeavours to land her cargo in the county of Lincoln in the colony of Massachusetts bay aforesaid.

Ordered, That the clerk make out and transmit a copy of the above resolution to the committee of Somerset county.

The convention proceeded to ballot for seven first lieutenants for the independent companies; the ballots were as follow :

For Thomas Woolford, 11. Moses Chaille, 11. William Harrison, 10. Uriah Forrest, 10. Bennett Bracco, 10. John Stewart, 6. William Goldsborough, 5.

Bennet Bracco

The following persons were next elected by ballot first lieutenants for the battalion, to wit.

Daniel Bowie, 13. Benjamin Ford, 12. William Sterett, 12. Joseph Butler, 11. Levin Winder, 10. Nathaniel Ewing, 10. Thomas Harwood, 6. James Campbell, 6. Thomas Smyth, 5; light infantry.

The persons following were then elected by ballot second lieutenants for the independent companies.

John Eccleston, 11. John Halkerston, 10. John Davidson, 10. Solomon Long, 10. William Bowie, 7. Archibald Anderson, 7. Samuel Turbutt Wright, 6.

And the following second lieutenants for the battalion.

John Kidd, 11. John Beans, 11. Alexander Roxburg, 10. Joseph Baxter, 10. Alexander Murray, 9. David Plunkett, 9. Thomas Goldsmith, 8. Joseph Ford, 8. James Ringgold, 8; light infantry.

The following persons were elected by ballot third lieutenants for the independent companies.

Edward Hindman, 12. Hooper Hudson, son of John, 12. Edward de Courcy, 11. Henry Neale, 10. Ely Dorsey, 8. Daniel Jennifer Adams, 8. Benjamin Brooks, 8.

And the following elected by ballot ensigns for the battalion.

Benjamin Chambers, 14. Henry Gaither, 12. William Ridgely, 12. Edward Praul, 12. Walker Muse, 12. John Jordan, 12. James Peale, 11. Bryan Philpot, 9. And Hatch Dent, third lieutenant of the light infantry.

Convention adjourns till to-morrow morning half after 9 o'clock.

WEDNESDAY, January 3, 1776.

Convention met. All members present as on yesterday, except Mr. Sluby and Mr. Sudler. The proceedings of yesterday were read. Mr. Nicholson, Mr. Murray, and Mr. Hall, have leave of absence.

An account of the expenses for transporting powder from Frederick town to Baltimore town, being read; *Ordered*, That the treasurer of the Western shore pay to the committee of observation for the middle district of Frederick county, or their order, out of the bills of credit in his hands, twenty-three pounds, nineteen shillings, common money, being the expense of transporting the same.

Ordered, That the clerk make out and transmit a copy of the above resolution to the committee of observation for the middle district of Frederick county.

On application of col. Harrison of Virginia to this convention, to furnish col. Simpson, of Accomack county, with two hundred

pounds of gunpowder, *Ordered*, That the committees of observation for Worcester and Somerset counties, do each of them immediately send one hundred weight to col. Simpson.

The convention proceeded to the election of officers.

Mr. Gabriel Duvall was elected by ballot muster master and commissary of stores, Mr. Peter Mantz quarter master, Mr. Charles Wallace paymaster.

Mr. Nathaniel Smith captain of the matrosses at Baltimore town, Mr. William Woolsey, first lieutenant, Mr. Alexander Furnival, second lieutenant.

Mr. Beall has leave of absence.

Adjourned till 3 o'clock.

POST MERIDIEM.

Convention met. Mr. Thomas Wright, a member for Queen Anne's county, appeared and took his seat in the house. Mr. Handy and Mr. Waters appeared in the house.

Mr. George Keepott was appointed third lieutenant of captain Smith's company of matrosses.

The Convention took into consideration the following report, to wit:

In obedience to a resolve of the honourable convention, the committee appointed to receive all proposals relating to the establishment of manufactories of any kind within this province, and report their opinion thereon,

Do report, that the following proposals and petitions have been laid before them, to wit. The petition of Fielder Gaunt, setting forth, That about four months ago he had discovered a vein of lead ore in Frederick county, between Frederick town and the Kitocton mountain; that upon an examination of the same, appearances were so favourable, that he hoped to be able in a short time to supply this province with a sufficient quantity of lead during our present unhappy disputes, and prayed, that two hundred pounds might be advanced to him for the term of one year without interest, upon giving bond with sufficient security at the end of that term to repay the same. Your committee further report, that Mr. Gaunt hath in person informed them, that he has, by sinking a shaft thirty-eight feet in the earth higher up the hill, found another vein of lead, and that both the said veins run under a large rock, where it was too expensive, on his own capital, to pursue the same, and that the quantities of lead ore taken out of said veins were not considerable. Your committee beg leave further to report thereon, that in their opinion a manufactory of lead in this province would be of a great

advantage to the public, and of course merits the attention and encouragement of this province, and that the sum requested for that purpose is not unreasonable.

Your committee further beg leave to report, that Alex'r M'Fadon of Frederick county, by his petition, hath expressed his desire of erecting a linen, woollen, and cotton manufactory, in or near Frederick-town; that he is also well acquainted with the business, and would undertake to carry on the same with the public encouragement and assistance, and proposed that a sum not exceeding four thousand pounds should be advanced to him from time to time, by the province, on giving bond with good security for the payment of the money lent, with four per cent. interest after the expiration of three years from the advancement thereof. Your committee further report, that Mr. M'Fadon in person informed them, that although he proposed by the above scheme to carry on the same so extensively, as thereby to manufacture annually fifty thousand yards, yet if it did not meet with the approbation of the honorable the convention, he was willing to undertake to set up a manufactory, on having not less than one half of the above sum advanced to him; that he proposed to begin at first with the sum of five hundred pounds, and draw out to the amount of the sum stipulated, in proportion as he should purchase the materials to manufacture; that he would not engage to deliver any certain quantity of linen or woollen cloth, unless he could be assured of purchasing the rough materials, nor could he agree for any price, as he was uncertain on what terms he could purchase the same; that if he could buy them he would furnish the province with any quantities within his power at a reasonable price, on their paying him for the same; and that the original sum borrowed would be absolutely necessary for him to carry on the manufactory aforesaid entire, during the time aforesaid.

Your committee further beg leave to report, that Edward Parker, of Cecil county, by his petition hath set forth, that he hath erected a house, provided himself with all manner of implements necessary for carrying on a linen and woollen manufactory, and had also engaged a number of weavers, but found it absolutely impossible to carry on the same with spirit, and in an extensive manner, without a considerable sum of ready cash, and therefore prayed, that the sum of three hundred pounds, out of the public treasury, might be advanced to him, upon his giving bond with undoubted security, for the delivery of the value of two hundred pounds in good strong merchantable linen cloth, manufactured in this province, on or before the first day of May next, and the value of one

hundred pounds in good merchantable linen or woollen cloth, manufactured in this province, on the first day of November next, of such quality as he may be directed, and at such prices and rates as this or a future convention, on his producing the same, may be pleased to allow. The said Edward Parker in person acquainted your committee, that he kept five looms constantly employed in manufacturing. Your committee beg leave to report thereon their opinion, that the establishment of linen and woollen manufactories is of the greatest importance to this province, as not only a number of poor people may be employed, fed, and clothed thereby, but necessary cloth for the use of the province be manufactured therein, and that for the above purposes, and other valuable ones, a manufactory for making the above clothes should be established in every county in this province; that the sum of five thousand pounds be appropriated and set apart for the above purpose, to be distributed in manner and form following, to wit: five hundred pounds for Frederick county, and three hundred pounds to each of the other counties, which sum, in the opinion of your committee, will employ eighty looms, and the produce thereof amount to from eighty to one thousand yards of cloth at a moderate calculation, suitable for tents, hunting and soldiers' shirts, and supplying the necessitous poor; that three gentlemen in whom confidence may be placed, be appointed in each county, and styled contractors, and that they or any two of them be empowered to draw the several sums above mentioned out of the treasuries, as occasion may require, agree with such persons as will undertake to carry on the work, receive the linen and wollen, and take bond with sufficient security in double the sum lent, payable to _____ conditioned for the return of the value of money lent, in good coarse linen or woollen cloth, in the following manner, to wit.

One third thereof by the first of May next, one other third by the first of August next, and the remainder by the first of December next; and that the said contractors shall transmit the bonds so taken to the president of the convention, should the convention be sitting, or if in their recess to the council of safety for the time being; that if it should happen that undertakers could not be found, or should not apply in any one or more of the counties on or before the first day of March next, that the contractors in any other of the counties may be empowered to draw out for the purposes aforesaid, and on the above terms, the proportion or proportions allotted such county or counties as may not apply.

Your committee further beg leave to observe, that several proposals have been made to them respecting a sheeting and slitting mill

to be erected in this province, but that they are not fully prepared to report on that subject.

Signed per order,

JOHN CALLAHAN, clk. com.

On reading the first part of the above report the question was put, that the house concur therewith? *Resolved* in the affirmative.

Resolved, therefore, That two hundred pounds common money, out of the public treasury be advanced to Mr. Fielder Gaunt of Frederick county, for the purposes mentioned in the said report, for the term of one year, on his giving bond with sufficient security to repay the same at the end of one year without interest; the security to be approved by the convention or council of safety hereafter to be appointed, and the bond to be made payable to Mr. President, Mr. Carroll, barrister, and Mr. T. Johnson, jun.

On reading that part of the said report relating to the establishment of a linen, woollen, and cotton manufactory, by Mr. Alexander M'Fadon, the question was put, that the house concur with the proposals of Mr. M'Fadon? Carried in the negative.

On reading the third paragraph of the said report, in which is contained the proposal of Edward Parker of Cecil county, the question was put, that the house concur therewith? *Resolved* in the affirmative.

Resolved, therefore, That the sum of three hundred pounds, out of the public treasury, be advanced to the said Edward Parker, upon his giving bond with good security, for the delivery of the value of two hundred pounds, in good, strong, merchantable linen cloth, manufactured in this province, on or before the first day of May next; and the value of one hundred pounds, in good, merchantable linen or woollen cloth, manufactured in this province, on the first day of November next, of such quality as he may be directed, and at such prices and rates as this or a future convention shall allow.

On reading that part of the said report, which relates to the establishment of linen and woollen manufactories in each county in this province, the question was put, that the house concur therewith? The counties were equally divided, and therefore the house does not concur.

Mr. Mackall has leave of absence.

The convention adjourns till to-morrow morning half after nine o'clock.

THURSDAY, January 4, 1776.

Convention met. All members present as on yesterday, except Mr. Letherbury, Mr. Beall, Mr. Hall, Mr. Nicholson, Mr. Mackall, and Mr. Murray. The proceedings of yesterday were read.

On motion, the question was put, that the commissions for the officers of the independent companies be made out according to the order in which they stand upon the list as ballotted for? Carried in the negative.

The following list was then offered as the rule for making out commissions for the officers of the independent companies, to wit.

Charles and Calvert Counties. Rezin Beall, captain. Bennet Bracco, first lieutenant. John Halkerston, second lieutenant. Daniel Jenifer Adams, third lieutenant.

Somerset county. John Gunby, captain. Uriah Forrest, first lieutenant. William Bowie, second lieutenant. Benjamin Brooks, third lieutenant.

Worcester county. John Watkins, captain. Moses Chaille, first lieutenant. Solomon Long, second lieutenant. Ely Dorsey, third lieutenant.

Talbot county. James Hindman, captain. William Goldsborough, first lieutenant. Archibald Anderson, second lieutenant. Edward Hindman, third lieutenant.

St. Mary's county. John Allen Thomas, captain. John Steward, first lieutenant. John Davidson, second lieutenant. Henry Neale, third lieutenant.

Dorchester county. Lemuel Barrett, captain. Thomas Woolford, first lieutenant. John Eccleston, second lieutenant. Hooper Hudson, third lieutenant.

Queen Anne's and Kent counties. Edward Veazy, captain. William Harrison, first lieutenant. Samuel T. Wright, second lieutenant. Edward de Courcy, third lieutenant.

On motion, That the said commissions be made out according to the said list? The question was put and resolved in the affirmative.

Mr. Hooe appeared in the house.

The convention took into consideration the report from the committee appointed to consider what alterations and amendments were necessary in the regulation of the militia of this province, and thereupon came to the following resolutions.

That no minute men be hereafter enrolled under the resolutions of the late convention. That where minute companies are already formed, no commissions issue to the officers thereof, unless the

officers desire to have their commissions. That no minute companies be continued beyond the first day of March next, and that a sum of money sufficient for the purpose, be lodged in the hands of the committee of observation in each respective county where a company of minute men hath been enrolled, viewed, and allowed, to pay and discharge the expense of such company for the time past, and also for the time to come, if such company continues till the first day of March next, and that such committee receive the rolls of such companies, and the times of the attendance of the men, proved by the oath of some one at least of the commissioned officers, return the balance of the money, if any, into the public treasury, and render an account of their transactions herein to the next convention; but no person chosen for a commissioned officer in any company of minute men, shall be compellable to serve in the militia in a lower rank or station than he was elected to in the minute company.


That all public arms in the hands of the minute men, immediately after the first day of March next, or as soon as they disband where they disband sooner, be delivered to the committee of observation for their respective county, to be by the said committee kept and preserved for the public use.

That every able bodied effective freeman within this province, between sixteen and fifty years of age, (clergymen of all denominations, practising physicians, and the household of his excellency the governor, excepted,) who hath not already enrolled himself in the militia, shall, on or before the first day of March next, enroll himself in some company of militia, agreeable to the form of the enrollment prescribed by the last convention, and that every minute or artillery man, except commissioned officers, shall in like manner enroll in the militia, within one month next after he shall cease to act as a minute or artillery man. And if any able bodied effective freeman shall refuse or delay to enroll himself in the militia as aforesaid, every such person shall pay for the present year, which shall be reckoned from the fifteenth day of September last, such sum of money, not less than forty shillings nor more than ten pounds, as shall be assessed by the committee of observation of his county, for the use of the public. And the committee of observation in each respective county shall, by warrant under their hands, appoint and empower any person or persons they shall judge proper, to collect and receive all monies by them so assessed, which shall be paid within one month after notice of such assessment, and in default thereof, the person or persons so empowered, may distrain the goods and effects of the defaulters, and sell and dispose of the

same in the same manner that goods may be distrained and sold by law for county levies. And every collector shall, on or before the first day of July next, pay the money by him collected, after deducting seven and an half per cent. for his commission, to the treasurer of his shore, and leave with the same treasurer an account containing the names of those from whom he hath received the same, and the sums from them respectively collected.

That every person who shall refuse and delay to enroll as aforesaid, shall on or before the tenth day of March next, deliver to the committee of observation for his county, all his fire arms, if he hath any, except pistols; and if any such person shall refuse or delay to do the same, then such committee shall empower some person or persons, by warrant under their hands, to seize the said fire-arms, and deliver the same to the said committee; and the said committees shall cause all the arms which shall come to their hands to be valued, by indifferent and honest men on oath, and shall keep a list of such arms, to whom they belong, and their respective values, and may deliver out such arms at their discretion, to the captains of militia in their county, taking the captain's receipt therefor, and the captains being liable for the redelivery thereof, may deliver the same to the unarmed men of their companies; and every committee of observation shall transmit an account of all assessments by them made, as well as of all arms by them received as aforesaid, and how they have disposed of the same, to every convention: but because some persons who do not enroll in the militia may be so poor that they cannot pay the said assessment of forty shillings, and their omitting to enroll may not proceed from disaffection to the cause of America, or perverseness, it is provided, that where the real and personal estate of any effective freeman, who shall refuse or neglect to enroll himself in the militia as aforesaid, shall not, in the judgment and estimation of the committee of his county, be of the value of thirty pounds, the same committee may in their discretion omit to assess any sum of money on such person, the same committee certifying to the convention or council of safety the name of the person, and the reasons wherefore they do not assess him.

That all fines which have been already set and adjudged, according to the resolutions of the last convention, on militia officers or men, and have not been paid, or which shall hereafter be so set and adjudged, shall, if the same be on a field officer, be paid into the hands of the quarter-master of the battalion to which he belongs, and if any officer of inferior rank to a field officer, or on a non-commissioned officer or private, be paid into the hands of such person as



hath or shall have been appointed to receive the fines for the company to which such person belongs, or if no such receiver hath or shall have been appointed, then the same shall be paid into the hands of the captain of such company, and on refusal to pay the same fine, and such refusal being certified to the committee of observation for the county where such person resides, the same committee shall grant a warrant under their hands, empowering any other person or persons of the same county to levy such fine by distress and sale as aforesaid, of the party's goods and effects, but the officers who set and adjudged the same fine may commit the offender to a sergeant according to the resolution of the late convention, if they choose that as the best method to compel payment.

That in cases where it may greatly promote the ease of the inhabitants, a number not less than forty nor exceeding eighty privates, may, with the special permission of the committees of observation, enroll in any one company of militia, but any of those already enrolled in any company, where the privates do not exceed seventy-four, shall not be permitted to leave such company, for the purpose of enrolling in a new one. That in those counties where only part of the militia are appointed to join in battalion, the respective committees of observation form the other companies into battalion, if there are sufficient in number for that purpose, and in those counties where there are not any battalions formed, that the said committees proceed, as soon as may be, to divide their militia into battalions, according to the resolves of the late convention.

That within the general description of able bodied effective free-men of this province, are intended to be included, overseers, and those who are bound by contract made within this province, to serve in any particular quality or capacity, being able bodied effective men, between sixteen and fifty years of age.

That a brigadier-general, a quarter-master, and an adjutant general, be appointed by the convention over every eight battalions, and to include within that command, all artillery companies and other militia within the district.

That the counties ballot for the rank of colonels and battalions from number one to number sixteen, and so the county drawing number one to have its second battalion the seventeenth of the province, &c., and all field and commissioned officers to rank according to their commissions, and as to those who bear the like commissions, according to the number of the battalion to which they belong.

That the companies of each battalion ballot from number one to number eight, and hold their rank the first battalion day according

to the numbers drawn, the second day number two to take the place of number one, and number one the place of number eight, and so on, that equals may each in turn have the most honorable place, and every man may be instructed to act in any part of a battalion, as occasion may require

That to avoid a needless and insupportable expense, no person after the tenth day of May next, wear any uniform at exercise, either in single companies or in battalion, but hunting shirts, the officers distinguishing themselves from the privates by different feathers, cockades, or the like, as fancy may direct.

Convention adjourns till to-morrow morning half after 9 o'clock.

FRIDAY, January 5, 1776.

Convention met. All members present as on yesterday. The proceedings of yesterday were read. Mr. Sluby appeared in the house. Mr. Bishop has leave of absence.

On motion, *Resolved*, That the several committees of observation purchase the whole of the sulphur in their respective counties, provided it is to be had at six pence per pound, and that they transmit the same, with an account thereof, as soon as may be, to Messrs. William Lux and Daniel Bowly, of Baltimore town; and that the committees of observation be empowered to draw on the treasurer of their respective shore, for as many of the bills of credit of this province as may be wanted; as well for the purposes aforesaid, as for any expenses to be incurred in removing the sulphur to Baltimore town.

Ordered, That the clerk make out and transmit copies of the above resolve to the several committees of observation for each county in this province.

On motion, *Resolved*, That the several counties in this province be divided into the following districts, to wit: St. Mary's, Charles, Calvert, and Prince George's counties, into one district. Anne Arundel, Baltimore, and Harford counties, into another district. Frederick county into another district. Cecil, Kent, Queen Anne's and Talbot counties, into another district. Dorchester, Caroline, Somerset, and Worcester counties, into another district.

That to each of the said districts or brigades, there be one brigadier-general, a quarter-master, and an adjutant.

Adjourned till three o'clock.

POST MERIDIEM.

Convention met. Mr. J. Dashiell has leave of absence till Monday next.

Mr. Scott brings in and delivers to Mr. President a draught of instructions for the deputies representing this province in congress, which was read the first time and ordered to lie on the table.

Convention adjourned till to-morrow morning half after nine o'clock.

SATURDAY, January 6, 1776.

Convention met. All members present as on yesterday. The proceedings of yesterday were read. Mr. John Reeder, jun. a members for Saint Mary's county, appeared and took his seat in the house. Mr. John Allen Thomas has leave of absence.

The convention elected by ballot the following persons field officers for the militia: Mr. Henery Hooper brigadier-general of the lower district on the eastern shore. Mr. James Lloyd Chamberlaine of the upper district. Mr. John Dent of the lower district on the western shore. Mr. Andrew Buchanan of the middle district. Mr. Thomas Johnson, jun. of the upper district.

Resolved, That the said brigadiers-general rank in the following manner, to wit. Brigadier-general Johnson, 1st. Brigadier-general Hooper, 2d. Brigadier-general Dent, 3d. Brigadier-general Chamberlaine, 4th. Brigadier-general Buchanan, 5th.

On motion, *Resolved*, That the acceptance of a superior office in the militia of this province be a vacation of the inferior office.

FOR SAINT MARY'S COUNTY.

Upper battalion. Mr. Jeremiah Jordan, colonel; Mr. John Reider, jun. lieutenant-colonel; Mr. James Eden, 1st major; Mr. John Hanson Briscoe, 2d major; Mr. James Mills, quarter-master.

Lower battalion. Mr. Richard Barnes, colonel; Mr. John Hatton Reed, lieutenant-colonel; Mr. Ignatius Fenwick, jun. 1st major; Mr. Samuel Abell, sen. 2d major; Mr. Hugh Hopewell, jun. quarter-master.

FOR CHARLES COUNTY.

Upper battalion. Mr. William Harrison, colonel; Mr. Samuel Hanson, of Samuel, lieutenant-colonel; Mr. Kenelm Truman Stoddert, 1st major; Mr. Samuel Hanson, jun. 2d; Mr. Walter Hanson, quarter-master. *Lower battalion.* Mr. Josias Hawkins colonel; Mr. Robert T. Hooe, lieutenant-colonel; Mr John Marshall, 1st major; Mr. John Harris, 2d; Mr. John Nathan Smoot, quarter-master.

Adjourned till 3 o'clock.

POST MERIDIEM.

Convention met. Mr. Thomas Wright, Mr. Sim, and Mr. Tyler, have leave of absence. Mr. Letherbury appeared in the house.

The convention resumed the election of officers for the militia and elected by ballot.

FOR CALVERT COUNTY.

Mr. Benjamin Mackall 4th, colonel; Mr. Alexander Somerville, lieutenant-colonel; Mr. Joseph Wilkinson, 1st major; Mr. Patrick Sim Smith, 2d; Mr. William Allein, quarter-master.

FOR ANNE-ARUNDEL COUNTY.

Elk-Ridge battalion. Mr. Thomas Dorsey, colonel; Mr. John Dorsey, lieutenant-colonel; Dr. C. A. Warfield, 1st major; Mr. Edward Gaither, jun. 2d; Mr. Benjamin Howard, quarter-master.

Severn battalion. Mr. John Hall, colonel; Mr. Rezin Hammond, lieutenant-colonel; Mr. Nicholas Worthington, 1st major; Mr. Elijah Robosson, 2d; Mr. Matthias Hammond, quarter-master.

South-River battalion. Mr. John Weems, colonel; Mr. Richard Harwood, jun. lieutenant-colonel; Mr. John Thomas, 1st major; Mr. Thomas Tillard, 2d; Mr. Edward Tillard, quarter-master.

FOR FREDERICK COUNTY.

First battalion. Mr. Charles Beatty, colonel; Mr. William Beatty, lieutenant-colonel; Mr. Ludwick Weltner, 1st major; Mr. Benjamin Johnson 2d; Mr. Lewis Bush, quarter-master. *Second battalion.*

Mr. James Johnson, colonel; Mr. Joseph Wood, lieutenant-colonel; Mr. Benjamin Ogle, 1st major; Mr. Roger Johnson, 2d; Mr. Azel Waters, quarter-master. *Third battalion.*

Mr. Jacob Good, colonel; Mr. William Blair, lieutenant-colonel; Mr. Samuel Shaw, 1st major; Mr. William Shields, 2d; Mr. Joseph M'Killip, quarter-master. *Fourth battalion.*

Mr. Baker Johnson, colonel; Mr. William Lockett, lieutenant-colonel; Mr. Jacob Miller, 1st major; Mr. Henry Darnall, 2d; Mr. Nicholas Tice, quarter-master.

LOWER DISTRICT.

Lower battalion. Mr. John Murdock, colonel; Mr. Thomas Johns, lieutenant-colonel; Mr. Richard Brooke, 1st major; Mr. William Deakins, 2d; Mr. Richard Thompson, quarter-master.

Upper battalion. Mr. Zadock Magruder, colonel; Mr. Charles G. Griffith, lieutenant-colonel; Mr. Francis Deakins, 1st major; Mr. Richard Crabb, 2d; Mr. Samuel Du Vall, quarter-master.

UPPER DISTRICT.

First battalion. Mr. John Stull, colonel; Mr. Andrew Rench, lieutenant-colonel; Mr. Henry Shryock, 1st major; Mr. George Woltz, 2d; Mr. Elie Williams, quarter-master. *Second battalion.*

Mr. Samuel Beall, colonel; Mr. Joseph Smith, lieutenant-colonel; Mr. Richard Davis, 1st major; Mr. Charles Swearingen, 2d; Mr. James Chapline, quarter-master.

FOR HARFORD COUNTY.

Upper battalion. Mr. Aquila Hall, colonel; Mr. John Love, lieutenant-colonel; Mr. Josias Carvill Hall, 1st major; Dr. John Archer, 2d; Mr. Richard Dallam, quarter-master. *Lower battalion.* Mr. Benjamin Rumsey, colonel; Mr. Thomas Bond, lieutenant-colonel; Mr. Abraham Jarrett, 1st major; Mr. John Taylor, 2d; Mr. Robert Amos, quarter-master.

FOR CECIL COUNTY.

Bohemia battalion. Mr. John Veazey, jun. colonel; Mr. John D. Thomson, lieutenant-colonel; Mr. William Rumsey, 1st major; Dr. Joshua Clayton, 2d; Mr. Samuel Young, quarter-master. *Elk battalion.* Mr. Charles Rumsey, colonel; Mr. Henery Hollingsworth, lieutenant-colonel; Mr. Edward Parker, 1st major; Mr. John Strawbridge 2d; Mr. Thomas Huggins, quarter-master. *Susquehanna battalion.* Mr. George Johnson, colonel; Mr. Thomas Hughes, lieutenant-colonel; Mr. John Hartshorn, 1st major; Mr. Elihu Hall, 2d; Mr. John Hambleton, quarter-master.

FOR QUEEN ANNE'S COUNTY.

Upper battalion. Mr. Richard T. Earle, colonel; Mr. Samuel Thompson jun. lieutenant-colonel; Mr. John Seney, 1st major; Mr. James Kent, 2d; Mr. William Bruff, quarter-master. *Lower battalion.* Mr. Thomas Wright, colonel; Mr. Richard Tilghman, lieutenant-colonel; Mr. William Hemsley, 1st major; Mr. Arther Emory, 2d; Mr. James Tilghman, quarter-master.

FOR SOMERSET COUNTY.

Upper battalion. Mr. George Dashiell, colonel; Mr. George Day Scott, lieutenant-colonel; Mr. John Stewart, 1st major; Mr. William Horsey, 2d; Mr. Severn Hitch, quarter-master. *Lower battalion.* Mr. Thomas Hayward, colonel; Mr. Peter Waters, lieutenant-colonel; Mr. Thomas Bruff, 1st major; Mr. William Waters, of William, 2d; Mr. William Gillis, quarter-master.

FOR WORCESTER COUNTY.

First battalion. Mr. Peter Chaille, colonel; Mr. Joseph Dashiell, lieutenant-colonel; Mr. John Done, 1st major; Mr. Robert Done, 2d; Mr. George Martin, quarter-master. *Second battalion,* Mr. William Purnell, colonel; Mr. Zadock Purnell, lieutenant-colonel; Mr. Samuel Handy, 1st major; Mr. William Morris, 2d; Mr. Josias Mitchell, quarter-master.

The convention adjourns till Monday morning half after nine o'clock.

MONDAY, January 8, 1776.

Convention met. All members present as on Saturday, except Mr. J. A. Thomas, Mr. Thomas Wright, Mr. Sim, and Mr. Tyler. The proceedings of Saturday were read. Mr. Edward Lloyd, a member elected for Talbot county in the room of Francis Baker, and Mr. Thomas Ringgold, appointed a member for Kent county, in the room of Mr. Thomas Smyth, who refused to act, appeared and took their seats in the house. Mr. Sudler and Mr. Buchanan appeared in the house. Mr. William Adams has leave of absence. Adjourned till 3 o'clock.

POST MERIDIEM.

Convention met. Mr. Tyler and Mr. Dallam appeared in the house.

The following persons were elected by ballot to the battalion in Talbot county, to wit:

Mr. Christopher Birkhead, colonel; Mr. Peregrine Tilghman, lieutenant-colonel; Mr. Jeremiah Banning, 1st major; Mr. Robert Lloyd Nicols, 2d; Mr. Nicholas Thomas, quarter-master.

On motion, *Resolved*, That the nomination of field officers for Dorchester county be postponed; and that the council of safety, hereafter to be appointed, be empowered to appoint them.

The following election by ballot for Caroline county was had:

East battalion. Mr. William Richardson, colonel; Mr. Henry Dickinson, lieutenant-colonel; Mr. William Whitely, 1st major; Mr. Matthew Driver, 2d; Mr. John White, quarter-master. *West battalion.* Mr. Philip Fiddeman, colonel; Mr. Benson Stainton, lieutenant-colonel; Mr. Richard Mason, 1st major; Mr. Henry Downes, 2d; Mr. Thomas Harcastle, quarter-master.

The convention adjourns till to-morrow morning half after nine o'clock.

TUESDAY, January 9, 1776.

Convention met. All members present as on yesterday. The proceedings of yesterday were read.

The memorials of Patrick Hamilton, and John Archer and James Harris, relating to the establishment of linen and woollen manufactories, were read the first time and ordered to lie on the table.

Ordered, That nine hundred copies of the proceedings relative to the manufacture of salt-petre be immediately printed.

On motion, *Resolved*, That a committee be appointed to prepare and report a scheme for the emission of bills of credit, to defray

the expenses of defending this province; and Mr. Hollyday, Mr. T. Johnson, Mr. Hooe, Mr. Rumsey, and Mr. J. Tilghman, were elected by ballot a committee for that purpose.

On motion, *Resolved*, That the instructions for the deputies representing this province in congress, be taken into consideration to-morrow.

The convention adjourns till to-morrow morning half after nine o'clock.

WEDNESDAY, January 10, 1776.

Convention met. All members present as on yesterday. The proceedings of yesterday were read. Mr. Sim, Mr. Mackall, and Mr. John Allen Thomas, appeared in the house.

The order of the day for taking into consideration the instructions for the deputies representing this province in congress, being read, the same were taken into consideration, and after some debate thereon, the convention adjourned.

THURSDAY, January 11, 1776.

Convention met. All members present as on yesterday. The proceedings of yesterday were read. Mr. Smith, Mr. Jordan, and Mr. Gilpin, have leave of absence.

The convention resumed the consideration of the instructions for the deputies representing this province in congress, which were read, considered, and agreed to; and are as follow:

In CONVENTION, January 12th, 1776.

To the honorable Matthew Tilghman, Esq., Thomas Johnson, jr., Robert Goldsborough, William Paca, Samuel Chase, Thomas Stone, Robert Alexander, and John Rogers, Esquires.

The convention taking into their most serious consideration, the present state of the unhappy dispute between Great Britain and the united colonies, think it proper to deliver you their sentiments, and to instruct you in certain points, relative to your conduct in congress, as representatives of this province.

The experience we and our ancestors have had of the mildness and equity of the English constitution, under which we have grown up to and enjoyed a state of felicity, not exceeded among any people we know of, until the grounds of the present controversy were laid by the ministry and parliament of Great Britain, has most strongly endeared to us that form of government from whence these blessings have been derived, and makes us ardently wish for a reconciliation with the mother country, upon terms that may insure to these colonies an equal and permanent freedom.

To this constitution we are attached, not merely by habit, but by principle, being in our judgments persuaded, it is of all known systems best calculated to secure the liberty of the subject, to guard against despotism on the one hand, and licentiousness on the other.

Impressed with these sentiments, we warmly recommend to you, to keep constantly in your view the avowed end and purpose for which these colonies originally associated, the redress of American grievances, and securing the rights of the colonists.

As upon the attainment of these great objects, we shall think it our greatest happiness to be thus firmly united to Great Britain, we think proper to instruct you, that should any proposition be happily made by the crown or parliament, that may lead to or lay a rational and probable ground for reconciliation, you use your utmost endeavors to cultivate and improve it into a happy settlement and lasting amity, taking care to secure the colonies against the exercise of the right assumed by parliament to tax them, and to alter and change their charters, constitutions, and internal polity, without their consent,—powers incompatible with the essential securities of the lives, liberties, and properties of the colonists.

We further instruct you, that you do not without the previous knowledge and approbation of the convention of this province, assent to any proposition to declare these colonies independent of the crown of Great Britain, nor to any proposition for making or entering into alliance with any foreign power, nor to any union or confederation of these colonies, which may necessarily lead to a separation from the mother country, unless in your judgments, or in the judgments of any four of you, or of a majority of the whole of you, if all shall be then attending in congress, it shall be thought absolutely necessary for the preservation of the liberties of the united colonies; and should a majority of the colonies in congress, against such your judgment, resolve to declare these colonies independent of the crown of Great Britain, or to make or enter into alliance with any foreign power, or into any union or confederation of these colonies, which may necessarily lead to a separation from the mother country, then we instruct you immediately to call the convention of this province, and repair thereto with such proposition and resolve, and lay the same before the said convention, for their consideration, and this convention will not hold this province bound by such majority in congress, until the representative body of the province in convention assent thereto.

Desirous as we are of peace with Great Britain upon safe and honourable terms, we wish you nevertheless, and instruct you, to

join with the other colonies in such military operations as may be judged proper and necessary for the common defence, until such a peace can be happily obtained.

At the same time we assure you that we have an entire confidence in your abilities and integrity in the discharge of the great trust reposed in you, we must observe to you as our opinion, that in the relation of constituent and representative, one principal security of the former is, the right he holds to be fully informed of the conduct of the latter: we can conceive no case to exist, in which it would be of more importance to exercise this right than the present, nor any in which we can suppose the representative would more willingly acquiesce in the exercise of it. We therefore instruct you, that you move for and endeavor to obtain a resolve of congress, that the votes given by the colonies on every question agitated in congress, shall appear upon the journals thereof; and if such resolve be obtained, that you, at the expense of this province, procure copies of the said journals, except such parts thereof as relate to military operations, and measures taken to procure arms and ammunition, and from time to time lay the same before the convention of this province, shewing the part you, as representatives of the province, take in such questions.

And we further instruct you, to move for and endeavor to obtain a resolve of congress, that no person who holds any military command in the continental or any provincial regular forces, or marine service, nor any person who holds or enjoys any office of profit under the continental congress, or under any government assumed since the present controversy with Great Britain began, or which shall hereafter be assumed, or who directly or indirectly receives the profits or any part of the profits of such command or office, shall, during the time of his holding or receiving the same, be eligible to sit in congress.

Convention adjourns till to-morrow morning half after 9 o'clock.

FRIDAY, January 12, 1776.

Convention met. All members present as on yesterday, except Mr. S. Chase, Mr. Jordan, Mr. Smith, and Mr. Gilpin. The proceedings of yesterday were read.

Mr. President communicates to the convention several resolutions of congress, which were read and ordered to lie on the table.

Mr. Ware has leave of absence.

Adjourned till 3 o'clock.

POST MERIDIEM.

Convention met.

Mr. Hollyday brings in and delivers to Mr. President, a report from the committee appointed to prepare and report a scheme for the emission of bills of credit, to defray the expenses of defending this province, and other purposes therein mentioned, which was read the first time and ordered to lie on the table.

A report from the committee appointed to receive proposals relating to the establishment of manufactories of any kind within this province, was read and considered; and thereupon *Resolved*, That six hundred pounds in bills of credit out of the public treasury, be advanced to Mr. William Whetcroft of the city of Annapolis, for the term of two years, without interest, he giving bond with good security to repay the same; the said William Whetcroft to contract to build and complete, within the space of six months, at his own risk, a rolling, sheeting, and slitting mill, within twenty miles of Baltimore town, or in any other part of the province that this convention shall appoint; and therefrom to supply the public and individuals with slit or sheet iron, at the price the same, at the time of sale thereof, can be purchased in Pennsylvania or Virginia, and that it shall never exceed the sum of thirty-five pounds common money per ton. The said William Whetcroft also to slit, roll, or make into sheet or flatted iron, any quantity thereof, the property of the public, brought to the said mill, at the rate of five pounds per ton; and any quantity thereof, the property of private persons, being inhabitants of this province, at the rate of six pounds per ton, if brought to the said mill.

Ordered, That no commission issue to Mr. John Thomas, first major of the South River battalion in Anne Arundel county, he having declined that office; or to any of the officers of Mr. John Burgess' company; or to Mr. William Gambrell, a lieutenant of Mr. John Boone's company, during the sitting of this convention, but that the same be referred to the council of safety.

The convention proceeded to ballot for the rank of counties and colonels, when the rank was settled as follows:

Somerset 1, Cecil 2, Dorchester 3, Talbot 4, Queen Anne's 5, St. Mary's 6, Anne Arundel 7, Harford 8, Baltimore 9, Worcester 10, Prince George's 11, Charles 12, Kent 13, Caroline 14, Calvert 15, Frederick 16.

In Somerset county. Col. George Dashiell of the first battalion, 1; col. Thomas Hayward, 17.

Cecil county. Col. Charles Rumsey, 2; col. John Veazey, 18; col. George Johnson, 30.

Dorchester. Upper battalion, 3; lower battalion 19.

Talbot. Col. Christopher Birkhead, 4.

Queen Anne's. Col. Richard T. Earle, 5; col. Thomas Wright, 20.

St. Mary's. Col. Jeremiah Jordan, 6; col. Richard Barnes, 21.

Anne Arundel. Col. John Hall, 7; col. Thomas Dorsey, 22; col. John Weems, 31.

Harford. Col. Benjamin Rumsey, 8; col. Aquilla Hall, 23.

Baltimore, 9.

Worcester. Col. Peter Chaille, 10; col. William Purnell, 24.

Prince George's. Lower battalion, 11; upper battalion, 25.

Charles. Col. Josias Hawkins, 12; col. William Harrison, 26.

Kent. Lower battalion, 13; upper battalion, 27.

Caroline. Col. William Richardson, 14; col. Philip Fiddeman, 28.

Calvert. Col. Benjamin Mackall, 4th, 15.

Frederick. Col. Zadock Mugeruder, 16; col. John Murdock, 29; col. John Stull, 31; col. Charles Beatty, 33; col. Baker Johnson, 34; col. Jacob Good, 35; col. Samuel Beall, 36; col. James Johnson, 37.

Convention adjourns till to-morrow morning half after 9 o'clock.

SATURDAY, January 13, 1776.

Convention met. All members present as on yesterday. The proceedings of yesterday were read.

On motion, *Resolved*, That the nomination of field-officers for Kent county be referred to the next session of convention.

Several resolutions of congress were read, and ordered to lie on the table.

The following persons were elected by ballot field-officers to the militia in Prince Geoge's county, to wit.

The lower battalion. Mr. Joseph Sim, colonel; Mr. Thomas Contee, lieutenant colonel; Mr. Thomas Sim Lee, 1st major; Mr. John Rogers, 2nd; Mr. John F. A. Priggs, quarter master. *Upper battalion.* Mr. Joshua Beall, colonel; Mr. Robert Tyler, lieutenant colonel; Mr. Addison Murdock, 1st major; Mr. George Lee, 2nd; Mr. William Turner Wootton, quarter master.

The convention took into consideration the report from the committee appointed to prepare and report a scheme for the emission of bills of credit, to defray the expenses of defending this province, and other purposes therein mentioned, and came to the following resolutions thereon.

That for the defence of this province, calling in and exchanging

the bills of credit emitted by virtue of the resolves of the last convention, for the encouragement of manufactories within this province, and for other purposes resolved upon in convention, bills of credit of the denomination of dollars and parts of a dollar, to the amount of five hundred and thirty-five thousand one hundred and eleven dollars and one-ninth part of a dollar, be printed and struck with all convenient speed, under the care and direction of such persons as shall be appointed by the council of safety for that purpose, in manner and form following, to wit, "This bill of _____ shall entitle the bearer hereof to receive gold or silver, at the rate of four shillings and six-pence sterling per dollar for the said bill according to a resolve of the provincial convention of Maryland, held at the city of Annapolis, the 7th day of December, 1775."

That the plates for striking the said bills of credit, be procured to be cut in copper, by some skilful person in the city of Philadelphia, at the expense of this province, by the deputies of this province in congress, or some two of them, and shall have such devices and marks as the said deputies or such two of them shall direct, and the number and denomination of the said bills shall be the following and no other, to wit; sixteen thousand bills of eight dollars each, sixteen thousand bills of four dollars each, sixteen thousand bills of two dollars and two third parts of a dollar each, thirty-two thousand bills of two dollars each, thirty-two thousand bills of one dollar and one third part of a dollar each, thirty-two thousand bills of one dollar each, thirty-two thousand bills of two third parts of a dollar each, forty thousand bills of half dollar each, forty thousand bills of one third part of a dollar each, forty thousand bills of one sixth part of a dollar each, and forty thousand bills of one ninth part of a dollar each.

That the said deputies or any two of them also purchase and provide a sufficient quantity of proper paper, on which to print and strike the said bills of credit, and that they or some of them do as soon as conveniently may be, transmit the said plates and paper to the council of safety aforesaid, and that the said council of safety do forthwith cause the said bills of credit to be printed and struck, under the direction of two discreet and sober freemen of this province, to be by them appointed to that service, who shall be called supervisors.

That the said supervisors shall use the best of their care and diligence that the said bills, according to their respective denominations aforesaid, and according to the manner and form aforesaid, be forthwith printed and struck, and that the number of the denominations thereof be not exceeded, nor any clandestine or fraudu-

lent practice be used by the printer, his apprentices, servants, and others concerned in the printing or striking thereof.

That the printer and all his apprentices and servants which he shall employ in the said work, before he or they enter upon the same, take before some justice of the peace, in the presence of one or both of the said supervisors; the following oath, to wit: "I A. B. do swear that I will truly, faithfully and honestly perform the duty of printer of the bills of credit directed to be printed by a resolve of the convention of Maryland, held at the city of Annapolis the seventh day of December, seventeen hundred and seventy-five, and that I will not advisedly print or stamp a greater number of blank bills of credit than in that resolve mentioned, nor of any other denomination than therein expressed, except such sheets as may be so blotted, unfair, or imperfect in printing or striking thereof, that the same shall be unfit for use. So help me GOD."

That the said printer shall not by himself, his servants, or any other person by him employed, print, strike, stitch, or bind the said bills, or any of them, but in the presence of one or both of the said supervisors. And in every intermission of the work, the said supervisors shall safely and securely lock up the press and stamps with which the work shall be performed, and the impressions which shall be then made, in the room in which the printing and binding shall be done, and the keys of such room shall keep in their possession; and when all the said bills shall be printed and struck, the plates shall be delivered by the printer to the said supervisors, and by them to the convention, or in its recess to the council of safety.

That Charles Wallace, John Davidson, Nathan Hammond, Richard Tootell, James Brice, John Brice, Thomas Brook Hodgkin, John Duckett, Robert Lloyd Nichols, Samuel Sharp, Richard Tilghman, jun., Henry Banning, Peregrine Tilghman, William Perry, Jeremiah Banning, and Joseph Bruff, be signers of the said bills.

That the said supervisors, as soon as the said bills shall be printed, struck, stitched, and bound, shall deliver three fourth parts thereof in value to the treasurer of the Western shore appointed by the last convention, and the other fourth part thereof to the treasurer of the eastern shore appointed by the last convention; and the said treasurers shall deliver out to the signers residing on their respective shores, such and so many of the said bills to be immediately numbered and signed by them, as may be sufficient to answer any probable and immediate demand on them for the same, not exceeding twelve thousand dollars; and each of the said bills shall be numbered and signed by some two of the said signers, and returned again after being numbered and signed, to the respective treasurers;

and so from time to time shall the said bills be delivered out, numbered, signed, and returned to the said treasurers respectively, either of the said treasurers not keeping by him at any one time ready numbered and signed, more than twelve thousand dollars.

That receipts of every delivery of the said bills, before and after the numbering and signing the same, be given by the signers and treasurers respectively, each to the other.

That the treasurer of the western shore, out of the said bills of credit in his hands, pay to each of the supervisors two dollars and two third parts of a dollar for each day's attendance and supervising the said work, to the deputies who shall procure the plates and paper for printing and striking the said bills, so much as they shall pay for the same, and for transmitting them as aforesaid, and to the printer so much as shall be agreed by the council of safety, for his services, and for the ink and other materials, except paper, necessary for the said work; and the said treasurers shall also respectively pay to each signer of every thousand of the said bills, one dollar and one third part of a dollar for his service.

That each of the said treasurers shall retain for his services, at the rate of one half per centum on all monies by him paid and delivered, and no more.

The torn and defaced bills shall be exchanged at reasonable and convenient times.

That the said bills of credit shall be redeemed and sunk on or before the first day of January, seventeen hundred and eighty-six, by taxes, or other legislative provision; and this convention bind their constituents and pledge the faith of the province for the redemption of the said bills on or before the said first day of January, seventeen hundred and eighty-six.

That two hundred and sixty-six thousand six hundred and sixty-six dollars and two third parts of a dollar of the said bills of credit, so to be printed and struck, shall be applied to exchange the bills of credit printed and struck by virtue of the resolve of the last convention of this province, and that the said treasurers shall forthwith after their receipt of the bills of credit hereafter to be printed and struck, give public notice in the newspapers printed in this province, and in the several newspapers printed in Philadelphia and Williamsburg, that they will give and deliver in exchange any number and value of the bills of credit hereafter to be printed and struck, for the like number and value of the bills of credit printed and struck by virtue of the resolve of the last convention, at such times and places as shall be by them appointed for that purpose; and the said treasurers shall, upon the application of any person or persons

holding any number and value of the said former bills of credit, deliver to such person or persons the like value in the new bills of credit in lieu thereof, at such times and places as aforesaid.

That each of the said treasurers shall, at the public expense, provide a fit instrument for cutting a piece of one inch square, as near as may be, out of the bills so to be brought in and exchanged, and shall upon his receipt of any of the said former bills of credit in exchange as aforesaid, cut out of every of such bills so received, one inch square, as near as may be, taking care not to deface the denomination thereof, and shall preserve such bills until the meeting of the then next convention, and produce all such bills, and also all the former bills of credit remaining in his hands to such convention, to be destroyed.

That from and after the receipt of the said new bills of credit by the said treasurers respectively, all payments which they shall make by virtue of any resolve of this or the last convention, shall be made in the said new bills of credit, and not in the said former bills of credit.

That the person to be employed in the cutting the said plates for striking the said new bills of credit, if required by the said delegates, or such two of them as shall agree for the same, take an oath, or affirmation if a quaker, that he will not by himself, his apprentices or servants, make or cut, or suffer to be made or cut, any more or other plates than those which shall be ordered to be cut by the said deputies or some two of them, in the similitude and likeness of the plates which shall be so ordered to be cut, or in the similitude and likeness of any of them, unless requested so to do by the convention of this province, or by some authority derived from the said convention.

That the treasurers aforesaid respectively, be allowed to retain as a satisfaction for their trouble in exchanging new bills of credit for the former bills of credit as aforesaid, at the the rate of one half per centum for all bills by them so exchanged, out of the said new bills of credit.

That the said bills of credit which shall be so as aforesaid printed and struck, over and above the said bills hereby directed to be applied to exchange the said former bills of credit, be applied to the several purposes resolved on in this and the last convention of this province, and that the treasurers pay the same to the orders of the convention or council of safety.

That the said treasurers, before they receive the said blank bills to be printed and struck by virtue of the resolves of this convention, shall give bonds respectively, the treasurer of the western

shore in the penalty of twelve thousand pounds sterling, payable to the honorable Daniel of St. Thomas Jenifer, Charles Carroll of Carrollton, and Charles Carroll, barrister, Esqrs.; and the treasurer of the eastern shore in the penalty of four thousand pounds sterling, payable to the honorable Matthew Tilghman, Edward Lloyd, and James Lloyd Chamberlaine, Esqrs., with the like conditions as directed by the resolve of the last convention; both which bonds shall be with sufficient sureties, to be approved of by the obligees therein named, or any two of them respectively.

Mr. Buchanan and Mr. Beatty have leave of absence.

Convention adjourns till to-morrow morning half after 9 o'clock.

SUNDAY, January 14, 1776.

Convention met. All members present as on yesterday, except Mr. Buchanan, Mr. Sudler, Mr. Beatty, Mr. Lloyd, Mr. Sim, and Mr. Tyler. The proceedings of yesterday were read.

The convention took into consideration the report from the committee appointed to report resolutions for raising, clothing and victualling the forces to be raised in this province, and came to the following resolutions thereon.

Resolved, That one battalion of regular troops, to be composed of one colonel, one lieutenant-colonel, two majors, one adjutant, one quarter-master, and nine companies, one of which of light infantry, and also seven independent companies of regular troops, two companies of artillery, and one company of marines, be immediately raised, and paid and supported at the expense of this province, for the defence of the liberties thereof.

That each of the said independent companies and companies of artillery consist of one captain, three lieutenants, four sergeants, four corporals, one drummer, one fifer, and ninety-two privates.

That each of the said companies of the battalion, except the company of light infantry, be composed of one captain, two lieutenants, one ensign, four sergeants, four corporals, one drummer, one fifer, and sixty privates.

That the company of light infantry be composed of one captain, three lieutenants, four sergeants, four corporals, one drummer, one fifer, and sixty-four privates; and that the privates be made up as well by drafts from the other companies of the battalion as by enlistments, at the discretion of the colonel or commanding officer of the said battalion for the time being.

That the pay of the said battalion, independent companies, and marines, by the calendar month, be as follows :

The colonel, - - - \$ 50	Every Ensign, - - - 16
For his expenses, - - - 30	Every sergeant, - - - $6\frac{2}{3}$
The lieutenant-colonel 40	Every corporal, - - - 6
For his expenses when act-	Every drummer and fifer, 6
ing in a separate depart-	Surgeon, - - - - 40
ment from the colonel, 20	Surgeon's mates, each, 20
Each major, - - - $33\frac{1}{3}$	Chaplain, - - - 20
Every captain, - - - 26	Every private, - - - $5\frac{1}{3}$
Each lieutenant, - - 18	Clerk to colonel, - - 20

That the pay of the said artillery companies, by the calendar month, be as follows :

Every captain, - - - $26\frac{2}{3}$	Every sergeant, - - - $6\frac{2}{3}$
Every lieutenant, - - $18\frac{1}{3}$	Every corporal, - - - 6

That the pay of the officers, seamen and others, (except the marines) in the pay of this province, in the marine service, by the calendar month, be regulated by the council of safety.

That a ration consisting of one pound of beef, or three quarters of a pound of pork, one pound of flour or bread per man per day, three pints of peas at six shillings per bushel per week, or other vegetables equivalent; one quart of indian meal per week; a gill of vinegar and a gill of molasses per man per day; a quart of cider, small beer, or a gill of rum, per man per day; three pounds of candles for one hundred men per week, for guards; twenty-four pounds of soft soap, or eight pounds of hard soap for one hundred men per week.

That the forces employed in the land service be entitled to the following rations, to wit: Colonel 6, lieutenant-colonel 5, major 4, captain 3, subaltern 2, Staff 2, non-commissioned or private 1.

That the allowance to the officers and men employed in the marine service be such as may be hereafter settled by the council of safety.

That the following persons be officers of the said forces, to wit :

Of the battalion. William Smallwood, Esq., colonel; Francis Ware, Esq., lieutenant-colonel; Thomas Price, Esq., 1st major; Mordecai Gist, Esq., 2d major.

First company. John Hawkins Stone, captain; Daniel Bowie, 1st lieutenant; John Kidd, 2d lieutenant; Benjamin Chambers, ensign.

Second company. William Hyde, captain; Benjamin Ford, 1st lieutenant; John Beanes, 2d lieutenant; Henry Gaither, ensign.

Third company. Barton Lucas, captain; William Sterrett, 1st lieutenant; Alexander Roxburgh, 2d lieutenant; William Ridgely, ensign.

Fourth company. Thomas Ewing, captain; Joseph Butler, 1st lieutenant; Joseph Baxter, 2d lieutenant; Edward Praul, ensign.

Fifth company. Nathaniel Ramsey, captain; Levin Winder, 1st lieutenant; Alexander Murray, 2d lieutenant; Walker Muse, ensign.

Sixth company. Peter Adams, captain; Nathaniel Ewing, 1st lieutenant; David Plunkett, 2d lieutenant; John Jordan, ensign.

Seventh company. John Day Scott, captain; Thomas Harwood, son of Thomas, 1st lieutenant; Thomas Goldsmith, 2d lieutenant; James Peale, ensign.

Eighth company. Samuel Smith, captain; James Campbell, 1st lieutenant; Joseph Ford, 2d lieutenant; Bryan Philpot, ensign.

Company of light infantry. George Stricker, captain; Thomas Smyth, jun., 1st lieutenant; James Ringgold, 2d lieutenant; Hatch Dent, 1st lieutenant.

Of the independent companies.

First company. Rezin Beall, captain; Bennet Bracco, 1st lieutenant; John Halkerston, 2d lieutenant; Daniel Jenifer Adams, 3d lieutenant.

Second company. John Gunby, captain; Uriah Forrest, 1st lieutenant; William Bowie, 2d lieutenant; Benjamin Brooks, 3d lieutenant.

Third Company. John Watkins, captain; Moses Chaille, 1st lieutenant; Solomon Long, 2d lieutenant; Ely Dorsey, 3d lieutenant.

Fourth company. James Hindman, captain; William Goldsborough, 1st lieutenant; Archibald Anderson, 2d lieutenant; Edward Hindman, 3d lieutenant.

Fifth company. John Allen Thomas, captain; John Steward, 1st lieutenant; John Davidson, 2d lieutenant; Henry Neale, 3d lieutenant.

Sixth company. Lemuel Barrett, captain; Thomas Woolford, 1st lieutenant; John Eccleston, 2d lieutenant; Hooper Hudson, 3d lieutenant.

Seventh company. Edward Veazy, captain; William Harrison, 1st lieutenant; Samuel T. Wright, 2d lieutenant; Edward de Courcy, 3d lieutenant.

Company of Artillery at Baltimore town. Nathaniel Smith, captain; William Woolsey, 1st lieutenant; Alexander Furnival, 2d lieutenant; George Keepott, 3d lieutenant.

Company of Artillery at Annapolis.

That Charles Wallace, Esq., be paymaster of all the land forces and marines when in land service, raised or to be raised in this province in the pay thereof, and shall be entitled to the pay of forty dollars per calendar month.

That Gabriel Duvall, Esqr., be muster-master of the said land forces, and commissary of all warlike stores appropriated for the use of the regular service of this province, and shall be entitled to the pay of fifty dollars per calendar month.

That commissions issue to all the said officers in the forms prescribed by this convention, and that any of the said officers may be suspended from the exercise of their offices respectively, or displaced, and new commissions may issue to any other person, at the will and pleasure of this or any future convention, or in the recess of convention by the council of safety, in the name and by the authority of the convention; and in case of the death of any officer, or on his refusal to act, some other person may be appointed and as aforesaid commissioned in his stead by the convention or council of safety.

That recruiting orders be delivered to each captain in the battalion, of the independent companies, and companies of artillery and marines, together with his commission, as follows:

Instructions for enlisting men in the service of Maryland.

1. You are to enlist no man who is not able bodied, healthy, and a good marcher, nor such whose attachment to the liberties of America you have cause to suspect. Young, hearty robust men, who are tied by birth, or family connections, or property, to this country, and are well practised in the use of fire-arms, are by much to be preferred.

2. You will have great regard to moral character, sobriety in particular.

3. You are not to enlist any servant imported, nor, without the leave of the master, any apprentice.

4. Those whose engage in the service shall be enlisted according to the form prescribed by this convention.

5. You shall appoint such men sergeants and corporals, as recommend themselves by their ability, activity, and diligence; and you are also to appoint the drummer and fifer to your company.

6. You will use all diligence in completing your company, and report (if a captain in the battalion) to your colonel, (if a captain in an independent company, or in the artillery, or marines) to the council of safety.

7. You are to be allowed seven shillings and six pence per week for the subsist of recruits, till they arrive at their station.

8. You will take notice, that the colonel of the battalion, or a field officer to be appointed by him, is to inspect your men, and reject such as do not answer to your instructions.

9. You shall be allowed seven shillings and six pence for every man you enlist, who shall be past on inspection as effective, besides the subsist money mentioned before, and your pay.

10. You will furnish the subalterns of your company with a copy of these instructions, who are to exert themselves in recruiting.

By order,

G. DUVAL, clerk.

To _____, *Captain of the* _____.

That all non-commissioned officers and privates of the said battalion, independent companies, and companies of artillery and marines, be enlisted by their voluntarily subscribing an engagement in the following words, to wit: "We whose names are hereto subscribed, do voluntarily enlist ourselves soldiers or matrosses, or in the marines, as the case may happen to be, to serve as such, during the present dispute between Great Britain and America, unless sooner discharged by order of the convention or council of safety in Maryland for the time being, hereby subjecting ourselves to such rules and regulations as are, or shall be made by the convention of Maryland, for regulating and governing the forces in the pay of this province. Witness our hands."

That all non-commissioned seamen and landmen, retained in the pay of this province, for the naval service, shall be entered by their voluntarily subscribing the following engagement, to wit:—"We whose names are subscribed, do voluntarily enter ourselves as seamen, or landsmen, as the case may be, in the naval service of the province of Maryland, for the full term of six months next following, unless sooner discharged by order of the convention or council of safety of Maryland, or by the captain or other chief officer of the ship or vessel in which we may be employed; hereby subjecting ourselves to such rules and regulations as are or shall be made by the convention of this province, for regulating and governing the forces in the pay thereof. Witness our hands, the dates affixed to our names respectively."

That one month's pay be advanced to each person who shall be so enlisted or entered as aforesaid, and that over and above the pay of the non-commissioned officers and privates of the battalion, independent companies, and companies of artillery and marines, each of them be yearly found and allowed, at the expense of this

province, a new hat, short coat, waistcoat, pair of breeches, and hunting shirt; out of their pay there may be reasonable stoppages for necessary shirts, shoes and stockings.

That the uniform of the land forces and marines be hunting-shirts; the hunting shirts of the marines to be blue, and those of the land forces to be other colors.

That the ordinary stations of the said land forces be as follow:

That five companies of the said battalion, together with the company of light infantry, be stationed at the city of Annapolis, and the other three companies thereof at Baltimore town.

That five companies of the troops, to consist of one hundred men each, be allotted for the eastern shore.

That one company thereof be stationed in Worcester county; one company thereof in Somerset county; one company thereof in Dorchester county; one company thereof in Talbot county: and that one half of the remaining company thereof be stationed in Queen Anne's county, and the other half in Kent county.

That one company of the remainder of the said troops, to consist of one hundred men each, be stationed in St. Mary's county: and that one half of the other company be stationed in Calvert county, and the other half in Charles county.

One company of artillery at the city of Annapolis, and the other at Baltimore town.

But the council of safety may, in their discretion, more particularly point out the stations of any of the said independent companies, or companies of artillery, or may from time to time order any of the said companies to change their stations with each other, or in case of urgent necessity may change the stations of, or order any part of the said forces in the pay of this province to join and act together, or order any part of the said forces to the relief or assistance of the colony of Virginia, the three lower counties on Delaware, or province of Pennsylvania; the said council of safety in the recess of convention, having the supreme direction of the troops.

That the council of safety contract for supplying the rations for the said land forces on the best terms, the contractors giving good and sufficient security to comply with their contracts.

That every field and commissioned officer in the land forces, shall, within one month after the acceptance of his commission, and before he shall receive any pay as an officer, before some one of the council of safety, or some justice of the peace, take and subscribe an oath, which shall be endorsed and certified on the back of his commission, in the following words, to wit: "I, A. B.

do swear, that I will well and truly execute my office according to the within commission, and the trust reposed in me according to the best of my power and ability; and that I will disband and lay down my arms whenever I shall be ordered so to do by the convention of Maryland for the time being, or any authority derived under it. So help me GOD."

That the council of safety, or any one member thereof, on the application of any person who is detained as having entered or been enlisted as aforesaid in the service of this province, or on the application of any person in his behalf, within twenty days after his having been detained as aforesaid, may and shall, with all convenient speed, inquire and examine into the manner of such entering or enlistment, and if it shall appear that such person did not enter or enlist voluntarily, or was fraudulently induced to enter or enlist, then the council of safety, or such member thereof as aforesaid, shall discharge such person.

That such of the said forces as the said council of safety shall approve, be armed with rifles, and the residue of them be armed and accoutred, as soldiers are usually armed and accoutred with the public arms already belonging to this province, and arms to be provided at the public expense, as soon as they can be procured, and in the mean time such who cannot be provided with public arms, may use their own firelocks, and every man who shall find his own rifle, shall be allowed at the rate of twenty shillings by the year for the use thereof, and those who shall find other firelocks for their own use, shall be allowed each at the rate of fifteen shillings per year, for the use of such firelocks.

That if any officer or soldier of the regular forces, minute men, or militia, in the service of this province, shall loose a limb, or be otherwise maimed or hurt, so as to be rendered incapable of earning a livelihood, this province will make provision for the comfortable support of such officer or soldier.

That such sums of money as may be necessary to provide houses for the said troops during the winter season, be by the permission and allowance of the council of safety advanced, out of the treasuries of the respective shores on which such troops are stationed, by the commanding officer of the said battalion, and captains of the said independent companies, to be by them respectively laid out in providing the said houses.

That the said treasurers respectively keep account of such moneys, charging the said city of Annapolis, town of Baltimore, and counties aforesaid, with the sums of money respectively advanced for the purposes aforesaid, which sums of money shall hereafter be asses-

sed upon the said city, town, and counties, to which the same are respectively advanced, above the proportion of the said city, town and counties, in the general tax.

That such bedding, and covering and fuel, as the council of safety shall judge fit and proper, be provided for the said troops at the provincial expense.

That proper tents and camp utensils be provided by the council of safety for the said troops at the expense of this province, the said tents to be used as soon as the season will permit.

Mr. Johnson brings in and delivers to Mr. President a report from the committee appointed to report rules and regulations for the government of the forces to be raised in this province, which was read and considered, and agreed to as follows :

Rules for regulating and governing the forces to be raised and employed in the service of the province of Maryland.

FOR THE LAND FORCES.

ARTICLE 1. It is earnestly recommended to all officers and soldiers to attend divine service when their situation will permit, and all officers and soldiers who shall behave irreverently at any place of divine worship, shall, if commissioned officers, be brought before a court martial, there to be publicly and severely reprimanded by the president ; if a non-commissioned officer or soldier shall so offend, he shall, for the first offence, forfeit one day's pay, and for the second and every after offence, he shall not only forfeit the like sum, but be confined for any time not exceeding twenty-four hours.

2. Whatever commissioned or non-commissioned officer or soldier shall use any profane oath or execration, shall incur the penalties expressed in the preceding article. And whatsoever commissioned or non-commissioned officer or soldier shall practice any species of gaming, shall pay such fine, or suffer such punishment, as may be adjudged.

3. Any officer or soldier who shall behave himself with contempt or disrespect towards the colonel or other chief officer of the land forces in the pay of this province, or shall speak false words, tending to his hurt or dishonor, shall be punished according to the nature and degree of his offence.

4. Any officer or soldier who shall utter any words tending to raise a mutiny, or shall endeavour to cause any mutiny or make any mutinous assemblages, shall be punished according to the nature and degree of his offence.

5. Any officer or soldier who shall excite, cause, or join in any actual mutiny; in the battalion, or in any company in the pay of this province, or in any party, post, detachment, or guard, shall suffer eath, or such other punishment as may be adjudged.

6. Any officer or soldier who being present at any mutiny, does not use his utmost endeavours to suppress the same, or coming to the knowledge of any mutiny or intended mutiny, does not, without delay, give information thereof to his commanding or some superior officer, shall be punished according to the nature and degree of his offence.

7. Any officer or soldier who shall strike his superior officer, or draw, or offer to draw, or shall lift up any weapon, or offer any violence against him, being in the execution of his office, or shall disobey any lawful commands of his superior officer, shall suffer such punishment as shall be adjudged.

8. Any officer or soldier who shall desert to the enemy and afterwards be retaken, shall suffer death, or such other punishment as may be adjudged.

9. Any non-commissioned officer or soldier who shall desert, or without leave from his commanding officer absent himself from the company to which he belongs, or from any detachment of which he is one, shall be punished according to the nature of his offence.

10. Whatsoever officer or soldier shall be convicted of having advised or persuaded any other officer or soldier to desert, shall suffer such punishment as shall be adjudged.

11. All officers, of what condition soever, shall have power to part and quell all quarrels, frays, and disorders, and order offenders to be arrested and confined till their proper superior officer shall be acquainted therewith; and whosoever shall refuse to obey such officer, (though of an inferior rank) or shall draw his sword upon him, shall be punished according to the nature of his offence.

12. No officer or soldier shall use any reproachful or provoking speeches or gestures to another, nor shall presume to send a challenge to any person to fight a duel; and whosoever shall knowingly or willingly suffer any person whatsoever to go forth to fight a duel, or shall second, promote or carry any challenge, shall be deemed a principal; and whatsoever officer or soldier shall upbraid another for refusing a challenge, shall also be considered as a challenger; and all such offenders, in any of these or such like cases, shall be punished according to the nature of his offence.

13. Any officer commanding in quarters, or on a march, shall keep good order, and to the utmost of his power redress all such abuses or disorders which may be committed by any officer or soldier under his command: if upon any complaint made to him of officers or soldiers beating, or otherwise ill treating any person, or of committing any kind of a riot to the disquieting of the inhabi-

tants, the said commander who shall refuse or omit to see justice done on the offender or offenders, and reparation made to the party or parties injured, as far as the offender's wages will enable him or them, shall upon due proof thereof, be punished in such manner as if he himself had committed the crimes or disorders complained of.

14. If any officer or soldier should think himself wronged by his captain or commanding officer, and shall upon application to him be refused redress, he may complain to the colonel or commanding officer of the said battalion, to obtain justice, who is hereby required to examine into the said complaint, and see that justice be done.

15. Whatsoever non-commissioned officer or soldier shall sell, or designedly, or through neglect waste the ammunition, arms, or other military stores or provisions delivered out to him to be used or employed in the service, shall, if an officer, be reduced to a private centinal, and if a private soldier, shall suffer such punishment as shall be adjudged.

16. Any non-commissioned officer or soldier who shall be found one mile from his station or the camp, without leave in writing from his commanding officer, shall suffer such punishment as shall be adjudged.

17. No officer or soldier shall be out of his quarters or camp without leave from the commanding officer, upon penalty of being punished according to the nature of his offence.

18. Every non-commissioned officer and soldier shall repair to his quarters or tent at the beating of the retreat, in default of which he shall be punished according to the nature of his offence.

19. No officer, non-commissioned officer or soldier, shall fail of repairing at the time fixed, to the place of parade or exercise or other rendezvous appointed by the commanding officer, if not prevented by sickness or some other necessity, or shall go from the said place of rendezvous or from his guard, without leave from his commanding officer, before he shall be regularly dismissed or relieved, on penalty of being punished according to the nature of his offence.

20. Whatsoever commissioned officer shall be found drunk on his guard, party, or other duty under arms, shall be cashiered for it; any non-commissioned officer or soldier so offending, shall suffer such punishment as shall be adjudged.

21. Whatsoever sentinel shall be found sleeping upon his post, or shall leave before he shall be regularly relieved, shall suffer such punishment as shall be adjudged.

22. Any person belonging to the provincial forces, who by dis-

charging of fire arms, beating of drums, or by any other means whatsoever, shall occasion false alarms in camp or quarters, shall suffer such punishment as shall be adjudged.

23. Any officer or soldier who shall without urgent necessity, or without leave of his superior officer, quit his platoon or division, shall be punished according to the nature of his offence.

24. No officer or soldier shall do violence, or offer any insult or abuse to any person who shall bring provisions or other necessaries to any camp or quarters; any officer or soldier so offending, shall suffer such such punishment as shall be adjudged.

25. Whatsoever officer or soldier shall shamefully abandon his post in the time of an engagement, shall suffer death immediately.

26. Whatsoever officer or soldier shall shamefully abandon any post committed to his charge, or shall induce any other persons so to do, shall suffer death, or such other punishment as shall be adjudged.

27. Any person of or belonging to the said forces, who shall make known the watchword to any person who is not entitled to receive it, according to the rules and discipline of war, or shall presume to give a parole or watch word different from what he received, shall suffer death, or such other punishment as shall be adjudged.

28. Whosoever of or belonging to the said forces, shall relieve the enemy with money, victuals, or ammunition, or shall knowingly harbour or protect the enemy, shall suffer such punishment as shall be adjudged.

29. Whosoever of, or belonging to the said forces, shall be convicted of holding a treacherous correspondence with, or of giving intelligence to the enemy, either directly or indirectly, shall suffer death, or such other punishment as shall be adjudged.

30. If any officer or soldier shall leave his post or colours, at the time of an engagement, to go in search of plunder, he shall suffer such punishment as may be adjudged.

31. If any commander of any post, intrenchment, or fortress, shall be compelled by the officers or soldiers under his command to surrender it to the enemy, or abandon it, the offenders shall suffer death, or such other punishment as may be adjudged.

32. If any person shall use menacing words, signs, or gestures, in the presence of any court martial, when sitting, or shall cause any disorder or riot so as to disturb their proceedings, he shall be punished at the discretion of such court martial.

33. To the end that offenders may be brought to justice, whenever any officer or soldier shall commit a crime deserving punishment, he shall, by his commanding officer, if an officer, be put in arrest; if a non-commissioned officer or soldier, be imprisoned till he shall

be either tried by a court martial, or shall be lawfully discharged by proper authority.

34. No officer or soldier, who shall be put in arrest or imprisonment, shall continue in his confinement more than eight days, or till such time as a court martial can be conveniently assembled.

35. No officer commanding a guard, or provost martial, shall refuse to receive or keep any prisoner delivered into his charge by an officer belonging to the said forces; the officer, at the same time, delivering an accusation signed by himself, of the crime with which the said prisoner is charged.

36. No officer commanding a guard, or provost martial, shall presume to release any prisoner committed to his charge, without proper authority for so doing; nor shall he suffer any prisoner to escape, on the penalty of being punished for it as may be adjudged.

37. Every officer or provost martial, to whose charge any prisoner shall be committed, is hereby required, within twenty-four hours after such commitment, or as soon as he shall be relieved from his guard, to give in writing to the colonel or commanding officer of the prisoner, his name and crime, and the name of the officer who committed him, on the penalty of being punished for his neglect as may be adjudged.

38. Whatever commissioned officer shall leave his confinement before he is set at liberty by the officer who confined him, or by a superior power, shall be cashiered for it.

39. Whatsoever commissioned officer shall behave in a scandalous, infamous manner, such as is unbecoming the character of an officer and gentleman, shall be discharged from the service.

40. The officer commanding the said battalion, and every officer commanding a company not of the said battalion, shall, upon notice given to him by the commissary of musters, assemble the battalion or company, under his command, in the next convenient place for their being mustered, which shall be done of the said battalion once in six weeks at least, and of the said other forces one in ten weeks at least.

41. Every field officer or other officer, commanding any corps, and actually residing with it, may give furloughs to officers and soldiers of his corps, as he shall judge to be most consistent with the good of the service; but no officer or soldier shall be absent above twenty days in six months; nor shall more than one officer and two private men be absent at the same time from any one company, excepting some extraordinary occasion shall require it.

42. At every muster, the commanding officer of the said battalion then present, or the captain or commanding officer of the said

companies not of the battalion then present, shall give to the commissary of musters certificates of the musters signed by himself, signifying how long such officers, non-commissioned officers, and soldiers, who shall not appear at the said muster, have been absent, and the reason of their absence, which reason and the time of absence shall be inserted in the muster rolls, opposite to the respective names of such absentees; and the said certificate, together with the muster roll, shall be, by the said commissary, transmitted to the council of safety within twenty days next after such muster being taken, on failure whereof the commissary so offending shall be discharged from the service.

43. Every officer, who shall sign a false certificate relating to the absence of officers, or non-commissioned officers, or private soldiers, shall be cashiered.

44. Every officer who shall knowingly make a false muster of any man, and any officer or commissary, who shall sign, allow or return the muster rolls wherein such false muster is contained, knowing the the falsity thereof, shall be cashiered, and forfeit all such pay as may be due to him at the time of his conviction of such offence.

45. Any commissary, who shall take any gift or gratuity on the false mustering of the said battalion or any company, or for signing any muster roll, shall be displaced, and forfeit his pay, as in the preceding article.

46. Any officer, who shall presume to muster any person as a soldier, who at other times is accustomed to wear a livery, or who does not actually do his duty as a soldier, shall be deemed guilty of having made a false muster, and suffer accordingly.

47. The commanding officer of every corps, or of any garrison in the service aforesaid, or at any station of any of the said forces, shall in the beginning of every month, transmit to the council of safety an exact return of the state of the troops under his command, specifying the names of the officers not then residing at their posts, and the reason for and time of their absence. And whoever shall, through neglect or design, omit sending such returns, shall be punished as may be adjudged.

48. No person shall be allowed to suttle at any camp or station, or to any party or detachment of the said forces, before he shall have obtained a license from the commanding officer thereof, and shall also have subscribed these rules.

*See definition
of Suttle*

49. No suttler shall be permitted to sell any kind of liquor, or victual, or keep his house or shop open, for the entertainment of soldiers, after nine o'clock at night, or before beating the reveilles,

or upon Sundays between the hours of ten and one o'clock on penalty of being dismissed from all future suttlng.

50. No officer commanding in any camp, garrison, fort or other station, shall lay any duty or imposition upon, or be interested in, the sale of any victuals, liquors, or other necessaries of life, or merchandize which are brought or offered for sale for the use of the soldiers, nor shall receive or have any gratuity or reward for any license to any suttler, on penalty of being discharged from the service.

51. Any commissioned officer who shall be guilty of any fraud or embezzlement, shall forfeit all his pay due at the time of his conviction, make restitution, and be discharged from the service.

52. Any non-commissioned officer or soldier, who shall embezzle or destroy ammunition, provision, tools, or any other thing belonging to the public stores, shall be punished as may be adjudged.

53. Any officer or soldier, who shall wilfully, or through negligence disobey any general or special orders, shall be punished as may be adjudged.

54. That no general court-martial shall consist of a less number than thirteen, none of whom shall be of a less degree than a commissioned officer, and the president shall be a field officer; which general court-martial shall be appointed, when and as often as occasion shall require, by the council of safety, or the colonel or commanding officer of the said battalion; and the president shall administer an oath to the other members of the same court, and the member next in rank to the president shall administer an oath to him, before the said court shall proceed to determine or hear any case, in the words following, to wit: "You, A. B. do swear, that you will well and truly try, and impartially determine the cause of the prisoner now to be tried, according to the rules for regulating and governing the forces in the service of this province. So help you God." *Provided*, That when any person is to be tried for his life, the council of safety shall appoint twenty-four members at least, two of which to be field officers, and ten at least to be captains, out of a list of whom the offender may stiike all above the number of fifteen, leaving at least one field officer and five captains; and sentence of death shall not be pronounced, unless twelve of the court martial concur in such sentence.

55. That no inferior court-martial shall consist of a less number than five commissioned officers, unless in such cases where that that number cannot be conveniently assembled, when three shall be sufficient; but no person on or against whom the offence is alleged to have been committed, shall be a member of any court-

martial for the trial thereof; and in such cases where three, for that reason, cannot be had of the same corps, garrison, party, or station, of the offender, then with those who are competent of that corps, garrison, party or station, and the next most convenient thereto; such inferior court martial shall be constituted of five members at least.

56. That all inferior court-martials shall be appointed by the colonel or commanding officer of the battalion, corps, garrison, party, or station to which the offender belongs, and the members thereof shall take the same oath, to be administered in like manner as the members of a general court-martial.

57. That every court-martial administer an oath to every witness produced before them in the following words, to wit: "You, do swear, that the evidence you shall give in the case in hearing, shall be the truth, the whole truth, and nothing but the truth. So help you GOD."

58. That the members of every court-martial shall take the same rank as they hold in the army, and shall behave themselves with calmness, decency, and moderation, and in giving in their votes shall begin with the lowest in commission, and the sentence of the court shall be given according to the majority of votes, except in capital cases as before mentioned.

59. That in all trials of field officers, two-thirds of the number that constitute the court-martial, shall be of the degree of a captain at least.

60. That no person shall suffer death under any article, unless the pain of death is expressly annexed by such article to his crime, nor shall any person be punished for any crime or offence, except for shamefully abandoning his post in an engagement, until he shall be convicted thereof by a general or inferior court-martial.

61. That no inferior court-martial shall be competent to pass sentence for any greater punishment on a commissioned officer than a pecuniary fine not exceeding twelve dollars, or reprimand, or concession, or to ask pardon; or on a non-commissioned officer or soldier for a greater punishment than a pecuniary fine not exceeding half a month's pay, or for five days close imprisonment, or for whipping on the bare back not exceeding fifteen lashes.

62. That in all cases where the sentence is discretionary, no general court-martial shall adjudge the offender, if a commissioned officer, to suffer any greater punishment than a fine or forfeiture of his pay to the amount of ten pounds, to make proper concessions, or to ask pardon, to be reprimanded or cashiered, or discharged from the service; or if the offender be a non-commissioned officer

or private, a forfeiture of his pay for one month, or a fine to the value thereof, close imprisonment not exceeding ten days, or whipping with thirty-nine lashes on the bare back, and drumming out of the company.

63. No sentence of death shall be executed on any offender before the proceedings shall be certified to and approved by the council of safety, who may in their discretion pardon the offender; nor shall any sentence of a general or inferior court-martial for whipping, be executed before the same shall be made known to and approved by the commanding officer of the battalion, corps, garrison, or station to which the offender belongs, and such commanding officer may in his discretion remit such punishment.

64. All fines shall be paid into the hands of such persons as shall be directed by the court-martial that set the same, and shall be applied to the relief of the sick of the company to which the offender belongs.

65. That these rules shall be openly and distinctly read at the head of every corps, garrison, company, or part of a company, stationed at any one place, once at least in every month, under the penalty of twenty pounds on the officer commanding such corps, garrison, company, or part of a company.

Convention adjourns till to-morrow morning half after 9 o'clock.

MONDAY, January 15, 1776.

Convention met. All members present as on yesterday. The proceedings of yesterday were read.

Ordered, That Mr. Richard Ridgely qualify himself as clerk assistant to the convention, by taking the oath of office and secrecy as directed to be taken by the clerk.

A certificate of said Ridgely's qualification was produced and filed.

Resolved, That this convention is willing and desirous to contribute all the assistance in their power to the relief of their sister colonies; and as this convention is informed that the counties of Accomack and Northampton are in need of assistance,

Resolved, That the minute company in Dorchester county commanded by captain Joseph Robson, and the minute company in Queen Anne's county commanded by captain James Kent, and the minute company in Kent county commanded by captain William Henry, immediately march to Accomack and Northampton counties in Virginia, to the assistance of the inhabitants there; and that if any of the men belonging to either of the said companies

cannot go on this occasion, then the full number to be made up by such volunteers as may offer for this particular service.

That each private be allowed for his subsistence on his march, one sixth part of a dollar per day, and the officers in proportion.

That Yelverton Payton Probart be appointed commissary to provide subsistence for the said companies whilst on their station, and that seven hundred pounds common money be paid into his hands by the treasurer of the eastern shore to be applied for that purpose, he giving bond, payable to the president, in the penalty of twelve hundred pounds current money, conditioned for the faithful expenditure of the same, and rendering an account and payment of the balance, if any, thereof.

That the committee of observation for Kent county, furnish such of the public arms in their possession as may be necessary to arm such men of the said minute companies as have not good arms of their own, and if there shall not be sufficient of the public arms in the possession of the said committee, then it is earnestly recommended to the committees of observation for the said counties of Dorchester, Queen Anne's, and Kent, and of the adjacent counties, to borrow such arms from the inhabitants of the said counties as may be necessary to arm the said companies; which arms so borrowed, shall be valued, and a receipt passed therefor, to the end that the owners may be paid for the same by this province, in case the said arms be not returned in good order; and it is recommended to the said inhabitants, to lend such spare arms, as they have, and may be necessary for the service aforesaid.

That the said companies be relieved at the end of eight weeks at furthest from their arrival at their station, and be entitled to the same pay and rations as troops in the continental army.

That one hundred pounds be advanced to the captain of each of the said companies, out of the treasury on the eastern shore, to be applied to defray the necessary expenses of the march of their companies, and that exact accounts be rendered of the expenditure of all monies by the captains and commissary.

That the said commissary for his trouble be entitled to the pay of forty dollars per calendar month.

On motion, *Resolved*, That the captains of the independent companies, or other officers commanding such independent companies or any part thereof, respectively do, as occasions may require, apply to some adjacent surgeon or physician, to attend any sick or wounded soldier under his command; and that such surgeon's or physician's reasonable account for such attendance and for medicines found and administered by him, be allowed and paid by the public.

That the necessary fuel be found for the said forces in the service of this province at the expense thereof, as may be ordered by the council of safety.

Adjourned till 3 o'clock.

POST MERIDIEM.

Convention met. Mr. Tyler and Mr. Sim appeared in the house.

On motion, *Resolved*, That the powers and authorities of the deputies of this province in congress, have continuance until the end of the next session of convention, and no longer, unless otherwise resolved in this or the said next session of convention, any thing in the resolves of this or the last convention, or any of them, to the contrary notwithstanding.

Resolved, That the officers of the militia rank in the following manner, to wit: brigadiers-general, colonels, lieutenant-colonels, first majors, second majors, captains, first lieutenants, second lieutenants, ensigns; the brigadiers-general as to each other, first, second, third fourth, and fifth, according to their numbers; the other officers as to others holding like commissions, according to the number of the battalion to which they belong; and if they should not belong to any battalion, then next after the officers holding in battalions the like commissions as themselves, and, as to each other, according to the number of the first battalion in their respective county. But after the places in the militia now enrolled shall have been once filled up, and the officers shall have accepted their commissions, on the filling up any places that may again become vacant, such officers, as shall be thereafter appointed to such places, shall hold rank, amongst others of the same degree as themselves, according to the dates of their respective commissions only; and all battalions to be hereafter formed shall be numbered by the successive numbers following the last number of those already formed or allowed by this convention, according to the time of issuing the commission to the respective colonel.

That the officers of the militia hold no rank with those of the regular forces, unless at and during such times as they act together, and that when they do act together they rank in the following order: Field officers of the regular troops, brigadiers-general and first colonels of the militia; captains of the regular troops, lieutenant-colonels and majors of militia; lieutenants of the regular troops, captains and lieutenants of militia; ensigns of regular troops, ensigns of militia. The officers of minute men to rank next above the officers holding the like commissions in the militia.

That any part of the militia in actual service, during the time of their actual service only, shall be subject to the rules made this convention, for regulating and governing the forces to be raised and employed in the service of this province, and shall be entitled to the same pay and rations as the regular forces, and no more; but general and inferior court martials shall be composed of militia officers only, and the punishment of whipping shall not be adjudged against or inflicted on any man serving in the militia.

Mr. Joseph Dashiell has leave of absence.

Convention adjourns till to-morrow morning half after 9 o'clock.

TUESDAY, January 16, 1776.

Convention met. All members present as on yesterday. The proceedings of yesterday were read.

A petition from a number of the inhabitants of the city of Annapolis was read and ordered to lie on the table.

On motion, *Resolved*, That where any person or persons chosen or to be chosen of the committee of observation for any county or district, shall refuse to act, if the number so refusing to act in one county or district, shall not at one and the same time exceed one fourth part of the whole number of the said committee, any part of the residue, of the same committee, not less than two third parts of the same residue, met together after notice, may elect one other of the most discreet freemen of the said county or district, to be of the committee in the stead of each person so refusing to act; and the place of any person dying may be filled up in like manner, and the same rule shall also be observed, where any member of a committee of observation shall, in writing under his hand, decline to act or shall be disqualified by the acceptance of a commission in the regular forces: but in case the vacancies shall at one and the same time exceed the said one fourth part, then a majority of those who remain of the same committee, met together, may appoint and give ten days notice at least, by advertisements set up in the most public places of the county or district, as the case may be, of the election of committee-men, in the stead of those whose places shall be so vacant, and the election shall be made accordingly, by those who are qualified to vote for committee-men, in the presence of three at least of the same committee.

Adjourned till 3 o'clock.

POST MERIDIEM.

Convention met.

On motion, *Resolved*, That two hundred and forty copies of the association ordered by the last convention to be tendered to and

subscribed by the freemen of this province, be forthwith printed, and that forty of the said copies be sent to the committee of observation for Baltimore county, forty of the said copies to the committee of observation for the upper district of Frederick county, and the residue of them in equal proportions to the committees of the several counties; and the committees aforesaid of Baltimore county and the upper district of Frederick county, shall cause the said association to be tendered, on or before the first day of April next to every freeman in the hundreds of their county and district respectively, where the said association hath not been already generally tendered to the said freeman, to be subscribed by them, according to the resolutions of the late convention; and every person who shall not sign the said association at the time of tendering the same to him, or within ten days thereafter, shall be in the same condition as if the same had been tendered to him according to the said former resolutions, and he had refused or neglected to have subscribed the same; and the committee of observation for each county shall leave one or more of the association papers in the custody of some person or persons to be by them respectively appointed, at some house in their county town, and also at Georgetown and Hagerstown in Frederick county, and shall give public notice thereof by advertisements, so that such of the freemen of this province, who have not done so already, may subscribe the same.

That every freeman within this province who hath not already, nor before the eleventh day of April next shall have subscribed the association aforesaid, shall within five days after the said last mentioned day, deliver up to the committee of observation for this county, all fire-arms, if he hath any, except pistols, and every person who shall neglect to do the same, may be disarmed by order of the committee of observation for his county, in like manner as those who ought to enroll in the militia and refuse to do so, and the arms of the non-associators shall and may be disposed of in the same manner as the arms of those who refuse to enroll in the militia; and moreover the committee of observation of each county in this province, may in their discretion award and order any freeman of this province, not associating as aforesaid, found within their county, whether such freeman be a resident of their county or not, to enter into bond with good and sufficient security, in such penalty as they may think fit, payable to the president of the convention for the time being, by name, conditioned, that if such non-associator shall behave himself peaceable and quietly in the present unhappy contest between Great Britain and the colonies; that he shall not directly or indirectly betray or give intelligence to the

enemy of any councils or preparations of the congress, or any convention or assembly, or council or committee of safety of this or any other province or colony; and that he shall not directly or indirectly correspond, by letter, message, or otherwise, during the said contest, with any British minister, secretary of the state, member of parliament, or any person out of this province, holding an office, civil or military, immediately under the crown, or with any other person in arms against these colonies, knowing such person to be in arms, then the above obligation to be void. But if any such non-associator shall choose to quit this province and go beyond sea, then the committee of observation of the county to which he belongs, may and is hereby empowered to grant him a passport to leave this country in peace, and go beyond the sea, carrying with him his property, or any part thereof; and any person refusing to sign the said association, and to give bond as aforesaid, and continuing to reside within this province, may be imprisoned by the committee of observation of the county in which such non-associator resides or may be found, until the convention then next after such imprisonment shall have taken order therein. And in case any non-associators shall quit this county and leave an estate in this province, such estate shall be burthened with a proportionate part of the expense incurred by this province in defence of American liberty; but these resolutions are not to extend to the household of his excellency the governor. All which association papers that shall be subscribed as aforesaid, as well as a list of the names of all those who shall refuse or neglect to subscribe the same, and all original bonds taken as aforesaid, shall be returned to the next convention. Provided, that where any person hath not nor shall actually refuse to subscribe the association, but shall only have neglected to subscribe the same, if he doth afterwards sign the same before the committee of observation of his county, he shall not be disarmed for his neglect, nor compellable to give any such bond as before mentioned.

On motion, *Resolved*, That where there are any companies of militia in the several counties, which are left out of their battalions already formed, or where there may be any surplus companies in the several counties, after forming the militia into battalions, as directed by the last convention, the brigadier-general of the district may, at his discretion, form the said companies into corps, and return the same to the council of safety, who may appoint and commission such field-officers as may by them be judged proper and necessary to command such corps.

The following report was taken into consideration :

The committee appointed to consider the truth of the facts set forth in a memorial from the justices of Baltimore county court, and report their opinion thereon,

Do report, That the uneasiness in the minds of many of the inhabitants of Baltimore county arises from the uncommon increase of taxes therein, extraordinary assessments being made for the erecting public buildings and bridges, clearing, straightening, opening, grubbing, and stoning roads, and paying their proportion towards building a prison, court house, &c. in Harford county.

That sundry inhabitants of Baltimore county were and are averse to clearing, opening, and straightening said roads, and intended to petition the legislative body of this province for a repeal of the law authorising the same, or an alteration thereof in such parts as they apprehended aggrieved them; but being prevented by the unhappy disputes subsisting between the colonies and Great Britain from making application for redress of such apprehended grievances to the assembly of this province, they have been led into an unlawful and unwarrantable opposition to the collection of the public taxes, which the necessary embargo laid on our ports has tendered greatly to increase.

That a great number of the said inhabitants have paid the said taxes, and they being imposed by virtue of sundry acts of the assembly, your committee are of opinion, the residue of the said inhabitants are in duty bound to pay those already assessed, as they clearly had it in their power to discharge them, the ports being open and a price offered for all manner of country produce till the 10th of September last.

That the remainder of the said money, directed by the said acts of assembly to be levied, ought, by the justices of the said county, pursuant to the said acts, to be assessed; but if trade and commerce should not be restored in such manner as to enable the people of the said county to discharge the said taxes, that the legislative authority for the time being ought, in such circumstances, to suspend the payment of the same (except such part thereof as shall be assessed for the paying for the building of the poor house and inspection house in said county) or take order therein in such other way as to them shall seem most expedient.

That it is the opinion of this committee, that the money appropriated for loan, to the inhabitants of Baltimore county, for clearing and opening roads, by act of assembly, and delivered out by the commissioners for emitting bills of credit to the supervisors of said roads, or so much thereof as hath been expended, and all sums levied or hereafter to be levied on the inhabitants of said county, for the pur-

pose of repaying the same, shall be paid into the hands of the said commissioners, to be by them let out upon interest (except so much thereof as hath been expended, in the same manner as by the said act they are directed to let out on interest the bills of credit of this province; and that the said sum of money so collected, or to be hereafter collected, of the said inhabitants (except so much thereof as hath been expended) with interest thereon accruing, ought to be appropriated to such use of the said county as shall be ordered and directed by the legislative authority for the time being.

That the supervisors of the said roads in said county shall respectively render to the said commissioners, by them to be laid before the legislative authority for the time being, a true, full and fair account, on oath, of all monies by them respectively laid out and expended by virtue of the said act of assembly, and to whom and for what the same shall have been paid and expended.

That the sum of money collected or to be collected in said county for the building of a prison and court house in Harford county, &c. ought to be paid into the hands of the commissioners of Harford county aforesaid, and be by them put out on interest for the use of the same county, until the dispute in the same county relative to the place where said prison and court house, &c. shall be erected and built, be hereafter determined by the legislative authority for the time being.

All which is submitted to the consideration of the honorable house.

After consideration of the same, the question was put, That the house concur therewith? *Resolved*, in the affirmative.

Convention adjourns till to-morrow morning half after 9 o'clock.

WEDNESDAY, January, 17, 1776.

Convention met. All members present as on yesterday, except Mr. J. Dashiell, and Mr. Ware. The proceedings of yesterday were read.

On motion, *Resolved*, That the residue of the sum of money directed by act of assembly to be assessed and levied on the inhabitants of Harford county, for building the court house, prison, &c., be pursuant to said act, assessed and levied by the justices of said county on the inhabitants thereof; but if trade and commerce shall not be restored, so as to enable the people of said county to discharge the said tax, the legislative authority for the time being will suspend the payment of the same, or otherwise order therein, as to them shall seem expedient.

That the money already collected, or hereafter to be collected for the same, shall be paid into the hands of the commissioners of Harford county aforesaid, and be by them put out on interest for the

use of said county, the dispute therein relative, to the place where said court house and prison shall be erected, be hereafter determined by the legislative authority for the time being.

Ordered, That Edward Davis be discharged from further custody.

On motion, *Resolved*, That captain Thomas Johnson, junior's, and captain William Hyde's, company of militia, in the city of Annapolis, be independent companies, but subject to the same rules and regulations as the other militia of this province, where such rules and regulations will apply to their circumstances as well when the said companies are in actual service, as otherwise; and that captains Richard Harwood, junior's, Wm. Brogden's, Edward Tillard's, John Weems', John Steward's, John Deale's, and Richard Chew's, companies of militia, in Anne Arundel county, compose a battalion, any thing in the resolves of the last convention, or the proceedings of the committee of observation for Anne Arundel county to the contrary notwithstanding.

On motion, *Resolved*, That there be a district, in Fredrick county, bounded on the east by Licking creek, to include all that part of the said county, which lies to the west of the said creek.

That the freemen, and others, entitled to vote for delegates in convention, by the resolves of the last convention, meet a Skipton, in the said district, on a day to be appointed, and choose by ballot one discreet and sensible freeman of the said district, to join the other delegates from Frederick county and vote in conventions hereafter to be held for this province.

That the said election be held under the inspection of such persons as may be chosen and appointed by the freemen of that district for the purpose, and be conducted in the same manner and under the same rules as laid down by the last convention for choosing delegates.

That the freemen of the said district choose fifteen discreet and sensible men of the same district to be a committee for the said district, any seven of them to act; and that the election be made agreeable to the resolves of the last convention.

On reading a second time the petition from the inhabitants of the city of Annapolis, *Resolved*, That the same be referred for consideration till the next session of convention.

Adjourned till 3 o'clock.

POST MERIDIEM.

Convention met.

Resolved, That this convention do highly disapprove of the negligence of many of the people of this province, in not paying off their levies, which ought to have been paid and discharged the last summer; and much more so, of the combinations in some few parts

of this province against the payment of levies, such conduct evidently leading to throw this province into disorder, confusion and anarchy desired by the inveterate enemies and dreaded by the real friends to American liberty.

Resolved therefore, that this convention will, if necessary, aid the officers with their utmost power, in the collection of the levies which ought to have been paid in the summer past; yet those officers are requested not to distraint the effects of those whose extreme poverty disables them from paying.

Resolved, That the justices of the several county courts ought to assess the inhabitants of their counties, agreeable to the acts of assembly of this province; but as the people may not be able, if the unhappy differences with Great Britain should continue, to pay the whole of the assessments for building court houses, churches, and for the like extraordinary charges, and a convention will probably again meet before the time of payment, the legislative authority for the time being will make further order, as to the payment of such assessments as the circumstances of the people may require, and the application of the money assessed will admit; it being the fixed intention of this convention to support order in the community, and ease the good people of this province as far as possible.

On reading the following application of John Archer and James Harris of Harford county:

“Gentlemen,

December 6, 1775.

“We are fully convinced of the public utility of factories, and would therefore make an overture to you to undertake a flax or hemp manufactory. To carry on the above branch of business to any effect, we should stand in need of £300, which we would engage to remit in linen of such sizes as you would recommend, at the following times; one third of the above sum the first of June next, one third more on the first of September, and the remaining third the first of December, 1776; the cost we will cheerfully transmit therewith, and leave the price to the honorable convention.

JOHN ARCHER,
JAMES HARRIS.

To the delegates of Harford county now sitting in convention.”

Resolved, That the sum of three hundred pounds, out of the treasury of this province, be advanced to the said John Archer and Jas. Harris, agreeable to their application aforesaid, on their giving bond with good security, payable to the honorable Matthew Tilghman, Esq. Thomas Johnson, jun. and Charles Carroll, barrister, Esquires, conditioned for the performance of the terms in the said application mentioned.

Resolved, That a new election of two representatives for Charles county, in the room of William Smallwood and Francis Ware, Esquires, a new election of one representative for Saint Mary's county, in the room of John Allen Thomas, Esq.; and one in Cecil county, in the room of Nathaniel Ramsey, Esq. whose seats will become vacant on their acceptance of commissions in the regular forces of this province, be had as soon as conveniently may be, in the presence of two or more of the delegates of those counties, respectively; the elections to be by ballot: and in like manner as the election of delegates is directed by resolutions of the last convention, ten days notice at least, excluding the day of notice and day of election, of the times of each of the said elections respectively, being given by advertisements set up in the most public places in the said counties.

On motion, *Resolved*, That in all cases where judgments have been, or shall be obtained, (except in ejectment, trespass, trover, replevin, detinue, real actions, actions for words, for money and tobacco actually had and received by one person for the use of another, attachment under the late act of assembly, and against non-residents, and actions upon loan-office bonds) the creditor shall, at his election, have a right to demand of the debtor, a bond with security for the debt and costs of the said judgments, or to take by *feri facias* any tobacco, wheat, or corn, (but no other effects) of the debtor, leaving to such debtor sufficient to support his family; but that no *capias ad satisfaciendum* be issued in any case (except in the cases above excepted) where the debtor will give bond and security, when required as aforesaid, or where the effects aforesaid are tendered to the creditor, at such price as may be settled by the committee of observation for the county in which such debtor resides.

On motion, *Resolved*, That all rents, other than rents for houses, may be hereafter paid and shall be received in tobacco, and other country produce, at a reasonable value, to be set by the committees of observation; and that no rents ought to be changed into money, from tobacco and other country produce, in which they have been heretofore usually paid.

Resolved, That seven persons, four of whom residing upon the western and three upon the eastern shore, be chosen by ballot to constitute a council of safety for the province of Maryland, to superintend and execute the resolutions of this convention, and to promote the prudent and necessary preparations for the defence and protection of the said province, and to give such necessary assistance to the neighboring colonies as may by the said council be judged proper.

That each member of the said council of safety be allowed and paid fourteen shillings common money, out of the treasury of this province, for every day such member shall sit or be absent from home on public business.

That any four or more of the said council of safety convened, or the major part of them, direct and regulate the operations of the regular forces, the minute men and militia of this province, and may grant all military commissions, appoint and commission all field and commission officers, and regulate the rank of all military officers not appointed by this convention, and in the recess of convention, call forth the regular forces aforesaid and minute men into action in any place or places within this or the neighboring provinces, and the militia into action in any place or places within this province, at such time and times, in such proportions and on such occasions as the said council may judge necessary, and do all such other matters and things for the defence, protection and security of this province, and for the aid and assistance of the neighboring provinces, as they shall deem necessary and expedient.

That any officer of the said regular forces, minute men or militia, may be suspended from the exercise of his commission by the said council of safety, and if the said council of safety shall think proper, they may displace any officer, and appoint and commission another in his stead, and may on the death, resignation or removal of any officer in the regular forces, minute men or militia, appoint and commission another in his stead, and the said council of safety may fill up all vacancies in the regular troops aforesaid, minute men and militia, by whatever means occasioned.

That the said council of safety be authorized and empowered to draw out of the bills of credit emitted or ordered to be emitted by this convention, (except such part thereof as is appropriated to call in and exchange the bills of credit emitted by the last convention) any sum or sums which may by them be judged necessary to carry the several resolutions of this convention into execution, for paying and discharging all contracts made or to be made for and on behalf of this province, and for the defence and protection of this province, or for paying and defraying the expenses of any part of the said regular troops and minute men which may be ordered to any of the neighboring provinces.

That the said council of safety have power and authority to arrest, and on hearing, confine and imprison till the next convention all such persons within this province as shall have been or may be guilty of high and dangerous offences, tending to disunite the people of this province in their present opposition, or to destroy the

liberties of America; and also have power and authority to hear, try and imprison till the end of the next convention, or banish all such offenders guilty of the offence aforesaid, as may be sent to them by the several committees of observation.

That the said council of safety have full power and authority to pardon all offenders upon whom sentence of death shall be pronounced by a court-martial, under the rules passed by this convention for governing the forces raised or to be raised within this province, for the defence thereof.

That the said council of safety may call a meeting of the convention of Maryland before the time to which it may be adjourned, and that any two members may call a meeting of the said council of safety.

That the said council of safety may draw upon the treasuries of the western and eastern shores for all charges and expenses incurred in the execution of their office.

That the said council of safety sit constantly if the service requires it, and that their ordinary sessions be held at the city of Annapolis or Baltimore town, but the place of sitting may be changed at the discretion of the said council to any other part of the province, where the public service may require it.

That every member of the said council of safety, before he enters on the execution of his office, take, before some justice of the peace, the following oath, to wit: "You A. B. do swear, that any matter or thing which shall come to your knowledge as a member of the council of safety which is ordered to be kept secret by a majority of the said council of safety, you will not divulge, unless to the deputies in congress for this province, with the permission of the said council of safety, or to a convention of delegates, or member of the said council of safety, or with the permission of the said council of safety or convention. So help you GOD." And that the clerk of the said council of safety shall take an oath in the said form, except instead of the words "as a member of the council of safety," inserting, "as clerk to the council of safety."

That the said council of safety continue till the end of the next convention and no longer, unless otherwise ordered by the next convention, and that they render an account of their proceedings, and always be subject to the control of the convention.

That the honourable Daniel of St. Thomas Jenifer, Esq., and Charles Carroll, barrister, John Hall, and Benjamin Rumsey, esqrs., of the western shore, and James Tilghman, Thomas Smyth, and Thomas Bedingfield Hands, Esqrs., of the eastern shore, be the said council of safety.

That if any person or persons elected or appointed to be of the said council of safety, shall decline or refuse to act, or shall die before the next convention, the other members of the said council of safety, (being four at least) may elect and appoint one other in the room of each person who shall so decline or refuse to act or die, which person or persons so elected and appointed shall take the same oath, and have the same powers and authorities, in conjunction with the other members, as are given by this convention to the said council.

The journal of accounts was read and assented to.

Ordered, That the treasurer of the western shore pay the several claims allowed in the same.

Convention adjourns till to-morrow morning half after 9 o'clock.

THURSDAY, January 18, 1776.

Convention met. All members present as on yesterday, except Mr. W. Ennalls, Mr. G. Dasheill, Mr. Potter, Mr. Dickinson, and Mr. Mason. The proceedings of yesterday were read.

Ordered, That the treasurer of the western shore pay to Mr. Edward Parker of Cecil county, or his order, out of the bills of credit in his hands, three hundred pounds common money, to enable him to carry on his linen and woollen manufactory.

Whereas, it is necessary for securing the evidences of the property of the good people of this province, that the records of the land office, secretary's, and commissary's offices, and also the records of Anne Arundel county court, should be removed from the city of Annapolis to some place of greater security.

Resolved, That the council of safety send the said records, packed in chests by the respective clerks, to some fit and secure place, first having prepared a proper house for the reception of the same, and that the said council commit the said records to the care and management of one of the clerks of the said offices respectively.

Resolved, That each of the said clerks so employed by the council of safety, do respectively take the care and management of the records of the office to which he belongs, and deliver copies of the said records to the people of this province, when thereunto required, upon being paid for the same.

Resolved, That any extraordinary expenses of the said clerks in taking care of the said records be paid by the convention of this province.

On motion, *Resolved*, That such young gentlemen as resort to the regular troops, in the quality of volunteers or cadets with the consent of the colonel of the battalion, for their improvement in the

art of war, be furnished with one ration per day each at the public expense.

On motion, *Resolved*, That the committees of observation for the several counties may remove the records of their respective counties to some place of safety if they think proper.

The convention took into consideration the king's speech to parliament on the 27th day of October last, and after some time spent therein,

Resolved unanimously, That the following declaration be entered on their journals :

We, the delegates of the freemen of Maryland in convention, affected with the deepest concern by the opinion declared in the king's speech to parliament on the 27th day of October last, and expressed in the address of the lords spiritual and temporal to his majesty in answer thereto, that the necessary preparations for defence made by these colonies, are carried on for the purpose of establishing an independent empire, and being desirous to remove from the mind of the king, an opinion which we feel to be highly injurious to the people of this province, and to declare and manifest to his majesty, to the parliament, the people of Great Britain, and to the whole world, the rectitude and purity of our intentions in the present opposition to the measures of the British ministry and parliament, do declare,

That the people of this province, strongly attached to the English constitution, and truly sensible of the blessings they have derived from it, warmly impressed with sentiments of affection for, and loyalty to, the house of Hanover, connected with the British nation by the ties of blood and interest, and being thoroughly convinced, that to be free subjects of the king of Great Britain, with all its consequences, is to be the freest members of any civil society in the known world, never did, nor do entertain any views or desires of independency.

That as they consider their union with the mother country upon terms that may insure to them a permanent freedom, as their highest felicity, so would they view the fatal necessity of separating from her, as a misfortune next to the greatest that can befall them.

Descended from Britons, entitled to the privileges of Englishmen, and inheriting the spirit of their ancestors, they have seen with the most extreme anxiety the attempts of parliament to deprive them of those privileges, by raising a revenue upon them, and assuming a power to alter the charters, constitutions, and internal polity of the colonies without their consent. The endeavors of the British ministry to carry those attempts into execution by military

force have been their only motive for taking up arms, and to defend themselves against those endeavors is the only use they mean to make of them, entitled to freedom, they are determined to maintain it at the hazard of their lives and fortunes.

Ordered, That James Hollyday, Charles Carroll of Carrollton, and Gustavus Scott, Esqrs., revise the journal and proceedings of this convention, and direct what parts thereof shall be published.

Convention adjourns till the second Tuesday in April next, to sit at this place, but the council of safety may convene the convention at any other time or place, if they shall judge it necessary.

Signed by order of the convention,

GABRIEL DUVALL, clerk.

PROCEEDINGS OF THE CONVENTION
OF THE
PROVINCE OF MARYLAND,
HELD AT
The City of Annapolis, on Wednesday, the eighth of May,
1775.

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At a convention of DELEGATES, chosen by the several counties of the province of Maryland, at the city of Annapolis, on Wednesday the 8th of May, 1776.

PRESENT.

<i>For St. Mary's county.</i>	Patrick Ewing,
Richard Barnes,	William Currer.
John Reider,	<i>Kent.</i>
Athanasius Ford.	Peregrine Letherbury,
<i>Charles.</i>	William Sluby,
Josias Hawkins,	Thomas Ringgold.
Robert T. Hooe,	<i>Queen Anne's.</i>
William Harrison,	James Hollyday,
Joseph H. Harrison.	Turbutt Wright,
<i>Calvert.</i>	Thomas Wright,
Edward Gantt,	Richard T. Earle,
Patrick Smith,	James Tilghman,
William Allein.	<i>Talbot.</i>
<i>Prince George's.</i>	James Lloyd Chamberlaine,
Thomas Contee,	Nicholas Thomas,
Robert Tyler.	Pollard Edmondson.
<i>Anne Arundel.</i>	<i>Dorchester.</i>
Charles Carroll, barrister,	Robert Goldsborough,
Thomas Johnson, jr.	Henry Hooper,
<i>Frederick. Lower district.</i>	James Murray,
Henry Griffith.	John Ennals.
<i>Middle.</i>	<i>Caroline.</i>
Charles Beatty,	Nathaniel Potter,
Baker Johnson.	William Richardson,
<i>Upper.</i>	Henry Dickinson,
William Baird.	Richard Mason.
<i>Baltimore.</i>	<i>Somerset.</i>
Benjamin Nicholson,	George Dasheill,
Walter Tolley, jr.	Gustavus Scott,
<i>Harford.</i>	Peter Waters.
Thomas Bond.	<i>Worcester.</i>
<i>Cecil.</i>	Peter Chaille,
John Veazey, jr.	Samuel Handy,
Joseph Gilpin,	John Done,
John D. Thompson,	Joseph Dasheill.

The honorable CHARLES CARROLL, Esq., barrister, was chosen president.

Ordered, That Gabriel Duvall be continued clerk to the convention, and that he qualify himself as such by taking oath that he will faithfully, diligently, and honestly discharge the office of clerk to the convention of Maryland, and that he will not disclose or reveal the secrets thereof.

Ordered, That Mr. Allen Quynn be continued messenger, and Mr. Robert Reynolds door keeper to the convention, and that they severally qualify themselves as such by taking the oath of office and secrecy as above directed to be taken by the clerk.

Ordered, That the resolve of secrecy entered into at the last session of convention be observed this session.

Convention adjourns till to-morrow morning, nine o'clock.

THURSDAY, May 9, 1776.

Convention met. All members present as on yesterday. The proceedings of yesterday were read. Col. George Plater, a member for St. Mary's county, appeared and took his seat in the house. Mr. Sudler appeared in the house.

A remonstrance from the committee of observation for the lower district of Frederick county, relating to the payment of public taxes; a petition from the lieutenants of the second independent company of regular troops, praying to be removed from said company; a petition from William Faris of the city of Annapolis; and the proceedings of the committee of observation for Talbot county, against Alexander Wickham, were severally read and ordered to lie on the table.

Certificates of the qualification of the clerk, messenger and door keeper, were produced and filed.

The proceedings of the council of safety, in consequence of intercepted letters from lord George Germain to Robert Eden, Esq., deputy governor of Maryland, were laid before the convention, read, and ordered to lie on the table.

On reading a second time the representation of the committee of Talbot county of the case of Alexander Wickham, *Ordered*, That the said Alexander Wickham be committed to the custody of a guard, to be appointed by col. William Smallwood, until the convention shall take order in the premises, and that the guard from the independent company commanded by captain Hindman, be discharged of the said Alexander Wickham.

Adjourned till three o'clock.

POST MERIDIEM.

Convention met. Mr. Rumsey, Mr. Hall, Mr. Paca, Mr. Love, Mr. Lloyd, and Mr. J. T. Chase, appeared in the house.

A memorial from Francis Baker of Talbot county, praying a remission of the sentence pronounced against him at the last session of convention, which forbids him to offer himself for any office of trust, was read and ordered to lie on the table.

On reading a second time the petition of lieutenants Uriah Forrest, William Bowie, and Benjamin Brooks, of the second independent company of regular troops, *Ordered*, That captain John Gunby appear before this convention, or in the recess thereof before the council of safety, on Monday the 20th instant, to answer the charge exhibited against him in said petition.

Ordered, That summonses issue to Henry Jackson and lieutenants William Bowie and Benjamin Brooks of Somerset county, captain James Handy of Worcester county, and Mr. Robert Cummins of Baltimore county, to appear before this convention, or in the recess thereof before the council of safety, on Monday the 20th instant.

On reading a second time the petition of William Faris, *Resolved*, That a committee be appointed to examine into the facts set forth in the said petition, and report thereon to the convention; and that Mr. Griffith, Mr. Joseph Dasheill, and Mr. Hawkins be a committee for that purpose.

Ordered, That Alexander Wickham be allowed the sum of three shillings and six pence per day during his confinement for subsistence.

Convention adjourns till to-morrow morning, 9 o'clock.

FRIDAY, May 10, 1776.

Convention met. All members present as on yesterday. The proceedings of yesterday were read. Mr. Beall appeared in the house.

Mr. Griffith brings in and delivers to Mr. President a report from the committee appointed to examine into the facts set forth in the petition of William Faris, which was read and ordered to lie on the table.

A petition from Robert Wood of Frederick county, relating to the erecting a sheeting and slitting mill; the proceedings of the committee of observation for Prince George's county, on the 6th inst.; a petition from James Hutchings, of Queen Anne's county, against the conduct of Samuel Purviance; a petition from the Pomonkey

company of militia in Charles county; proposals from Henry Hollingsworth of Cecil county, to manufacture gun barrels; a petition from John Brewer of the city of Annapolis; and a petition from the inhabitants of Prince George's county, on Potowmac river, were severally read and ordered to lie on the table.

Mr. Jordan appeared in the house.

The convention being informed that Mr. Samuel Purviance, jr., was attending, agreeable to his recognizance entered into by order of the council of safety on the 26th day of April last, *Resolved*, That a committee be appointed to examine the papers laid before the convention by the council of safety, relative to the conduct of the said Samuel Purviance, jr., and report the charge arising therefrom; and Mr. Hollyday, Mr. Goldsborough, and Mr. T. Johnson, were elected by ballot a committee for that purpose.

Adjourned till 3 o'clock.

POST MERIDIEM.

Convention met.

A petition from the committee and inhabitants of the upper district of Frederick county; a petition from the committee and others, the freemen of the lower district of said county; a memorial from captain Edward Veazey of the 7th independent company of regular troops; and a remonstrance from the committee of observation for Talbot county, were severally read and ordered to lie on the table.

Mr. Hollyday brings in and delivers to Mr. President a report from the committee appointed to examine the papers laid before the convention by the council of safety, relative to the conduct of the said Samuel Purviance, jr., which was read a first and second time, and follows in these words, to wit:

"By the committee appointed to examine the papers laid before the convention by the council of safety, relative to the conduct of Samuel Purviance, jr., of Baltimore town, &c.

"Your committee do report, that they have examined the papers laid before the convention, from which it appears to your committee, that the charge arising from the said papers falls under the following heads:

"*First*, That the said Samuel Purviance, since the rising of the last convention, hath usurped a power to direct the operations of the military force of this province, (at a time when the council of safety, to whom the same solely and properly belongs in the recess of convention, was sitting, and might without inconvenience have been applied to,) as appears by his letter of instructions to captain

Samuel Smith, of colonel Smallwood's battalion, bearing date the 14th day of April last, a copy of which, attested by the clerk of the council of safety, your committee refer to.

"*Secondly*, That the said Samuel Purviance being, at the time of his writing the said letter, and giving the said instructions, chairman of the committee of Baltimore county, did write the said letter and give the said instructions under color of his said office of chairman, and as if at the request of the said committee; whereas the said committee were not consulted thereon, nor made acquainted therewith, as appears by the said letter and instructions, and by the proceedings of the said committee, attested copies whereof among the said papers are referred to.

"*Thirdly*. That the said Samuel Purviance, by writing and speaking, and particularly by a letter by him written to the president of the congress some time about the middle of April last, hath unjustly represented the convention and council of safety, as irresolute and afraid to execute the trusts reposed in them, and endeavored to draw a suspicion upon them of a want of spirit and zeal in the execution of their duty.

"All which is humbly submitted to the consideration of the honorable convention.

By order,

R. RIDGELY, clk. com."

On consideration whereof, *Resolved*, That Thursday next be appointed for the appearance of Samuel Purviance, jr., to answer the charge exhibited against him; but if it should appear by affidavit that Mr. John Smith (whose testimony Mr. Purviance alleges is material to him) cannot be had here on that day, then the convention do order, that Mr. Purviance shall appear as aforesaid on the Saturday following at 9 o'clock.

Mr. Mackall and Mr. Buchanan appeared in the house.

On reading a second time the petition of James Hutchings of Queen Anne's county, against the conduct of Samuel Purviance, jr., *Resolved*, That the same be taken into consideration on Thursday next.

The proposals of Henry Hollingsworth being read a second time, *Resolved*, That a committee be appointed to consider of the same, and report their opinion thereon; and Mr. Gilpin, Mr. Ringgold and Mr. Rumsey, were elected by ballot a committee for that purpose.

Convention adjourns till to-morrow morning 9 o'clock.

SATURDAY, May 11, 1776.

Convention met. All members present as on yesterday. The proceedings of yesterday were read.

A petition from George French, sheriff, and Joshu Tesstil, one of the deputy sheriffs of Frederick county; petition from Abraham Langanfelter, David Alspaugh, and Henry Barnes, languishing debtors in Frederick county jail; and a petition from Philemon Downes, late sheriff of Queen Anne's county, were severally read and ordered to lie on the table.

Ordered, That all petitions relative to proceedings of committees of observation against non-enrollers be referred to the committee appointed to examine into the facts set forth in the petition of William Faris.

Mr. Allein and Mr. Plater have leave of absence till Monday next.

On reading a second time the proceedings of the committee of observation for Prince George's county of the 6th instant, relative to the reverend Mr. John Eversfield and Mr. Ralph Forster, *Resolved*, that the resolutions of the last session of convention sufficiently provide for the case stated in the said proceedings of the committee.

Mr. Reider has leave of absence.

On reading a second time the petition of Robert Wood of Frederick county, *Resolved*, that a committee be appointed to consider of the same and report their opinion thereon; and Mr. Gilpin, Mr. Beatty, and Mr. J. T. Chase, were elected by ballot a committee for that purpose.

On motion, *Resolved*, That this convention will on Monday next resolve into a committee of the whole, to take into consideration the late intercepted letters to governor Eden, the proceedings of the continental congress, and of the council of safety of this province thereupon.

Mr. Ringgold and Mr. Nicholson have leave of absence till Monday next.

Convention adjourns till Monday morning, 9 o'clock.

MONDAY, May 13, 1776.

Convention met. All members present as on Saturday except Mr. Reider, Mr. Nicholson, and Mr. Allein. The proceedings of Saturday were read.

The proceedings of the committee of observation for Calvert county, on the complaint of Joseph Wilkinson against James Weems, were read and ordered to lie on the table.

On motion, *Resolved*, That a committee be appointed to examine and adjust the several claims on the treasury; and Mr. Earle, Mr. Contee, Mr. Tolley, Mr. Hooe, and Mr. Chamberlane, were elected by ballot a committee for that purpose.

The petition of Purnal Johnson was read and ordered to lie on the table.

Mr. Dallam appeared in the house.

On reading a second time the petition of Philemon Downes, late sheriff of Queen Anne's county, and considering the same, *Resolved*, That the case therein stated is provided for in the resolutions of the convention held the twenty-sixth of July last, and that the committee for licensing suits in Queen Anne's county ought to grant licenses to sue or warrant as the case may require, under the limitations expressed in the said resolves of July.

The memorial of Francis Baker of Talbot county was read a second time and considered, and thereupon, *Resolved*, That the same be rejected.

On considering the representation from the committee of Talbot county of the case of Alexander Wickham, *Resolved*, That he be discharged, *being a person too insignificant and contemptible for the further notice of this convention.*

On motion, *Resolved*, That in all cases in which the council of safety, or any committee of observation within this province, shall be in want of a witness or witnesses in any fact properly depending before them, that they issue subpœna requiring the attendance of the said witness or witnesses, at a time and place by the said council or committee to be appointed; and in case of disobedience, that they issue attachment of contempt, directed to some captain of the militia, requiring him to take the body of the witness or witnesses disobeying as aforesaid, and he or they being before the said council or committee, to answer the contempt, and may fine the said witness or witnesses not exceeding the sum of five pounds current money. And if it shall happen that any witness shall refuse to declare on oath the truth of his or her knowledge touching the fact under the consideration of such council or committee, that they have full power and authority to commit such witness to the custody of some captain of militia within the county where such witness resides, and by him to be safely kept until such witness shall comply as aforesaid. Provided always, that this resolution shall not be understood to compel witnesses to give evidence in cases in which they are interested, and they declare the same on oath when required.

Resolved, That the expenses arising on such attachment or commitment, be defrayed out of the property of the person attached or committed.

Adjourned till 3 o'clock.

- POST MERIDIEM.

Convention met. Mr. Somervill appeared in the house.

A memorial from the committee of observation for Cecil county, and an address and petition from the officers and associators in the 30th or Susquehannah battalion of militia in said county, were severally read and ordered to lie on the table.

On reading a second time the petition of Purnal Johnson, *Resolved*, That the same be referred to the committee of observation for Baltimore county, and that the said committee report to this convention their opinion of the merits of said petition.

Ordered, That the clerk transmit a copy of the above resolve, together with a copy of the petition, to the committee of Baltimore county.

On motion, *Resolved*, That a committee be appointed to consider of the further means of defence necessary for this province; and Mr. T. Johnson, Mr. Goldsborough, Mr. Hollyday, Mr. Paca, Mr. Hooper, Mr. Tilghman, and Mr. Plater, were elected by ballot a committee for that purpose.

On reading a second time the remonstrance from the committee of observation for Talbot county, *Resolved*, That the 4th battalion of militia in said county, be composed of the companies of the captains Joseph Bruff, Jacob Gibson, Nathaniel Cooper, John Daugherty, James Lloyd, Samuel Abbot, Thomas Gordon, and Greenbury Goldsborough; and that the companies of the captains James Benson, Henry Banning, John Rolle, William Hambleton, William Webb Haddaway, and Nicholas Martin, in said county, form the 38th battalion.

The remonstrance of the committee of the lower district of Frederick county being read a second time, *Resolved*, That the same be referred for consideration till next session of convention.

On reading a second time and considering the memorial of captain Edward Veazey, *Resolved*, That the same be rejected.

On reading a second time the petition of Abraham Linganfelter, David Alspaugh, and Henry Barnes, languishing debtors in Frederick county gaol, *Resolved*, That the same be referred to the consideration of the next session of convention. But that it is in the mean time recommended to the several creditors of said petitioners to accept the compromise offered by them, provided the same be a just and fair one.

The order of the day for taking into consideration the late intercepted letters to governor Eden, the proceedings of the continental congress, and of the council of safety of this province, thereupon, being read, *Resolved*, That this convention will on to-mor-

row resolve itself into a committee of the whole to consider of the same.

Convention adjourns till to-morrow morning, 9 o'clock.

TUESDAY, May 14, 1776.

Convention met. All members present as on yesterday. The proceedings of yesterday were read. Mr. Stull, Mr. Allein, and Mr. Nicholson, appeared in the house.

A petition from the freemen belonging to the 29th battalion of militia; a petition from the committee and others the inhabitants of the middle district of Frederick county; a letter from col. John Murdock of the 29th battalion; a petition from Jacob Keaport of Baltimore county, and, an application from Michael Cocendofer of Frederick county, for a sum of money to enable him to carry on a stocking manufactory; were severally read and ordered to lie on the table.

On motion, *Resolved unanimously*, That upon every vote the delegates from each county be severally called, and the yeas and nays respectively taken, if required by a county, and that the same be recorded with the proceedings of the convention.

Resolved, That all the votes and proceedings of the convention be published, except such as relate to military operations, and such others as shall be particularly ordered not to be published.

On reading a second time the application of Michael Cocendofer *Resolved*, That a committee be appointed to receive all proposals relative to the establishment of manufactories, and report their opinion thereon; and Mr. Gilpin, Mr. Rumsey, Mr. Earle, Mr. Ewing, and Mr. Beall, were elected by ballot a committee for that purpose.

The petition of Jacob Keaport of Baltimore county being read a second time, *Resolved*, That the same be rejected.

Adjourned till 3 o'clock.

POST MERIDIEM.

Convention met.

A recommendation of field officers, and a petition for commissions for said officers, from the captains Gist Vaughan, Micijah Merryman, John Stevenson, son of Edward, John Forster, Stephen Gill, son of John, John Talbot, Edward Cockey, and John Cockey, were read and ordered to lie on the table.

The order of the day for taking into consideration the late intercepted letters to governor Eden, the proceedings of the continental congress, and of the council of safety of this province, being

read, the convention resolved itself into a committee of the whole to consider of the same; Mr. Plater in the chair. After some time spent therein, Mr. President resumed the chair, and Mr. Plater reported, that the committee according to order, had taken under their consideration the late intercepted letters to governor Eden, the proceedings of the continental congress, and of the council of safety, thereupon, but not being able to go through the same, had directed him to move for leave to sit again.

Resolved, That this convention will to morrow resolve itself into a committee of the whole to consider further of the said letters and proceedings.

Convention adjourns till to morrow morning at 9 o'clock.

WEDNESDAY, May 15, 1776.

Convention met. All members present as on yesterday. The proceedings of yesterday were read.

On reading a letter from captain John Allen Thomas of the fifth independent company of regular troops, *Resolved*, That a committee be appointed to enquire into the conduct of Mr. Robert Cummins, and the reason why he has not supplied the troops with rations as regulated at the last convention, agreeable to his contract with the council of safety: and Mr. Scott, Mr. Hooe, Mr. Plater, Mr. Hooper, and Mr. Barnes, were elected by ballot a committee for that purpose.

Whereas, it is necessary that the peace and good order of the province should be maintained as much as possible, and it appearing to this convention that sundry officers appointed for that purpose have refused to take upon them the respective trusts to which they have been appointed, alleging scruples to take the usual oaths to the government during the unhappy differences with Great Britain,

Resolved, That the said oaths be dispensed with during the said differences, and that the persons already appointed, or who may hereafter be appointed, do qualify themselves for their trusts, by taking the respective oaths of office to which they are or may be appointed; and all persons concerned, either in administering or taking the said oath of office, independent of the said oaths to the government, may rest assured that proper care shall be taken, upon the settlement of those differences, an event we most ardently wish for, to indemnify them against any penalties directed by any laws to be inflicted on persons acting as aforesaid, without having first taken said oaths.

Ordered, That captain John Bonnett's company of militia in the upper district of Frederick county, be assigned a company of

light infantry to col. John Stull's battalion, and that the council of safety issue commissions to the officers of said company.

A memorial from the Baltimore independent company of militia, praying leave to continue and be considered as an independent company of militia, was read and ordered to lie on the table.

The order of the day for taking into consideration the late intercepted letters to governor Eden, the proceedings of the continental congress, and of the council of safety of this province, being read, the convention resolved itself into a committee of the whole to consider of the same: Mr. Plater in the chair. After some time spent therein, Mr. President resumed the chair, and Mr. Plater reported, that the committee had according to order taken into their consideration the late intercepted letters to governor Eden, the proceedings of the continental congress, and of the council of safety of this province, thereupon, but not being able to go through the same, had directed him to move for leave to sit again.

Resolved, That this convention will in the afternoon resolve itself into a committee of the whole to consider further of the said letters and proceedings.

Adjourned till 3 o'clock.

POST MERIDIEM.

Convention met.

The petitions of Seth Paddock and Daniel Adams of the province of Massachusetts Bay, were severally read and ordered to lie on the table.

The order of the day for taking into consideration the late intercepted letters to governor Eden, the proceedings of the continental congress, and of the council of safety of this province, thereupon, being read, *Ordered*, That the same be referred for further consideration till to-morrow.

Convention adjourns till to-morrow morning, at 9 o'clock.

THURSDAY, May 16, 1776.

Convention met. All members present as on yesterday. The proceedings of yesterday were read.

The petition of Hunlock Palfrey of New England, and a petition from the freemen belonging to the 29th battalion of militia, were severally read and ordered to lie on the table.

Mr. Nicholas Harwood was appointed assistant clerk to the convention.

Ordered, That he qualify himself as such, by taking the oath of office and secrecy as directed to be taken by the clerk.

On motion, *Resolved*, That a committee of five persons be appointed, to consider of and report proper alterations or additions to the resolutions of convention for encouraging the making marine salt; and Mr. T. Johnson, Mr. Plater, Mr. Chaille, Mr. Handy, Mr. Hooper, and Mr. Jordan, were elected by ballot a committee for that purpose.

On motion, *Resolved*, That a committee be appointed to consider and report proper alterations or additions to the resolutions of convention for erecting a powder mill, and that the same committee also examine the accounts of the supervisors of salt-petre works, and report thereon; and Mr. T. Johnson, Mr. Rumsey, Mr. Ringgold, Mr. Gilpin, Mr. Hooper, and Mr. Hooe, were elected by ballot a committee for that purpose.

Certificate of Mr. Harwood's qualification was produced and filed.

On reading a second time the proceedings of the committee of Calvert county, on the complaint of Joseph Wilkinson against James Weems, *Resolved*, That the same be taken into consideration on Tuesday next, at 9 o'clock in the morning; and that the clerk transmit copies of the above resolution to the said Joseph Wilkinson and James Weems, respectively.

On motion, *Resolved*, That one shilling per day be allowed as a ration for the militia of this province when called into actual service.

On reading a second time the memorial of the Baltimore independent company, now commanded by captain John Street, *Resolved*, That the same be granted.

On reading a second time the recommendation of field officers and petition for commissions for said officers from the captains Gist Vaughan, Micijah Merryman, John Stevenson, son of Edward, John Forster, Stephen Gill, son of John, John Talbott, Edward Cockey, and John Cockey, *Resolved unanimously*, That the same be rejected.

Mr. Mackall has leave of absence for a few days.

Adjourned till 3 o'clock.

POST MERIDIEM.

Met according to adjournment.

The petition of Charles Lansdale of Prince George's county, was read and ordered to lie on the table.

Mr. George Brent, a member for that district of Frederick county which lies to the west of Licking creek, appeared and took his seat in the house.

On hearing and considering the petition of James Hutchings,

and the allegations and proofs offered in support thereof, as well as the allegations and proofs offered by Samuel Purviance in defence of his conduct, *Resolved*, That the said Samuel Purviance acted in a public character, and that the pressing emergency on which he thus acted, renders his conduct blameless.

Resolved, That the said Samuel Purviance be allowed all just and reasonable expenses attending the complaint exhibited against him by the said James Hutchings.

On motion, *Resolved*, That a committee be appointed to ascertain the same; and Mr. Plater, Mr. Beall, and Mr. J. T. Chase, were elected by ballot a committee for that purpose.

A petition from John M'Fadon of Baltimore town, relative to the establishment of a linen manufactory, was read and ordered to lie on the table.

The order of the day for taking into consideration the late intercepted letters to governor Eden, the proceedings of the continental congress, and of the council of safety of this province, thereupon, being read, *Ordered*, That the same be referred for further consideration till Saturday next.

Convention adjourns till Saturday morning, 9 o'clock.

SATURDAY, May 18, 1776.

Convention met. All members present as on Thursday, except Mr. Mackall and Mr. Smith. The proceedings of Thursday were read.

A letter from James Duane, Esq., enclosing resolutions of congress, and a memorial from the freemen of North Susquehanna hundred in Cecil county were severally read and ordered to lie on the table.

Mr. Griffith brings in and delivers to Mr. President a report from the committee appointed to consider of the several petitions relative to proceedings of committees of observation against non-rollers, which was read and ordered to lie on the table.

Mr. Griffith, Mr. Curren, and Mr. Letherbury have leave of absence.

The convention, agreeable to the order of the day, took into their consideration the charges reported against Samuel Purviance, jr., of Baltimore town, and on hearing Mr. Purviance and the several witnesses by him produced, *Resolved*, That the said Samuel Purviance, since the rising of the last convention, hath usurped a power to direct the operations of the military force of this province, (at a time when the council of safety, to whom the same solely and

properly belongs in the recess of convention, was sitting and might without inconvenience have been applied to.)

That the said Samuel Purviance being, at the time of his writing the said letter and giving the said instructions, chairman of the committee of Baltimore county, did write the said letter and give the said instructions under color of his said office of chairman and as if at the request of the said committee; whereas the said committee were not consulted thereon nor made acquainted therewith.

That the said Samuel Purviance, by writing and speaking, and particularly by a letter by him written to the president of the congress, some time about the middle of April last, hath unjustly represented the convention and council of safety as irresolute and afraid to execute the trusts reposed in them, and endeavored to draw a suspicion upon them of a want of spirit and zeal in the execution of their duty.

That the order of the day for taking into consideration the late intercepted letters to governor Eden, the proceedings of the continental congress, and of the council of safety of this province, thereupon, being read, *Ordered*, That the same be referred for further consideration till Monday next.

Convention adjourns till Monday morning, 9 o'clock.

MONDAY, May 20, 1776.

Convention met. All members present as on Saturday, except Mr. Griffith, Mr. Currer, Mr. Letherbury, Mr. Tyler, and Mr. Lloyd. The proceedings of Saturday were read. Mr. Smith appeared in the house.

The convention being informed that Elisha Winters of Kent county, was willing to contract for the making a quantity of fire arms for the public,

Resolved, That the terms offered by the said Elisha Winters be referred to the committee appointed to consider of the proposals of Henry Hollingsworth.

The president laid before the convention a letter from the deputies of this province in Congress, enclosing the following resolutions, to wit:

" IN CONGRESS, May 15, 1776.

" *Whereas*, his Britanic majesty, in conjunction with the lords and commons of Great Britain, has, by a late act of parliament, excluded the inhabitants of these united colonies from the protection of his crown—And whereas no answer whatever, to the humble petitions of the colonies for redress of grievances and recon-

ciliation with Great Britain, has been, or is likely to be given, but the whole force of that kingdom, aided by foreign mercenaries, is to be exerted for the destruction of the good people of these colonies—and whereas it appears absolutely irreconcilable to reason and good conscience, for the people of these colonies NOW to take the oaths and affirmations necessary for the support of any government under the crown of Great Britain; and it is necessary that the exercise of every kind of authority under the said crown should be totally suppressed, and all the powers of government exerted under the authority of the people of the colonies, for the preservation of internal peace, virtue, and good order, as well as for the defence of their lives, liberties and properties, against the hostile invasions and cruel depredations of their enemies—Therefore,

Resolved, That it be recommended to the respective assemblies, and conventions, of the united colonies, where no government sufficient to the exigencies of their affairs has been heretofore established, to adopt such government as shall, in the opinion of the representatives of the people, best conduce to the happiness and safety of their constituents in particular, and America in general.

“Extract from the minutes, CHA. THOMSON, sec’y.

Which was read and thereupon, *Resolved*, That a committee be appointed to take the same into consideration, and report thereon; and Mr. T. Johnson, Mr. Paca, Mr. Goldsborough, Mr. Hollyday, and Mr. Tilghman, were elected by ballot a committee for that purpose.

The proceedings of the committee of observation for Prince George’s county on the 16th inst. were read and ordered to lie on the table. ✓

A petition from the merchants of Dorchester county; a letter from John Hanson, jr. of Frederick county; and a petition from the minute company lately commanded by captain William Henry, praying to be established a company of militia, under their late officers, were severally read and ordered to lie on the table.

Adjourned till 3 o’clock.

POST MERIDIEM.

Met according to adjournment.

Ordered, That the muskets made and sent hither by Henry Yost and John Unsold of Frederick county, in consequence of their respective contracts with the council of safety on the 28th day of November and 14th of December last, be returned to them as unfit for service, and that they pay the expense of sending them here.

Mr. T. Johnson brings in and delivers to Mr. President a report

from the committee appointed to consider of the resolution of congress of the 15th instant, and report thereon ; which was read and ordered to lie on the table.

Ordered, That the committee of claims estimate and report to the convention a proper allowance to the surgeons and adjutant, who attended the minute companies commanded by the captains James Kent and William Henry, when ordered on duty to the assistance of Northampton and Accomack counties in Virginia.

Ordered, That the petition of the lieutenants Uriah Forrest, William Sprigg Bowie, and Benjamin Brooks, against captain John Gunby, be postponed for consideration till to-morrow.

On reading a second time the petition of the freemen belonging to the 29th battalion, and considering the same, *Resolved*, that it be dismissed.

On motion, *Resolved*, That the council of safety be empowered immediately to contract with proper persons to raise the vessels lately sunk in Patapsco river for the preservation of Baltimore town ; and to rig and put those vessels in the same state that they were before they were sunk. And the said council of safety for the time being be also empowered to appoint proper persons, not less than three, who on oath shall ascertain and return the difference of value, if any, of the same vessels, occasioned by the sinking thereof. And that the same council of safety pay the expenses of raising the said vessels and putting them in order as aforesaid, out of the public money, as well as any actual expenses incurred by the owners for wages and maintenance of the crews of the said vessels, and a reasonable monthly allowance for the time the vessels have been and shall be out of the possession and power of their owners.

The order of the day for taking into consideration the late intercepted letters to governor Eden, the proceedings of the continental congress, and the council of safety of this province, thereupon, being read, *Ordered*, That the same be referred for further consideration till to-morrow.

Convention adjourns till to-morrow morning, 9 o'clock.

TUESDAY, May 21, 1776.

Convention met. All members present as on yesterday. The proceedings of yesterday were read. Mr. Tyler appeared in the house.

Ordered, That the treasurer of the western shore pay to captain William Henry five hundred and forty-four pounds fifteen shillings and six pence, to discharge the pay and subsistence of his minute company.

The convention took into their consideration the report from the committee appointed to report on the resolution of congress of the 15th instant, and thereupon came to the following resolutions.

Resolved unanimously, That the people of this province have the sole and exclusive right of regulating the internal government and police of this province. ✓

Resolved unanimously, That it is the opinion of this convention, that this convention hath ample power to draw the whole force of this province into action against the armed force that is, or may be employed to carry into execution the several unconstitutional and oppressive acts of the British parliament for laying taxes in America, to enforce the collection of those taxes, and for altering and changing the constitution and internal police of some of the united colonies.

Resolved unanimously, That this province has hitherto exerted itself, and will upon all occasions continue to exert itself, with cheerfulness and alacrity, in the common cause, agreeable to the faith pledged in the union of the colonies: and if it shall appear to this province necessary to enter into a further compact with the other colonies for the preservation of the constitutional rights of America, this province will enter into such further engagement for that purpose.

Resolved unanimously, That this convention, by a resolution of the 15th day of this instant, hath made sufficient provision to prevent a necessity for any person within this province now taking the oaths for the support of government under the crown of Great Britain, and that it is the opinion of this convention, that it is not necessary that the exercise of every kind of authority under the said crown should be now totally suppressd in this province, and all the powers of government exerted under the authority of the people.

Resolved, That the honorable Matthew Tilghman, Esq., and Thomas Johnson, jun., Robert Alexander, Samuel Chase, Robert Goldsborough, William Paca, Thomas Stone, and John Rogers, Esquires, deputies now re-elected by ballot to represent this province in congress, be, and they or any three or more of them are, empowered to represent this province in congress until the end of the next session of convention, as fully as they might, until the end of this session of convention have done the same, under their former appointment.

Resolved unanimously, That as this convention is firmly persuaded that a re-union with Great Britain on constitutional principles would most effectually secure the rights and liberties, and increase ✓

the strength and promote the happiness of the whole empire, objects which this province hath ever had in view, the said deputies are bound and directed to govern themselves by the instructions given to them by this convention in its session of December last, in the same manner as if the said instructions were particularly repeated.

Agreeable to the order of the day the convention proceeded to take into consideration the petition of lieutenant Uriah Forrest, preferred on behalf of himself and lieutenants William Sprigg Bowie, and Benjamin Brooks, setting forth, that from the conduct of their captain, John Gunby, of the second independent company of regular troops, they had cause to suspect his zeal for the rights and liberties of America, and praying to be removed from said company; and on hearing and considering the proofs and allegations offered, as well by the petitioners as the said John Gunby, *Resolved*, That it is the opinion of this convention that the said captain John Gunby, far from having given any just cause to suspect his zeal for the rights and liberties of America, hath by his conduct manifested a laudable zeal in defence of the rights and liberties of America in general, and this province in particular.

Resolved, therefore, that the said petition be rejected.

Mr. Bond has leave of absence for a few days.

The order of the day for taking into consideration the late intercepted letters to governor Eden, the proceedings of the continental congress, and of the council of safety of this province, being read, *Ordered*, That the same be referred for further consideration till to-morrow.

The order of the day for taking into consideration the proceeding of the committee of Calvert county, on the complaint of Joseph Wilkinson against James Weems, was referred for consideration till to-morrow.

Convention adjourns till to-morrow morning, 9 o'clock.

WEDNESDAY, May 22, 1776.

Convention met. All members present as on yesterday, except Mr. Potter. The proceedings of yesterday were read.

The committee for that purpose appointed, bring in and deliver to Mr. President, a report on the proposals of Henry Hollingsworth, to manufacture gun barrels; also a report on the terms offered by Elisha Winters of Chestertown, in Kent county, to manufacture fire arms, which were severally read and ordered to lie on the table.

The proceedings of the committee of Baltimore county, on the

conduct of Alexander M'Gee, a petition from Joseph Renshaw of Baltimore county, and a petition from the freeholders and associators of Sassafras neck, Cecil county, were severally read and ordered to lie on the table.

The convention taking into consideration the resolutions of Saturday last on the charge against Samuel Purviance, jun., of Baltimore town,

Resolved, That Samuel Purviance, jun., be called before this convention, and be informed by Mr. President of the resolutions had on Saturday last on the articles of charge against him, and further, that this convention highly disapprove and condemn his conduct in usurping the power to direct the operations of the military force of this province, and in using his character of chairman, and engaging the countenance and promising the protection and indemnity of the committee, without the orders of the committee, assembled as such. That it appears to this convention, that the said Samuel Purviance in his usurpation of the power to direct the military force of this province, was considerably influenced by a person not residing in this province, nor having any interest or property therein, and that it would be of the most dangerous tendency to the peace of this province, and to the safety and security of the good people thereof, to suffer any person or persons, other than those entrusted with the proper authority by this province, and more especially such as do not reside nor have any interest therein, to interfere in the direction of the internal affairs, civil or military, of the said province. That this convention hath no intention or desire to prevent any person from freely examining into the conduct of the convention, or any other public body within this province, or into the conduct of any individuals thereof, or to exercise his judgment, or to communicate his sentiments as to the abilities or fitness of any man to fill the office to which he is appointed. That it is necessary for the purpose of filling the places of highest trust with the best and most approved characters in the community, and for the preservation of public liberty, that there should be such free investigations. But that it is equally necessary for maintaining order, that the public bodies should not be wantonly and licentiously traduced by misrepresentations of them and their conduct, to those especially who stand high in the present system of authority or command in America. That if the representations of the said Samuel Purviance concerning the convention and council of safety to the president of the congress and general Lee were true, such representations could not be serviceable to the public, because neither the president of the congress nor general Lee could

displace, nor could properly have any influence towards displacing any individual of either of those bodies, however unequal he might be to his public station. But that such representations being indeed false, the calumny might have proved highly prejudicial to the cause of America in general and to this province in particular.

That this convention are therefore of opinion, that justice would well warrant a more exemplary punishment to be inflicted on the said Samuel Purviance for his said misdoings; but that in consideration of his active zeal in the common cause, and in expectation that he will hereafter conduct himself with more respect to the public bodies necessarily entrusted with power mediately or immediately by the people of this province, and will be more attentive to propriety, this convention hath resolved, that the said Samuel Purviance for his said conduct be censured and reprimanded, and that Mr. President do from the chair censure and reprimand him accordingly, and that he be thereupon discharged.

And thereupon, the said Samuel Purviance, junior, being called in, and being at the bar of this house, Mr. President communicated to him the resolve of convention, and did censure and reprimand him accordingly.

On motion, *Resolved*, That a committee be appointed to view and value the linen manufactured and transmitted to the council of safety by Edward Parker, of Cecil county, in pursuance of his engagement with the convention at their session in December last; and Mr. Hooe, Mr. Gilpin, Mr. Ewing, Mr. Chamberlaine, and Mr. Contee, were elected by ballot a committee for that purpose.

Adjourned till 3 o'clock.

POST MERIDIEM.

Met according to adjournment. Mr. Rumsey has leave of absence.

The committee for that purpose appointed, bring in and deliver to Mr. President, a report on the memorial of Edward Lloyd, esq. which was read and ordered to lie on the table.

On reading a second time the proceedings of the committee of observation for Prince George's county, relative to the Rev. Mr. John Eversfield, *Resolved*, That in consideration of the age and infirmities of the said John Eversfield, and his want of abilities to exert any dangerous influence, that he be discharged, on paying the expenses of his confinement.

Mr. T. Johnson brings in and delivers to Mr. President a report from the committee appointed to consider of and report proper alterations or additions to the resolutions of convention, for en-

couraging the making of marine salt, which was read a first and second time, and thereupon the convention taking the same into consideration, *Resolved*, That a public salt work be erected on or near the bay near the mouth of Potowmac, and another on the seaboard of this province; and that the said works be carried on on the public account, under the management and direction of such persons as shall be appointed by the council of safety for the time being; and that any sum of public money, not exceeding the sum of five hundred pounds, may, by order of the said council of safety, be expended in erecting and carrying on each of the said works. And that for encouraging private people to set up and carry on salt works, the council of safety for the time being may, on proper security, and such terms as they approve of, advance of the public money any sum or sums not exceeding five hundred pounds, for erecting and carrying on each of two or more salt works in this province; so that such advances for the encouragement of private salt works exceed not in the whole fifteen hundred pounds common money; and that no public money be advanced for erecting and carrying on salt works under the resolution of convention held at Annapolis the 26th day of July last.

On reading a second time the report from the committee appointed to consider the proposals of Henry Hollingsworth, the convention took the same into consideration, and thereupon, *Resolved*, That the sum of five hundred pounds be advanced to the said Henry Hollingsworth, out of the public treasury, he giving bond in double that sum, conditioned for the payment of the sum so advanced in good substantial gun-barrels, that will stand the usual proof, well bored and ground, $\frac{3}{4}$ of an inch in the bore, and $3\frac{1}{2}$ feet in the barrel, at twenty shillings per barrel, and good substantial well manufactured and finished steel bayonets, at eight shillings per bayonet, in four months after the date thereof; and upon the completing the said or any subsequent contract for the like purpose, a sum not exceeding five hundred pounds on the like condition be advanced by the convention or council of safety, so long and as often as they shall think the public exigency will require it.

Resolved, That as a laudable desire to attain a competent knowledge in the art of making salt-petre, and to diffuse this knowledge as extensively as possible, appears to this convention to have been the motive that induced the said Henry Hollingsworth to incur the expense of thirty pounds, in employing a certain John Mingle, a man of reputed skill in the said business, and he being further encouraged thereto by the advice and concurrence of some of the members of this house, that the said expense be allowed in his general account as supervisor of the salt-petre work in Cecil county.

The convention took into their consideration a report from the said committee on the terms offered by Elisha Winters of Chester town in Kent county, and came to the following resolutions thereon, to wit.

Resolved, That the sum of eight hundred and fifty-five pounds common money be advanced to the said Elisha Winters out of the public treasury, he giving bond in double that sum, with sufficient security, conditioned for the delivery of 600 stand of muskets, three quarters of an inch in the bore and $3\frac{1}{2}$ feet in the barrel, to be well stocked with walnut, and well finished, with strong substantial double bridled locks, strong brass mounting, substantial steel bayonets and ramrods, and swivels for slings, agreeable to a sample this day produced to the convention, at the rate of four pounds five shillings common money for each musket so finished; the said muskets and accoutrements to be delivered to the order of the convention or the council of safety of this province for the time being, in the following proportions, to wit. Forty per month for the first three months from the date of the contract, and the residue in nine months thereafter, in proportions of not less than fifty per month; the said Elisha Winters to be furnished in due time, by order of the convention or council of safety for the time being, with barrels and bayonets, of the dimensions and quality as aforesaid, at the Head of Elk river in Cecil county, at the rate of twenty shillings common money each for the barrels, and eight shillings like money each for the bayonets. That a further sum of four hundred and twenty-seven pounds ten shillings like money be advanced him, upon the delivery of three hundred of the said muskets and accoutrements as aforesaid; and upon the delivery of the residue as aforesaid, that the further sum of four hundred and twenty-seven pounds ten shilling be paid him as the balance of the amount of the said six hundred muskets and accoutrements, at four pounds five shillings common money, deducting the cost of the barrels and bayonets as aforesaid.

On motion, *Resolved*, That all persons employed in the manufacturing or repairing of arms for the public, or in repairing arms for the use of the militia by order or appointment of any field officer of the militia, and all persons who are personally employed in erecting or working of powder mills, or in working in any public salt-petre or marine salt works, carried on for the use and on account of the public, shall, during the time they are actually so employed, within one year next following, be exempt from attending on musters.

Resolved, that no muskets or rifles, except by the owner thereof on his removal to reside out of this province, or any gun barrels,

gun locks, or bayonets, be carried out of this province, without the leave of the council of safety for the time being.

On reading a second time the petition of Charles Landsdale of Prince George's county, *Ordered*, That the same be referred to the committee appointed to examine the several claims on the treasury.

A memorial from Henry Ridgely of Elkridge, in Anne Arundel county; a memorial from Stephen Gartrill of said county; and a petition from Isaac M'Hard of the city of Annapolis; were severally read and ordered to lie on the table.

The committee for that purpose appointed, bring in and deliver to Mr. President, the following report to wit.

"The committee appointed to view and value the linen manufactured and sent to the council of safety by Edward Parker of Cecil county, do report, that seven pieces of linen delivered in to the commissary of stores, containing 281½ yards, are of the value of three shillings and six-pence currency per yard, and that one peice containing 21 yards, is of the value of two shillings and three-pence currency per yard.

All which is submitted to the honourable convention.

"Signed per order of the committee,

N. HARWOOD, clk."

Which was read and agreed to.

Sundry remonstrances and petitions from the fifth and 20th battalions of militia in Queen Anne's county, were read and ordered to lie on the table.

The convention took into consideration the proceedings of the committee of observation for Calvert county, in the cause of James Weems, and it appearing that the facts stated in the said Weems' letter to the said committee, on the 26th day of February last, are true, *Resolved*, That the said James Weems was not guilty of a breach of the resolve of oongress referred to in the proceedings of the said committee, and that the said committee erred in the determination by them made.

A petition from the officers and privates thereunto subscribed of a company of militia in Linganore, in the middle district of Frederick county, against their captain Basil Dorsey, was read and ordered to lie on the table.

The order of the day for taking into consideration the late intercepted letters to governor Eden, the proceedings of the continental congress, and of the council of safety of this province, thereupon, being read, *Ordered*, That the same be referred for further consideration till to-morrow.

Convention adjourns till to-morrow morning at 9 o'clock.

THURSDAY, May 23, 1776.

Convention met. All members present as on yesterday, except Mr. Bond. The proceedings of yesterday were read.

On motion, *Resolved*, That a committee be appointed to examine into the expenditure of the money placed in the hands of Mr. William Lux, as agent for the ship Defence; and Mr. Ringgold, Mr. Beall, Mr. Richardson, Mr. Murray, and Mr. Turbutt Wright, were elected by ballot a committee for that purpose.

Mr. Baird has leave of absence.

On motion, *Resolved*, That a committee be appointed to consider of the expediency of exempting the masters and scholars of public and others schools from attending on musters; and Mr. Plater, Mr. Scott, and Mr. T. Johnson, were elected by ballot a committee for that purpose.

The order of the day for taking into consideration the late intercepted letters to governor Eden, the proceedings of the continental congress, and of the council of safety of this province, thereupon, being read, the convention resolved itself into a committee of the whole to consider of the same; Mr. Plater in the chair. After some time spent therein, Mr. President resumed the chair, and Mr. Plater reported, that the committee had according to order, taken into their consideration the late intercepted letters to governor Eden, the proceedings of the continental congress, and of the council of safety of this province, thereupon, but not being able to go through the same, had directed him to move for leave to sit again.

Resolved, That this convention will in the afternoon resolve itself into a committee of the whole to consider further of the said letters and proceedings.

Adjourned till 3 o'clock.

POST MERIDIEM.

Met according to adjournment. Mr. Stull has leave of absence.

Mr. Ringgold brings in and delivers to Mr. President, a report from the committee appointed to report proper alterations and additions to the resolutions of convention for erecting a powder-mill, and for the examination of the accounts of the supervisors of public salt-petre works; also a report from the committee appointed to examine into the conduct of Mr. Cummins, and the reason why he has not supplied the troops with rations, agreeable to his contract with the council of safety; which were severally read and ordered to lie on the table.

Agreeable to order the convention resolved itself into a committee of the whole, to consider of the late intercepted letters to governor Eden, the proceedings of the continental congress, and of the council of safety of this province, thereupon; Mr. Plater in the chair. After some time spent thereir, Mr. President resumed the chair, and Mr. Plater reported, that the committee had according to order, taken into their consideration the late intercepted letters to governor Eden, the proceedings of the continental congress and of the council of safety of this province, thereupon, but not being able to go through the same, had directed him to move for leave to sit again.

Resolved, That this convention will on to-morrow resolve itself into a committee of the whole to consider further of the said letters and proceedings.

On motion, *Ordered*, That the commanding officer of the troops at Annapolis, permit the bail of James Conway, a private in captain Scott's company, to take the said Conway into his possession, in order to be surrendered in discharge of his said bail.

The committee for that purpose appointed bring in and deliver to Mr. President, a report on the petition of Basil Brooke, jun., which was read and ordered to lie on the table.

Mr. Gilpin from the committee appointed to receive proposals relative to the establishment of manufactories, brings in and delivers to Mr. President, a report on the memorial of Alexander M'Fadon of George-town in Frederick county; also a report from the said committee relative to a paper manufactory; which were severally read and ordered to lie on the table.

Convention adjourns till to-morrow morning, 9 o'clock.

FRIDAY, May 24, 1776.

Convention met. All members present as on yesterday, except Mr. Rumsey, Mr. Baird, Mr. Handy, and Mr. Stull. The proceedings of yesterday were read.

On hearing Mr. Daniel Hughes, as to the execution of the contract made by Samuel Hughes on the behalf of himself and the said Daniel Hughes, for the casting and furnishing cannon for the public, *Resolved*, That the enquiry be made what is the standard proof of cannon contracted for on account of the continent, and that the same proof be had of the cannon to be furnished by the said Hughes's on their contract.

Resolved, That notwithstanding the said Hughes's have not furnished the public with cannon within the time they contracted to do the same, that on their pursuing the work with diligence, the

council of safety for the time being; take the whole number contracted for on the account and for the use of the public.

The petitions of Patrick Obryan and John Brown, late farmers of his lordship's Quit-rents in Queen-Anne's county, were severally read and ordered to lie on the table.

Mr. Ringgold brings in and delivers to Mr. President, a report from the committee appointed to examine into the expenditure of the money placed in the hands of Mr. William Lux, as agent for the ship Defence, which was read and ordered to lie on the table.

A petition from George Adams was read and ordered to lie on the table.

Agreeable to the order of the day, the convention resolved itself into a committee of the whole, to consider of the late intercepted letters to governor Eden, the proceedings of the continental congress, and of the council of safety of this province, thereupon; Mr. Plater in the chair. After some time spent therein, Mr. President resumed the chair, and Mr. Plater reported from the committee several resolutions, which were read and agreed to, and thereupon,

Resolved, That it is the opinion of this convention, that the council of safety of this province, upon the subject of the late intercepted letters to governor Eden, duly and properly exercised the powers delegated to them.

Resolved, That it is the opinion of this convention, that upon the evidence before them of the correspondence which his excellency governor Eden has, from to time, held with administration, it does not appear that such correspondence has been with an unfriendly intent, or calculated to countenance any hostile measures against America.

Whereas, by a late intercepted letter from lord George Germain, one of the secretaries of state, to his excellency the governor, it appears that a great armament of land and sea forces were in readiness to proceed to the southward, in his lordships's expressions, "in order to attempt the restoration of legal government in that part of America," but in effect to invade and subdue the southern colonies; which armament was to proceed in the first place to North Carolina, and from thence either to South Carolina or Virginia, as circumstances of greater or less advantage should point out; if to the latter, it might have very important consequences to this province; and therefore in the said letter his excellency is called on well to consider of every means, by which he may, in conjunction with lord Dunmore, give facility and assistance to the operations of the said armament. And whereas, the governor must, if he re-

mains in the exercise of the powers of government, fulfil and execute the instructions of administration, or hazard the displeasure of the king, which it cannot be expected he will do.—And whereas by act of assembly of this province, the powers of government, in the absence of the governor, devolve upon the president of the council, and therefore the governor's departure cannot occasion a dissolution or suspenson of the present established form of government within this province, which this convention doth not think ought now to be changed, therefore *Resolved*, That it be signified to the governor, that the public quiet and safety, in the judgment of this convention, require that he leave this province, and that he is at full liberty to depart peaceably with his effects.

Upon the last resolve, the yeas and nays being required, they were as follow :

FOR THE AFFIRMATIVE.

<i>St. Mary's county.</i>				<i>Baltimore county.</i>			
Mr. Jordan,	-	-	aff.	Mr. Nicholson,	-	-	aff.
" Barnes,	-	-	aff.	" Tolley,	-	-	aff.
" Plater,	-	-	aff.	" Chase,	-	-	aff.
" Ford,	-	-	aff.	<i>Harford county.</i>			
<i>Charles county.</i>				Mr. Hall,	-	-	aff.
Mr. Hawkins,	-	-	aff.	" Love,	-	-	aff.
" Hooe,	-	-	neg.	" Dallam,	-	-	aff.
" J. H. Harrison,	-	-	aff.	<i>Cecil county.</i>			
" W. Harrison,	-	-	aff.	Mr. Veazey,	-	-	neg.
<i>Calvert county.</i>				" Gilpin,	-	-	aff.
Mr. Somerville,	-	-	aff.	" Thompson,	-	-	aff.
" Gantt,	-	-	aff.	" Ewing,	-	-	aff.
" Allein,	-	-	aff.	<i>Queen Anne's county.</i>			
<i>Prince George's county.</i>				Mr. Hollyday,	-	-	aff.
Mr. Beall,	-	-	aff.	" Tur. Wright,	-	-	neg.
" Contee,	-	-	aff.	" Tho. Wright,	-	-	aff.
" Tyler,	-	-	aff.	" Earle,	-	-	aff.
<i>Anne Arundel county.</i>				" Tilghman,	-	-	neg.
Mr. Carroll, barrister,	-	-	aff.	<i>Somerset county.</i>			
" T. Johnson,	-	-	aff.	Mr. G. Dashiell,	-	-	aff.
" Paca,	-	-	aff.	" Scott,	-	-	neg.
<i>Frederick county.</i>				" Waters,	-	-	aff.
Mr. Beatty,	-	-	aff.	<i>Worcester county.</i>			
" B. Johnson,	-	-	aff.	Mr. Chaille,	-	-	neg.
" Brent,	-	-	aff.	" Done,	-	-	aff.
				" J. Dashiell,	-	-	aff.

FOR THE NEGATIVE.

<i>Kent county.</i>			<i>Dorchester county.</i>		
Mr. Buchanan,	-	neg.	Mr. Goldsborough,	-	neg.
“ Sudler,	-	neg.	“ Hooper,	-	neg.
“ Slubey,	-	neg.	“ Murray,	-	neg.
“ Ringgold,	-	neg.	“ Ennalls,	-	neg.
<i>Talbot county.</i>			<i>Caroline county.</i>		
Mr. Chamberlaine,	-	neg.	Mr. Richardson,	-	aff.
“ Thomas,	-	neg.	“ Dickinson,	-	neg.
“ Edmondson,	-	neg.	“ Mason,	-	neg.

Resolved, That a committee of five persons be appointed to wait on the governor and deliver him copies of the said resolutions, together with the following address, to wit :

To his Excellency ROBERT EDEN, Esq., governor of Maryland.
May it please your excellency,

We are commanded by the convention to wait upon your excellency, and to communicate to you the resolutions they have this day entered into; and we are instructed to assure your excellency that the convention entertains a favorable sense of your conduct, relative to the affairs of America, since the unhappy differences have subsisted between Great Britain and the united colonies, as far as the same hath come to their knowledge, and of their real wishes for your return to resume the government of this province, whenever we shall happily be restored to peace and that connexion with Great Britain, the interruption and suspension of which have filled the mind of every good man with the deepest regret. From the disposition your excellency hath manifested to promote the real interests of both countries, the convention is induced to entertain the warmest hopes and expectations, that upon your arrival in England, you will represent the temper and principles of the people of Maryland, with the same candor you have hitherto shewn, and that you will exert your endeavors to promote a reconciliation upon terms that may be secure and honorable both to Great Britain and America.

Mr. President, Mr. Paca, Mr. T. Johnson, Mr. Plater, and Mr. Hollyday, were elected by ballot a committee accordingly.

On reading a second time the report from the committee appointed to examine into the expenditure of the money placed in the hands of Mr. William Lux, as agent for the ship *Defence*, *Resolved,* That the same be referred for consideration till the next session of convention.

Adjourned till 3 o'clock.

POST MERIDIEM.

Met according to adjournment. Mr. Harrison has leave of absence.

It being represented to this convention, that an appeal lately depending in the high court of appeals, between Pellett and others appellants, and Robert Long's lessee appellee, is lately dismissed, because the same could not longer continue, in the absence of the appellant's counsel, who was necessarily attending the public business as a representative in convention; and because it is fit and proper that equal justice should be done all in any general provision that may be made to aid the proceedings in courts, and prevent the loss of suits which have continued, or may continue from the present disturbed state of affairs, longer than the law allows; it is therefore *Resolved*, That no execution issue on the original judgment from which the said appeal was granted, or on the said dismissal, until the general state of the suits depending in the courts shall be considered, and remedy provided or refused to be provided to prevent their discontinuance or dismissal because of their too long continuance, and that if any execution hath issued or should issue contrary hereto, the same be not served.

An application from Dr. Charles Alexander Warfield of Anne Arundel county, for the sum of £600 to enable him to carry on a salt-petre manufactory, was read and ordered to lie on the table.

Mr. Plater brings in and delivers to Mr. President, a report from the committee appointed to consider of the expediency of exempting the masters and scholars of public and other schools from attending on musters, which was read and ordered to lie on the table.

A memorial from major Thomas Price, on behalf of himself and the officers of the rifle company from this province in the continental service, was read and ordered to lie on the table.

On motion, *Resolved*, That a court of admiralty be erected, for the purpose of determining upon such captures and seizures of vessels as are or shall be made according to the late resolves of the continental congress upon that subject, and brought into this province.

Resolved, That a committee to consist of five persons be appointed to devise a proper establishment for such court of admiralty; and Mr. T. Johnson, Mr. Paca, Mr. Plater, Mr. J. T. Chase, and Mr. Hooe, were elected by ballot a committee accordingly.

A memorial from the officers of the battalion of regulars stationed at Annapolis, was read a first and second time and referred to the consideration of a committee for that purpose to be elected;

Mr. Hollyday, Mr. Goldsborough, and Mr. Tilghman, were elected by ballot a committee accordingly.

On motion, *Resolved*, That the appointment of field officers for the militia in Kent county be postponed till the next session of convention.

The convention proceeded to ballot for field officers for the militia in Baltimore county, when the following persons were elected, to wit:

Gunpowder Battalion. Walter Tolley, jun., colonel; Darby Lux, lieutenant colonel; James Gittings, 1st major; Thomas Sollers, 2d; Benjamin Rogers, quarter master.

Soldier's Delight Battalion. Thomas Gist, sen., colonel; Samuel Owings, lieutenant colonel; John Craddock, 1st major; Isaac Hammond, 2d; Joseph Gist, quarter master.

Baltimore town Battalion. William Buchanan, colonel; John Moale, lieutenant colonel; Benjamin Nicholson, 1st major; Thomas Jones, 2d; James Calhoun, quarter master.

Convention adjourns till to-morrow morning at 9 o'clock.

SATURDAY, May 25, 1776.

Convention met. All members present as on yesterday, except Mr. Ringgold, and Mr. William Harrison. The proceedings of yesterday were read.

On motion, *Resolved*, That a committee be appointed to prepare a passport for his excellency governor Eden, and to draught a letter to the committee of safety of Virginia; and Mr. Paca, Mr. T. Johnson, and Mr. Hollyday, were elected by ballot a committee for that purpose.

Mr. Handy appeared in the house. Mr. Ewing has leave of absence.

Mr. Hollyday brings in and delivers to Mr. President, a report from the committee to whom the memorial of the battalion of regulars was referred, which was read and ordered to lie on the table.

Mr. Paca brings in and delivers to Mr. President, a report from the committee appointed to devise a proper establishment of a court of admiralty, for the trial of such captures and seizures as may be made pursuant to the late resolves of the continental congress on that subject, and brought into any port or district within this province, which was read and ordered to lie on the table.

A memorial from captain George Stricker was read and ordered to lie on table.

Mr. Turbutt Wright has leave of absence.

The convention took into their consideration the report from the committee appointed to devise a proper establishment for a

court of admiralty, for the trial of such captures and seizures as are or may be made pursuant to the late resolves of the continental congress on that subject, and brought into any port or district within this province, and thereupon came to the following resolutions, to wit:

Resolved, That a court of admiralty be established for the trial of such captures and seizures, with full power to take cognizance of all libels on account of such captures and seizures, and to proceed to a final determination and decree thereupon. Which court shall consist of a judge to hear and determine, a register to record the proceedings, and a marshal to call the said court and execute the several processes thereof; the said judge be nominated and commissioned by the convention, or in the recess thereof, to be nominated and commissioned by the council of safety for the time being; and the said register and marshal to be nominated and appointed by the judge of the said court; the commission of the said judge, and the nomination and appointment of the said register and marshal, to be during the will and pleasure of the convention for the time being; the process and form of proceeding to be as usual in the courts of admiralty: but if either libellant or defendant, or any controverted material fact between them, demand a trial of the said fact by a jury, in such case shall order and direct the marshal to summon out of the neighborhood where the court is held, a jury of freeholders to find and say the truth of the said fact on oath, and upon the verdict of the said jury, shall pronounce his decree accordingly: the final determination and decree of the said judge to be subject to such appeal, and in such manner, as recommended in the resolutions aforesaid of the congress. The fees for proceedings in this court to be the same with the fees heretofore allowed the court of admiralty by an act passed in 1763, entitled, "An act for amending the staple of tobacco, &c." the said fees to be paid in money at the rate of 12s. 6d. common money per hundred; and the allowances to juries and witnesses to be the same as heretofore made to juries and witnesses in the common law county courts of this province. This court to be held at such place as the judge shall think convenient for the trial of such captures and seizures as are or shall be made as aforesaid.

William Hayward, Esq. was unanimously elected judge of the said court of admiralty.

The committee for that purpose appointed, bring in a passport for his excellency governor Eden, and a draught of a letter to the committee of safety of Virginia, which was read and agreed to.

Adjourned till 3 o'clock.

POST MERIDIEM.

Met according to adjournment.

Whereas his Britannic majesty King George has prosecuted, and still prosecutes, a cruel and unjust war against the British Colonies in America, and has acceded to acts of parliament, declaring the people of the said colonies in actual rebellion: and whereas the good people of this province have taken up arms to defend their rights and liberties, and to repel the hostilities carrying on against them, and whilst engaged in such a contest, cannot, with any sincerity or devotion of heart, pray for the success of his majesty's arms; therefore *Resolved*, That every prayer and petition for the king's majesty, in the book of common prayer and administration of the sacraments and other rites and ceremonies of the church, according to the use of the church of England, except the second collect for the king in the communion service, be henceforth omitted in all churches and chapels in this province, until our unhappy differences are ended.

On reading a second time the report from the committee to whom the memorial of the officers of the battalion of regulars was referred, the convention took the same into consideration, and thereupon *Resolved*, That it will be most conducive to the public service, that the council of safety be at liberty to prefer such persons, as shall appear to them to be most meritorious, in which promotions the convention doubt not the council will give a proper attention to justice.

That as the contract for furnishing the troops with rations includes the officers, as well as privates, and the emoluments of the contractor being to arise upon his furnishing the rations in specie, the officers cannot be allowed the alternative of receiving the ration or cash, during the subsistence of the present contract, without a breach thereof on the part of the public.

That no person or persons shall, after the first day of June next, deal or barter with any private soldier, knowing him to be such, without the license in writing of the colonel or major of the battalion, or captain, or commanding officer for the time being, of the company or party to which such soldier shall belong, under the penalty of such sum, not exceeding fifty shillings common money, as shall be adjudged by the committee of observation for the county where such soldier shall be stationed, or where the offender shall reside. And that upon complaint of the colonel, major, captain, or other commanding officer, as aforesaid, to such committee, of any breach of this resolve, the said committee shall have power to call the

offender before them, and, upon inquiry into the complaint and conviction of the offender, to impose such fine upon him or her, as in their discretion they shall adjudge, not exceeding the said sum of fifty shillings. And, upon non-payment thereof may, by warrant under their hands, empower any person they shall judge proper to levy the same, by distress and sale of the goods of the offender; which fine, when so levied, shall be paid into the hands of the captain or commanding officer for the time being of the company or party to which such soldier shall belong, and by him paid to the treasurer of that shore where the offence shall be committed.

That a court martial shall be empowered to punish theft, committed by any soldier enlisted in the service of this province, by fine, not exceeding forty shillings common money, or by whipping on the bare back, not exceeding thirty-nine lashes for any one offence, at the discretion of such court martial.

On motion, *Resolved*, That it be recommended to the committees of observation to require the owners of cattle kept on the islands, where they may think such cattle will probably otherwise fall into the hands of the enemy, to remove such cattle and afford them the necessary assistance to do the same.

The convention took into consideration the report from the committee appointed to consider the expediency of exempting the masters and scholars of the public and private schools from attending musters, and thereupon *Resolved*, That the masters and scholars of the several schools, both public and private, in the province of Maryland, except the masters and scholars of the free-school at Chestertown in Kent county, shall hereafter be exempted from exercising either in the several militia companies, wherein they are or may be enrolled, or in battalion upon battalion days, and instead thereof shall exercise in companies, whereof the masters and tutors shall act as officers, at least once every week. It being the sense of this convention, that the masters and scholars shall be exempted from exercising with the militia, but that no master or scholar, between the ages of sixteen and fifty, shall be exempted from enrolling in the militia, and, upon an alarm, marching with the respective companies, in which they now are, or may be enrolled.

On reading a second time the report from the committee appointed to consider and report proper alterations and additions to the resolves of convention, for erecting a powder mill, and for examination of the accounts of the supervisors of the public salt-petre works, the convention took the same into consideration, and came to the following resolutions thereon.

Whereas, at a convention held at Annapolis the 26th day of July last, it was *Resolved*, That a sum not exceeding one thousand pounds, common money should be appropriated for erecting and working a powder mill, on the account of this province. And, by a resolution of the last session of convention, the council of safety were empowered to advance on loan for two years without interest, on bond with good security, any part of the said one thousand pounds to such person or persons as would undertake and give good security for erecting and working a powder mill, on the terms in the same resolution mentioned; the same powder mill to be erected within fourteen and not less than six miles from Baltimore town; but no contract having been yet made for erecting a powder mill in this province, owing in some measure to the limitation of the distance from Baltimore town, within which the said powder mill is directed to be built, and because it is hoped and expected that a greater quantity of salt-petre will be manufactured in this province than can be made into gunpowder at one mill, and one mill cannot make a sufficient quantity of gunpowder for the use of the inhabitants of this province; it is therefore *Resolved*, That the said one thousand pounds, or any part thereof that may be necessary, be applied and expended by the council of safety for the time being, in erecting and working a powder mill within this province, on account of the public. And that a sum of money not exceeding £500 be advanced by the council of safety for the time being, to any person who will undertake and give security for erecting a powder mill at any place within this province, which shall be thought proper by the council of safety, on the terms of the said resolution of the last session of convention. And to encourage and induce the good people of this province to make crude nitre, it is *Resolved*, That to every person who will carry in and deliver at the said public powder mill, within one year next after the same shall begin to work, any quantity of good crude nitre manufactured within this province, there shall be delivered good gunpowder, after the rate of three quarters of a pound of powder for one pound of good crude nitre.

That instead of the two shillings per pound, directed to be paid by the supervisors of salt-petre works, to private persons manufacturing and delivering crude nitre, there be allowed and paid, after the rate of three shilings and nine pence for every pound of good crude nitre so manufactured and delivered.

And whereas the several supervisors of the public salt-petre works, except those of Kent, Queen Anne's, Prince George's, and Calvert counties, have omitted to lay their accounts before this

convention, it is *Resolved*, That the examination of such accounts lay over to the next session of convention, and that the supervisors be, and they are hereby directed to lay a full state of their accounts, and the success of the works under their care, before this convention at their next sitting.

The convention took into their consideration a report from the committee appointed to receive proposals relative to the establishment of manufactories within this province, and thereupon *Resolved*, That the sum of three hundred pounds common money, without interest till the first day of May next, be advanced to Alexander M'Fadon, of Georgetown, in Frederick county, he giving bond with good security, to make a return or payment thereof in good linen, of such quality as this or a future convention, or in their recess, the council of safety of this province shall and may order and direct, in the proportions and at the times following, to wit: one third part thereof on or before the first day of November next, and the remainder on or before the first day of May ensuing, at such rates and prices as may be allowed by the said convention, or the council of safety, in the recess thereof.

Resolved, That the council of safety of this province be empowered to advance to Edward Parker of Cecil county, any sum of money not exceeding three hundred pounds common money, on his complying with his former contract, on the terms and conditions, and for the purposes in his said former contract mentioned, so long and as often as the said council of safety shall conceive the public exigencies shall require the same.

On reading a second time the report from the committee appointed to devise ways and means for the establishment of a paper manufactory, the convention took the same into consideration, and thereupon, *Resolved*, That the sum of four hundred pounds common money, be advanced to James Dorsett of Baltimore county, he giving bond with sufficient security, to repay the same within two years without interest, either in cash, or writing or cartridge paper, or in such proportions of each as this or a future convention, or council of safety in their recess, shall direct and order, that is to say, one third part thereof within twelve months, and the other two-thirds within two years from the date of said bond; he at the same time engaging to build a mill for that purpose within six months from the date of his said contract, and to sell to the inhabitants of this province any kind of paper which he may make, as cheap as the same can or shall be sold at any mill in the province of Pennsylvania.

Edward Lloyd of Talbot county, Barnaby Egan and Basil Brooke, jun., of Calvert county, William Farris and John Brewer of Anne

Arundel county, and George French and Joshua Tesstill of Frederick county, have applied to this convention to be relieved from the fine assessed on them respectively for not enrolling, and this convention not having time now fully to examine into the merits of the several applications, *Resolved*, That the committee forbear to levy the said fines until the end of the next session of convention, and to stay all further proceedings therein.

On motion, *Resolved*, That a pay-master be appointed for the eastern shore, and that he be allowed the sum of twelve dollars per month for executing the said office.

Resolved, That the said pay-master, before he enter upon the execution of his office, give bond with sufficient security, in the sum of five thousand pounds current money, payable to the honorable Matthew Tilghman and James Lloyd Chamberlaine, esqrs., for the due execution of his said office.

Resolved, That the sum of twelve dollars per month be from henceforth deducted from the salary of the pay-master of the western shore.

Mr. Robert Lloyd Nicols was elected by ballot to the said office of paymaster for the eastern shore.

Whereas, it is highly necessary that regular and methodical accounts of all public monies should be kept, that the due expenditure thereof may at all times be readily evinced, it is *Resolved*, That a committee or board of two persons be appointed, who shall and may, in the recess of convention, cause a set of books to be opened, and proper accounts to be raised, entered and made up, of the expenditure, loan, or other disposition, of all public moneys by or under the authority of convention; and for that purpose, that the said committee, or board, be empowerd to appoint and employ a skilful accountant. Each of the said two persons to be allowed fourteen shillings for every day he shall be employed in the service aforesaid, and the said accountant to be allowed and paid such reasonable reward, as the said committee, or board, shall agree for with him.

Mr. Ringgold and Mr. Richardson were elected by ballot to compose the said board.

It is declared, that the captain of the company of light infantry, having an elder commission, is entitled to and hath precedence of any captain having a commission of a later date.

The convention having on motion, considered the situation of the officers and privates of captains Barnes' and Elliott's companies of militia, in Kent island, do *Resolve*, That the said companies be not hereafter obliged to join in battalion off the said island,

unless when the public service may require, that they should march to some other part of this province, any thing in the proceedings of the last convention, or the committee of observation for Queen Anne's county notwithstanding.

Resolved, That the said two companies meet and exercise together at such times and places, on the said island, as the field officers of the battalion to which they belong shall appoint, not oftener than once in every week, nor seldomer than once in every two months, the day of their exercising together being accounted as the day of exercise for the week.

Resolved, That captain George Noble Sweat's company of militia, in Queen Anne's county, be added to the twentieth battalion of militia of this province.

On motion, *Resolved*, That all petitions, applications and reports to convention this present session, and all petitions, applications, and reports to convention in their last session, whereon no final order hath been made, be referred for consideration to the next session of convention.

On motion, *Resolved*, That nine persons, five of whom residing on the western, and four on the eastern shore, be elected by ballot a council of safety, and be and continue such until the end of the next session of convention; and that until that time, they, or any four of them, having taken the oath prescribed to be taken by the council of safety, by a resolution of the last session of convention, shall have and exercise the like and same powers, as the present council of safety had or might exercise under the resolutions of the last session of convention, from the time of their appointment until the end of this session.

The ballots being accordingly taken, Daniel of St. Thomas Jenifer, Charles Carroll, barrister, John Hall, Benjamin Rumsey, and George Plater, Esquires, of the western shore, and James Tilghman, Thomas Smyth, Thomas Bedingfield Hands, and William Hayward, Esquires, of the eastern shore, appeared to be and were declared duly elected.

Resolved, That each member of the council of safety be allowed and paid fourteen shillings common money, out of the treasury of this province, for every day such member shall sit, or be absent from home on public business.

The journal of accounts was read and assented to.

Ordered, That the treasurer of the western shore pay the several sums allowed in the same.

Ordered, That James Hollyday and Jeremiah Townley Chase, esqrs., revise the journal of the proceedings of this convention.

The convention adjourns till the first Monday in August next, to sit at this place, but the council of safety may convene the convention at any other time or place, if they shall judge it necessary.

Signed by order of the convention,

GABRIEL DUVALL, clerk.

PROCEEDINGS OF THE CONVENTION
OF THE
PROVINCE OF MARYLAND,

HELD AT

The City of Annapolis, on Friday, the twenty-first of June,
1776.

At a convention of DELEGATES for the province of Maryland, at the city of Annapolis, on Friday the 21st June, 1776,

PRESENT,

The honorable MATTHEW TILGHMAN, Esq., President.

For St. Mary's county.

Richard Barnes,

George Plater,

Athanasius Ford.

Charles.

Robert T. Hooe,

Joseph H. Harrison.

Calvert.

Alexander Somerville,

Edward Gantt,

Patrick Sim Smith,

William Allein.

Prince George's.

Joseph Sim,

Thomas Contee.

Anne Arundel.

Charles Carroll, barrister,

Thomas Johnson, jr.

Samuel Chase.

Frederick. Lower district.

Henry Griffith.

Middle.

Charles Beatty,

Baker Johnson.

Upper.

John Stull,

William Baird.

Harford.

Thomas Bond,

Richard Dallam.

Baltimore.

Jeremiah T. Chase.

Kent.

Robert Buchanan,

P. Letherbury,

Emory Sudler,

William Sluby.

Queen Anne's.

James Hollyday,

Turbutt Wright,

Richard T. Earle,

James Tilghman,

Talbot.

Nicholas Thomas,

Pollard Edmondson.

Dorchester.

Robert Goldsborough,

Henry Hooper,

James Murray,

W. Ennalls.

Caroline.

William Richardson,

Richard Mason.

Somerset.

George Dasheill,

Gustavus Scott,

Peter Waters.

Worcester.

Peter Chaille,

Samuel Handy,

Joseph Dasheill.

A letter from the president of the congress, together with resolutions of the 1st, 3d, and 4th of June, were laid before the convention and read.

Ordered, That the same be referred to a committee, to report

their opinion thereon, and Mr. T. Johnson, Mr. Hollyday, Mr. S. Chase, Mr. Goldsborough, and Mr. Plater, were elected by ballot a committee for that purpose.

A memorial from John Weston of Baltimore county was read and ordered to lie on the table.

On motion, *Resolved*, That the president of the convention inform the deputies of this province in congress, that their attendance in convention is desired; and that they move congress for permission to attend here, but that they do not leave the congress without such permission, and without first having obtained an order that the consideration of the questions of independence, foreign alliance, and a further confederation of the colonies shall be postponed until deputies from this province can attend congress, which shall be as soon as possible.

Adjourned till 4 o'clock.

POST MERIDIEM.

Convention met. Mr. Veazey, Mr. Gilpin, Mr. Ewing, Mr. Thompson, Mr. Beall, Mr. Lloyd, and Mr. Jordan, appeared in the house.

A petition from William Hindman, treasurer of the eastern shore, was read and ordered to lie on the table.

A petition from Barton Tabbs, of Calvert county, praying an exemption from mustering, which was read a first and second time: *Resolved*, That the same be rejected.

On reading a second time the petition from William Hindman, treasurer of the eastern shore, *Resolved*, That Alexander Irvine, and Charles Irvine of Talbot county, be added to the signers of bills of credit.

Convention adjourns till to-morrow morning, 9 o'clock.

SATURDAY, June 22, 1776.

Convention met. All members present as on yesterday, except Mr. Sluby. The proceedings of yesterday were read. Mr. Ringgold appeared in the house.

A petition from Michael Cocendofer of Frederick county, for three hundred pounds, to enable him to carry on a stocking manufactory, was read and ordered to lie on the table.

Convention adjourns till Monday morning, 9 o'clock.

MONDAY, June 24, 1776.

Convention met. All members present as on Saturday. The proceedings of Saturday were read. Mr. Tolley, Mr. Love, Mr.

Thomas Wright, Mr. Carroll of Carrollton, Mr. Reeder, and Mr. Hawkins, appeared in the house.

On motion, *Resolved*, That the council of safety be requested to lay before the convention the names of the several persons to whom passports have been granted to depart this province.

A petition from John M'Fadon of Baltimore town, for a sum of money for the purpose of carrying on a linen manufactory; and a petition from William Wright, sheriff of Queen Ann's county, were read and ordered to lie on the table.

On motion, *Resolved*, That no passport to leave America be granted by the council of safety to any person not an inhabitant of this province, unless such person produce a passport from the assembly, convention, committee, or council of safety, of the colony where such person did last reside.

On motion, *Resolved*, That the council of safety be directed to grant a passport to Matthew Brown, Esq. to depart this province.

Ordered, That the clerk write to the several absent members, requiring their immediate attendance in convention.

Adjourned till 3 o'clock.

POST MERIDIEM.

Convention met. Mr. Mackall appeared in the house.

The committee for that purpose appointed, bring in and deliver to Mr. President a report on the resolutions of congress of the third day of this instant, which was read and ordered to lie on the table.

On motion, *Resolved*, That all questions be determined by a majority of members.

The yeas and nays being required on the above question, they were as follow :

FOR THE AFFIRMATIVE.

<i>For St. Mary's county.</i>		<i>Calvert county.</i>	
Mr. Jordan	aff.	Mr. Mackall	aff.
Mr. Barnes	aff.	Mr. Somerville	aff.
Mr. Plater	aff.	Mr. Gantt	aff.
Mr. Reeder	aff.	Mr. Smith	aff.
Mr. Ford	aff.	Mr. Allein	aff.
<i>Charles county.</i>		<i>Prince George's county.</i>	
Mr. Hawkins	aff.	Mr. Sim	aff.
Mr. Hooe	aff.	Mr. Beall	aff.
M. J. H. Harrison	aff.	Mr. Contee	aff.

<i>Anne Arundel county.</i>		Mr. Beatty	aff.
Mr. Carroll, barrister	aff.	Mr. B. Johnson	aff.
Mr. T. Johnson	aff.	Mr. Baird	aff.
Mr. S. Chase	aff.	<i>Harford County.</i>	
Mr. Carroll of Carrollton,	aff.	Mr. Bond	aff.
<i>Frederick County.</i>		Mr. Love	aff.
Mr. Griffith	aff.	Mr. Dallam	aff.

FOR THE NEGATIVE.

<i>Queen Anne's County.</i>		Mr. Hooper	neg.
Mr. Hollyday	neg.	<i>Somerset County.</i>	
Mr. Tur. Wright	neg.	Mr. G. Dashiell	neg.
Mr. Tho. Wright	neg.	Mr. Scott	neg.
Mr. Earle	aff.	Mr. Waters	neg.
Mr. J. Tilghman	neg.	<i>Worcester County.</i>	
<i>Dorchester County.</i>		Mr. Chaille	neg.
Mr. Goldsborough	neg.	Mr. Handy	neg.
Mr. Murray	neg.	Mr. J. Dashiell	aff.

DIVIDED.

<i>Cecil county.</i>		Mr. Sudler	neg.
Mr. Veazey	neg.	Mr. Ringgold	aff.
Mr. Gilpin	aff.	<i>Talbot county.</i>	
Mr. Thompson	neg.	Hon. Mr. Tilghman, Esq.	aff.
Mr. Ewing	aff.	Mr. Thomas	neg.
<i>Kent county.</i>		Mr. Edmondson	neg.
Mr. Buchanan	neg.	Mr. Lloyd	aff.
Mr. Letherbury	aff.		

On motion, *Resolved*, That the yeas and nays be taken and entered on the journal, if required by any one of the delegates.

M. Chamberlaine, Mr. Potter, Mr. Dickinson, and Mr. Moale, appeared in the house.

The letters of captain Montagu, and of Robert Eden, Esq. of this day, to the council of safety, were laid before the convention, and on consideration thereof *Resolved unanimously*, That the said captain Montagu, by detaining several servants belonging to the inhabitants of this province, and by refusing to deliver up a soldier who deserted from the service of this colony, hath violated the truce and acted in manifest violation of his promise to preserve the same sacred.

Ordered, That the commanding officer do not permit any baggage or effects belonging to Robert Eden, Esq. or any other person on board the Fowey, to be carried on board the said ship; and to take care that all communication with the said ship immediately cease.

Ordered, That the letters of captain Montagu to Robert Eden Esq. of yesterday, and the several letters from the council of safety, of this day, to captain Montagu and Robert Eden, Esq. and their answers, together with the above resolve and order, be immediately published.

Ordered, That the ship Defence and her tender immediately proceed down the Bay, and prevent, as far as possible, any plunder being committed by the captain of the Fowey; but it is the opinion of this convention, that she should not attack the said ship.

Convention adjourns till to-morrow morning at 9 o'clock.

TUESDAY, June 25, 1776.

Convention met. All members present as on yesterday. The proceedings of yesterday were read. Mr. Rumsey and Mr. Currer appeared in the house.

On motion, *Resolved*, That a committee be appointed to examine and adjust the several claims on the treasury; and that Mr. Earle, Mr. Contee, Mr. Tolley, Mr. Hooe, and Chamberlaine, be a committee for that purpose.

Ordered, That the debates and proceedings of this convention be public, unless in cases where it shall be otherwise directed.

The convention being informed, that writs of election have been issued in the name of the proprietary, for the election of delegates in assembly, *Resolved*, That the said writs be not obeyed, and that no election be made in consequence thereof.

Mr. John Courts Jones was appointed assistant clerk to the convention. *Ordered*, That he qualify himself as such, by taking the oath-directed to be taken by the clerk.

On motion, *Resolved*, That the council of safety contract for the building, fitting out, and equipping, with all expedition, seven row galleys, of such construction and force as they may think most proper, and at the public expense, instead of the seven gondolas directed to be built by resolutions of this convention in the last session thereof.

On motion, *Resolved*, That the council of safety immediately order detachments of the militia to such convenient posts as may be judged necessary to prevent any communication with the Fowey man of war.

On motion, *Resolved*, That a committee be appointed to report on the establishment of manufactories; and that Mr. Gilpin, Mr. Earle, Mr. Ewing, Mr. Beall, and Mr. Letherbury, be a committee for that purpose.

A memorial from George Wells of Baltimore town, ship carpenter, was read and ordered to be referred to the committee of claims.

Adjourned till 3 o'clock.

POST MERIDIEM.

Convention met.

A certificate of the qualification of Mr. Jones was produced and filed.

The convention took into their consideration the report on the resolutions of congress of the third day of this instant, and thereupon came to the following resolutions:

Resolved unanimously, That this province will furnish 3405 of its militia, to form a flying camp, and to act with the militia of Pennsylvania and the Delaware government in the middle department; that is to say, from this province to New York inclusive, according to the request of the congress in their resolutions of the 3d day of this instant June.

That for that purpose four battalions be instantly raised, each of them to consist of nine companies, and each company to consist of ninety men, to wit. One captain, two lieutenants, one ensign, four sergeants, four corporals, one drummer, one fifer, and seventy-six privates; each of the said battalions to be commanded by one colonel, one lieutenant-colonel, and one major; and that to each battalion there be allowed a quarter master, an adjutant, a surgeon, and two assistants; and that over and above the said battalions, there be also instantly raised one other company, to consist of one captain, three lieutenants, four sergeants, four corporals, one drummer, one fifer, and ninety-six privates; and that the whole of the said militia so to be raised be commanded by a brigadier-general, who shall have the appointment of a brigade-major.

That warrants immediately issue to such persons as shall be appointed by this convention to take the enrollments of the said non-commissioned officers and privates; which enrollments shall be made up of those who shall voluntarily offer themselves for the said service, and subscribe an enrollment in the following words, to wit. "We the subscribers, do hereby enroll ourselves to serve as militia of Maryland in the middle department, that is to say, from this province to New-York inclusive, until the first day of December next, unless sooner discharged by the honourable congress according to the resolutions of the convention of Maryland, held at Annapolis the 21st day of June, 1776."

That the said warrants be in the following form, to wit.

By the convention of Maryland, June 25, 1776.

You are empowered to enroll———effective freemen, to act as militia of this province in the middle department according to the resolutions of this convention, and the form of enrollment herewith delivered to you; on your doing which, and their passing as effective, you are to be entitled to and shall receive a commission as captain, as first-lieutenant, or second-lieutenant, or ensign, as the case may be, of a company to be composed partly of those you enroll.

MATTHEW TILGHMAN, president.

To —— of —— county.

That thirty men be expressed in the warrant to a captain, twenty men in the warrant to each of the lieutenants, and sixteen men in the warrant to the ensign of the said companies.

That all enrollments be returned to the convention or council of safety as soon as filled up, or if not completed by the twentieth day of July at the farthest; and if any of those to whom warrants shall be directed cannot enroll the full number of effective freemen by that day, the convention if sitting will, or the council of safety in the recess of convention shall, issue a commission to the person to whom the warrant shall have been directed, or to any other person as may best promote and forward the service; but a commission shall issue of course in every case where the full number shall be enrolled according to the warrant:

That none of the said militia be compelled to serve out of the said limits, or beyond the said first day of December next, and during the time of their service shall be under the command of the general officer, as such, who shall be appointed by the congress, and shall be subject and liable to the rules and regulations already provided by this convention for the government of the militia when called into actual service, and no other.

That as camp kettles cannot be had, the said militia be supplied with 850 small iron pots or kettles with bales, at the expense of this province, and that they be also furnished with cartouch boxes, and as far as may be, with tents.

That such of the militia who have effective firelocks use the same; that such of them as have firelocks not effective, but that may be made so by small repairs, have such repairs done at the expense of this province, and use their own firelocks, and those who have not sufficient firelocks be furnished by the council of safety, out of the arms now belonging to, or that shall be procured for the use of the public, and by the committee of observation in the respective county where they enlist, out of the arms in their keeping delivered in by or taken from those who have not subscribed the association,

or have not enrolled in the militia, so far as such arms will extend and the deficiency shall be made up by borrowing the firelocks of such of the militia as will lend on the public faith, which is hereby pledged to return the same in the like order as received, or in case of loss, the value thereof. And all firelocks so lent, shall be valued by to freeholders, and a certificate given to the owner by the officers who enrolled the men supplied therewith, of the receipt and value of the same arms.

That all arms so furnished by the council of safety, or committee of observation, or lent as aforesaid, as well as the tents, cartouch boxes, kettles and pots, shall be carefully preserved and returned, and if any shall not be returned from gross negligence, the captain of the company where such negligence shall be suffered, shall be answerable to the public for the loss, and the immediate delinquent to the captain.

That the council of safety in the recess of convention direct the formation of the companies in battalions, and appoint what companies shall compose such battalions.

That for ascertaining the rank of the captains, lieutenants and ensigns of the said companies, commissions shall issue by the convention or council of safety, and be dated of the day such captain, lieutenant, or ensign shall have enrolled the number of men expressed in his warrant; and rank as between officers of equal degree, shall take place according to such date; but where there shall be enrollments completed on the same day by officers of the same degree, the rank shall be settled by ballot between such officers, and the commissions marked accordingly.

That on the issuing of the warrants or granting commissions as aforesaid, there be paid by the treasurer of the shore where such person resides, on producing an order from the council of safety, the sum of £69 15 0 to each captain, £46 10 0 to each lieutenant, and £37 5 0 to every ensign, out of the bills of credit, to be advanced to the non-commissioned officers and privates in part of their wages, at the discretion of the officer, who shall be answerable for, and accountable to this province for the money advanced as aforesaid.

That as some of the militia may be under contracts to perform particular services by the year, month, or other time, any such who shall enroll as aforesaid, shall be entitled to their wages for the time they shall have continued in the service of their employer in consequence of such contract, in proportion to the time they shall have served.

That the several companies shall be mustered and passed by

some one of the field officers of the county where such company shall be raised, and the captain shall return two copies of his muster roll, certified by the field officer who musters the men, to the council of safety, who shall transmit one of the copies to the congress.

A letter from captain Montagu, of the Fowey ship of war, of this day, to the president of the council of safety, was laid before the convention and read. Thereupon it is ordered, that the president of the council of safety be directed to write a letter to captain Montagu, in the following words, to wit :

In Council of Safety, 25th June, 1776.

SIR—By command of the council of safety I enclose you their resolution of yesterday, which expresses the occasion of discontinuing an intercourse with the Fowey, which was wished and expected to have ended more satisfactorily. Any measures that may be attempted for the ostensible cause of stopping the governor's baggage must properly be imputed to your breach of the truce, and will be resented in full proportion to the injury.

Convention adjourns till to morrow morning, 9 o'clock.

WEDNESDAY, June 26, 1776.

Convention met. All members present as on yesterday. The proceedings of yesterday were read.

Ordered, That the small tender belonging to the Defence be stationed between Greenbury's and Horn point, one armed boat between Tolley's and Horn point, and one other armed boat between Greenbury's and Hackett's point, to prevent any communication with the Fowey, and that the council of safety carry this order into execution.

A petition from Turbutt Betton of Queen Anne's county, and a representation from Daniel Dulany of Annapolis, were read and ordered to lie on the table.

The proceedings of the committee of observation for Anne Arundel county against William Yeldell, who had refused to sign the association, were laid before the convention and read, and on consideration thereof, *Ordered*, That the said William Yeldell give bond with such sureties as shall be approved of by the committee of Anne Arundel county, in the penalty of one hundred pounds current money, with condition agreeable to the resolve of the December convention; that he pay the charges of his imprisonment, and on payment and giving bond, be discharged.

William Bishop was brought before the convention on suspicion of having been aiding and assisting in carrying Peter Craufurd and James M'Caskie on board the Fowey man of war, and upon in-

quiry it appearing that the said Bishop had been so aiding and assisting, it is *Resolved*, That the said Bishop give bond with security, payable to the president, in the sum of two hundred pounds common money, for his appearance at the next convention, and for his good behaviour in the mean time.

Convention adjourns till to-morrow morning, 9 o'clock.

THURSDAY, June 27, 1776.

Convention met. All members present as on yesterday, except Mr. J. Tilghman, absent on account of the indisposition of one of his children. The proceedings of yesterday were read.

A petition from Robert Long of Baltimore county, and a representation from John Clapham and William Eddis of the city of Annapolis, were read and ordered to lie on the table.

Mr. Hall appeared in the house.

On motion, *Resolved*, That the proportion of militia to be furnished by this province for the flying camp, be composed of one company from St. Mary's county, two companies from Charles, one from Calvert, three from Prince George's, five from Anne Arundel nine from Frederick, four from Baltimore, two from Harford, two from Cecil, two from Kent, two from Queen Anne's, one from Talbot, and two from Caroline, to consist of one captain, two lieutenants, one ensign, four sergeants, four corporals, one drummer, one fifer, and seventy-six privates; and one company from Dorchester county, to be composed of one captain, three lieutenants, four sergeants, four corporals, one drummer, one fifer, and ninety-six privates.

The convention proceeded to the election of officers for the militia to be raised for the flying camp.

Mr. Thomas Johnson, jr., was elected brigadier-general to command the said militia.

For the battalion to be raised in Frederick county, Mr. Otho Holland Williams, colonel, Mr. Charles Greenbury Griffith, lieutenant-colonel, and Mr. Henry Shryock, major.

Adjourned till 3 o'clock.

POST MERIDIEM.

Convention met, and resumed the election of officers.

For the battalion to be raised on the eastern shore, Mr. James Kent was elected colonel, Mr. Joseph Earle, lieutenant-colonel, and Mr. William Hopewell, major.

For the lower battalion to be raised on the western shore, Mr. John Dent was appointed colonel, Mr. John Addison lieutenant-colonel, and Mr. James Eden, major.

For the upper battalion, Mr. Josiah Carvil Hall, was elected colonel.

Convention adjourns till to-morrow morning, 9 o'clock.

FRIDAY, June 28, 1776.

Convention met. All members present as on yesterday. The proceedings of yesterday were read.

On motion, *Resolved*, That the council of safety be directed to provide a magazine in some convenient place on the eastern shore, for the reception of warlike stores.

On reading a letter from the committee of observation for Somerset county, *Ordered*, That major Price take command of, and direct so many of the independent companies on the eastern shore to march immediately to the lower part of Somerset county, as he may think proper; and that if necessary, he be assisted with, and command such of the militia as shall be called on by a committee to be appointed by this convention; that he proceed to disarm all such persons in that county as shall from good grounds appear to such committee to be disaffected, and to take into custody all such disaffected persons as shall be ordered by the said committee.

Resolved, That George Plater and John Hall, esqrs., be a committee, and repair as soon as may be to Somerset county, and there take such measures as may unite that county with the other counties of this province; that they direct all persons who shall on good grounds appear to them to be disaffected, to be disarmed, and any disaffected persons to be taken into custody and sent to the council of safety, as they may think proper; that they have powers to make such regulations and orders as may in their judgment best secure obedience to the resolves of the convention, and peace and good order in that county; that major Price, the independent companies, and the militia, be subject to the control and orders of the said committee, and that they report their proceedings to the next convention.

On reading a letter from captain James Hindman, *Ordered*, That James Dickinson, William Thomas, John Stevens, and Nicholas Martin, appear before this convention on Tuesday next, to answer for their conduct in carrying live stock on board the Fowey.

Adjourned till 3 o'clock.

POST MERIDIEM.

Convention met.

A memorial from the council of safety was read and ordered to lie on the table.

Mr. Gantt has leave of absence till Monday next.

Resolved unanimously, That the instructions given by the convention of December last (and renewed by the convention in May) to the deputies of this colony in congress, be recalled, and the restrictions therein contained removed; that the deputies of this colony attending in congress, or a majority of them, or any three or more of them, be authorised and empowered to concur with the other united colonies, or a majority of them in declaring the united colonies free and independent states, in forming such further compact and confederation between them, in making foreign alliances, and in adopting such other measures as shall be adjudged necessary for securing the liberties of America, and this colony will hold itself bound by the resolutions of a majority of the united colonies in the premises: provided, the sole and exclusive right of regulating the internal government and police of this colony be reserved to the people thereof. Mr. Sluby appeared in the house.

Convention adjourns till to-morrow morning, 9 o'clock.

SATURDAY, June 29, 1776.

Convention met. All members present as on yesterday, except Mr. Gantt. The proceedings of yesterday were read.

On motion, *Resolved,* That the bills of credit issued by the congress and the conventions of this province, be received by the commissioners of the loan office in payment of any interest due to the said office.

Ordered, That the above resolution be published in the Maryland Gazette.

The convention resumed the election of officers. Mr. William Hyde was elected lieutenant-colonel of the upper battalion on the western shore, and Dr. John Cradock major.

For the company to be raised in St. Mary's county, Uriah Forrest was appointed captain, Wm. Bond, 1st lieutenant; Moses Tabbs 2d lieutenant, and Edward Mattiuly ensign.

For the companies in Charles county, Thomas Hanson, captain; George Dent 3d, 1st lieutenant; Samuel Jones, 2d lieutenant; and William Adams, ensign. Belain Posey, captain; Henry Boarman, 1st lieutenant; John Forbes, 2d lieutenant; and Gerard Fowke, ensign.

Calvert. John Brooke, captain; Frederick Skinner, 1st lieutenant; Nathaniel Wilson, 2d lieutenant, and James Somerville, ensign.

Prince George's. John Hawkins Lowe, captain; John Magruder Burgess, 1st lieutenant; William Duvall, 2d lieutenant; and

Horatio Clagett, ensign. Robert Bowie, captain; Benjamin Brooks, 1st lieutenant; William Dent Beall, 2d lieutenant; and Colmore Beans, ensign. Alexander Howard Magruder, captain; William Sprigg Bowie, 1st lieutenant; Benjamin Contee, 2d lieutenant; and Alexander Truman, ensign.

Anne Arundel county. Edward Norwood, captain; Samuel Godman, 1st lieutenant; John W. Dorsey, 2d lieutenant; and Richard Talbott, ensign. Edward Tillard, captain; Samuel Lloyd Chew, 1st lieutenant; John Sprigg Belt, 2d lieutenant; and John Gasaway, ensign. Daniel Dorsey, captain; Joseph Burgess, 1st lieutenant; John Lorah, 2d lieutenant; and Michael Burgess, ensign. James Disney, captain; Henry Ridgely, 1st lieutenant; Jonathan Sellman, 2d lieutenant; and Edward Spurrier, ensign. Thomas Hammond, captain; Thomas Mayo, 1st lieutenant; Joshua Merriken, 2d lieutenant; and Andrew Hammond, ensign.

Frederick. Lower district. Edward Burgess, captain; John Gaither, 1st lieutenant; Thaddeus Beall, 2d lieutenant; and Thomas Edmondson, ensign. Leonard Deakins, captain; Thomas Nowland, 1st lieutenant; Elisha Williams, 2d lieutenant; and John Griffith, ensign. Benjamin Spyker, captain; Greenbury Gaither, 1st lieutenant; Richard Anderson, 2d lieutenant; and Nicholas, Scybert, ensign. ✓

Middle District. Philip Meroney, captain; Elisha Beall, 1st lieutenant; John Hellen, 2d lieutenant; and William Beatty, jun., ensign. Jacob Good, captain; John Baptist Thompson, 1st lieutenant; John Ghiselin, 2d lieutenant; and John Smith, ensign. Peter Mantz, captain; Adam Groth, 1st lieutenant; Peter Adams, 2d lieutenant; and John Richardson, ensign.

Upper district. Æneas Campbell, captain; Clement Hollyday, 1st lieutenant; John Courts Jones, 2d lieutenant; and David Lynn, ensign. John Reynolds, captain; Moses Chapline, 1st lieutenant; Christian Orndorff, 2d lieutenant; and Nathan Williams, ensign. ✓ Henry Hardman, captain; Daniel Stull, 1st lieutenant; Peter Contee Hanson, 2d lieutenant; and John Rench, ensign.

Baltimore. Zachariah Maccubbin, captain; Thomas Yates, 1st lieutenant, John Christie, 2d lieutenant; and Thomas Lingan, ensign. John E. Howard, captain; Thomas Lansdale, 1st lieutenant; William Riley, 2d lieutenant; and Robert Morrow, ensign. John Stevenson, captain; Edward Oldham, 1st lieutenant; James Ogleby, 2d lieutenant; and Joseph Lewis, ensign. James Young, captain; James Bond, 1st lieutenant; John Smith, 2d lieutenant; and James Tool, ensign.

Harford. Aquila Paca, captain; John Beedle Hall, 1st lieutenant.

ant; Michael Gilbert, 2d lieutenant; and John Patterson, ensign. Bennet Bussey, captain; Joshua Miles, 1st lieutenant; Azahel Hitchcock, 2d lieutenant; and Aquila Amos, ensign.

Cecil. Joshua George, captain; William Veazey, 3d, 1st lieutenant; John Stockton, 2d lieutenant; and Richard Bird, ensign. Walter Alexander, captain; Andrew Porter, jun., 1st lieutenant; Harman Arrants, 2d lieutenant; and George Hamilton, ensign.

Kent. Isaac Perkins, captain; Abraham Falconer, 1st lieutenant, Jesse Cozden, 2d lieutenant; and James Henry, ensign. Thomas Smyth, captain; James Williamson, 1st lieutenant, Nathaniel Kinnard, 2d lieutenant; and Josiah Johnson, ensign.

Queen Anne's. John Dean, captain; John Hawkins, 1st lieutenant; John Neville, 2d lieutenant; and Samuel Earle, ensign. John Dames, captain; Thomas Lane Emory, 1st lieutenant; Saml. Wright Thomas, 2d lieutenant; and John Jackson, ensign.

Talbot. Greenbury Goldsborough, captain; Woolman Gibson, son of John, 1st lieutenant; John Thomas, jun., 2d lieutenant; and Perry Benson, of James, ensign.

Caroline. Zabdiel Potter, captain; Thomas Wyer Lockerman, 1st lieutenant; Levin Handy, 2d lieutenant; and Philip Casson, ensign. Philip Fiddeman, captain; Henry Downes, jun., 1st lieutenant; John Reynolds, 2d lieutenant; and Thomas Mason, ensign.

Dorchester. Thomas Burk, captain; Berkit Falcon, 1st lieutenant; John Lynch, 2d lieutenant; and James Woolford Gray, 3d lieutenant.

On motion, *Resolved*, That a committee be appointed to examine the accounts of the supervisors of salt-petre works, and report thereon; and that Mr. T. Johnson, Mr. Rumsey, Mr. Ringgold Mr. Gilpin, Mr. Hooper, and Mr. Hooe, be a committee for that purpose.

On motion, *Resolved*, That so much of the former resolutions of convention as directs or empowers the council of safety to contract for the building or working a powder mill on the public account, be repealed.

On motion, *Resolved*, That the council of safety be authorised to advance the further sum of five thousand pounds to such persons as they shall think proper, for the purpose of purchasing good and effective fire arms, on the terms and agreeable to such orders as they may think will best procure the same.

On reading and considering a memorial from Francis Baker of Talbot county, praying a remission of that part of the sentence pronounced against him by this convention in its session of De-

ember last, forbidding him "to offer himself for any office of trust,"
Resolved, That the same be granted.

On motion, *Resolved*, That the council of safety be authorised to cause muskets found by the militia, or borrowed or purchased, without bayonets, iron ramrods, priming wires, brushes, belts, or scabbards, to be fitted therewith; and to furnish each private with a cartridge box containing 23 rounds, six flints, one blanket, one knapsack, with a haversack, and a canteen or wooden bottle to hold one quart, and to give such orders as they may think will best furnish the militia with provisions and baggage waggons on their march.

Adjourned till 4 o'clock.

POST MERIDIEM.

Convention met.

Mr. Samuel Edmondson was elected quarter-master of the battalion of militia to be raised on the eastern shore.

Mr. William Parran quarter-master of the lower battalion on the western shore, and Mr. Isaac Griest quarter-master of the upper battalion.

The committee of claims bring in and deliver to Mr. President the following report, to wit:

"Your committee of claims have examined the charter-parties, and other papers relative to the brig Fortune, the property of Messrs. Lux and Bowly, and the brig Rogers, chartered by Mr. George Woolsey, and are of opinion that an allowance be made to the former, for the demurrage of the brig Fortune, of three hundred and ninety-three pounds twelve shillings currency; and to the latter, for demurrage of the brig Rogers, four hundred and six pounds fifteen shillings and eight pence, currency. All which is submitted to the consideration of the honorable convention.

"Signed per order, JOHN JOHNSON, clk. com."

Which was read and agreed to.

Mr. Moale and Mr. Bond have leave of absence.

Convention adjourns till Monday morning at 9 o'clock.

MONDAY, July 1, 1776.

Convention met. All members present as on Saturday, except Mr. Plater, Mr. Moale, Mr. Bond, Mr. Hooper, Mr. Lloyd, and Mr. Buchanan. The proceedings of Saturday were read.

Ordered, That the committee of claims report to the convention the number and denominations of the bills of credit emitted by resolutions of this convention in July last, which have been exchanged by the treasurers of this province, for bills of credit emitted by re-

solutions of this convention in December last; also the unnumbered and the denominations of the former bills of credit now remaining in the hands of the said treasurers.

Ordered, That 200 copies of the resolves of congress and of the resolutions of this convention, for raising militia for the flying camp, be immediately printed; and one copy delivered to each commissioned officer.

Ordered, That the president transmit a copy of the resolutions of convention, for raising militia for the flying camp, to the congress, and request a copy of the last resolve of congress, respecting the pay of militia called into action, may be immediately transmitted to the convention or council of safety.

On reading and considering the memorial of the council of safety relative to fortifying the harbor of the city of Annapolis, and it appearing that cannon could not be procured, and that even if it could, the sum appropriated is not sufficient to erect such fortifications and place such obstructions in the river as was expected by the convention, *Resolved*, That a sum not exceeding ten thousand pounds common money, exclusive of the cost of cannon, powder, galleys, and the like, be appropriated to the defence of the city of Annapolis; and that the same, or so much thereof as may be necessary, be laid out and expended for that purpose, under the direction and orders of the council of safety, in lieu of the said sum heretofore appropriated in the session of December.

On motion, *Resolved*, That, for the encouragement of Daniel and Samuel Hughs to prosecute their cannon foundry with spirit and diligence, the council of safety be empowered, on their application, to lend and advance to them any sum not exceeding two thousand pounds common money, out of the public treasury, they giving bond with good security to invest and apply the same in prosecuting the said cannon foundry, and repaying the same into the public treasury by the 10th day of April next.

Adjourned till 3 o'clock.

POST MERIDIEM.

Convention met.

Mr. Richard Thompson was elected quarter-master of the battalion of militia to be raised in Frederick county.

A motion was made that the resolution passed the 25th day of June last, without debate, "for making all militia officers ineligible to any future convention," should be expunged: the previous question was called for and put, whether the above question be now put? Resolved in the affirmative. The question was then put, that

the resolution "for making all militia officers ineligible to a seat in convention," should be expunged? Resolved in the affirmative.

FOR THE AFFIRMATIVE.

Mr. Jordan,	Mr. Hall,	Mr. Chamberlaine,
Barnes,	Rumsey,	Thomas,
Reeder,	Veazey,	Potter,
Hawkins,	Gilpin,	Richardson,
Hooe,	Thompson,	Dickinson,
Carroll, barrister,	Letherbury,	Mason,
T. Johnson,	Sluby,	G. Dashiell,
Carroll of Car.	Ringgold,	Waters,
Beatty,	Hollyday,	Chaille,
B. Johnson,	Th. Wright,	Handy,
Tolley,	Earle,	J. Dashiell.
J. T. Chase,		

FOR THE NEGATIVE.

Mr. Ford,	Mr. Contee,	Mr. Currer,
J. H. Harrison,	S. Chase,	Sudler,
Mackall,	Griffith,	Tur. Wright,
Somerville,	Stull,	Edmondson,
Smith,	Baird,	Goldsborough,
Allein,	Love,	Murray,
Sim,	Dallam,	W. Ennals,
Beall,	Ewing,	Scott.

On motion, the question was put, That if any field officer of the militia should be elected a member of the next convention, his commission shall thereupon be void? carried in the negative.

FOR THE NEGATIVE.

Mr. Jordan,	Mr. B. Johnson,	Mr. Tho. Wright,
Barnes,	J. T. Chase,	Earle,
Reeder,	Hall,	Chamberlaine,
Hooe,	Veazey,	Thomas,
Mackall,	Gilpin,	Potter,
Smith,	Thompson,	Dickinson,
Carroll, barrister,	Currer,	G. Dashiell,
T. Johnson,	Letherbury,	Waters,
Carroll, of Carr.	Sluby,	Chaille,
Beatty,	Ringgold,	J. Dashiell.

FOR THE AFFIRMATIVE.

Mr. Ford,	Mr. Stull,	Mr. Tur. Wright,
Hawkins,	Tolley,	Edmondson

Mr. Harrison,	Mr. Baird,	Mr. Goldsborough,
Somerville,	Rumsey,	Murray,
Allein,	Love,	Ennals,
Sim,	Dallam,	Richardson,
Beall,	Ewing,	Mason,
Contee,	Sudler,	Scott,
S. Chase,	Hollyday,	Handy.
Griffith,		

A representation from Benedict Calvert of Prince George's county, was read and ordered to lie on the table.

On reading a letter from Robert Lemmon to Samuel Purviance, jun., of Baltimore town, *Ordered*, That John Cockey Owens and Joshua Jones of Baltimore county, immediately attend this convention.

Convention adjourns till to-morrow morning at 9 o'clock.

TUESDAY, July 2, 1776.

Convention met. All members present as on yesterday, except Mr. Sudler. The proceedings of yesterday were read.

On motion, *Resolved*, That a committee be appointed to value the linen manufactured by Edward Parker of Cecil county, and delivered to the commissary of stores for the use of the province; and that Mr. Hooe, Mr. Gilpin, Mr. Ewing, Mr. Chamberlaine, and Mr. Contee, be a committee for that purpose.

James Dickinson, William Thomas, John Stevens, and Nicholas Martin, according to an order of the 28th of June, appeared before the convention, and upon enquiry into their conduct, it appearing that only 12 sheep, 3 lambs, and 7 shoats were carried on board the Fowey, as a present to governor Eden, before they had any knowledge of the truce having been broken; it is therefore the opinion of this convention, that the said gentlemen were not in any degree criminal in going on board the Fowey with such live stock, and that they be discharged.

On reading a resolution of the Virginia convention of the 31st day of May last, *Resolved*, That a committee be appointed to report proper resolutions in answer to the same; and Mr. T. Johnson, Mr. Carroll, barrister, Mr. Hollyday, Mr. Goldsborough, and Mr. S. Chase, were elected by ballot a committee for that purpose.

Mr. Moale appeared in the house.

Convention adjourns till to-morrow morning at 9 o'clock.

WEDNESDAY, July 3, 1776.

Convention met. All members present as on yesterday, except Mr. Sudler. The proceedings of yesterday were read. Mr. Goldsborough and Mr. W. Ennalls have leave of absence.

Ordered, That the council of safety be empowered to contract, if they think proper, for a number of copperkettles well bound with tin, instead of the iron pots mentioned in the resolutions of this convention on the 25th of June last.

Edward Parker of Cecil county having brought in and delivered to the commissary of stores, linen and thread manufactured in this colony to the amount of two hundred and sixteen pounds, in compliance with his contract entered into with this colony to repay three hundred pounds advanced him therein, and having also represented that the residue of the said money lies partly in stock unmanufactured, or has been expended in erecting buildings to carry on the manufactory, so that he is totally unable, without the public assistance, to purchase a sufficient stock of hemp, flax and wool, to carry on the same to advantage, at a time when there is a probability of buying the same at the cheapest rates; *Resolved, therefore*, That the sum of one hundred and fifty pounds be now advanced to him as part of the three hundred pounds ordered to be advanced him on completion of his first contract, on the like terms and conditions as mentioned in a former resolve.

Ordered, That the ship Defence and her tenders immediately proceed to this place, and that the captain attend the convention or council of safety for further orders.

Mr Beall brings in and delivers to Mr President, a report from the committee appointed to report on the establishment of manufactories, which was read and ordered to lie on the table.

On reading the petition of William Faris of the city of Annapolis and the report of a committee appointed by the last convention to examine into the facts stated therein, *Resolved*, That the said fire-arms of the said William Faris be restored to him, and that he be considered as fully enrolled as if he had done the same according to the resolves of convention.

Mr. G. Dashiell has leave of absence.

On reading and considering the petition of George French and Joshua Tessil of Frederick county, *Resolved*, That the same be rejected.

Ordered, That a copy of the above resolution be sent to the committee of observation for the middle district of Frederick county.

Mr. Waters has leave of absence.

On motion, *Resolved*, That the council of safety be empowered to fit out as soon as may be, three vessels with a number of guns, not exceeding ten each, and also any number of armed boats not exceeding six, for the service and defence of this colony, and to order such of the vessels in the service of this colony as they may think necessary, to cruise on the eastern-shore, for the protection thereof.

On motion, *Resolved*, That the council of safety be enabled to pay to the officers of the two companies of rifle-men raised in this province last summer, and employed in the continental service, or their representatives, the difference between the pay they were entitled to at the time they engaged in the service, and the establishment afterwards made, for the time they served before that establishment took place.

Adjourned till 4 o'clock.

POST MERIDIEM.

Convention met.

Resolved, That a new convention be elected for the express purpose of forming a new government, by the authority of the people only, and enacting and ordering all things for the preservation, safety, and general weal of this colony.

Resolved, That there be four representatives chosen for each of the districts of Frederick county, as described in the proceedings of the session of July last, two representatives for the city of Annapolis, and two representatives for the town of Baltimore in Baltimore county, and four representatives for each county in this province except Frederick county aforesaid; but that the inhabitants of Annapolis and Baltimore town be not allowed to vote for representatives for the respective counties, nor shall the resolution be understood to engage or secure such representation to Annapolis or Baltimore town, but temporarily, the same being, in the opinion of this convention, properly to be modified, or taken away, on a material alteration of the circumstances of those places, from either a depopulation or a considerable decrease of the inhabitants thereof.

That all freemen above twenty-one years of age, being freeholders of not less than fifty acres of land, or having visible property in this colony, to the value of £40 sterling at the least, and no others, be admitted to vote for representatives to serve in the said convention for the said counties and districts, and the town of Baltimore aforesaid; and that all freemen above twenty-one years

of age, owing a whole lot of land in the said city of Annapolis, or having a visible estat of £20 sterling at the least, within this province, or having served five years to any trade within the said city and being a house-keeper, and no others, be admitted to vote for representatives to serve in the said convention for the said city, provided such person shall have resided in the county, district, city, or town, where he shall offer to vote, one whole year next preceding the election.

That all elections of the said representatives be free, and that the same be made *viva voce* in the manner heretofore used in this colony, without any regard to any act of parliament or other qualifications than before mentioned. And to prevent any violence or force being used at the said elections, no person shall come armed to any of them, and that no muster of the militia be made on the day on which any of the said elections shall be held, nor shall any battalion or company of the militia, or any ten men thereof, give in their votes immediately succeeding each other, if any other voter who offers to vote objects thereto; nor shall any soldiers in the pay of this province be suffered to collect at the time and place of holding any of the said elections, so as in any manner to impede the freely and convenient carrying on such elections.

Resolved, That no person holding a commission or office in the regular forces of this province, shall during the time of his holding the same, be eligible as a representative aforesaid; nor shall any person who shall hereafter accept of any commission or office in the land or sea service, or shall enlist in the regular forces raised or to be raised for the continental service, or the service of this or any other colony, be eligible as a representative as aforesaid, or hold any office or place in the civil department, or have a right to vote at any election, during the time he shall hold such commission or office in the military forces, or being therein enlisted as aforesaid.

That any person qualified as aforesaid to vote, may be elected a member of the intended convention, provided he be above 21 years of age, and shall have resided in the colony one whole year preceding the election.

That no person who has been published by any committee of observation, or the council of safety of this colony, as an enemy to the liberties of America, and has not been restored to the favour of his country, shall be permitted to vote at the election of members for the said convention.

That the intended elections for all the said counties and districts, be made on Thursday the first day of August next, but if any of them should not be finished on that day, then the judges of such

election may adjourn the same from day to day, omitting Sunday if necessary, till the same is finished. That the said elections for all the said counties, except Frederick, Charles and Cecil, be held at the places of holding the county courts of those counties respectively; that the elections for the districts of Frederick county be held at the places appointed for the elections of representatives in the same districts respectively, by resolutions of the convention of July last; that the election for Charles be held at the house of Bennet Hanson Clements in said county; that the election for Cecil county be held at the head of Elk river; and that the elections for Annapolis and Baltimore-town be held on Monday the fifth day of August next at some convenient place in the said city or town, and may be adjourned as the said other elections.

Resolved, That Abraham Barnes, Hugh Hopewell, and Henry Tubman, esqrs., or any one or two of them, be judge of and hold the election for St. Mary's county.

That George Dent, Samuel Hanson, and Warren Dent, esqrs., or any one or two of them, be judge of and hold the election for Charles county.

That Charles Graham, William Allnut, and Daniel Rawlings, jr., esqrs., or any one or two of them, be judge of and hold the election for Calvert county.

That John Cook, William Beans, and Nathaniel Magruder, esqrs., or any one or two of them, be judge of and hold the election for Prince George's county.

That John Weems, Thomas Watkins, and Thomas Dorsey, esqrs., or any one or two of them, be judge of and hold the election for Anne Arundel county.

That Noah Hart, Christian Orndorff, and Ely Williams, esqrs., or any one or two of them, be judge of and hold the election for the upper district of Frederick county.

That Christopher Edelen, William Luckett, jr., and David Shriver, esqrs., or any one or two of them, be judge of and hold the election for the middle district of Frederick county.

That Jonathan Wilson, Zadok Magruder, and William Luckett, sen., esqrs., or any one or two of them, be judge of and hold the election for the lower district of Frederick county.

That Andrew Buchanan, Thomas Gist, and James Gittings, esqrs., or any one or two of them, be judge of and hold the election for Baltimore county.

That Amos Garrett, Thomas Johnson, and William Webb, esqrs., or any one or two of them, be judge of and hold the election for Harford counties.

That Elisha Hall, sen., William Rumsey, and Thomas Savin, esqrs., or any one or two of them, be judge of and hold the election for Cecil county.

That John Page, William Bordley, and William Rogers, esqrs., or any one or two of them, be judge of and hold the election for Kent county.

That Thomas Ringgold, Jonathan Hall, and Nathaniel Wright, esqrs., or any one or two of them, be judge of and hold the election for Queen Ann's county.

That John Goldsborough, Henry Banning, and William Perry, esqrs., or any one or two of them, be judge of and hold the election for Talbot county.

That Bartholomew Ennals, Daniel Sulivane, and Henry Hooper, Q. S. esqrs., or any one or two of them, be judge of and hold the election for Dorchester county.

That Foster Goldsborough, Jeremiah Colston, and John White, esqrs., or any one or two of them, be judge of and hold the election for Caroline county.

That Thomas Hayward, Andrew Francis Cheney, and Thomas Bruff, esqrs., or any one or two of them, be judge of and hold the election for Somerset county.

That Benton Harris, John Selby, and Thomas Martin, esqrs., or any one or two of them, be judge of and hold the election for Worcester county.

That the mayor, recorder, and aldermen of the city of Annapolis, or any three or more of them, be judge of and hold the election for the city of Annapolis.

That James Calhoun, John Merryman, and William Aisquith, esqrs., or any one or two of them, be judge of and hold the election for Baltimore town.

That if any of the said elections cannot be carried on for the want of judges, the committee of observation for the county in which such election is to be made, shall appoint judges, who shall qualify, and proceed as aforesaid.

That a clerk or clerks be appointed by the said judges for taking the polls at the said elections.

That every judge of the election, before he proceeds to take or receive any vote, shall take the following oath or affirmation, to wit :
" I, A. B. do swear or affirm, that I will permit all persons to vote, who shall offer to poll at the election now to be held for _____ county, _____ city, or _____ town, who in my judgment shall, according to the resolutions of convention, be entiled to poll at the same election ; and that I will not admit any person to poll

at the same election, who before his voting shall be objected against by any candidate, or any two of the electors, if such person is not in my judgment qualified to vote as aforesaid; and will in all things execute the office of judge of the said election, according to the best of my knowledge, without favor or partiality. So help me God."

And every clerk before he enters any vote on the polls, shall take the following oath, to wit: "I —— do declare, that I will well and faithfully, without favor, affection, or partiality, execute the office of clerk of the election for —— county, the city of Annapolis, or Baltimore town, according to the best of my knowledge. So help me God."

That the said judges certify under their hands and seals to the convention, on the day appointed for their meeting as aforesaid, the names of the members chosen in their county, district, city, or town, respectively.

Resolved, That nine persons be elected by ballot a council of safety, and be and continue such until the intended convention shall make further order therein, and that until that time, they, or any four or more of them, having taken the oath prescribed by the December convention, shall have and exercise the like and same powers as the present council of safety had or might exercise under the resolutions of the several conventions heretofore held for this colony. And may, on good ground for suspicion, cause any person to be arrested and put to security for his good behavior and appearance at the next convention, or may order any such suspected person to remove to and continue within any particular place or limits within the province they shall assign, or commit him to close prison until the meeting of the convention.

Resolved, That on the said first day of August next, this present convention shall be dissolved, and all the power and authority thereof cease and determine. And that the delegates elected shall meet at the city of Annapolis, and hold the next convention on Monday the twelfth day of August.

Whereas, it is represented that a number of people residing on the south and west sides of the lines lately run by commissioners, under the decree, order or commission of the high court of chancery of England, although they were formerly under the government of Pennsylvania and the three lower counties, are lately excluded therefrom, and are desirous of being under the government and protection of Maryland; therefore, *Resolved*, That all the land on the south and west sides of the said lines be henceforth taken and accepted as within the jurisdiction of Maryland, and as part of

the counties thereof adjoining thereto; and that the said inhabitants share equally in the burthens, privileges and benefits, with others the people of this colony.

Resolved, That the said intended convention shall not continue beyond the first day of December next.

Resolved, That all the civil officers in this colony, except those concerned in the customs, continue to execute their several offices until the next convention shall make order therein, except only in such cases where they are restrained by the resolves of the conventions held for this colony.

Whereas, the sheriff of Baltimore county, by virtue of a writ of *habere facias possessionem*, delivered possession of certain lands and tenements recovered in the provincial court by Long's lessee against Wm. Pellett and others, to a certain Robert Long, against the order and determination of the May convention, *Resolved*, That the sheriff of said county deliver the said lands and tenements to the said William Pellett and others, or their agent, and cause as full and ample possession thereof, with all things thereto appertaining, to be to him or them restored as they had before the issuing the said writ.

Convention adjourns till to-morrow morning at 9 o'clock.

THURSDAY, July 4, 1776.

Convention met. All members present as on yesterday, except Mr. Goldsborough, Mr. W. Ennalls, Mr. Potter, Mr. Dickinson, Mr. G. Dashiell, Mr. Waters, and Mr. Edmondson. The proceedings of yesterday were read.

On reading and considering the remonstrances and petitions of the fifth and twentieth battalions of militia in Queen Anne's county, praying a removal of the field officers of said battalions, *Resolved*, That the same be rejected.

The convention proceeded to ballot for deputies to represent this province in the continental congress, and the honorable Matthew Tilghman, esq., and Thomas Johnson, junr., William Paca, Samuel Chase, Thomas Stone, Charles Carroll of Carrollton, and Robert Alexander, esqrs., were duly elected for that purpose.

Resolved, That the honorable Matthew Tilghman, esq., and Thomas Johnson, jr., William Paca, Samuel Chase, Thomas Stone, Charles Carroll of Carrollton, and Robert Alexander, esqrs., or a majority of them, or any three or more of them, be deputies to represent this colony in congress, in as full and ample manner as the deputies of this colony might have done under any appoint-

ment heretofore made, until the next convention shall make further order therein.

Thereupon the convention considering that the said Thomas Johnson, esq., cannot discharge the duty of brigadier of the forces to be raised in this province in consequence of the resolves of congress of the third day of June last, to which command the convention, from a confidence in his capacity and abilities to fill the same with advantage to the public cause, and honor to himself, had appointed him, and also execute the trust reposed in him as a deputy in congress for this province; and being of opinion, that it is of very great importance to the welfare of this province, that it should not be deprived of the advice and assistance of the said Thomas Johnson in the public councils of the united colonies, and that his place can be supplied with less inconvenience in the military than in the civil department, therefore, *Resolved*, That a brigadier-general be elected by ballot in the room of the said Thomas Johnson, esquire.

The convention then proceeded to elect a brigadier-general in the room of Thomas Johnson, esqr., and John Dent, esqr., was elected by ballot to that office.

Captain Thomas Ewing was then elected colonel of the lower battalion of militia to be raised on the western shore for the flying camp, in the room of John Dent, esq.

On motion, the question was put, That the sum of ten shillings currency per day, and reasonable itinerant charges, be allowed to each member that shall hereafter attend any convention, and that the resolution of the 20th of December last, allowing them fourteen shillings per day, be repealed? Carried in the negative.

FOR THE NEGATIVE.

Mr. Jordan,	Mr. Carroll, barrister,	Mr. Veazey,
Barnes,	T. Johnson,	Gilpin,
Reeder,	S. Chase,	Thompson,
Ford,	Carroll of Carr.	Ewing,
Hawkins,	Griffith,	Letherbury,
Mackall,	Beatty,	Hollyday,
Smith,	B. Johnson,	Tho. Wright,
Allein,	Baird,	Earle,
Sim,	Moale,	Chaille,
Beall,	J. T. Chase,	Handy,
Contee,	Rumsey,	J. Dashiell,

FOR THE AFFIRMATIVE.

Mr. Hooe,	Mr. Love,	Mr. Thomas,
Harrison,	Dallam,	Murray,
Somerville,	Sluby,	Richardson,
Stull,	Ringgold,	Mason,
Tolley,	Chamberlaine,	Scott.
Hall,		

Whereas, the united colonies have been reduced to the fatal necessity of taking up arms, in defence of their indubitable and inestimable rights and liberties; and whereas several of the inhabitants of this colony, lost to every generous sentiment of liberty, and of love to their country and posterity, have kept up a traiterous correspondence with, and supplied the British troops and navy with provisions, and some of them have joined in arms, and others have acted as pilots on board the enemy's ships and vessels, whereby the safety and liberties of this and our sister colonies may be endangered; therefore,

Resolved, That if any inhabitant of this colony shall, after the fifth day of August next, within or without this colony, or any person whatever, being an inhabitant of any other of the united colonies, shall within this colony, after the said fifth day of August next, levy war against the united colonies, or any of them, or shall adhere to any person or persons bearing arms or employed in the service of Great Britain against the united colonies, or any of them; or shall afford such persons, or any of them, any aid or comfort, or shall give them, or any of them, or any subject of Great Britain, any intelligence of the warlike preparations or designs of the united colonies, or any of them; such person, on conviction thereof by a petit jury, after a presentiment by a grand jury, in a court to be erected in this colony by the next convention, for the trial of such offenders, shall suffer death without benefit of clergy, and forfeit all estate which he had at the time of the commission of the crime, to be applied to the use of this colony, unless such convicted person shall be pardoned by the person or persons invested with the power of granting pardons for such offences.

Resolved, That the several offences aforesaid shall receive the same constructions that have been given by the judges in England to such of the said offences as are enumerated in the statute of Edward the III., commonly called the statute of treasons.

Resolved, That if any inhabitant of this colony shall, after the fifth day of August next, within or without this colony, or any per-

son whatsoever shall, within this colony, after the fifth day of August next, forge or counterfeit any of the bills of credit issued by the congress, by the assembly, or convention of any of the united colonies, or by any of the conventions of this colony, or alter the sum expressed in any of the said bills of credit, or shall offer or cause to be offered in payment, any such counterfeit, forged, or altered bills of credit, knowing the same to be counterfeit, forged, or altered, and shall be thereof convicted by a petit jury, after a presentment by a grand jury, in a court to be erected in this colony by the next convention, or shall stand mute, or peremptorily challenge above the number of twenty of the pannel, shall suffer death as a felon, without benefit of clergy.

Ordered, That the above resolutions be immediately published in the Maryland Gazette.

Whereas, some doubts have arisen on the constructions of the resolutions of convention for ascertaining the rank of the regular officers in the pay of this province, it is therefore declared and *Resolved*, That no precedence or rank shall take place between the companies as such, of the corps of regular forces. That precedence between officers of the same rank take place according to the priority of the date of their respective commissions, but where two or more of such commissions bear date on the same day, precedence take place according as the company to which such officer belongs stands numbered on the proceedings of convention in December.

On reading the petition of Turbutt Betton, jun., of Queen Anne's county, *Ordered*, That the fine imposed on him be not levied, and that his petition be referred to the council of safety to take order therein, and to enforce obedience to the authority of this convention.

Convention adjourns till to-morrow morning, 9 o'clock.

FRIDAY, July 5, 1776.

Convention met. All members present as on yesterday, except Mr. Turbutt Wright, and Mr. Curren. The proceedings of yesterday were read. Mr. J. Tilghman appeared in the house.

On motion, *Resolved*, That col. Henry Hollingsworth make two hundred gun barrels of at least one inch in the bore, and three feet six inches in length, drawbored; and that Mr. Elisha Winters mount, and stock, and fit, and complete the same with locks and swivels, as soon as may be, for the public use, for which they shall be paid a reasonable price.

On motion of Mr. Samuel Chase, (in obedience as he conceived

to the instructions of Anne Arundel county) the question was put, That all public and private interest of monies cease and determine during this time of general distress, such monies only to be excepted as have been actually lent within the three last months, which shall be proved by the lender to have been lent within the time above mentioned, to the satisfaction of such persons as shall be appointed to determine the same, and that country produce be a lawful tender for the interest of the same, at the market price, to be regulated by two unexceptionable free holders upon oath, one to be appointed by each party? Carried in the negative.

FOR THE NEGATIVE.

Mr. Jordan,	Mr. Carroll of Carr.	Mr. Gilpin,
Barnes,	Griffith,	Thompson,
Reeder,	Beatty,	Ewing,
Ford,	B. Johnson,	Hollyday,
Hawkins,	Stull,	Tho. Wright,
Hooe,	Baird,	Earle,
Mackall,	Moale,	Chamberlaine,
Somerville,	Tolley,	Thomas,
Smith,	J. T. Chase,	Murray,
Allein,	Hall,	Richardson,
Sim,	Rumsey,	Chaille,
Beall,	Love,	Handy,
Contee,	Dallam,	J. Dashiell.
T. Johnson,	Veazey,	

FOR THE AFFIRMATIVE.

Messrs. Carroll, bar., S. Chase, Letherbury, Sluby, Ringgold.

On motion, *Resolved*, That the committees of observation in the several counties of this province forbear to require of any non-associator any bond, or further to proceed against any non-associator for not giving bond according to the resolutions of December last, this convention having made more effectual provisions for the public security.

On motion, the question was put, That no person or persons in the community be executed for the payment of any debts, public or private, unless it is left in the option of the debtor to pay in the produce of the country at a reasonable price, to be ascertained by the county committees respectively? Carried in the negative.

On motion, the question was put, That a sum of money not exceeding five hundred pounds for Kent county be issued from the public treasury, for the purpose of answering the present necessities of the pensioners, Kent county aforesaid giving sufficient se-

curity for the return of said money, as soon as a change of the times will admit of it? Carried in the negative.

The convention took into their consideration a report from the committee appointed to report on the establishment of manufactories, and thereupon *Resolved*, That three hundred pounds, without interest, be advanced out of the public treasury, to Michael Cocendofer of Frederick county, for the purpose of carrying on a stocking manufactory, he giving bond, with good security, to repay the same in fifteen months from the date of contract, either in money or good merchantable fulled stockings, at such rates as the convention or council of safety shall determine, in the following proportions, to wit: one third thereof in five months, one other third in ten months, and the remainder in fifteen months from the date of contract.

That four hundred pounds, without interest, be advanced to John M'Fadon of Baltimore county, he giving bond, with good security, to carry on a linen manufactory, and to erect a bleaching-mill, and to repay the same in ten months from the date of said bond, in money, or such brown or bleached linen as the convention or council of safety may direct, and at such rates and of such qualities as they may determine, in the proportions following, to wit: one third thereof in four months, one other third in six months, and the remaining third in ten months from the date of contract.

That one thousand pounds be advanced out of the public treasury to Robert Riddle of Baltimore county, to enable him to carry on a linen manufactory and bleach field, he giving bond, with good security, to repay the same in thirteen months from the date of said bond, either in money or such brown or white linen as the convention or council of safety may direct, and at such value or price as they may set.

On motion, *Resolved*, That the balance of the money taken out of the loan-office by act of assembly, for opening, straightening, and repairing such parts of the roads from Frederick to Baltimore, and from Frederick to Annapolis, which lie in Anne Arundel county, be paid by the supervisors into the loan office, where the same shall be kept; and that what may then remain in the hands of the supervisors, as well as what may have been collected by the sheriff, and yet remains in his hands, be applied in aid of the county charges of Anne Arundel county.

Mr. Beall brings in and delivers to Mr. President, a report from the committee appointed to report on the establishment of manufactories, which was read a first and second time, and thereupon the convention taking the same into consideration, *Resolved*, That five

hundred pounds be advanced to Thomas Ringgold of Kent county, for the term of one year, without interest, he giving bond, with good security, to repay the same within the time aforesaid, either in cash, or in linen, woollen, or cotton cloth, and in such proportions, and of such qualities as the convention or council of safety for the time being may direct, and at the rates and prices the said convention or council of safety may set thereon.

On motion Mr. Samuel Chase (in obedience as he conceived to the instructions of Anne Arundel county) the question was put That all rents be paid and shall be received in country produce, at the same rates which such commodities bore at the time such contract was made or renewed, and the same to be set by the committees of observation until other persons are appointed? Carried in the negative.

FOR THE NEGATIVE.

Mr. Jordan,	Mr. Griffith,	Mr. Veazey,
Hooe,	Beatty,	Thompson,
Mackall,	B. Johnson,	Ewing,
Somerville,	Baird,	Hollyday,
Smith,	Moale,	Tho. Wright,
Allein,	Tolley,	Earle,
Sim,	J. T. Chase,	Richardson,
Beall,	Hall,	Scott,
T. Johnson,	Love,	Handy,
Carroll of Car.	Dallam,	J. Dashiell.

FOR THE AFFIRMATIVE.

Mr. Carroll, bar.,	Mr. Letherbury,	Mr. Ringgold,
S. Chase,	Sluby,	Mason.
Gilpin,		

On motion, *Resolved*, That the council of safety be empowered to lend and advance to Robert Wood of Frederick county, three hundred pounds of the public money on his giving bond with good security, to lay out and expend the same in erecting a sheeting and flitting mill, and to repay the same money into the public treasury within ten months from the time it shall be drawn out.

On reading and considering a petition from Reuben Meriweather and others, inhabitants of Anne Arundel county, praying leave to form themselves into an independant rifle company, *Resolved*, That the same be granted, and that commissions issue when the company is completed to eighty men, to such persons as shall be appointed by the council of safety.

On motion, *Resolved*, That no account or claim against this colony shall be received without being first proved by the party ma-

king the demand, or other sufficient testimony, or attested by some committee of observation; or if the charge arises for the service of any part of the militia of this colony, that the time of their service be certified by the brigadier-general of their district, or the account of the time they have been in actual service proved by a field-officer, captain, or commanding officer of any detachment of militia that has been or may be employed in the service of this colony.

Mr. Done and Mr. Bishop appeared in the house.

Mr. John Kilty was elected ensign of capt. Tillard's company of militia for the flying camp, in the room of Mr. John Gassaway who resigned.

On motion the question was put, That all interest on bonds or contracts, except on loan office bonds, cease and determine during this time of public distress? Carried in the negative.

FOR THE NEGATIVE.

Mr. Jordon,	Mr. T. Johnson,	Mr. Ewing.
Barnes	Carrol of Car.,	Sluby,
Hooe,	Griffith,	Hollyday,
Mackall,	Beatty,	Murray,
Somerville,	Stull,	Richardson,
Smith,	Moale,	Mason,
Allein,	J. T. Chase,	Scott,
Sim,	Rumsey,	Chaille,
Beall,	Gilpin,	Handy,
Contee,	Thompson,	J. Dashiell.

FOR THE AFFIRMATIVE.

Mr. Hawkins,	Mr. Tolley,	Mr. Letherbury,
Harrison,	Love,	Ringgold.
Carroll, barrister,	Dallam,	

Adjourned till 3 o'clock.

POST MERIDIEM.

Convention met.

A petition from William Noke late sheriff of Anne Arundel county, was read and ordered to lie on the table.

On motion of Mr. Hooe, the question was put, That interest now due on all debts or contracts, or that shall become due till a further regulation, except on loan office bonds, may be paid in corn, wheat, tobacco, flour, hemp, or cotton, at such prices as may be agreed upon between the creditor and debtor, or on their disagreement, at such prices as may be set by the committee of observation for the county where the debtor resides, such country produce to be offered or tendered by the debtor at the capital of the county

where he resides, unless any other place of delivery is agreed upon by the parties? The previous question was called for and put, whether the above question be now put? Carried in the negative.

FOR THE NEGATIVE.

Mr. Jordan,	Mr. Beatty,	Mr. Tho. Wright,
Reeder,	B. Johnson,	Earle,
Ford,	Stull,	J. Tilghman,
Somerville,	Baird,	Chamberlaine,
Smith,	Moale,	Thomas,
Allein,	J. T. Chase,	Murray,
Beall,	Hall,	Richardson,
Sim,	Rumsey,	Mason,
Contee,	Gilpin,	Scott,
T. Johnson,	Thompson,	Bishop,
Carroll of Carr.,	Ringgold,	Done,
Griffith,	Hollyday,	J. Dashiell.

FOR THE AFFIRMATIVE.

Mr. Hooe,	Mr. Carroll barrister,	Mr. Ewing,
Hawkins,	Tolley,	Letherbury,
Harrison,	Dallam,	Love,
Barnes,		

The convention proceeded to ballot for a council of safety, and John Hall, George Plater, Charles Carroll, barrister, Daniel of St. Thomas Jenifer, Thomas B. Hands, Benjamin Rumsey, Thomas Smyth, James Tilghman, and Joseph Nicholson, junior, Esquires, were duly elected for that purpose.

On reading and considering the account and letter of Amos Garrett, supervisor of the salt petre works in Harford county, *Ordered*, That the treasurer of the western shore pay to the said Amos Garrett the further sum of fifty pounds on account of his salt petre works aforesaid.

Whereas, many farmers and planters are indebted in sums of money bearing interest, and from their being no market for the tobacco, wheat, and other usual produce of their farms and plantations since the tenth day of September last, they have not been enabled to pay the interest accrued since that time, and from a continuance of the cause may probably continue disabled to pay the interest which may accrue on their debts for some time to come; it is therefore *Resolved*, That all interest which hath accrued since the tenth day of September last, or shall accrue before the tenth day of July, 1777, shall and may be payable in indian corn, wheat, tobacco, flax, hemp or cotton, or linen or woollen cloth, which was

or shall be raised or manufactured by the party who shall offer, to pay the same, or be received by any creditor in discharge of such interest, so due from him as aforesaid, and in such of the said commodities or manufactures as such committee on all circumstances shall think most reasonable, and therefore direct; and if the parties cannot agree on the price and place of delivery, then the committee of observation of the county where the debtor resides, may ascertain and fix the price of the commodity, the time when, and the place (within their county) where the delivery shall be: provided the said delivery be made before the tenth day of September next after the said interest shall have accrued; and provided also that this resolution shall extend only to private, and not to loan office or other public debts.

Convention adjourns till to-morrow morning, 9 o'clock.

SATURDAY, July 6, 1776.

Convention met. All members present as on yesterday, except Mr. Reeder, Mr. Ford, Mr. Stull, Mr. Baird, Mr. Sluby, Mr. Chamberlaine, Mr. Thomas, Mr. Scott, Mr. Chaille, and Mr. Handy. The proceedings of yesterday were read.

On motion, *Resolved*, That no ship carpenter employed in building vessels for the service of the continent or this colony, shall be compelled to attend his duty in the militia, nor be liable to any fine for non-attendance, during the time of his being employed in such service.

Mr. William Shircliff was appointed ensign of capt. Robert Bowie's company of militia for the flying camp, in the room of Colmore Beans who resigned.

On motion, *Resolved*, That any vacancy which may happen in the militia raised by this colony to compose the flying camp, shall, and may be filled up by the council of safety.

Resolved, That Mr. Contee, Mr. Beall, and Mr. Tolley be a committee in the recess of convention, to examine and report to the council of safety, the state of the accounts and proceedings of the commissioners of the loan office; and that the council be directed to order the monies, books and papers, in that office, to be packed up in proper chests and removed, if they should think proper, to some place of security.

Mr. Daniel Bowie was appointed captain of a company in col. Smallwood's battalion of regular forces in the room of captain Thomas Ewing.

On reading the memorial of Jacob Brice, *Resolved*, That a com-

mission issue to him as adjutant to the battalion of regular forces, and that he be entitled to pay as such, from the time of his performing that duty, and that the pay of adjutant be at the rate of twenty dollars per month.

On reading the petition of the society of Menonists and German baptists, *Resolved*, That the several committees of observation may in their discretion prolong the time or take security, for the payment of any fine by them imposed for not enrolling in the militia, and may remit the whole or any part of the fines by them assessed; and it is recommended to the committees to pay particular attention, and to make a difference between such persons as may refuse from religious principles or other motives.

On motion, *Resolved*, That the pay of the drum major in the regular service of this colony be eight dollars per calendar month.

On motion, *Resolved*, That the committee or board appointed to cause a set of books to be opened, and proper accounts to be raised, entered and made up of the expenditure, loan, or other disposition of all public monies, by or under the authority of convention, examine, audit and adjust all accounts and sums of money due from or to this colony, in the recess of convention, and the same transmit, with the respective balances struck, to the council of safety for the time being, subject to their examination and control, and in order to be by them payed and discharged.

Resolved, That Mr. Thomas Contee be added to the above board, and that they or any two of them be empowered and authorised to act.

On reading a memorial from Dr. Charles Alexander Warfield of Anne-Arundel county, for a sum of money to be advanced him for the purpose of carrying on a crude nitre manufactory, *Resolved*, That the same be referred to the consideration of the council of safety, and that they contract with him and advance the money if they think proper.

This convention taking into consideration the resolves of the convention of Virginia of the 31st day of May last, relative to the proceedings of this convention in May, respecting the case of governer Eden, came to the following resolutions:

Resolved, That this convention cannot but be of opinion, that the said resolutions of the convention of Virginia were not only hasty, and made without due and proper reflection, but betray a disposition to interfere in the affairs of this colony, and that that resolution might have proved highly injurious to the general interest of America, by infusing groundless jealousies and effecting fatal divisions.

That this convention never intermeddled, nor was disposed to interfere with the affairs of Virginia, but hath at all times shewn a due and proper respect to the convention of that colony, and all occasions must have evinced their sincere and tender regard for the people thereof; and this convention cannot be of opinion, that the convention of Virginia could believe that this convention promoted governor Eden's passage "to assist in their destruction under a pretence of his retiring to England."

That this convention, and the council of safety for the time being, where the only proper and adequate judges of the propriety and expediency of suffering governor Eden to depart out of this province, and have proceeded in that matter upon evidence which was satisfactory to themselves, and to which the convention of Virginia were strangers.

That had the convention of Virginia been in possession of the evidence upon which the council of safety and this convention proceeded, they could not have been at a loss to account for the council of safety their declining to seize governor Eden, or for the convention having promoted his passage (not as is unjustly insinuated in the resolution of the Virginia convention, to assist in their destruction, but really) to England, whither this convention hath the best grounds to believe he would go by the first opportunity. Nor can the address alluded to in the said resolution of the convention of Virginia, in the opinion of this convention, be considered as enabling, nor was it meant to enable governor Eden to assume the character of a public agent, nor can this convention discover how the said governor would thereby be enabled to promote divisions and disunion amongst the colonies; but the same was presented as a testimony due to the governor of the sense this convention entertained of his fair and impartial representations of the principles, motives, and views of the people of this colony, so far as the same had come to their knowledge.

That although this convention was sensible that in the absence of the governor the government in its old form would devolve to the president of the council of state, and although such president should be under equal obligations with the governor to perform the ministerial mandates, yet was the convention fully satisfied that it would not be equally, if at all, in the power of the president to perform such mandates; and therefore this convention cannot but consider the imputing their proceedings "to some undue influence of governor Eden under the mask of friendship to America, and of the proprietary interest to Maryland," as groundless and unjust; nor is this convention able to discover how their vote for the departure

of governor Eden from this province could have any evil tendency to the common cause, or to Virginia in particular.

That as the convention of Virginia hath by their said resolution appealed to the good people of this province against their convention, and by their publication of the said resolve hath endeavoured to injure this convention in the good opinion of the united colonies at large, it became the indispensable duty of this, though they are anxiously desirous to cultivate union and harmony with their sister colonies, thus to vindicate their proceedings, and those of the council of safety, which this convention did approve of, against the groundless and unjust imputations contained in the said resolution of the convention of Virginia, and conscious of the uprightness of their own intentions, and the rectitude of the measures they adopted, do wholly deny, and can cheerfully join in the appeal to their constituents, and to all men acquainted with the affairs of Maryland, against the charge of proprietary influence.

On reading the resolutions relative to the resolve of the convention of Virginia, the question was put, That the words, *and do*, in the last resolve, between the word *did* and the word *approve*, be struck out of the said resolve? Resolved in the affirmative.

FOR THE AFFIRMATIVE.

Mr. Jordan,	Mr. Sim,	Mr. Moale,
Barnes,	Beall,	Tolley,
Hawkins,	Contee,	Hall,
Hooe,	S. Chase,	Dallam,
Harrison,	Carroll of Carr.	Gilpin,
Mackall,	Griffith,	Ewing,
Smith,	Beatty,	Letherbury,
Allein,	B. Johnson,	Done.

FOR THE NEGATIVE.

Mr. Somerville,	Mr. Ringgold,	Mr. Richardson,
T. Johnson,	Hollyday,	Mason,
Love,	Tho. Wright,	Bishop,
Veazey,	Earle,	J. Dashiell,
Thompson,	Murray,	

Resolved, That the following declaration be entered on the journal of this convention.

A DECLARATION OF THE DELEGATES OF MARYLAND.

To be exempted from the parliamentary taxation, and to regulate their internal government and polity, the people of this colony have ever considered as their inherent and unalienable right,

without the former, they can have no property; without the latter, no security for their lives or liberties.

The parliament of Great Britain has of late claimed an uncontrollable right of binding these colonies in all cases whatsoever: to enforce an unconditional submission to this claim, the legislative and executive powers of that state have invariably pursued for these ten years past a steadier system of oppression, by passing many impolitic, severe and cruel acts for raising a revenue from the colonists; by depriving them in many cases of the trial by jury; by altering the chartered constitution of one colony, and the entire stoppage of the trade of its capital; by cutting off all intercourse between the colonies; by restraining them from fishing on their own coasts; by extending the limits of, and erecting an arbitrary government in the province of Quebec; by confiscating the property of the colonists taken on the seas, and compelling the crews of their vessels, under the pain of death, to act against their native country and dearest friends; by declaring all seizures, detention, or destruction of the persons or property of the colonists, to be legal and just.

A war unjustly commenced hath been prosecuted against the united colonies with cruelty, outrageous violence, and perfidy; slaves, savages, and foreign mercenaries have been meanly hired to rob a people of their property, liberties and lives, a people guilty of no other crime than deeming the last of no estimation without the secure enjoyment of the former; their humble and dutiful petitions for peace, liberty and safety, have been rejected with scorn; secure of and relying on foreign aid, not on his national forces, the unrelenting monarch of Britain hath at length avowed, by his answer to the city of London, his determined and inexorable resolution of reducing these colonies to abject slavery.

Compelled by dire necessity, either to surrender our properties, liberties and lives, into the hands of a British king and parliament, or to use such means as will most probably secure to us and our posterity those invaluable blessings,

✓ We the delegates of Maryland, in convention assembled, do declare, that the king of Great Britain has violated his compact with this people, and that they owe no allegiance to him; we have therefore thought it just and necessary to empower our deputies in congress to join with a majority of the united colonies in declaring them free and independent states, in framing such farther confederation between them, in making foreign alliances, and in adopting such other measures as shall be judged necessary for the preservation of their liberties: provided, the sole and exclusive rights of

regulating the internal polity and government of this colony be reserved to the people thereof. We have also thought proper to call a new convention, for the purpose of establishing a government in this colony. No ambitious views, no desire of independence, induced the people of Maryland to form an union with the other colonies. To procure an exemption from parliamentary taxation, and to continue to the legislatures of these colonies the sole and exclusive right of regulating their internal polity, was our original and only motive. To maintain inviolate our liberties, and to transmit them unimpaired to posterity, was our duty and first wish; our next, to continue connected with, and dependent on Great Britain. For the truth of these assertions, we appeal to that Almighty Being who is emphatically styled the searcher of hearts, and from whose omniscience nothing is concealed. Relying on his divine protection and affiance, and trusting to the justice of our cause, we exert and conjure every virtuous citizen to join cordially in defence of our common rights, and in maintainance of the freedom of this and her sister colonies.

Adjourned till 3 o'clock.

POST MERIDIEM.

Convention met.

The president laid before the convention several letters from the honorable, the president of the congress, of the 25th and 29th of June, and of the 4th instant, and sundry resolutions of that respectable body, which were taken into consideration, and thereupon *Ordered*, That colonel Smallwood immediately proceed with his battalion to the city of Philadelphia, and put himself under the continental officer commanding there, and be subject to the further orders of the congress.

Ordered, That the independent companies stationed in Talbot, Kent, Queen Anne's, and St. Mary's counties, immediately proceed to Philadelphia, and put themselves under the command of colonel Smallwood, subject to the further orders of the congress.

Ordered, That vessels be immediately procured to transport such of the said troops as are on the western shore to the head of Elk.

Resolved, That the council of safety take such measures as they may think best, to supply the said troops with carriages and provisions on their march to Philadelphia.

Resolved, That the said battalion and independent companies be deducted from the number of the militia required by congress of this colony to compose the flying camp.

Ordered, That copies of the letter from congress of the 4th inst. and of the above resolutions, be transmitted by express, to the se-

veral committees in each county, and that they be earnestly requested to give every assistance in their power to the immediate enrolling of the militia companies, and enabling them to march.

Resolved, That the council of safety direct such and so many of the said militia companies to march to the city of Annapolis, Baltimore town, Talbot, Kent, Queen Anne's, and St. Mary's counties, as will supply the number and places of the said battalion and independent companies; and that till the places of the regular troops ordered from Annapolis and Baltimore town can be supplied by the militia to be raised as aforesaid, the council of safety direct three companies of the neighboring militia to march into Annapolis, and two companies of the neighboring militia to march into Baltimore town.

Resolved, That the continental officer who may command the flying camp, is requested, if the service will permit, to separate the corps of regulars from the corps of militia to be supplied by this province, to prevent any ground of discontent about rank.

Resolved, That this province will raise two companies of rifle-men and four companies of Germans, according to the requisitions of congress in their resolutions of the 27th day of June last.

That one of the said companies of rifle-men be raised in Harford county, two of the said companies of Germans be raised in Baltimore county, and one of the companies of rifle-men and two of the companies of Germans be raised in Frederick county.

That to expedite the raising and levying the said troops, the committee of observation for Harford county recommend the officers of the company to be raised in that county, the committee of observation for Baltimore county, the officers of the companies to be raised in that county, and that two of the committee of observation from each of the districts of Frederick county, who are to meet at Frederick town on Friday the 12th day of this instant, July, or the major part of them so met, recommend the officers of the companies of Germans to be raised in that county, and also the officers of the rifle companies to be raised there, except the captain.

That Lemuel Barret be captain of the rifle company to be raised in Frederick county, if he will act as such.

That each of the companies of Germans consist of one captain, two lieutenants, one ensign, four sergeants, four corporals, one drummer, one fifer, and seventy-six privates; and each of the rifle companies of one captain, three lieutenants, four sergeants, four corporals, one drummer, one fifer, and seventy-six privates; and that the officers being approved, be appointed and certified to the congress by the council of safety.

That each of the officers being nominated by the committees, have warrants for enlisting, and that each of the officers enlist the following numbers, to wit: a captain 30, first and second lieutenant 20, third lieutenant or ensign 16; and that by order of the council of safety, the said officers draw out of the public treasury monies sufficient to discharge the bounties.

The committee for that purpose appointed, bring in and deliver to Mr. President the following report:

“Your committee appointed to examine and price the linen brought in by Edward Parker, do report, that he has brought in 611 yards valued at 3s. 6d. per yard, and four hundred and twenty-seven and a quarter yards at 2s. 3d. per yard, common currency. All which is submitted to the consideration of the honorable house.

“THOMAS CONTEE, chairman com.”

Which was read and agreed to.

Whereas, this convention hath resolved, “that the several companies of militia intended to be raised for the purpose of forming a flying camp for the protection of the middle colonies, shall be mustered and passed by some one of the field-officers of the counties where such companies shall be raised, and the captains shall return two copies of his muster roll certified by the field officer who musters the men, to the council of safety.” And *whereas*, no field-officers are appointed in Kent county, it is therefore *Resolved*, that the committee of observation for Kent county are hereby authorised to appoint a militia commissioned officer in said county, who is empowered to muster and pass such companies in as full and ample manner as if the same was done by a field-officer.

On motion, *Resolved*, That the commissioners appointed by a resolve of the convention of this province in December last, for the purpose of establishing a gun-lock manufactory in Frederick town in Frederick county, or in the neighborhood thereof, for which purpose twelve hundred pounds was appropriated, do lay before the next convention, on the third day of their sitting, a full and clear account of their proceedings in the premises, together with the state of said manufactory.

On reading and considering the report from the committee appointed to report on the petition of John Brewer of the city of Annapolis, *Resolved*, That the fine imposed on the said John Brewer by the committee of observation for Anne Arundel county be remitted, and his fire arms returned to him.

On motion, *Resolved*, That all petitions, applications and reports to convention this present session, and all petitions, applications and reports, to convention in all its former sessions, whereon no

final order hath been or shall be made, be referred to the next session of convention.

On motion, *Resolved*, That a bounty of one shilling common money be paid by the council of safety for every bushel of salt imported into this colony, and delivered above Point Look out, before the first day of March next, and that the importer be allowed to sell the same at any price not exceeding seven shilling and six pence common money per bushel.

On motion, *Resolved*, That the council of safety advertise the proposals given in to this convention by Mr. Charles Wallace, and request any person who will contract for a large quantity of salt, to deliver in their proposals by the 20th day of July next, and the council of safety are empowered to enter into a contract agreeable to any such proposals that may be given in, if they adjudge such proposals more for the advantage of the public, but if no better terms should be offered by the said day, then the council of safety are empowered to close with the said proposals of Charles Wallace.

Ordered, That the declaration of this convention of this day, and the resolution in answer to the resolutions of the Virginia convention, be published in the Maryland Gazette.

The journal of accounts was read and assented to.

Ordered, That the treasurer of the western shore pay the several claims allowed in the same.

The convention adjourns till Thursday the first day of August next, to sit at this place, but the council of safety may convene the convention at any other time or place they shall judge it necessary.

Signed by order of the convention,

GABRIEL DUVALL, clerk.

PROCEEDINGS OF THE CONVENTION
OF THE
PROVINCE OF MARYLAND,
HELD AT
The City of Annapolis, on Wednesday, the fourteenth of August,
1776.

At a CONVENTION of the DELEGATES chosen by the several counties and districts, and by the city of Annapolis and town of Baltimore of the province of Maryland, at the city of Annapolis, on Wednesday the 14th of August, 1776,

WERE PRESENT,

For St. Mary's county.

Richard Barnes,
Ignatius Fenwick.

Charles county.

John Dent,
Thomas Semmes,
John Paruhan.

Calvert county.

Benjamin Mackall,
Charles Grahame,
William Fitzhugh,
John Mackall.

Prince George's county.

Walter Bowie,
Luke Marbury,
Osborn Sprigg,
Thomas Sim Lee.

Anne Arundel county.

Rezin Hammond,
B. T. B. Worthington,
Charles Carroll, barrister,
Samuel Chase.

Frederick co. Lower district.

Thomas S. Wootton,
Jonathan Wilson,
William Bayly, jr.
Elisha Williams.

Middle district.

Adam Fischer,
Upton Sheredine,
Christopher Edelen,
David Schriver.

Upper district.

Samuel Beall,
John Stull,
Henry Schnebely.

Baltimore county.

Charles Ridgely,
Thomas Cockey Deye,
John Stevenson,
Peter Shepherd.

Baltimore town.

John Smith,
Jeremiah T. Chase.

Harford county.

Jacob Bond,
Henry Wilson, jr.
John Love,
John Archer.

Cecil county.

Joseph Gilpin,
Patrick Ewing,
David Smith,

Talbot county.

Matthew Tilghman.

The convention proceeded to the choice of a president, and the hon. Matthew Tilghman, esq. was unanimously elected.

The convention appointed Mr. Gabriel Duvall, clerk. *Ordered,* That he qualify himself as such, by taking oath that he will honestly, diligently, and faithfully discharge the office of clerk to the convention of Maryland, and that he will not disclose or reveal the secrets thereof.

Mr. Allen Quynn was appointed messenger, and Mr. Robert Reynolds door keeper. *Ordered*, That they severally qualify themselves as such, by taking the oath of office and secrecy as above directed to be taken by the clerk.

On motion, *Resolved*, That a committee of elections be appointed, and that they be directed to inspect the returns thereof, and report whether the elections have been made agreeable to the directions of the last convention; and Mr. Gilpin, Mr. S. Chase, Mr. Worthington, Mr. Wootton, and Mr. Carroll, were elected by ballot a committee for that purpose.

Adjourned till 3 o'clock.

POST MERIDIEM.

Convention met. Mr. William Paca, a delegate returned for the city of Annapolis, and Mr. Nathaniel Potter, Mr. William Richardson, and Mr. Richard Mason, delegates returned for Caroline county, appeared and took their seats in the house.

On motion, *Resolved*, That the council of safety be empowered to draw for a sum not exceeding thirty thousand pounds, of the bills of credit now remaining in the hands of the treasurer, appropriated to the calling in and cancelling the bills of credit issued by the convention in July, 1775, and that they apply the same or any part thereof to the use of the public, as occasion may require; and that this convention will make such provision for calling in and cancelling the said former emission as may be necessary.

Certificates of the qualification of the clerk, messenger and door-keeper, were produced and filed.

Mr. Nicholas Harwood and Mr. John Johnson were appointed assistant clerks to the convention. *Ordered*, That they qualify as such, by taking the usual oath.

Convention adjourns till Monday morning, 9 o'clock.

THURSDAY, August 15, 1776.

Convention met. All members present as on yesterday. The proceedings of yesterday were read. Mr. Robert Goldsborough, Mr. John Murray, Mr. James Ennalls, and Mr. Joseph Ennalls, jun., delegates returned for Dorchester county; Mr. Gustavus Scott, Mr. George Scott, Mr. William Horsey, and Mr. Henry Lowes, delegates returned for Somerset county; Mr. Peter Chaille, Mr. Smith Bishop, Mr. Samuel Handy, and Mr. John Purnell Robins, delegates returned for Worcester county; and Mr. Pollard Edmondson and Mr. John Gibson, delegates returned for Talbot county, appeared and took their seats in the house.

Mr. Samuel Chase brings in and delivers to Mr. President a report from the committee of elections, which was read in the following words:

“The committee of elections beg leave to report, that by the return of the election for Saint Mary’s county, Richard Barnes, Ignatius Fenwick, George Plater, and Jeremiah Jordan, Esquires, were elected agreeable to the resolve and direction of the last convention.

“That by the return for Charles county, the same was partly held at the place directed by the last convention, and partly at another place, by the unanimous consent of the voters, and that Robert T. Hooe, John Dent, Thomas Semmes, and John Parnham, Esquires, were elected for the said county.

“That by the return for Calvert county, Benjamin Mackall, Charles Grahame, William Fitzhugh, and John Mackall, Esquires, were duly elected agreeable to the resolve and direction of the last convention.

“That Walter Bowie, Luke Marbury, Osborn Sprigg, and Thomas Sim Lee, esqrs., are returned by Jeremiah Magruder, Humphrey Belt, and Thomas Boyd, as duly elected for Prince George’s county.

“That the inhabitants of the county agreed, that every taxable bearing arms, being an inhabitant of the county, had an undoubted right to vote for representatives at this time of public calamity; that the judges appointed declined to act, and that they appointed the judges who made the return aforesaid.

“That by the return of the election for Anne Arundel county, Rezin Hammond, Brice Thomas Beale Worthington, Charles Carroll, barrister, and Samuel Chase, esqrs., were elected agreeable to the resolve and direction of the last convention.

“That for the lower district of Frederick county, Thomas Sprigg Wootton, Jonathan Wilson, William Bayly, junr. and Elisha Williams, esqrs., are returned by judges appointed by the committee of that district, duly elected by a majority of voters, resident of the district, who had armed in defence of the country.

That by the return for the middle district of Frederick county, Adam Fischer, Upton Sheredine, Christopher Edelin, and David Schriver, esqrs., were elected agreeable to the resolve and direction of the last convention.

“That by the return for the upper district of Frederick county, Samuel Beall, Samuel Hughs, John Stull, and Henry Schnebely, esqrs., were duly elected.

“That by the return from Baltimore county, Charles Ridgely,

Thomas Cockey Deye, John Stevenson, and Peter Shepherd, esqrs. were duly elected.

“That by the return from Baltimore town, John Smith, and Jeremiah Townly Chase, esqrs. were duly elected.

“That by the return from Harford county, Jacob Bond, Henry Wilson, jr., John Love, and John Archer, esqrs. were duly elected.

“That by the return from Cecil county, Joseph Gilpin, Patrick Ewing, David Smith, and Benjamin Brevard, esquires, were duly elected,

“That by the return from Talbot county, Pollard Edmondson, John Gibson, Matthew Tilghman, and James Lloyd Chamberlaine, esqrs., were duly elected.

“That by the return from Caroline county, Nathaniel Potter, William Richardson, Richard Mason, and Henry Dickinson, esqrs. were duly elected.

“That by the return from the city of Annapolis, William Paca, and Charles Carroll of Carrollton, esqrs., were duly elected.

“That by the return for Dorchester county, Robert Goldsborough, James Murray, John Ennalls, and Joseph Ennalls, esqrs., were duly elected.

“That by the return for Somerset county, Gustavus Scott, Geo. Scott, William Horsey, and Henry Lowes, esquires, were duly elected.

“Signed by order of the committee,

NICHOLAS HARWOOD, clerk.”

On motion the question was put, That for the future, the name of every gentleman who may make a motion in the house be inserted in the entry that may be made in consequence thereof? Resolved in the affirmative.

AFFIRMATIVE.

Mr. Fenwick,	Mr. Sprigg,	Mr. Ridgely,
Dent,	Lee,	Deye,
Semmes,	Hammond,	Stevenson,
Parnham,	Worthington,	Shepherd,
B. Mackall,	Carroll,	Bond,
Fitzhugh,	Wootton,	H. Wilson,
J. Mackall,	J. Wilson,	Love,
Bowie,	Bayly,	Archer,
Marbury,	Williams,	Ewing.

NEGATIVE.

Mr. Barnes,	Mr. Edelen,	Mr. Jos. Ennalls,
Grahame,	Schrifer,	Potter,

S. Chase,	J. Smith,	Richardson,
Paca,	J. T. Chase,	Mason,
Fischer,	Gilpin,	Gust. Scott,
Sheredine,	D. Smith,	Geo. Scott,
Beall,	Edmondson,	Horsey,
Stull,	Goldsborough,	Lowes.
Schnebely,	John Ennalls,	

Certificates of the qualification of Mr. Harwood and Mr. Johnson were produced and filed.

On reading a letter from William Rogers, William Bordley, and John Page, esqrs., appointed judges by the last convention for holding the election for Kent county, setting forth that they were prevented from carrying on the election for the said county by a number of people not qualified to vote by the resolves of the last convention, on motion of Mr. Samuel Chase, *Resolved*, That the election for the said county be carried on and continued by the said judges on Thursday the 22d instant, agreeable to the resolves and directions of the last convention.

Resolved, That all friends to America, and the interest, peace and happiness of this province, are required, if necessary, to be aiding and assisting to the judges of election for Kent county in the execution of their office, and this convention will support and maintain the said judges in the discharge of their duty.

The yeas and nays being required on the above resolution, they were as follow :

AFFIRMATIVE.

Mr. Barnes,	Mr. Fischer,	Mr. Gibson,
Fenwick,	Sheredine,	Goldsborough,
Dent,	Edelen,	Murray,
Semmes,	Schrivier,	John Ennalls,
Parnham,	Beall,	Jos. Ennalls,
B. Mackall,	Stull,	Potter,
Grahame,	Schnebely,	Richardson,
J. Mackall,	J. Smith,	Mason,
Marbury,	J. T. Chase,	Gust. Scott,
Lee,	Bond,	Geo. Scott,
Worthington,	H. Wilson,	Horsey,
Carroll,	Love,	Lowes,
S. Chase,	Gilpin,	Chaille,
Paca,	Ewing,	Bishop,
Wootton,	D. Smith,	Handy,
J. Wilson,	Edmondson,	Robins.
Bayly,		

NEGATIVE.

Mr. Fitzhugh, Bowie, Hammond, Williams,	Mr. Ridgely, Deye, Stevenson,	Mr. Shepherd, Archer, Sprigg.
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Ordered, That the president transmit a copy of the above resolutions to the judges of election for Kent county.

On reading a second time the report of the committee of elections, on motion of Mr. Paca, the question was put, That the delegates of Charles county were duly elected? Resolved in the affirmative.

AFFIRMATIVE.

Mr. Barnes, Fenwick, B. Mackall, Grahame, Fitzhugh, J. Mackall, Bowie, Marbury, Sprigg, Hammond, Worthington, Carroll, Paca,	Mr. Wootton, J. Wilson, Bayly, Williams, Fischer, Sherdine, Edelen, Shriver, Beall, Stull, Schnebely, Ridgely, Deye,	Mr. Stevenson, Shepherd, J. Smith, J. T. Chase, Bond, H. Wilson, Love, Archer, Gilpin, Gibson, Bishop, Robins.
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NEGATIVE.

Mr. Lee, S. Chase, Edmondson, Golsborough, Murray,	Mr. John Ennalls, Jos. Ennalls, Potter, Richardson, Mason,	Mr. Geo. Scott, Horsey, Lowes, Chaille, Handy.
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In progression, on reading the report from the committee of elections, on motion of Mr. S. Chase, *Resolved*, That the election for Prince George's county, not being held agreeable to the directions of the last convention, is void, and that an election for the said county be held by the judges appointed by the last convention, agreeable to the resolve and direction of the said convention, on Thursday the 22d instant, at the court house of the county, and that the members returned be discharged from further attendance in this convention.

The yeas and nays being required, they were as follow ·

AFFIRMATIVE.

Mr. Barnes,	Mr. Sheredine,	Mr. D. Smith,
Fenwick,	Edelen,	Edmondson,
Dent,	Shriver,	Gibson,
Semmes,	Beall,	Goldsborough,
Parnham,	Stull,	Murray,
B. Mackall,	Schnebely,	John Ennalls,
Grahame,	Ridgely,	Jos. Ennalls,
Fitzhugh,	Deye,	Potter,
J. Mackall,	Stevenson,	Richardson,
Worthington,	Shepherd	Mason,
Carroll,	Smith,	Gus. Scott,
S. Chase,	J. T. Chase,	Geo. Scott,
Paca,	Bond,	Horsey,
Wootton,	H. Wilson,	Lowes,
J. Wilson,	Love,	Chaille,
Bayly,	Archer,	Bishop,
Williams,	Gilpin,	Handy,
Fischer,	Ewing,	Robins.

NEGATIVE.

Mr. Rezin Hammond.

Resolved, That the election for the lower district of Frederick county, (not being held agreeable to the directions of the last convention,) is void, and that an election for the said district be held by the judges appointed by the last convention, on Thursday, the 22d instant, agreeable to the resolve and direction of the said convention, and that the members returned be discharged from further attendance in this convention.

Adjourned till 3 o'clock.

POST MERIDIEM.

Convention met. Mr. George Plater, a delegate returned for St. Mary's county, and Mr. Benjamin Brevard, a delegate returned from Cecil county, appeared and took their seats in the house.

Ordered, That the four independent companies immediately proceed to Elizabeth town in the Jerseys, and put themselves under the command of colonel Smallwood, subject to the further orders of the congress.

Resolved, That the council of safety take such measures as they may think best to expedite their march, and to supply them with carriages and provisions on their march, and that the said companies be deducted from the number of the militia required by congress of this colony to compose the flying camp.

Upon reading a remonstrance from the judges appointed by the last convention to hold the election of delegates for Worcester county, and it appearing to this convention from the said remonstrance, and the acknowledgement of the delegates attending, that the election for the said county was held contrary to the resolves of the last convention, ascertaining and declaring the qualifications of voters, *Resolved*, That said election is null and void, and that an election for the said county be held by the judges aforesaid, agreeable to the resolves of the last convention, on the 27th day of August, at the court house of the said county, and that the members now attending be discharged from further attendance.

Resolved, That all friends to America, and to the interest, peace, good order and happiness of this province, are required, if necessary, to be aiding and assisting to the judges of the election of delegates for Worcester county in the execution of their office, and this convention will support and maintain the said judges in the discharge of their duty, and such friends who shall give such aid and assistance as shall be necessarily required.

Resolved, That the hours for sitting for despatch of the public business during this session be from nine o'clock in the morning until one in the afternoon, and from three till six.

Ordered, That the following rules be observed during this session.

That no member of the house use any reviling speeches, or name any member by his proper name, but shall use some other distinction, as the gentleman who spoke last, or the like.

That none shall deliver his opinion, or speak to any debate, unless he shall stand up in his place, and reverently direct his speech to the president.

That no member speak above once on any debate without license of the house declared by the president; and if two persons or more shall rise up together, the president shall appoint who shall speak first; and no member shall interrupt any other until the gentleman speaking hath ended.

That no person come into the convention, while the same is sitting, with sword or other weapon, upon penalty of such fine as shall be imposed on them by the president not exceeding twenty shillings.

That if any member be absent at the hours and place appointed, after the president and fourteen of the members are met, according to the order for sitting, he shall be fined according to the discretion of the president, not exceeding five shillings for any offence, unless upon such excuse as the president shall admit.

All misdemeanors which shall happen in the house shall be censured or fined in the house.

That if any member of the convention depart without leave of the house, such member shall forfeit all his preceding allowances due to him for his attendance this session.

That no question be determined the day on which it is debated, if any three members desire the determination to be postponed to another day.

That no question be determined (except for adjournment from day to day) unless forty-five members with the president be present.

On motion, the question was put, That the reverend Mr. Lendrum be desired to read prayers before the convention at nine o'clock in the morning during this session, and that Mr. Paca wait on Mr. Lendrum for that purpose? Resolved in the affirmative.

AFFIRMATIVE.

Mr. Barnes,	Mr. Carroll,	Mr. Murray,
Fenwick,	S. Chase,	John Ennalls,
Dent,	Paca,	Jos. Ennalls,
Semmes,	Sheredine,	Richardson,
Parnham,	Edelen,	Mason,
B. Mackall,	Beall,	Gust. Scott,
Graham,	Stull,	Geo. Scott,
Fitzhugh,	J. T. Chase,	Horsey,
Hammond,	Edmondson,	Lowes.
Worthington,	Goldsborough,	

NEGATIVE.

Mr. J. Mackall,	Mr. Stevenson,	Mr. Archer,
Fisher,	Shepherd,	Gilpin,
Schriver,	J. Smith,	Ewing,
Schnebely,	Band,	D. Smith,
Ridgely,	H. Wilson.	Brevard,
Deye,	Love,	Gibson.

Mr. Fisher has leave of absence.

Convention adjourns till to-morrow morning, 9 o'clock.

FRIDAY, August 16, 1776.

Convention met. All members present as on yesterday, except Mr. Fisher. The proceedings of yesterday were read. Mr. R. T. Hooe, a delegate returned for Charles county, appeared and took his seat in the house.

The council of safety laid before the convention the declaration of congress, that the united colonies are free and independent states, which was received after the rising of the last convention, and thereupon ordered that the same be taken into consideration to-morrow morning.

The petition of sundry freeholders and freemen of Kent county, praying that the proceedings on the late election for the said county may be rendered void, and that at a new election every associator resident of the county one year, and twenty-one years of age, might be enabled to vote, was read and rejected.

On motion of Mr. Samuel Chase, *Resolved*, That the council of safety be directed to purchase of the managers of the gun manufactory of Dorchester county, all the muskets they have by them, both finished and unfinished, and that they indemnify the said managers for the money they have expended on the said muskets and manufactory.

Ordered, That the guns taken by the guard under the command of major Follin be delivered to the order of the council of safety.

On motion of Mr. Parnham, *Resolved*, That the militia for the flying camp be entitled to pay and rations from the time they march from home to enter into actual service, or from the dates of the commissions of their respective officers, where they have not entered into actual service: That the pay and rations be advanced to this state, and the continent charged therewith.

On motion of Mr. Samuel Chase, *Resolved*, That the council of safety direct such of the militia as have been raised for the flying camp, and can be armed and equipped, to march with all expedition to the Jerseys.

The committee of elections report to the house, That Turbutt Wright, James Keut, Solomon Wright, and William Bruff, Esquires, are returned by John Seney, Basil Warfield, and Vachel Downes, appointed by the freemen of Queen Anne's county judges of the election, as duly elected delegates for the said county—thereupon the convention taking the same into consideration, *Resolved*, That the election of delegates for Queen Anne's county, not being held agreeable to the directions of the last convention, is void; and that an election for the said county be held by the judges appointed by the last convention, agreeable to the directions and resolves of the said convention, at the house of Mr. George Hanson, on Monday the 26th instant—and that the members returned be discharged from further attendance.

Adjourned till 3 o'clock.

POST MERIDIEM.

Convention met.

On motion of Mr. Samuel Chase, *Resolved*, That the council of safety advance eight hundred dollars to Lonwick Weltner, major of the German battalion, to furnish the companies raised in this colony with arms, blankets, and all necessary accoutrements, he to be accountable to the congress, to whom the said money be charged.

On motion of Mr. Samuel Chase, *Resolved*, That the brigadier-general of the flying camp, if acting in conjunction with the regular troops of this colony, be subject to the command of colonel Smallwood.

On motion, the question was put, That the appointment of military officers be by ballot? Carried in the negative.

On motion of Mr. Fitzhugh, That captain Rezin Beall be brigadier-general of the militia of Maryland to compose a part of the flying camp? The previous question was called for and put, whether the above question be now put? Carried in the negative.

On motion of Mr. Samuel Chase, *Resolved*, That no military officer be appointed, unless by a majority of the house, consisting of forty-five members with the president.

The convention proceeded to the choice of a brigadier-general for the flying camp in the room of general Dent who had resigned, when Resin Beall, Esquire, was elected.

On motion of Mr. Gustavus Scott, *Resolved*, That the seat of every member of this house, who shall hereafter accept a commission in the flying camp, shall be thereby vacated.

The convention proceeded to the choice of a colonel for the battalion raised on the eastern-shore for the flying camp in the room of James Kent, Esquire, when William Richardson, esquire, was elected.

William Whitely, esquire, was then elected lieutenant-colonel of the said battalion.

Convention adjourns till to-morrow morning at 9 o'clock.

SATURDAY, August 17, 1776.

Convention met. All members present as on yesterday, except Mr. Richarson The proceedings of yesterday were read.

On motion of Mr. Gustavus Scott, *Resolved*, That a committee be appointed to examine and adjust the several claims on the treasury; and Mr J. Smith, Mr. Hooe, Mr. Grahame, Mr. Worthington, and Mr. Sheredine, were elected by a ballot a committee for that purpose.

Mr. Charles Carroll, of Carrollton, a delegate returned for the city of Annapolis, appeared and took his seat in the house.

On motion of Mr. Plater, *Resolved*, That Mr. Thomas Gassaway jun. be added to the signers of the bills of credit.

On motion *Resolved*, That a delegate be elected for Caroline county in the room of Mr. William Richardson, whose seat is vacated by his acceptance of a colonel's commission in the flying camp; that the said election be held on the 26th of this month at Melvill's warehouse in said county, by Foster Goldsborough, Jeremiah Colston, and John White, esquires, or any two or one of them, and that the said election be held and made agreeable to the directions and resolves of the last convention.

Resolved, That Mr. Robert Campbell be appointed adjutant to the eastern-shore battalion of militia for the flying camp.

Agreeable to the order of the day, the convention took into consideration the resolution of congress declaring the united colonies free and independent states, and thereupon *Resolved unanimously*, That this convention will maintain the freedom and independency of the United States with their lives and fortunes.

Doctor John Hindman was appointed surgeon to the eastern-shore battalion of militia for the flying camp.

On reading a petition from Thomas Harwood of Anne-Arundel county, *Resolved*, That a committee be appointed to receive proposals relating to the establishment of manufactories, and report their opinion thereon; and Mr. Gilpin, Mr. Lowes, Mr. Ridgely, Mr. Ewing, and Mr. Beall, were elected by ballot a committee for that purpose.

On motion of Mr. Samuel Chase, *Resolved*, That a committee be appointed to examine and report the state of the accounts and proceedings of the commissioners of the loan office; and Mr. Grahame, Mr. Barnes, and Mr. Carroll, of Carrollton, were elected by ballot a committee for that purpose.

Ordered, That the committee of claims report to the convention the number and denominations of the bills of credit emitted by resolutions of the convention in July, 1775, which have been exchanged by the treasurers of this state for bills of credit emitted by resolution of the convention in December last; also the number and denominations of the former bills of credit now remaining in the hands of the said treasurers.

On motion of Mr. Samuel Chase, *Resolved*, That a committee be appointed to prepare a declaration and charter of rights, and a plan of government agreeable to such rights as will best maintain peace and good order, and most effectually secure happiness and liberty to the people of this state.

On motion, *Resolved*, That the president apply to congress for the sum of ten thousand pounds, to reimburse in part the expense incurred in this state for the continent.

Adjourned till 3 o'clock.

POST MERIDIEM.

Convention met. Mr. James Lloyd Chamberlaine, a delegate returned for Talbot county, appeared and took his seat in the house.

On motion, the question was put, That the nomination of the committee for preparing a bill of rights, and a form of government, be postponed until there is a full representation of this state in convention? Carried in the negative.

On motion of Mr. Fitzhugh, That all questions to be agitated in this house be determined *viva voce*, and that balloting on any question whatsoever be exploded, as it has a tendency to deceive the good people of this state, and to conceal the conduct of their representatives from them? An amendment was proposed to be inserted after the word *exploded*, in these words, *except in the appointment of committees*, on which amendment the question was put, and resolved in the affirmative.

AFFIRMATIVE.

Mr. Fenwick,	Edelen,	Edmondson,
Plater,	Schrivier,	Gibson,
Hooe,	Beall,	Chamberlaine,
Dent,	Stull,	Goldsborough,
Semmes,	Shnebely,	Murray,
Parnham,	Shepherd,	John Ennalls,
B. Mackall,	J. Smith,	Jos. Ennalls,
Grahame,	J. T. Chase.	Potter,
Worthington,	H. Wilson,	Mason,
Carroll, barrister,	Archer,	Gus. Scott,
S. Chase,	Gilpin,	Geo. Scott
Paca,	Ewing,	Horsey,
Carroll of Car.	D. Smith,	Lowes.
Sheredine,	Brevard,	

NEGATIVE.

Mr. Barnes,	Mr. Ridgely,	Mr. Bond,
Fitzhugh,	Deye,	Love.
Hammond,	Stevenson,	

The question was then put, That all questions to be agitated in this house be determined *viva voce*, and that balloting on any

question whatsoever be exploded, except in the appointment of committees, as it has a tendency to deceive the good people of this state, and to conceal the conduct of their representatives from them? *Resolved*, in the affirmative.

FOR THE AFFIRMATIVE.

Mr. Plater,	Mr. Carroll of Carr.	Mr. Shepherd,
Dent,	Sheredine,	J. T. Chase,
Parnham,	Edelen,	Bond,
B. Mackall,	Schriver,	D. Smith,
Grahame,	Beall,	Edmondson,
Fitzhugh,	Stull,	Gibson,
Hammond,	Schnebely,	Murray,
Worthington,	Ridgely,	Jos. Ennalls,
Carroll, barrister,	Deye,	Mason,
S. Chase,	Stevenson,	Horsey.
Paca,		

NEGATIVE.

Mr. Barnes,	Mr. Archer,	Mr. John Ennalls,
Fenwick,	Gilpin,	Potter,
Hooe,	Ewing,	Gust. Scott,
J. Smith,	Brevard,	Geo. Scott,
H. Wilson,	Chamberlaine,	Lowes.
Love,	Goldsborough,	

The convention then proceeded to ballot for a committee to prepare a declaration and charter of rights, and a form of government for this state; and Mr. President, Mr. Carroll, barrister, Mr. Paca, Mr. Carroll of Carrollton, Mr. Plater, Mr. Samuel Chase, and Mr. Goldsborough, were elected a committee for that purpose.

On motion, *Resolved*, That captain Thomas Bourke's company of the flying camp be added to and compose part of colonel Richardson's battalion.

Convention adjourns till to-morrow morning at 9 o'clock.

MONDAY, August 19, 1776.

Convention met. All members present as on Saturday, except Mr. Hammond. The proceedings of Saturday were read.

On reading a memorial from the officers of colonel Josias Carvil Hall's battalion, *Resolved*, That the captains, lieutenants, and ensigns, belonging to that part of the flying camp allotted to be raised by this state, are entitled to and shall receive pay and rations from the date of their respective warrants, in lieu of all recruiting expenses, provided such officers have or shall obtain commissions;

or from the dates of their commissions, where no warrants have been previously issued.

A petition from Thomas Wilson of the city of Annapolis, praying a remission of the fine set upon him by the committee of observation for Anne Arundel county, for not having enrolled in some company of militia, was read and referred to the consideration of the committee of observation for Anne Arundel county aforesaid.

A petition from Thomas French, late sheriff, and George French, present high sheriff of Frederick county, was read and ordered to lie on the table.

The council of safety laid before the convention an inventory of sundry articles taken out of a small sloop, drifted ashore in this state from the British fleet under the command of lord Dunmore, and now stored by order of major Price, which was read.

Resolved, That a committee be appointed to take the subject matter into consideration, and report in what manner such articles and prizes of the like nature are to be disposed of; and Mr. Paca, Mr. Gustavus Scott, and Mr. Hooe, were elected by ballot a committee for that purpose.

On motion, *Ordered*, That the council of safety be directed to advance the sum of ten pounds to Mr. James Hopkins, to enable him to construct a machine according to proposals communicated to this house.

On motion, *Ordered*, That the resolution of Saturday, respecting the declaration of independence, be published in the Maryland Gazette.

The council of safety laid before the convention sundry papers and depositions relative to the reverend John Scott, and several depositions taken by George Plater and John Hall, esquires, relative thereto; thereupon it is ordered, that a committee be appointed to take the same into consideration, and report their opinion thereon; and Mr. Samuel Chase, Mr. Jeremiah Townley Chase, Mr. Paca, Mr. Worthington, Mr. Ridgely, and Mr. Chamberlaine, were elected by ballot a committee for that purpose.

On reading the depositions laid before the convention by the council of safety against Isaac Costin, *Ordered*, That the same be taken into consideration on Monday, the 2d of September next.

Adjourned till 3 o'clock.

POST MERIDIEM.

Convention met.

Sundry depositions against William B. Townsend of Worcester county, and Joseph Wheland, jr., John Evans, Robert Howith, and

Basil Clarkson, of Dorchester county, were read and referred to the committee appointed to consider of the several depositions and papers relative to the reverend Mr. Scott.

A petition from Abraham Lingenfelter, David Aspaugh, and Henry Barnes, languishing prisoners in Frederick county jail, and sundry petitions from William Field, Robert Field, Jeremiah Field, Joseph Field, Seymour York, Robert Turner, Samuel Deviny, Stephen Ceffney, and Frederick Craft, now confined in Frederick town, Frederick county, were read and ordered to lie on the table.

Mr. Mackall has leave of absence.

Convention adjourns till to-morrow, three o'clock in the afternoon.

TUESDAY, August 20, 1776.

Convention met. All members present as on yesterday, except Mr. B. Mackall. The proceedings of yesterday were read. Mr. Hammond appeared in the house. Mr. Jeremiah Jordan, a delegate returned from St. Mary's county, appeared and took his seat in the house.

The convention proceeded to elect a surgeon to colonel Thomas Ewing's battalion of militia for the flying camp, when Dr. John Dorsey was elected.

A petition from Thomas Watkins, and others, inhabitants of Anne Arundel county, praying to be permitted to form themselves into an independent militia company, was read and rejected.

A memorial from Charles Dashiell, of Somerset county, and a petition from George Dashiell and William Dashiell of said county were read and ordered to lie on the table.

Convention adjourns till to-morrow morning, 9 o'clock.

WEDNESDAY, August 21, 1776.

Convention met. All members present as on yesterday. The proceedings of yesterday were read.

On motion, *Resolved*, That three persons be appointed a board to continue the books of accounts of the expenditure, loan or disposition of all public monies, by or under the authority of the convention, or council of safety, opened by the late board, with power to audit, examine and adjust all accounts and sums of money due from or to this state, and that they transmit the same, with the respective balances struck, to this convention when sitting, and in their recess to the council of safety, for their examination and control.

That the said commissioners, before they enter upon the execution of their trust, take an oath or affirmation, carefully and accurately to audit, examine and adjust all accounts and sums of money due from or to this state, and that they will not allow any claim against the public but what they in their judgment and conscience shall deem just and right; and that they will keep just and true accounts, and will transmit the same, with the respective balances struck, to the convention, or in their recess to the council of safety, for their examination and control; and that the said commissioners will keep secret all such matters or things as come before them in the execution of their said trust, they shall be enjoined to keep secret by the convention or council of safety.

Resolved, That there be a clerk to the said board of commissioners, and that the said clerk be allowed ten shilling for every day he shall attend such service, and that he take an oath before he enters on the execution of his office, that he will faithfully and truly enter all accounts, and make all such entries as he shall be directed by the said commissioners, and shall also take the oath of secrecy as above directed to be taken by the commissioners.

Resolved, That Mr. John Davidson, Mr. Thomas Brooke Hodgkin, and Mr. William Wilkins, be appointed commissioners for the said board, that any two of them have power to act, and that each of them be allowed ten shillings per day for their trouble for every day they shall attend such service.

On motion, *Resolved*, That a committee be appointed to enquire how far the resolve of the last convention of the 6th of July, for raising two companies of rifle men and four companies of Germans, has been complied with, and into the expenditure of the money advanced for the raising those companies, and report the same to this convention; and Mr. Ridgely, Mr. Love, Mr. Archer, Mr. Stull, and Mr. Sheredine, were elected by ballot a committee for that purpose.

Adjourned till 3 o'clock.

POST MERIDIEM.

Convention met. Mr. Potter and Mr. Mason have leave of absence.

Mr. John Muir was appointed clerk to the board of accounts.

Mr. H. Wilson has leave of absence.

The committee appointed to report on the establishment of manufactorys bring in and deliver to Mr. President the following report:

"Your committee appointed to examine and price the linen

brought in and delivered by John Archer, and James Harris, do report, that they have brought in the following pieces, viz :

No. 1	containing 22 yards,	at 4s 3d per yard.	
4	45½	4s 3d	“
2	52	3s 9d	“
6	52	3s 9d	“
3	42½	3s 3d	“
5	55	3s 3d	“

All which is submitted to the honorable house.

“Signed per order of the committee,

JOHN JOHNSON, clerk.”

Which was read and ordered to lie on the table.

Convention adjourns till to-morrow 3 o'clock in the afternoon.

THURSDAY, August 22, 1776.

Convention met. All members present as on yesterday, except Mr. Potter, Mr. Mason, and Mr. H. Wilson. The proceedings of yesterday were read.

The committee for that purpose appointed bring in and deliver to Mr. President a report relating to the establishment of manufactories, which was read and ordered to lie on the table.

To prevent confusion and discontent among the officers in the regular and militia service of this state respecting rank, on motion of Mr. Fitzhugh, *Resolved*, That all officers in the regular service, when acting in conjunction with the militia, by detachment or otherwise, shall take rank and command of all officers of the militia of the same denomination, without regard to the date of their respective commissions, and not otherwise; but this regulation shall not effect the resolve of Friday last, relative to colonel Smallwood's taking command of the brigadier appointed to the flying camp.

The proceedings of the council of safety were laid before the convention and ordered to lie on the table.

A petition from part of the independent company of regular troops lately commanded by captain Rezin Beall, praying that their third lieutenant should be appointed captain of the company, was read and rejected. Mr. Bennett Bracco was then appointed captain, Mr. John Halkerston first lieutenant, Mr. Daniel Jenifer Adams second lieutenant, and Mr. Thomas Beal third lieutenant of said company.

On reading a second time the report from the committee appointed to receive proposals relating to the establishment of manufactories, the convention took the same into consideration, and thereupon *Resolved*, That the sum of one hundred pounds be advanced

out of the public treasury, to Thomas Harwood, of Anne Arundel county, to enable him to carry on a stocking manufactory, he giving bond with good security to repay the same in one year from the date of his bond, in good merchantable thread or yarn stockings, at such prices as the convention, or in their recess the council of safety, shall adjudge.

Convention adjourns till to-morrow, 3 o'clock in the afternoon.

FRIDAY, August 23, 1776.

Convention met. All members present as on yesterday. The proceedings of yesterday were read. Mr. Samuel Hughs, a delegate returned for the upper district of Frederick county, appeared and took his seat in the house.

Mr. President communicated to the convention a letter from the secretary of the board of war, of the 6th day of this instant, relative to prisoners of war, and officers of the troops raised in this state for the continental service, which was read. Thereupon *Ordered*, That the same be referred to a committee to report a list of such prisoners and of such officers, their rank and dates of commissions, and the the time for which their men were enlisted; and Mr. Sheredine, Mr. Hughs, and Mr. Edelen, were elected by ballot a committee for that purpose.

A letter from Mr. Stone of the twenty first of this instant, with resolutions of congress of the twenty sixth of June and seventeenth of August, were laid before the convention by the president, and read. *Ordered*, That a committee be appointed to take the same into consideration, and report their opinion thereon to the convention; and Mr. Fitzhugh, Mr. Plater, and Mr. Carroll of Carrollton, were elected by ballot a committee for that purpose.

On motion, *Resolved*, That the appointment of commanders for the vessels and armed boats ordered to be fitted out by the last convention, be made by the council of safety.

A memorial from James Cunningham, relative to a sloop drifted ashore in this state from the British fleet under the command of lord Dunmore, was read, and referred to the committee appointed to report how captures shall be disposed of.

Mr. Thomas Sprigg Wootton and Mr. William Bayly, jun. delegates returned for the lower district of Frederick county, appeared and took their seats in the house.

The convention appointed John Hall, Esquire, judge of the court of admiralty, in the room of William Hayward, Esquire, who resigned.

A petition from Robert Long of Baltimore county was read and rejected.

The committee of elections report to the convention, That by the return from the lower district of Frederick county, Thomas Sprigg Wootton, Jonathan Wilson, William Bayly, jun., and Elisha Williams, Esquires, were duly elected for the said district, agreeable to the resolve of the last convention.

Mr. Semmes has leave of absence for a few days; Mr. Sheredine till Thursday next, Mr. Ridgely till Tuesday next, and Mr. Stevenson and Mr. Shepherd till Monday next.

Convention adjourns till to-morrow morning, 9 o'clock.

SATURDAY, August 24, 1776.

Convention met. All members present as on yesterday, except Mr. Semmes, Mr. Sheredine, Mr. Ridgely, Mr. Shepherd, and Mr. Stevenson. The proceedings of yesterday were read.

Ordered, That the commissions of the officers of the independent company of militia for the flying camp bear date respectively from the time they completed the number of men required by the officers of the battalions for the flying camp.

Convention adjourns till Monday, 3 o'clock in the afternoon, and from thence till Tuesday, 9 o'clock in the morning.

TUESDAY, August 27, 1776.

Convention met. All members present as on Saturday. The proceedings of Saturday were read. Mr. Jonathan Wilson and Mr. Elisha Williams, delegates returned for the lower district of Frederick county, and Mr. Thomas Ringgold, a delegate returned for Kent county, appeared and took their seats in the house. Mr. Henry Wilson and Mr. Stevenson appeared in the house.

Mr. Plater brings in and delivers to Mr. President a declaration and charter of rights, which was read, and ordered to be printed for the consideration of the members.

Brice T. B. Worthington, Charles Carroll, barrister, and Samuel Chase, Esqrs., having informed the convention, that they, having received instructions from their constituents, enjoining them, in framing of a government for this state, implicitly to adhere to points in their opinion incompatible with good government and the public peace and happiness, were obliged extremely against their inclinations to resign their seats, and that they resigned accordingly. *Resolved*, That the seats of the said Brice T. B. Worthington, Charles Carroll, barrister, and Samuel Chase, Esqrs., are vacated by such resignation.

A petition from sundry free voters of Anne Arundel county, praying that a new election of delegates for said county might be

ordered, was read. *Ordered*, That the same be taken into consideration on Thursday next.

Convention appointed Mr. Thomas Beall, second lieutenant of captain Bennett Bracco's independent company of regular troops, in the room of Mr. Daniel Jenifer Adams, and Mr. Colmore Williams third lieutenant of said company.

Mr. Parnham has leave of absence till Monday next.

Ordered, That three persons be added to the committee of elections; and Mr. Grahame, Mr. Fitzhugh, and Mr. Paca, were elected by ballot to be of the said committee.

On motion, *Resolved*, That the depositions of captain James Disney, lieutenant Samuel Godman, lieutenant Joseph Burgess, and Mr. Thomas Harwood, relative to the late election for Anne-Arundel county, be taken before some magistrate as speedily as possible, after due notice to Mr. Rezin Hammond and some of the petitioners against the said election.

Mr. Dent has leave of absence for a few days.

Adjourned till 3 o'clock.

POST MERIDIEM.

Convention met. Mr. Fischer appeared in the house.

A remonstrance from George Davy, of Frederick county, was read and referred to the committee appointed to receive proposals relating to the establishment of manufactories.

The committee of elections report to the convention, That by the return for Kent county, Thomas Ringgold, William Ringgold of Eastern Neck, Joseph Earle, and Thomas Smyth, Esqrs., are duly elected delegates for the said county, agreeable to the resolves and directions of the last convention.

On motion of Mr. Paca, *Resolved*, That an election of three delegates for Anne Arundel county be held on Wednesday the fourth of September next, at the city of Annapolis, by John Weems, Thomas Dorsey, and Thomas Watkins, Esqrs., or by any two or one of them, according to the resolves of the last convention, and that the said judges give due notice thereof, by setting up advertisements in the most public places in the said county.

Proposals from Valentine Reintzel and Anthony Gossler, of Frederick county, for raising a company of rifle-men, was read and unanimously rejected.

Convention adjourns till to-morrow morning, 9 o'clock.

WEDNESDAY, August 28, 1776.

Convention met. All members present as on yesterday, except Mr. Parnham. The proceedings of yesterday were read. Mr. Ridgely and Mr. Shepherd appeared in the house.

A petition from the inhabitants of the city of Annapolis, to be reinstated in their former right of voting for representatives for Anne Arundel county, and proposals from Elisha Winters, to take the Frederick gun-lock factory, were read and ordered to lie on the table.

On motion of Mr. T. Ringgold, *Resolved*, That a committee be appointed to enquire into and report what progress has been made in the different manufactories erected, or about to be erected in this state, in pursuance of the sundry proposals made to and accepted by the conventions and councils of safety, and into the expenditure of all public moneys advanced to the undertakers of public and private manufactories, and to issue summonses for all such persons to attend them as they may judge necessary, and to consider of the proposals this day made by Elisha Winters, and report thereon; and Mr. T. Ringgold, Mr. J. Smith, Mr. Grahame, Mr. Hooe, and Mr. Chamberlaine, were elected by ballot a committee for that purpose.

Mr. Paca brings in and delivers to Mr. President a report from the committee appointed to consider of the several depositions and papers relative the reverend Mr. Scott, which was read and ordered to lie on the table.

On motion of Mr. Goldsborough, *Resolved*, That a committee be appointed to enquire into and report the state and condition of the log jail in Frederick town, how the money granted for building the same has been expended, and in what manner the prisoners contained therein are treated, and also to enquire into and report the state and condition of the county jail; and Mr. Edelen, Mr. Wootton, and Mr. Hughs, were elected by ballot a committee for that purpose.

Adjourned till 3 o'clock.

POST MERIDIEM.

Convention met. Mr. William Ringgold and Mr. Joseph Earle, delegates returned for Kent county, appeared and took their seats in the house.

The report relative to the reverend Mr. Scott was read a second time, and it being represented to the house that Mr. Scott was not desirous of being heard, but was ready to submit to the determination of the convention, the said report was taken into considera-

tion, and, on motion of Mr. J. T. Chase, the question was put, That the said John Scott be committed to the custody of the sheriff of Frederick county, and there safe kept until the further order of the convention or supreme power of this state be known therein, and that the said John Scott pay into the hands of the treasurer of the western shore the sum of five hundred pounds common money, to be applied towards defraying his proportionable part of the expenses of the war incurred, or to be incurred, during the present contest between Great Britain and the United States? Carried in the negative.

NEGATIVE.

Mr. Plater,	Mr. Stevenson,	Mr. T. Ringgold,
Jordan,	Shepherd,	W. Ringgold,
Grahame,	J. Smith,	Earle,
J. Mackall,	Paca,	Edmondson,
Hammond,	Carroll,	Gibson,
J. Wilson,	Bond,	Chamberlaine,
Williams,	H. Wilson,	Goldsborough,
Fischer,	Love,	Murray,
Edelen,	Archer,	John Ennalls,
Schriver,	Gilpin,	Jos. Ennalls,
Beall,	Ewing,	Geo. Scott,
Hughs,	D. Smith,	Horsey,
Deye,	Brevard,	

AFFIRMATIVE.

Mr. Barnes,	Mr. Bayly,	Mr. Ridgely,
Hooe,	Stull,	J. T. Chase.
Wootton,	Schnebely,	

The question was then put, That the said reverend John Scott is a disaffected person, and has a dangerous influence in Somerset county, that he be removed from the said county to Frederick county, and that he give bond to the council of safety in the sum of one thousand pounds sterling, with good security, not to depart the said county, without leave of the convention, or council of safety, and that he will not correspond upon public matters with any person whatever? Resolved in the affirmative.

Convention adjourns till to-morrow morning, 9 o'clock.

THURSDAY, August 29, 1776.

Convention met. All members present as on yesterday, except Mr. Grahame. The proceedings of yesterday were read.

On motion *Resolved*, That the reverend John Scott be discharg-

ed from his recognizance and from any further attendance on this convention, on his giving bond agreeable to the resolve of yesterday; and that he be allowed a fortnight to settle his affairs and to remove himself and family to Frederick; but the said John Scott is not to return to Somerset county, nor hold any conversation or correspondence with any inhabitant thereof upon public affairs during that time.

Ordered, That the clerk make out and deliver to Mr. Scott, a copy of the resolution respecting him.

Mr. Fenwick has leave of absence.

A petition from Conrad Theodore Wederstrandt, and a petition of John Wells of Baltimore county, for a sum of money to enable him to carry on a linen manufactory, were read and ordered to lie on the table.

The order of the day for taking into consideration, the petition against Anne Arundel county election being read, *Ordered*, That the same be referred for consideration till Tuesday next.

Mr. Edmondson, Mr. Gibson, and Mr. Shriver, have leave of absence for a few days.

On motion, *Resolved*, That the persons now confined in the log jail in Frederick county be removed to the public jail thereof, and be permitted to occupy the upper story, and to have the use of the prison yard in common with the debtors, until the further order of this convention, and that the guard be continued.

Ordered, That the clerk make out and transmit a copy of the above resolution to the committee of observation for the middle district of Frederick county.

Convention adjourns till to-morrow, three o'clock in the afternoon.

FRIDAY, August 30, 1776.

Convention met. All members present as on yesterday, except Mr. Gibson, Mr. Schriver, Mr. Fenwick, and Mr. Hammond. The proceedings of yesterday were read. Mr. Sheredine, Mr. Potter, Mr. Mason, and Mr. Semmes, appeared in the house. Mr. Walter Bowie, Mr. Benjamin Hall, Mr. Osborn Sprigg, and Mr. Luke Marbury, delegates returned for Prince George's county, appeared and took their seats in the house.

The committee of elections report to the convention, That Walter Bowie, Benjamin Hall, Osborn Sprigg, and Luke Marbury, esqrs., are duly elected delegates for Prince George's county; and that Thomas Johnson, esqr., is duly elected a delegate for Caroline county.

Mr. Thomas Ringgold has leave of absence till Monday next, Mr. Fitzhugh till Tuesday next, and Mr. Chamberlaine for a few days.

A petition from the trustees of the poor of Frederick county for a sum of money, to be advanced them out of the public treasury, was read and ordered to lie on the table.

Mr. Johnson appeared and took his seat in the house.

On reading a second time the petition of Thomas French, late sheriff, and George French, present sheriff of Frederick county, *Ordered*, That a committee be appointed to enquire into the truth of the facts therein set forth; and Mr. Sheredine, Mr. Wootton, and Mr. Beall, were elected by ballot a committee for that purpose.

A petition from Samuel Sharpe, of Talbot county, was read and ordered to lie on the table.

On motion, *Resolved*, That two persons be added to the committee appointed to prepare a declaration and charter of rights, and a form of government for this state; and Mr. Johnson and Mr. Hooe were elected by ballot to be of the said committee.

On motion, *Resolved*, That Mr. Frederick Green be added to the signers of bills of credit.

Mr. Horsey has leave of absence for a few days.

Convention adjourns till to-morrow morning, 9 o'clock.

SATURDAY, August 31, 1776.

Convention met. All members present as on yesterday, except Mr. Fitzhugh, Mr. Ringgold. and Mr. Edmondson. The proceedings of yesterday were read. Mr. Hammond appeared in the house. Mr. D. Smith has leave of absence till Monday week.

On reading a second time the petition of Samuel Sharpe, setting forth, that he had, on the seventeenth day of December last, become security for a certain Isaac Atkinson, in a bond taken to Matthew Tilghman, Esquire, then President of the convention, in the sum of one thousand pounds currency, for the said Isaac Atkinson's future good behaviour; and that the said Isaac Atkinson had since fled from this state and joined the enemies thereof, and now assists the British fleet and army in waging war against the United States of America, and praying of this house to have the said bond put in suit; and that as the estate of the said Isaac Atkinson was daily wasting, they would also direct the said estate to be put under the care and direction of such person or persons as the house could confide in; and it appearing to this convention that the said Isaac Atkinson hath for some time past absented himself from his home, and hath, as is reported and generally believed, joined the

enemies of this state ; it is therefore *Resolved*, That William Hayward, Esquire, of Talbot county, take into his custody the real and personal estate of the said Isaac Atkinson within this state, he first giving bond to the president of this convention in the penalty of two thousand pounds, conditioned that he will well and truly preserve and keep all the estate of the said Isaac Atkinson which shall come to his hands without waste or embezzlement, and return an inventory and appraisement on the oath of two freeholders, within six weeks after his taking the said estate into his possession, and shall render a true and just account, and dispose of the said estate and all profits therefrom arising in such manner as shall be hereafter directed by this convention or by law of this state, and that he will deliver in upon oath to the said appraisers the whole of the said estate which shall come to his hands.

On motion of Mr. Johnson, *Resolved*, That the council of safety be empowered to purchase and store thirty thousand bushels of salt in such of the islands in the West Indies as they may think proper and by proper opportunities to import the same into this state, to be sold out on the public account.

The committee appointed to receive proposals relative to the establishment of manufactories and report their opinion thereon, bring in and deliver to Mr. President the following report :

“ Your committee of manufactories have considered the petition of John Wells, and are of opinion that it will not be of general and public utility to grant the said petition. All which is submitted to the honourable convention.

“ Signed by order of the committee,

NICHOLAS HARWOOD, clk.”

Which was read, and the question was put, That the house concur therewith ? carried in the negative.

The petition was then read, and the convention taking the same into consideration, *Resolved*, That the sum of one hundred and fifty pounds be advanced by the council of safety to John Wells of Baltimore county, he giving bond with good security to repay the same in linen, at such price as the convention, upon view thereof and inspection of a bill of costs of the same, shall think proper to allow ; the said John Wells to deliver one third thereof within six months, and one third within nine months, and the remaining third within twelve months from the date of his bond, or to repay the said sum with interest at six per centum within one year, if the convention shall so order.

On motion, Leave given to bring in an ordinance for the division of Frederick county into three distinct and separate counties.

On reading and considering the petition of Conrard Theodore Wederstrandt, respecting an action commenced by him against Edward Meadows, Esq. commander of the Tartar man of war, in the provincial court, *Resolved*, That the said action, from the peculiar circumstances of the case, shall not abate by the death of either party, but that a trial of the same may be had, and judgment rendered, and all after process issue, as if both parties were living, without any regard to the death of either party: and if such death shall happen either before or after such trial, or judgment, or process, such death shall not be pleadable by the special bail in such action in discharge of himself.

Mr. Wootton brings in and delivers to Mr. President an ordinance for the division of Frederick county into three distinct and separate counties, which was read and ordered to lie on the table.

Mr. Jordan has leave of absence for a few days.

Convention adjourns till Monday, 3 o'clock in the afternoon.

MONDAY, September 2, 1776.

Convention met. All members present as on Saturday, except Mr. Horsey, Mr. Chamberlaine, Mr. D. Smith, Mr. Jordan, Mr. J. Smith, and Mr. Bowie. The proceedings of Saturday were read.

Mr. Dent appeared in the house. Mr. Turbutt Wright and Mr. James Kent, delegates returned for Queen Anne's county, and Mr. Thomas Smyth, a delegate returned for Kent county, appeared and took their seats in the house.

The committee of elections report to the convention, that by the return for Queen Anne's county, Turbutt Wright, James Kent, William Bruff, and Solomon Wright, Esquires, were duly elected delegates for said county.

Mr. Chase brings in and delivers to Mr. President a report from the committee appointed to examine the papers and depositions laid before the convention, relative to the conduct of Isaac Costin, which was read in the following words, to wit.

“By the committee appointed to examine the papers and depositions laid before this convention, relative to the conduct of Isaac Costin,

“Your committee beg leave to report, that they have examined the said papers and depositions, from which it appears, that about the middle of June last, Isaac Costin with many others went to their neighbours' houses, to inform them that Job Ingram and Barkley-Townsend had come express from Lewistown, to let the people of Somerset county know that a large number of men were

coming from Lewistown to compel them to assent to independency. That Costin persuaded them to assemble at Merumsco dams to oppose it, and that in consequence of the said report, Isaac Costin with about two hundred people did assemble at Merumsco dams for the declared purpose of opposing independency.

“Your committee further report, that about the twentieth of June last, Isaac Costin, in company with several persons, some of whom were armed, damned the whigs and rebels, that the company huzzaed for king George the third, and said they would wash the shirtmens shirts for them.

“Your committee further report, that sometime in the month of September or October last, the said Isaac Costin went with Levin Townsend on board of the man of war at Norfolk, and on their returning to their company, he strongly solicited and endeavoured to induce them to enlist under lord Dunmore, by offering them a guinea and a crown advance, and standing pay, a gun, bayonet, &c. and a suit of regimentals each. That the said Isaac Costin highly approved of the proposition of Levin Townsend to fit out a privateer to cruise in the bay, and agreed to act as his lieutenant, and to proceed up Pocomoke river to take the committee of Worcester county prisoners, and to carry them to lord Dunmore.

“All which is humbly submitted to the consideration of the honourable convention.

Signed per order of the committee.

JOHN JOHNSON, clerk.”

The order of the day for taking into consideration the several depositions and papers relative to the conduct of the said Isaac Costin was then read, and referred till Monday the 16th instant.

Convention adjourns till to-morrow morning, 9 o'clock.

TUESDAY, September 3, 1776.

Convention met. All members present as on yesterday. The proceedings of yesterday were read. Mr. Parnham, Mr. James Smith, Mr. T. Ringgold, and Mr. Bowie, appeared in the house.

On reading propositions from Abraham Boyd of Prince George's county, *Resolved*, That a company of militia to be composed of not less than fifty men be immediately enrolled, and proper officers commissioned thereto, and that a warrant issue by the council of safety to Abraham Boyd for enrolling the said company, which shall be employed, paid, and continued for the same time as the militia lately raised in this state for the flying camp, the said company finding their own arms and blankets.

Adjourned till 3 o'clock.

POST MERIDIEM.

Convention met. Mr. Fitzhugh appeared in the house. Mr. Solomon Wright appeared and took his seat in the house.

The order of the day for taking into consideration the petition against the election of delegates for Anne Arundel county, being read, the same was withdrawn at the request of the petitioners.

Mr. Lowes has leave of absence.

Convention adjourns till to morrow morning, 9 o'clock.

WEDNESDAY, September 4, 1776.

Convention met. All members present as on yesterday, except Mr. Lowes, Mr. William Ringgold, Mr. Earle, and Mr. Turbutt Wright. The proceedings of yesterday were read. Mr. Peter Chaille, Mr. Samuel Handy, and Mr. Josiah Mitchell, delegates returned for Worcester county, appeared and took their seats in the house.

Mr. Thomas Ringgold, from the committee appointed to enquire into the state and condition of manufactories, brings in and delivers to Mr. President the following report :

“In obedience to a resolve of the honorable convention, your committee for enquiring into the state and condition of manufactories beg leave to report, That not having had time to inquire into the propriety of the particular charges made in an account lately exhibited by the commissioners of the gun-lock factory at Fredericktown, beg leave to defer their opinion thereon until they have an opportunity of making the necessary inquiries, and until proper vouchers are produced. Nevertheless, upon a general view of the account, your committee are enabled to report to your honorable house, that the sum of twelve hundred pounds common money has been advanced ; that one thousand and seventy-six pounds nine shillings and eight pence has been laid out and expended, and that no more than to the amount of eighty-two pounds nineteen shillings and seven pence has been returned in work, valued in the opinion of your committee, at high prices, and only thirty-eight gun-locks have been produced ; that from the best information the expense of continuing the factory on the public account will be very great, and under its present circumstances, no returns can be expected in any degree adequate to it. Your committee are therefore of opinion that the proposals of Elisha Winters of Chestertown, ought to be accepted on the following terms, viz :

“That the present buildings shall be finished, and such other additional buildings erected as shall be thought necessary for the carrying on the factory, and that for the accommodation of Elisha Winters' family, and the hands employed in the said factory, that

some convenient works shall be erected for the grinding and boring bayonets, ramrods, and files, and other materials, and the stream of water that runs near the works shall be conveyed thereto, if to be done at a moderate expense, and with the consent of the proprietors of the land who will be affected by it; that the whole amount of the ground, buildings and other improvements, together with the value of the tools on hand, shall be ascertained, and that Elisha Winters shall pay interest thereon at the rate of six per centum from the first day of October next, by way of rent yearly; that the materials on hand shall be valued, and the amount deducted out of the work to be received of him.

“That the said Elisha Winters shall pay by way of hire yearly for the servants that have been bought on the public account, in proportion to the cost of each respective servant, and the time he has to serve, to victual and clothe them at his own expense, to pay their levy and the necessary expense of a physician in case of sickness.

“And your committee are of opinion, that the said ground, buildings, and other improvements, tools and servants, shall remain under rent and hire respectively, on the above terms, after the expiration of the first year, if the said Elisha Winters shall continue to merit the confidence of the future legislature or governing power of this state for the time being.

“And your committee are further of opinion, that so long as the the said Elisha Winters continues to be a tenant to the public, he ought to furnish monthly at least one hundred and twenty-five good substantial muskets, well fitted with bayonets, steel ramrods, and strong neat mounting, and good double bridle locks, and swivels for slings, at four pounds five shillings common money for each, and if it should be in his power to make more than that number, your committee think *he* ought to deliver, and the *public* to receive them on the same terms; and whenever he shall discontinue to rent and hire as aforesaid, your committee are of opinion, that the said Elisha Winters ought to deliver up the said buildings and improvements in good order, and tools of the same kind and value of those that may be delivered to him, and the servants that may remain alive and in servitude as well clothed as he receives them.

“And if it should so happen that the said Elisha Winters should choose to purchase the whole property, that he shall have a right to do it on paying the sum on which he is to pay interest as aforesaid, and the then value of the servants in proportion to their cost and the time they may have to serve respectively, in good muskets fitted as aforesaid, in monthly deliveries of at least one hundred

and twenty-five per month, and at the price aforesaid, and if it should be in his power to make more, that *he* ought to deliver and the public ought to receive them.

“Your committee beg leave further to report to your honorable house, that upon inquiry they find that the said Elisha Winters has delivered muskets over and above the quantity stipulated to be delivered to this time by his present subsisting contract with the public, and that the said contract ought not to be binding on the said Elisha Winters longer than the commencement of a contract that may be entered into in consequence of this report.

“And your committee are further of opinion, that such gun barrels as shall hereafter be furnished by Henry Hollingsworth of Cecil county, in consequence of his present or a future contract, ought to be delivered by him at his works to the said Elisha Winters, to be accounted for at the rate of twenty shillings common money per barrel.

“All which your committee beg leave to submit to the consideration of your honorable house.

“Signed per order of the committee,

JOHN JOHNSON, clerk.

Which was read, and thereupon the convention taking the same into consideration, the question was put, That the house concur therewith? Carried in the negative.

The committee of elections report to the convention, that by the return from Worcester county, Samuel Handy, Peter Chaille, Smith Bishop, and Josiah Mitchell, esquires, are duly elected delegates for said county.

On motion, *Resolved*, That the council of safety advance a month's pay to the officers and privates of captain Abraham Boyd's company.

A memorial of captain William Stone of Baltimore county, was read and ordered to lie on the table.

Mr. Handy has leave of absence.

Convention adjourns till to-morrow, 3 o'clock in the afternoon.

THURSDAY, September 5, 1776.

Convention met. All members present as on yesterday, except Mr. Handy. The proceedings of yesterday were read. Mr. Edmondson, Mr. Gibson, and Mr. Shriver, appeared in the house.

Mr. Sheredine brings in and delivers to Mr. President a report from the committee appointed to take into their consideration the letter from the secretary of the board of war, of the sixth of August last, which was read and ordered to lie on the table.

Mr. Shepherd has leave of absence till Monday next.

The convention appointed Capt. Peter Mantz major to colonel Griffith's battalion of militia for the flying camp.

Convention adjourns till to-morrow morning, 9 o'clock.

FRIDAY, September 6, 1776.

Convention met. All members present as on yesterday, except Mr. Shepherd. The proceedings of yesterday were read. Mr. Lowes, Mr. T. Wright, Mr. W. Ringgold, and Mr. Earle appeared in the house. Mr. Joseph Ennalls has leave of absence.

Whereas, the time limited by law for the receipts and inspection of tobacco at the public warehouses is expired, and it being represented to this convention, that, in order to promote the interest of the good people of this state, it is immediately necessary that the inspectors should continue to receive, inspect, and deliver out, all tobacco that may be brought to the said warehouses :

Resolved, That the several inspectors of this state shall continue to receive and inspect all tobacco brought to the said warehouses on or before the tenth day of November next, and the inspectors shall also at any time deliver out the tobacco already inspected, or so to be inspected, for exportation, without any oath being previously taken by the master or any other officer of the ship or vessel in which the same shall be exported, or the skipper of the craft to whom the said tobacco shall be delivered, in consequence of the act of assembly for the inspection of tobacco, any law to the contrary notwithstanding.

That any person or persons, who might act as inspector or inspectors at any warehouse, on qualifying him or themselves as such, may, on taking the oath of inspector, be and continue inspector or inspectors until the tenth day of November next.

That where any persons have been chosen by the vestries to be inspectors, and could not act as such without a warrant from the governor for the time being, the council of safety, or other executive branch of the government of this state for the time being, may authorise any person so chosen to act as inspector.

That, in any case where no person hath been chosen to be inspector according to the said act for the inspection of tobacco, the council of safety, or other executive branch of the government of this state for the time being, may appoint and commission such good substantial planter as they may think fit and proper, residing in the neighborhood where he is to act, and being well skilled in tobacco, to act as inspector; and so may they, where there shall otherwise be no inspector at any warehouse, because of refusal or

refusals to act, or the person or persons who might act, being out of this statè: Provided every such person to be appointed inspector be first recommended as such by at least twenty reputable planters, and none of the said inspectors shall continue such by virtue of the said appointments, beyond the said tenth day of November, and that every of them, before they act as inspector, take the oath of office.

That the public shall not be liable in any event for the tobacco which may be carried to any of the warehouses before the said tenth day of November, nor shall any inspector be liable to make good any such, if the same shall happen to be destroyed by enemies, or be otherwise lost without the negligence of the inspector.

That no inspector, who shall act in virtue of these resolutions, shall be entitled to any salary or allowance, other than two shillings and six pence currency for every hogshead of tobacco he shall inspect, which shall be paid to him at the time of his delivering his note for such tobacco: And there shall also be paid to the several inspectors for warehouse rent, at the time of delivering out such tobacco, one shilling per hogshead, to be accounted for by them to the proprietor of the warehouse, or the public respectively.

Ordered, That one hundred and eighty copies of the above resolutions be immediately printed, and transmitted to the several counties of this state.

On reading a second time the ordinance for the division of Frederick county, on motion, the question was put, That the consideration thereof be postponed till the next session of convention? Carried in the negative.

NEGATIVE.

Mr. Barnes,	Mr. Paca,	Mr. Ridgely,
Semmes,	Wootton,	Deye,
Parnham,	Bayly,	Stevenson,
Fitzhugh,	Williams,	J. Smith,
J. Mackall,	Sheredine,	H. Wilson,
Bowie,	Edelen,	Love,
Hall,	Beall,	Archer,
Sprigg,	Hughs,	Brevard,
Marbury,	Stull,	T. Ringgold,
Hammond,	Schnebely,	Johnson.

AFFIRMATIVE.

Mr. Hooe,	Mr. W. Ringgold,	Mr. Goldsborough,
Dent,	Earle,	Murray,
Carroll,	T. Smyth,	Gus. Scott,

Mr. J. Wilson,	Mr. T. Wright,	Mr. Geo. Scott,
Fischer,	S. Wright,	Lowes,
Schriver,	Edmondson,	Mason,
Bond,	Gibson,	Chaille.
Ewing,		

The convention then proceeded to take the same into consideration, which was agreed to as follows:

Whereas, it appears to this convention, that the erecting two new counties out of Frederick county will conduce greatly to the ease and convenience of the people thereof:

Resolved, That after the first day of October next, such part of the said county of Frederick as is contained within the bounds and limits following, to wit:—beginning at the place where the temporary line crosses the south mountain, and running thence by a line on the ridge of the said mountain to the river Potowmac, and thence with the lines of the said county so as to include all the lands to the westward of the line running on the ridge of the south mountain as aforesaid to the beginning, shall be and is hereby erected into a new county by the name of *Washington* county.

Resolved, That after the first day of October next, such part of the said county of Frederick as is contained within the bounds and limits following, to wit: beginning at the east side of the mouth of Rock creek on Potowmac river, and running with the said river to the mouth of Monocacy, then with a straight line to Par's spring, from thence with the lines of the county to the beginning, shall be and is hereby erected into a new county by the name of *Montgomery* county.

Resolved, That the inhabitants of the said counties of Washington and Montgomery shall have, hold, and enjoy, all such rights and privileges, as are held and enjoyed by the inhabitants of any county in this state.

Resolved, That Messrs. Joseph Sprigg, Joseph Smith, John Barnes, Andrew Rench, Daniel Hughs, William Yates, and Conrad Hogmire, shall be and are hereby appointed commissioners for Washington county; and they or the major part of them shall be and are hereby authorized and required to buy and purchase in fee, a quantity of land not exceeding four acres, at or adjoining such place as a majority of voters within the limits of the said county, qualified as this convention shall hereafter direct, the election to be held at the place heretofore appointed for the choosing of delegates in this convention (the said commissioners giving ten days notice of the place and time of voting) for the purpose of building thereon a court house and prison for the said county; and shall cause

the said land to be laid out by the surveyor of Frederick county with good and sufficient boundaries, and a certificate thereof to be returned and recorded in the records of the said county; and the said commissioners or a major part of them shall draw their order on the sheriff of Washington county to pay such sum as shall be agreed upon for the said land, and the sheriff is hereby directed and required to pay the said order out of the money hereafter mentioned, to be collected by him for that purpose; and such payment for the land shall invest the justices of Washington county and their successors with an estate in fee simple therein for the use of the said county forever: and if the said commissioners, or the major part of them, and the owner of the said land, shall differ about the value of the said land, in such case the commissioners, or the major part of them, shall be, and they are hereby authorized and empowered to order the sheriff of Washington county to summon twelve freeholders upon the said land, who shall be empaneled and sworn as a jury, to enquire the value of the said land; and the said commissioners, or the major part of them, shall draw their order on the sheriff of Washington county, to pay the said valuation, and the said sheriff is hereby directed to pay the said order out of the money hereafter mentioned to be by him collected for that purpose; and upon his payment of the said order, the fee simple in the said land shall be invested, as aforesaid, in the justices of Washington county and their successors for the use of the said county for ever.

Resolved, That Messrs. Nathan Magruder, John Murdock, Henry Griffith, Thomas Cramphin, junior, Zadock Magruder, Allen Bowie, and John Wilson, be and are hereby appointed commissioners for Montgomery county; and they or a major part of them shall be and they are hereby authorized and required to buy and purchase in fee a quantity of land not exceeding four acres, at or adjoining such place as a majority of the voters within the limits of the said county, qualified as this convention shall hereafter direct, the election to be held at the place heretofore appointed for the choosing of delegates in convention (the said commissioners giving ten days notice of the time and place aforesaid) for the purpose of building thereon a court house and prison for the said county; and shall cause the said land to be laid out by the surveyor of Montgomery county with good and sufficient boundaries, and a certificate thereof to be returned and recorded in the records of the said county; and the said commissioners or the major part of them shall draw their order on the sheriff of Montgomery county, to pay such sum as shall be agreed upon for the said land, and the sheriff is hereby directed and required to pay the said order out of the money hereafter mentioned to be collect-

ed by him for that purpose ; and such payment for the land aforesaid shall invest the justices of Montgomery county and their successors with an estate in fee simple therein for the use of the said county for ever : and if the said commissioners or the major part of them, and the owner of the said land, shall differ about the value of the said land, in such case the commissioners or the major part of them shall be, and they are hereby authorized and empowered to order the sheriff of Montgomery county to summon twelve freeholders upon the said land, who shall be empaneled and sworn as a jury, to enquire the value of the said land ; and the said commissioners or the major part of them shall draw their order upon the sheriff of Montgomery county to pay the said valuation ; and the said sheriff is hereby directed to pay the said order out of the money hereafter mentioned to be by him collected for that purpose ; and upon his payment of the said order, the fee simple in the said land shall be invested, as aforesaid, in the justices of Montgomery county and their successors for the use of the said county for ever.

Resolved, That the justices of Washington and Montgomery counties, or the major part of them, respectively, be and they are hereby authorized to contract and agree for a convenient place in each of the said counties, to hold the courts for the said counties, and to contract and agree for a convenient place in each of the said counties for their books, papers, and other records, and also for a fit building for the custody of the prisoners ; and the said courts shall be held, and records kept, at such places respectively, until the court house and prison for the said counties respectively shall be erected and built ; and the charge and expense of such places shall be defrayed by the said counties respectively, and assessed with the public and county levy.

Resolved, That the justices of the said counties respectively shall be and they are hereby authorized and required to assess and levy, on the *taxable* inhabitants of the said counties respectively, with the public and county levy, as much money as will pay for the purchase or valuation of the land aforesaid, together with the sheriff's salary of such per centum as may be hereafter allowed for collection of the same ; which said sum shall be collected by the sheriffs of the said counties respectively, from the inhabitants of the said counties respectively, in the same manner as other public and county levies may be by law hereafter collected ; and the said money, when collected, shall be paid by the sheriffs to such person or persons as the commissioners aforesaid, or the major part of them, shall order and direct.

Resolved, That the justices of Washington county shall be, and

they are hereby authorized and required to assess and levy, by three equal assessments, in the years seventeen hundred and seventy-seven, seventeen hundred and seventy-eight, and seventeen hundred and seventy-nine, with their public and county levy, any sum not exceeding thirteen hundred pounds common money, in and upon the inhabitants of Washington county, together with the sheriff's salary of such a per centum as may be hereafter allowed for collection of the same; which said sum, so to be assessed and levied, shall be collected by the sheriff of Washington county from the inhabitants thereof, in the same manner as other public and county levies shall be hereafter by law collected, and the said money, when collected, shall be paid by the said sheriff to the commissioners of Washington county aforesaid, and shall be by them applied towards building the court house and prison in the said county.

Resolved, That the justices of Montgomery county shall be and they are hereby authorized and required to assess and levy with the public and county levy, by three equal assessments, in the years seventeen hundred and seventy-seven, seventeen hundred and seventy-eight, and seventeen hundred and seventy-nine, any sum not exceeding thirteen hundred pounds common money, together with the sheriff's salary of such a per centum as may hereafter be allowed for collecting the same; which said money, so to be assessed and levied, shall be collected by the sheriff of Montgomery county from the inhabitants of the said county, in the same manner as other public and county levies are by law collected; which said money when collected shall be paid by the said sheriff to the commissioners of Montgomery county aforesaid, and applied by them towards building the court house and prison aforesaid for the said county.

Resolved, That the commissioners of the said counties respectively, or the major part of them, shall be, and they are hereby authorized and required to contract and agree for the building of the said court house and prison on the land to be purchased as aforesaid.

Resolved, That all causes, pleas, process and pleadings, which now are or shall be depending in Frederick county court, before the first day of December next, shall and may be prosecuted as effectually as they might have been had these resolves never been made; and in case any deeds or conveyances of land in Washington county or Montgomery county, have been, or shall be before the division aforesaid, acknowledged according to law in Frederick county, the enrollment and recording thereof within the time limited by law, either in the county court of Frederick county, or in the county

court of Washington or Montgomery county, shall be good and available, the division aforesaid notwithstanding.

Resolved, That executions or other legal process upon all judgments had and obtained, or to be had and obtained on actions already commenced, or to be commenced before the first day of December next, in Frederick county court, against any inhabitant of Washington or Montgomery county, be issued and enforced in the same manner as if these resolves had not been made; which said writs shall be directed to the sheriff of the said counties respectively, and the said sheriffs are hereby authorized and directed to serve and return the same to Frederick county court, with the body or bodies of the person or persons, if taken, against whom such writ or writs shall issue for that purpose, and during the attendance of the sheriff of Washington or Montgomery county at Frederick county court, he shall have a power to confine in Frederick county jail, if he shall think it necessary, such persons as he shall have in execution, but after his attendance shall be dispensed with by the said court, he shall then, in a reasonable time, remove such persons as he shall have in execution to his county jail, there to be kept till legally discharged.

That the public and county levy, now assessed or levied, or to be levied and assessed by the justices of Frederick county court, at their levy court for the present year, shall and may be collected and received by the sheriff of Frederick county, as well of the inhabitants of Frederick as of Washington and Montgomery counties aforesaid, and collected, accounted for, and applied, in such manner as the said public and county levy would have been collected, accounted for, and applied, had these resolves never been made.

Resolved, That the county court of Washington county shall begin and be held yearly on the fourth Tuesdays of those months in which other county courts are held, and shall have equal power and jurisdiction with any county court in this state.

Resolved, That the county court of Montgomery county shall begin and be held yearly on the second Tuesdays of those months in which other county courts are held, and shall have equal power and jurisdiction with any county court in this state.

Mr. Ridgely has leave of absence till Tuesday next.

Convention adjourns till to-morrow morning, 9 o'clock.

SATURDAY, September 7, 1776.

Convention met. All members present as on yesterday, except Mr. Joseph Ennalls and Mr. Ridgely. The proceedings of yesterday were read. Mr. Chamberlaine and Mr. Horsey appeared in the house.

On motion of Mr. Fitzhugh, that the question be put on the following:

Whereas, it has been the uniform rule and practice of former conventions of this state, to delegate members to general congress from their own body, being the representatives of the people of this state; and as a departure therefrom may introduce and intrude on this community men unworthy of confidence into the most important and highest trusts, dangerous to the safety and welfare of America, especially at this critical conjuncture, That no person whatsoever, except a delegate of the people in convention, be chosen or qualified to serve this state as a member of the general congress? The previous question was called for and put, whether the above question be now put? Carried in the negative.

NEGATIVE.

Mr. Barnes,	Mr. Schriver,	Mr. Edmondson,
Hooe,	Beall,	Gibson,
Dent,	Hughs,	Chamberlaine,
Scmmes,	Stull,	Goldsborough,
Parnham,	Schnebely,	Murray,
Bowie,	T. Symth,	John Ennalls,
Hall,	Chase,	Potter,
Sprigg,	H. Wilson,	Mason,
Marbury,	Gilpin,	Johnson,
Paca,	Ewing,	Gust. Scott,
Carroll,	T. Ringgold,	Geo. Scott,
Wootton,	W. Ringgold,	Horsey,
J. Wilson,	Earle,	Lowes,
Bayly,	J. Smith,	Chaille,
Sheredine,	T. Wright,	Mitchell,
Edelen,	Kent,	

AFFIRMATIVE.

Mr. Plater,	Mr. Williams,	Mr. Love,
Fitzhugh,	Deye,	Archer,
J. Mackall,	Stevenson,	Brevard,
Hammond,	Bond,	S. Wright.

Mr. Stevenson and Mr. T. Smyth have leave of absence till Tuesday next, and Mr. W. Ringgold till Monday next.

On motion of Mr. Paca, the question was put, That Thomas Stone, Esq.; be and he is hereby empowered to represent this state in congress, in as full and ample manner as the delegates heretofore appointed might or could do, until the said delegates or any

two or more of them shall attend, or this convention make further order therein? Carried in the negative.

NEGATIVE.

Mr. Barnes,	Mr. Marbury,	Mr. J. Smith,
Plater,	Hammond,	Chase,
Hooe,	Wootton,	Bond,
Dent,	Bayly,	Love,
Semmes,	Williams,	Archer,
Parnham,	Sheredine,	Gilpin,
Fitzhugh,	Hughs,	Brevard,
J. Mackall,	Schriver,	Kent,
Bowie,	Schnebely,	S. Wright,
Hall,	Deye,	Edmondson.
Sprigg,		

AFFIRMATIVE.

Mr. Paca,	Mr. W. Ringgold,	Mr. Potter,
Carroll,	Earle,	Mason,
J. Wilson,	T. Smyth,	Johnson,
Edelen,	T. Wright,	Gus. Scott,
Beall,	Gibson,	Geo. Scott,
Stull,	Chamberlaine,	Horsey,
H. Wilson,	Goldsborough,	Lowes,
Ewing,	Murray,	Chaille,
T. Ringgold,	John Ennalls,	Mitchell.

On motion of Mr. Johnson, *Resolved*, That a committee be appointed to prepare and report resolutions to prevent non-associators from endangering the peace of this state; and Mr. Johnson, Mr. Parnham, Mr. Chase, Mr. Paca. and Mr. Hooe, were elected by ballot a committee for that purpose.

Convention adjourns till Tuesday, 3 o'clock in the afternoon.

TUESDAY, September 10, 1779.

Convention met. All members present as on Saturday, except Mr. Parnham, Mr. J. Mackall, Mr. Bowie, Mr. Hall, Mr. Stevenson, Mr. T. Ringgold, Mr. W. Ringgold, Mr. T. Smith, Mr. Gibson, Mr. Potter, and Mr. Mason. The proceedings of Saturday were read. Mr. John Hall and Mr. Samuel Chase, delegates returned for Anne Arundel county, appeared and took their seats in the house. Mr. D. Smith, Mr. Shepherd and Mr. B. Mackall appeared in the house.

The committee of elections report to the convention, that by the return for Anne-Arundel county it appears, that John Hall, Brice Thomas Beale Worthington, and Samuel Chase, esquires, are duly elected delegates for said county.

The president laid before the convention a letter and several resolutions from the honourable the president of the congress, of the third day of this instant, which was read and thereupon the convention taking the same into consideration,

Resolved, That the commanding officers of the several battalions of militia in Prince George's, Frederick, Anne Arundel, Baltimore, Harford, Cecil, Kent, Queen Anne's and Caroline counties, be requested to call their battalions together as soon as possible, and that the field officers of the said counties, respectively, select companies of volunteers as follows, to wit—Prince George's one, Frederick three, that is, one in each district thereof, Anne Arundel two, Baltimore two, Harford two, Cecil three, Kent two, Queen Anne's two, and Caroline one; that each company consist of 68 privates, 4 sergeants, 4 corporals, one drummer, and one fifer, under the command of a captain, two lieutenants and an ensign.

That each company be armed out of the arms belonging to the battalions of their counties respectively, which shall be appraised and borrowed, or paid for at the election of the owner, by the council of safety: That if arms cannot be procured from the militia, any of the field officers may impress and appraise arms necessary to equip each company, which shall be paid for by the council of safety.

That to encourage the immediate march of the militia, a bounty of three pounds, and one month's pay, be advanced by the council of safety to each non-commissioned officer and private.

That the field officers of each battalion recommend the commissioned officers for each company to this convention, or in their recess to the council of safety, for their approbation; which officers so to be recommended shall be made known to the militia before their enrollment.

That the committees of observation of any of the said counties or districts, where there shall be no field officers to any battalion therein, be required to carry the above requisition into execution in their respective counties and districts.

That the convention, or in their recess the council of safety, form the said companies of volunteers into battalions, and appoint the field officers.

That the council of safety take every measure in their power to furnish and equip the said companies with all necessaries, to expedite and prepare carriages and provisions for their march.

That the said companies be enrolled until the first day of December next, unless sooner discharged by congress, and receive continental pay from the day of enrollment.

That the companies of militia so to be raised be enrolled in the counties and districts where they are directed to be raised as aforesaid, and not of inhabitants of other counties or districts.

That if any company of militia shall offer themselves, they shall be allowed to go into the service under their present officers; or if the present officers of any company, with a considerable number of their company, offer to go and shall be able to fill up the number by enrollment of others, such company may march under such officers.

That a warrant issue to captain Andrew Hines of Frederick county to enroll a company of men for the flying camp service, on the same terms as the other militia, and that commissions issue to him and other proper commissioned officers by the council of safety.

That the president transmit copies of the above to each of the said counties and districts by express; and that money be advanced by the council of safety, to such person in each of the said counties and districts as they shall think proper, to discharge the bounty, the month's pay, and the purchase of arms, as above directed.

On motion the question was put, That the committees of observation for the several counties and districts in this state, and the several committees of correspondence, and committees for licensing suits, do continue to act with the powers heretofore vested in them until the first day of December next? Resolved in the affirmative.

AFFIRMATIVE.

Mr. Barnes,	Mr. Sheredine,	Mr. Earle,
Plater,	Edelen,	T. Wright,
Hooe,	Schrive,	S. Wright,
Dent,	Beall,	Edmondson,
Semmes,	Hughs,	Chamberlaine,
B. Mackall,	Stull,	Murray,
Fitzhugh,	Schnebely,	John Ennalls,
Sprigg,	Shepherd,	Johnson,
Marbury,	J. Smith,	Gus. Scott,
S. Chase,	J. T. Chase,	Geo. Scott,
Paca,	H. Wilson,	Horsey,
Carroll,	Love,	Lowes,
J. Wilson,	Gilpin,	Chaille,
Bayly,	Ewing,	Mitchell.
Williams,		

NEGATIVE.

Mr. J. Hall,	Mr. Deye,	Mr. Archer,
Hammond,	Bond,	Brevard,
Wootton,	D. Smith,	

Mr. Chamberlaine brings in and delivers to Mr. President, a report from the committee to whom the several papers relative to the conduct of Joseph Wheland, jun., John Evans, Robert Howith, and John Price, were referred, which was read and ordered to lie on the table.

A petition from Job Greene of Baltimore town; a petition from Thomas Deale, sheriff of Anne Arundel county; a petition from a majority of Castle Haven company of militia in Dorchester county, against the conduct of their captain; and a petition from several prisoners of war in Frederick county jail, praying to be removed to the log jail; were severally read and ordered to lie on the table.

Mr. Plater from the committee for that purpose appointed, brings in and delivers to Mr. President a constitution and form of government for this state, which was read and ordered to lie on the table.

Convention adjourns till to-morrow morning, 9 o'clock.

WEDNESDAY, September 11, 1776.

Convention met. All members present as on yesterday. The proceedings of yesterday were read. Mr. B. Hall, Mr. Gibson, Mr. Potter, Mr. T. Ringgold, Mr. W. Ringgold, Mr. T. Smith, and Mr. Bowie, appeared in the house.

On motion, the question was put, That the consideration of the declaration and charter of rights, and form of government for this state, be postponed till Monday fortnight? Resolved in the affirmative.

AFFIRMATIVE.

Mr. Barnes,	Mr. J. Wilson,	Mr. T. Wright,
Plater,	Williams,	S. Wright,
Hooe,	Sheredine,	Edmondson,
Dent,	Edelen,	Gibson,
B. Mackall,	Schrifer,	Chamberlaine,
Fitzhugh,	Beall,	Goldsborough,
B. Hall,	Hughs,	Murray,
Sprigg,	Stull,	John Ennalls,
Marbury,	Schnebely,	Potter,
Hammond,	J. T. Chase,	Johnson,
J. Hall,	T. Ringgold,	Gust. Scott,
S. Chase,	W. Ringgold,	Geo. Scott,

Mr. Paca,
Carroll,
Wootton,

Mr. Earle,
T. Smith,

Mr. Horsey,
Mitchell.

NEGATIVE.

Mr. Bayly,
Deye,
Shepherd,
J. Smith,
Bond,

Mr. H. Wilson,
Love,
Archer,
Ewing,

Mr. D. Smith,
Brevard,
Loves,
Chaille.

Mr. Fisher has leave of absence.

Adjourned till 3 o'clock.

POST MERIDIEM.

Convention met.

On motion, That the deputies appointed to congress, and now attending this convention, or any three of them, immediately repair to congress, and in conjunction with Thomas Stone, esq., represent this state in such manner as is prescribed by the nomination and appointment heretofore made? The previous question was called for and put, whether the above question be now put? Resolved in the affirmative.

AFFIRMATIVE.

Mr. Barnes,
Plater,
Hooe,
Semmes,
Dent,
B. Mackall,
B. Hall,
Sprigg,
Marbury,
J. Hall,
S. Chase,
Paca,
Carroll,
Wootton,
J. Wilson,
Bayly,
Sheredine,

Mr. Edelen,
Schriver,
Beall,
Stull,
Schnebely,
J. T. Chase,
H. Wilson,
Love,
Archer,
Ewing,
D. Smith,
Brevard,
T. Ringgold,
W. Ringgold,
Earle,
T. Smith,

Mr. T. Wright,
S. Wright,
Edmondson,
Gibson,
Chamberlaine,
Goldsborough,
Murray,
John Ernalls,
Potter,
Johnson,
Gust. Scott,
Geo. Scott,
Horsey,
Loves,
Chaille,
Mitchell.

NEGATIVE.

Mr. Fitzhugh,
Bowie,
Hammond,

Mr. Williams,
Deye,
Shepherd,

Mr. J. Smith,
Bond.

The main question was then put, and resolved in the affirmative.

Mr. Sheredine and Mr. Stull have leave of absence. Mr. Ridgely and Mr. Stevenson appeared in the house.

The field officers of the Severn battalion recommend to the convention Elijah Robosson as captain, Samuel Barber as first lieutenant, Vachel Gaither as second lieutenant, and Nicholas Worthington, junr., as ensign, who have engaged to raise a full company: thereupon it is ordered, that the council of safety issue warrants agreeable to the said recommendation, and commissions upon making up a full company; and the said council of safety are hereby authorised to advance the bounty money to said Elijah Robosson, he giving his receipt for the same.

On motion of Mr. Samuel Chase, *Resolved*, That the council of safety be empowered to contract for one thousand pikes, not less than twelve feet in length.

Mr. Goldsborough, Mr. Ewing, Mr. Lowes, Mr. Beall, Mr. Geo. Scott, and Mr. Williams have leave of absence.

On motion of Mr. Hughs, *Resolved*, That the qualification of voters in Washington county for the purpose of fixing on the most convenient place for a court house and prison in said county, be the same as of voters for representatives in this convention.

On motion, *Resolved*, That the reverend John Scott be allowed another week from this day to settle his affairs, and to remove himself and family to Frederick county, under the condition and restrictions of a former resolve upon this subject.

Convention adjourns till to-morrow morning, 9 o'clock.

THURSDAY, September 12, 1776.

Convention met. All members present as on yesterday, except Mr. Sheredine, Mr. Fischer, Mr. Beall, Mr. Stull, and Mr. Hughs. The proceedings of yesterday were read. Mr. Parnham and Mr. Mason appeared in the house.

A petition from William Hooper, sheriff of Caroline county, was read and ordered to lie on the table.

The convention appointed Mr. George Cook commander of the ship Defence, Mr. Henry Auchinleck first lieutenant, Mr. John Burnell second lieutenant, and James Codray master of the said ship.

On motion, *Resolved*, That the council of safety be empowered to sell the schooner Resolution, after removing her military and other stores, and her sails, rigging, anchors and cables.

Resolved, That no merchant vessel belonging to any inhabitant of this state, sail from this state without license from the council

of safety, or the committee of observation for the county from which the vessel shall sail, and that no such license be granted before the captain of such vessel shall make oath, or affirmation, (if a quaker) as to the contents of his cargo, and that he will use his best endeavors to prevent such cargo, and every part thereof, from being landed in any part of the dominions of the king of Great Britain, or otherwise going into the hands of the enemies of America; and further shall give bond with good security, that he will not land such cargo, or any part thereof, in any port, island, or territory, subject to the king of Great Britain, nor sell or dispose of the said cargo, or any part thereof, to the enemies of America; and the owners of the cargo shall also make oath, or affirmation, (if a quaker) that the said cargo, and no part thereof, belongs to, or is for the use or benefit of any inhabitant of Great Britain, Ireland, or any of the dominions subject to the king of Great Britain.

Adjourned till 3 o'clock.

POST MERIDIEM.

Convention met, and took into consideration the report of the committee on the conduct of Joseph Wheland, jr., John Evans, Robert Howith, and John Price; and the aforesaid Joseph Wheland having admitted the charge as reported against him,

Resolved, That the said James Wheland be confined in the log jail in Frederick county until he make ample restitution unto John White of Dorchester county for his sloop, which he caused to be destroyed, the value thereof to be ascertained by the committee of observation for Dorchester county, and give such security as the council of safety of this state, or the executive power for the time being, shall judge necessary for his future good behavior.

Resolved, That the aforesaid John Evans and John Price give bond with good security, each in the sum of fifty pounds current money, and that the aforesaid Robert Howith give bond in the sum of twenty pounds current money, payable to the honorable Matthew Tilghman, esqr., for their future good behavior, and that they be committed to the jail of Anne Arundel county until they severally give the security aforesaid, but after giving the same, that they be discharged.

On motion, *Resolved*, That the several inspectors within this state shall permit all tobacco inspected by private inspectors, according to contract prior to the resolutions of this convention, regulating the inspection of tobacco, to be taken out of the warehouses, without inspecting the same, or making any charge against the proprie-

tor of such tobacco, other than one shilling per hogshead for warehouse rent.

Mr. Gilpin and Mr. Brevard have leave of absence.

Convention adjourns till to-morrow morning, 10 o'clock.

FRIDAY, September 13, 1776.

Convention met. All members present as on yesterday, except Mr. Johnson, Mr. S. Chase, Mr. Paca, Mr. Williams, Mr. George Scott, and Mr. Lowes. The proceedings of yesterday were read. Mr. Jordan and Mr. Hughs appeared in the house.

On reading a second time the petition from a majority of Castle Haven company, *Ordered*, That the same be referred to the council of safety.

On reading a second time the report from the committee to whom the letter from the secretary of the board of war of the 6th of August last was referred, *Ordered*, That the clerk transmit to the secretary of the board of war an accurate list of all the prisoners of war in this state, as reported by the committee aforesaid.

The petition from the trustees of the poor of Frederick county was read a second time and rejected.

Adjourned till 3 o'clock.

POST MERIDIEM.

Convention met.

Resolved, That the money levied on the inhabitants of Baltimore county, and collected by the sheriff thereof, for the purpose of repaying the money appropriated by way of loan to the use of the said county for clearing and opening roads by act of assembly, be applied in discharge of the county charges of those persons by whom the said money was paid, and in such proportions as the same was by them respectively paid, and that the said sheriff cease to collect the residue of the money levied for the purpose above recited: and that the justices of Baltimore county court forbear to levy any further sum of money on the inhabitants of the said county, according to the said act of assembly, for the purpose aforesaid; until the further order of this convention or general assembly of this state.

On motion of Mr. T. Ringgold, the question was put, That the restriction laid on the price of salt by the resolve of convention of the 6th of July last, and the bounty given by the said resolve be taken off, and that no future limitations ought to be made by this or a future convention, or by any committee of observation of this state, on the price of any salt that may be imported into this state

on or before the first day of May next, any thing in the said or any other resolve to the contrary notwithstanding? Resolved in the affirmative.

AFFIRMATIVE.

Mr. Barnes,	Mr. Hughs,	Mr. T. Smith;
Hooe,	Schnebely,	T. Wright,
Dent,	Shepherd,	Kent,
Semmes,	J. Smith,	Edmondson,
Jordan,	J. T. Chase,	Gibson,
B. Mackall,	H. Wilson,	Chamberlainé,
B. Hall,	Love,	Goldsborough;
Sprigg;	Archer,	Murray,
Marbury,	Gilpin,	John Ennalls,
Carroll,	Ewing,	Potter,
J. Wilson,	D. Smith,	Horsey,
Bayly,	Brevard,	Chaille,
Edelen,	T. Ringgold,	Mitchell.
Schrivver,	Earle,	

NEGATIVE.

Mr. Plater,	Mr. Wootton,	Mr. Bond,
Parnham,	Ridgely,	W. Ringgold;
Fitzhugh,	Deye,	S. Wright,
Bowie,	Stevenson,	Gus. Scott.
J. Hall,		

Ordered, That the above resolution be inserted in the Maryland Gazette and Baltimore town papers four weeks successively.

Mr. Gustavus Scott brings in and delivers to Mr. President a report from the committee appointed to consider of the disposition of captures, which was read and ordered to lie on the table.

Convention adjourns till to-morrow morning at 9 o'clock.

SATURDAY, September 14, 1776.

Convention met. All members present as on yesterday, except Mr. Gilpin, Mr. Ewing, Mr. Brevard, Mr. T. Wright, Mr. Kent, Mr. Goldsborough, and Mr. Marbury. The proceedings of yesterday were read.

It being represented to this convention, that in the year one thousand seven hundred and seventy-three, an act of assembly passed, directing the justices of Talbot county to levy on the inhabitants of that county forty-five pounds of tobacco per tax, to be paid at three annual payments, for the purposes of purchasing land

and building a house thereon for the reception of the poor of that county: that in consequence thereof there was levied at November court seventeen hundred and seventy-four, the quantity of fifteen pounds of tobacco per poll, which has been collected and paid into the hands of trustees appointed to carry the said act into execution, and there remains unexpended. That at November court seventeen hundred and seventy-five, the further sum of fifteen pounds of tobacco was levied by the justices of the said county, now to be collected by the sheriff, which cannot at this time be done without distressing the inhabitants thereof:

Resolved therefore, That the sheriff of Talbot county shall forbear to collect any of the tobacco so levied on the inhabitants of that county at November court seventeen hundred and seventy-five, and that the trustees appointed for carrying the said act of assembly into execution, are hereby requested to pay all money or tobacco which they may have received or shall hereafter receive in virtue of the said act, into the hands of the trustees of the said county, to be applied by them to the relief and support of the poor of the said county.

Mr. Hughs brings in and delivers to Mr. President the following report, to wit:

“Your committee to enquire into the expenditure of the money appropriated for the building a log jail in Frederick county, beg leave to report, That one hundred and seventy-nine pounds five shillings and two pence farthing has been expended on the same, as per account rendered to your committee; and that there remains in the hands of the supervisors of the said building the sum of twenty pounds fourteen shillings and nine pence three farthings. That the log jail is completed agreeable to the direction of a resolve in December last all to three stoves. Your committee are of opinion that the said log jail is by no means proper for the reception of prisoners of war, having no yard or other necessary convenience; all which is submitted to the honourable house.

“Signed by order of the committee,

JOHN JOHNSON, clerk.

Which was read and ordered to lie on the table.

Convention adjourns till Monday morning, 9 o'clock.

MONDAY, September 16, 1776.

Convention met. All members present as on Saturday, except Mr. Hughs. The proceedings of Saturday were read. Mr. Worthington, Mr. Bruff, Mr. J. Mackall, and Mr. Fenwick, appeared in the house.

Agreeable to the order of the day the convention took into consideration the report relative to the conduct of Isaac Costin, and after hearing the evidence produced, as well against as in behalf of the said Isaac Costin, were of opinion, that he hath shewed himself inimical to the cause of American freedom ; therefore *Resolved*, That the said Isaac Costin enter into bond with good security to the president of this convention, in the penalty of two hundred pounds common money, for his future good behaviour, and thereupon be discharged on paying the charges of his prosecution.

Mr. Hooe and Mr. Semmes have leave of absence.

Convention adjourns till to-morrow morning at 9 o'clock.

TUESDAY, September 17, 1776.

Convention met. All members present as on yesterday, except Mr. Hooe, Mr. Semmes, and Mr. Worthington. The proceedings of yesterday were read. Mr. Chamberlaine has leave of absence.

On motion, *Resolved*, That three persons be added to the committee appointed to examine and report the state of the accounts and proceedings of the commissioners of the loan office ; and Mr. T. Ringgold, Mr. J. Smith, and Mr. Worthington, were elected by ballot to be of the said committee.

On motion of Mr. Fitzhugh, That the question be put on the following :

As the establishing a bill of rights and the formation of a new government on the authority of the people only, are matters of the utmost importance to the good people of this state, and their posterity; and as the bill of rights and form of government reported to this convention by the committee chosen for that purpose, have been referred for consideration to Monday the thirtieth instant, occasioned by the necessary attendance in congress of several of the representatives of the people; in order therefore that the fullest consideration may be had thereon,

Resolved, That the said bill of rights and form of government be immediately printed for the consideration of the people at large, and that twelve copies thereof be sent without delay to each county in this state.

The previous question was called for by Mr. Gustavus Scott, and put, whether the above question be now put? *Resolved* in the affirmative.

AFFIRMATIVE.

Mr. Fenwick,
B. Mackall,
Fitzhugh,

Mr. Schriver,
Ridgely,
Deye,

Mr. W. Ringgold,
S. Wright,
Bruff,

Mr. J. Mackall, Bowie, B. Hall, Marbury, Hammond, J. Hall,	Mr. Stevenson, Shepherd, Bond, H. Wilson, Love, Archer,	Mr. Edmondson, Gibson, Potter, Mason, Chaille, Mitchell.
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NEGATIVE.

Mr. Barnes, Plater, Dent, Parnham, Sprigg, Carroll, Wootton,	Mr. J. Wilson, Bayly, Edelen, J. Smith, J. T. Chase, T. Ringgold,	Mr. Earle, T. Smyth, Murray, John Ennalls, Gust. Scott, Horsey.
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The main question was then put, and resolved in the affirmative.

AFFIRMATIVE.

Mr. Fenwick, B. Mackall, Fitzhugh, J. Mackall, Bowie, B. Hall, Marbury, Hammond, J. Hall, J. Wilson,	Mr. Bayly, Schrifer, Ridgely, Deye, Stevenson, Shepherd, Bond, H. Wilson, Love, Archer,	Mr. W. Ringgold, S. Wright, Bruff, Edmondson, Gibson, John Ennalls, Potter, Mason, Chaille, Mitchell.
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NEGATIVE.

Mr. Barnes, Plater, Dent, Parnham, Sprigg, Carroll,	Mr. Wootton, Edelen, J. Smith, J. T. Chase, T. Ringgold,	Mr. Earle, T. Smyth, Murray, Gust. Scott, Horsey.
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Mr. Fitzhugh brings in and delivers to Mr. President, a report from the committee appointed to take into their consideration the resolution of congress of the seventeenth of August last, and report their opinion thereon, which was read and ordered to lie on the table.

The convention proceeded to the choice of a member of the council of safety, in the room of Thomas Bedingfield Hands, esq. who had resigned his seat as a member of that board, and Nicholas Thomas, esqr., was elected.

On motion, *Resolved*, That the council of safety be requested to take the necessary steps to provide paper for printing a further sum of money for the use of this state.

On motion of Mr. Parnham, That the house be adjourned to the 30th inst., and all the members absent as well as present requested to give punctual attendance on that day, and that no itinerant charges for going and returning be allowed to any of the members.

It was moved that the question consisting of two parts be separated, upon which the question was put, That the same be divided into two questions? *Resolved* in the affirmative.

AFFIRMATIVE.

Mr. Barnes,	Mr. Wootton,	Mr. Earle,
Fenwick,	J. Wilson,	T. Smyth,
Plater,	Bayly,	S. Wright,
Jordan,	J. Smith,	Bruff,
Marbury,	Chase,	Mason,
Hammond,	Archer,	Gust. Scott,
J. Hall,	T. Ringgold,	Horsey,
Carroll,	W. Ringgold,	Mitchell.

NEGATIVE.

Mr. Dent,	Mr. Edelen,	Mr. Love,
Parnham,	Schrifer,	Edmondson,
B. Mackall,	Ridgely,	Gibson,
Fitzhugh,	Deye,	Murray,
J. Mackall,	Stevenson,	John Ennalls,
Bowie,	Shepherd,	Potter,
B. Hall,	Bond,	Chaille.
Sprigg,	H. Wilson,	

The question was then put, That the house be adjourned to the 30th instant, and all the members absent as well as present requested to give punctual attendance on that day? *Resolved* in the affirmative.

AFFIRMATIVE.

Mr. Fenwick,	Mr. Edelen,	Mr. Edmondson,
Dent,	Shriver,	Gibson,
Parnham,	Ridgely,	Murray,
B. Mackall,	Deye,	John Ennalls,
Fitzhugh,	Stevenson,	Potter,
J. Mackall,	Shepherd,	Mason,
Bowie,	Bond,	Chaille,
B. Hall,	H. Wilson,	Mitchell,
Sprigg,	Love,	Gust. Scott,
Bayly,	Archer,	Horsey.

NEGATIVE.

Mr. Barnes,	Mr. Carroll,	Mr. W. Ringgold,
Plater,	Wootton,	Earle,
Jordan,	J. Wilson,	T. Smyth,
Marbury,	J. Smith,	S. Wright,
Hammond,	J. T. Chase,	Bruff.
J. Hall,	T. Ringgold,	

On motion of Mr. J. T. Chase, *Resolved unanimously*, That no itinerant charges for going and returning be allowed to any of the members.

On motion, *Ordered*, That the council of safety be directed to discharge Henry Green of captain Gunby's company, and one Robinson, of the flying camp, who are sick at Philadelphia.

Convention adjourned till Monday the 30th instant, and thence from day to day, till

WEDNESDAY, October 2, 1776.

Convention met. All members present as on Tuesday, the 17th of September last, except Mr. Jordan, Mr. B. Mackall, Mr. B. Hall, Mr. Wootton, Mr. Schnebely, Mr. Ridgely, Mr. D. Smith, Mr. Earle, Mr. Murray, Mr. Mason, and Mr. Chaille. Mr. Worthington, Mr. S. Chase, Mr. Paca, Mr. Williams, Mr. Fischer, Mr. Sheredine, Mr. Beall, Mr. Gilpin, Mr. Ewing, Mr. Brevaid, Mr. T. Wright, Mr. Kent, Mr. Joseph Ennalls, and Mr. Dickinson, appeared in the house.

A petition from Thomas Grey of Battle creek, in Calvert county, was read and ordered to lie on the table.

The order of the day for taking into consideration the declaration and charter of rights, and form of government for this state, being read, *Ordered*, That the same be referred for consideration till to-morrow.

Convention adjourns till to-morrow morning, 9 o'clock.

THURSDAY, October 3, 1776.

Convention met. All members present as on yesterday. The proceedings of yesterday were read. Mr. B. Hall, Mr. Ridgely, Mr. Mason, Mr. George Scott, Mr. Lownes, Mr. Chaille, and Mr. Bishop, appeared in the house.

On motion, *Ordered*, That William Bartlett Townsend be discharged from confinement, on giving security for his appearance before this convention when called on.

Ordered, That colonel Smallwood and general Beall immediately, and so monthly thereafter, make returns to this convention,

or in their recess to the council of safety, of the number of forces under their command respectively, and of their state and condition.

Resolved, That the president be requested immediately to transmit a copy of the above to colonel Smallwood and general Beall, respectively.

Captain John Watkins of the third independent company of regulars, resigned his commission, which was accepted by the convention.

Mr. Solomon Long was appointed captain of the said company, Mr. Ely Dorsey first lieutenant, and Mr. Dixon Quinton second lieutenant.

Adjourned till 3 o'clock.

POST MERIDIEM.

Convention met.

A memorial from captain Abraham Boyd of Prince George's county was read and ordered to lie on the table.

On motion of Mr. Fitzhugh, *Resolved*, That every company of militia in this state be exercised only once a fortnight, and that every battalion of militia be exercised in battalion at such times and places as the field officers of the battalion shall appoint, not oftener than once in every two months, nor seldomer than once in every three months, the day of exercise in battalion being accounted as the day of exercise for that fortnight, any former resolve of the convention to the contrary notwithstanding.

A petition from Robert Cowell and Nicholas Reilly, setting forth that they had, on the 25th day of September last, been convicted of felony and received sentence of death before Baltimore county court, and praying this convention to grant them pardon, was read and ordered to lie on the table.

On motion of Mr. Sheredine, the question was put, That this convention on to-morrow morning resolve itself into a committee of the whole, to take into consideration the declaration and charter of rights, and form of government for this state; *Resolved* in the affirmative.

AFFIRMATIVE.

Mr. Dent,
Parnham,
Fitzhugh,
J. Mackall,
Bowie,
B. Hall,

Mr. Williams,
Fisher,
Sheredine,
Edelen,
Schriver,
Beall,

Mr. J. Smith,
J. T. Chase,
Bond,
H. Wilson,
Love,
Archer,

Mr. Sprigg,
Hammond,
J. Wilson,

Mr. Ridgely,
Deye,
Stevenson,

Mr. Ewing,
Brevard,
John Ennalls.

NEGATIVE.

Barnes,
Fenwick,
Plater,
Worthington,
S. Chase,
Paca,
Carroll,
Bayly,
Gilpin,

Mr. T. Ringgold,
W. Ringgold,
T. Smyth,
T. Wright,
Kent,
Bruff,
Edmondson,
Gibson,
Joseph Ennalls,

Mr. Potter,
Dickinson,
Gust. Scott,
Geo. Scott,
Horsey,
Lowes,
Bishop,
Mitchell.

Convention adjourns till to-morrow morning, 9 o'clock.

FRIDAY, October 4, 1776.

Convention met. All members present as on yesterday. The proceedings of yesterday were read.

On motion of Mr. Bond, the question was put, That the journals and proceedings of this convention, from the meeting thereof until this day, be immediately printed, and that two copies be delivered to every member of this house; and that for the future the journals and proceedings of the convention shall be printed weekly and delivered as aforesaid? Carried in the negative.

NEGATIVE.

Barnes,
Plater,
Dent,
Parnham,
B. Hall,
Sprigg,
Worthington,
S. Chase,
Paca,
Carroll,
Bayly,
Fischer,

Mr. Sheredine,
Edelen,
Beall,
J. Smith,
J. Chase,
Gilpin,
T. Ringgold,
W. Ringgold,
T. Smyth,
T. Wright,
Bruff,
John Ennalls,

Mr. Joseph Ennalls,
Potter,
Mason,
Dickinson,
Gust. Scott,
Geo. Scott,
Horsey,
Lowes,
Chaille,
Bishop,
Mitchell.

AFFIRMATIVE.

Mr. Fitzhugh,
J. Mackall,
Hammond,

Mr. Deye,
Stevenson,
Shepherd,

Mr. Archer,
Ewing,
Brevard,

Mr. J. Wilson,
Williams,
Schriver,
Ridgely,

Mr. Bond,
H. Wilson,
Love,

Mr. Kent,
Edmondson,
Gibson.

It appearing to this house, that Robert Browne, the proprietor of the warehouse on the land of the late Charles Brown on Wye river in Queen Anne's county, hath refused to let the said warehouse for the purpose of carrying into execution a resolve of this house of the sixth of September last, *Resolved*, That the inspector immediately take possession of the said warehouse for the purpose aforesaid, and the committee of observation of said county are hereby required, if it should be necessary, to be aiding and assisting in enforcing this resolution, and for that purpose to call in the force of the county, or any part thereof.

Resolved, That the inhabitants of this state may discharge their public dues, deputy commissaries and attornies' fees, in inspected tobacco, in the same manner as they might have done before the 10th day of June last, by acts of assembly, and that the several sheriffs shall be obliged to receive the same until the 20th day of November next, or until the further order of this convention, and the said deputy commissaries and attornies, and all persons who are entitled to any public dues, are hereby obliged to receive the said tobacco from the sheriffs in payment of their several claims.

The order of the day that the convention will resolve itself into a committee of the whole, to take into consideration the declaration and charter of rights, and form of government for this state, being read, the same was referred till Tuesday next.

On motion of Mr. Samuel Chase, *Resolved*, That a committee be appointed to prepare a scheme for the emission of bills of credit for the defence of this state, and such other purposes as shall be directed by the convention or the legislature of this state, and Mr. S. Chase, Mr. Paca, Mr. Carroll, Mr. J. Hall, Mr. Worthington and Mr. T. Ringgold, were elected by a ballot a committee for that purpose.

Adjourned till 3 o'clock.

POST MERIDIEM.

Convention met. Mr. D. Smith and Mr. Grahame appeared in the house.

On motion of Mr. S. Chase, *Resolved*, That the council of safety be empowered to import at the expense and risk of this state as speedily as possible, blankets, and other coarse woollens and

linens proper for soldiers' clothing, duck proper for tents, tin for camp kettles, medicine, and other necessaries for supplying the troops raised or to be raised by this state, and a quantity of said duck, to the amount in the whole of twenty-five thousand pounds current money; five thousand stand of arms, five thousand good gun-locks, six brass field pieces of four pounders, four six and four eight inch howitzers, twenty tons powder, and forty tons of lead. That for this purpose they export at the risque of this state, tobacco, wheat, flour or other commodities of the growth thereof, and draw on either of the treasurers to defray the expense thereof for any sum not exceeding sixty-five thousand pounds current money.

The president laid before the convention a letter from the honorable the president of congress of the 24th, and several resolutions of congress of the 16th, 18th, and 19th of September last, which were read, and thereupon *Resolved*, That a committee be appointed to take the said letter and resolutions into their consideration and report their opinion thereon; and M. S. Chase, Mr. Paca, Mr. J. Hall, Mr. Carroll, Mr. Plater, Mr. Fitzhugh, and Mr. Gustavus Scott, were elected by ballot a committee for that purpose.

On motion *Ordered*, That the letter from the president of congress of the the 2d of this instant be taken into consideration to-morrow morning.

Mr. Paca brings in and delivers to Mr. President a report from the committee to whom the several papers and depositions relative to the conduct of William Bartlett Townsend were referred, which was read.

Ordered, That the same be taken into consideration on Tuesday the 15th instant.

Convention adjourns till to-morrow morning, 9 o'clock.

SATURDAY, October 5, 1776.

Convention met. All members present as on yesterday. The proceedings of yesterday were read.

On motion of Mr. Bond, *Resolved*, That the journal and proceedings of this convention from the meeting thereof until the adjournment be immediately printed, and that two copies be delivered to every member of this house.

On motion of Mr. Paca, *Resolved*, That a committee be appointed to revise and correct the proceedings for the press, and Mr. Fitzhugh, Mr. Bond, Mr. Deye, were elected by ballot a committee for that purpose.

On motion of Mr. T. Ringgold, *Resolved*, That the council of safety fit and load the schooner Resolution, and send her out on a

voyage to sea at the expense and risque of this state, the former order of this convention to the contrary notwithstanding.

Mr. Ridgely from the committee appointed to receive proposals relating to the establishment of manufactories, and report their opinion thereon, brings in and delivers to Mr. President a report on the petition of Jacob Myers, of Frederick county, which was read, and thereupon the convention taking the same into consideration, *Resolved*, That the sum of three hundred pounds be advanced out of the public treasury to the said Jacob Myers, he giving bond with good security, to repay the same in wire manufactured by him, in the following payments, to wit: one hundred and fifty pounds thereof in September next, and the remaining one hundred and fifty pounds in March next then following, at such prices as the convention shall think proper to set on the same.

The order of the day for taking into consideration the letter from the president of the congress of the 2d of this instant being read, the same was referred till Wednesday, the 6th of November next.

Convention adjourns till Monday morning, 9 o'clock.

MONDAY, October 7, 1776.

Convention met. All members present as on Saturday. The proceedings of Saturday were read. Mr. Johnson and Mr. Stull appeared in the house.

The convention appointed Norman Bruce colonel, William Blair lieutenant-colonel, William Shields first major, Samuel Shaw second major, and Joseph M'Killip quarter-master of the thirty-fifth battalion of militia of this state.

On motion of Mr. T. Wright, *Resolved*, That Mr. Johnson be added to the committee appointed to consider the letter and resolutions of congress of the 16th, 18th, and 19th of September last.

Adjourned till 3 o'clock.

POST MERIDIEM.

Convention met. Mr. Wootton appeared in the house.

A petition from Thomas Scott, now confined in Frederick county jail, under sentence of death for murder, praying to be reprieved; a petition from John Drury, senior, John Drury, jun., Geo. Brewer, Francis Drury, William Carpenter, Ignatius Moore and Nicholas Moore, praying reparation of the loss they sustained by being driven from their habitation on St. George's island by the British fleet under the command of lord Dunmore; and a petition from Roger Jones and John Jones, of Dorchester county, setting forth that they were possessed of two negro men slaves, to wit: Roger Jones of a negro man slave named Kit, and John Jones of a negro man

slave named Robin; that the said negro men slaves were indicted before the last Dorchester county August court, for the murder of a certain John Woolford, late of the same county, and thereof were convict; and also that the said negro Kit was at the same court indicted and found guilty of feloniously stealing a certain schooner vessel, and recommending the aforesaid negroes Robin and Kit to the clemency and mercy of this house, were severally read and ordered to lie on the table.

The convention proceeded to elect a judge of the court of admiralty in the room of John Hall, esqr., who resigned that office, and John Rogers, esqr., was elected.

On motion of Mr. Fitzhugh, *Resolved*, That it be recommended to the committee of Talbot county, to deliver four pieces of cannon, the property of William Molleson, and lent them by captain Nichols, to Mr. Thomas Contee, attorney in fact of the said William Molleson.

On motion of Mr. Bond, the question was put on the following: "Whereas by a resolution of the tenth of September last, the several committees of this state are continued to act with powers heretofore vested in them, until the first day of December next, and as the said resolve cannot be fully complied with, occasioned by the resignation of several members of the said committees, therefore, *Resolved*, That committees of observation and licensing suits be chosen as directed by resolves of convention of the twenty-sixth of July one thousand seven hundred and seventy-five, and continued for one year, or until superceded by the future regulations of this state," and carried in the negative.

NEGATIVE.

Mr. Plater,	Mr. Edelen,	Mr. Edmondson,
Dent,	Schriver,	John Ennalls,
Parnham,	Beall,	Potter,
Grahame,	Stull,	Mason,
Bowie,	J. Smith,	Dickinson,
B. Hall,	Gilpin,	Johnson,
Sprigg,	D. Smith,	Geo. Scott, ²
S. Chase,	T. Ringgold,	Horsey,
Paca,	W. Ringgold,	Lowes,
J. Wilson,	T. Wright,	Mitchell.
Sheredine,	S. Wright,	

AFFIRMATIVE.

Mr. Fitzhugh,	Mr. Ridgely,	Mr. Ewing,
J. Mackall,	Deye,	Brevard,

Mr. Hammond,	Mr. Stevenson,	Mr. Kent,
Wootton,	Shepherd,	Bruff,
Bayly,	Bond,	Gibson,
Williams,	H. Wilson,	Bishop.
Fischer,	Archer,	

Convention adjourns till to-morrow morning, 9 o'clock.

TUESDAY, October 8, 1776.

Convention met. All members present as on yesterday. The proceedings of yesterday were read. Mr. Hooe appeared in the house.

A petition from a majority of captain Richard Chew's company of militia, of colonel John Weem's battalion, against their captain, was read and ordered to lie on the table.

On motion of Mr. Fitzhugh, the question was put on the following: "As delegating members to the general congress who are not representatives of the people of this state, is erecting or constituting a power inconsistent with and dangerous to the rights and liberties of the good people of this state, *Resolved*, That no person whatsoever, except a delegate of the people in convention, be chosen or qualified to serve in this state as a member of the general congress," and carried in the negative.

NEGATIVE.

Mr. Barnes,	Mr. Sheredine,	Mr. Edmondson,
Fenwick,	Edelen,	Gibson,
Plater,	Schrifer,	Chamberlaine,
Hooe,	Beall,	John Ennalls,
Dent,	Stull,	Jos. Ennalls,
Parnham,	J. Smith,	Potter,
B. Hall,	J. T. Chase,	Mason,
Sprigg,	Gilpin,	Dickinson,
J. Hall,	Ewing,	Johnson,
Worthington,	D. Smith,	Gust. Scott,
S. Chase,	T. Ringgold,	Geo. Scott,
Paca,	W. Ringgold,	Horsey,
Carroll,	T. Smyth,	Lowes,
J. Wilson,	T. Wright,	Chaille,
Bayly,	Kent,	Bishop,
Fischer,	Bruff,	Mitchell.

AFFIRMATIVE.

Mr. Grahame,	Mr. Williams,	Mr. H. Wilson,
Fitzhugh,	Ridgely,	Love,
J. Mackall,	Deye,	Archer,
Bowie,	Stevenson,	Brevard,
Hammond,	Shepherd,	S. Wright.
Wootton,	Bond,	

On motion of Mr. H. Wilson, That the deputies from this state to the continental congress be each allowed the sum of ten pounds common money, and no more, per week, during their attendance in congress? An amendment was proposed to insert *twelve pounds ten shillings* instead of *ten pounds*, on which amendment the question was put, and resolved in the affirmative.

AFFIRMATIVE.

Mr. Barnes,	Mr. S. Chase,	Mr. Gilpin,
Fenwick,	Paca,	Ewing,
Plater,	Carroll,	Brevard,
Dent,	J. Wilson,	T. Wright,
Grahame,	Bayly,	Kent,
Fitzhugh,	Fischer,	S. Wright,
J. Mackall,	Sheredine,	Bruff,
Bowie,	Edelen,	Potter,
Sprigg,	Beall,	Mason,
J. Hall,	Stull,	Dickinson,
Worthington,	J. T. Chase,	Lowes.

NEGATIVE.

Mr. Hooe,	Mr. Bond,	Mr. Chamberlaine,
B. Hall,	H. Wilson,	John Ennalls,
Hammond,	Love,	Jos. Ennalls,
Wootton,	Archer,	Gus. Scott,
Williams,	D. Smith,	Geo. Scott,
Schriver,	T. Ringgold,	Horsey,
Ridgely,	W. Ringgold,	Chaille,
Deye,	Edmondson,	Bishop,
Stevenson,	Gibson,	Mitchell.
Shepherd,		

The question was then put, That the deputies from this state to the continental congress be each allowed the sum of twelve pounds ten shillings common money per week, and no more, from the time they leave home until their return? and resolved in the affirmative.

On motion of Mr. T. Ringgold, the question was put, That the members of the present and future conventions of this state be allowed ten shillings per day for their attendance, besides the usual itinerant charges, any resolve of a former convention to the contrary notwithstanding.

AFFIRMATIVE.

Mr. Hooe,	Mr. Bayly,	Mr. Love,
Bowie,	Williams,	Archer,

Mr. B. Hall,	Mr. Sheredine,	Mr. Ewing,
Sprigg,	Ridgely,	D. Smith,
Hammond,	Deye,	T. Ringgold,
Worthington,	Stevenson,	W. Ringgold,
Wootton,	Bond,	Gibson,
J. Wilson,	H. Wilson,	John Ennalls.

NEGATIVE.

Mr. Barnes,	Mr. Schriver,	Mr. Edmondson,
Fenwick,	Beall,	Chamberlaine,
Plater,	Stull,	Jos. Ennalls,
Dent,	Shepherd,	Potter,
Parnham,	J. Smith,	Mason,
Grahame,	J. T. Chase,	Dickinson,
Fitzhugh,	Gilpin,	Johnson,
J. Mackall,	Brevard,	Geo. Scott,
J. Hall,	T. Smyth,	Horsey,
S. Chase,	T. Wright,	Lowes,
Paca,	Kent,	Chaille,
Carroll,	S. Wright,	Bishop,
Fischer,	Bruff,	Mitchell.
Edelen,		

The order of the day, that the convention will resolve itself into a committee of the whole, to take into consideration the declaration and charter of rights, and form of government for this state, being read, the same was referred till to-morrow.

Mr. T. Ringgold brings in and delivers to Mr. President a report from the committee appointed to prepare a scheme for the emission of bills of credit for the defence of this state, and such other purposes as shall be directed by the convention or legislature of this state; and Mr. S. Chase brings and delivers to Mr. President a report from the committee to whom were referred the letter and resolutions of congress of the 16th, 18th, and 19th of September last; which were read and ordered to lie on the table.

Adjourned till 3 o'clock.

POST MERIDIEM.

Convention met. Mr. Hughs appeared in the house.

On motion of Mr. Bond, That a committee of observation and licensing suits for Harford county be chosen as directed by a resolve of convention in July, one thousand seven hundred and seventy-five, and that Messrs. Amos Garret, Thomas Johnson, and Thomas Bond, jun., or any two of them, be judges of the said election, and that the said election be held at the court house of the

said county, on the twenty sixth day of this instant; the said committees to continue until the first day of December next, or until superseded by future regulations of this state? The previous question was called for and put, whether the above question be now put? Carried in the negative.

AFFIRMATIVE.

Mr. Grahame,	Mr. Deye,	Mr. Brevard,
Fitzhugh,	Stevenson,	T. Wiight,
J. Mackall,	Shepherd,	Kent,
Hammond,	Bond,	Bruff,
J. Hall,	H. Wilson,	Gibson,
Paca,	Love,	Horsey,
Wootton,	Archer,	Geo. Scoot,
Williams,	Ewing,	Chaille,
Ridgely,		

NEGATIVE.

Mr. Barnes,	Mr. Sheredine,	Mr. S. Wright,
Fenwick,	Edelen,	Edmondson,
Hooe,	Schrifer,	Chamberlaine,
Dent,	Beall,	John Ennalls,
Parnham,	Hughs,	Joseph Ennalls,
Bowie,	Stull,	Potter,
B. Hall,	J. Smith,	Mason,
Sprigg,	J. T. Chase,	Dickinson,
Worthington,	Gilpin,	Johnson,
S. Chase,	D. Smith,	Gust. Scott,
Carroll,	T. Ringgold,	Lowes,
J. Wilson,	W. Ringgold,	Bishop,
Bayly,	T. Smyth,	Mitchell,
Fischer,		

Convention adjourns till to-morrow morning, 9 o'clock.

WEDNESDAY, October 9, 1776.

Convention met. All members present as on yesterday. The proceedings of yesterday were read. Mr. Marbury appeared in the house.

On motion of Mr. Wootton, *Resolved*, That the commissioners for Montgomery county have the line which divides Frederick and Montgomery counties laid off and marked by the surveyor of Frederick county, at least ten days before the election for fixing on the place for building a court house and prison for said county, and that the qualification of voters for the purpose of fixing on the

most convenient place for a court house and prison in the said county, be the same as of voters for representatives in this convention.

Mr. Murray appeared in the house.

Ordered, That no person who has refused or neglected to subscribe the association (unless from religious principles) be permitted to come within the doors of this house during the sitting of the convention.

The convention took into consideration the report from the committee appointed to consider of the letter and resolutions of congress of the sixteenth, eighteenth and nineteenth of September last, and thereupon came to the following resolutions.

Resolved, That the eight battalions required by congress to be raised by this state, exceeds its just quota, being as they presume, founded on a calculation of white and black inhabitants of both sexes and of all ages, whereas the quotas of men to be raised by the several states, ought to be in proportion to the number of white inhabitants only in each state respectively.

That this state ought not to comply with the proposed terms of granting lands to the officers and soldiers, because there are no lands belonging solely and exclusively to this state; the purchase of lands might eventually involve this state in an expense exceeding its abilities, and an engagement by this state to defray the expense of purchasing land, according to its number of souls, would be unequal and unjust.

That this state desirous of exerting the most strenuous efforts to support the liberties and independence of the United States, will therefore use its utmost endeavours to raise the eight battalions required (including the troops already raised and in the service of the United States) as soon as possible.

That for this purpose this state will give a bounty of ten dollars to each non-commissioned officer and soldier who will enlist in the service of the United States for the war, in lieu of the hundred acres of land offered to them by congress.

That four commissioners be appointed to repair to the camps in the Jerseys and New York, and there obtain a list of such of the officers in the regular troops and flying camp from this state, now in the service of the United States, as are willing to engage in the service during the war; and also to enlist or cause to be enlisted all or every of the said regular troops or flying camp militia in the service of the United States during the war, continuing the regular battalion and forming the independent companies into a battalion, and filling both up according to the continental establishment; and

said into battalions; and the said commissioners, or any three of them, may also fill up such of the blank commissions sent to this convention by congress, as may be immediately necessary for the officering of the said corps; but in filling up the said commissions they are required not to introduce into the corps of the now regulars, any officer other than such as are of those regulars, nor into the corps which may be formed of the flying camp militia, any officer not now an officer in the said regulars or flying camp; and the commissioners are also required to leave some of the offices vacant, that cadets of merit may be provided for; which list of the officers so to be obtained, as well as a list of the appointments which shall be made as aforesaid, the said commissioners shall return to this convention, or in their recess to the council of safety. That the commissioners exert their utmost endeavors to procure the enlistment of the regular troops and militia from this state in the continental service, and make report of the state and condition of the forces from this state now in camp.

That the commissioners be furnished with money sufficient to advance the bounty of ten dollars as aforesaid.

That the council of safety, in the recess of convention, be empowered to issue warrants for the enlistment of such number of non-commissioned officers and privates, and also to appoint and commission such field and commission officers as may be necessary to make up the said eight battalions.

That the said commissioners, or any three or two of them, are empowered to receive of congress any sum not exceeding thirty-six thousand one hundred and twenty pounds, in dollars, at seven shillings and six pence per dollar, on account of this state, to be applied in the said bounties.

That the commissioners be instructed to consult with, and take advice from, his excellency general Washington, respecting the promotion or appointment of officers in colonel Smallwood's regiment, and the appointments to be made in the battalion to be formed of the independent companies and flying camp of this state.

That the officers to whom warrants issued for the enrollment of non-commissioned officers and privates for the two last battalions directed by the convention to be raised for the flying camp, immediately return lists of the men by them enrolled in pursuance of those warrants, to the council of safety, and forbear any further enrollment; that such of the companies as are full or nearly full be equipped and marched as soon as may be, and such of the companies as are not nearly full be discharged; and that the bounty money not expended be returned.

That the said commissioners be allowed each twelve pounds ten shillings common money per week from the time they leave home until their return.

The convention then proceeded to elect the commissioners aforesaid, and James Lloyd Chamberlaine, Benjamin Rumsey, Thomas Contee, and John Hanson, jr., esqrs., were elected.

Ordered, That the president prepare a letter to the president of congress, and transmit a copy of the above resolutions therein.

The order of the day for taking into consideration the letter from the president of congress, of the second instant, was read and referred till to-morrow.

Convention adjourns till to-morrow morning, 9 o'clock.

THURSDAY, October 10, 1776.

Convention met. All members present as on yesterday. The proceedings of yesterday, were read.

On motion of Mr. J. Mackall, the question was put on the following, "As the people have a right and ought to know the conduct and behavior of their representatives, *Resolved,* That on all questions to be determined in this convention by a committee of the whole house, the yeas and nays shall be taken when called for by any member of the house and seconded, any custom or usage of parliament, assemblies, or former conventions to the contrary notwithstanding," and carried in the negative.

AFFIRMATIVE.

Mr. Fitzhugh,
J. Mackall,
Hammond,

Mr. Fischer,
Ridgely,

Mr. Deye,
Bond.

NEGATIVE.

Mr. Barnes,
Fenwick,
Plater,
Hooe,
Dent,
Parnham,
Grahame,
Bowie,
B. Hall,
Sprigg,
Marbury,
J. Hall,
Worthington,

Mr. Sheredine,
Edelen,
Schriver,
Beall,
Hughs,
Stull,
Stevenson,
J. Smith,
J. T. Chase,
H. Wilson,
Love,
Archer,
Gilpin,

Mr. Kent,
S. Wright,
Bruff,
Edmondson,
Gibson,
Chamberlaine,
Murray,
John Ennalls,
Jos. Ennalls,
Potter,
Mason,
Dickinson,
Johnson,

Mr. S. Chase,	Mr. Ewing,	Mr. Gust. Scott,
Paca,	D. Smith,	Geo. Scott,
Carroll,	Brevard,	Horsey,
Wootton,	T. Ringgold,	Lowes,
J. Wilson,	W. Ringgold,	Chaille,
Bayly,	T. Smyth,	Mitchell.
Williams,	T. Wright,	

Agreeable to the order of the day the convention resolved itself into a committee of the whole, to take into consideration the declaration and charter of rights, and form of government for this state; Mr. Worthington in the chair. After some time spent therein Mr. President resumed the chair, and Mr. Worthington reported, that the committee had, according to order, taken into their consideration the declaration of rights, and form of government for this state, but not being able to go through the same, had directed him to move for leave to sit again.

Resolved, That this convention will in the afternoon resolve itself into a committee of the whole, to consider further of the same.

Adjourned till 3 o'clock.

POST MERIDIEM.

Convention met. Mr. Jordan appeared in the house.

According to order the convention resolved itself into a committee of the whole, to consider further of the declaration of rights, and form of government for this state; Mr. Worthington in the chair. After some time spent therein, Mr. President resumed the chair, and Mr. Worthington reported, that the committee had, according to order, taken into their consideration the declaration of rights, and form of government for this state, but not having had time to go through the same, had directed him to move for leave to sit again.

Resolved, That this convention will to-morrow morning resolve itself into a committee of the whole, to consider further of the same.

Convention adjourns till to-morrow morning, 9 o'clock.

FRIDAY, October 11, 1776.

Convention met. All members present as on yesterday. The proceedings of yesterday were read.

A petition from sundry inhabitants, on behalf of themselves and other freeholders and inhabitants of that part of Prince George's county which lies to the westward of the eastern branch of Potowmac river, praying that that part of Prince George's county which lies to the westward of the eastern branch of Potowmac river afore-

said, may be annexed to the lower district of Frederick, now Montgomery county, and to have their court house and other public buildings erected in Georgetown, was read and ordered to lie on the table.

On motion of Mr. Paca, *Resolved*, That the several vessels lately drifted on the shores of this state from lord Dunmore's fleet, or otherwise made capture of, be raised up, appraised, and fitted out for the use of this state, or exposed to sale, at the discretion of the council of safety; the cargoes of the said vessels to be also exposed to sale, and the monies arising from the sale of the said vessels and cargoes, be paid into the hands of the treasurer of the western shore, subject to the disposal of this or a future legislature.

Agreeable to the order of the day the convention resolved itself into a committee of the whole, to consider further of the declaration of rights, and form of government for this state; Mr. Worthington in the chair. After some time spent therein, Mr. President resumed the chair, and Mr. Worthington reported, that the committee had, according to order, taken into their consideration the declaration of rights, and form of government for this state, but not having had time to go through the same, had directed him to move for leave to sit again.

Resolved, That this convention will in the afternoon resolve itself into a committee of the whole, to consider further of the same.

Adjourned till 3 o'clock.

POST MERIDIEM.

Convention met.

The order of the day that the convention will resolve itself into a committee of the whole, to consider further of the declaration of rights, and form of government of this state, being read, *Resolved*, That this convention will on to-morrow resolve itself into a committee of the whole, to consider further of the same.

Convention adjourns till to-morrow morning, 9 o'clock.

SATURDAY October 12, 1776.

Convention met. All members present as on yesterday. The proceedings of yesterday were read. Mr. Edmondson, Mr. Shepherd, Mr. T. Smyth, Mr. T. Ringgold, Mr. Paca and Mr. W. Ringgold, have leave of absence for a few days.

The convention appointed Edward Cockey colonel, Joshua Stevenson lieutenant-colonel, Micajah Merryman first major, Stephen Cromwell Second major, and John Robert Hollyday quartermaster, of the Gunpowder upper battalion of militia in Baltimore county.

Mr. Ridgely and Mr. Hughs have leave of absence for a few days.

On motion of Mr. J. Hall, *Resolved*, That the several companies of the flying camp that have been raised under the resolve of convention for raising two additional battalions, be distributed into the four battalions for the flying camp heretofore raised in such manner as the commissioners appointed to repair to camp and attend the new enlistment may think proper.

On reading a letter from the reverend John Scott, to the president, *Resolved*, That on the said reverend John Scott's giving bond, with two or more good and sufficient securities, in the penalty of one thousand pounds sterling, payable to the president of the council of safety for the time being, condition that he will not go on the eastern shore in Maryland or Virginia, and that he will not correspond upon public matters with any person whatsoever, the said John Scott be permitted to reside in any part of the western shore of Virginia, or in Frederick county in this state, and that on his giving such bond and the same being approved by this convention or the council of safety, his bond dated the twenty-ninth day of August last shall be void, as to any matter or thing thereafter to be done by the said John Scott; and that for the purpose of giving such new bond, the said John Scott be permitted to come to Annapolis.

Mr. Bowie has leave of absence till Tuesday next.

Adjourned till 3 o'clock.

POST MERIDIEM.

Convention met.

Mr. Sheredine brings in and delivers to Mr. President a report from the committee appointed to enquire into the truth of the facts set forth in the petition of the present and late sheriffs of Frederick county, which was read and concurred with, and thereupon *Resolved*, That it be recommended to the inhabitants of Frederick county to pay their public levies without delay.

The order of the day for taking into consideration the declaration of rights and form of government for this state being read, *Resolved*, That this convention will on Monday next resolve itself into a committee of the whole to consider of the same.

Convention adjourns till Monday morning, 9 o'clock.

MONDAY, October 2, 1776.

Convention met. All members present as on Saturday, except Mr. Bowie, Mr. Paca, Mr. Wootton, Mr. Ridgely, Mr. Shepherd, Mr. T. Ringgold, Mr. W. Ringgold, Mr. T. Smyth, Mr. Edmondson, and Mr. Chamberlaine. The proceedings of Saturday were read.

On motion of Mr. Parnham, *Resolved*, That this convention will enter on no new business (except from evident necessity) until they have finished the consideration of the declaration of rights and form of government.

On motion of Mr. Parnham the question was put, That for the expediting the bills of rights and form of government the house shall sit, while that business is transacting, every evening, till 8 o'clock? *Resolved* in the affirmative.

AFFIRMATIVE.

Mr. Fenwick,	Mr. Sheredine,	Mr. Love,
Jordan,	Edelev,	Ewing,
Hooe,	Schrifer,	Archer,
Dent,	Beall,	Gilpin,
Parnham,	Hughs,	D. Smith,
Sprigg,	Stull,	Brevard,
Marbury,	Deye,	Murray,
J. Wilson,	Stevenson,	John Eunnalls,
Bayly,	J. Smith,	Jos. Eunnalls,
Williams,	J. T. Chase.	Dickinson,
Fischer,	H. Wilson,	Horsey,

NEGATIVE.

Mr. Barnes,	Mr. S. Chase,	Mr. Johnson,
Plater,	Carroll,	Gus. Scott,
Grahame,	T. Wright,	Geo. Scott,
Fitzhugh,	Kent,	Lowes,
J. Hall,	Potter,	Chaille,
Worthington,	Mason,	Mitchell.

Agreeable to the order of the day, the convention resolved itself into a committee of the whole, to consider of the declaration of rights, and form of government for this state; Mr. T. Wright in the chair. After some time spent therein, Mr. President resumed the chair, and Mr. T. Wright reported that the committee had, according to order taken into their consideration the declaration of rights and form of government for this state, and had come to several resolutions thereon, but not having had time to come to a conclusion, had directed him to move for leave to sit again.

Resolved, That this convention will to-morrow morning resolve itself into a committee of the whole to consider further of the same.

Convention adjourns till to-morrow morning, 9 o'clock.

TUESDAY, October 15, 1779.

Convention met. All members present as on yesterday. The proceedings of yesterday were read. Mr. Paca, Mr. Shepherd, and Mr. W. Ringgold, appeared in the house.

Agreeable to the order of the day, the convention resolved itself into a committee of the whole to consider further of the declaration of rights and form of government for this state; Mr. T. Wright in the chair. After some time spent therein, Mr. President resumed the chair, and Mr. Wright reported, that the committee had according to order take into their consideration the declaration of rights, and form of government, and had come to several resolutions thereon, but not having had time to come to a conclusion had directed him to move for leave to sit again.

Resolved, That this convention will to-morrow morning resolve itself into a committee of whole, to consider further of the same. Convention adjourns till to-morrow morning, 9 o'clock.

WEDNESDAY, October 16, 1776.

Convention met. All members present as on yesterday. The proceedings of yesterday were read. Mr. Bowie appeared in the house.

On motion of Mr. Johnson, *Resolved*, That the commissioners of the loan office put no bonds in that office in suit before the first day of January next, because of the non-payment of interest thereon, and that they advertise in Maryland Gazette, and Goddard's and Dunlap's papers printed in Baltimore town, that no further indulgence will be given.

Agreeable to the order of the day, the convention resolved itself into a committee of the whole to consider further of the declaration of rights, and form of government for this state; Mr. T. Wright in the chair. After some time spent therein Mr. President resumed the chair, and Mr. Wright reported that the committee had, according to order, taken into their consideration the declaration of rights, and form of government for this state, and had come to several resolutions thereon, but not having had time to come to a conclusion, had directed him to move for leave to sit again.

Resolved, That this convention will in the afternoon resolve itself into a committee of the whole, to consider further of the same.

Resolved, That the council of safety be empowered to draw for a sum not exceeding fifteen thousand pounds of the bills of credit now remaining in the hands of the treasurers, appropriated for calling in and exchanging the bills of credit issued by the convention in July, seventeen hundred and seventy five, and that they apply the same or any part thereof to the use of the public as occasion may require, and that this convention will make such provision for calling in and exchanging the said former emission as may be necessary.

Adjourned till 3 o'clock.

POST MERIDIEM.

Convention met. Mr. Edmondson and Mr. T. Sinyth appeared in the house.

A petition from Basil Clarkson praying to be released from Anne Arundle county jail, was read and ordered to lie on the table.

On reading a letter from Samuel Purviance, jun., chairman of the committee of observation for Baltimore county, respecting the conduct of Francis Sanderson, the same was taken into consideration, and the said Francis Sanderson called before the Convention, and on the examination of several witnesses and hearing him in his defence.

On motion of Mr. Paca, the question was put, That the said Francis Sanderson is guilty of delivering sentiments tending to discourage the American opposition to the hostile attempts of Great Britain: That therefore he be reprimanded at the bar of this house by the president; that he give bond in the penalty of one thousand pounds, with good security, to be approved of by the committee of Baltimore county, to the president, conditioned that he will not hereafter speak or do any matter or thing in prejudice or discouragement of the present opposition; that he pay all the expenses incurred on account of his being apprehended, guarded, and brought to this convention, and that thereupon he be discharged? Resolved in the affirmative.

AFFIRMATIVE.

Mr. Barnes,	Mr. Hughs,	Mr. Edmondson,
Fenwick,	Stull,	Murray,
Plater,	Deye,	Gibson,
Jordan,	Stevenson,	John Ennalls,
Grahame,	Shepherd,	Joseph Ennalls,
Fitzhugh,	J. Smith,	Potter,
J. Mackall,	Bond,	Mason,
B. Hall,	H. Wilson,	Dickinson,
Sprigg,	Love,	Johnson,
Hammond,	Archer,	Gust. Scott,
J. Hall,	Gilphin,	Geo. Scott,
Worthington,	Ewing,	Horsey,
Paca,	D. Smith,	Lowes,
Carroll,	Brevard,	Chaille,
J. Wilson,	W. Ringgold,	Bishop,
Fischer,	T. Wright,	Mitchell.
Beall,		

NEGATIVE.

Mr. Bowie,	Mr. Marbury,	Mr. Sheredine,
Hooe,	Bayly,	Edelen,
Dent,	Williams,	Kent.
Parnham,		

Francis Sanderson was then called to the bar of the house, and reprimanded accordingly.

Convention adjourns till to-morrow morning, 9 o'clock.

THURSDAY, October 17, 1776.

Convention met. All members present as on yesterday. The proceedings of yesterday were read.

On motion of Mr. Johnson, *Resolved*, That the commissioners appointed to repair to the camps obtain a list of the cadets now in the Maryland troops at the camps in New York and the Jerseys, and return the same to this convention, or in their recess to the council of safety, and also return the names of such non-commissioned officers in the said troops, as may be recommended by their superior officers as men of merit.

Whereas, this convention hath been informed that William Sluby, merchant, of Chestertown in Kent county, hath lately in a public manner delivered sentiments and opinions with an intention to disunite and disaffect the good people of this state in their present opposition to the hostile attempts of Great Britain against the United States, therefore, *Resolved*, That the committee of observation of the said county summon James Claypole of the said town to appear before them as a witness against said Sluby, and make enquiry into the truth of the said information, and report the facts arising thereon to this convention, or in their recess to the council of safety, and if they shall judge it necessary, take the said Sluby into custody, and send him under a guard of four of the militia to this convention, or the council of safety as aforesaid, to be dealt with as the nature of his offence may require.

Ordered, That the clerk transmit a copy of the above resolution to the committee of observation of Kent county.

On reading and considering the petition of John White of Dorchester county, setting forth, that his sloop had been taken by a certain Joseph Whyland and carried to lord Dunmore's fleet, where she had been stript of her sails and rigging, and burned, but that the sails and rigging had been since taken in a vessel belonging to the enemy, and were now in the possession of a certain major Follin of Dorchester county, and praying that the sails and rigging

aforesaid might be restored to him, thereupon *Resolved*, That the said major Follin deliver to the said John White the sails and rigging of his sloop, he first ascertaining by oath or other sufficient proof, that the sails and rigging in the possession of major Follin are the same which were taken from his sloop.

On motion, *Resolved*, That the council of safety be empowered to make captain John Fulford an allowance for his services in superintending the fortifications at the city of Annapolis, over and above his pay as captain of the artillery company, in proportion to what they may be of opinion he hath or shall deserve.

Agreeable to the order of the day the convention resolved itself into a committee of the whole, to consider further of the declaration of rights, and form of government for this state; Mr. T. Wright in the chair. After some time spent therein Mr. President resumed the chair, and Mr. Wright reported, that the committee had, according to order, taken into their consideration the declaration of rights, and form of government for this state, and had come to several resolutions thereon, but not having had time to come to a conclusion, had directed him to move for leave to sit again.

Resolved, That this convention will on to-morrow resolve itself into a committee of the whole, to consider further of the same.

Mr. Joseph Ennalls has leave of absence.

On motion of Mr. Lowes, *Ordered*, That the petition of Basil Clarkson be referred to the council of safety.

Convention adjourns till to-morrow morning, 9 o'clock.

FRIDAY, October 18, 1776.

Convention met. All members present as on yesterday, except Mr. Joseph Ennalls. The proceedings of yesterday were read. Mr. Parnham has leave of absence. Mr. Ridgely appeared in the house.

On motion, *Resolved*, That the council of safety be empowered to hear and determine on the case of William Bartlet Townsend of Worcester county, and to pass such judgment thereon as in their discretion they may think fit.

Agreeable to the order of the day the convention resolved itself into a committee of the whole, to consider further of the declaration of rights, and form of government for this state, Mr. T. Wright in the chair. After some time spent therein Mr. President resumed the chair, and Mr. Wright reported that the committee had, according to order, taken into their consideration the declaration of rights, and form of government for this state, and had

come to several resolutions thereon, but not having had time to come to a conclusion, had directed him to move for leave to sit again.

Resolved, That this convention will on to-morrow resolve itself into a committee of the whole, to consider further of the same.

Convention adjourns to-morrow morning, 9 o'clock.

SATURDAY, October 19, 1776.

Convention met. All members present as on yesterday, except Mr. Parnham. The proceedings of yesterday were read.

On motion of Mr. Johnson, *Resolved*, That every member who asks for leave of absence shall give his reasons for asking such leave, and that they be entered on the journal.

Mr. T. Wright has leave of absence till Wednesday next, on account of particular private business. Mr. Fischer has leave of absence for a few days. Mr. Hughs has leave of absence, his private affairs requiring his attendance at home.

Agreeable to the order of the day the convention resolved itself into a committee of the whole, to consider further of the declaration of rights, and form of government for this state; Mr. Worthington in the chair. After some time spent therein Mr. President resumed the chair, and Mr. Worthington reported, that the committee had, according to order, taken into their consideration the declaration of rights, and form of government for this state, and had come to several resolutions thereon, but not having had time to come to a conclusion, had directed him to move for leave to sit again.

Resolved, That this convention will on to-morrow resolve itself into a committee of the whole, to consider further of the same.

Mr. S. Wright has leave of absence on account of his bad state of health. Mr. Mason has leave of absence on account of the sickness of his family.

Convention adjourns till Monday morning, 9 o'clock.

MONDAY, October 21, 1776.

Convention met. All members present as on Saturday, except Mr. Fischer, Mr. T. Wright, Mr. S. Wright, Mr. Mason, Mr. Dickinson, Mr. Hughs, and Mr. Sprigg. The proceedings of Saturday were read. Mr. Dent has leave of absence.

Agreeable to the order of the day the convention resolved itself into a committee of the whole, to consider further of the declaration of rights, and form of government for this state; Mr. Worthington in the chair. After some time spent therein Mr. President

resumed the chair, and Mr. Worthington reported, that the committee had, according to order, taken into their consideration the declaration of rights, and form of government for this state, and had come to several resolutions thereon, but not having had time to come to a conclusion, had directed him to move for leave to sit again.

Resolved, That this convention will on to-morrow resolve itself into a committee of the whole, to consider further of the same.

Mr. Earle appeared in the house.

On reading and considering the petition of sundry inhabitants of Washington county, setting forth, that by a late resolve of convention the election for fixing the place for the court house of Washington county was to be held at Hagerstown, which would be so distant from many of the inhabitants of the said county that it would be very inconvenient for them to attend, and praying that the election might be held for one or more days at Skipton or Old-town; thereupon the question was put, That for the ease and convenience of the inhabitants of the upper part of Washington county, the election for fixing the place for the court house of the said county shall be held two days at Skipton, beginning on the sixth day of November, and that Andrew Bruce, Lemuel Barret, and Thomas Warren, or any two of them, be judges of the said election, and give due notice to the inhabitants of the said county; and that the judges appointed to hold the election at Hagerstown, and those appointed to hold the election at Skipton, meet together as soon as conveniently may be at Hagerstown, and there examine the said polls, and declare the said election according as the majority of voters may appear to be on both the said polls? *Resolved* in the affirmative.

AFFIRMATIVE.

Mr. Barnes,	Mr. Deye,	Mr. Kent,
Fenwick,	Stevenson,	Gibson,
Plater,	Shepherd,	Murray,
Jordan,	J. Smith,	Potter,
Hooe,	J. T. Chase,	Johnson,
Fitzhugh,	Bond,	Gust. Scott,
B. Hall,	H. Wilson,	Geo. Scott,
Carroll,	Love,	Horsey,
J. Wilson,	Archer,	Lowes,
Bayly,	Gilpin,	Chaille,
Williams,	Ewing,	Bishop,
Sheredine,	Brevard,	Mitchell,
Edelen,	W. Ringgold,	Edmondson,
Schriver,	T. Smyth,	Earle.

NEGATIVE.

Mr. Stull,

Mr. Beall.

Convention adjourns till to-morrow morning, 9 o'clock.

TUESDAY, October 22, 1776.

Convention met. All members present as on yesterday, except Mr. Dent. The proceedings of yesterday were read.

A petition from William Richardson, setting forth, that he at the time of the alarming appearance of a hostile fleet under the direction of lord Dunmore, on the thirteenth of July last, observed a sloop drifting towards the shore within about a mile and a half of his dwelling house, and a barge from the fleet rowing towards her, which soon scuttled the said sloop; that he went off with his own negroes, intending to board her and save every thing on board the said sloop he possibly could; that he accordingly saved and brought away a mainsail, topsail, and gib, a quantity of old iron, thirty-six pair of iron hinges, and fifty-three cow hides; and that all the said articles were sent for and taken away by captain Uriah Forrest; and praying to be authorized to receive a moiety of the said articles procured by him as aforesaid, was read and ordered to lie on the table.

Agreeable to the order of the day the convention resolved itself into a committee of the whole, to consider further of the declaration of rights, and form of government for this state; Mr. Worthington in the chair. After some time spent therein Mr. President resumed the chair, and Mr. Worthington reported, that the committee had, according to order, taken into their consideration the declaration of rights, and form of government for this state, and had come to several resolutions thereon, but not having had time to come to a conclusion, had directed him to move for leave to sit again.

Resolved, That this convention will on to-morrow resolve itself into a committee of the whole, to consider further of the same.

Convention adjourns till to-morrow morning, 9 o'clock.

WEDNESDAY, October 23, 1776.

Convention met. All members present as on yesterday. The proceedings of yesterday were read.

On reading the petition of Jane Conn, wife of Hugh Conn, a private in captain Fulford's company of artillery, *Ordered*, That the said Hugh Conn be discharged from the service of this state, on his procuring an effective man in his stead.

On motion of Mr. Johnson, *Resolved*, That the council of safety

be empowered to give a bounty of twenty dollars to each able seaman, and ten dollars to each landsman, who shall enlist to serve in the marine service of the state during the war, or until discharged by the supreme authority of this state; and that the council of safety may also order any vessel now fitting, or which shall be fitted under the resolutions of convention, on such cruize as they may think fit; and further the council of safety may retain any men who shall voluntarily offer and subscribe articles for a cruize only, without any bounty or wages, and any prizes which may be made, as to those who go on bounty and wages, shall be divisible according to the resolutions of Congress, two-thirds to the public, and one-third to the crew; but as to those who shall enter for the cruize without bounty or wages, the division shall be one half to the public, and one half amongst the crew, according to the common practice of privateers.

The convention having received information, that a number of the inhabitants of Caroline county had marched down into Dorchester county, and committed sundry depredations in the said county, by entering the houses of the inhabitants thereof, and in a violent manner taking and carrying away their salt, and that sundry of the inhabitants of Dorchester county had joined with them in committing such unwarrantable depredations and outrages,

Ordered, That the committees of Caroline and Dorchester counties make immediate enquiry into the causes of the said disorders, and, if they judge it necessary, to send under a sufficient guard to this convention, or in their recess to the council of safety, such persons as shall appear to them to have been most active therein, and that the committees of Caroline and Dorchester counties do apply to brigadier-general Hooper, to order out such part of the militia under his command as they may judge necessary to bring the said offenders to justice.

Mr. John Ennalls has leave of absence.

Whereas, justice may in many instances require that individuals of this state enlisted in the service of the continent or of this state should be discharged, it is therefore *Resolved*, That the council of safety may discharge any such person either absolutely or conditionally on such terms as to them may seem proper.

Agreeable to the order of the day, the convention resolved itself into a committee of the whole, to consider further of the declaration of rights, and form of government for this state; Mr. Worthington in the chair. After some time spent therein, Mr. President resumed the chair, and Mr. Worthington reported that the committee had according to order, taken into their consideration the de-

claration of rights, and form of government for this state, and had come to several resolutions thereon, but not having had time to come to a conclusion, had directed him to move for leave to sit again.

Resolved, That this convention will on to-morrow resolve itself into a committee of the whole to consider further of the same.

Adjourned till 3 o'clock.

POST MERIDIEM.

Convention met. Mr. Sprigg appeared in the house.

Resolved, That three companies of artillery, each company to consist of ninety-two privates, four serjeants, four corporals, one drummer, and one fifer, commanded by one captain, one captain-lieutenant, and two lieutenants, be immediately raised; one of the said companies to be stationed at Baltimore town, and the remaining two companies to be stationed at the city of Annapolis. That the non-commissioned officers and privates be enlisted in the service of this state for the war: That the officers receive the pay and rations established by the convention from the date of their commissions; that the non-commissioned officers and privates receive their pay and rations from the day of their enlistment: That to encourage the speedy enrollment of the said companies, each non-commissioned officer and soldier shall, during their continuance in the service of this state, be annually clothed at the expense of this state, and for that purpose shall be entitled to receive a coat, waistcoat, and breeches, of coarse cloth, two white linen shirts, two pair of stockings, two pair of shoes, and a hat, and they shall not be compelled to march to any place out of this state.

On motion of Mr. Johnson, *Resolved*, That the council of safety issue warrants to recruiting serjeants for the enlistment of men to serve in the artillery companies, according to resolutions of this day, and that such serjeants may enlist any men already enrolled in any company of camp militia not under marching orders.

Convention adjourns till to-morrow morning, 9 o'clock.

THURSDAY, October 24, 1776.

Convention met. All members present as on yesterday, except Mr. John Ennalls. The proceedings of yesterday were read. Mr. T. Wright appeared in the house.

The petition of William Richardson was read a second time and referred to the council of safety.

Mr. Dickinson appeared in the house.

On reading a letter from Robert Peter and Thomas Richardson, of the sixteenth instant, to Thomas Johnson, esqr., and by him

communicated to the convention, relative to the ferry over Potowmac river, *Ordered*, That the clerk be directed to give notice to the said Robert Peter and Thomas Richardson to attend this convention on Friday the first of November next, and to bring with them the ferrymen of the said river, that an enquiry may be made into the facts set forth in the said letter.

Agreeable to the order of the day, the convention resolved itself into a committee of the whole, to consider further of the declaration of rights, and form of government for this state; Mr. T. Wright in the chair. After some time spent therein, Mr. President resumed the chair, and Mr. Wright reported, that the committee had, according to order, taken into their consideration the declaration of rights, and form of government for this state, and had come to several resolutions thereon, but not having had time to come to a conclusion, had directed him to move for leave to sit again.

Resolved, That this convention will on to-morrow resolve itself into a committee of the whole to consider further of the same.

Convention adjourns till to-morrow morning, 9 o'clock.

FRIDAY, October 25, 1776.

Convention met. All members present as on yesterday. The proceedings of yesterday were read. Mr. Marbury and Mr. Shriver have leave of absence on account of particular private business.

Agreeable to the order of the day, the convention resolved itself into a committee of the whole, to consider further of the declaration of rights, and form of government for this state; Mr. T. Wright in the chair. After some time spent therein, Mr. President resumed the chair, and Mr. Wright reported, that the committee had, according to order, taken into their consideration the declaration of rights and form of government for this state, and had come to several resolutions thereon, but not having had time to come to a conclusion, had directed him to move for leave to sit again.

Resolved, That this convention will on to-morrow resolve itself into a committee of the whole, to consider further of the same.

Mr. Carroll has leave of absence till Wednesday next, on account of the indisposition of his family; Mr. T. Smyth has leave of absence for a few days on account of particular private business.

Convention adjourns till to-morrow morning, 9 o'clock.

SATURDAY, October 26, 1776.

Convention met. All members present as on yesterday, except Mr. Marbury, Mr. Carroll, Mr. Schriver, and Mr. T. Smyth. The

proceedings of yesterday were read. Mr. J. Smith and Mr. Ridgely have leave of absence on account of particular private business.

Whereas, many young men under twenty-one years, seized of lands and tenements within this state, have entered, and others so seized may enter, into the service of this state or the United States in arms, and by the laws now in being they cannot devise their lands or tenements, it is therefore *Resolved*, That any last will of any young man in the service aforesaid, made after he hath or shall have accomplished the age of sixteen years, shall, in case he hath died or shall die whilst in service as aforesaid, be of the same force and effect, to all intents and purposes, as if he was of the full age of twenty-one years at the time of his making the same will.

Mr. Bishop has leave of absence on account of the indisposition of his brother.

The president laid before the convention a letter from the committee of observation for Kent county, relative to the conduct of Mr. William Sluby, which was read.

Ordered, That the same be entered on the journal, and it follows in these words:

Chestertown, October 23, 1776.

“GENTLEMEN—Inclosed is a report of the facts, relative to Mr. Sluby’s case, as they arose on the examination of Mr. Claypoole, and two others who were summoned by the committee at the request of Mr. Sluby. The committee set two days on the business for want of time to finish the examination the first day. Mr. Claypoole was absent in the country the second day of our sitting, so that Mr. Sluby had not an opportunity of cross examining him. The committee are of opinion, that nothing appeared against Mr. Sluby, which would justify the exercise of the power of sending him under a guard to the convention.

“Signed by order, JOHN COMBS, clerk com.

“P. S. The reason Mr. Sluby did not cross examine Mr. Claypoole on the first day is, that after Mr. Claypoole had delivered his testimony, the chairman was called off on necessary business.

“To the honorable the convention at the city of Annapolis.”

Mr. Mason appeared in the house.

Agreeable to the order of the day, the convention resolved itself into a committee of the whole, to consider further of the declaration of rights, and form of government for this state; Mr. T. Wright in the chair. After some time spent therein, Mr. President resumed the chair, and Mr. Wright reported, that the committee had, according to order, taken into their consideration the declaration of rights, and form of government for this state, and had come to sev-

eral resolutions thereon, but not having had time to come to a conclusion, had directed him to move for leave to sit again.

Resolved, That this convention will on Monday resolve itself into a committee of the whole to consider further of the same.

On motion of Mr. J. Hall, *Resolved*, That the council of safety be authorised and empowered to make out commissions for captain Thomas Watkins, and also for his first and second lieutenants and ensign, Levin Lawrence, Thomas Todd, and John Iiams, jun., as as captain, first, second, and third lieutenants of a company of matrosses to be stationed in the city of Annapolis, and that they or either of them have power to enlist all the men of said company that are willing to enlist as matrosses, and to discharge such of them as are not willing to enlist after the first of December, and enlist others, so that the said company may be completed to the number of ninety-two privates, besides commissioned and non-commissioned officers.

Convention adjourns till Monday morning, 9 o'clock.

MONDAY, October 28, 1776.

Convention met. All members present as on Saturday, except Mr. Ridgely, Mr. J. Smith, Mr. Bishop, and Mr. Kent. The proceedings of Saturday were read. Mr. Dent, Mr. Parnham, and Mr. S. Wright, appeared in the house. Mr. Lowes has leave of absence on account of sickness.

Mr. Sheredine brings in and delivers to Mr. President a report from the committee appointed to enquire how far the resolves of the last convention of the sixth of July for raising two companies of rifle-men, and four companies of Germans, have been complied with, and into the expenditure of the money advanced for the raising those companies, which was read in the words following, to wit:

“In obedience to the order of the honourable convention, the committee appointed to enquire how far the resolves of the convention of the sixth of July last for raising two companies of rifle men, and four companies of Germans, have been complied with, and into the expenditure of the the money advanced for raising those companies, beg leave to report, That the committee of observation for Harford, Baltimore, and Frederick counties, recommended officers for the several companies agreeable to the resolves of the said convention; that the rifle company and four companies of Germans for Frederick and Baltimore counties have some time since marched for their place of destination; that the company of rifle men for Harford county is not yet complete, having not more than fifty men.

“They further beg leave to report, that the sum of fifteen hundred and twenty dollars appears to have been advanced by the delegates in congress on account of the German battalion to colonel George Stricker, out of which, by an account rendered to the second day of September, the sum of four hundred and twenty-four pounds ten shillings has been paid to the different captains of those companies, which leaves a balance in colonel Stricker's hands of one hundred and forty-five pounds ten shillings: that the sum of eight hundred dollars appears to have been advanced by the council of safety to major Ludowick Weltner, and by his account rendered, he has paid to the different captains of the German companies for their use and for arms and blankets, three hundred and eleven pounds ten shillings; there remains a balance in his favour of eleven pounds ten shillings: that the sum of eight hundred and sixty dollars appears to have been advanced by said council to captain William Heiser of the German battalion, and by an account rendered by him to the eighth of September, the further sums of seventy pounds by colonel Stricker, and thirty-seven pounds ten shilling by major Weltner; that by the said account captain Heiser has paid for bounty, inlisting, subsistence, and blankets, eight hundred and sixty-four pounds eight shillings and seven pence: and that a balance appears to remain due in his favor of two hundred and thirty-four pounds eight shillings and seven pence: that the sum of eight hundred and sixty dollars appears to have been advanced to captain Henry Fister of said battalion, and by his account rendered to September the eighth, the further sum of fifty-two pounds ten shillings by colonel Stricker, and one hundred and thirty-seven pounds ten shillings by major Weltner; that he has paid as bounty and inlisting money, and for the subsistence of his company, six hundred and thirty-nine pounds seven shillings and four pence, and a balance appears to remain in his favour of one hundred and twenty-seven pounds seven shillings and four pence; that the sum of eight hundred and sixty dollars appears to have been advanced to captain Philip Graybill of said battalion, with the additional advance of one hundred pounds by the council of safety, and the further sum of one hundred and twenty-two pounds twelve shillings and six pence by colonel Stricker, and thirty-seven pounds ten shillings by major Weltner, and that no account appears to have been rendered by him of the expeniditure of the said money: that the sum of eight hundred and sixty dollars appears to have been advanced to captain William Keeparts of said battalion by said council, and the further sums of two hundred and one pounds seventeen shillings and six pence by

colonel Stricker, and thirty seven pounds ten shillings by major Weltner, and no account appears of the expenditure of those sums: that the sum of eight hundred and sixty dollars was advanced to captain Thomas Beall of the rifle company for Frederick county, and by accounts rendered by himself and officers, the sum of two hundred and fifty-one pounds five shillings has been expended in raising the said company, and that a balance remained in the hands of said officers of seventy-one pounds five shillings, at the time of rendering the said accounts: that the sum of eight hundred and sixty dollars appears to have been advanced to captain Smith of the rifle company for Harford county, and no account appears of the expenditure of the same, but your committee are informed that one hundred and sixty dollars of the said sum has been returned to the council of safety. The committee beg leave to observe, that captains Heiser and Fister in their accounts rendered have charged ten shillings per man for inlisting, and the same sum per man for subsistence of their companies per week: that the accounts rendered by some of the officers of said companies are so confused, and others giving in no account at all, puts it out of the power of the said committee to report so accurate a state of the expenditure of the several sums advanced as they could wish. All which is submitted to the consideration of the honourable house.

“Signed by order, JOHN STULL, chairman;”

Ordered to lie on the table.

The order of the day that the convention will resolve itself into a committee of the whole, to consider further of the declaration of rights, and form of government of this state, was read, and referred till to morrow.

Convention adjourns till to-morrow morning at 9 o'clock.

TUESDAY, October 29, 1776.

Convention met. All members present as on yesterday, except Mr. Lowes. The proceedings of yesterday were read. Mr. Ridgely and Mr. Fischer appeared in the house.

On motion of Mr. Johnson, *Resolved*, That the council of safety be empowered to issue warrants to recruiting sergeants, for the inlistment of non-commissioned officers and privates in the continental service, as a part of the eight battalions for this state, agreeable to the resolutions of this convention, and that any freeman enrolled for the flying camp service be permitted to inlist.

On motion, *Resolved*, That a delagate be elected for Kent county in the room of Mr. Thomas Ringgold, deceased; that the election be held on the 14th day of November next, at Chester town

in said county, by John Page, William Rogers, and William Bordly, Esqrs. or any two or one of them, and that the said election be held and made agreeable to the directions and resolves of the last convention.

Agreeable to the order of the day, the convention resolved itself into a committee of the whole, to consider further of the declaration of rights, and form of government for this state; Mr. T. Wright in the chair. After some time spent therein Mr. President resumed the chair, and Mr. Wright reported, that the committee had, according to order, taken into their consideration the declaration of rights, and form of government for this state, and had come to several resolutions thereon, but not having had time to come to a conclusion, had directed him to move for leave to sit again.

Resolved, That this convention will on to-morrow resolve itself into a committee of the whole, to consider further of the same.

Mr. Bowie and Mr. Hooe have leave of absence for a few days, on account of particular private business.

This convention being informed, that in the constitution or form of government agreed to by the delegates of Virginia, a claim is made by them injurious to the inhabitants of this state, *Ordered*, That the same be read, and the same was read as follows, to wit:

“The territories contained within the charters erecting the colonies of Maryland, Pennsylvania, North and South Carolina, are hereby ceded, released, and forever confirmed to the people of those colonies respectively, with all the rights of property, jurisdiction and government, and all other rights whatsoever, which might at any time hereafter have been claimed by Virginia, except the free navigation and use of the rivers Potowmack and Pocomoke, with the property of the Virginia shores or strands, bordering on either of the said rivers, and all improvements which have been or shall be made thereon. The western and northern extent of Virginia shall in all other respects stand as fixed by the charter of king James the first, in the year one thousand six hundred and nine, and by the public treaty of peace between the courts of Great Britain and France in the year one thousand seven hundred and sixty three; unless, by an act of legislature, one or more territories shall hereafter be laid off, and governments established westward of the Alleghany mountains. And no purchase of lands shall be made of the Indian natives, but on behalf of the public, by authority of the general assembly.”

Resolved, That this convention will on to-morrow resolve itself into a committee of the whole; to take the same into consideration.

Convention adjourns till to-morrow morning, 9 o'clock.

WEDNESDAY, October 30, 1776.

Convention met. All members present as on yesterday, except Mr. Bowie and Mr. Hooe. The proceedings of yesterday were read. Mr. J. Smith and Mr. Marbury appeared in the house.

The council of safety having laid before the convention a letter from John Rogers, Esqr., inclosing a resignation of his commission as judge of the court of admiralty, the convention proceeded to appoint another in his stead, and Benjamin Nicholson, Esqr. was appointed.

On motion of Mr. J. Hall, *Resolved*, That the council of safety be empowered to write to their agents in the foreign West Indies, for such warlike stores or other necessaries as have been heretofore ordered by this convention, to the amount of twenty-five thousand pounds currency, to be paid for in paper money by draughts on the treasury here, instead of exporting country produce to that value, any former order to the contrary notwithstanding; and that the said sum of money be deemed and taken as part of the sixty-five thousand pounds heretofore appropriated for the purchase of military stores and other articles necessary for the defence and protection of this state.

Adourned till 3 o'clock.

POST MERIDIEM.

Convention met. Mr. Carroll, Mr. Kent, Mr. Bishop, and Mr. Schriver, appeared in the house.

The convention according to the order of the day, resolved itself into a committee of the whole, on that part of the constitution of Virginia which was referred to their consideration; Mr. T. Wright in the chair. After some time spent therein, Mr. President resumed the chair, and Mr. Wright reported, that the committee had, according to order, taken the same into consideration, and had come to several resolutions thereon, which he read in his place and afterwards delivered in at the table, where the same were again twice read, amended, and agreed to as follow:

Resolved unanimously, That it is the opinion of this convention, that the state of Virginia hath not any right or title to any of the territory, bays, rivers, or waters, included in the charter granted by his majesty Charles the first to Cæcilius Calvert, baron of Baltimore.

Resolved unanimously, That it is the opinion of this convention, That the sole and exclusive jurisdiction over the territory, bays, rivers, and waters, included in the said charter, belongs to this state; and that the river Potowmack, and almost the whole of the river Pocomoke, being comprehended in the said charter, the sole and

exclusive jurisdiction over the said river Potowmack, and also over such part of the river Pocomoke as is comprehended in the said charter, belongs to this state; and that the river Potowmack and that part of Chesapeake bay which lies between the capes and the south boundary of this state, and so much thereof as is necessary to the navigation of the rivers Potowmack and Pocomoke, ought to be considered as a common high-way, free for the people of both states, without being subject to any duty, burthens or charge, as hath been heretofore accustomed.

Resolved unanimously, That it is the opinion of this convention, that the very extensive claim of the state of Virginia to the back lands hath no foundation in justice, and that if the same or any like claim is admitted, the freedom of the smaller states and the liberties of America may be thereby greatly endangered; this convention being firmly persuaded, that if the dominion over those lands should be established by the blood and treasure of the United States, such lands ought to be considered as a common stock, to be parcelled out at proper times into convenient, free and independent governments.

Agreeable to the order of the day, the convention resolved itself into a committee of the whole, to consider further of the declaration of rights, and form of government for this state; Mr. T. Wright in the chair. After some time spent therein Mr. President resumed the chair, and Mr. Wright reported, that the committee had, according to order, taken the same into consideration, and had come to several resolutions thereon, which they directed him to report, as the declaration of rights, but not having had time to go through the form of government, had directed him to move for leave to sit again.

Resolved, That this convention will on to-morrow resolve itself into a committee of the whole, to consider further of the form of government of this state.

On motion of Mr. Fitzhugh, That the question be put on the following: "As the bill of rights formerly printed for the consideration of the members of the convention, has been materially altered by a committee of the whole house, and it is of infinite importance to the inhabitants of this state, that the said bill of rights should be maturely considered before it is passed by the convention, and that each member should have a copy before him, in order to judge of, and offer such amendments or alterations as he may think proper, *Resolved,* That the bill of rights as reported by a committee of the whole house be immediately printed for the consideration and use of the members of this convention, before

the same is taken into consideration.”—An amendment was proposed to strike out all that part of the motion before the word “Resolved,” on which amendment the question was put, and resolved in the affirmative.

AFFIRMATIVE.

Mr. Barnes,	Mr. Fischer,	Mr. Kent,
Fenwick,	Sheredine,	Bruff,
Jordan,	Edelen,	S. Wright,
Dent,	Beall,	Edmondson,
Parnham,	Stull,	Gibson,
Grahame,	J. Smith,	Murray,
B. Hall,	J. T. Chase,	Potter,
Sprigg,	H. Wilson,	Mason,
Marbury,	Love,	Dickinson,
Hammond,	Gilpin,	Johnson,
J. Hall,	Ewing,	Gus. Scott,
Worthington,	D. Smith,	Geo. Scott,
S. Chase,	Brevard,	Horsey,
Paca,	W. Ringgold,	Chaille,
Carroll,	Earle,	Bishop,
J. Wilson,	T. Wright,	Mitchell.
Bayly,		

NEGATIVE.

Mr. Fitzhugh,	Mr. Schriver,	Mr. Shepherd,
J. Mackall,	Ridgely,	Stevenson,
Williams,	Deye,	Bond.

The question was then put, That the bill of rights, as reported by a committee of the whole house, be immediately printed for the consideration and use of the members of this convention, before the same is taken into consideration? Carried in the negative.

AFFIRMATIVE.

Mr. Parnham,	Mr. Schriver,	Mr. Archer,
Grahame,	Ridgely,	Ewing,
Fitzhugh,	Deye,	Brevard,
J. Mackall,	Stevenson,	Kent,
Hammond,	Shepherd,	Bruff,
Bayly,	J. T. Chase,	S. Wright,
Williams,	Bond,	Johnson.
Fischer,	Love,	

NEGATIVE.

Mr. Barnes,	Mr. Sheredine,	Mr. Edmondson,
Fenwick,	J. Hall,	Gibson,

Mr. Jordan,	Mr. Edelen,	Mr. Murray,
Dent,	Beall,	Potter,
B. Hall,	Stull,	Mason,
Sprigg,	J. Smith,	Dickinson,
Marbury,	H. Wilson,	Gust. Scott,
Worthington,	Gilpin,	Geo. Scott,
S. Chase,	D. Smith,	Horsey,
Paca,	W. Ringgold,	Chaille,
Carroll,	Earle,	Bishop,
J. Wilson,	T. Wright,	Mitchell.

On motion of Mr. Parnham, *Resolved*, That all and every action, suit, process, and proceeding, which were depending in the March and August courts of St. Mary's and Charles counties, and which have been discontinued by reason of the said courts not being held, shall be revived and continued to the next November courts to be held in the said counties, and shall stand and remain in the same state and condition as they would have been, had the said courts been regularly held.

On motion, *Resolved*, That three persons be appointed a committee to prepare and report instructions for recruiting serjeants, and that Mr. Earle, Mr. Gust. Scott, and J. T. Chase, be a committee for that purpose.

Convention adjourns till to-morrow morning, 9 o'clock.

THURSDAY, October 31, 1776.

Convention met. All members present as on yesterday. The proceedings of yesterday were read.

On motion of Mr. Chaille, the following resolution was entered into:

Whereas, it is represented to this convention, that the committee of observation for Worcester county hath declined to act, whereby merchants who have vessels to clear out of Sinnepuxen inlet or Pocomoke river are put to great trouble and inconvenience, it is therefore *Resolved*, That Messrs. Robert Done, John Shelby, Joshua Mitchell, and John Dennis, or any two or more of them, of Worcester county, may clear out any vessel, in like manner and on the same conditions and terms as the committee of observation for Worcester county aforesaid might or could have done by virtue of any resolution of convention.

On motion of Mr. S. Chase, *Resolved*, That the council of safety be empowered to employ some fit and trusty person or persons, to purchase and salt up, at the expense of this state, a quantity of pork not exceeding two thousand five hundred barrels, and a quan-

tity not exceeding five hundred casks of beef, and to draw on either of the treasurers of this state for the necessary sums to defray the expense thereof.

The convention took into consideration the report of the declaration of rights from the committee of the whole, which follows in these words, to wit :

“THE DECLARATION OF RIGHTS.

“The parliament of Great Britain, by a declaratory act, having assumed a right to make laws to bind the colonies in all cases whatsoever, and in pursuance of such claim endeavored by force of arms to subjugate the united colonies to an unconditional submission to their will and power, and having at length constrained them to declare themselves independent States, and to assume government under the authority of the people, Therefore we, the delegates of Maryland, in free and full convention assembled, taking into our most serious consideration the best means of establishing a good constitution in this state, for the surer foundation, and more permanent security thereof; Declare,

“1. That government of right originates from the people, is founded in compact only, and instituted solely for the good of the whole.

“2. That the people of this state ought to have the sole and exclusive right of regulating the internal government and police thereof.

“3. That the inhabitants of Maryland are entitled to the common law of England, and the trial by jury, according to the course of that law, and to the benefit of such of the English statutes as existed at the time of their first emigration, and which by experience have been found applicable to their local and other circumstances, and of such others as have been since made in England or Great Britain, and have been introduced, used, and practised by the courts of law or equity; and also to all acts of assembly in force on the first of June seventeen hundred and seventy-four, except such as may have since expired, or have been, or may be altered by acts of convention, or this declaration of rights; subject nevertheless to the revision of and amendment or repeal by the legislature of this state; and the inhabitants of Maryland are also entitled to all property derived to them from or under the charter granted by his majesty Charles the first, to Cæcilius Calvert, baron of Baltimore.

“4. That all persons entrusted with the legislative or executive powers of government, are the trustees and servants of the public, and as such accountable for their conduct, wherefore whenever the ends of government are perverted, and public liberty manifestly en-

dangered, and all other means of redress are ineffectual, the people may, and of right ought, to reform the old, or establish a new government; the doctrine of non-resistance against arbitrary power and oppression, is absurd, slavish, and destructive of the good and happiness of mankind.

“5. That the right in the people to participate in the legislature is the best security of liberty, and the foundation of all free government; for this purpose elections ought to be free and frequent, and every man having property in, a common interest with, and an attachment to, the community, ought to have a right of suffrage.

“6. That the legislative, executive and judicial powers of government, ought to be forever separate and distinct from each other.

“7. That no power of suspending laws, or the execution of laws, unless derived from the legislature, ought to be exercised or allowed.

“8. That freedom of speech, and debates, or proceedings, in the legislature, ought not to be impeached in any other court or judicature.

“9. That a place for the meeting of the legislature ought to be fixed, the most convenient to the members thereof, and to the depository of the public records, and the legislature ought not to be convened or held at any other place but from evident necessity.

“10. That for the redress of grievances, and for amending, strengthening and preserving the laws, the legislature ought to be frequently convened.

“11. That every man hath a right to petition the legislature for the redress of grievances, in a peaceable and orderly manner.

“12. That no aid, charge, tax, burthen, fee, or fees, ought to be set, rated, or levied, under any pretence, without the consent of the legislature.

“13. That the levying taxes by the poll is grievous and oppressive, and ought to be abolished; that paupers whose estates do not exceed thirty pounds currency value ought not to be assessed for the support of government, but every other person in the state ought to contribute his proportion of public taxes for the support of government according to his actual worth in real or personal property within this state; yet fines, duties or taxes may properly and justly be imposed or laid with a political view for the good government and benefit of the community.

“14. That sanguinary laws ought to be avoided, as far as is consistent with the safety of the state; and no law to inflict cruel and

unusual pains and penalties ought to be made, in any case, or at any time hereafter.

“ 15. That retrospective laws, punishing facts committed before the existence of such laws, and by them only declared criminal, are oppressive, unjust, and incompatible with liberty; wherefore no *ex post facto* law ought to be made.

“ 16. That no law to attain particular persons of treason or felony, ought to be made in any case, or at any time hereafter.

“ 17. That every freeman for every injury done to him in his goods, lands, or person, ought to have remedy by the course of the law of the land, and ought to have justice and right, freely without sale, fully without any denial, and speedily without delay, according to the law of the land.

“ 18. That the trial of facts where they arise, is one of the greatest securities of the lives, liberties, and estate of the people.

“ 19. That in all criminal prosecutions, every man hath a right to be informed of the accusation against him, to have a copy of the indictment or charge in due time (if required) to prepare for his defence, to be allowed council, to be confronted with the witnesses against him, to have process for his witnesses, to examine the witnesses for and against him on oath, and to a speedy trial by an impartial jury, without whose unanimous consent he ought not to be found guilty.

“ 20. That no man ought to be compelled to give evidence against himself in a court of common law, or in any other court, but in such cases only as have been usually practised in this state.

“ 21. That no freeman ought to be taken, or imprisoned, or dis-seized of his freehold, liberties or privileges, or outlawed, or exiled, or in any manner destroyed, or deprived of his life, liberty or property, but by the lawful judgment of his peers, or by the law of the land.

“ 22. That excessive bail ought not to be required, nor excessive fines imposed, nor cruel or unusual punishments inflicted by the courts of law.

“ 23. That all warrants without oath, or affirmation of a person conscientiously scrupulous of taking an oath, to search suspected places, or to seize any person, or his property, are grievous and oppressive; and all general warrants to search suspected places, or to apprehend all persons suspected, without naming or describing the place, or any person in special, are illegal, and ought not to be granted.

“ 24. That there ought to be no forfeiture of any part of the es-

tate of any person for any crime except murder or treason against the state, and then only on conviction and attainder.

“25. That a well regulated militia is the proper and natural defence of a free government.

“26. That standing armies are dangerous to liberty, and ought not to be raised or kept up without consent of the legislature.

“27. That in all cases and at all times the military ought to be under strict subordination to, and controul of, the civil power.

“28. That no soldier ought to be quartered in any house in time of peace without the consent of the owner, and in time of war in such manner only as the legislature shall direct.

“29. That no person except regular soldiers, mariners and marines in the service of this state, or militia when in actual service, ought in any case to be subject to, or punishable by, martial law.

“30. That the independency and uprightness of judges are essential to the impartial administration of justice, and a great security to the rights and liberties of the people; wherefore the chancellor and all judges and justices ought to hold commissions during good behaviour, removable only for misbehaviour, on conviction in a court of law, or by a vote of the legislature. That salaries liberal, but not profuse, ought to be secured to the chancellor and the judges, during the continuance of their commissions, and reasonable salaries, or fees, allowed to the officers; no chancellor or judge ought to hold any other office, civil or military, or receive fees or perquisites of any kind.

“31. That a long continuance in the first executive departments of power or trust, is dangerous to liberty, a rotation therefore in those departments is one of the best securities of permanent freedom.

“32. That no person holding a place of profit, or receiving any part of the profits thereof, or receiving the profits or any part of the profits arising on any agency for the supply of clothing or provisions for the army or navy, or holding any office under the United States or any of them, or a minister or preacher of the gospel of any denomination, or any person employed in the regular land service, or marine, of this or the United States, ought to have a seat in the legislature or the council of this state.

“33. That no person ought to hold at the same time more than one office of profit, nor ought any person in public trust to receive any present from any foreign prince, or state, or from the United States, or any of them, without the approbation of this state.

“34. That as it is the duty of every man to worship God in such manner as he thinks most acceptable to him, all persons professing the

christian religion are equally entitled to protection in their religious liberty, wherefore no person ought by any law to be molested in his person or estate on account of his religious persuasion or profession, or for his religious practice, unless under color of religion any man shall disturb the good order, peace, or safety of the state, or shall infringe the laws of morality, or injure others in their natural, civil, or religious rights; nor ought any person to be compelled to frequent or maintain, or contribute, unless on contract, to maintain any place of worship, or ministry; but the churches, chapels, glebes, and all other property now belonging to the church of England, ought to remain to the church of England for ever. And all acts of assembly lately passed for collecting monies for building or repairing particular churches or chapels of ease, shall continue in force and be executed, unless the legislature shall by act supercede or repeal the same; but no county court shall assess any quantity of tobacco or sum of money hereafter, on the application of any vestryman or church wardens; and every incumbent of the church of England who hath remained in his parish and performed his duty shall be entitled to receive the provision and support established by the act entiled, "An act for the support of the clergy of the church of England in this province," till the next November court to be held for the county in which his parish shall lie, or partly lie, or for such time as he hath remained in his parish and performed his duty.

"35. That every gift, sale, or devise of lands to any minister, public teacher or preacher of the gospel, as such, or any religious sect, order or denomination, or to or for the support, use or benefit of, or in trust for, any minister, public teacher or preacher of the gospel, as such, or any religious sect, order or denomination; and every gift or sale of goods or chattels, to go in succession, or to take place after the death of the seller or doner, to or for such support, use or benefit; and also every devise of goods or chattels to, or to or for the support, use, or benefit of, any minister, public teacher, or preacher of the gospel, as such, or any religious sect, order or denomination, without the leave of the legislature, shall be void; except always any sale, gift, lease or devise of any quantity of land not exceeding two acres, for a church, meeting, or other house of worship, and for a burying ground, which shall be improved, enjoyed, or used only for such purpose, or such sale, gift, lease, or devise shall be void.

"36. That no other test or qualification ought to be required on admission to any office of trust or profit, than such oath of support and fidelity to this state, and such oath of office as shall be direct-

ed by this convention or the legislature of this state, and a declaration of a belief in the christian religion.

“37. That city of Annapolis ought to have all its rights, privileges and benefits, agreeable to its charter and the acts of assembly confirming and regulating the same; subject nevertheless to such alterations as may be made by this convention or any future legislature.

“38. That the liberty of the press ought to be inviolably preserved.

“39. That monopolies are odious, contrary to the spirit of a free government, and the principles of commerce, and ought not to be suffered.

“40. That no title of nobility or hereditary honors ought to be granted in this state.

“41. That the subsisting resolves of this and the several conventions held in this colony ought to be in force as laws, unless altered by this convention or the legislature of this state.

“42. That this declaration of rights, or the form of government to be established by this convention, or any part of either of them, ought not to be altered, changed or abolished, by the legislature of this state, but in such manner as this convention shall prescribe and direct.”

In progression on reading the declaration of rights, the question was put, That the third article thereof be concurred with? Resolved in the affirmative.

AFFIRMATIVE.

Mr. Barnes,
Fenwick,
Jordan,
Dent,
Parnham,
B. Hall,
Sprigg,
Marbury,
Hammond,
J. Hall,
Worthington,
S. Chase,
Paca,
Carroll,
J. Wilson,

Mr. Bayly,
Sheredine,
Edelen,
Beall,
Stull,
J. Smith,
J. T. Chase,
Gibson,
D. Smith,
Brevard,
Ringgold,
Earle,
T. Wright,
Kent,

Mr. Bruff,
S. Wright,
Edmondson,
Gibson,
Murray,
Potter,
Mason,
Dickinson,
Johnson,
Gust. Scott,
Geo. Scott,
Horsey,
Chaille,
Mitchell.

NEGATIVE.

Mr. Fitzhugh,
J. Mackall,

Mr. Ridgely,
Deye,

Mr. H. Wilson,
Love,

Mr. Williams,	Mr. Stevenson,	Mr. Archer,
Fischer,	Shepherd,	Ewing.
Schriver,	Bond,	

In progression on reading the declaration of rights, on motion of Mr. S. Chase, the question was put, that instead of the 6th article the following be substituted, "That the legislative, executive, and judicial powers of government, or any two of them, ought not to be vested in the same man or body of men?" Carried in the negative. The question was then put, that the sixth article be concurred with? Resolved in the affirmative.

AFFIRMATIVE.

Mr. Parnham,	Mr. Sheredine,	Mr. H. Wilson,
Graham,	Schriver,	Love,
Fitzhugh,	Beall,	Archer,
J. Mackall,	Ridgely,	Ewing,
Hammond,	Deye,	Brevard,
Worthington,	Stevenson,	Ringgold,
J. Wilson,	Shepherd,	Earle,
Bayly,	J. Smith,	Kent,
Williams,	J. T. Chase,	Edmondson,
Fisher,	Bond,	Gibson.

NEGATIVE.

Mr. Barnes,	Mr. Paca,	Mr. Potter,
Fenwick,	Carroll,	Mason,
Plater,	Edelen,	Dickinson,
Jordan,	Stull,	Johnson,
Dent,	Gilpin,	Gus. Scott,
B. Hall,	D. Smith,	Geo. Scott,
Sprigg,	T. Wright,	Horsey,
Marbury,	Bruff,	Chaille,
J. Hall,	S. Wright,	Mitchell.
S. Chase,	Murray,	

In progression on reading the declaration of rights, on motion of Mr. Fitzhugh, the question was put, That the latter part of the thirteenth article, which follows in these words, "yet fines, duties, or taxes, may properly and justly be imposed or laid with a political view, for the good government and benefit of the community," be struck out? Carried in the negative.

AFFIRMATIVE.

Mr. Fitzhugh,	Mr. Shriver,	Mr. Shepherd,
J. Mackall,	Ridgely,	Bond,
Bayly,	Deye,	Love.
Williams,	Stevenson,	

NEGATIVE.

Mr. Barnes,	Mr. J. Wilson,	Mr. T. Wright,
Fenwick,	Fischer,	Kent,
Plater,	Sheredine,	Bruff,
Jordan,	Edelen,	S. Wright,
Dent,	Beall,	Edmondson,
Parnham,	Stull,	Gibson,
Glahame,	J. Smith,	Murray,
B. Hall,	J. T. Chase,	Potter,
Sprigg,	H. Wilson,	Mason,
Marbury,	Archer,	Dickinson,
Hammond,	Gilpin,	Johnson,
J. Hall,	Ewing,	Gust. Scott,
Worthington,	D. Smith,	Geo. Scott,
S. Chase,	Brevard,	Horsey,
Paca,	Ringgold,	Chaille,
Carroll,	Earle,	Mitchell.

Adjourned till 3 o'clock.

POST MERIDIEM.

Convention met. Mr. Murray has leave of absence on account of the sickness of his family.

In progression on reading the declaration of rights, on motion of Mr. Earle, the question was put, That in the nineteenth article the words "or affirmation" be inserted afte the word "oath?" Carried in the negative.

AFFIRMATIVE.

Mr. Fitzhugh,	Mr. Ridgely,	Mr. Love,
J. Mackall,	Deye,	Archer,
Hammond,	Stevenson,	Gilpin,
J. Wilson,	Shepherd,	Ewing,
Bayly,	J. Smith,	Brevard,
Williams,	Bond,	Earle,
Fischer,	H. Wilson,	Edmondson.
Schriver,		

NEGATIVE.

Mr. Barnes,	Mr. S. Chase,	Mr. S. Wright,
Fenwick,	Paca,	Potter,
Plater,	Carroll,	Mason,
Jordan,	Sheredine,	Bruff,
Dent,	Edelen,	Dickinson,
Parnham,	Beall,	Johnson,

Mr. Grahame,	Mr. Stull,	Mr. Gust. Scott,
B. Hall,	J. T. Chase,	Geo. Scott,
Sprigg,	D. Smith,	Horsey,
Marbury,	Ringgold,	Chaille,
J. Hall,	T. Wright,	Mitchell.
Worthington,	Kent,	

The order of the day, that the convention will resolve itself into a committee of the whole, to consider further of the form of government for this state, being read, the same was referred till tomorrow.

Convention adjourns till to-morrow morning, 9 o'clock.

FRIDAY, November 1, 1776.

Convention met. All members present as on yesterday, except Mr. Murray. The proceedings of yesterday were read. Mr. Sherdine has leave of absence for a few days. Mr. Bowie appeared in the house.

The convention being informed, that Mr. Robert Peter and Mr. Thomas Richardson were attending, in consequence of an order of the twenty-fourth of October last, *Resolved*, That a committee be appointed to take the deposition of John House, relating to the facts contained in their letter of the 16th of October to Mr. Johnson, and by him communicated to this house; and that Mr. Gust. Scott, Mr. J. T. Chase, and Mr. Wright be appointed a committee for that purpose.

The convention resumed the consideration of the declaration of rights, and on motion of Mr. Paca, that in the thirteenth article, the words, "removable only for misbehaviour on conviction in a court of law, or by a vote of the legislature," be struck out, and the following inserted, "and the said chancellor and judges shall be removed for misbehaviour, on conviction in a court of law, and may be removed by the governor upon the address of the general assembly," an amendment was proposed by Mr. Ewing, that the word "shall" be inserted instead of the word "may;" on which amendment the question was put, and carried in the negative.

AFFIRMATIVE.

Mr. Fitzhugh,	Mr. Schriver,	Mr. Love,
J. Mackall,	Ridgely,	Archer,
Bowie,	Deye,	Ewing,
Hammond,	Stevenson,	Brevard,
Worthington,	Shepherd,	Kent,
J. Wilson,	Bond,	Edmondson,
Williams,	H. Wilson,	Gibson.
Fischer,		

NEGATIVE.

Mr. Barnes,	Mr. Paca,	Mr. Earle,
Fenwick,	Carroll,	T. Wright,
Plater,	Bayly,	S. Wright,
Jordan,	Sheredine,	Potter,
Dent,	Edelen,	Mason,
Parnham,	Beall,	Dickinson,
Grahame,	Stull,	Johnson,
B. Hall,	J. Smith,	Gust. Scott,
Sprigg,	J. T. Chase,	Geo. Scott,
Marbury,	Gilpin,	Horsey,
J. Hall,	D. Smith,	Chaille,
S. Chase,	Ringgold,	Mitchell.

An amendment was then offered as an addition to the first words proposed to be inserted, as follows: "Provided that two-thirds of all the members of each house concur in such address;" upon which the question was put, and carried in the affirmative.

AFFIRMATIVE.

Mr. Barnes,	Mr. Carroll,	Kent,
Fenwick,	Sheredine,	Gibson,
Plater,	Edelen,	Potter,
Jordan,	Beall,	Mason,
Dent,	Stull,	Dickinson,
Grahame,	J. Smith,	Johnson,
B. Hall,	J. T. Chase,	Gust. Scott,
Sprigg,	Ringgold,	Geo. Scott,
Marbury,	Earle,	Chaille,
S. Chase,	T. Wright,	Mitchell.
Paca,		

NEGATIVE.

Mr. Parnham,	Mr. Williams,	Mr. Archer,
Fitzhugh,	Fischer,	Gilpin,
J. Mackall,	Ridgely,	Ewing,
Bowie,	Deye,	D. Smith,
Hammond,	Stevenson,	Brevard,
J. Hall,	Shepherd,	S. Wright,
Worthington,	Bond,	Edmondson,
J. Wilson,	H. Wilson,	Horsey,
Bayly,	Love,	Schraver.

The question was then put on the proposition to amend, and resolved in the affirmative.

In the same article, on motion of Mr. Fitzhugh, the question was

put, That the words "that salaries liberal, not profuse, ought to be secured to the chancellor, and the judges during the continuance of their commissions" be struck out, and the words, "That a liberal salary ought to be secured to the chancellor during his continuance in office, and that the judges be paid *per diem* for their services during their term of sitting," be inserted? Carried in the negative.

AFFIRMATIVE.

Mr. Fitzhugh,	Mr. Williams,	Mr. Shepherd,
J. Mackall,	Schriver,	Bond,
Bowie,	Ridgely,	Ewing.
Hammond,	Deye,	

NEGATIVE.

Mr. Barnes,	Mr. Carroll,	Mr. T. Wright,
Fenwick,	J. Wilson,	Kent,
Plater,	Bayly,	Bruff,
Jordan,	Sheredine,	S. Wright,
Dent,	Edelen,	Edmondson,
Parnham,	Beall,	Gibson,
Grahame,	J. Smith,	Potter,
B. Hall,	J. T. Chase,	Mason,
Sprigg,	Archer,	Dickinson,
Marbury,	Gilpin,	Johnson,
J. Hall,	D. Smith,	Gust. Scott,
Worthington,	Brevard,	Geo. Scott,
S. Chase,	Ringgold,	Chaille,
Paca,	Earle,	Mitchell.

On motion of Mr. J. Hall, *Resolved*, That the words "in such manner and at such time as the legislature shall hereafter direct, upon consideration of the circumstances of this state," be inserted in the 30th article, after the words "their commissions," and that the words "and reasonable salaries or fees allowed to the officers," be struck out.

The order of the day, That this convention will resolve itself into a committee of the whole, to consider further of the form of government for this state, being read, the same was referred till to-morrow.

Convention adjourns till to-morrow morning, 9 o'clock.

SATURDAY November 2, 1776.

Convention met. All members present as on yesterday, except Mr. Sheredine. The proceedings of yesterday were read. Mr. T. Smyth appeared in the house. Mr. Ringgold and Mr. H. Willson

have leave of absence for a few days on account of particular business. Mr. Shepherd and Mr. Ewing have leave of absence on account of sickness.

In progression on reading the declaration of rights, on motion of Mr. Gust. Scott, the question was put, That after the words, "on contract to maintain," in the thirty-fourth article, the following be inserted, "any particular place of worship, or any particular ministry; yet the legislature may, in their discretion, lay a general and equal tax for the support of the christian religion, leaving to each individual the power of appointing the payment over of the money collected from him, to the support of any particular place of worship or minister, or for the benefit of the poor of his own denomination, or the poor in general of any particular county;" and that the words "any place of worship or ministry" be struck out? Resolved in the affirmative.

AFFIRMATIVE.

Mr. Barnes,	Mr. J. Hall,	Mr. S. Wright,
Fenwick,	Worthington,	Edmondson,
Plater,	S. Chase,	Gibson,
Jordan,	Paca,	Potter,
Dent,	Carroll,	Mason,
Parnham,	J. Wilson,	Dickinson,
Grahame,	Bayly,	Johnson,
Fitzhugh,	Edelen,	Gust. Scott,
J. Mackall,	J. T. Chase,	Geo. Scott,
Bowie,	Earle,	Horsey,
B. Hall,	T. Smyth,	Chaille,
Sprigg,	T. Wright,	Bishop,
Marbury,	Kent,	Mitchell.
Hammond,	Bruff,	

NEGATIVE.

Mr. Williams,	Mr. Deye,	Mr. Love,
Fischer,	Stevenson,	Archer,
Schriver,	Shepherd,	Gilpin,
Beall,	J. Smith,	Ewing,
Stull,	Bond,	D. Smith,
Ridgely,	H. Wilson,	Brevard.

On motion of Mr. Williams, the question was put, That the following be an article in the declaration of rights: "That the practitioners of the law being suffered to take, receive, or demand exorbitant fees for their services, or any other than are provided by an act of assembly, or may hereafter be provided by an act of the le-

gislature of this state, is injurious and oppressive to the good people thereof, and ought to be prevented? Carried in the negative.

AFFIRMATIVE.

Mr. Fitzhugh,	Mr. Fischer,	Mr. Deye,
J. Mackall,	Ridgely,	Stevenson,

NEGATIVE.

Mr. Barnes,	Mr. Carroll,	Mr. Kent,
Fenwick,	J. Wilson,	Bruff,
Plater,	Edelen,	S. Wright,
Jordan,	Beall,	Edmondson,
Dent,	Stull,	Gibson,
Parnham,	J. Smith,	Potter,
Grahame,	J. T. Chase,	Mason,
Bowie,	Archer,	Dickinson,
B. Hall,	Gilpin,	Johnson,
Sprigg,	Ewing,	Gust. Scott,
Marbury,	D. Smith,	Geo. Scott,
Hammond,	Brevard,	Horsey,
J. Hall,	Earle,	Chaille,
Worthington,	T. Smyth,	Bishop,
S. Chase,	T. Wright,	Mitchell.
Paca,		

Mr. Jordan has leave of absence on account of the sickness of his family.

Adjourned till 3 o'clock.

POST MERIDIEM.

Convention met.

In progression on reading the declaration of rights, on motion of Mr. Earle, That the following be inserted as an article therein? "That all persons who from religious scruples esteem it unlawful to take an oath on any occasion, may be allowed to make their solemn appeal or affirmation in all civil and criminal cases, in such manner as their religious principles have induced them to point out for the attestation of the truth." The previous question was called for and put, Whether the above question be now put? Carried in the negative.

It was then moved by Mr. Johnson, that the following be inserted as an article in the declaration of rights; "That the manner of administering an oath to any person, ought to be such as those of the religious persuasion, profession or denomination of which such person is one, generally esteem the most effectual confirmation by

the attestation of the divine Being, and that the people called quakers, those called dunkers, and those called menonists, holding it unlawful to take an oath on any occasion, ought to be allowed to make their solemn affirmation, in the manner that quakers have been heretofore allowed to affirm, and to be of the same avail as an oath, in all such cases as the affirmation of quakers hath been allowed and accepted within this state, instead of an oath; and further, on such affirmation, warrants to search for stolen goods, or the apprehension or commitment of offenders, ought to be granted, or security for the peace awarded, and quakers, dunkers, or menonists, ought also on their solemn affirmation as aforesaid, to be admitted as witnesses in all criminal cases not capital." To which an amendment was proposed by Mr. S. Chase, to strike out the latter part of the proposed article, which follows in these words, "and quakers, dunkers, or menonists, ought also on their solemn affirmation as aforesaid, to be admitted as witnesses in all criminal cases not capital." On which amendment the question was put, and carried in the negative.

AFFIRMATIVE.

Mr. Barnes,	Mr. Sprigg,	Mr. Geo. Scott,
Fenwick,	Marbury,	Horsey,
Dent,	S. Chase,	Chaille,
Parnham,	T. Wright,	Bishop,
Grahame,	Dickinson,	Mitchell.
Bowie,	Gust. Scott,	

NEGATIVE.

Mr. Plater,	Mr. Schriver,	Mr. D. Smith,
Fitzhugh,	Beall,	Brevard,
J. Mackall,	Stull,	Earle,
Hammond,	Ridgely,	T. Smyth,
J. Hall,	Deye,	Kent,
Worthington,	Stevenson,	Bruff,
Paca,	J. Smith,	S. Wright,
Carroll,	J. T. Chase,	Edmondson,
J. Wilson,	Love,	Gibson,
Bayly,	Archer,	Potter,
Williams,	Gilphin,	Mason,
Fischer,	Ewing,	Johnson.
Edelen,		

The question was then put on the whole article, and resolved in the affirmative.

The order of the day that the convention will resolve itself into

a committee of the whole, to consider further of the form of government for this state, being read, the same was referred till to-morrow.

Convention adjourns till to-morrow morning, 9 o'clock.

SUNDAY, November 3, 1776.

Convention met. All members present as on yesterday, except Mr. Ringgold, Mr. H. Wilson, Mr. Shepherd, Mr. Jordan, Mr. Potter, Mr. J. Mackall, Mr. B. Hall, Mr. Sprigg, Mr. Hammond, and Mr. J. Wilson. The proceedings of yesterday were read.

On motion of Mr. T. Wright, That the following be inserted as an article in the declaration of rights; "That if the eastern or western shore shall hereafter judge it for their interest and happiness to separate from the other, their right so to do is hereby acknowledged." An amendment was proposed by Mr. Ewing to be inserted after the words "that if," in the words following, "a majority of qualified voters in elections in every county on." Upon which amendment the question was put, and resolved in the affirmative. The question on the article so amended was then moved for, and the previous question called for and put, Whether the said question be now put? Carried in the negative.

AFFIRMATIVE.

Mr. Archer,	Mr. S. Wright,	Mr. Geo. Scott,
Earle,	Edmondson,	Horsey,
T. Smyth,	Gibson,	Chaille,
T. Wright,	Mason,	Bishop,
Kent,	Dickinson,	Mitchell.
Bruff,	Gust. Scott,	

NEGATIVE.

Mr. Fenwick,	Mr. Paca,	Mr. Deye,
Plater,	Carroll,	Stevenson,
Dent,	Bayly,	J. Smith,
Parnham,	Williams,	Bond,
Grahame,	Fischer,	Love,
Fitzhugh,	Edelen,	Gilpin,
Bowie,	Schrivier,	Ewing,
Marbury,	Beall,	D. Smith,
J. Hall,	Stull	Brevard,
Worthington,	Ridgely,	Johnson.

The convention having gone through the declaration of rights, paragraph by paragraph, the same was amended, and agreed to as follows:

"THE DECLARATION OF RIGHTS.

"The parliament of Great Britain, by a declaratory act, having assumed a right to make laws to bind the colonies in all cases whatsoever, and in pursuance of such claim endeavored by force of arms to subjugate the united colonies to an unconditional submission to their will and power, and having at length constrained them to declare themselves independent states, and to assume government under the authority of the people, Therefore we, the delegates of Maryland, in free and full convention assembled, taking into our most serious consideration the best means of establishing a good constitution in this state, for the surer foundation, and more permanent security thereof; Declare,

"1. That government of right originates from the people, is founded in compact only, and instituted solely for the good of the whole.

"2. That the people of this state ought to have the sole and exclusive right of regulating the internal government and police thereof.

"3. That the inhabitants of Maryland are entitled to the common law of England, and the trial by jury, according to the course of that law, and to the benefit of such of the English statutes as existed at the time of their first emigration, and which by experience have been found applicable to their local and other circumstances, and of such others as have been since made in England or Great Britain, and have been introduced, used, and practised by the courts of law or equity; and also to all acts of assembly in force on the first of June, seventeen hundred and seventy-four, except such as may have since expired, or have been, or may be altered by acts of convention, or this declaration of rights; subject nevertheless to the revision of and amendment or repeal by the legislature of this state; and the inhabitants of Maryland are also entitled to all property derived to them from or under the charter granted by his majesty Charles the first, to Cæcilius Calvert, baron of Baltimore.

"4. That all persons invested with the legislative or executive powers of government, are the trustees of the public, and as such accountable for their conduct, wherefore whenever the ends of government are perverted, and public liberty manifestly endangered, and all other means of redress are ineffectual, the people may, and of right ought, to reform the old, or establish a new government; the doctrine of non-resistance against arbitrary power and oppression, is absurd, slavish, and destructive of the good and happiness of mankind.

"5. That the right in the people to participate in the legislature is the best security of liberty, and the foundation of all free government; for this purpose elections ought to be free and frequent, and

every man having property in, a common interest with, and an attachment to, the community, ought to have a right of suffrage.

“6. That the legislative, executive and judicial powers of government, ought to be forever separate and distinct from each other.

“7. That no power of suspending laws, or the execution of laws, unless by or derived from the legislature, ought to be exercised or allowed.

“8. That freedom of speech, and debates, or proceedings, in the legislature, ought not to be impeached in any other court or judicature.

“9. That a place for the meeting of the legislature ought to be fixed, the most convenient to the members thereof, and to the depository of the public records, and the legislature ought not to be convened or held at any other place but from evident necessity.

“10. That for the redress of grievances, and for amending, strengthening and preserving the laws, the legislature ought to be frequently convened.

“11. That every man hath a right to petition the legislature for the redress of grievances, in a peaceable and orderly manner.

“12. That no aid, charge, tax, burthen, fee, or fees, ought to be set, rated, or levied, under any pretence, without the consent of the legislature.

“13. That the levying taxes by the poll is grievous and oppressive, and ought to be abolished; that paupers ought not to be assessed for the support of government, but every other person in the state ought to contribute his proportion of public taxes for the support of government according to his actual worth in real or personal property within this state; yet fines, duties or taxes may properly and justly be imposed or laid with a political view for the good government and benefit of the community.

“14. That sanguinary laws ought to be avoided, as far as is consistent with the safety of the state; and no law to inflict cruel and unusual pains and penalties ought to be made, in any case, or at any time hereafter.

“15. That retrospective laws, punishing facts committed before the existence of such laws, and by them only declared criminal, are oppressive, unjust, and incompatible with liberty; wherefore no *ex post facto* law ought to be made.

“16. That no law to attain particular persons of treason or felony, ought to be made in any case, or at any time hereafter.

“17. That every freeman for any injury done to him in his person or property, ought to have remedy by the course of the law of the land, and ought to have justice and right, freely without sale, fully without any denial, and speedily without delay, according to the law of the land.

“18. That the trial of facts where they arise, is one of the greatest securities of the lives, liberties, and estate of the people.

“19. That in all criminal prosecutions, every man hath a right to be informed of the accusation against him, to have a copy of the indictment or charge in due time (if required) to prepare for his defence, to be allowed council, to be confronted with the witnesses against him, to have process for his witnesses, to examine the witnesses for and against him on oath, and to a speedy trial by an impartial jury, without whose unanimous consent he ought not to be found guilty.

“20. That no man ought to be compelled to give evidence against himself in a court of common law, or in any other court, but in such cases as have been usually practised in this state, or may hereafter be directed by the legislature.

“21. That no freeman ought to be taken, or imprisoned, or dis seized of his freehold, liberties or privileges, or outlawed, or exiled, or in any manner destroyed, or deprived of his life, liberty or property, but by the judgment of his peers, or by the law of the land.

“22. That excessive bail ought not to be required, nor excessive fines imposed, nor cruel or unusual punishments inflicted by the court of law.

“23. That all warrants without oath, or affirmation to search suspected places, or to seize any person, or property, are grievous and oppressive; and all general warrants to search suspected places, or to apprehend suspected persons, without naming or describing the place, or the person in special, are illegal, and ought not to be granted.

“24. That there ought to be no forfeiture of any part of the estate of any person for any crime except murder or treason against the state, and then only on conviction and attainder.

“25. That a well regulated militia is the proper and natural defence of a free government.

“26. That standing armies are dangerous to liberty, and ought not to be raised or kept up without consent of the legislature.

“27. That in all cases and at all times the military ought to be under strict subordination to, and controul of, the civil power.

“28. That no soldier ought to be quartered in any house in time of peace without the consent of the owner, and in time of war in such manner only as the legislature shall direct.

“29. That no person except regular soldiers, mariners and marines in the service of this state, or militia when in actual service, ought in any case to be subject to, or punishable by, martial law.

“30. That the independency and uprightness of judges are es-

sential to the impartial administration of justice, and a great security to the rights and liberties of the people; wherefore the chancellor and all judges ought to hold commissions during good behaviour, and the said chancellor and judges shall be removed for misbehaviour, on conviction in a court of law, and may be removed by the governor upon the address of the general assembly, provided that two-thirds of all the members of each house concur in such address. That salaries liberal, but not profuse, ought to be secured to the chancellor and the judges, during the continuance of their commissions, in such manner and at such time as the legislature shall hereafter direct, upon consideration of the circumstances of the state: no chancellor or judge ought to hold any other office, civil or military, or receive fees or perquisites of any kind.

“31. That a long continuance in the first executive departments of power or trust, is dangerous to liberty, a rotation therefore in those departments is one of the best securities of permanent freedom.

“32. That no person ought to hold at the same time more than one office of profit, nor ought any person in public trust to receive any present from any foreign prince, or state, or from the United States, or any of them, without the approbation of this state.

“33. That as it is the duty of every man to worship God in such manner as he thinks most acceptable to him, all persons professing the christian religion are equally entitled to protection in their religious liberty, wherefore no person ought by any law to be molested in his person or estate on account of his religious persuasion or profession, or for his religious practice, unless under color of religion any man shall disturb the good order, peace, or safety of the state, or shall infringe the laws of morality, or injure others in their natural, civil, or religious rights; nor ought any person to be compelled to frequent or maintain, or contribute, unless on contract, to maintain any particular place of worship, or any particular ministry; yet the legislature may in their discretion lay a general and equal tax for the support of the christian religion, leaving to each individual the power of appointing the payment over of the money collected from him, to the support of any particular place of worship or minister; or for the benefit of the poor of his own denomination, or the poor in general of any particular county; but the churches, chapels, glebes, and all other property now belonging to the church of England, ought to remain to the church of England for ever. And all acts of assembly lately passed for collecting monies for building or repairing particular churches or chapels of ease, shall continue in force and be executed, unless the legislature shall by act supercede

or repeal the same ; but no county court shall assess any quantity of tobacco or sum of money hereafter, on the application of any vestryman or church wardens ; and every incumbent of the church of England who hath remained in his parish and performed his duty shall be entitled to receive the provision and support established by the act entitled, "An act for the support of the clergy of the church of England in this province," till the November court of this present year, to be held for the county in which his parish shall lie, or partly lie, or for such time as he hath remained in his parish and performed his duty.

34. That every gift, sale, or devise of lands to any minister, public teacher, or preacher of the gospel, as such, or to any religious sect, order or denomination, or to or for the support, use or benefit of, or in trust for, any minister, public teacher or preacher of the gospel, as such, or any religious sect, order or denomination ; and every gift or sale of goods or chattels, to go in succession, or to take place after the death of the seller or doner, to or for such support, use or benefit ; and also every devise of goods or chattels to, or to or for the support, use or benefit of any minister, public teacher or preacher of the gospel, as such, or any religious sect, order or denomination, without the leave of the legislature, shall be void ; except always any sale, gift, lease or devise of any quantity of land not exceeding two acres, for a church, meeting, or other house of worship, and for a burying ground, which shall be improved, enjoyed, or used only for such purpose, or such sale, gift, lease, or devise shall be void.

35. That no other test or qualification ought to be required on admission to any office of trust or profit, than such oath of support and fidelity to this state, and such oath of office as shall be directed by this convention or the legislature of this state, and a declaration of a belief in the christian religion.

36. That the manner of administering an oath to any person ought to be such as those of the religious persuasion, profession or denomination of which such person is one, generally esteem the most effectual confirmation by the attestation of the Divine Being. And that the people called Quakers, those called Dunkers, and those called Menonists, holding it unlawful to take an oath on any occasion, ought to be allowed to make their solemn affirmation in the manner that Quakers have been heretofore allowed to affirm, and to be of the same avail as an oath in all such cases as the affirmation of Quakers have been allowed and accepted within this state instead of an oath. And further on such affirmation warrants to search for stolen goods or the apprehension or commitment of offenders ought

to be granted, or security for the peace awarded; and Quakers, Dunkers, or Menonists, ought also on their solemn affirmation as aforesaid to be admitted as witnesses in all criminal cases not capital.

37. That the city of Annapolis ought to have all its rights, privileges and benefits, agreeable to its charter and the acts of assembly confirming and regulating the same; subject nevertheless to such alterations as may be made by this convention or any future legislature.

38. That the liberty of the press ought to be inviolably preserved.

39. That monopolies are odious, contrary to the spirit of a free government, and the principles of commerce, and ought not to be suffered.

40. That no title of nobility or hereditary honours ought to be granted in this state.

41. That the subsisting resolves of this and the several conventions held for this colony ought to be in force as laws, unless altered by this convention or the legislature of this state.

42. That this declaration of rights, or the form of government to be established by this convention, or any part of either of them, ought not to be altered, changed or abolished, by the legislature of this state, but in such manner as this convention shall prescribe and direct.

Agreeable to the order of the day the convention resolved itself into a committee of the whole, to consider further of the form of government for this state; Mr. T. Wright in the chair. After some time spent therein, Mr. President resumed the chair, and Mr. Wright reported, that the committee had according to order taken into consideration the form of government for this state, and had come to several resolutions thereon, which they had directed him to report, which he read in his place, and afterwards delivered them in at the table where they were again read, and are as follow:

THE CONSTITUTION AND FORM OF GOVERNMENT.

1. "That the legislature consist of two distinct branches, a senate, and a house of delegates, which shall be styled the General Assembly of Maryland.

2. "That the house of delegates shall be chosen in the following manner: All freemen, residents of this state, above twenty-one years of age, having a freehold of fifty acres of land in the county in which they offer to vote, or having property in this state above the value of thirty pounds current money, and having resided in the county in which they offer to vote one whole year next preceding the election, shall have a right of suffrage in the election of delegates for such county; and all freemen so qualified shall, on the first Monday of October, seventeen hundred and seventy-seven, and

on the same day in year thereafter, assemble in the counties in which they are respectively qualified to vote, at the court houses in the said counties, or at such other place as the legislature shall direct; and when assembled, or the major part of such of them as do assemble, shall elect, *viva voce*, four delegates for each county, of the most wise, sensible, and discreet of the people, residents in the county for which they are to be chosen one whole year next preceding the time of election, above twenty-one years of age, and having in the state real and personal property above the value of five hundred pounds current money.

3. "That the sheriff of each county, or in case of sickness, his deputy, (summoning two justices of the county, who are required to attend for the preservation of the peace) shall be judge of the election, and may adjourn from day to day, if necessary, till the same be finished, so that the whole election shall be concluded in four days; and shall make his return thereof, under his hand, to the chancellor of this state for the time being.

4. "That all persons, qualified by the charter of the city of Annapolis to vote for burgesses, shall, on the same first Monday of October, seventeen hundred and seventy-seven, and on the same day in every year for ever thereafter elect *viva voce*, by a majority of votes, two delegates, qualified agreeable to the said charter; that the mayor, recorder, and aldermen, of the said city, or any three of them, be judge of the election, appoint the place in the said city for holding the same, and may adjourn from day to day as aforesaid, and shall make return thereof as aforesaid.

5. "That all persons, inhabitants of Baltimore town, and having the same qualifications as electors in the county shall, on the same first Monday of October, seventeen hundred and seventy-seven, and on the same day in every year for ever thereafter, at such place in the said town as the said judges shall appoint, elect *viva voce*, by a majority of votes, two delegates, qualified as aforesaid.

6. "That the commissioners of the said town, or any three or more of them, for the time being, shall be judges of the said election, and may adjourn as aforesaid, and shall make return thereof as aforesaid; but the inhabitants of the said town shall not be entitled to vote for delegates for Baltimore county, unless they have a freehold of fifty acres of land in the county without the limits of the said town.

7. "That on refusal, death, disqualification, resignation, or removal out of the state, of any delegate, or on his becoming governor, or member of the council, a warrant of election shall issue by the speaker, for the election of another in his place, of which ten

days notice at least, excluding the day of notice and the day of election, shall be given.

8. "That not less than a majority of the delegates, with their speaker, (to be chosen by them by ballot) constitute an house for the transacting any business, other than that of adjourning.

9. "That the house of delegates shall judge of the elections and qualifications of delegates.

10. "That the house of delegates may originate all money bills, propose bills to the senate or receive those offered by that body, and assent, dissent or propose amendments; that they may enquire, on the oath of witnesses, into all complaints, grievances, and offences, as the grand inquest of this state, and may commit any person for any crime to the public jail, there to remain till he be discharged by due course of law; they may expel any member for a great misdemeanor, but not a second time for the same cause; they may examine and pass all accounts of the state, relating either to the collection or expenditure of the revenue, or appoint auditors to state and adjust the same; they may call for all public or official papers and records, and send for persons, whom they may judge necessary, in the course of their enquiries, concerning affairs relating to the public interest, and may direct all office bonds (which shall be made payable to the state) to be sued for any breach of duty.

11. "That the senate may be at full and perfect liberty to exercise their judgment in passing laws, and that they may not be compelled by the house of delegates and the public distress, either to reject a money bill which the emergency of affairs may require, or to assent to some other act of legislation, in their conscience and judgment injurious to the public welfare; the house of delegates shall not on any occasion, or under any pretence, annex to, or blend with a money bill, any matter, clause, or thing, not immediately relating to, and necessary for the imposing, assessing, levying or applying the taxes or supplies, to be raised for the support of government, or the current expenses of the state; and to prevent altercation about such bills, it is declared, that no bill imposing duties or customs for the mere regulating of commerce, or inflicting fines for the reformation of morals, or to enforce the execution of the laws, by which an incidental revenue may arise, shall be accounted a money bill; but every bill assessing, levying or applying taxes or supplies for the support of government, or the current expenses of the state, or appropriating money in the treasury, shall be deemed a money bill.

12. "That the house of delegates may punish, by imprisonment, any person who shall be guilty of a contempt in their view, by any

disorderly or riotous behaviour, or by threats to, or abuse of, their members, or by any obstruction to their proceedings; they may also punish, by imprisonment, any person who shall be guilty of a breach of privilege, by arresting on civil process, or by assaulting any of their members, during their sitting, or on their way to or return from the house of delegates, or by any assault of, or obstruction to their officers, in the execution of any order or process, or by assaulting or obstructing any witness, or any other person, attending on, or on their way to or from, the house, or by rescuing any person committed by the house; and the senate may exercise the same power in similar cases.

13. "That the treasurers (one for the western and another for the eastern shore) and the commissioners of the loan office may be appointed by the house of delegates during their pleasure, and in case of refusal, death, resignations, disqualification, or removal out of the state of any of the said commissioners or treasurers, in the recess of the general assembly, the governor, with the advice of the council, may appoint and commission a fit and proper person to such vacant office, to hold the same until the meeting of the next general assembly.

14. " That the senate be chosen in the following manner: All persons, qualified as aforesaid to vote for county delegates, shall on the first Monday of September, 1781, and on the same day in every fifth year forever thereafter, elect *viva voce*, by a majority of votes, two persons for their respective counties, qualified as aforesaid to be elected county delegates to be electors of the senate; and the sheriff of each county or in case of sickness his deputy (summoning two justices of the county who are required to attend for the preservation of the peace) shall hold and be judge of the said election, and make return thereof as aforesaid.

15. " That the said electors of the senate meet at the city of Annapolis, or such other place as shall be appointed for convening the legislature on the third Monday in September, 1781, and on the same day in every fifth year forever thereafter, and they, or any twenty-four of them so met, shall proceed to elect, by ballot, either out of their own body, or the people at large, fifteen senators, (nine of whom to be residents on the western, and six to be residents on the eastern shore) men of the most wisdom, experience and virtue above twenty-five years of age, residents of the state above three whole years next preceding the election, and having therein real and personal property above the value of one thousand pounds current money.

16. " That the senators shall balloted for at one and the same

time, and out of the gentlemen, resident of the western shore, who shall be proposed as senators, the nine who shall on striking the ballots appear to have the greatest numbers in their favour, shall be accordingly declared and returned duly elected; and out of the gentlemen, resident of the eastern shore, who shall be proposed as senators, the six who shall, on striking the ballots, appear to have the greatest numbers in their favour, shall be accordingly declared and returned duly elected; and if two or more, on the same shore, shall have an equal number of ballots in their favour, by which the choice shall not be determined on the first ballot, then the electors shall again ballot before they separate, in which they shall be confined to the persons, who on the first ballot shall have had an equal number; and they who shall have the greatest number in their favor on the second ballot shall be accordingly declared and returned duly elected, and if the whole number should not thus be made up because of an equal number on the second ballot still being in favour of two or more persons, then the election shall be determined by lot, between those who have equal numbers; which proceedings of the electors shall be certified under their hands and returned to the chancellor for the time being.

17. "That the electors of senators shall judge of the qualifications and elections of members of their body, and on a contested election shall admit to a seat, as an elector, such qualified person, as shall appear to them to have the greatest number of legal votes in his favour.

18. "That the electors immediately on their meeting, and before they proceed to the election of senators, take such oath or affirmation of support and fidelity to this state, as this convention or the legislature shall direct, and also an oath or affirmation "to elect without favour, affection, partiality, or prejudice, such persons for senators as they in their judgment and conscience, believe best qualified for the office."

19. "That in case of refusal, death resignation, disqualification or removal out of the state, of any senator, or on his becoming governor, or a member of the council, the senate shall immediately thereupon or at their next meeting thereafter, elect by ballot, in the same manner as the electors are above directed to choose senators, another person in his place, for the remainder of the said term of five years.

20. "That not less than a majority of the senate, with their president, (to be chosen by them by ballot) shall constitute an house for the transacting any business, other than that of adjourning.

21. "That the senate shall judge of the elections and qualification of senators.

22. "That the senate may originate any other, except money bills to which their assent or dissent only shall be given, and may receive any other bills from the house of delegates, and assent, dissent or propose amendments.

23. "That the general assembly meet annually on the first Monday of November; and if necessary, oftener.

24. "That each house shall appoint its own officers, and settle its own rules of proceeding.

25. "That a person of wisdom, experience, and virtue, shall be chosen governor on the second Monday of November, seventeen hundred and seventy-seven, and on the second Monday in every year for ever thereafter, by the joint ballot of both houses, to be taken in each house respectively, deposited in a conference room, the boxes to be examined by a joint committee of both houses and the numbers severally reported, that the appointment may be entered; which mode of taking the joint ballot of both houses shall be adopted in all cases. But if two or more shall have an equal number of ballots in their favour, by which the choice shall not be determined on the first ballot, then a second ballot shall be taken, which shall be confined to the persons, who on the first ballot shall have had an equal number; and if the ballots should again be equal between two or more persons, then the election of the governor shall be determined by lot, between those who have equal numbers.

26. "That the senators and delegates, on the second Tuesday of November, seventeen hundred and seventy-seven, and annually on the second Tuesday of November, forever thereafter, elect by joint ballot in the same manner as senators are directed to be chosen, five of the most sensible, discreet and experienced men, above twenty-five years of age, residents in the state above three years next preceding the election, and having therein a freehold in lands and tenements, above the value of one thousand pounds current money, to be the council to the governor, whose proceedings shall be always entered on record, to any part whereof any member may enter his dissent, and their advice, if so required by the governor, or any member of the council, shall be given in writing, and signed by the members giving the same respectively; which proceedings of the council shall be laid before the senate, or house of delegates, when called for by them, or either of them. The council may appoint their own clerk, who shall take such oath or affirmation of support and fidelity to this state as this convention or the legislature shall direct, and of secrecy, in such matters as he shall be directed by the board to keep secret.

27. "That the delegates to congress from this state shall be chosen annually or superseded in the mean time by the joint ballot of both houses of assembly, and that there be a rotation in such manner that at least two of the number be annually changed, who shall not be eligible for two years then next to come; and that no person who holds any office of profit in the gift of congress shall be eligible to sit in congress, but if appointed to any such office his seat shall be thereby vacated: That no person unless above twenty-five years of age, and a resident in this state more than five years next preceding the election, and having real and personal estate in this state above the value of one thousand pounds current money, shall be eligible to sit in congress.

28. "That the senators and delegates, immediately on their annual meeting, and before they proceed to any business, and every person hereafter elected a senator, or delegate, before he acts as such, shall take such oath of support and fidelity to this state as aforesaid, and before the election of the governor, or members of the council shall take an oath "to elect without favour, effectation, partiality or prejudice, such person, as governor, or member of the council, as they, in their judgment and conscience, believe best qualified for the office."

29. "That the senate and delegates may adjourn themselves respectively; but if the two houses should not agree on the same time, but adjourn to different days, then shall the governor appoint and notify one of those days or some day between, and the assembly shall then meet and be held accordingly, and he shall, if necessary, by advice of the council call them before the time to which they shall in any manner be adjourned, on giving not less than ten days notice thereof, but the governor shall not adjourn the assembly otherwise than as aforesaid, nor prorogue or dissolve it at any time.

30. "That no person unless above twenty-five years of age, a resident in this state above five years next preceding the election, and having in the state real and personal property above the value of five thousand pounds current money, one thousand pounds, whereof at least to be of freehold estate, shall be eligible as governor.

31. "That the governor shall not continue in that office longer than three years successively, nor be eligible as governor until the expiration of four years after he shall have been out of that office.

32. "That upon the death, resignation, or removal out of this state of the governor, the first named of the council for the time being shall act as governor, and qualify in the same manner, and

shall immediately call a meeting of the general assembly, giving not less than fourteen days notice of the meeting, at which meeting a governor shall be appointed in manner aforesaid, for the residue of the year.

33. "That the governor, by and with the advice and consent of the council, may embody the militia, and when embodied, shall alone have the direction thereof, and shall also have the direction of all the regular land and sea forces under the laws of this state, but he shall not command in person unless advised thereto by the council, and then only so long as they shall approve thereof, and may alone exercise all other the executive powers of government, where the concurrence of the council is not required, according to the laws of this state, and grant reprieves or pardons for any crime, except in such cases where the law shall otherwise direct; and may, during the recess of the general assembly, lay embargoes to prevent the departure of any shipping, or the exportation of any commodities, for any time not exceeding thirty days in any one year, summoning the general assembly to meet within the time of the continuance of such embargo, and may also order and compel any vessel to ride quarantine, if such vessel, or the port from which she shall have come, shall, on strong grounds be suspected to be infected with the plague; but the governor shall not, under any pretence, exercise any power or prerogative, by virtue of any law, statute, or custom of England or Great Britain,

34. "That the members of the council, or any three or more of them, when convened, shall constitute a board for the transacting of business; that the governor for the time being shall always be the president of the council, and as such entitled to a vote on all questions in which they shall be divided in opinion; and in the absence of the governor the first named of the council shall act as vice president, and as such shall also vote in all cases where the members disagree in their opinion.

35. "That in case of refusal, death, resignation, disqualification or removal out of the state, by any person chosen a member of the council, the members thereof, immediately thereupon, or at their next meeting thereafter, shall elect by ballot, another person, qualified as aforesaid, in his place, for the residue of the year.

36. "That the council shall have power to make the great seal of this state, which shall be kept by the chancellor for the time being, and affixed to all laws, commissions, grants, and other public testimonials, as has been heretofore practised in this state.

37. "That no senator, delegate of the assembly, or member of the council, shall be capable of holding any office of profit in this state,

during the time he shall act as senator, delegate of the assembly, or member of the council; nor shall any governor be capable of holding any other office of profit in this state while he acts as such.

38. "That every governor, senator, delegate to congress or assembly, and member of the council, before he acts as such, shall take an oath, "That he will not receive directly or indirectly, at any time, any part of the profits of any office, held by any other person during his acting in his office of governor, senator, delegate to congress or assembly, or member of the council, or the profits, or any part of the profits arising on any agency, for the supply of clothing or provisions for the army or navy."

39. "That if any senator, delegate of the assembly, or member of the council, shall hold or execute any office of profit, or receive directly or indirectly, at any time, the profits or any part of the profits of any office exercised by any other person, during his acting as senator, delegate of the assembly, or member of the council, his seat, on conviction in a court of law, by the oath of two credible witnesses, shall be void, and he shall suffer the punishment for wilful and corrupt perjury, or be banished from this state forever, or disqualified forever from holding any office or place of trust or profit, as the court may adjudge.

40. "That the chancellor, all judges, the attorney general, clerks of the general court, the clerks of the county courts, the register of the land-office, and the register of wills, shall hold their commissions during good behaviour, removable only for misbehaviour, on conviction in a court of law.

41. "That there be a register of wills appointed for each county, who shall be commissioned by the governor, on the joint recommendation of the senate and house of delegates, and that upon the death, resignation, disqualification, or removal out of the county, by any register of wills in the recess of the general assembly, the governor, with the advice of the council, may appoint and commission a fit and proper person to such vacant office, to hold the same until the meeting of the general assembly.

42. "That sheriffs shall be elected annually in each county by ballot, that is to say, two persons for the office of sheriff for each county, the one of whom having the majority of votes, or if both have an equal number, either of them, at the discretion of the governor, to be commissioned by the governor for the said office; no person to continue in the said office more than three successive years, or be capable of being again elected during four years afterwards: bond with security to be taken every year as usual, and no sheriff shall be qualified to act before the same is given. In case

of death, refusal, resignation, disqualification, or removal out of the county, before the expiration of the year, the other person chosen as aforesaid, shall be commissioned by the governor to execute the said office for such residue of the year as shall be unexpired; the said person giving bond with security as aforesaid, and in case of his death, refusal, resignation, disqualification, or removal out of the county, before the expiration of the year, the governor with the advice of his council, may nominate and commission a fit and proper person to execute the said office for such residue of the year as shall be then unexpired; the said person giving bond and security as aforesaid; the election shall be held at the same time and place appointed for the election of delegates, and the justices there summoned to attend for the preservation of the peace shall be judges thereof, and of the qualification of candidates, who shall appoint a clerk to take the ballots: all freemen above the age of twenty-one years, having a freehold of fifty acres of land in the county in which they offer to ballot, and residing therein, and all freemen above the age of twenty-one years, and having property in the state above the value of thirty pounds current money, and having resided in the county in which they offer to ballot one whole year next preceding the election, shall have a right of suffrage; no person to be eligible to the office of sheriff for a county but an inhabitant of the said county, above the age of twenty-one years, and having real and personal property in the state above the value of ——— the justices aforesaid shall examine the ballots, and the two candidates properly qualified, having in each county the majority of legal ballots, shall be declared duly elected for the office of sheriff for such county, and returned to the governor and council, with a certificate of the number of ballots for each of them.

43. "That the judges of the general court and justices of the county courts, may appoint the clerks of their respective courts, and in case of refusal, death, resignation, disqualification, or removal out of the state, of the clerk of the general court in the vacation of the said court; and in case of the refusal, death, resignation, disqualification, or removal out of the county of any of the said county clerks in the vacation of the county court of which he is clerk, the governor with the advice of the council may appoint and commission a fit and proper person to such vacant office respectively, to hold the same until the meeting of the next general court or county court, as the case may be.

44. "That the governor for the time being, with the advice and consent of the council, may appoint the chancellor, and all judges and justices, the attorney general, naval officers, officers in the re-

gular land and sea service, officers of the militia, registers of the land office, surveyors, and all other civil officers of government (assessors, constables and overseers of the roads only excepted) and may also suspend or remove any civil officer who has not a commission, during good behaviour, and may suspend any militia officer for one month, and may also suspend or remove any regular officer in the land or sea service; and the governor may remove or suspend any militia officer in pursuance of the judgment of a court martial.

45. "That all civil officers, of the appointment of the governor and council, who do not hold commissions during good behaviour, shall be appointed annually in the third week of November, but if any of them shall be re-appointed, they may continue to act without any new commission or qualification; and every officer though not re-appointed shall continue to act until the person who shall be appointed and commissioned in his stead, shall be qualified.

46. "That the governor, and every member of the council, before they act as such, shall respectively take an oath, "that he will not, through favor, affection, or partiality, vote for any person to office, and that he will vote for such person as in his judgment and conscience he believes best qualified for the office, and that he has not made, nor will make, any promise or engagement to give his vote or interest in favor of any person."

47. "That there be two registers of the land office, one upon the western, and one upon the eastern shore; that short extracts of the grants and certificates of the land on the western and eastern shores respectively be made in separate books, at the public expense, and deposited in the offices of the said registers, in such manner as shall hereafter be provided by the general assembly.

48. "That every chancellor, judge, register of wills, commissioner of the loan office, attorney general, sheriff, treasurer, naval officer, register of the land office, register of the chancery court, and every clerk of the common law courts, surveyor, and auditor of public accounts, before he acts as such, shall take an oath "that he will not directly or indirectly receive any fee or reward for doing his office of ————— but what is or shall be allowed by law, nor will directly or indirectly receive the profits or any part of the profits of any office held by any other person, and that he does not hold the same office in trust or for the benefit of any other person."

49. "That if any governor, chancellor, judge, register of wills, attorney general, register of the land office, commissioner of the loan office, register of the chancery court, or any clerk of the common law courts, treasurer, naval officer, sheriff, surveyor, or auditor

of public accounts, shall receive directly or indirectly, at any time the profits or any part of the profits of any office, held by any other person, during his acting in the office to which he is appointed, his election, appointment and commission, on conviction in a court of law, by the oath of two credible witnesses, shall be void, and he shall suffer the punishment for wilful and corrupt perjury, or be banished this state forever, or disqualified forever, from holding any office or place of trust or profit, as the court may adjudge.

50. "That if any person shall give any bribe, present, or reward, or any promise, or any security for the payment or delivery of any money, or any other thing, to obtain or procure a vote, to be governor, senator, delegate to congress, or assembly, member of the council, or judge, or to be appointed to any of the said offices, or to any office of profit or trust, now created or hereafter to be created in this state, the person giving and the person receiving the same, on conviction in a court of law, shall be forever disqualified to hold any office of trust or profit in this state.

51. "That every person appointed to any office of profit or trust shall, before he enters on the execution thereof, take the following oath, to wit, "I, A. B. do swear, That I will be true and faithful to the state of Maryland, and the government thereof, as by the convention of Maryland established, and that I will to the utmost of my power, support, maintain and defend the said state and government thereof; and that I will use my utmost endeavors to disclose and make known to the governor, the council, or some of the judges or justices of this state for the time being, all treasons and traitorous conspiracies or attempts which I shall know to be against this state and the government thereof; and I do declare, that no king, prince, or state, hath, or ought to have, any power, jurisdiction, superiority, or authority, within this state." And shall also subscribe a declaration of his belief in the christian religion.

52. "That there be a court of appeals, composed of persons of integrity and sound judgment in the law, whose judgment shall be final and conclusive in all cases of appeal, from the general court, court of chancery, and court of admiralty: That one person of integrity and sound judgment in the law, be appointed chancellor: That three persons of integrity and sound judgment in the law, be appointed judges of the court now called the provincial court; and that the same court be hereafter called and known by the name of *the general court*; which court shall sit on each shore for determining the business of each shore respectively.

53. "That the style of all laws run thus, "Be it enacted by the general assembly of Maryland:" That all public commissions and

grants run thus: "The State of Maryland, &c." and shall bear test by the governor with the seal of the state annexed: That all writs shall run in the same style, and be tested, sealed, and signed as usual: That all indictments shall conclude: "Against the peace, government and dignity of the state."

54. "That all penalties and forfeitures, heretofore going to the king or proprietary, shall go to the state, save only such as the general assembly may abolish or otherwise provide for.

55. "That this form of government, and the declaration of rights, and no part thereof, shall be altered, changed, or abolished unless a bill so to alter, change, or abolish the same, shall pass the general assembly and shall be confirmed by the general assembly after a new election of delegates, in the first session after such new election.

56. "That to introduce the new government, an election be held for the electors of the senate on the third Monday of November in this present year, and that the electors of the senate meet at Annapolis on the first Monday of December in this present year, and there choose senators, and that an election be held on the third Monday of December for delegates to serve in general assembly, and for sheriffs; and that the said elections be made by such persons in the same manner and under the same qualifications as such elections are herein before directed to be made at the periodical times beforementioned; the returns of all which first elections shall be made to the council of safety for the time being, and the general assembly shall meet at Annapolis on the ——— day of ——— and shall in their then session, or in such future session as they shall think proper, choose a governor and council for the residue of the year in the manner before directed: and for filling in the first instance only all the offices in the disposition of the governor, with the advice of the council; the house of delegates may also propose to the senate a list of all officers in the appointment of the governor, with the advice of the council, and on the senate concurring therein, or the recommendation of any of the persons therein mentioned, such persons so recommended shall be commissioned by the governor; but if the senate shall not concur in the recommendation of any of the persons proposed as aforesaid, then shall a joint ballot of both houses be taken in manner aforesaid for persons to be recommended for such offices, and the persons in whose favor such ballot shall pass shall be commissioned as aforesaid."

Convention adjourns till Monday morning, 9 o'clock.

MONDAY, November 4, 1776.

Convention met. All members present as on yesterday. The proceedings of yesterday were read. Mr. Barnes, Mr. J. Mackall, Mr. B. Mackall, Mr. B. Hall, Mr. Sprigg, Mr. Hammond, Mr. S. Chase, Mr. J. T. Chase, and Mr. J. Wilson, appeared in the house.

On motion of Mr. Gustavus Scott, That all civil officers now in commission for this state under the old form of government, shall continue to act in their respective departments until others shall be appointed and commissioned in their stead by the legislature or executive power of this state, and qualified to act? An amendment was proposed in the words following, "and that the county courts assess the county charges as usual." On which amendment the question was put, and resolved in the affirmative.

AFFIRMATIVE.

Mr. Barnes,	Mr. Edelen,	Mr. S. Wright,
Fenwick,	Beall,	Edmondson,
Plater,	Stull,	Gibson,
Dent,	J. Smith,	Mason,
Parnham,	Archer,	Dickinson,
Grahame,	Ewing,	Johnson,
Fitzhugh,	D. Smith,	Gus. Scott,
J. Mackall,	Brevard,	Geo. Scott,
Marbury,	Earle,	Horsey,
Worthington,	T. Smyth,	Chaille,
Paca,	T. Wright,	Bishop,
Carroll,	Kent,	Mitchell.
J. Wilson,	Bruff,	

NEGATIVE.

Mr. Bayly,	Mr. Ridgely,	Mr. Bond,
Williams,	Deye,	Love,
Fischer,	Stevenson,	Gilpin.
Schrifer,		

The question was then put on the motion so amended, and resolved in the affirmative.

Ordered, That the same be published in the Maryland Gazette and Baltimore papers.

The convention took into consideration the report of the form of government for this state from the committee of the whole, and in progression on reading the same, on motion of Mr. Bayly, the question was put, That the second article thereof be struck out? Carried in the negative.

On motion of Mr. T. Wright, the question was then put, That the word "five" be inserted instead of the word "thirty" in the second article? Carried in the negative.

AFFIRMATIVE.

Mr. Fitzhugh, J. Mackall, Bowie, Marbury, Hammond, J. Wilson, Bayly,	Mr. Williams, Ridgely, Deye, Stevenson, Bond, Love, Archer,	Mr. Ewing, Brevard, T. Wright, Kent, Bruff, S. Wright,
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NEGATIVE.

Mr. Barnes, Fenwick, Plater, Dent, Parnham, B. Mackall, Grahame, J. Hall, Worthington, S. Chase, Paca, Carroll,	Mr. Fischer, Edelen, Schrivier, Beall, Stull, J. Smith, J. T. Chase, Gilpin, D. Smith, Earle, T. Smyth,	Mr. Edmondson, Gibson, Mason, Dickinson, Johnson, Gus. Scott, Geo. Scott, Horsey, Chaille, Bishop, Mitchell.
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On motion of Mr. Bayly, the question was then put, That the words "or paying taxes for the support of government," be inserted in the second article instead of the words "or having property in the state above the value of thirty pounds currency?" Carried in the negative.

AFFIRMATIVE.

Mr. Dent, Parnham, Fitzhugh, J. Mackall, Bowie, Marbury, Hammond, J. Wilson,	Mr. Bayly, Williams, Ridgely, Deye, Stevenson, Bond, Love, Archer,	Mr. Gilpin, Ewing, D. Smith, Brevard, T. Wright, Kent, Bruff, S. Wright.
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NEGATIVE.

Mr. Barnes, Fenwick, Plater, B. Mackall, J. Hall, Worthington, S. Chase,	Mr. Edelen, Schrivier, Beall, Stull, J. Smith, J. T. Chase, Earle,	Mr. Mason, Dickinson, Johnson, Gust. Scott, Geo. Scott, Horsey, Chaille,
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Mr. Paca,	Mr. T. Smyth,	Mr. Bishop,
Carroll,	Edmondson,	Mitchell.
Fischer,	Gibson,	

On motion of Mr. S. Chase, the question was put, That the word "third" be inserted in the second article between the word "every" and the word "year?" Carried in the negative.

On motion of Mr. S. Chase, the question was then put, That the word "second" be inserted in the same place? Carried in the negative.

AFFIRMATIVE.

Mr. Barnes,	Mr. Carroll,	Mr. Johnson,
Fenwick,	J. Wilson,	Gus. Scott,
Plater,	Earle,	Geo. Scott,
Grahame,	T. Smyth,	Horsey,
J. Hall,	T. Wright,	Chaille,
Worthington,	Edmondson,	Bishop,
S. Chase,	Mason,	Mitchell.
Paca,	Dickinson,	

NEGATIVE.

Mr. Dent,	Mr. Edelen,	Mr. Love,
Parnham,	Schrifer,	Archer,
B. Mackall,	Beall,	Gilpin,
Fitzhugh,	Stull,	Ewing,
J. Mackall,	Ridgely,	D. Smith,
Bowie,	Deye,	Brevard,
Marbury,	Stevenson,	Kent,
Hammond,	J. Smith,	Bruff,
Bayly,	J. T. Chase,	S. Wright,
Williams,	Bond,	Gibson.
Fischer,		

On motion of Mr. Earle, the question was put, That the words "by ballot" be inserted in the second article instead of the words "viva voce?" Carried in the negative.

Adjourned till 3 o'clock.

POST MERIDIEM.

Convention met.

In progression on reading the form of government, on motion of Mr. J. Hall, the question was put, That the following be an addition to the fourth article; "but the inhabitants of the said city shall not be entitled to vote for delegates for Anne Arundel county, unless they have a freehold of fifty acres of land in the county distinct from the city? Resolved in the affirmative.

AFFIRMATIVE.

Mr. Fenwick,	Mr. Beall,	Mr. Earle,
Dent,	Stull,	Kent,
Parnham,	Ridgely,	S. Wright,
Fitzhugh,	Deye,	Edmondson,
J. Mackall,	Stevenson,	Gibson,
Bowie,	Bond,	Dickinson,
Hammond,	Love,	Geo. Scott,
J. Hall,	Archer,	Horsey,
J. Wilson,	Gilpin,	Chaille,
Williams,	D. Smith,	Mitchell.
Schraver,	Brevard,	

NEGATIVE.

Mr. Barnes,	Mr. S. Chase,	Mr. J. T. Chase,
Plater,	Paca,	Ewing,
B. Mackall,	Carroll,	T. Smyth,
Grahame,	Bayly,	Bruff,
B. Hall,	Fischer,	Mason,
Sprigg,	Edelen,	Johnson,
Marbury,	J. Smith,	Gust. Scott.
Worthington,		

On motion of Mr. J. T. Chase, That the following be inserted as an addition to the fifth article; "but if the said inhabitants of the town shall so decrease, as that the number of persons having right of suffrage therein shall have been, for the space of seven years successively, less than one half of the number of voters in some one county in this state, such town thenceforward shall cease to send two delegates or representatives to the house of delegates, until the said town shall have one half of the number of voters in some one county in this state. And in case the inhabitants of the said town shall so increase, as that the number of persons having right of suffrage therein shall be equal to the number of voters in any one county in this state, that then the said town shall send four representaves to the house of delegates." It was moved and agreed, that the proposition consisting of two parts should be separated. The question was then put on the first part, which follows in these words; "but if the said inhabitants of the town shall so decrease, as that the number of persons having right of suffrage therein shall have been, for the space of seven years successively, less than one half of the number of voters in some one county in this state, such town thenceforward shall cease to send two delegates or representatives to the house of delegates, until the said town shall have one half of the number of voters in some one county in this state," and resolved in the affirmative.

An amendment was then proposed to the latter part, to insert the words "the largest" instead of the words "any one?" Upon which amendment the question was put, and resolved in the affirmative.

The question was then put on the latter part so amended, and carried in the negative.

AFFIRMATIVE.

Mr. Dent,	Mr. Ridgely,	Gilpin,
Grahame,	Deye,	Ewing,
Hammond,	Stevenson,	Brevard,
J. Wilson,	J. Smith,	Johnson.
Schrivier,	Archer,	

NEGATIVE.

Mr. Barnes,	Mr. Carroll,	Mr. Kent,
Fenwick,	Bayly,	Bruff,
Plater,	Williams,	S. Wright,
B. Mackall,	Edelen,	Edmondson,
Fitzhugh,	Beall,	Gibson,
J. Mackall,	Stull,	Dickinson,
Bowie,	Bond,	Gust. Scott,
B. Hall,	Love,	Geo. Scott,
Sprigg,	D. Smith,	Horsey,
Marbury,	Earle,	Chaille,
J. Hall,	T. Smyth,	Bishop,
Worthington,	T. Wright,	Mitchell.
S. Chase,		

In progression on reading the form of government, the question was put, That the 18th article thereof be concurred with? Carried in the negative.

On motion of Mr. S. Chase, the question was put, That the words "or affirmation" in the 26th article be struck out? Resolved in the affirmative.

AFFIRMATIVE.

Mr. Barnes,	Mr. Paca,	Mason,
Fenwick,	Carroll,	Dickinson,
Dent,	J. Smith,	Johnson,
Parnham,	J. T. Chase,	Gust. Scott,
Grahame,	D. Smith,	Geo. Scott,
B. Hall,	Earle,	Horsey,
Sprigg,	T. Wright,	Chaille,
Marbury,	Kent,	Mitchell.
S. Chase,	Bruff,	

NEGATIVE.

Mr. Hammond,	Mr. Stull,	Mr. Gilpin,
J. Wilson,	Ridgely,	Ewing,
Bayly,	Deye,	Brevard,
Williams,	Stevenson,	T. Smyth,
Fischer,	Bond,	S. Wright,
Edelen,	Love,	Edmondson.
Schriver,	Archer,	Gibson.
Beall,		

Convention adjourns till to-morrow morning, 9 o'clock.

TUESDAY, November 5, 1776.

Convention met. All members present as on yesterday. The proceedings of yesterday were read.

In progression on reading the form of government, on motion of Mr. D. Smith, the question was put, That the words "a native of the United States of America" be inserted in the 30th article after the word unless?" Carried in the negative.

AFFIRMATIVE.

Mr. Barnes,	Mr. Worthington,	Mr. Love,
Fenwick,	J. Wilson,	Archer,
Dent,	Bayly,	Ewing,
Parnham,	Williams,	D. Smith,
J. Mackall,	Ridgely,	Kent,
Bowie,	Deye,	Bruff,
B. Hall,	Stevenson,	S. Wright,
Marbury,	Bond,	Gibson.
Hammond,		

NEGATIVE.

Mr. Plater,	Mr. Schriver,	Mr. Mason,
B. Mackall,	Beall,	Dickinson,
Grahame,	Stull,	Johnson,
Fitzhugh,	J. Smith,	Gus. Scott.
Sprigg,	J. T. Chase,	Geo. Scott,
S. Chase,	Gilpin,	Horsey,
Paca,	Brevard,	Chaille,
Carroll,	Earle,	Bishop,
Fisher,	T. Wright,	Mitchell,
Edelen,	Edmondson,	

On motion, *Resolved*, That the determination of every question be according as the majority members shall appear to be on taking the yeas and nays of those who vote on the question, if the yeas and nays shall be taken on such question.

On motion of Gustavus Scott, the question was put, That the words "to congress or," be inserted in the first line of the 37th article of the form of government after the word "delegate," instead of the words "or the?" Carried in the negative.

On motion of Mr. S. Chase, the question was put, That no delegate, senator, or member of the council, after he is qualified as such, shall hold any office of profit during the time for which he is elected? Resolved in the affirmative.

AFFIRMATIVE.

Mr. Fenwick,	Mr. J. Wilson,	Mr. Ewing,
Plater,	Bayly,	D. Smith,
B. Mackall,	Williams,	Brevard,
Grahame,	Fischer,	T. Wright,
Fitzhugh,	Edelen,	Bruff,
J. Mackall,	Schriver,	S. Wright,
Bowie,	Beall,	Gibson,
B. Hall,	Stull,	Mason,
Sprigg,	Ridgely,	Dickinson,
Marbury,	Deye,	Gus. Scott,
Hammond,	Stevenson,	Horsey,
J. Hall,	Bond,	Chaille,
Worthington,	Love,	Bishop,
S. Chase,	Gilpin,	Mitchell.

NEGATIVE.

Mr. Barnes,	Mr. J. Smith,	Mr. T. Smyth,
Dent,	J. T. Chase,	Kent,
Parnham,	Archer,	Johnson,
Paca,	Earle,	Geo. Scott.
Carroll,		

Adjourned till 3 o'clock.

POST MERIDIEM.

Convention met.

On motion, *Resolved*, That the rank of the officers of the companies of matrosses lately ordered to be raised, be reserved to be hereafter settled by the convention or council of safety, without any respect to the dates of their commissions.

On motion for an appointment of lieutenants for the company of matrosses to be stationed at Baltimore town, and Mr. James Smith, Mr. Larkin Dorsey, and Mr. Robert Willmott, being recommended, *Resolved*, That Mr. James Smith be appointed first lieutenant, Mr. Larkin Dorsey second lieutenant, and Mr. Robert Willmot third lieutenant of said company.

On reading the 42d article of the form of government, the question was put, That the blank for the qualification of sheriffs be filled up with "one thousand pounds current money? Resolved in the affirmative.

AFFIRMATIVE.

Mr. Barnes,	Mr. S. Chase,	Mr. D. Smith,
Plater,	Paca,	Earle,
Dent,	Carroll,	T. Smyth,
Parnham,	J. Wilson,	T. Wright,
B. Mackall,	Edelen,	Dickinson,
B. Hall,	Beall,	Johnson,
Sprigg,	Stull,	Gust. Scott,
Marbury,	J. Smith,	Geo. Scott,
J. Hall,	J. T. Chase,	Horsey.
Worthington,	Gilpin,	

NEGATIVE.

Mr. Fenwick,	Mr. Ridgely,	Mr. Kent,
Grahame,	Deye,	Bruff,
Fitzhugh,	Stevenson,	S. Wright,
J. Mackall,	Bond,	Gibson,
Bowie,	Love,	Mason,
Hammond,	Archer,	Chaille,
Bayly,	Ewing,	Bishop,
Williams,	Brevard,	Mitchell.
Schrivier,		

On motion of Mr. T. Wright the question was then put, That in the said article the word "annually" be struck out, and the words "every third year" inserted; *Resolved* in the affirmative.

On motion of Mr. Bayly, That in the said article the words "viva voce" be inserted instead of the words "by ballot?" Carried in the negative.

On motion of Mr. S. Chase, the question was put, That the governor, with the advice of the council, shall have the appointment of sheriffs? Carried in the negative.

AFFIRMATIVE.

Mr. Barnes,	Mr. Marbury,	Mr. T. Smyth,
Fenwick,	S. Chase,	Johnson,
B. Hall,	Carroll,	Gust. Scott.

NEGATIVE.

Mr. Dent,	Mr. Edelen,	Mr. Brevard,
Parnham,	Schrivier,	Earle,

Mr. B. Mackall,	Mr. Beall,	Mr. T. Wright,
Grahame,	Stull,	Kent,
Fitzhugh,	Ridgely,	Bruff,
J. Mackall,	Deye,	S. Wright,
Bowie,	Stevenson,	Edmondson,
Sprigg,	J. Smith,	Gibson,
Hammond,	J. T. Chase,	Mason,
J. Hall,	Bond,	Dickinson,
Worthington,	Love,	Geo. Scott,
J. Wilson,	Archer,	Horsey,
Bayly,	Gilpin,	Chaille,
Williams,	Ewing,	Bishop,
Fischer,	D. Smith,	Mitchell.

On motion of Mr. Bayly, the question was put, That the following be inserted as an article in the form of government; "That militia companies choose their own officers, and battalions their field officers; That justices of the peace, clerks of the counties, and surveyors, be chosen by the people who are qualified to vote for representatives of each county annually?" Carried in the negative.

On motion of Mr. S. Chase, the question was put, That the following be inserted as an article in the form of government; That every person who shall offer to vote for delegates, or for the senate, or for the sheriff, shall (if required by any three persons qualified to vote) before he be admitted to poll, take such oath or affirmation of support and fidelity to this state, as this convention or the legislature shall direct?" Resolved in the affirmative.

On motion of Mr S. Chase, the question was put, That the following be inserted as an article in the form of government; "That a justice of the peace may be eligible as a senator, delegate, or member of the council, and may continue to act as a justice of the peace? Resolved in the affirmative.

AFFIRMATIVE.

Mr. Barnes,	Mr. Carroll,	Mr. Bruff,
Fenwick,	J. Wilson,	S. Wright,
Dent,	Edelen,	Gibson,
Parnham,	Beall,	Mason,
Grahame,	Stull,	Dickinson,
Bowie,	J. Smith,	Johnson,
B. Hall,	Love,	Gust. Scott,
Sprigg,	Gilpin,	Geo. Scott,
Marbury,	Earle,	Horsey,
J. Hall,	T. Smyth,	Chaille.

Mr. S. Chase, Paca,	Mr. T. Wright, Kent,	Mr. Bishop, Mitchell.
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NEGATIVE.

Mr. B. Mackall, Fitzhugh, J. Mackall, Hammond, Bayly, Williams,	Mr. Fischer, Schriver, Ridgely, Deye, Stevenson, J. T. Chase,	Mr. Bond, Archer, Ewing, D. Smith, Brevard, Edmondson.
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On motion of Mr. Bruff, the question was put, That the words "officers of the militia" in the 43d article of the form of government be struck out? Carried in the negative.

AFFIRMATIVE.

Mr. Fitzhugh, J. Mackall, Hammond, J. Wilson, Williams, Fischer, Schriver, Ridgely,	Mr. Deye, Stevenson, Bond, Archer, Ewing, D. Smith, Brevard,	Mr. T. Wright, Kent, Bruff, S. Wright, Gibson, Chaille, Bishop.
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NEGATIVE.

Mr. Barnes, Fenwick, Dent, Parnham, B. Mackall, Grahame, B. Hall, Sprigg, Marbury, S. Chase,	Mr. Paca, Carroll, Edelen, Beall, Stull, J. Smith, J. T. Chase, Gilpin, Earle,	Mr. T. Smyth, Edmondson, Mason, Dickinson, Johnson, Gust. Scott, Geo. Scott, Horsey, Mitchell.
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On motion of Mr. Bond, *Resolved*, That the following be inserted as an article in the form of government; "That all civil officers hereafter to be appointed for the several counties of this state, shall have been residents of the county respectively for which they shall be appointed six months next before their appointment, and shall continue residents of their county respectively during their continuance in office."

On motion of Mr. S. Chase, the question was put, That the following be inserted as an article in the form of government; "That

no field officer of the militia shall be eligible as a senator, delegate, or member of the council?" Resolved in the affirmative.

AFFIRMATIVE.

Mr. Fitzhugh,	Mr. Ridgely,	Mr. T. Wright,
J. Mackall,	Deye,	Kear,
Marbury,	Stevenson,	Bruff
S. Chase,	Bond,	S. Wright,
Williams,	Love,	Edmondson,
Fischer,	Archer,	Gibson,
Edelen,	Ewing,	Gust. Scott,
Schrivier,	D. Smith,	Horsey.
Beall,	Brevard,	

NEGATIVE.

Mr. Barnes,	Mr. Paca,	Mr. T. Smith,
Fenwick,	Carroll,	Mason,
Dent,	J. Wilson,	Dickinson,
Parnham,	Stull,	Johnson,
B. Mackall,	J. Smith,	Geo. Scott,
Grahame,	J. T. Chase,	Chaille,
B. Hall,	Gilpin,	Bishop,
Sprigg,	Earle,	Mitchell.
Hammond,		

Convention adjourns till to-morrow morning, 9 o'clock.

WEDNESDAY, November 6, 1776.

Convention met. All members present as on yesterday. The proceedings of yesterday were read.

On motion, *Ordered*, That the memorial of captain William Stone be taken into consideration on Saturday next, that summonses issue for his witnesses, and that he be allowed council if he shall think proper.

In progression on reading the form of government on motion of Mr. S. Chase, the question was put, That the words, "every senator, delegate of assembly," be inserted in the first line of the 46th article, after the word "governor?" Carried in the negative.

AFFIRMATIVE.

Mr. Plater,	Mr. Williams,	Mr. Bond,
Fitzhugh,	Fischer,	Archer,
J. Mackall,	Edelen,	Ewing,
Hammond,	Schrivier,	Earle,
Worthington,	Beall,	T. Wright,

Mr. S. Chase, J. Wilson, Bayly,	Mr. Ridgely, Deye, Stevenson,	Mr. S. Wright, Edmondson.
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NEGATIVE.

Mr. Barnes, Fenwick, Dent, Parnham, B. Mackall, Grahame, Bowie, B. Hall, Sprigg, Marbury, Paca,	Mr. Carroll, Stull, J. Smith, J. T. Chase, Love, Gilpin, D. Smith, Brevard, T. Smyth, Kent,	Mr. Gibson, Mason, Dickinson, Johnson, Gus. Scott, Geo. Scott, Horsey, Chaille, Bishop, Mitchell.
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On motion of Mr. S. Wright, the question was put, That the words "and every judge and justice" be inserted in the said article between the word "council" and the word "before?" Resolved in the affirmative.

AFFIRMATIVE.

Mr. Barnes, Plater, B. Mackall, Fitzhugh, J. Mackall, Hammond, Worthington, S. Chase, J. Wilson, Bayly,	Mr. Williams, Fischer, Edelen, Schriver, Beall, Ridgely, Deye, Stevenson, Bond, Archer,	Mr. Ewing, D. Smith, Brevard, Earle, T. Smyth, T. Wright, S. Wright, Edmondson, Gibson.
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NEGATIVE.

Mr. Dent, Parnham, Grahame, Bowie, B. Hall, Sprigg, Marbury, Paca,	Mr. Carroll, Stull, J. Smith, J. T. Chase, Love, Gilpin, Kent, Mason,	Mr. Dickinson, Johnson, Gust. Scott, Geo. Scott, Horsey, Chaille, Bishop, Mitchell.
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On motion of Mr. Fitzhugh, That the following be inserted as an article in the form of government; "That lawyers' fees ought

to be ascertained and limited by law." The previous question was called for by Mr. Parnham, and put, Whether the above question be now put? Carried in the negative.

AFFIRMATIVE.

Mr. B. Mackall,	Mr. Fischer,	Mr. Bond,
Fitzhugh,	Schrivver,	Archer,
J. Mackall,	Ridgely,	Horsey,
Hammond,	Deye,	Chaille,
Bayly,	Stevenson,	Bishop.
Williams,		

NEGATIVE.

Mr. Barnes,	Mr. Carroll,	Mr. T. Smyth,
Fenwick,	J. Wilson,	T. Wright,
Plater,	Edelen,	Kent,
Dent,	Beall,	Bruff,
Parnham,	Stull,	S. Wright,
Grahame,	J. Smith,	Edmondson,
Bowie,	J. T. Chase,	Gibson,
B. Hall,	Love,	Mason,
Sprigg,	Gilpin,	Dickinson,
Marbury,	Ewing,	Johnson,
Worthington,	D. Smith,	Gust. Scott,
S. Chase,	Brevard,	Geo. Scott,
Paca,	Earle,	Mitchell.

Adourned till 3 o'clock.

POST MERIDIEM.

Convention met. Mr. Sheredine appeared in the house.

On motion of Mr. S. Chase, *Resolved*, That the words "or ought to have" be struck out of the article.

On motion of Mr. Johnson, the question was put, That instead of the oath prescribed by the 51st article, the following be inserted; "I, A. B. do swear, that I do not hold myself bound in allegiance to the king of Great Britain, and that I will be faithful and bear true allegiance to the state of Maryland?" Resolved in the affirmative.

AFFIRMATIVE.

Mr. Barnes,	Mr. Sheredine,	Mr. Mason,
Fenwick,	Schrivver,	Dickinson,
Plater,	Ridgely,	Johnson,
Fitzhugh,	Deye,	Gust. Scott,
J. Mackall,	Stevenson,	Geo. Scott,
Hammond,	Bond,	Horsey,

Mr. J. Hall, Worthington, Carroll, Fischer,	Mr. T. Smyth, T. Wright, Edmondson, Gibson,	Mr. Chaille, Bishop, Mitchell.
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NEGATIVE.

Mr. Dent, Parnham, B. Mackall, Grahame, Bowie, B. Hall, Sprigg, Marbury, S. Chase,	Mr. Paca, J. Wilson, Bayly, Edelen, Stull, J. Smith, J. T. Chase, Love, Archer,	Mr. Gilpin, Ewing, D. Smith, Brevard, Earle, Kent, Bruff, S. Wright.
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On motion of Mr. S. Wright, *Resolved*, That the following be added to the 53d article of the form of government; "Provided that nothing in this form of government which relates to the eastern shore particularly shall at any time hereafter be altered, unless for the alteration and confirmation thereof at least two-thirds of the members of each branch of the general assembly shall concur."

On motion of Mr. Gust. Scott, That the following be inserted as an article in the form of government; "That the electors of the senate immediately on their meeting, and before they proceed to the election of senators, take such oath of support and fidelity to this state, as this convention or the legislature shall direct, and also an oath "to elect without favor, affection, partiality, or prejudice, such persons for senators as they in their judgment and conscience believe best qualified for the office." An amendment was proposed by Mr. Bayly, to insert the words "or affirmation" after the words "such oath." On which amendment the question was put, and carried in the negative.

AFFIRMATIVE.

Mr. Fitzhugh, J. Mackall, Hammond, J. Wilson, Bayly, Fischer, Edelen, Schriver, Beall,	Mr. Stull, Ridgely, Deye, Stevenson, J. Smith, Bond, Love, Archer, Gilpin,	Mr. Ewing, D. Smith, Brevard, Earle, Kent, S. Wright, Edmondson, Gibson, Chaille.
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NEGATIVE.

Mr. Barnes,	Mr. Marbury,	Mr. Bruff,
Fenwick,	J. Hall,	Mason,
Plater,	Worthington,	Dickinson,
Dent,	S. Chase,	Johnson,
Parnham,	Carroll,	Gust. Scott,
B. Mackall,	Sheredine,	Geo. Scott,
Grahame,	J. T. Chase,	Horsey,
Bowie,	T. Smyth,	Bishop,
B. Hall,	T. Wright,	Mitchell.
Sprigg,		

The question was then put on the article, and resolved in the affirmative.

The order of the day for taking into consideration the letter from the president of congress of the second of October last, was read and referred till Saturday next.

Convention adjourns till to-morrow morning, 9 o'clock.

THURSDAY, November 7, 1776.

Convention met. All members present as on yesterday. The proceedings of yesterday were read.

On the application of Mrs. Chamier for leave to visit her husband, now in general Howe's camp, *Resolved*, That Mr. President be requested to write to the honourable the president of the congress, to grant a passport for Mrs. Chamier to go to the American camp, with a recommendation to his excellency general Washington to grant his permission for Mrs. Chamier to visit her husband, on giving her parole of honor not to say or do any thing to the injury of the United States, or any of them.

On motion of Mr. Dickinson, *Resolved*, That the sheriffs of Dorchester and Caroline counties pay into the hands of the commissioners named in the act of assembly entitled, "an act for the division of Dorchester and Queen Anne's counties, and for erecting a new one by the name of Caroline," or the major part of the said commissioners, all money and tobacco which they have respectively received, or may or ought to receive, on or for the two assessments already made by virtue of the said act, for building a court-house and prison in Caroline county, and the said commissioners, or the major part of them, are hereby empowered and required to lend out all money which they shall so receive on interest, for the use of Caroline county aforesaid, on good and sufficient security. And the justices of Caroline county aforesaid, are hereby directed not

to make any assessment on the taxable inhabitants of Caroline county aforesaid in this present year, by virtue of the said act.

On motion of Mr. Johnson, *Resolved*, That the act of assembly entitled, "an act for the more effectual preservation of the breed of wild deer," passed in December session, 1773, be repealed, and that no prosecution be hereafter had commenced for any breach committed of the said act, and that no prosecution already begun for any breach of the said act be further prosecuted.

Mr. Turbut Wright has leave of absence.

On motion of Mr. Johnson, *Resolved*, That all justices of the peace and other officers, who were such of Frederick county, shall continue, and may exercise the same power and authority as if the resolutions of this convention for dividing Frederick county into three counties had not passed: and the justices of the county court of Frederick, to be held in the month of November in this present year, or by adjournment, shall have cognizance of, and may proceed to hear and determine, all causes, matters, and things, criminal and civil, although the same have arisen or shall arise in Washington or Montgomery county, in the same manner, and as fully, as the same court might or could have done if the said resolutions had never been made; and the justices aforesaid may appoint constables and overseers of the high-ways, as well in the said counties of Washington and Montgomery, as in Frederick county.

That the county court for each of the said counties of Washington and Montgomery shall be first held, as for separate and distinct counties, in the month of March next, and where any defendant against whom any original writ or process shall, after the first day of December next, issue, resides in Washington or Montgomery county, the writ or process shall issue out of Frederick county court, directed to the sheriff of the county where the defendant resides, if such county shall then have a sheriff qualified to act in that county separately, and if not, to the sheriff of Frederick county, and shall be returnable and returned to the next March court to be held for the county where the defendant resides.

That the justices of Frederick county court aforesaid, may at their November court aforesaid, assess and levy on the taxable inhabitants of Washington and Montgomery counties, separately and respectively, such money or tobacco as the justices of the same counties might respectively have assessed at their November courts in this year, had the same been held.

On motion of Mr. Johnson, the question was put, That no poll be taken to fix or ascertain the place for building a court-house and prison in Montgomery county, until the expiration of twenty

days at least after the first meeting of the general assembly? **Resolved** in the affirmative.

AFFIRMATIVE.

Mr. Barnes,	Mr. Beall,	Mr. S. Wright,
Fenwick,	Stull,	Edmondson,
Dent,	J. T. Chase,	Gibson,
Grahame,	Archer,	Mason,
J. Hall,	Gilpin,	Dickinson,
Worthington,	Ewing,	Johnson,
S. Chase,	D. Smith,	Geo. Scott,
Paca,	Earle,	Horsey,
Carroll,	T. Smyth,	Chaille,
Fischer,	Kent,	Bishop,
Edelen,	Bruff,	Mitchell.

NEGATIVE.

Mr. Parnham,	Mr. Marbury,	Mr. Ridgely,
Fitzhugh,	Hammond,	Deye,
J. Mackall,	J. Wilson,	J. Smith,
Bowie,	Bayly,	Bond,
Sprigg,	Williams,	Brevard.

Adjourned till 3 o'clock.

POST MERIDIEM.

Convention met.

On reading and considering the petition of Thomas Wilson of the city of Annapolis, praying a remission of the fine set upon him by the committee of observation for Anne Arundel county, *Resolved*, That the same be granted.

In progression on reading the form of Government, on motion of Mr. S. Chase, the question was put, That all that part of the 56th article which follows in these words be struck out; "and for filling in the first instance only all the offices in the disposition of the governor with the advice of the council, the house of delegates may also propose to the senate a list of all officers in the appointment of the governor with the advice of the council, and on the senate concurring therein, or in the recommendation of any of the persons therein mentioned, such persons so recommended shall be commissioned by the governor; but if the senate shall not concur in the recommendation of any of the persons proposed as aforesaid, then shall a joint ballot of both houses be taken in manner aforesaid, for persons to be recommended for such offices, and the persons in whose favor such ballot shall pass shall be commissioned as aforesaid." Carried in the negative.

AFFIRMATIVE.

Mr. Barnes,	Mr. Carroll,	Mr. Earle,
Plater,	J. Smith,	Kent,
B. Hall,	J. T. Chase,	Dickinson,
Marbury,	Gilpin,	Johnson,
S. Chase,	D. Smith,	Geo. Scott,
Paca,	Brevard,	Chaille.

NEGATIVE.

Mr. Fenwick,	Mr. Bayly,	Mr. Archer,
Dent,	Williams,	Ewing,
Parnham,	Fischer,	T. Smyth,
B. Mackall,	Edelen,	Bruff,
Grahame,	Schrifer,	S. Wright,
Fitzhugh,	Beall,	Edmondson,
J. Mackall,	Stull,	Gibson,
Bowie,	Ridgely,	Mason,
Sprigg,	Deye,	Gust. Scott,
Hammond,	Stevenson,	Horsey,
J. Hall,	Bond,	Bishop,
Worthington,	Love,	Mitchell.
J. Wilson,		

Convention adjourns till to-morrow morning, 9 o'clock.

FRIDAY, November 8, 1776.

Convention met. All members present as on yesterday, except Mr. T. Wright. The proceedings of yesterday were read. Mr. Hooe and Mr. Shepherd appeared in the house.

Resolved, That the privates to be enlisted agreeable to the resolve of this convention, be by their voluntarily subscribing an engagement in the following words, that is to say, "We whose names are hereto subscribed, do voluntarily enlist ourselves soldiers to serve as such during the present war between Great Britain and America, unless sooner discharged by order of the congress; hereby subjecting ourselves to such rules and regulations as are or shall be made by the congress, for regulating and governing the forces in the pay of the United States"—And that the recruiting serjeants who are or shall be appointed in each county by the council of safety, after they have enlisted ten men, shall report the same to such proper and fit person or persons appointed by the council of safety in the counties where the said recruiting serjeants may reside, who shall muster and pass the said men, and the said recruiting serjeants shall immediately return two copies of his muster roll,

certified by the said person or persons, to the council of safety or executive power.

That the commissioned officers receive the pay and rations established by the congress from the date of their commissions, and that the non-commissioned officers receive their pay and rations from their appointment, and until their appointment, to receive their pay and rations as privates from the time of their enlistment.

That the recruiting serjeants shall be allowed twenty shillings common money for every man that shall be certified in the muster roll as effective ; and shall also be allowed fifteen pence per day common money, in lieu of rations, for each effective man that he shall enlist, and shall pass as aforesaid.

Mr. Earle brings in and delivers to Mr. President a report from the committee appointed to prepare instructions for recruiting serjeants, which was read, considered, and agreed to as follows :

Instructions for enlisting men for the service of the United States of America, agreeable to the resolve of the convention of the state of Maryland.

1. You are not to enlist any man who is not able bodied, healthy and active. Hearty robust young men, who are connected by birth or family to the American states, are to be preferred.

2. You will have great regard to moral character, sobriety in particular.

3. You are not to enlist any imported servant or apprentice without the leave of the master or mistress.

4. You will use all diligence in enlisting men, and when you have enlisted ten men, you are to report to some one or more of the persons appointed in your county to inspect the men you do enlist, who will reject such as do not answer to your instructions.

5. You shall be allowed twenty shillings common money for every man you enlist, who shall be passed on inspection as effective, in lieu of pay and expenses, besides fifteen pence common money per day, in lieu of rations, for every man who shall be so passed, until they are received from you by order of this state.

On motion of Mr. Earle, the following resolution was made :

Whereas, the time limited by this convention for the receipts and inspection of tobacco is nearly expired : *Resolved*, That the resolution of this convention of the 6th of September last, relative to the inspection of tobacco, shall continue in force, and the inspectors shall continue to exercise all the powers thereby given, until the general assembly of this state shall otherwise provide.

Mr. Gustavus Scott and Mr. George Scott have leave of absence on account of particular private business. Mr. Gibson, Mr. Earle, and Mr. D. Smith, have leave of absence on account of sickness.

Resolved, That nine persons, five of whom to be on the western and four on the eastern shore, be elected by ballot a council of safety, and be and continue such until the general assembly shall make further order therein, and until that time, they or any four or more of them, having taken the oath prescribed by the December convention, shall have and exercise the like and same powers as the present council of safety had or might exercise under the resolutions of the several conventions heretofore held for this colony; and that the said council may convene the general assembly before the tenth day of February next, if in their judgment it shall be necessary.

On reading the resolution for the appointment of a council of safety, it was proposed by Mr. Fitzhugh, that the words "by ballot" be struck out, and "viva voce" inserted, on which the question was put, and carried in the negative.

AFFIRMATIVE.

Mr. Fenwick,	Mr. Worthington,	Mr. Stull,
B. Mackall,	J. Wilson,	Ridgely,
Fitzhugh,	Bayly,	Deye,
J. Mackall,	Williams,	Stevenson,
Bowie,	Sheredine,	Shepherd,
Marbury,	Edelen,	D. Smith,
Hammond,	Beall,	Gibson.

NEGATIVE.

Mr. Barnes,	Mr. J. Smith,	Mr. S. Wright,
Plater,	J. T. Chase,	Edmondson,
Hooe,	Love,	Mason,
Dent,	Archer,	Dickinson,
B. Hall,	Gilphin,	Johnson,
Sprigg,	Ewing,	Gust. Scott,
J. Hall,	Brevard,	Geo. Scott,
S. Chase,	T. Smyth,	Horsey,
Carroll,	Kent,	Bishop,
Fischer,	Bruff,	Mitchell.

On motion, *Resolved*, That the electors of the senate shall be entitled to the same itinerant charges and per diem allowance as members of convention.

On motion of Mr. S. Chase, the question was put, That the following be inserted as an article in the form of government; "That no person who refused (unless from religious principles) and did not subscribe the association on or before the fourth day of July

last, shall at any time hereafter be qualified to hold any office of profit or trust in this state, unless by act of the general assembly?²⁴
Carried in the negative.

AFFIRMATIVE.

Mr. Barnes,	Mr. Marbury,	Mr. Beall,
Hooe,	J. Hall,	Stull,
Dent,	Worthington,	J. T. Chase,
Parnham,	S. Chase,	Gilpin,
Bowie,	Bayly,	D. Smith,
B. Hall,	Sheredine,	Kent.
Sprigg,	Edelen,	

NEGATIVE.

Mr. Fenwick,	Mr. Deye,	Mr. Gibson,
Plater,	Stevenson,	Mason,
Fitzhugh,	Shepherd,	Dickinson,
J. Mackall,	Bond,	Johnson,
J. Wilson,	Love,	Gust. Scott,
Williams,	Archer,	Geo. Scott,
Fischer,	Brevard,	Horsey,
Schriver,	T. Smyth,	Bishop,
Ridgely,	S. Wright,	Mitchell.

The convention having gone through the form of government paragraph by paragraph, and made several additions and amendments, the same was agreed to as follows:

THE CONSTITUTION AND FORM OF GOVERNMENT, AGREED TO BY THE DELEGATES OF MARYLAND IN FREE AND FULL CONVENTION ASSEMBLED.

1. That the legislature consist of two distinct branches, a senate, and a house of delegates, which shall be styled the General Assembly of Maryland.

2. That the house of delegates shall be chosen in the following manner: All freemen, above twenty-one years of age, having a freehold of fifty acres of land in the county in which they offer to vote, and residing therein, and all freemen, having property in this state above the value of thirty pounds current money, and having resided in the county in which they offer to vote one whole year next preceding the election, shall have a right of suffrage in the election of delegates for such county; and all freemen so qualified shall, on the first Monday of October, seventeen hundred and seventy-seven, and on the same day in every year thereafter, assemble in the counties in which they are respectively qualified to vote, at the

court house in the said counties, or at such other place as the legislature shall direct; and when assembled, they shall proceed to elect, *viva voce*, four delegates for their respective counties, of the most wise, sensible, and discreet of the people, residents in the county where they are to be chosen one whole year next preceding the election, above twenty-one years of age, and having in the state real or personal property above the value of five hundred pounds current money; and upon the final casting of the polls, the four persons who shall appear to have the greatest number of legal votes, shall be declared and returned duly elected for their respective county.

3. That the sheriff of each county, or in case of sickness, his deputy, (summoning two justices of the county, who are required to attend for the preservation of the peace) shall be judge of the election, and may adjourn from day to day, if necessary, till the same be finished, so that the whole election shall be concluded in four days; and shall make his return thereof, under his hand, to the chancellor of this state for the time being.

4. That all persons, qualified by the charter of the city of Annapolis to vote for burgesses, shall, on the same first Monday of October, seventeen hundred and seventy-seven, and on the same day in every year for ever thereafter, elect *viva voce*, by a majority of votes, two delegates, qualified agreeable to the said charter; that the mayor, recorder, and aldermen, of the said city, or any three of them, be judges of the election, appoint the place in the said city for holding the same, and may adjourn from day to day as aforesaid, and shall make return thereof as aforesaid: but the inhabitants of the said city shall not be entitled to vote for delegates for Anne Arundel county, unless they have a freehold of fifty acres of land in the county, distinct from they city.

5. That all persons, inhabitants of Baltimore town, and having the same qualifications as electors in the county shall, on the same first Monday of October, seventeen hundred and seventy-seven, and on the same day in every year for ever thereafter, at such place in the said town as the judges shall appoint, elect *viva voce*, by a majority of votes, two delegates, qualified as aforesaid: but if the said inhabitants of the town shall so decrease, as that the number of persons having right of suffrage therein shall have been for the space of seven years successively less than one-half of the number of voters in some one county in this state, such town thenceforward shall cease to send two delegates or representatives to the house of delegates, until the said town shall have one-half of the number of voters in some one county in this state.

6. That the commissioners of the said town, or any three or more of them, for the time being, shall be judges of the said election, and may adjourn as aforesaid, and shall make return thereof as aforesaid; but the inhabitants of the said town shall not be entitled to vote for or be elected delegates for Baltimore county, neither shall the inhabitants of Baltimore county, out of the limits of Baltimore town, be entitled to vote for or be elected delegates for the said town.

7. That on refusal, death, disqualification, resignation, or removal out of this state, of any delegate, or on his becoming governor, or member of the council, a warrant of election shall issue by the speaker, for the election of another in his place, of which ten days notice at least, excluding the day of notice and the day of election, shall be given.

8. That not less than a majority of the delegates, with their speaker, (to be chosen by them by ballot) constitute a house for the transacting any business, other than that of adjourning.

9. That the house of delegates shall judge of the elections and qualifications of delegates.

10. That the house of delegates may originate all money bills, propose bills to the senate or receive those offered by that body, and assent, dissent or propose amendments; that they may enquire, on the oath of witnesses, into all complaints, grievances, and offences, as the grand inquest of this state, and may commit any person for any crime to the public jail, there to remain till he be discharged by due course of law; they may expel any member for a great misdemeanor, but not a second time for the same cause; they may examine and pass all accounts of the state, relating either to the collection or expenditure of the revenue, or appoint auditors to state and adjust the same; they may call for all public or official papers and records, and send for persons, whom they may judge necessary, in the course of their enquiries, concerning affairs relating to the public interest, and may direct all office bonds (which shall be made payable to the state) to be sued for any breach of duty.

11. That the senate may be at full and perfect liberty to exercise their judgment in passing laws, and that they may not be compelled by the house of delegates, either to reject a money bill which the emergency of affairs may require, or to assent to some other act of legislation, in their conscience and judgment injurious to the public welfare; the house of delegates shall not on any occasion, or under any pretence, annex to, or blend with a money bill, any matter, clause, or thing, not immediately relating to, and necessary for the imposing, assessing, levying or applying the taxes or supplies,

to be raised for the support of government, or the current expenses of the state: and to prevent altercation about such bills, it is declared, that no bill imposing duties or customs for the mere regulation of commerce, or inflicting fines for the reformation of morals, or to enforce the execution of the laws, by which an incidental revenue may arise, shall be accounted a money bill; but every bill assessing, levying or applying taxes or supplies for the support of government, or the current expenses of the state, or appropriating money in the treasury, shall be deemed a money bill.

12. That the house of delegates may punish, by imprisonment, any person who shall be guilty of a contempt in their view, by any disorderly or riotous behaviour, or by threats to, or abuse of, their members, or by any obstruction to their proceedings; they may also punish, by imprisonment, any person who shall be guilty of a breach of privilege, by arresting on civil process, or by assaulting any of their members, during their sitting, or on their way to or return from the house of delegates, or by any assault of, or obstruction to their officers, in the execution of any order or process, or by assaulting or obstructing any witness, or any other person, attending on, or on their way to or from the house, or by rescuing any person committed by the house; and the senate may exercise the same power in similar cases.

13. "That the treasurers (one for the western and another for the eastern shore) and the commissioners of the loan office may be appointed by the house of delegates during their pleasure, and in case of refusal, death, resignations, disqualification, or removal out of the state of any of the said commissioners or treasurers, in the recess of the general assembly, the governor, with the advice of the council, may appoint and commission a fit and proper person to such vacant office, to hold the same until the meeting of the next general assembly.

14. "That the senate be chosen in the following manner: All persons, qualified as aforesaid to vote for county delegates, shall on the first Monday of September, 1781, and on the same day in every fifth year forever thereafter, elect *viva voce*, by a majority of votes, two persons for their respective counties, qualified as aforesaid to be elected county delegates to be electors of the senate; and the sheriff of each county, or in case of sickness his deputy, (summoning two justices of the county who are required to attend for the preservation of the peace) shall hold and be judge of the said election, and make return thereof as aforesaid: And all persons qualified as aforesaid to vote for delegates for the city of Annapolis and Baltimore town, shall on the same first Monday of September,

1781, and on the same day in every fifth year forever thereafter, elect *viva voce*, by a majority of votes, one person for the said city and town respectively, qualified as aforesaid to be elected a delegate for the said city and town respectively; the said election to be held in the same manner as the election of delegates for the said city and town, the right to elect the said elector with respect to Baltimore town to continue as long as the right to elect delegates for the said town.

15. " That the said electors of the senate meet at the city of Annapolis, or such other place as shall be appointed for convening the legislature, on the third Monday in September, 1781, and on the same day in every fifth year forever thereafter, and they, or any twenty-four of them so met, shall proceed to elect, by ballot, either out of their own body, or the people at large, fifteen senators, (nine of whom to be residents on the western, and six to be residents on the eastern shore) men of the most wisdom, experience and virtue above twenty-five years of age, residents of the state above three whole years next preceding the election, and having therein real and personal property above the value of one thousand pounds current money.

16. " That the senators shall balloted for at one and the same time, and out of the gentlemen, resident of the western shore, who shall be proposed as senators, the nine who shall on striking the ballots appear to have the greatest numbers in their favour, shall be accordingly declared and returned duly elected; and out of the gentlemen, resident of the eastern shore, who shall be proposed as senators, the six who shall, on striking the ballots, appear to have the greatest numbers in their favour, shall be accordingly declared and returned duly elected; and if two or more, on the same shore, shall have an equal number of ballots in their favour, by which the choice shall not be determined on the first ballot, then the electors shall again ballot before they separate, in which they shall be confined to the persons, who on the first ballot shall have had an equal number; and they who shall have the greatest number in their favor on the second ballot shall be accordingly declared and returned duly elected, and if the whole number should not thus be made up because of an equal number on the second ballot still being in favour of two or more persons, then the election shall be determined by lot, between those who have equal numbers; which proceedings of the electors shall be certified under their hands and returned to the chancellor for the time being.

17. " That the electors of senators shall judge of the qualifications and elections of members of their body, and on a contested

election, shall admit to a seat, as an elector, such qualified person as shall appear to them to have the greatest number of legal votes in his favour.

18. "That the electors immediately on their meeting, and before they proceed to the election of senators, take such oath of support and fidelity to this state, as this convention or the legislature shall direct, and also an oath "to elect without favour, affection, partiality, or prejudice, such persons for senators as they in their judgment and conscience, believe best qualified for the office."

19. "That in case of refusal, death resignation, disqualification or removal out of the state, of any senator, or on his becoming governor, or a member of the council, the senate shall immediately thereupon or at their next meeting thereafter, elect by ballot, in the same manner as the electors are above directed to choose senators, another person in his place, for the residue of the said term of five years.

20. "That not less than a majority of the senate, with their president, (to be chosen by them by ballot) shall constitute a house for the transacting any business, other than that of adjourning.

21. "That the senate shall judge of the elections and qualification of senators.

22. "That the senate may originate any other, except money bills to which their assent or dissent only shall be given, and may receive any other bills from the house of delegates, and assent, dissent or propose amendments.

23. "That the general assembly meet annually on the first Monday of November; and if necessary, oftener.

24. "That each house shall appoint its own officers, and settle its own rules of proceeding.

25. "That a person of wisdom, experience, and virtue, shall be chosen governor on the second Monday of November, seventeen hundred and seventy-seven, and on the second Monday in every year for ever thereafter, by the joint ballot of both houses, to be taken in each house respectively, deposited in a conference room, the boxes to be examined by a joint committee of both houses, and the numbers severally reported, that the appointment may be entered; which mode of taking the joint ballot of both houses shall be adopted in all cases. But if two or more shall have an equal number of ballots in their favour, by which the choice shall not be determined on the first ballot, then a second ballot shall be taken, which shall be confined to the persons, who on the first ballot shall have had an equal number; and if the ballots should again be equal between two or more persons, then the election of

the governor shall be determined by lot, between those who have equal numbers; and if the person chosen governor shall die, resign, remove out of the state, or refuse to act (sitting the general assembly) the senate and house of delegates shall immediately thereupon proceed to a new choice in manner aforesaid.

26. "That the senators and delegates, on the second Tuesday of November, seventeen hundred and seventy-seven, and annually on the second Tuesday of November, forever thereafter, elect by joint ballot in the same manner as senators are directed to be chosen, five of the most sensible, discreet and experienced men, above twenty-five years of age, residents in the state above three years next preceding the election, and having therein a freehold in lands and tenements, above the value of one thousand pounds current money, to be the council to the governor, whose proceedings shall be always entered on record, to any part whereof any member may enter his dissent, and their advice, if so required by the governor, or any member of the council, shall be given in writing, and signed by the members giving the same respectively; which proceedings of the council shall be laid before the senate, or house of delegates, when called for by them, or either of them. The council may appoint their own clerk, who shall take such oath of support and fidelity to this state as this convention or the legislature shall direct, and of secrecy, in such matters as he shall be directed by the board to keep secret.

27. That the delegates to congress from this state shall be chosen annually or superceded in the mean time by the joint ballot of both houses of assembly, and that there be a rotation in such manner that at least two of the number be annually changed, and no person shall be capable of being a delegate to congress for more than three in any term of six years; and no person who holds any office of profit in the gift of congress shall be eligible to sit in congress, but if appointed to any such office his seat shall be thereby vacated: That no person unless above twenty-five years of age, and a resident in this state more than five years next preceding the election, and having real and personal estate in this state above the value of one thousand pounds current money, shall be eligible to sit in congress.

28. "That the senators and delegates, immediately on their annual meeting, and before they proceed to any business, and every person hereafter elected a senator, or delegate, before he acts as such, shall take an oath of support and fidelity to this state as aforesaid, and before the election of the governor, or members of the council shall take an oath "to elect without favour, affection,

partiality or prejudice, such person, as governor, or member of the council, as they, in their judgment and conscience, believe best qualified for the office."

29. "That the senate and delegates may adjourn themselves respectively; but if the two houses should not agree on the same time, but adjourn to different days, then shall the governor appoint and notify one of those days or some day between, and the assembly shall then meet and be held accordingly, and he shall, if necessary, by advice of the council call them before the time to which they shall in any manner be adjourned, on giving not less than ten days notice thereof, but the governor shall not adjourn the assembly otherwise than as aforesaid, nor prorogue or dissolve it at any time.

30. "That no person unless above twenty-five years of age, a resident in this state above five years next preceding the election, and having in the state real and personal property above the value of five thousand pounds current money, one thousand pounds whereof at least to be of freehold estate, shall be eligible as governor.

31. "That the governor shall not continue in that office longer than three years successively, nor be eligible as governor until the expiration of four years after he shall have been out of that office.

32. "That upon the death, resignation, or removal out of this state of the governor, the first named of the council for the time being shall act as governor, and qualify in the same manner, and shall immediately call a meeting of the general assembly, giving not less than fourteen days notice of the meeting, at which meeting a governor shall be appointed in manner aforesaid, for the residue of the year.

33. "That the governor, by and with the advice and consent of the council, may embody the militia, and when embodied, shall alone have the direction thereof, and shall also have the direction of all the regular land and sea forces under the laws of this state, but he shall not command in person unless advised thereto by the council, and then only so long as they shall approve thereof, and may alone exercise all other the executive powers of government, where the concurrence of the council is not required, according to the laws of this state, and grant reprieves or pardons for any crime, except in such cases where the law shall otherwise direct; and may, during the recess of the general assembly, lay embargoes to prevent the departure of any shipping, or the exportation of any commodities, for any time not exceeding thirty days in any one year, summoning the general assembly to meet within the time of the continu-

ance of such embargo, and may also order and compel any vessel to ride quarantine, if such vessel, or the port from which she shall have come, shall, on strong grounds be suspected to be infected with the plague; but the governor shall not, under any pretence, exercise any power or prerogative, by virtue of any law, statute, or custom of England or Great Britain.

34. "That the members of the council, or any three or more of them, when convened, shall constitute a board for the transacting of business; that the governor for the time being shall preside in the council, and be entitled to a vote on all questions in which they shall be divided in opinion; and in the absence of the governor the first named of the council shall preside, and as such shall also vote in all cases where the other members disagree in their opinion.

35. "That in case of refusal, death, resignation, disqualification or removal out of the state, by any person chosen a member of the council, the members thereof, immediately thereupon, or at their next meeting thereafter, shall elect by ballot, another person, qualified as aforesaid, in his place, for the residue of the year.

36. "That the council shall have power to make the great seal of this state, which shall be kept by the chancellor for the time being, and affixed to all laws, commissions, grants, and other public testimonials, as has been heretofore practised in this state.

37. "That no senator, delegate of the assembly, or member of the council, if he shall qualify as such, shall hold or execute any office of profit, or receive the profits of any office exercised by any other person, during the time for which he shall be elected; nor shall any governor be capable of holding any other office of profit in this state while he acts as such; and no person holding a place of profit, or receiving any part of the profits thereof, or receiving the profits or any part of the profits arising on any agency for the supply of clothing or provisions for the army or navy, or holding any office under the United States, or any of them, or a minister or preacher of the gospel, of any denomination, or any person employed in the regular land service, or marine, of this or the United States, shall have a seat in the general assembly or the council of this state.

38. "That every governor, senator, delegate to congress or assembly, and member of the council, before he acts as such, shall take an oath, "That he will not receive directly or indirectly, at any time, any part of the profits of any office, held by any other person during his acting in his office of governor, senator, delegate to congress or assembly, or member of the council, or the profits, or any part of the profits arising on any agency, for the supply of clothing or provisions for the army or navy."

39. "That if any senator, delegate to congress or assembly, or member of the council, shall hold or execute any office of profit, or receive directly or indirectly, at any time, the profits or any part of the profits of any office exercised by any other person, during his acting as senator, delegate to congress or assembly, or member of the council, his seat, on conviction in a court of law, by the oath of two credible witnesses, shall be void, and he shall suffer the punishment for wilful and corrupt perjury, or be banished this state forever, or disqualified forever from holding any office or place of trust or profit, as the court may adjudge.

40. "That the chancellor, all judges, the attorney general, clerks of the general court, the clerks of the county courts, the register of the land-office, and the register of wills, shall hold their commissions during good behaviour, removable only for misbehaviour, on conviction in a court of law.

41. "That there be a register of wills appointed for each county, who shall be commissioned by the governor, on the joint recommendation of the senate and house of delegates, and that upon the death, resignation, disqualification, or removal out of the county, by any register of wills in the recess of the general assembly, the governor, with the advice of the council, may appoint and commission a fit and proper person to such vacant office, to hold the same until the meeting of the general assembly.

42. That sheriffs shall be elected in each county by ballot, every third year, that is to say, two persons for the office of sheriff for each county, the one of whom having the majority of votes, or if both have an equal number, either of them, at the discretion of the governor, to be commissioned by the governor for the said office; and having served for three years, such person shall be ineligible for the four years next succeeding: bond with security to be taken every year as usual, and no sheriff shall be qualified to act before the same is given. In case of death, refusal, resignation, disqualification, or removal out of the county, before the expiration of the three years, the other person chosen as aforesaid, shall be commissioned by the governor to execute the said office for the residue of the said three years; the said person giving bond with security as aforesaid, and in case of his death, refusal, resignation, disqualification, or removal out of the county, before the expiration of the said three years, the governor with the advice of the council, may nominate and commission a fit and proper person to execute the said office for such residue of the said three years; the said person giving bond and security as aforesaid; the election shall be held at the same time and place appointed for the election of delegates, and

the justices there summoned to attend for the preservation of the peace shall be judges thereof, and of the qualification of candidates, who shall appoint a clerk to take the ballots: all freemen above the age of twenty-one years, having a freehold of fifty acres of land in the county in which they offer to ballot, and residing therein, and all freemen above the age of twenty-one years, and having property in the state above the value of thirty pounds current money, and having resided in the county in which they offer to ballot one whole year next preceding the election, shall have a right of suffrage; no person to be eligible to the office of sheriff for a county but an inhabitant of the said county, above the age of twenty-one years, and having real and personal property in the state above the value of one thousand pounds current money; the justices aforesaid shall examine the ballots, and the two candidates properly qualified, having in each county the majority of legal ballots, shall be declared duly elected for the office of sheriff for such county, and returned to the governor and council, with a certificate of the number of ballots for each of them.

43. That every person who shall offer to vote for delegates, or for the electors of the senate, or for the sheriff, shall (if required by any three persons qualified to vote) before he be admitted to poll, take such oath or affirmation of support and fidelity to this state as this convention or the legislature shall direct.

44. That a justice of the peace may be eligible as a senator, delegate, or member of the council, and may continue to act as a justice of the peace.

45. That no field officer of the militia shall be eligible as a senator, delegate, or member of the council.

46. That all civil officers hereafter to be appointed for the several counties of this state shall have been residents of the county respectively for which they shall be appointed, six months next before their appointment, and shall continue residents of their county respectively during their continuance in office.

47. That the judges of the general court and justices of the county courts may appoint the clerks of their respective courts, and in case of refusal, death, resignation, disqualification, or removal out of the state, or from their respective shores, of the clerks of the general court, or either of them, in the vacation of the said court; and in case of the refusal, death, resignation, disqualification, removal out of the county of any of the said county clerks in the vacation of the county court of which he is clerk, the governor, with the advice of the council, may appoint and commission a fit and proper person to such vacant office respectively, to hold the same

until the meeting of the next general court or county court, as the case may be.

48. That the governor for the time being, with the advice and consent of the council, may appoint the chancellor, and all judges and justices, the attorney general, naval officers, officers in the regular land and sea service, officers of the militia, registers of the land office, surveyors, and all other civil officers of government, (assessors, constables and overseers of the roads only excepted) and may also suspend or remove any civil officer who has not a commission during good behaviour, and may suspend any militia officer for one month, and may also suspend or remove any regular officer in the land or sea service; and the governor may remove or suspend any militia officer in pursuance of the judgment of a court martial.

49. That all civil officers, of the appointment of the governor and council, who do not hold commissions during good behaviour, shall be appointed annually in the third week of November, but if any of them shall be re-appointed, they may continue to act without any new commission or qualification; and every officer though not re-appointed shall continue to act until the person who shall be appointed and commissioned in his stead shall be qualified.

50. That the governor, every member of the council, and every judge and justice, before they act as such, shall respectively take an oath, "that he will not, through favor, affection, or partiality, vote for any person to office, and that he will vote for such person as in his judgment and conscience he believes most fit and best qualified for the office, and that he has not made, nor will make any promise or engagements to give his vote or interest in favor of any person."

51. That there be two registers of the land office, one upon the western, and one upon the eastern shore; that short extracts of the grants and certificates of the land on the western and eastern shores respectively be made in separate books, at the public expense, and deposited in the offices of the said registers, in such manner as shall hereafter be provided by the general assembly.

52. That every chancellor, judge, register of wills, commissioner of the loan office, attorney general, sheriff, treasurer, naval officer, register of the land office, register of the chancery court, and every clerk of the common law courts, surveyor, and auditor of public accounts, before he acts as such, shall take an oath "that he will not directly or indirectly receive any fee or reward for doing his office of ——— but what is or shall be allowed by law, nor will directly or indirectly receive the profits or any part of the profits of

any office held by any other person, and that he does not hold the same office in trust or for the benefit of any other person."

53. That if any governor, chancellor, judge, register of wills, attorney general, register of the land office, commissioner of the loan office, register of the chancery court, or any clerk of the common law courts, treasurer, naval officer, sheriff, surveyor, or auditor of public accounts, shall receive directly or indirectly, at any time the profits or any part of the profits of any office, held by any other person, during his acting in the office to which he is appointed, his election, appointment and commission, on conviction in a court of law, by the oath of two credible witnesses, shall be void, and he shall suffer the punishment for wilful and corrupt perjury, or be banished this state forever, or disqualified forever, from holding any office or place of trust or profit, as the court may adjudge.

54. "That if any person shall give any bribe, present, or reward, or any promise, or any security for the payment or delivery of any money, or any other thing, to obtain or procure a vote, to be governor, senator, delegate to congress, or assembly, member of the council, or judge, or to be appointed to any of the said offices, or to any office of profit or trust, now created or hereafter to be created in this state, the person giving and the person receiving the same, on conviction in a court of law, shall be forever disqualified to hold any office of trust or profit in this state.

55. "That every person appointed to any office of profit or trust shall, before he enters on the execution thereof, take the following oath, to wit, "I, A. B. do swear, That I do not hold myself bound in allegiance to the king of Great Britain, and that I will be faithful and bear true allegiance to the state of Maryland." And shall also subscribe a declaration of his belief in the christian religion.

56. "That there be a court of appeals, composed of persons of integrity and sound judgment in the law, whose judgment shall be final and conclusive in all cases of appeal, from the general court, court of chancery, and court of admiralty: That one person of integrity and sound judgment in the law, be appointed chancellor: That three persons of integrity and sound judgment in the law, be appointed judges of the court now called the provincial court; and that the same court be hereafter called and known by the name of *the general court*; which court shall sit on the western and eastern shores for transacting and determining the business of their respective shores, at such times and places as the future legislature of this state shall direct and appoint.

57. "That the style of all laws run thus, "Be it enacted by the general assembly of Maryland:" That all public commissions and

grants run thus: "The State of Maryland, &c." and shall be signed by the governor and attested by the chancellor with the seal of the state annexed: except military and militia commissions, which shall not be attested by the chancellor or have the seal of the state annexed: That all writs shall run in the same style, and be tested, sealed, and signed as usual: That all indictments shall conclude: "Against the peace, government and dignity of the state."

58. "That all penalties and forfeitures, heretofore going to the king or proprietary, shall go to the state, save only such as the general assembly may abolish or otherwise provide for.

59. "That this form of government, and the declaration of rights, and no part thereof, shall be altered, changed or abolished, unless a bill so to alter, change, or abolish the same, shall pass the general assembly and be published at least three months before a new election, and shall be confirmed by the general assembly after a new election of delegates, in the first session after such new election; provided that nothing in this form of government which relates to the eastern shore particularly shall at any time hereafter be altered, unless for the alteration and confirmation thereof at least two thirds of all the members of each branch of the general assembly shall concur.

60. That every bill passed by the general assembly when engrossed, shall be presented by the speaker of the house of delegates, in the senate, to the governor, for the time being, who shall sign the same, and thereto affix the great seal, in the presence of the members of both houses: every law shall be recorded in the general court office of the western shore, and in due time printed, published and certified under the great seal, to the several county courts, in the same manner as hath been heretofore used in this state.

61. "That to introduce the new government, an election be held for the electors of the senate on Monday the twenty-fifth of November in this present year, and that the electors of the senate meet at Annapolis on Monday the ninth of December in this present year, and there choose senators, and that an election be held on Wednesday the eighteenth of December for delegates to serve in general assembly, and for sheriffs; and that the said elections be made by such persons in the same manner and under the same qualifications as such elections are herein before directed to be made at the periodical times before mentioned; the returns of all which first elections shall be made to the council of safety for the time being, and the general assembly shall meet at Annapolis on Monday the tenth of February next, and shall in their then session, or in such future session as they shall think proper, choose a governor and council

for the residue of the year in the manner before directed : and for filling in the first instance only all the offices in the disposition of the governor, with the advice of the council ; the house of delegates may also propose to the senate a list of all officers in the appointment of the governor, with the advice of the council, and on the senate concurring therein, or in the recommendation of any of the persons therein mentioned, such persons so recommended shall be commissioned by the governor ; but if the senate shall not concur in the recommendation of any of the persons proposed as aforesaid, then shall a joint ballot of both houses be taken in manner aforesaid for persons to be recommended for such offices, and the persons in whose favor such ballot shall pass shall be commissioned as aforesaid."

That the said elections for all the counties in this state, except Washington, Montgomery, Cecil, and Queen Anne's, be held at the places of holding the county courts of those counties respectively.

That the elections for Washington county be held at Hagar's town.

That the elections for Montgomery county be held at the house now occupied by Charles Hungerford.

That the elections for Cecil county be held at the Head of Elk.

And, That the elections for Queen Anne's county be held at Chester mill, where George Hanson now dwells.

That Abraham Barnes, Hugh Hopewell, and Henry Tubman esquires, or any two or one of them, be judge of and hold the elections for St. Mary's county.

That George Dent, Samuel Hanson, and Warren Dent, esquires, or any two or one of them, be judge of and hold the elections for Charles county.

That William Allnut, Samuel Chew, and Daniel Rawlings, esqs. or any two or one of them, be judge of and hold the elections for Calvert county.

That William Beanes, Enoch Magruder, and Jeremiah Magruder esquires, or any two or one of them be judge of and hold the elections for Prince George's county.

That Joseph Galloway, Thomas Dorsey, and Thomas Watkins, esquires, or any two or one of them, be judge of and hold the elections for Anne Arundel county.

That John Murdock, Zadock Magruder, and Joseph Wilson, esquires or any two or one of them, be judge of and hold the elections for Montgomery county.

That William Lockett, John Adhun, and Joseph Wells, esquires,

or any two or one of them, be judge of and hold the elections for Frederick county.

That Joseph Smith, Noah Hart, and Ely Williams, esquires, or any two or one of them, be judge of and hold the elections for Washington county.

That Thomas Gist, sen., Edward Cockey, and Henry Stevenson, jun. esquires, or any two or one of them, be judge of and hold the elections for Baltimore county.

That Amos Garret, Willam Webb, and Thomas Johnson, esqrs., or any two or one of them, be judge of and hold the elections for Harford county.

That James Evans, Thomas May, John Stockton, esquires, or any two or one of them, be judge of and hold the elections for Cecil county.

That John Page, William Rodgers, and William Bordley, esqrs. or any two or one of them, be judge of and hold the elections for Kent county.

That Thomas Ringgold, Nathaniel Wright, and Samuel Thompson, esquires, or any two or one of them, be judge of and hold the elections for Queen Anne's county.

That John Goldsborough, William Perry, and John Bracco, esquires, or any two or one of them, be judge of and hold the elections for Talbot county.

That Henry Hooper, Q. S. Bartholomew Ennalls, and James Muir, esquires, or any two or one of them, be judge and of hold the elections for Dorchester county.

That Henry Casson, Foster Goldsborough and John White, esqs. or any two or one of them, be judge of and hold the elections for Caroline county.

That Thomas Hayward, Andrew Francis Chency, and Thomas Bruff, esqrs., or any two or one of them, be judge of and hold the elections for Somerset county.

That Joshua Mitchel, Benton Harris, and Robert Done, esquires, or any two or one of them be judge of and hold the elections for Worcester county.

That the mayor, recorder and aldermen the city of Annapolis, or any three or more of them, be judges of and hold the elections for the city of Annapolis.

That John Merriman, jr. James Calhoun, and Benjamin Griffin, esquires, or any two or one of them, be judge of and hold the elections for Baltimore town.

That a clerk or clerks be appointed by the said judges for taking the polls at the said elections.

That every judge of the election, before he proceeds to take or receive any vote, shall take the following oath, or affirmation, to wit, "I, A. B. do swear, or affirm, that I will permit all persons to vote, who shall offer to poll at the elections now to be held for _____ county, _____ city, or _____ town, who in my judgment shall, according to the directions contained in the form of government, be entitled to poll at the same election, and that I will not admit any person to poll at the same election, who before his voting shall be objected against by any three of the electors, if such person is not in my judgment qualified to vote as aforesaid, and will in all things execute the office of judge of the elections according to the best of my knowledge, without favour or partiality. So help me God."

That every clerk, before he enters any vote on the polls, shall take the following oath, to wit, "I, A. B. do declare that I will well and faithfully, without favour, affection, or partiality, execute the office of clerk of the elections for _____ county, the city of Annapolis, or Baltimore town, according to the best of my knowledge. So help me god."

Adjourned till 3 o'clock.

POST MERIDIEM.

Convention met.

On motion of Mr. Ewing, That no person in this state who hath hitherto refused or neglected to sign the association, (unless from religious principles) shall ever be eligible to any office of profit or trust therein? The previous question was called for by Mr. Gust. Scott and put, Whether the above question be now put? Carried in the negative.

AFFIRMATIVE.

Mr. Barnes,	Mr. J. Wilson,	Mr. J. Smith,
Dent,	Worthington,	J. T. Chase,
B. Mackall,	S. Chase,	Archer,
Bowie,	Paca,	Gilpin,
B. Hall,	Bayly,	Ewing,
Sprigg,	Williams,	D. Smith,
Marbury,	Edelen,	Brevard,
Hammond,	Beall,	Bruff.
J. Hall,	Stull,	

NEGATIVE.

Mr. Fenwick,	Mr. Deye,	Mr. Dickinson,
Plater,	Stevenson,	Johnson,
Grahame,	Bond,	Gust. Scott,
Fitzhugh,	Love,	Geo. Scott,

Mr. Fisher,	Mr. S. Wright,	Mr. Bishop,
J. Mackall,	T. Smyth,	Horsey,
Carroll,	Kent,	Chaille,
Sheredine,	Edmondson,	Mitchell,
Schriver,	Gibson,	Shepherd,
Ridgely,	Mason,	

Mr. President laid before the convention a letter from the honourable John Hancock, esquire, president of congress, dated the fourth instant, and the resolutions of congress therein enclosed, dated the thirtieth day of October, all which were read, and after some time spent in considering the same, the further consideration thereof was postponed till to-morrow.

Convention adjourns till to-morrow morning, 9 o'clock.

SATURDAY, November 9, 1776.

Convention met. All members present as on yesterday, except Mr. Earle. The proceedings of yesterday were read. Mr. Fenwick and Mr. Johnson have leave of absence.

On motion of Mr. D. Smith, *Resolved*, That at the election for sheriff in Cecil county on Wednesday the 18th of December next, it shall be lawful for the voters to mention in their ballots the name of the place they choose for holding the county courts in the said county for the future; and that the judges of said election shall count the number of ballots for each place that shall be voted for, and due return thereof make to the next general assembly of this state, for their further order therein.

The order of the day for taking into consideration the memorial of captain William Stone, being read, *Resolved*, That a committee be appointed to enquire into the truth of the facts therein set forth; and Mr. S. Wright, Mr. J. T. Chase, and Mr. Grahame, were appointed a committee for that purpose.

The convention took into consideration the report from the committee appointed to prepare a scheme for the emission of bills of credit, to defray the expences of defending this state, and for other purposes therein mentioned, and came to the following resolutions thereon.

Resolved, That for the defence of this state, and for other purposes resolved upon in convention, bills of credit of the denomination of dollars, and parts of a dollar, to the amount of five hundred and thirty-five thousand one hundred and eleven dollars and one ninth part of a dollar, be printed and struck with all convenient speed, under the care and direction of such persons as shall be appointed by the council of safety for that purpose, in manner and form following, to wit:

“This bill of ————— shall entitle the bearer hereof to receive gold or silver, at the rate of four shillings and six-pence sterling per dollar for the said bill, according to a resolve of the convention of Maryland, held at the city of Annapolis, the 14th day of August, 1776.”

That the said bills of credit be struck on the plates and printed with the devices and marks prepared for the last emission, and that the number and denomination of the said bills shall be the following and no other, to wit: sixteen thousand bills of eight dollars each, sixteen thousand bills of six dollars each, sixteen thousand bills of four dollars each, sixteen thousand bills of two dollars and two third parts of a dollar each, thirty-two thousand bills of two dollars each, thirty-two thousand bills of one dollar and one third part of a dollar each, thirty-two thousand bills of one dollar each, thirty-two thousand bills of two third parts of a dollar each, forty thousand bills of half a dollar each, forty thousand bills of one third part of a dollar each, forty thousand bills of one sixth part of a dollar each, and forty thousand bills of one ninth part of a dollar each.

That the council of safety purchase and provide a sufficient quantity of proper paper, on which to print and strike the said bills of credit, and that the said council of safety do forthwith cause the said bills of credit to be printed and struck, under the direction of two discreet and sober freemen of this state, to be by them appointed to that service, who shall be called supervisors.

That the said supervisors shall use the best of their care and diligence that the said bills, according to their respective denominations aforesaid, and according to the manner and form aforesaid, be forthwith printed and struck, and that the number of any of the denominations thereof be not exceeded, nor any clandestine or fraudulent practice be used by the printer, his apprentices, servants and others concerned in the printing or striking thereof.

That the printer, and all his apprentices and servants whom he shall employ in the said work, before he or they enter upon the same, take before some justice of the peace, in the presence of one or both of the supervisors, the following oath, to wit:

“I, A. B, do swear, that I will truly, faithfully and honestly perform the duty of printer of the bills of credit directed to be printed by a resolve of the convention of Maryland, held at the city of Annapolis the 14th day of August, seventeen hundred and seventy six, and that I will not advisedly print or stamp a greater number of blank bills of credit than in that resolve mentioned, nor of any other denomination than therein expressed, except such sheets as

may be so blotted, unfair, or imperfect, in the printing or striking thereof, that the same shall be unfit for use. So help me God."

That the said printer shall not by himself, his servants, or any other person by him employed, print, strike, stitch, or bind, the said bills, or any of them but in the presence of one or both of the said supervisors. And in every intermission of the work, the said supervisors shall safely and securely lock up the press and stamps with which the work shall be performed, and the impressions which shall then be made, in the room in which the printing and binding shall be done, and the keys of such room shall keep in their possession. And when all the said bills shall be printed and struck, the plates shall be immediately delivered by the printer to the said supervisors, and by them to the convention, or in its recess to the council of safety.

That Messieurs Nathan Hammond, Richard Tootell, John Brice, Thomas Brooke Hodgkin, John Duckett, Thomas Gassaway, Frederick Green, William Wilkins, Nicholas Harwood, Saint George Peale, Richard Tilghman, (of Talbot county) William Perry, Samuel Sharp, Joseph Bruff, Samuel Edmondson, Alexander Irvine, Charles Edward Irvine, and Thomas Dawson, or any two of them be signers of the said bills.

That the said supervisors, as soon as the said bills shall be printed, struck, stitched and bound, shall deliver three fourth parts thereof in value to the treasurer of the western shore, and the other fourth part thereof to the treasurer of the eastern shore; and the said treasurers shall deliver out to the signers residing on their respective shores such and so many of the said bills to be immediately numbered and signed by them, as may be sufficient to answer any probable immediate demand on them for the same, not exceeding twelve thousand dollars; and each of the said bills shall be numbered and signed by some two of the said signers, and returned again after being numbered and signed, to the respective treasurers; and so from time to time shall the said bills be delivered out, numbered, signed and returned to the said treasurers respectively, either of the said treasurers not keeping by him at any one time, ready numbered and signed, more than twelve thousand dollars.

That the receipts of every delivery of the said bills, before and after the numbering and signing the same, be given by the signers and treasurers respectively, each to the other.

That the treasurer of the western shore, out of the said bills of credit in his hands, pay to each of the supervisors two dollars and two third parts of a dollar for each days attendance and supervising the said work, and to the printer so much as shall be agreed

by the council of safety for his services, and for the ink and other materials, except paper, necessary for the said work; and the said treasurers shall also respectively pay to each signer of every thousand of the said bills one dollar and one third part of a dollar for his service.

That the treasurer of the western shore shall have a yearly salary of one thousand dollars, and the treasurer of the eastern shore shall have a yearly salary of four hundred dollars, for their trouble and expences.

That torn and defaced bills shall be exchanged at reasonable and convenient times.

That the said bills of credit shall be redeemed and sunk on or before the first day of January one thousand seven hundred and eighty-six, by taxes or other legislative provision, and this convention bind their constituents, and pledge the faith of the state, for the redemption of the said bills on or before the said first day of January, one thousand seven hundred and eighty-six.

That one hundred and twenty thousand dollars of the said bills of credit, so to be printed and struck, shall be applied to exchange the bills of credit printed and struck by virtue of the resolve of the convention on the twenty-sixth day of July, in the year one thousand seven hundred and seventy-five, and the said treasurers shall, upon the application of any person or persons holding any number and value of the said bills of credit, deliver to such person or persons the like value in the new bills of credit in lieu thereof.

That from and after the receipt of the bills of credit emitted by this convention by the said treasurers respectively, all payments which they shall make by virtue of any resolve of convention, shall be made in the bills of credit emitted by this and the last convention, and not in the bills of credit of the emission of July, one thousand seven hundred and seventy-five.

That the said bills of credit, which shall be so as aforesaid printed and struck, over and above the said bills hereby directed to be applied to exchange the said former bills of credit, be applied to the several purposes resolved on in this and the last convention of this state, and that the treasurers pay the same to the orders of the convention, council of safety, or such persons as this convention shall direct and appoint.

That the said treasurers, before they receive the said blank bills to be printed and struck by virtue of the resolves of this convention, shall give bonds respectively, the treasurer of the western shore in the penalty of twelve thousand pounds sterling, payable to

the honourable Daniel of Saint Thomas Jenifer, Charles Carroll, (barrister) Esqrs.; and the treasurer of the eastern shore in the penalty of four thousand pounds sterling, payable to the honourable Matthew Tilghman, Edward Lloyd, and James Lloyd Chamberlaine, Esqrs., with the like conditions as directed by the resolve of convention in July session, seventeen hundred and seventy-five; both of which bonds shall be with sufficient sureties, to be approved of by the obligees therein named, or any two of them respectively.

On motion of Mr. Bowie the question was put, That a sum of money be provided at the public expence, for drummers and fifers, with drums, fifes, and colours? Carried in the negative.

AFFIRMATIVE.

Mr. Bowie,	Mr. Hammond,	Mr. Stull,
Sprigg,	Paca,	Gust. Scott.
Marbury,	Bayly,	

NEGATIVE.

Mr. Barnes,	Mr. Williams,	Mr. Gilpin,
Plater,	Fischer,	Ewing,
Hooe,	Sheredine,	D. Smith,
Dent,	Edelen,	Brevard,
Parnham,	Schrivier,	T. Smyth,
B. Mackall,	Beall,	Kent,
Grahame,	Ridgely,	Bruff,
Fitzhugh,	Deye,	Edmondson,
J. Mackall,	Stevenson,	Mason,
B. Hall,	Shepherd,	Johnson,
Worthington,	J. Smith,	Geo. Scott,
J. Hall,	Bond,	Horsey,
S. Chase,	Mitchell,	Chaille,
Carroll,	Love,	Bishop.
J. Wilson,	Archer,	

On motion, *Resolved*, That the brigadiers-general of this state, when called into actual service, be allowed at the rate of eighty dollars per calendar month.

The convention resumed the consideration of the letter from the honourable the president of the congress, and the resolutions of congress laid before them yesterday, and thereupon came to the following resolutions.

Resolved, That if the honourable congress will specify any land belonging to the United States as a common stock to be divided amongst the soldiery in their service, the commissioners appointed by this convention to repair to the camps in New York and the

Jerseys, immediately on its being made known to them proceed to the camps, and endeavor to enlist such of the troops and militia of this state now there, as are willing to enter into the continental service on the terms proposed by congress: or if the congress will not make such specification of the lands to be given as aforesaid, and will permit the enlistment of the quota of troops of this state on the terms proposed by this convention, that then the commissioner proceed to the camps and endeavour to procure the enlistment of the troops according to the former resolutions of this convention, paying to each non-commissioned officer and private who shall enlist, the twenty dollars bounty allowed by congress, and the additional bounty of ten dollars proposed by the said resolutions of convention to be allowed by this state. But if the honourable congress will not specify the lands as aforesaid, and should signify a desire that the said additional bounty of ten dollars should not be given, that then the commissioners, with the permission of congress, proceed as aforesaid and endeavour to effect the said enlistment on the bounty of twenty dollars allowed by congress; but they are not to engage the faith of this state to give or make good any bounty of lands, or give any assurance whatsoever that they will have such bounty.

Resolved, That Mr. President write to the congress, and inform them, that this convention feel themselves very unhappy that there should have been any, the least, difference of opinion between them; and as desired have reconsidered their former resolutions for raising the quota of troops of this state, and on a very deliberate and attentive consideration of the subject have come to the resolutions of this day, which the president is requested to enclose.

That this convention never apprehended that the congress intended this state should be obliged in its individual capacity to make good the bounty of lands to the soldiery, but were of opinion and remain firmly persuaded that if the bounty in land should, by authority of this state, be proposed as a motive to induce the individuals of its quota to enlist, this state will be bound in good faith to see that bounty effectually granted; and therefore as this state has no lands belonging solely and exclusively to itself, with which to make good the bounty, it is not only prudent, but necessary, before they do an act which will engage the faith of the state, to know what land is to be applied, and on what terms, to the designed purpose.

That this convention are under the strongest impressions that the back lands claimed by the British crown, if secured by the blood and treasure of all, ought in reason, justice, and policy, to be con-

sidered as a common stock, to be parcelled out by congress into free, convenient, and independent governments, as the wisdom of that body shall hereafter direct; but if these (the only lands as this convention apprehend that can) should be provided by congress at the expense of the United States to make good the proffered bounties, every idea of their being a common stock must be thereby given up: some of the states may, by fixing their own price on the land, pay off what of their quota of the public debt they please, and have their extensive territory settled by the soldiery of the other states, whilst this state and a few others must be so weakened and impoverished, that they can hold their liberties only at the will of their powerful neighbours.

That this state is so far from having an intention to increase unnecessarily the expense of the United States, that it hath uniformly given every evidence to the contrary; but this convention impressed with the indispensable necessity of establishing and keeping up a good army, at the same time that they could not be active in giving up a common right of the United States, or in rendering the freedom of their own precarious, determined to exert the only safe means in their power to raise the quota of this state, nor can this convention yet see any possibility of injury to the common interest, from this state adopting the most effectual means to raise its own quota of troops of its own inhabitants partly, or even wholly, at its separate expense,

That this convention have a strong disinclination to go into any discussion of the powers with which the congress is invested, being fully sensible that the general interest will not be promoted by either the congress affirming, or this convention denying the existence of a fulness of power in that honourable body; the best and only proper exercise of which can be in adopting the wisest measures for equally securing the rights and liberties of each of the United States, which was the principle of their union.

That this convention, very sincerely disposed to contribute every thing in their power towards the common cause, will, if the congress choose neither to specify the lands to be given in bounties, nor to permit this state to give the proposed additional bounty of ten dollars, endeavour to enlist its quota of troops on the twenty dollars bounty allowed by congress, but if the event should prove a disappointment, it cannot be imputed to this state.

That this convention request the honourable congress soon to signify their pleasure in this matter to the commissioners from this state now attending in Philadelphia, that the little time left may not be lost.

On motion of Mr. Johnson, *Resolved*, That those of captain Richard Smith's company who will not re-enlist in the artillery service of this state be discharged.

Mr. S. Wright brings in and delivers to Mr. President a report from the committee appointed to enquire into the truth of the facts set forth in the memorial of captain William Stone, which was read, and after some time spent in considering the same, the further consideration thereof was postponed, at the request of captain Stone, till the first meeting of the general assembly.

The order of the day for taking into consideration the letter from the president of congress of the second of October last being read, the same was referred till to-morrow.

Convention adjourns till to-morrow morning, 9 o'clock.

SUNDAY, November 10, 1776:

Convention met. All members present as on yesterday, except Mr. Gibson. The proceedings of yesterday were read.

On motion of Mr. S. Wright, the question was put, That a committee be appointed to revise the declaration of rights and the form of government, and that the same be read in the house and signed by the president before the rising of this convention, and that the said committee correct language and report to the house any inconsistencies they may discover therein? Carried in the negative:

The order of the day for taking into consideration the letter from the president of Congress of the 2d of October last, being read, the convention took the same into consideration, and thereupon *Resolved*, That the honorable Matthew Tilghman, Esq. and Thomas Johnson, junr., William Paca, Thomas Stone, Samuel Chase, Benjamin Rumsey, and Charles Carroll; barrister, Esquires, or any three or more of them, be delegates to represent this state in congress until the first day of March next, or until the general assembly shall make further order therein; and that the said delegates; or any three or more of them, be authorised and empowered to concur with the other United States, or a majority of them, in forming a confederation, and in making foreign alliances, provided that such confederation, when formed, be not binding upon this state without the assent of the general assembly; and the said delegates; or any three or more of them; are also authorised and empowered to concur in any measures which may be resolved on by congress for carrying on the war with Great Britain, and securing the liberties of the United States, reserving always to this state the sole and exclusive right of regulating the internal police thereof.

And the said delegates, or any three or more of them, are here-

by authorised and empowered, notwithstanding any measures heretofore taken, to concur with the congress, or a majority of them, in accommodating our unhappy differences with Great Britain, on such terms as the congress, or a majority of them, shall think proper.

Adjourned till 3 o'clock.

POST MERIDIEM.

Convention met. Mr. H. Wilson and Mr. Ringgold appeared in the house.

On motion, *Resolved*, That no civil officer or delegate to congress be appointed, unless there shall be a majority of the members present in his favor.

The convention proceeded to ballot for a council of safety, and John Hall, George Plater, Daniel of Saint Thomas Jenifer, Brice Thomas Beale Worthington, Charles Grahame, Joseph Nicholson, Nicholas Thomas, William Rumsey, and James Tilghman, Esqrs., were elected.

Convention adjourns till to-morrow morning, 9 o'clock.

MONDAY, November 11, 1776.

Convention met. All members present as on yesterday, except Mr. Fenwick, Mr. B. Mackall, Mr. Gust. Scott, and Mr. Geo. Scott. The proceedings of yesterday were read.

On motion of Mr. Parnham, *Resolved*, That a committee of observation for each county in this state be elected by ballot on Monday the 24th instant; that the number for each county be the same as heretofore directed; that the judges appointed for the election of electors of the senate be judges of the said election, and the qualification of voters the same as for delegates to the house of delegates. That the said committees, at their first meeting after the election, proceed to the choice of committees for licensing suits, in the same manner as heretofore directed; and that the above committees be invested with the powers given by this and former conventions, and continue to act till the tenth day of March next, or until the general assembly of this state shall make further order therein.

The convention took into consideration the letter from the honourable the president of the congress of the twelfth day of October last, enclosing the resolutions of congress of the third and seventh of the same month, relative to the establishment of a loan-office in each of the United States, and thereupon came to the following resolutions:

That a loan-office be established in this state agreeable to the re-

solve of congress, and that Mr. Thomas Harwood, jun. be appointed commissioner, to superintend such loan-office in this state.

That if any inhabitant of this state shall, after the first day of December next, within or without this state, or any person whatsoever shall, within this state, after the said first day of December next, forge or counterfeit any of the certificates, bills, or notes of the continental loan-office, or alter the sum expressed in any of the said certificates, bills, or notes, or shall offer or cause to be offered in payment, any such counterfeit, forged, or altered certificate, bill, or note, knowing the same to be counterfeit, forged, or altered, and shall be thereof convicted by a petit jury, after a presentment by a grand jury, in the general court, or shall stand mute, or peremptorily challenge above the number of twenty of the pannel, he shall suffer death as a felon, without benefit of clergy.

Ordered, That copies of the above resolutions be transmitted by the clerk to the commissioners of the continental treasury.

A petition from a number of the inhabitants of Baltimore county, praying to be relieved from the exorbitant and extraordinary charges of the magistrates, clerk, and sheriff of said county, was read, and referred till the first meeting of the general assembly.

On reading a letter from the chairman of the committee of observation for Baltimore county, setting forth, that a great number of the people called methodist, pretending to be preachers, claimed an exemption from mustering under the exception made in favor of clergymen, and a certificate from the yearly conference, that a certain Nathan Perigo, who had been fined by the said committee for not enrolling in some company of militia, was a preacher of that denomination, *Resolved*, That the fine set upon the said Nathan Perigo by the committee of Baltimore county, aforesaid, be remitted.

On motion, *Resolved*, That all petitions, applications and reports, to convention this present session, and all petitions, applications and reports, in all former sessions, whereon no final order hath been or shall be made, be referred to the general assembly.

Whereas the detaining in custody debtors who are willing to deliver up their estates to the use of their creditors, can be of no benefit to individuals, and may be prejudicial to the community, *Resolved*, Therefore, that the justices of the several counties in this state, are hereby authorised and empowered to release all debtors in their several jails who may owe upwards of two hundred pounds sterling money, in the same manner and upon the same terms as debtors may be released under the act of assembly; provided application be made by the several debtors, or such of them as may be

desirous of being released, on or before the first day of January next.

Mr. Horsey and Mr. Dickinson have leave of absence.

Adjourned till 3 o'clock.

POST MERIDIEM.

Convention met.

On motion of Mr. J. Hall, *Resolved*, That the council of safety be empowered to draw for a sum not exceeding ten thousand pounds, of the bills of credit now remaining in the hands of the treasurer of the eastern shore, appropriated to the calling in and cancelling the bills of credit issued by the convention in July seventeen hundred and seventy-five, and that they apply the same, or any part thereof, to the use of the public, as occasion may require, and that the same be re-placed in the treasury out of the new emission ordered by this Convention. And further *Resolved*, That in case the new emission should be delayed, by not getting paper, or otherwise, so as to make it necessary, the council of safety be empowered to borrow, of such persons who are willing to lend, a further sum of money, not exceeding twenty thousand pounds, to answer the demands that may be made on them for public expenses, or on the treasurers for money to be exchanged according to former resolves, to be repaid out of the said new emission.

Mr. Worthington brings in and delivers to Mr. President a report from the committee appointed to examine the claims upon the treasury, which was read in the following words, to wit :

“By the committee appointed to examine the claims upon the treasury.

“In obedience to the order of the honorable convention, your committee have examined the accounts of the treasurers of the western and eastern shores, and compared the payments made by them with the vouchers, and find by account settled the thirty-first of August a balance remaining in the hands of William Hindman, treasurer of the eastern shore, in notes of credit to the amount of seventeen thousand four hundred and seventy-seven pounds ten shillings and ten pence ; and by account settled to the ninth of November, a balance remaining in the hands of Thomas Harwood, treasurer of the western shore, to the amount of seventeen thousand seven hundred and twenty-four pounds six shillings and seven pence, of which last sum there appears to have been paid to him, nine thousand six hundred and twenty-five pounds by the treasurer of the eastern shore since the settlement of the account with him.

“Your committee have, during the sitting of this convention,

counted and burnt bills of credit emitted by the resolutions of the convention in July one thousand seven hundred and seventy-five, which have been exchanged by the western shore treasurer of this state for bills of credit emitted by resolutions of the convention in December last, to the amount of twenty-three thousand one hundred and twenty-two pounds seventeen shillings and six pence; and also bills of credit exchanged by the treasurer of the eastern shore to the amount of five thousand eight hundred and thirty pounds fifteen shillings. It appears to your committee, that the committee of claims in June last burnt the sum of six thousand seven hundred and twenty-nine pounds twelve shillings and six pence exchanged by the treasurer of the western shore, and also the sum of three thousand six hundred and seventy-seven pounds exchanged by the treasurer of the eastern shore, and there appears to be in the hands of the treasurer of the western shore the sum of one hundred and forty-seven pounds ten shillings, subject to the demands of the holders of the bills of credit emitted in July seventeen hundred and seventy-five, and in the hands of the treasurer of the eastern shore the sum of fifteen thousand four hundred and ninety-two pounds five shillings, subject to the demands of the holders of said bills of credit.

“Your committee herewith lay before the convention the journal of accounts together with the accounts settled with the treasurers of the western and eastern shores respectively.

“All which is humbly submitted to the honorable convention.

“Signed by order of the committee,

NICH. HARWOOD, Cl'k.”

The journal of accounts was read and assented to.

Ordered, That the treasurer of the western shore pay the several claims allowed in the same.

Mr. Grahame informs the convention that his bad state of health will not permit him to attend his duty as a member of the council of safety, and therefore begs leave to resign, and resigns accordingly. Thereupon the convention proceeded to the choice of another in his stead, and Thomas Contee, Esq. was elected.

Resolved, That the declaration of rights and the constitution and form of government be immediately printed, and that twenty-two copies be immediately sent to each of the counties by express, three of which copies for each of the delegates of this convention, two of the said copies for each of the judges appointed to hold the next elections, and two of the said copies for each of the persons who shall be chosen an elector of the senate; and that as soon as conveniently may be, the journal of the proceedings of this Conven-

tion be printed, and two copies be transmitted to each of the members of this convention.

Resolved, That this convention adjourn to the twenty-eighth day of this instant, and the council of safety may, if they think proper, call the convention to meet before that day. And that the said council of safety be and are fully empowered to take and pursue all measures that they shall think necessary or proper for raising, completing, and equipping the eight battalions resolved by this convention to be raised for the continental service, agreeable to the resolves of this convention.

Signed by order of the Convention,

MATTHEW TILGHMAN, President.

True copy,

G. DUVALL, clerk.

RD - 5 3

APR 16





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