

C H A P. X.

Passed 19th
April 1671.

The humble Petition of Alexander Dhynioffa, of Forster's Island, in the County of Talbot, and Margaretta, his Wife; Alexander, Johannes, Peter, Maria, Johanna, Christina, and Barbara, Sons and Daughters of the said Alexander and Margaretta; Matthew Cartwright, of St. Mary's County; Thomas Turner, of Ann-Arundel County; Matthias Peterfon, and Peter his Son, of Talbot County; Jacob Clause de Young, of Baltimore County; Hans Jacob de Ring, of the same County; Rutgerfon Garrets, of the same County; John Lederer, of Calvert County; John Elexon, of Kent County; Peter Mills, of St. Mary's County; Mark Cordea, of St. Mary's County; Nicholas Fountaine, of Somerset County; Anthony Demouderer, of Ann-Arundel County; and Andrew Toulson, of Baltimore County. Lib. C and WH. fol. 199. and Lib. WH and L. fol. 58. PR.

For Naturalization. Confirmed by 1676, ch. 2.

C H A P. XI.

Ditto.

An Act for the raising and providing a Support for his Lordship the Lord and Proprietary of this Province, during his natural Life, as likewise a Supply towards the Defraying the public Charges of Government. Lib. C and WH. fol. 202. Lib. WH. fol. 135. and Lib. WH and L. fol. 60. EXP.

Viz. (1.) Two Shillings Sterling per Hoghead on all Tobacco exported, to be paid by the Masters of Ships and Vessels on clearing out, and before their Departure. (2.) All such Masters at their first Arrival, and before taking any Tobacco on board, to give Security for the true Payment of the said Imposition, on Forfeiture of all Tobacco shipped, or attempted to be shipped on board before such Security given, and Certificate thereof obtained. (3.) One Half of the said Money to be employed towards the maintaining a constant Magazine, with Arms and Ammunition, for the Defence of the Province, and defraying other necessary Charges of Government. (4.) During the Continuance of this Act, no public Levy to be laid on the Inhabitants of this Province, but by Consent of the Freemen in open Assembly; and the 3d Section of the Act of 1650, ch. 26, to remain suspended. (5.) His Lordship, during the same Continuance, to receive good, sound and merchantable Tobacco, when tendered for his Rents and Alienation Fines, at 2 d. per Pound. (6.) The Act of 1650, ch. 9, to be for ever repealed. (7.) This Act to continue during his Lordship's natural Life, and for one Crop after his Decease.

By the Act of 1674, ch. 1, this Act (with the Addition of a Clause, that in case of Shipwreck, &c. so that the Tobacco should be lost, before their Delivery at the Port, then the Merchant, Master or Owners of the Tobaccos so lost, should be repaid the said Duty of Two Shillings per Hoghead, or have Liberty to ship, at some other Time, so many Hogheads as they had paid Money for, free of any the said Imposition) was further continued for and during the Life of the Honourable Charles Calvert, Esq; Son and Heir apparent of his Lordship, then Governor of the Province.

And by the Act of 1676, ch. 3, the same Duty, under the same Limitations and Provisoos, was further continued, not only for and during the Life of the Right Honourable CHARLES, then Lord Proprietary of this Province, but also for and during the natural Life of the Honourable Cæcilius Calvert, Esq; Son and Heir apparent of his said Lordship.

The Government at the Revolution being seized into the Hands of the Crown, these Duties continued to be collected under the above recited Acts, and lodged with the Treasurers as belonging to the Public. And in the first Assembly held by Commission from their Majesties, under Governor Copley, an Act was made (*viz.* 1692, ch. 4,) which settled a Revenue of One Shilling Sterling per Hoghead on all Tobacco exported, for the Support of their Majesties Governor within this Province for the Time being. Lord Baltimore had always laid Claim to the Moiety of the Two Shillings per Hoghead, granted by the aforesaid Acts, as a private Contract between him and his Tenants, under the Sanction of Laws, which they had obliged themselves to pay, in Compensation for the Loss he might sustain in his Rents, &c. by receiving Tobacco instead of Sterling Money, at the Price therein stipulated: And as such, had obtained repeated Orders from the Crown, to the Persons in whose Hands the Administration of Government then was, for the Payment thereof to him. But receiving no Benefit thereby, Col. Henry Darnall, his Lordship's Agent, on the 27th May 1692, petitioned the General Assembly, for Liberty peaceably and quietly to receive and collect all his Lordship's Dues and Revenues in this Province; and, among other Claims, demanded the Moiety of the Two Shillings per Hoghead above mentioned, as belonging to the Proprietary's private Estate. See the King's Letter, upon which this Petition was founded, in the Note upon the Act of 1692, ch. 17.

The Answer of the General Assembly to this Particular (which was transmitted to the Lords of the Committee for Trade and Plantations) is couched in these Words:

“As to the 12 d. per Hoghead, this House say, that they are ready, with their Majesties Royal Assent, to confirm the same to his Lordship; provided his Lordship grant the same Conditions of Plantations he did before the happy Revolution, or the same that their Majesties do to the Colony of Virginia, to the Inhabitants of this Province, and such of their Majesties Subjects, as for the future shall transport themselves hither, to inhabit. Which, we humbly conceive, was the true Intention and Design of his Lordship's Patent, granted by King CHARLES the First, as fully appears by the Preamble thereof, which was primarily to advance the Crown of England, by seating a large and ample Colony. Which, we humbly conceive, the best Way to effect, is, by granting easy Terms and Conditions of taking up Land, to the Inhabitants, at present and future Times; without which the Province will daily decay, and the Intent of the Patent totally frustrated.”

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