

Mr. Hillyday brought in, and delivered to Mr. Speaker, the following Address:

To HIS EXCELLENCE

R O B E R T E D E N, ESQUIRE,

GOVERNOR and Commander in Chief in and over the Province of MARYLAND.

The humble ADDRESS of the House of DELEGATES.

May it please your EXCELLENCE,

IT is extremely disagreeable to us to find ourselves under a Necessity of laying before you our Proceedings against Richard Lee, jun. Sheriff of Charles County.

Your Excellency will find, by the Papers hereunto annexed, which we beg Leave to refer you to, that this House did early, in their Session, as they thought it their indispensable Duty, take such Steps as were in their Power, to gain the fullest and clearest Information concerning the Facts complained of in the Petitions of John Duncastle and William Wright. And though our Enquiry has been in Part eluded, by the Disobedience of the said Richard Lee, jun. to the Order and Process of this House, we are of Opinion, that the principal Facts charged in the said Petitions are supported by the Evidence we have been able to obtain.

The Condition and Size of the Room in which the said Sheriff confines his Prisoners for Debt, the Want of Fire in the severe Weather of the last Winter, and the Effects thereof on the Health of the Prisoners, appear from the Report of our Committee of Grievances, and the Deposition of William Wyett Fenthem, taken before the said Committee.

The Fact of tying up and whipping the Petitioner, William Wright, as set forth in his Petition, we conceive is sufficiently evinced by the Record of the said Richard Lee's Conviction, and the Fine imposed upon him, for that Offence, in Charles County Court. Further Evidence, it was in the Power of the Sheriff to have enabled us to obtain, for the more clear elucidating, or refusing the Complaints contained in the said Petitions; and his refusing to do so, and declining to appear and abide the Enquiry, give us just Grounds to infer his Consciousness of the Truth of the whole.

When we reflect how much in the Power of a Sheriff his Prisoners are, and what Opportunities he has, from the very Nature of his Office, to oppress and maltreat them: When we find our fellow Creatures reduced by their Misfortunes to the Anguish of a Jail, exposed to all the Miseries of Cold and Wet, in the most inclement Season of the Year; and one of them, over whom the Sheriff had no lawful Power but that of confining his Person, illegally, cruelly, and ignominiously scourged, by his Order, by the Hand of a Slave; and when upon Complaint made to the Delegates of the People, whose Right and Duty it is to enquire into, and present all Grievances of a public Nature, we find the Sheriff, refusing to pay Obedience to our Process, and to avoid an Enquiry, not only absenting himself from his County, where, by the Duty of his Station, he ought at all Times to be found and amenable to Complaints, but even from the Province; we hope your Excellency will think us excusable, if we feel and express some Warmth of Resentment towards Mr. Lee; and under these Circumstances we cannot but think it a Justice due to the Public that the said Richard Lee, jun. should be removed from his Office of Sheriff of Charles County, as being unworthy of, and unfit for so important a Trust; and we do earnestly request that your Excellency will be pleased to remove him.

Which Address he read in his Place, and then delivered it in at the Table, where it was read, approved of, and ordered to be engrossed.

Walter Dulany, Esq; from the Upper House, delivered to Mr. Speaker, the Bill, entitled, *An Act for enforcing the Payment of public Money*; endorsed: "By the Upper House of Assembly, December 16, 1769: Read the First Time, and ordered to lie on the Table.

Signed by Order, U. SCOTT, Cl. Up. Ho."

"By the Upper House of Assembly, December 18, 1769: Read the Second Time, and will pass, with the following Amendment, viz." After the Word "Commissioners" in the last Line of the First Page, insert the following Words, "having first applied for, and obtained his Excellency the Governor's Approbation." Signed by Order, U. SCOTT, Cl. Up. Ho.

Also, a Bill, entitled, *An Act relating to Replevins*; endorsed: "By the Upper House of Assembly, December 18, 1769: Read the First and Second Time, by an especial Order, and will pass." Signed by Order, U. SCOTT, Cl. Up. Ho."

Which last mentioned Bill was read the First Time, and ordered to lie on the Table.

Benedict Calvert, Esq; from the Upper House, delivered to Mr. Speaker, the Bill, entitled, *An Act for the Relief of certain languishing Prisoners in the several Jails therein mentioned*, &c.

"By the Upper House of Assembly, December 16, 1769: Read the First Time, and ordered to lie on the Table." Signed by Order, U. SCOTT.

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