

20 VOTES AND PROCEEDINGS, OCTOBER 1771.

the Inspectors at said Warehouse that Year, it will (among other Things) appear, that the Warehouses aforesaid were not compleated at the Time of the Freshes, which occasioned the Damage sustained in the Tobacco in One of the said Warehouses.

All which is submitted to the Consideration of the honourable House.

Signed by Order,

JOHN C. JONES, CL.

Which being read: ORDERED, That the Petition of *Robert Dick*, and others, be read; and it was read accordingly.

ORDERED, That the several Papers annexed to the said Report, be read; and they were read accordingly.

ORDERED, That the 141, 142 and 143 Sections of an Act of Assembly, entitled, *An Act for amending the Staple of Tobacco, for preventing Frauds in His Majesty's Customs, and for the Limitation of Officers Fees*, made October Session 1763, be read; and they were read accordingly.

Upon Consideration of the above Petition, and other Papers, the House RESOLVED, That the Publick shall not be burthened to make good any Loss mentioned in the said Petition.

On Motion, ORDERED, That Leave be given to bring in a Bill for the Relief of the Sufferers at *Bladensburg* Warehouse; and that Mr. *Hall*, Mr. *Beall*, and Mr. *Tyler*, do prepare and bring in the same.

ORDERED, That the Order of the Day for taking into Consideration the Report of the Committee of Grievances and Courts of Justice of the 10th Instant, be read; and it was read accordingly.

ORDERED, That the said Report be read; and it was read accordingly.

ORDERED, That the Proclamation issued the 26th Nov. 1770, be read; and it was read accordingly.

ORDERED, That a Paper Writing under the Great Seal, signed by the Governor, the 24th November 1770, be read; and it was read accordingly.

ORDERED, That the Resolves of the Lower House of Assembly of the 1st November 1770, be read; and they were read accordingly.

The House was moved, that the Stat. of the 34th *Edward I.* Cap. 1. be read; and it was read accordingly.

The House was moved, that an Act declaring the Rights and Liberties of the Subject, and settling the Succession of the Crown, made the 1. *W.* and *M.* Cap. 2. be read; and it was read accordingly.

The House was moved, that the 8th Section of the Charter of this Province, be read; and it was read accordingly.

The House was moved, that an Act of Assembly of this Province, entitled, *An Act against raising Money within this Province without Consent of the Assembly*, made the 29th April 1650, be read; and it was read accordingly.

ORDERED, That the following be entered as the Resolves of this House.

RESOLVED UNANIMOUSLY, That the Representatives of the Freemen of this Province have the sole Right, with the Assent of the other Part of the Legislature, to impose and establish Taxes or Fees, and that the imposing, establishing or collecting any Taxes or Fees, on or from the Inhabitants of this Province, under Colour or Pretence of any Proclamation issued by, or in the Name of the Lord Proprietary, or other Authority, is arbitrary, unconstitutional and oppressive.

RESOLVED UNANIMOUSLY, That in all Cases where no Fees are established by Law for Services done by Officers, the Power of ascertaining the Quantum of the Reward for such Services is constitutionally in a Jury upon the Action of the Party.

RESOLVED UNANIMOUSLY, That the Proclamation issued in the Name of his Excellency *Robert Eden*, the Governor, with the Advice of his Lordship's Council of State, on the 26th Day of November 1770, is illegal, arbitrary, unconstitutional and oppressive.

RESOLVED UNANIMOUSLY, That the Paper Writing under the Great Seal of this Province, issued in the Name of the Lord Proprietary, on the 24th Day of November 1770, for the ascertaining the Fees and Perquisites to be received by the Registers of the Land-Office, is illegal, arbitrary, unconstitutional and oppressive.

The Question was put, That the following be entered as the Resolve of this House.

RESOLVED, That the Advisers of the said Proclamations are Enemies to the Peace, Welfare and Happiness of this Province, and the Laws and Constitution thereof? Resolved in the Affirmative.

For the A F F I R M A T I V E.

<i>Messieurs</i>	Jordan,	Harrison,	Deye,	Contee,	Holland,
	Grahame,	Smallwood,	Veazy,	Paca,	Chaille,
	Johnson,	Handy,	Baxter,	Tilghman,	Robins,
	Chase,	Dennis,	Ward,	Earle,	Allen,
	Mackall,	J. Richardson,	Beall,	T. Wright,	Wootton,
	Parran,	Moale,	Tyler,	So. Wright,	Beatty.
	Weems,	Rifteau,			

For the N E G A T I V E.

*Messieurs* W. Richardson, Ennalls, Hall.

ORDERED,