

P O S T M E R I D I E M.

The house met.

On motion, ORDERED, That the bill to repeal the thirty-seventh section of the constitution and form of government of this state, so far as the same relates to any senator or delegate of assembly, have a second reading to-morrow.

The following message being prepared, was sent to the senate, with the resolution in favour of John Smith Brookes, by the clerk.

BY THE HOUSE OF DELEGATES, DECEMBER 22, 1796.

GENTLEMEN,

WE return you the resolution in favour of John Smith Brookes, and hope that upon reconsideration it will meet with your concurrence: We conceive that the situation of the state, in point of finance, does not demand a rigorous collection of the whole principal sum now due; and as stated in his petition, his liability at this time to immediate execution, which may involve him in ruin, appears to us to deserve our compassionate interference: The releasing him from this situation operated with us in passing the resolution in his favour, and is a principal inducement in requesting your consideration.

By order,

W. HARWOOD, clk.

The bill to authorise and empower the levy court of Dorchester county to assess and levy a sum of money for the purpose therein mentioned was read the second time and passed.

The report on the petition of Philip Callon was read the second time, and the resolution therein contained assented to.

Mr. Nicholson, from the committee, brings in and delivers to the speaker the following report:

THE committee to whom was referred the petition of Edward Tarbutton, of Queen-Anne's county, beg leave to report, that upon inquiry they find, that the said Edward Tarbutton was committed to Queen-Anne's county gaol at the last November court for a fine imposed upon conviction for an assault and battery, which, with the costs attending the indictment, amount to the sum mentioned in his petition. Your committee report, that from the best information they have, the offence was by no means atrocious, but that the costs, from the number of witnesses attending, was extremely high; that the petitioner is in extreme indigent circumstances, of peaceable and quiet behaviour, and can never free himself from the rigours of confinement without the intervention of the legislature. The committee therefore think he ought to be relieved, and submit the following resolution:

RESOLVED, That the fine imposed upon Edward Tarbutton, of Queen-Anne's county, by the county court at the last November term, upon an indictment for an assault and battery, and the costs accruing in consequence thereof, be and the same are hereby remitted; and the sheriff of Queen-Anne's county is hereby empowered and directed to release the said Edward Tarbutton from all confinement imposed in consequence of the aforesaid fine and costs.

All which is submitted to the house.

By order,

Z. HUGHES, clk.

Which was read.

Mr. Key, from the committee, brings in and delivers to the speaker a bill, entitled, A supplement to an act to establish salaries for the chancellor and the judges; which was read the first time and ordered to lie on the table.

Mr. Key, from the joint committee, brings in and delivers to the speaker the following report:

THE joint committee of both houses, to whom were referred the amendments proposed to be made to the government of the United States by the legislature of Virginia in December last, have had them under consideration for some time, and cannot recommend their adoption for the following reasons.

Should the first amendment be ratified by the legislatures of nine states, no treaty of the least consequence could be made as now authorised, without the sanction of a majority of the house of representatives; thus would that house be let into a participation of a part of the executive power, which has been exclusively vested in the president and senate, as fitter for the transacting such business, and concluding treaties; for the senate being a smaller and more select body, it is presumable will be less liable to the influence of party, and therefore treaties will probably be investigated in that house with greater accuracy, and with more temper and judgment, than in the other; nor was this the only reason for giving to the senate a share of the treaty-making power; all the states being equally represented in the senate, it was considered that this equality of suffrage, coupled with the control over treaties, would reconcile the smaller states to the preponderancy which the larger possess in the other branch. But the president and senate may be corrupted, and sacrifice their country to a foreign interest. Are the president and senate more likely to be corrupted than the representatives? Few, compared to these, a greater responsibility attaches to their characters and conduct; guilt, divided among many, seems to lessen, and becomes almost imperceptible in each individual, sheltering and countenancing himself under the authority of numbers. Large popular assemblies, in their public proceedings, have been unfeelingly guilty of crimes, from the commission of which each individual, standing alone, or supported by few, would have shrunk with horror. We may reasonably conclude, that the state legislatures will, in general, elect into the senate men of good sense, information and integrity; if they do not, they will either want discernment or honesty, or be actuated by party. Admitting that in particular districts, nay, that in whole states, a party spirit may at times prevail, the delusion, it is to be hoped, will not continue long, and if it should, its spread through the greater portion of the union is quite improbable. If the state legislatures want discernment or honesty, can their constituents be discerning and honest? Corrupt, indeed, must that people be, and degraded