

when taken in connexion with the known and established nature of the subject of which that language treats.

Private acts of assembly are, in a great variety of cases, and in many respects, regarded as mere contracts, binding alone on those who apply for and are parties to them. As to such acts, and ancient charters, there are some kinds of doubts and obscurities which may be removed and dispelled by extrinsic evidence. Where however the terms of such an enactment are not in themselves doubtful, no such evidence can be introduced, since that would be not to obviate but to create doubts. (*d*) In regard to such private acts the petition of the applicant, and the votes and proceedings of the two houses of the General Assembly may, perhaps, be received as evidence affecting the rights of the parties, and guiding the construction of such private legislative enactments. (*e*) But in all

(*d*) *Attorney-General v. Parker*, 3 Atk. 576; *Rex v. Varlo*, Cowp. 248; *Withnell v. Gratham*, 6 T. R. 388; 5 Cruise Dig. tit. 33.

(*e*) O'NEALE'S CASE.—On the 20th day of December, 1794, the following resolution was propounded in the House of Delegates respecting Lawrence O'Neale, then a delegate from Montgomery county.

‘Whereas, John Hamilton, of Prince George’s county, did petition this General Assembly for an act to authorise the issuing of a patent on a survey made for him of a tract of land, in Prince George’s county, called Hamilton’s Purchase, containing two hundred and forty-eight and a half acres of land, stating that the record of the original patent thereof had been lost; and whereas, by a certificate exhibited with the said petition, signed by the register of the land office, it appeared by an entry made in the margin of the record of the warrant on which the said survey was made, that a patent had issued; but that there was no record of the patent or certificate remaining in the land office; and whereas, Lawrence O'Neale, Esquire, a member of this house, after the exhibition of the said petition, and the reading and reference thereof to a committee for consideration, did make application to the register of the land office for a warrant of proclamation to affect the land included in the said survey; and this General Assembly being of opinion, that such conduct is a violation of the rights of the people of this state, and the duty of a representative,

*Resolved*, That the said Lawrence O'Neale be expelled, and he is hereby expelled from this house; and his seat as a delegate for Montgomery county declared to be, and it is hereby vacated.

*Ordered*, That the said resolution have a second reading to-morrow, that the said Lawrence O'Neale be furnished with a copy thereof, and that he have permission to be heard by counsel at the bar of the house; and that summonses issue for John Callahan and Henry Whitcraft, to appear at the bar of the house on to-morrow.

On the next day the house took into consideration the resolution respecting Lawrence O'Neale, agreeably to the order of the day; and, after hearing Mr. Pinckney at the bar of the house in behalf of the said Lawrence O'Neale, the question was put, that the house assent to the said resolution.—Yeas 29, nays 34. So it was determined in the negative.

On motion, the question was put, That this house do highly disapprove of the conduct of Lawrence O'Neale, Esquire, as a member of this house, in entering an