

mon forty witnesses to prove the allegations contained in his memorial. It is highly probable that the other may require the same number to sustain positions he may assume or to controvert those of his adversary, and the state involved in an expense, not at all commensurate with the objects proposed to be attained.

The history of past legislation establishes the fact that any attempt to go behind the ballot boxes incurs great expense to the state, confusion to the house and protracted debate, and as the constitution guarantees to the citizen the right to vote by ballot, any attempt to arrive at a decision of the question must consequently prove abortive, unless the voter should make such voluntary disclosures, and which, if made, would subject him to the penalties of the law inflicted on those who dare to exercise that privilege without the possession of the necessary qualification.

It is perhaps known that the contested elections last session occupied much of the time of the house, and were only determined after a laborious investigation extending to the sixth or seventh week of the session—the state paying in most cases two sets of claimants without being benefitted by the services of either, the ultimate decision being then precisely what is recommended now.

It is our decided conviction that the interests of the state would be promoted and the dispatch of public business greatly facilitated by immediately returning the election to the people, the primary source of all power, and in cases like the present, the true arbiter between the parties.

W. S. CONSTABLE,
JAMES T. BLAKISTONE.

Read and ordered to lie on the table.

Mr. Waters reported a bill entitled a supplement to an act directing, that the rules of the several courts in this state be published for the information of the people.

Read the first, and by special order the second time, passed and sent to the senate.

Mr. Quynn reported a bill, entitled, an act for the benefit of the person who warms the court room and has the care of the fires in Frederick county court;

Also, a bill, entitled, an act for the benefit of the crier of Frederick county court;

Which were read the first, and by special order the second time, passed, and sent to the senate.

The clerk of the Senate delivered the following message:

By the Senate,

January 8th, 1840.

Gentlemen of the House of Delegates:

In pursuance of resolution No. 41, of December session 1832, we propose the appointment of a joint committee to investigate and report to the general assembly the proceedings of the Board of Visitors and Governors of St. John's College. We have appointed Messrs. Willson, Potts and Goldsborough, of Q.