

pass the same. The senate have heretofore established the principle, that special acts of legislation, upon individual cases, should not be resorted to, where the courts of justice of the state have the power to give the relief sought for by the individual; and the senate cannot perceive any peculiar circumstances in the case presented to their consideration by the said bill, which would justify a departure from this principle. From the said bill we draw the inference, that Daniel Baker, the party for whose benefit the bill is intended to operate, has been in possession of the lots of ground therein mentioned for upwards of sixteen years, without interruption, and the senate, from this circumstance, have come to the conclusion that if the said Daniel Baker has experienced no inconvenience from the want of a legal title, in all this time, that there is little or no probability that he can suffer from the want of a legal title, when he had possession almost long enough to operate as a bar to an outstanding legal title, independent of the equitable interest. On the other hand, if the said Daniel Baker has not been in possession of the lots of ground mentioned in the bill, the senate conceive that it would be highly improper, by a legislative act, to give a retrospective legal operation to his deed, when his equitable interest is not sustained by possession. The power of the party, or the inconsiderable value of the property, cannot, on the other hand, in the opinion of the senate, justify a departure from the rule before mentioned, because, if the property is so inconsiderable in value, Daniel Baker, having an equitable estate and possession, there is no probability that he will ever be disturbed.

The senate therefore conceive that there is nothing in this case which will justify a departure from a rule wholesome and proper in itself, and which ought not to be relaxed. The bill is therefore returned and will not pass:

By order,

Wm. Kilty, Clk.

He also returned the bill referred to in the last message, endorsed, "reconsidered and will not pass." Also the bill, entitled, An act for the permanent location of the treasury office for the eastern shore of this state, and the bill entitled, An act authorising Samuel Bradford, late sheriff of Harford county, to complete his collections, severally endorsed, "will pass;" which were thereupon ordered to be engrossed. And returned the bill, entitled, An additional supplement to an act, entitled, An act for quieting possessions, enrolling conveyances, and securing the estates of purchasers," endorsed, "will pass with the proposed amendments;" which were read.

On motion by Mr. Speed, the following message was read:

By the House of Delegates, Jan. 25, 1826.

Gentlemen of the Senate,

We beg leave to inform you that the name of Joseph Sands, has been withdrawn from nomination as a candidate for state directors to the Farmers Bank of Md.

And on motion by Mr. Potter, the names of Charles Goldsborough and William Hughlett, were inserted therein.

The message was then assented to, as amended, and sent to the senate.

The clerk of the senate delivered the following message: