

REPORT.

The Committee on Grievances and Courts of Justice, ask leave to submit the following report, upon the memorial of Margaret Moore and others, praying the passage of a law authorising further proceedings in the case of Ewing and wife, against them, and the counter memorial thereto of Kirkpatrick Ewing and wife.

From a desire to avail themselves of every source of information, in order to decide correctly the various questions raised by the memorial and counter memorial, and at the same time to afford the parties every facility for presenting the merits of their case to the committee and the legislature, they promptly granted the request of the memorialists, Margaret Moore and others, to be heard by counsel, and apprised the counsel of Ewing and wife, of this determination. Arrangements were made, with the consent of the counsel on both sides, and every accommodation as to time and place, extended to them. They argued the case before the committee, and in presence of such others as thought proper to avail themselves of the publicity of the hearing, and we now present the result of our investigation of the questions involved in this contest.

We deem it unnecessary to state the facts presented in the memorial. Printed copies containing a full history of this long and angry controversy, have been furnished to the members, to which they will readily refer. We design only to state the nature of the application, and some of the considerations which have induced us to report unfavorably thereon.

The Court of Appeals of the Western Shore, at June term, 1836, (as we are informed by the memorials and arguments of counsel,) decided that the marriage of a lunatic in this State, is not absolutely void, but voidable only; that the courts must consider the marriage as valid in all intents and purposes, until it is avoided by a tribunal of competent jurisdiction, (which they say is the