

On motion by Mr. Wan E. Stuart, the following resolution was read:

Resolved, That the treasurer of the western shore be and he is hereby directed to pay to Margaret Bruff, of Queen-Anne's county, widow of James Bruff, late a captain in the Revolutionary war, or to her order, during life, in quarterly payments, a sum of money equal to the half pay of a captain.

Mr. Forwood delivers a bill, entitled, A supplement to the act, entitled, An act for the benefit of the heirs of John Thomas, late of Harford county, deceased; which was read.

Mr. Millard presents a petition from Mary Dean, of Saint Mary's county, praying support; which was read and referred to Messrs. Millard, Blakistone and Stonestreet.

Mr. Dashiell delivers a bill, entitled, An act to repeal an act, entitled, An act to prevent swine from going at large in the town of Salisbury; which was read.

Mr. Blakistone presents a petition from Thomas F. Ward, of Saint Mary's county, praying a divorce, which was read and referred to Messrs. Blakistone, Millard and Garner.

Mr. Boyle delivers the following report:

The committee of elections and privileges report.—That they have inspected the returns of the judges of elections for the several counties and for the city of Baltimore, and of the recorder and aldermen of the city of Annapolis, and find that by the said returns the following persons are elected, declared, and duly returned, as members of the house of delegates, to wit: For Saint Mary's county, Henry G. S. Key, John Lewis Millard, Thomas Blakistone, and John Rousby Plater, junr Esquires; for Kent county, James Frisby Browne, Edward Browne, James Brooke, and Isaac Spencer, Esquires; for Anne Arundel county, William H. Marriott, Walter W. Wyvill, Thomas W. Hall, and Charles Stewart, of David, Esquires; for Charles county, Nicholas Stonestreet, Daniel Jenifer, Clement Dorsey, and Robert Garner, Esquires; for Baltimore county, Edward Orrick, Tobias E. Stansbury, Abraham H. Price, and Adam Showers, Esquires; for Talbot county, Daniel Martin, William Hayward jr. Samuel Stevens, jr. and Nicholas Martin, Esquires; for Somerset county, Mathias Dashiell, Josiah F. Polk, Littleton S. Dennis, and Levin R. King, Esquires; for Dorchester county, Benjamin W. Lecompte, Michael Lucas, Edward Griffith, and Dr. William Jackson, Esquires; for Cecil county, John Wroth, David Macky, John Maffett, and David Patten, Esquires; for Prince George's county, Joseph Cross, Francis M. Hall, Thomas T. Somervell, and Richard T. Hall Esquires; for the city of Annapolis, Lewis Duvall and James Boyle, Esquires; for Queen Anne's county, William R. Stewart, Kensey Harrison, John Hollingsworth, and Charles R. Nicholson, Esquires; for Worcester county, Ara Spence, John S. Spence, William Quinton and William Riley, Esquires; for Frederick county, Alexander Warfield, William Ross, Plummer liams and Thomas Hawkins, Esquires; for Harford county, Israel D. Maulsby, Alexander Norris, Henry Hall, and John Forwood, Esquires; for Caroline county, Thomas Saulsbury, William M. Hardcastle, Peter Willis, and William Whitely, Esquires; for the city of Baltimore, John Montgomery and Henry M. Breckenridge, Esquires; for Washington county, Jacob Schnebly, Thomas Keller, Joseph Gabby, and Thomas Kennedy, Esquires; for Montgomery county, George Peter, Ephraim Gaither, George C. Washington, and Benjamin S. Forrest, Esquires; for Allegany county, Benjamin Tomlinson, William Price, Thomas Greenwell, and Thomas Blair, Esquires.

The committee beg leave further to report, that they have had under their consideration the return of the presiding judges of the election in the several election districts in Calvert county, and it appears, that on comparing the certificate returned with that prescribed by law, it is not conformable to the laws passed for regulating elections, not being in the form prescribed by said laws, inasmuch as it certifies that Gustavus Weems, Thomas Blake, and Joseph W. Reynolds, Esquires, have a majority of legal votes, and Daniel Kent and John Beckett, Esquires, have an equal number; and as it does not return four persons as having the majority of legal votes, which the laws direct the judges to certify—yet the committee conceive that it was the only return that could be made by the judges under the peculiar circumstances of the case. The committee further report, that they have also had under their consideration the memorial of Daniel Kent and John Beckett, Esquires, wherein it is objected by the memorialists, that several illegal votes were received by the judges of the election in favour of the sitting members, and that the memorialists have a majority of the legal votes over two of the said members. A difficulty presents itself to the committee, that admitting the fact to be actually so, how is it to be ascertained, if the voters refuse to testify for whom they voted. Can they be coerced? It should appear by the policy of the law in prescribing the mode of voting to be by ballot, that the qualified and legal voter perhaps may not be coerced; an instance has occurred in the convention of electors of the senate in the case of Calvert and Lyle, wherein they were admitted to do it voluntarily. Yet admitting, for sake of argument, that the qualified and legal voter could not be coerced, does the law extend this privilege to the disqualified and illegal voter? Your committee conceive it does not. Then if the committee are correct in this opinion, a certificate of the number of votes given to each candidate, having been returned to the governor and council by the clerk of Calvert county court, agreeably to law, and lodged in the council chamber, and of consequence within the power of the house, a full investigation and scrutiny of the legality of votes may be obtained, and a correct result and conclusion made by the house. Your committee would here remark, that the law directing the certificate of the clerk in whose office the books of the polls are deposited, to make return to the governor and council of the number of votes given to each candidate, had in view the facility which would be furnished by this regulation in cases of scrutiny into the illegality of votes. That the decision of the house may be had upon the several questions involved in this case, the committee beg leave to submit the following resolutions affirmatively.

Resolved, That the house have the power to coerce a witness, not a qualified and legal voter, to give evidence of the persons for whom he voted at said election.

Resolved, That the speaker issue subpoenas, directed to the sergeant at arms, for such witnesses as the sitting members and the memorialists may direct, and that the same be made returnable on a day to be fixed on by the house.

Resolved, That the clerk of the council be requested to furnish a copy of the certificate returned to the governor and council by the clerk of Calvert county court, of the number of votes given to the several

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