

BY THE SENATE, Dec. 21, 1824.

Gentlemen of the House of Delegates,

The senate have concurred in the report of the committee on the subject of an adjournment, and if it should meet with your concurrence, the senate will adjourn on Friday next, the 24th instant, until Monday the 3d day of January next.

By order,

WM. KILTY, Clk.

Which was read.

Mr. Chapman offered the following message:

BY THE HOUSE OF DELEGATES, December 21, 1824.

Gentlemen of the Senate.

We have received your message announcing your concurrence with the report of the committee of conference, on the question of a recess, and concur therewith.

By order,

JOHN BREWER, Clk.

Which was twice read. When Mr. Thomas moved to amend the same by adding thereto the following paragraph: "On condition that no member of the legislature, who votes for said recess, shall be allowed any per diem during its continuance," and the question was put, That the house adopt the amendment proposed? Determined in the negative.

The question was then put, That the house assent to the message as proposed by Mr. Chapman? The yeas and nays being required, appeared as follow:

Affirmative—Messrs. Hawkins, Millard, Gough, Harris, Hodges, Gantt, Dalrymple, Weems, John Edelen, Chapman, Rogerson, Garner, Bennett, Spencer, Teackle, King, Steele, Sullivane, Eccleston, Travers, Henderson, Fwing, Speed, Hopper, Roberts, Nicholson, Farquhar, Harcastle, Barwick, Boon, Tyson, Willson, Beall, Lee, Lansdale, M. Mahon, 36.

Negative—Messrs. Kilgour, M. Clean, Ireland, Estep, Beckett, Parran, Shower, Worthington, Price, Turner, Lloyd, Dennis, Thomas, Grubb, Peach, Duvall, Wright, Williams, Tingle, Parker, Cromwell, Hope, Norris, Jarrett, Montgomery, Brown, Bowles, Fouke, White, Merrick, Hoffman, Lantz, Klipstine, 33.

So it was resolved in the affirmative.

The house adjourns until to-morrow morning 9 o'clock.

WEDNESDAY, December 22, 1824.

The house met Present the same members as on yesterday. The proceedings of yesterday were read.

On motion by Mr. Merrick, the following order was twice read and assented to:

Ordered, That the committee of claims proceed to make up the journal of accounts to Friday the 24th instant, inclusive, and grant, on application, certificates thereon, to members and officers of the legislature for such sums as may be due to them respectively.

On motion by Mr. M. Mahon, the following message was twice read and assented to:

BY THE HOUSE OF DELEGATES, December 22, 1824.

Gentlemen of the Senate.

We have received your message of yesterday, remonstrating against the contract entered into by a committee of this house, under its order for the printing of the journals, and the Votes and Proceedings of both branches of the legislature, and must acknowledge our extreme surprise at its purport. We had supposed, that the message heretofore sent to you, in reply to the proposition which you again renew in the message of yesterday, if received with that comity which ought ever to subsist between us, would have put this subject to rest. But as we are asked a second reply, the respect due to your honourable body enjoins it upon us to assign the reasons which again induce us to decline the conference proposed.

We freely admit, that by some preceding legislatures, this subject has been made a matter of conference between the two houses. But if we view your right to participate in the contract for printing the proceedings merely as based upon precedent, we are yet to learn, that any such usage, if admitted to have existed heretofore, does in any degree entail upon us an obligation to adhere to it, or that it has existed heretofore for such a length of time as to clothe your honourable body with a concurrent right. We think, that on examination it will be found to want one of the essentialities of a good and a sacred usage, a venerable old age. A recurrence to precedent and usage on this occasion, seems peculiarly unfortunate. This house have only to regret a departure from past usage in relation to this very matter. If the practice of our predecessors were permitted to regulate us, we should pursue a course different, we admit, from that which we have pursued, but at the same time equally different from the one which you recommend to us. If that were pursued, we should have a printer to the state, who in consideration of a stated salary, would perform all the services which we might require of him as printer. We should have, precisely what was contemplated by the bill of the last session rejected in your house, a printer elected directly by the representatives of the people—a printer excluded from exorbitant charge by the determination of his salary in the act appointing him, and a printer competent to the transaction of the business confided to him, because of the immediate operation of the manner of execution of his work upon the very persons appointing him.

As you have relied much upon usage, we may inquire what that usage has been? And in doing this we must remark, that the primary object of our order, is to provide for the printing of the daily journals for the use of the members, although there are other objects embraced in it. The printing of the daily journals, for the use of the members is, as you must be aware, of very recent origin, and it is but necessary to look into the journals of the two houses for the two last years, to enable us at once to account for the usage of which you speak in your message, without in any degree admitting your abstract right to participate in the contract to print. In 1822, at the instance of your house, a committee of both houses was appointed to devise and report some mode of facilitating the transaction of business in the two houses,

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