

and in the report of that committee of conference originated, for the first time, as we believe, the proposition to print the daily journals of both houses for the use of the members of both, which, based as it was, upon a report of a committee of both houses, was of necessity adopted by a concurrent vote.

At the last session of the general assembly, an order was submitted to the house of delegates at a very early period, enjoining it upon the committee of claims to receive proposals for the printing of the daily proceedings, and to report the result to the house; but it was at once negatived. The subject was then taken up afresh in your body, a conference upon the matter invited, and that conference resulted, as at the preceding session, in a proposition to print the journal; which was also necessarily adopted by a joint vote. At both the sessions, therefore, during which the daily journal has been printed, the proposition to print originated in a message of your honourable body, calling in our aid as the purse-bearers of the state, in order to the effectuation of the object. But at the present session no such steps have been taken as those which at former sessions necessarily made your body a party to the contract. At the present session, our committee of claims was ordered to ascertain and report to this house, simply the cost of printing the daily journals, but having discovered in the course of their inquiries, that a conjunction of the contract to print these for the use of the members, with the ordinary contract to print them for distribution throughout the state, might be effected much to the advantage of our exhausted treasury, they reported to this house, as the result of their inquiries, the aggregate cost of printing the daily journals, and 1400 copies of the Votes and Proceedings. When this report was made, the session had so far advanced, that further delay was calculated to defeat the very object for which the report was sought; and as this house could not but suppose, that if we who are more especially the guardians of the people's purse, and more immediately amenable to them for our use of it, were willing to take upon ourselves the undivided odium of the measure, whilst you shared with us in its benefits, no reasonable objection could be urged on the part of your house. We passed an immediate order enjoining it upon the committee to form a contract in conformity to its report.

That contract has been formed, and now, whilst you in common with us are reaping the benefits of it, we are called upon to rescind it, and to retrace our steps. We ask, for what purpose? We ask, for what possible benefit? Whilst this house is willing to admit the propriety of having consulted you on the formation of this contract, it would place your right of concurrence upon ground very different from that on which you have placed it. In denying our right to form the contract which we have formed, your message does not, as we think, draw the proper distinction between the question of propriety or expediency, and that of abstract right. There is a manifest distinction between a contract, and an appropriation to carry such contract into effect. We admit, that we do not carry exclusively the purse of the state; we admit that we only hold its strings, nor has this house ever denied, nor did it deny in this instance, the necessity of the concurrence of the senate in giving complete effect to the contract. But it does not, therefore, follow, that this house can make no contract because she cannot of herself appropriate money to carry such contract into execution. If this house had simply passed an order providing for the printing of its own proceedings for the use of its own members, no want of right would then have been alleged; and yet wherein does it differ from the present contract on the score of right?

We freely admit, gentlemen, that it would have been decorous and proper to have consulted you on this subject; that it would have been expedient that thus the faith of both branches of the legislature might have been pledged for the utter performance of the contract; and we can only say, that nothing but the urgency of the object to be effected, and a sincere belief that your body would rather be gratified than displeased with the speedy measures we were about to adopt, could have induced us to act in this matter without you. But further we cannot go, nor can we see why, after these admissions, we should retrace our steps. Is it that we may make the bare acknowledgment that there is a propriety in making such a contract a joint contract, as the appropriation to effect it must be joint? Already has it been made. Is it because the interests of the state have been lost sight of in the formation of this contract? Has it not been formed by a committee of this house upon the lowest possible terms, after fair opportunities of competition between rival applicants for it? Is it not to be presumed that we, who come directly from amongst the people of the state, fresh with all their views and interests; we, with whom must originate every proposition to appropriate money, because of this our more immediate relation to the people; and we, who must immediately answer to them for our conduct, have at the least paid as high a regard to the interests of the state in forming this contract, as any committee of both houses could or would have done? If we should retrace our steps, it would only be for the honour of retreading them in company with you, for this house does not, and cannot believe, that any more advantageous, or any other contract could or would be formed by this house, than that which has been already concluded. As then the object, to effect which you invite a conference has been already effected in the best possible manner, we trust that your house will find, in the excellence of the contract, an excuse for the manner in which it has been formed, and a justification of our conduct in again declining to confer with you upon that subject.

By order;

JOHN BREWER, Clk.

On motion by Mr. Lee, the reference made yesterday, of the subject in relation to the encouragement given by a portion of the citizens of Pennsylvania to absconding slaves from citizens of this state, was reconsidered, and the committee enlarged by the appointment of Messrs. Steele and Shower, in addition to the gentlemen then appointed.

Mr. Wright presents a petition from Alexander Watters, of Queen Anne's county, praying to be remunerated for the timber he furnished for the erection of a bridge at Kent Island Narrows; referred to Messrs. Wright, Roberts and Hopper.

On motion by Mr. Tyson, the following message was twice read, assented to, and (with the message submitted by Mr. Chapman and adopted yesterday, announcing the concurrence of this house with the report of the committee of conference in relation to the subject of the Christmas recess,) sent to the senate: