

common and usual mode of perpetuating testimony shall be adopted and no other, any thing herein contained to the contrary notwithstanding.

"*Provided also, and be it enacted,* That in all cases where testimony may be perpetuated by this act, and where it shall be made appear, to the satisfaction of the judge or justice, by affidavit of the party, that his witness or witnesses are sick and not likely to live, or may be about to march out of this state on the public service as a soldier or militia-man, it shall and may be lawful to take the deposition or depositions of such witness or witnesses, on giving such notice less than twenty days, as the judge or justice may think reasonable, all circumstances considered, so that the party interested, his guardian, trustee, agent, or attorney, may have convenient time to attend.

"*And be it enacted,* That the judge or justice shall, and he is hereby required to give the party a certificate of having made affidavit, and of the number of days appointed for notice, which shall be lodged with the deposition or depositions, and an attested copy of such deposition or depositions, and of such certificate, shall be taken as good evidence of the truth of the facts therein contained.

"*And, for regulating the chancery practice in the case of perpetuating testimony, Be it enacted,* That commission shall and may issue to perpetuate testimony on bill, for that purpose, before any appearance of the party defendant, to such four persons, in the usual manner, as the chancellor may approve, and on return of said commission, if no good objection be made thereto in twelve months from the time of such return, the chancellor shall and may order the same to be recorded in perpetual memory, any law or usage to the contrary notwithstanding.

"This act to continue three years, and unto the end of the next session of assembly which shall happen after the said three years."

The senate adjourns till to-morrow morning 8 o'clock.

T H U R S D A Y, July 29, 1779. X

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

The order of the day being read, **RESOLVED**, That the same be taken into consideration.

On motion, That Mr. Chate be acquainted by a member, that the senate, at the request of Mr. Wilson, had taken up the order of the day, and will go into an enquiry at four o'clock of his conduct, relative to a charge contained against him in the information given by Mr. Chase at the last session, and that Mr. William Paca agrees to be then examined, and that Mr. Chase be further acquainted, that if he chuses to attend, he will have liberty of asking such questions on the examination as he thinks necessary.

ORDERED, That William Hindman, Esq; be requested to acquaint Mr. Chase accordingly.

The bill, entitled, An act to make valid a deed from Edward Truman to James Truman of Prince-George's county, was read the second time and will not pass; which was sent to the house of delegates by William Hindman, Esq;

The senate adjourns till 4 o'clock.

P O S T M E R I D I E M.

The senate met.

The petitions of Mark Alexander and Leonard Martin were read, referred to the consideration of the house of delegates, and sent by Richard Barnes, Esq;

The senate proceeded on the order of the day, and Mr. Chase appeared in the senate.

A state of the conversation between Mr. Paca, Mr. Wilson, and others, at Kent island.

Mr. William Paca, Mr. Joseph Nicholson, Mr. Nicholas Thomas, Mr. Turbutt Wright, and Mr. Samuel Wilson, met at Kent island on their way to the general assembly which was held in March, 1778, where the conversation repeatedly turned on the state of our affairs, and the mode of our filling up our quota of troops.

Mr. Paca, soon after their meeting, let Mr. Wilson see a letter he had received from Mr. Chase, in which he spoke of our affairs being in a very bad way, and our army wretchedly circumstanced.

Mr. Wilson appeared exceedingly alarmed by the critical situation of our affairs.

On the subject of filling up our quota of troops, the gentlemen in company, except Mr. Wilson, were for a draught of the militia. Mr. Wilson objected to it, as a mode to which the people in their situation at that time would not submit, and proposed that lands in the several counties should be offered to recruits, and said he would cheerfully part with a proportion of his land for that purpose.

Mr. Wilson also expressed a desire that a sufficient number of all ranks would voluntarily turn out and reinforce general Washington, and declared he would freely join them for that purpose.

One morning Mr. Nicholson, Mr. Wright, and Mr. Wilson, were disputing on the mode of filling up our quota, and Mr. Wright contending for the draught, Mr. Wilson said, he was satisfied