

An ACT to repeal and alter the forty-fifth and part of the thirty-seventh articles of the form of government.

WHEREAS, by the forty-fifth article of the form of government, it is declared, that no field officer of the militia should be eligible as a senator, delegate, or member of the council; and by the thirty-seventh article it is declared, that no person employed in the regular land service or marine of this state, or the United States, should have a seat in the general assembly or the council of this state; which said articles exclude from the legislature and council of this state, those who may be very useful, and ought to have a right to be elected therein:

Be it therefore enacted, by the General Assembly of Maryland, That the forty-fifth article, and that part of the said thirty-seventh article, which excludes persons in the regular land service or marine from the right of being elected into the legislature or council of this state, be, and they are hereby repealed and abolished; and all field officers of militia, having the qualifications required by law, shall have a right to be elected into and hold a seat in the legislature or council of this state; and all regular military officers of this state, or belonging to its quota of troops, having the qualifications required by law, shall have a right to be elected into the general assembly or council of this state, or any office of profit or trust of this state. Provided that no such regular officer shall be capable in time of war of taking his seat in either the general assembly or council, or accepting or holding any such office of profit or trust, before he resigns his military command, or such military command, and pay thereon arising, is suspended for and during the time for which such regular officer shall be elected into the general assembly, council, or any other office aforesaid.

Which was read the first and second time by especial order and will pass.

The bill, entitled, An act to repeal the act, entitled, An act to restrict the delegates of this state in congress from engaging in any trade either foreign or domestic, was read the second time, unanimously rejected, and, with the above bill, and the following messages, sent to the house of delegates by William Hindman, Esq;

BY THE SENATE, JULY 2, 1780.

GENTLEMEN,

WE last session sent you a bill to repeal the forty-fifth and part of the thirty-seventh articles of our form of government, which you did not return, for what reason we are at a loss to determine. We esteem a law for this purpose proper and necessary, and have again sent you a bill to restore the field officers in the regular service to that eligibility which they ought to enjoy. Should you concur with us in opinion, the law may be passed and published agreeable to the constitution.

By order,

J. MACCUBBIN, clk.

BY THE SENATE, JULY 2, 1780.

GENTLEMEN,

WE are very desirous to bring the present session of assembly to a conclusion, as soon as the necessary business is considered and dispatched. When this is done, we shall be ready to adjourn, and shall inform you of the time of our adjournment.

By order,

J. MACCUBBIN, clk.

The bill, entitled, An act to procure a supply of salt meat for the use of the army, was read the second time by especial order, passed, and sent to the house of delegates by Richard Barnes, Esq;

The senate adjourns till to-morrow morning 9 o'clock.

MONDAY, July 3, 1780.

THE senate met. Present as on yesterday. The proceedings of yesterday were read. The senate taking into consideration the bill, entitled, A Supplement to the act to procure recruits, &c. with the amendments as proposed by the house of delegates, agreed to the first, second, third, fourth, sixth, seventh, eighth, ninth, tenth, and twelfth amendments, and dissented to the rest.

The amendment respecting vagrants was read, and the question being put, That the same be agreed to? Carried in the negative.

NEGATIVE.

Honourable Daniel of St. Thomas Jenifer, Esq; president, Matthew Tilghman, Thomas Stone, William Hindman, Richard Barnes, Joseph Sim, and William Hemsley, Esquires.

AFFIRMATIVE.

Honourable Charles Carroll, Barrister, Charles Carroll, of Carrollton, and Brice T. B. Worthington, Esquires.

Messieurs