

VOTES AND PROCEEDINGS, NOVEMBER 1784. 51

BY THE HOUSE OF DELEGATES, JANUARY 16, 1785.

MAY IT PLEASE YOUR HONOURS,

As the senate have not been pleased to communicate, this house are not able to conjecture the reasons that influenced them to give their negative to our bill, for removing the disability on nonjurors to hold offices, or vote at elections. We adopted the measure from principles of humanity and policy; and if we have erred in judgment, we wish to be informed, and will retract our opinion. The basis of a free government is the right of the people to participate in the legislature, and this privilege is the true criterion by which to discriminate *free* from *absolute* governments. To disfranchise a number of citizens, by depriving them of the right to elect representatives, and to bind them by laws, to which they are prohibited, by law, from giving any consent, is the highest exercise of legislative power, and only to be excused in extreme exigency, for the safety of the state, and ought not to be continued after the necessity ceases. The great distinguishing characteristic between a freeman and a slave, is the right of voting for delegates, to make laws affecting liberty and life. We believe there are thousands of our people, cut off from the right of citizenship by the law, which we propose to repeal; a law made amidst the tumult and the rage of war. Among those that are proscribed, are numbers of quakers and methodists, a people inoffensive in their manners, exemplary in their conduct, and useful to the state from their industry. We cannot believe, that the state can be in any the least possible danger from restoring all the nonjurors to the capacity to hold offices, and the right of suffrage. If the senate will point out any of the nonjurors (in this time of peace and safety) as proper objects for the resentment of the legislature, this house will except them from the benefit of the act; but we do not think it wise or just to punish *numbers* for the incorrigible conduct of a *few*. We expected that the moderation, liberality and tenderness, proposed to be shewn to these people, would have reconciled and attached them to our government, and induced them not to leave it, to seek another, in which they would enjoy all the rights of freemen. If your honours are averse from enabling the nonjurors to hold offices in government, and will consent to restore them the privilege of suffrage at elections, we will agree to pass the law with such amendment. We have returned the bill, to afford the senate an opportunity of reconsidering the subject, and of concurring in the measure, or assigning their reasons for their dissent, and the motives which determine them to continue a discrimination among our citizens, in our opinion very odious in itself, and wholly unnecessary since the peace, and the firm establishment of our government.

By order,

W. HARWOOD, clk.

The resolution respecting the advance of five hundred pounds sterling to Samuel Chase, Esq; was read the second time, and the question being put, That the same be assented to? The yeas and nays being called for appeared as follow:

A F F I R M A T I V E.

The honourable Thomas Stone, William Hindman, Samuel Hughes, and William Perry, Esquires.

N E G A T I V E.

The honourable John Smith, Esq; president, the honourable Charles Carroll, of Carrollton, Daniel Carroll, Edward Lloyd, and George Gale, Esquires.

Determined in the negative.

Mr. Stull, from the house of delegates, delivers to the president a bill, entitled, An act to enable the governor to exercise certain powers therein mentioned, endorsed; "By the house of delegates, January 15, 1785: Read the first time and ordered to lie on the table.

"By order,

W. HARWOOD, clk.

"By the house of delegates, January 16, 1785: Read the second time by especial order and will pass.

"By order,

W. HARWOOD, clk."

Mr. Dashiell, from the house of delegates, delivers to the president the engrossed bill No. 37, with the paper bill thereof, which engrossed bill was thus endorsed; "By the house of delegates, January 15, 1785: Read and assented to.

"By order,

W. HARWOOD, clk."

Mr. Oglevee, from the house of delegates, delivers to the president the bill, entitled, An act for straightening and repairing the road from Baltimore-town to the lower ferry on the river Susquehanna, endorsed; "By the house of delegates, January 10, 1785: Read the first time and ordered to lie on the table.

"By order,

W. HARWOOD, clk.

"By the house of delegates, January 16, 1785: Read the second time and will not pass.

"By order,

W. HARWOOD, clk."

Mr. Downes, from the house of delegates, delivers to the president the bill, entitled, An act to provide a fund for the relief of the widows and children of the clergy of the protestant episcopal church, with the following message:

BY THE HOUSE OF DELEGATES, JANUARY 16, 1785.

MAY IT PLEASE YOUR HONOURS,

WE agree to all your amendments to the bill to provide a fund for the relief of the widows and children of the clergy of the protestant episcopal church, with the following additions or alterations, to wit. In the 6th line of the 1st page, instead of "ministers of the" say "clergy of the"