

the." In the 11th line of the same page strike out "being" and insert "are," and in the 7th line from the bottom of the same page strike out "William Hanna." In the 5th line from the bottom of the same page, after the word "junior" strike all out to the word "state" inclusive in the 6th line of the 2d page. In the 7th line of the 2d page, after the word "successors" insert "to be chosen according to this act." In the 2d line from the bottom of the 3d page, after the word "best" add "and also to elect such persons as they may think proper themselves, from time to time, for perpetuating this corporation." In the 6th line of the 4th page, after the word "clergymen" insert "in the orders and communion" In the 10th line of same page, after the word "children" add "and settling them in some useful business or profession."

By order,

W. HARWOOD, clk.

Mr. Nicholas Worthington, from the house of delegates, delivers to the president the engrossed bills from No. 14 to No. 61 inclusive, except No. 37 and 56, with the paper bills thereof, which engrossed bills were severally thus endorsed; "By the house of delegates, January 15, 1785: Read and assented to."

"By order,

W. HARWOOD, clk."

The bill, entitled, An act to enable the governor to exercise certain powers therein mentioned, was read the first time and ordered to lie on the table.

On motion, ORDERED, That Thomas Stone, Daniel Carroll, and George Gale, Esquires, be appointed a committee to answer the message of the house of delegates on the bill, entitled, An act to repeal part of the act for the better security of the government.

The senate proceeded to the election of four commissioners to draw up regulations respecting the jurisdiction and navigation of the rivers Patowmack and Pocomoke; the ballot box was prepared, the ballots deposited therein, sealed up, and delivered to the committee of the senate appointed to meet the committee of the house of delegates, who retired to the conference room, and after some time returned and reported, that Thomas Johnson, Thomas Stone, Samuel Chase, and Daniel of St. Thomas Jenifer, Esquires, had a majority of votes. Whereupon it is declared in the senate, That Thomas Johnson, Thomas Stone, Samuel Chase, and Daniel of St. Thomas Jenifer, Esquires, are duly elected commissioners to draw up regulations respecting the jurisdiction and navigation of the rivers Patowmack and Pocomoke.

The resolution respecting an advance of five hundred pounds sterling to Samuel Chase, Esq; was sent to the house of delegates by Charles Carroll, of Carrollton, Esq;

The president lays before the senate a petition from Thomas Manuel, praying to be liberated from Cæcil county gaol; which was read and referred to the consideration of the house of delegates.

The resolution respecting the prison of Anne-Arundel county, was read and assented to.

The resolution respecting major B own and captain Hamilton, was read and assented to.

The bill, entitled, An act to invest congress with certain powers respecting the commerce of the United States, was read the second time, passed, and, with the above petition, sent to the house of delegates by Daniel Carroll, Esq;

The senate adjourns till Monday morning 9 o'clock.

M O N D A Y, January 17, 1785.

THE senate met. Present as on yesterday. The proceedings of yesterday were read. Charles Carroll, of Carrollton, Daniel Carroll, and Edward Lloyd, Esquires, bring in and deliver to the president the following protest:

Dissentient.

B E C A U S E the message holds up an opinion, that the agency of Mr. Chase is still in continuance, and that he is entitled to draw a commission of four per cent. on the bank stock, whenever it shall be received; an opinion, we conceive to be erroneous, as we apprehend the law not to be now in force, under which he was appointed and commissioned, that law being of a temporary nature, and confined to objects not now attainable, without a communication of new and more ample powers.

The only powers given to the late agent, by the act of April session one thousand seven hundred and eighty three, are reducible to these: A power to call on the former trustees of the bank stock to surrender up to him their trust, and to render an account of the faithful execution thereof, to transfer and assign to the agent, or his assigns, the whole of the bank stock, and to account for and pay unto him any dividends, not invested in stock, and on payment, or receipt, to pay the trustees their commission and give them a discharge, or acquittance. These were the principal objects of the law; the other powers, thereby imparted, viz. to sell the bank stock, to place the money in a banker's hands, and to pay certain bills of exchange, were entirely dependent on the agent's receiving a transfer of the bank stock, and without such transfer being made to him, could not be executed.

The usual words in conferring a power to sue, are not to be met with in the act; and the omission of them is accounted for by the agent, who has admitted, that neither the legislature, or he himself, who was a member of it, who probably drew, or took a principal part in drawing, the bill, had in view at the time the propriety or necessity of suing the trustees, or foresaw that a suit would be instituted by any one of them against the agent.

From the omission in the act of the usual words, "demand, sue, and recover," and from the intention of the legislature, as admitted by the agent, we infer that no authority was given to him