

24 VOTES AND PROCEEDINGS, NOVEMBER, 1785.

lower ferry, and for other purposes therein mentioned, endorsed; "By the house of delegates, December 26, 1785: Read the first time, and ordered to lie on the table.

"By order, W. HARWOOD, clk.
"By the house of delegates, December 27, 1785: Read the second time by especial order and will pass.

Which was read the first time and ordered to lie on the table. "By order, W. HARWOOD, clk."

The senate adjourns till to-morrow morning 10 o'clock.

W E D N E S D A Y, December 28, 1785.

THE senate met. Present as on yesterday. The Proceedings of yesterday were read.

Mr. Waters, from the house of delegates, delivers to the president a bill, entitled, An act to establish a road in Somerset county, to lead from the Bear Swamp road till it intersects the road from King's Branch to Princess-Anne, endorsed; "By the house of delegates, December 17, 1785: Read the first time and ordered to lie on the table.

"By order, W. HARWOOD, clk.
"By the house of delegates, December 27, 1785: Read the second time and will pass.

And also the following resolution: "By order, W. HARWOOD, clk."

BY THE HOUSE OF DELEGATES, DECEMBER 28, 1785.

WHEREAS it appears that Jesse Suit, of the city of Annapolis, did take up a number of deserters under the act of assembly, passed at the April session one thousand seven hundred and eighty two, entitled, A Supplement to the act, entitled, An act to raise recruits:

Therefore, RESOLVED, That the intendant of the revenue be directed to settle with the said Jesse Suit, and pay him such sum of money as may appear due him for the services aforesaid.

Which were read the first time and ordered to lie on the table. "By order, W. HARWOOD, clk."

Mr. M'Mechen, from the house of delegates, delivers to the president, a bill, entitled, An act for the regulation of the poor in the several counties of this state, and for the repairing of the poor house of Baltimore county, endorsed; "By the house of delegates, December 20, 1785: Read the first time and ordered to lie on the table.

"By order, W. HARWOOD, clk.
"By the house of delegates, December 28, 1785: Read the second time and will pass.
"By order, W. HARWOOD, clk."

Which was read the first time and ordered to lie on the table.
The bill, entitled, An act for extending the causeway through the marsh on the south side of Wicomico river at the lower ferry, and for other purposes therein mentioned, was read the second time by especial order and will pass.

The bill, entitled, An act to enable John Eager Howard, of Baltimore county, to convey to the vestry of Saint Paul's parish and their successors a parcel of ground adjoining Baltimore-town, for the purposes therein mentioned, was read the second time, passed, and, with the above bill, sent to the house of delegates by Charles Carroll, of Carrollton, Esq;

George Gale, Esq; from the committee appointed to prepare a message to the house of delegates, respecting the bill for enlarging the power of the high court of chancery, brings in and delivers to the president the following message:

BY THE SENATE, DECEMBER 28, 1785.

GENTLEMEN,
We have considered your several private bills herewith sent, and return them with a negative. They contain cases which we think it probable may merit relief, but we cannot consent to it in the mode proposed by your house. We have ever considered the interference of the legislature, in questions relating merely to private property, as highly improper. Applications of this kind have of late become so numerous, as greatly to retard the public business, extend our sessions into an unusual length, and if countenanced will ultimately engraft the judicial upon the legislative power of the state.

We need not point out the great injury and injustice which individuals frequently sustain from the legislature's exercise of this judicial power. The general assembly have not the means of obtaining the information which is necessary to a full investigation of the subject upon which they decide, and not being under the immediate and sacred influence of an oath, their opinions may be more hastily formed, and their judgment more insensibly warped by passion and prejudice.

The bill for enlarging the power of the high court of chancery, sent you by this house, and which is now under your consideration, will, if passed into a law, remove these objections, and would afford a proper constitutional mode of redress.

We hope, gentlemen, these reasons will induce you soon to take up that bill, weigh its consequences, and if it meets your approbation, which we greatly wish, invest the chancellor with a power that will exempt the legislature from a disagreeable service, and give the applicant his proper relief in a court of equity.

Which was read the first time and ordered to lie on the table. "By order, J. DORSEY, clk."

Jonathan