

VOTES AND PROCEEDINGS, NOVEMBER, 1785. 29

BY THE HOUSE OF DELEGATES, JANUARY 9, 1786.

WHEREAS it is represented, by the memorial of colonel Alexander Lawson Smith, that he was entitled to the rank of lieutenant-colonel in the late federal army, and resigned the said commission in the year seventeen hundred and eighty, and accepted of a commission of lieutenant-colonel commandant in the regiment extraordinary, raised by the state of Maryland in the afore- said year, with which he joined the southern army, and continued in the service until he was recalled by an act of assembly of this state, passed at October session in the same year; and whereas, by the said act, it was among other things enacted, That the field and commissioned officers of said regiment should be recalled, and that they be reimbursed the extraordinary expence by them incurred, and over and above the pay due to them at the time of their discharge, should receive one year's pay, deducting therefrom the money and value of the cloathing and other necessaries by them received, with a proviso that colonel Alexander Lawson Smith should hold the rank of lieutenant-colonel, as a supernumerary officer of this state, in the continental service; he having resigned his commission in the continental service for the purpose of accepting the command of the said regiment extraordinary, and being entitled to the rank of lieutenant-colonel in the continental army; and the governor and council were requested to write to the board of war, desiring them to make out a commission accordingly. And whereas, the public faith is plighted to the said Alexander Lawson Smith, by the said act, to secure to him the advantage incident to a lieutenant-colonel's commission in the continental service; therefore RESOLVED, That the auditor general be authorized and directed to liquidate and adjust the claim of the said Alexander Lawson Smith, to commutation as lieutenant-colonel in the continental service; and in the adjustment of the said claim, the auditor is hereby directed to deduct out of the five years commutation, the one year's pay advanced to the said Alexander Lawson Smith, over and above the pay for the time of his service in the regiment extraordinary, to the time of his discharge; and that the auditor be empowered to draw on the treasury for such sums of money as may be necessary to purchase final settlement-certificates, to the amount of the balance due on the adjustment of the aforesaid claim, and deliver the same to colonel Smith, in full of his demands on this state as lieutenant-colonel; and that the same be charged to the United States.

By order,

W. HARWOOD, clk.

Which were severally read the first time and ordered to lie on the table.

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

T U E S D A Y, January 10, 1786.

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

On motion, ORDERED, That the bill, entitled, An act to prevent the exportation of unmerchantable tobacco, be taken into consideration on to-morrow.

The resolution respecting John Hamilton, was read and assented to.

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

W E D N E S D A Y, January 11, 1786.

THE senate met. Present as on yesterday. The proceedings of yesterday were read. Daniel Bowley, Esq; appeared in the senate, and after qualifying as directed by the constitution and form of government, took his seat.

The honourable George Plater, Esq; president of the senate, has leave of absence.

The resolution respecting colonel Alexander Lawson Smith, was read, assented to, and, with the resolution respecting John Hamilton, sent to the house of delegates by Charles Carroll, Esq;

Mr. Bond, from the house of delegates, delivers to the president the bill, entitled, An act to prevent frivolous appeals and writs of error, and improper removals of causes from the inferior to the superior courts, endorsed; "By the house of delegates, December 23, 1785: Read the first time and ordered to lie on the table."

"By order,

W. HARWOOD, clk.

"By the house of delegates, January 10, 1786: Read the second time and will not pass."

"By order,

W. HARWOOD, clk."

The senate proceeded to the consideration of the order of the day, and on the second reading of the bill to prevent the exportation of unmerchantable tobacco, it was moved, to strike out from the word "and" in the fourth line of the 9th page, to the word "act" in the ninth line of the same page, which relates to the naval officers taking bond from foreigners respecting the shipping tobacco? The yeas and nays being called for appeared as follow:

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

The honourable George Plater, Esq; president, the honourable Thomas Stone, John Smith, and Daniel Carroll, Esquires.

N E G A T I V E.

The honourable Charles Carroll, of Carrollton, William Perry, George Gale, James Lloyd, and Daniel Bowley, Esquires.

Carried in the negative.

The bill not being read throughout, the senate adjourns till to-morrow morning 10 o'clock

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