

T U E S D A Y, February 28, 1786.

**T**HE senate met. Present as on yesterday. The proceedings of yesterday were read. Mr. Steret, from the house of delegates, delivers to the president the following resolution:

By THE HOUSE OF DELEGATES, FEBRUARY 28, 1786.

On the second reading the report on the petition of Charles Frederick Wiefenthal, **RESOLVED**, That the auditor-general be empowered, and he is hereby directed, to settle and adjust the accounts of doctor Charles F. Wiefenthal, for the whole time he acted under his appointment from this state, and the accounts so settled by the auditor-general, shall be presented to the governor and council, or the intendant of the revenue, and if passed by them, who are to draw an order for the same on the treasurer of the western shore, agreeably to the act of May session 1781; and the whole of the said account shall be charged to the United States.

By order,

W. HARWOOD, clk.

The following message was prepared, agreed to, and with the bill for the valuation of land in the several counties of this state for the purpose of laying the public assessment, and the bill to prevent the exportation of unmerchantable tobacco, was sent to the house of delegates by John Smith, Esq;

By THE SENATE, FEBRUARY 28, 1786.

GENTLEMEN,

**T**HOUGH convinced that the regulation proposed by us for discriminating the different kinds of tobacco in the inspectors notes would be attended with very beneficial consequences, yet as an inspection law is necessary, and you will not adopt this regulation, we will agree to pass the bill to prevent the exportation of unmerchantable tobacco with the amendments proposed by you, and the following alterations; that two shillings and six pence per hoghead should be paid upon inspection, and the like sum upon delivery, as in your first bill, instead of three shillings in our bill, and that the act continue until the end of the next annual session of the general assembly. We should have proposed to have adopted the distinctions of tobacco in your bill, but they would not execute the principle, and therefore, if adopted, would subject the legislature to a censure of inconsistency. The bill has been so long delayed, that it will be necessary to alter some of the days, which we agree may be done by gentlemen to be appointed to examine the bill and insert the amendments. We shall order the part of the bill respecting the discrimination of tobacco to be published, and hope that when the scheme is fully examined, a future legislature will adopt it. We have reconsidered the amendment to the bill for the valuation of land, proposed by us for constituting a general court of appeals, and we can by no means subscribe to the justice of your remarks upon this subject, which appear to us not to have been dictated by a proper opinion of the proposers of the amendment, or the judicature intended to be constituted. We were not to learn, that a knowledge of the law is not necessarily connected with a knowledge of the value of land, but the one is certainly not inconsistent with the other, as both the courts proposed to examine in the last resort, must be admitted to be composed of men of known integrity, and will not be under the local bias or prejudices which sometimes prevail in the counties, we conceive their being accustomed to examine disputed questions, and to determine by the rules of justice, is rather a recommendation than an objection. We apprehend that men, possessed of large bodies of land, will not be more likely to complain without cause, than others, and if there be just grounds of complaint, there ought to be a remedy adequate to the grievance, and to reject a remedy, from a mistaken apprehension that it will be abused, is striking at once at all judicial inquiries. By your proposition, a man may be aggrieved and have no legal remedy, which ought not to be the case, even with men possessed of large bodies of land. But, gentlemen, as we have no hopes of obtaining your assent to this part of our amendment, and the members of both houses are anxious to finish the important business of the session, and the general plan of your bill establishes a better mode of valuing real property than has been heretofore adopted, we agree to recede from the part of our amendment objected to by you, and that the bill may pass corrected accordingly. As the amending the above bills as agreed to by both houses will require attention, we propose, as the most expeditious and correct mode of doing this business, that two members of each house be appointed to insert the amendments and correct the bills, and have appointed William Perry and Daniel Bowley, Esquires, for this purpose.

By order,

J. DORSEY, clk.

William Perry, Esq; brings in and delivers to the president a bill, entitled, An act for the regulation of the poor in the several counties of this state, for the relief of indigent mariners, and for the repairing of the poor-house in Baltimore county; which was read the first time and ordered to lie on the table.

On the second reading the bill for a general registry of wills, it was moved and seconded, after the word "county" in the 5th line to insert "of the western shore, and the original wills of the eastern shore, to the register of wills for Talbot county;" and after the word "who" in the same line, strike out "is" and insert "are." The yeas and nays being called for appeared as follow:

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

The honourable John Smith, William Perry, and George Gale, Esquires.

N E G A.