

The following message was prepared, agreed to, and sent to the house of delegates by John Smith, Esquire.

BY THE SENATE, MAY 7, 1787.

GENTLEMEN,
NOT having heard from your house since Thursday last on the subject of the ballot of that day, we are somewhat surpris'd at your message of this afternoon by Mr. Bowie. In answer thereto we can truly say, that no irregularity appeared to us, and therefore Gabriel Duvall, Esquire, was declared by the senate duly elected. "You say there was an irregularity owing to a mistake, as you apprehend, of some of the delegates, who, on a ballot being called for some time before going into one, put their tickets into the box, and afterwards, when the general ballot took place, not recollecting this circumstance, put in again." We are dispos'd, gentlemen, to harmonize with you without departing from all the rules that should govern the two houses on similar occasions; and not being willing to agree to the proposal you make of a new ballot after the intervention of several days, when, by the absence of some members, and the coming in of others, the ballot may be changed to the prejudice of one or the other of the gentlemen, we propose one of two methods to obviate all controversy, that is, either to confer the necessary powers to any three or two of the four gentlemen first elected, or if you wish a new ballot, this house will agree to ballot for any person or persons that may be put in nomination, excluding Gabriel Duvall and Daniel of Saint Thomas Jenifer, Esquires, from the proposed ballot; but this house, under all circumstances, have determined not to go into a new ballot for either of those gentlemen.

J. DORSEY, clk.

By order,

Mr. Harwood, from the house of delegates, delivers to the president the following message:

BY THE HOUSE OF DELEGATES, MAY 7, 1787.

MAY IT PLEASE YOUR HONOURS,
WE cannot consent to exclude any gentleman from the choice of either house, and there can be no question that the ballot on Thursday last was irregular. We really wish to accommodate as far as possible, and therefore we propose that Daniel of Saint Thomas Jenifer and Gabriel Duvall, Esquires, be added to the four gentlemen before elected, as it appears that both those gentlemen were approved of by a majority of the legislature.

W. HARWOOD, clk.

By order,

The following message was prepared, agreed to, and sent to the house of delegates by Daniel Carroll, Esquire.

BY THE SENATE, MAY 7, 1787.

GENTLEMEN,
THE hour of adjournment being pass'd, we will return an answer to-morrow morning to your message by Mr. Harwood.

By order,

The senate adjourns till to-morrow morning 8 o'clock.

J. DORSEY, clk.

T U E S D A Y, May 8, 1787.

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

BY THE HOUSE OF DELEGATES, MAY 7, 1787.

RESOLVED, That the auditor-general be, and he is hereby empowered and directed to draw on the treasurer of the western shore, to pay to captain William Stone the sum of five hundred and forty pounds current money, with interest thereon from the twenty-fourth day of June, seventeen hundred and eighty-three, in payment for the sails, rigging, &c. of the brig Friendship, and also the further sum of fifteen pounds like money for an iron cabouse, left on board the said vessel, all which were agreed to be returned to the said captain Stone by the late intendant, on a reference between the state and the said Stone, the said captain William Stone making it first appear to the auditor-general, either by his own oath or otherwise, that he has not received any of the said articles, or any payment, security or satisfaction, for the same.

W. HARWOOD, clk.

By order,

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

Mr. J. Johnson, from the house of delegates, delivers to the president the following message:

BY THE HOUSE OF DELEGATES, MAY 8, 1787.

MAY IT PLEASE YOUR HONOURS,

WE have agreed to the last amendment proposed to the bill, entitled, A supplement to the act for the speedy recovery of small debts out of court; the first and second we have not agreed to, as we are of opinion the bill, as framed by this house, will be less expensive, and better suit the present circumstances of this state; and we flatter ourselves that on reconsidering the subject, your honours will wave those amendments.

But, should you retain your opinion, we wish a conference to take place on the subject of extending the jurisdiction of the justices out of court, to perfect a system by which much of the business may be taken out of the courts of law, and of course a heavy expence saved to the class of citizens incumbered with small debts.

W. HARWOOD, clk.

By order,

Which was read.

Mr.