

committee of the senate appointed to meet the committee of the house of delegates, who retired to the conference room, and after examining the ballots, returned and reported, that the honourable Charles Carroll, of Carrollton, Esquire, had forty-five votes, and that the honourable Uriah Forrest, Esquire, had thirty votes; and it appearing from such report, that the honourable Charles Carroll, of Carrollton, had a majority of the votes of all the attending members of the legislature, it is thereupon declared in the senate, that the honourable Charles Carroll, of Carrollton, Esquire, is duly elected a senator to represent this state in the senate of the United States.

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

BY THE HOUSE OF DELEGATES, NOVEMBER 26, 1790.

MAY IT PLEASE YOUR HONOURS,

WE have sent back the bill, entitled, An act respecting the marriage of Hercules Courtenay, of Baltimore-town, for your reconsideration, and hope, that on reflection, you will be induced to pass it. Mr. Courtenay is a gentleman of so fair a character; that we think him a proper object of the clemency of the legislature.

By order,

W. HARWOOD, clk.

And also the bill, entitled, An act to repeal so much of the act concerning marriages as is therein mentioned, thus endorsed; "By the house of delegates, November 19, 1790: Read the first time and ordered to lie on the table."

"By order,

W. HARWOOD, clk.

"By the house of delegates, November 26, 1790: Read the second time and will not pass."

"By order,

W. HARWOOD, clk."

The senate adjourns until to-morrow morning 9 o'clock.

S A T U R D A Y, November 27, 1790.

THE senate met. Present as on yesterday. The proceedings of yesterday were read. The resolution respecting Henry C. Baker, was read the second time by especial order and dissent to.

The president communicates to the senate a letter from his excellency the governor, enclosing a process of summons against the state of Maryland, at the suit of Nicholas and Jacob Vanstaphorst, issued out of the supreme court of the United States; which were severally read, referred to the consideration of the house of delegates, and, with the resolution respecting Henry Baker, were sent by John Smith, Esquire.

The resolution empowering the president of the senate and speaker of the house of delegates to transmit the resolution of this state, to the commonwealth of Virginia, respecting the advance of money towards erecting the federal buildings, was read the second time, assented to, and sent to the house of delegates by Daniel Carroll, Esquire.

On the second reading of the bill for the removal of the seat of justice from Melville's Warehouse to Pig Point, in Caroline county, John Henry, Esquire, begged to be excused from voting on the said bill, conceiving himself interested in point of property as to Choptank Bridge, and was excused by the senate accordingly; and the question being put, That the said bill do pass? Determined in the affirmative.

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

The honourable George Plater, Esquire, president, honourable Charles Carroll, William Hemsley, William Perry, John Smith, Daniel Carroll, Richard Ridgely, Samuel Hughes, James Carroll, and Daniel Bowley, Esquires.

N E G A T I V E.

The honourable Nicholas Hammond, Esquire.

Mr. Martin, from the house of delegates, delivers to the president a bill, entitled, An act to regulate auctions in Baltimore-town, thus endorsed; "By the house of delegates, November 26, 1790: Read the first time and ordered to lie on the table."

"By order,

W. HARWOOD, clk.

"By the house of delegates, November 27, 1790: Read the second time by especial order and will pass."

"By order,

W. HARWOOD, clk."

Read the first time and ordered to lie on the table.

The bill for the removal of the seat of justice from Melville's Warehouse to Pig Point, in Caroline county, was sent to the house of delegates by Richard Ridgely, Esquire.

The bill, entitled, An act to regulate auctions in Baltimore-town, was read the second time by especial order and will pass.

On motion, the question was put, That the senate reconsider the bill respecting the marriage of Hercules Courtenay, of Baltimore-town? And the house being equally divided, the motion was lost.

The following message was prepared and agreed to.

BY THE SENATE, NOVEMBER 27, 1790.

GENTLEMEN,

THIS house cannot agree to reconsider the bill respecting the marriage of Hercules Courtenay, of Baltimore-town. As long as an act of assembly is in force, which prohibits such connexions under certain penalties, it appears improper to sanction any violation of the law by a particular act; and although some precedents are already established upon this subject, yet these, in our opinion, furnish reasons