

VOTES AND PROCEEDINGS, November, 1791. 17

The clerk of the house of delegates delivers a bill, entitled, An act respecting land warrants, thus endorsed; "By the house of delegates, November 26, 1791: Read the first and second time by especial order and will pass.

"By order,

W. HARWOOD, clk."

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

And a bill, entitled, An act for the relief of Francis Clement Dyer, of Prince-George's county, thus endorsed; "By the house of delegates, November 23, 1791: Read the first time and ordered to lie on the table.

"By order,

W. HARWOOD, clk.

"By the house of delegates, November 26, 1791: 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.

And a bill, entitled, An act to empower the justices of Caroline county to levy a sum of money, by an assessment of the property of said county, to erect a gaol at Denton, in said county, and for other purposes therein mentioned, thus endorsed; "By the house of delegates, November 25, 1791: Read the first time and ordered to lie on the table.

"By order,

W. HARWOOD, clk.

"By the house of delegates, November 26, 1791: Read the second time by especial order and will pass.

"By order,

W. HARWOOD, clk."

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

And also the following resolution:

BY THE HOUSE OF DELEGATES, NOVEMBER 25, 1791.

Whereas it is represented to this general assembly, by the petition of Doctor Ennalls Martin, of Talbot county, that the petitioner was appointed a surgeon's mate in the hospital of the United States, and it appears from the certificate of William Shippen, junior, late director-general of the medical hospital, that the petitioner did serve in that capacity from the 12th of May, 1777, till the 20th of February, 1780: And whereas by a supplement to the act to settle and adjust the accounts of the troops of this state in the service of the United States, passed May session, 1787, chap. 35, sect. 7, it is enacted, That whereas inhabitants of this state, of the medical department, not attached to the line or quota of troops of any state, are not included in the act to settle and adjust the accounts of the troops, and are recommended by congress to be provided for by this state; that the commissioners shall settle and adjust the accounts of such officers of the medical department, according to the scale of depreciation by this and the former act; therefore, RESOLVED, That the auditor-general be and he is hereby authorized and directed to settle with, and grant a certificate for depreciation of pay to, doctor Ennalls Martin, late surgeon's mate in the medical hospital of the United States, on the same terms and in the same manner that depreciation of pay hath been heretofore granted to officers and soldiers of the Maryland line, and that the same be charged to the United States.

By order,

W. HARWOOD, clk.

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

The senate adjourns till Monday morning to o'clock.

MONDAY, November 28, 1791.

THE senate met. Present the same members as on Saturday. John Eager Howard, Esquire, appeared in the senate. The proceedings of Saturday were read.

The bill for the relief of John Love, of Harford county, was, with the supplement to the act to prohibit the bringing slaves into this state, and to alter and amend parts of the said act, sent to the house of delegates by the clerk of the senate.

The clerk of the house of delegates delivers the bill directing the mode of taking sheriffs bonds, and to provide for defects which have arisen therein since the revolution, thus endorsed; "By the house of delegates, November 14, 1791: Read the first time and ordered to lie on the table.

"By order,

W. HARWOOD, clk.

"By the house of delegates, November 18, 1791: Read the second time and will not pass.

"By order,

W. HARWOOD, clk."

And the following message:

BY THE HOUSE OF DELEGATES, NOVEMBER 28, 1791.

MAY IT PLEASE YOUR HONOURS,

WE have rejected the amendment proposed by the senate to the bill to revive and aid the proceedings of Harford county court, and for other purposes. We have entire confidence that the justices of that court will require sufficient security from the sheriff, and it does not appear to us, from the expressions of the 42d article of the constitution; that since the new government the judgment of the county court, upon this subject, is liable to any control.

The practice in this state has been, without exception, different from your amendment, and we see no reason for impeaching the legality of that practice by a declaration of the legislature. It may create doubts of the validity of every sheriff's bond heretofore taken, without producing any valuable effect in the particular case before us.

The amendment may become extremely inconvenient in another respect; for, if the governor, whose means of information cannot be equal to those of the court, should think proper to reject the bond to be taken by them at their special meeting, the object of the bill will be defeated, and the

sheriff