

Which was read the first and second time by especial order, passed, and sent to the house of delegates by the clerk of the senate.

And the following resolution :

BY THE HOUSE OF DELEGATES, DECEMBER 4, 1792.

RESOLVED, That the treasurer of the western shore be and he is hereby directed to deliver up to the said Elijah Johnson, or his order, the said bond entered into by the said Elijah Johnson, William Dashiell and William M. Bryde, to be cancelled.

By order,

W. HARWOOD, clk.

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

The following message was prepared, agreed to, and sent to the house of delegates by the clerk of the senate.

BY THE SENATE, DECEMBER 4, 1792.

GENTLEMEN,

WE can see no reason for altering the principles laid down in our message of the twenty-eighth of November last, respecting the resolution that passed in your house in favour of captain Richard Waters. The state could not enter into an appointment of persons to ascertain the value of the land to which its title proved defective, because there has been no legal decision on the title, and captain Waters seems rather to have delayed the matter by taking a voluntary possession under those persons whose claim is adverse to the state. Costs are never recovered from the state in civil cases, and while this is the law of the land we cannot consent to an exception in favour of an individual. In agreeing to prosecute an ejectment for the land in dispute at the costs of the state, we have gone as far as we reasonably could, and farther, perhaps, than strict justice demands.

By order,

H. RIDGELY, clk.

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

W E D N E S D A Y, December 5, 1792.

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

The clerk of the house of delegates delivers the following resolution :

BY THE HOUSE OF DELEGATES, DECEMBER 4, 1792.

RESOLVED, That the auditor-general, under the direction of the governor and council, be directed and empowered to settle and adjust, upon the principles of equity, the accounts between Overton Carr, of Prince-George's county, and the state of Maryland, and that the treasurer of the western shore issue to the said Overton Carr a certificate for the balance, if any, which may be found upon such settlement to be due to him.

By order,

W. HARWOOD, clk.

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

The clerk of the house of delegates delivers a bill, entitled, An act in favour of Jeremiah Banning, of Talbot county, thus endorsed; "By the house of delegates, December 4, 1792: Read the first time and ordered to lie on the table.

"By order,

W. HARWOOD, clk.

"By the house of delegates, December 5, 1792: 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.

The president communicates to the senate a letter from his excellency the governor, requesting the direction of the general assembly respecting the issuing a writ for a new election to fill the vacancy occasioned by the resignation of Joshua Seney, Esquire, of his seat as a representative of this state in the congress of the United States; which was read, and, on motion, William Tilghman, Esquire, brings in and delivers to the president a bill, entitled, An act to provide for filling the vacancy in the house of representatives of the congress of the United States, occasioned by the resignation of Joshua Seney, Esquire; which was read the first and second time by especial order, passed, and sent to the house of delegates by the clerk of the senate.

The clerk of the house of delegates delivers the following resolution :

BY THE HOUSE OF DELEGATES, DECEMBER 5, 1792.

RESOLVED, That the attorney-general be and he is hereby directed to institute an action of trespass and ejectment against the heirs of colonel Ryder, who are in possession of part of lot No. 3 of the Nanticoke Indian Lands purchased by John Eccleston, and prosecute the same at the expence of the state, in case he shall think the title of the state maintainable; and also to direct a stay of execution of the judgment obtained against the said John Eccleston, until the title aforesaid is determined:

By order,

W. HARWOOD, clk.

The clerk of the house of delegates delivers a bill, entitled, An act for the benefit of Judith Wallace and her children, of Charles county, thus endorsed; "By the house of delegates, December 5, 1792: 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.

ORDERED, That the clerk of the senate furnish the attorney-general with a copy of the resolution of November, 1791, respecting the lines of My Lady's Manor, and request him to report what steps have been taken in consequence thereof.

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

T H U R S .

PROPERTY OF
STATE OF MARYLAND.