

VOTES AND PROCEEDINGS, November, 1798. 43

The bill, entitled, An act for the relief of Mary Yeiser, was read the second time and will not pass.

The following message was prepared, read and agreed to, and, with the bill therein mentioned, was sent to the house of delegates by the clerk.

BY THE SENATE, JANUARY 9, 1799.

GENTLEMEN,

WE have negatived the bill for the relief of Mary Yeiser, as being a subject not proper for legislative interference. The marriage of Charles Wessels, under the circumstances stated in the bill, with the said Mary Yeiser, in the life-time of his wife, is a nullity, and void ab initio, and is not a matrimonial union, and of course she is at liberty to marry when she pleases.

By order,

A. VAN-HORN, clk.

On motion, Mr. McMechen delivers to the president the following resolution:

BY THE SENATE, JANUARY 9, 1799.

RESOLVED, That it be recommended to the governor and council, in their appointments of justices of the peace hereafter, to elect such men of integrity, ability and morality, as are most fit and proper for this important trust in the respective counties; that they have particular regard to the residence of the persons to be appointed, so that the several parts of the counties may be equally provided for; and that not more than one justice be commissioned in any one hundred, unless the same is populous or extensive, and shall in their opinion require the services and presence of more than one person to perform the duties of that station; and that if a justice of the peace moves from one hundred to another in the same county, he ought not to be considered a justice for said hundred, and that another be commissioned in his place.

By order,

A. VAN-HORN, clk.

Which was read the first and second time by especial order, and the question put, That the senate do assent thereto? The yeas and nays being required, appeared as follow:

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

Mr. Perry, president, Mr. Carroll, Mr. Grahame, Mr. Ridgely, Mr. Forrest, Mr. McMechen and Mr. Milligan.

N E G A T I V E.

Mr. Campbell, Mr. Dorsey, Mr. Thomas and Mr. Chesley.

So it was determined in the affirmative, and was sent to the house of delegates by the clerk.

The senate then took up the second reading of the resolutions proposing amendments to the constitution of the United States, and the first resolution being read, the question was put, That the senate do assent thereto? Which was determined in the affirmative.

The second resolution was read, and the question put, That the senate do assent thereto? Which was determined in the negative.

The third resolution was read, and the question put, That the senate do assent thereto? Which was determined in the negative.

The fourth resolution was read, and the question put, That the senate do assent thereto? Which was determined in the affirmative.

On motion, the question was then put, That the senate do reconsider the first resolution? Which was determined in the affirmative.

The said resolution being then read, the question was put, That the senate do assent thereto? The yeas and nays being required, appeared as follow:

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

Mr. Campbell, Mr. Grahame, Mr. Ridgely, Mr. Forrest Mr. Thomas, Mr. Chesley and Mr. McMechen.

N E G A T I V E.

Mr. Perry, president, Mr. Carroll, Mr. Dorsey and Mr. Milligan.

So it was determined in the affirmative.

The following message was prepared, read and agreed to.

BY THE SENATE, JANUARY 9, 1799.

GENTLEMEN,

WE have assented to your first and fourth resolutions, and dissented from the second and third, respecting a recommendation to our senators and representatives in congress for the purpose of proposing alterations in the constitution of the United States.

By order,

A. VAN-HORN, clk.

The resolution in favour of William Ferguson was read the second time and dissented from.

The following message was prepared, read and agreed to.

BY THE SENATE, JANUARY 9, 1799.

GENTLEMEN,

WE have rejected your resolution in favour of William Ferguson. The only necessity of passing any resolution in his favour, we think, arises from his being at present debarred remedy in the court of chancery, from certain proceedings which have heretofore taken place in that court in relation to the purchase.

We herewith send a draught of a resolution, which, if originated with you, will meet our concurrence.

By order,

A. VAN-HORN, clk.

The resolution in favour of Richard J. Orme was read the second time and dissented from.

The bill, entitled, An act for the relief of Ralph Ormston, of Washington county, was read the second time by especial order and will pass.

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