

legally held in the district No. 4, they are elected by a majority of the legal voters of the county: that fifty, or upwards of voters were received in favour of the petitioners in the county aforesaid, who were not entitled to vote in said county; that various fraudulent means were successfully practised to impose upon the judges the votes of persons of foreign birth, who were not naturalized citizens of the United States, or were not bona fide inhabitants of the county, or were otherwise not entitled according to law to vote at said election. They offer to go into proof to substantiate these facts if a full scrutiny can be obtained. The committee do not conceive that the scrutiny thus proposed, however desirable such an investigation might be, can be now properly instituted, because the committee are decidedly of opinion, that the return itself as made by the four judges of election of Allegany county is available and sufficient, according to the foregoing premises, to entitle all the sitting members from said county to the seats which they now hold under the decision already made by the house.

The committee of Elections and Privileges therefore submit the following resolution for the consideration of the house of delegates.

*Resolved*, That Messrs. William Hilleary, George Robinett (of Nathan,) George M'Connell and Beal Howard, delegates returned from Allegany County, are duly entitled to retain the seats as members of this house.

By order,

LOUIS GASSAWAY, Clk.

Which was read.

On motion by Mr. John H. Thomas, *Ordered*, That on the second reading of the report of the Committee of Elections in relation to the Allegany election, Messrs. Upton Bruce, Benjamin Tomlinson, and Thomas Greenwell, who have presented their memorial against the right of the sitting members to their seats, and have prayed that opportunity be afforded them of receiving before the house the aid of counsel, shall be permitted to be heard by counsel at the bar of the house, and that the sitting members may also be permitted to be heard by counsel on their part.

On motion by Mr. John H. Thomas, the question was put, that the house adopt the following order:

*Ordered*, That when the house adjourns it will adjourn to meet again at 5 o'clock this evening, that the report of the committee of elections on the contested election of Allegany county shall then have a second reading, and that the house will then have the argument of counsel who may appear in behalf of the petitioners and of the sitting members. *Resolved* in the affirmative.

On motion by Mr. Plater, the question was put, that the house reconsider the order last adopted? *Resolved* in the affirmative.

On motion by Mr. John H. Thomas, the said order was withdrawn.

On motion by Mr. John H. Thomas, *Ordered*, That the special report of the Committee of Elections and privileges in relation to the contested election of Allegany county, be made the order of the day for to-morrow.

Mr. Harryman delivers a bill entitled, an act for the relief of Alexander M'Connell, of Baltimore county; which was read.

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

SATURDAY, December 11, 1813.

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

John H. Riggs, Esquire, a delegate from Montgomery county, appeared, and having qualified according to the constitution and form of government, took his seat in the house.

Mr. Tilghman delivers a memorial from Philip Key, H. Turner, Robert M. Key, James Thomas and Henry Ashton, of St. Mary's county, praying that the seats of the delegates from that county may be vacated. Which was read and referred to the committee of elections.

Mr. Plater moved for leave to withdraw himself from the committee of elections and privileges, which was granted, and Mr. Kilgore was chosen to fill the vacancy.

The speaker laid before the house a communication from William Chambers, Esquire, treasurer of the Eastern Shore; which was read and referred to the committee of claims.

Mr. Saulsbury delivers a bill entitled, an act for the relief of Sarah Wooters, of Carroll county, which was read the first and second time by special order and passed.

According to the order of the day, the house proceeded to the second reading of the report of the committee of elections and privileges in relation to the contested election of Allegany county, and after some debate, the house adjourns until 5 o'clock this evening.

POST MERIDIEM, 5 o'clock.

The house met. The special report of the committee of elections, on the subject of the contested election of Allegany county, was resumed, and after further debate, the question was put, that the house concur in the report, and assent to the resolution therein contained?

The yeas and nays being required, appeared as follow:

AFFIRMATIVE.

Messrs. Plater, Millard, Causin, Blackiston, Boyer, Jervis Spencer, Hands, Brown, Reynolds, Taney, Turner, Stonestreet, Ford, Parnham, Rogerson, Bayly, Cottman, Waller, Lewis, Stewart, Griffith, Tootel, Lecompte, J. R. Evans, Lusby, Hogg, R. Evans, F. M. Hall, Mervell, Callis, Wilson, Williams, Quinton, Handy, J. Thomas, Deleplane, J. H. Thomas, Jones, Kilgour, Crabb, Riggs.—41.

NEGATIVE.

Messrs. Dorsey, Sellman, Belt, W. Hall, Blake, Randall, Harryman, Warner, Stansbury.