

OF THE SENATE.

Gentlemen of the House of Delegates.

The Senate, pursuant to the request contained in your message of yesterday, have reconsidered the bill, entitled, "an act to authorize the recording of the deed therein mentioned," and have again refused to pass the same.

The senate have heretofore established the principle that special acts of legislation upon individual cases, should not be resorted to where the courts of justice of the state have the power to give the relief sought for by the individual, and the senate cannot perceive any peculiar circumstances in the case presented to their consideration by the said bill, which would justify a departure from this principle.

From the said bill we draw the inference that Daniel Baker, the party for whose benefit the bill is intended to operate, has been in possession of the lots of ground therein mentioned, for upwards of sixteen years without interruption; and the senate, from this circumstance, have come to the conclusion, that if the said Daniel Baker has experienced no inconvenience from the want of a legal title, in all this time, that there is little or no probability that he can suffer from the want of a legal title when he has had possession almost long enough to operate as a bar to an outstanding legal title, independent of his equitable interest. On the other hand, if the said Daniel Baker has not been in possession of the lots of ground mentioned in the bill, the senate conceive that it would be highly improper, by a legislative act, to give a retrospective legal operation to his deed, when his equitable interest is not sustained by possession.

The poverty of the party, or the inconsiderable value of the property, cannot, on the other hand, in the opinion of the senate, justify a departure from the rule before-mentioned; because, if the property is so inconsiderable in value, Daniel Baker having an equitable estate and possession, there is no probability that he will ever be disturbed.

The senate, therefore, conceive that there is nothing in this case which will justify a departure from a rule, wholesome and proper in itself, and which ought not to be relaxed. The bill is therefore returned and will not pass.

On motion, the bill to appoint commissioners for the purpose of altering the divisional line, between the first and second election districts in Caroline county, was referred to Messrs. Orrell, Tilghman and Kent.

The senate resumed the consideration of the additional supplement to the act for quieting possessions, enrolling conveyances, and securing the estates of purchasers. On motion, the question was put, 'will the senate amend the bill, by adding at the end of the third section, 'in the same manner and under the same restrictions as they are authorised to record deeds or con-