

The bill for the amendment of the law, was read a second time, and ordered to be engrossed for a third reading.

The clerk of the house of delegates delivered the engrossed bills from number one to number thirty-two inclusive, which were read, assented to, and returned to the house of delegates: Also, the following message, which was read.

By the House of Delegates, Jan. 30th, 1826.

Gentlemen of the Senate:

We have considered the amendments proposed by your honorable body to the bill, entitled, "an additional supplement to an act, entitled, an act for quieting possessions, enrolling conveyances, and securing the estates of purchasers."

We have agreed to the fourth, seventh, ninth and tenth amendments proposed, and have rejected the first, second, third, fifth, sixth and eighth.

We return you the bill, in the hope that upon re-consideration you will concur with us in simplifying and facilitating the transfer of real estate in the mode proposed.

The convenience of the people not only in this state, but throughout the country, induces them in almost every case, to go before justices of the peace for the purpose of acknowledging deeds. They are easily found and are ever ready to perform the duty for the moderate compensation allowed them by law; it is unnecessary to say why it is so; but it is certainly the fact, the superior courts and judges are very rarely resorted to for this purpose, where the law permits the service to be rendered by justices of the peace. In consequence of the intricacy of the laws regulating the acknowledgements of deeds, it has not unfrequently happened, that where the grantor resides in a remote state, several expensive journeys have been necessarily performed before all the required, yet useless ceremonies have been exactly executed. We can see no good reasons why the official acts of justices of the peace, in other states, should not be allowed the same respect and authority which are given to those who are appointed under our own laws. At present a letter of attorney may be executed and acknowledged before justices of the peace in other states empowering the attorney to acknowledge a deed in this state, and we can discern no advantage derivable from this circuitous proceeding. The necessity of proving in this state, by the subscribing witnesses, the execution of such letter of attorney, we consider as an obstacle to fair and proper transfers of property, and not in any degree as a barrier to fraud.

We think the amendments which we have rejected, would, in a great degree, defeat the objects which we proposed to attain, and hope upon re-consideration, your honorable body will recede from those amendments, and pass the bill.

By order,

John Brewer, Clerk.