

ty, and his securities. A bill for the relief of Priscilla North of Somerset county. A bill entitled, an act to repeal part of an act of assembly therein mentioned. A supplement to the act to provide for the preservation of the records belonging to the office of the clerk of Somerset county court. A bill entitled, an act to alter and change the name of Alexander Ewing, a minor of Talbot county, to Alexander Ewing Dudley, and a bill entitled, an act to authorise the several orphans courts of this state, to order the sale of real estates in certain cases.

And returned the resolution in favour of William Caton, and the bill to repeal an act entitled, an act to repeal certain acts of assembly relative to americiaments, and to lay a tax on plaintiffs who may institute actions at law in the several county courts of this state, with the following messages.

By the House of Delegates, January 29th, 1827.

Gentlemen of the Senate,

We return you the the resolution in favour of William Caton, which was rejected by your honourable body, on the 19th inst. with a hope that it may receive a more favourable consideration, on a more particular examination of the circumstances on which the claim is founded. It appears to this house that the claim of the petitioner differs materially from every other similar application, inasmuch as the petitioner has been deprived of the benefit of his warrant, not by any negligence on his part, but by the act of the state of Maryland.

The state of Maryland, by its warrant, granted unto the petitioner, an inchoate right to the land which the petitioner according to the rules and laws of the land office might have perfected, on complying with the usual conditions, but after the passage of the act of 1816, chapter 262, the state of Maryland, no longer had the power to comply with the contract which it had entered into with the petitioner by granting him his proclamation wararnt, because by that act, all the states right was passed to a third person.

The title to the land attempted to be affected by the petitioners warrant, was vested in Edmund Jennings's, a citizen of Great Britain, and after the revolution, became subject to confiscation as his property, but the states right in consequence of certain services, was surrendered to said Jennings, by an act of assembly, passed 24th December, 1795, chapter 75.

Edmund Jennings having died intestate, and leaving no heir capable of taking or holding the land, the same became subject to escheat, and so continued until the state of Maryland, by the act of December session, 1816, chapter 262, confirmed, the defective deed from Wormly to Norris, and thereby cancelled all the right which the petitioner had acquired under his proclamation warrant. Under these circumstances, a reconsideration of the subject is respectfully requested.

By order,

Gideon Pearce, Clerk.