

city of Annapolis.—The resolution was then read, rejected, and returned to the house of delegates.

Mr. Marriott offered the following message, which was read, assented to, and sent to the house of delegates.

By the Senate, February 20th, 1827.

Gentlemen of the House of Delegates,

In compliance with your message of the 29th ult. we have reconsidered the resolution in favour of William Caton, and particularly examined the circumstances on which the claim is founded. It appears that the land in question originally belonged to Edmund Jennings, was confiscated by this state, and afterwards released to him, by the act of 1795, chapter 75, for the reasons therein set forth. Jennings, by a power of attorney to Ralph Randolph Wormley, dated the 28th of April, 1816, authorised him to make sale of said land. Wormley sold and conveyed the land to Richard Norris, by deed, bearing date the 14th of June, 1817, which was recorded among the land records of Anne Arundel county, on the 29th of January 1817. This deed was found to be defective, and consequently, conveyed to Norris, only an equitable interest. It is stated in your message, that Jennings died without heirs, if such be the fact, there was no person against whom Norris could file a bill in chancery, to perfect his title: and the legislature very properly interfered, and made valid the aforesaid deed, by the act of 1816, chapter 262; properly, because our judicial tribunal could not afford any relief. It appears also, by the documents accompanying this resolution, that Bernard Gilpin obtained an escheat warrant for the same land on the 24th of October, 1814. The power of attorney from Jennings to Wormley, proves that Jennings was alive in 1816, long after Gilpin's escheat warrant, and the proclamation warrant of Caton, dated the 4th of October, 1816, was founded on said escheat warrant. His right depended on the validity of Gilpin's escheat warrant, which was null and void, and consequently Caton's proclamation warrant could avail him nothing. It is therefore clear, that the said act, making valid the deed from Wormley to Norris, did not interfere with the right of Caton: he never had a right according to his own shewing. We deem it inexpedient to legislate in behalf of land speculations, inasmuch as such a course would tend to increase litigation, and disquiet the possession of the land holders of this state. The resolution is again rejected.

By order,

Wm. Kilty, Clk.

Mr. Heath, from the committee, reported a bill entitled, an act regulating writs of error, and granting appeals to the court of appeals, which was read the first time, and ordered to be printed.