

An act relating to the court of chancery, was read a third time, passed, and sent to the house of delegates.

On motion of Mr. Whiteley, the following order was read and adopted.

Ordered, unanimously, That the thanks of the senate be presented to the honourable William H. Marriott for his dignified and impartial conduct as president of the senate during the present session.

On motion of Mr. Kennedy, the preamble and resolutions relative to the Cumberland road, was taken up for consideration, and read a second, and by special order a third time,

When Mr. Smith moved to amend the same as follows:

Add to the end of the first resolution, the following words: "By ceding to this state any right which the United States may have in said road, in order that this state may erect gates and collect such tolls as may be sufficient to keep said road in repair thereafter."

Add to the end of the second resolution, the following words: "And to the governors of the states of Pennsylvania and Virginia, with a request that they will communicate them to the legislatures of their respective states, and ask their co-operation in furtherance of the objects set forth in the first resolution."

Which amendments were read and assented to.

Mr. Kennedy moved the following as a substitute for the said preamble and resolutions, as amended.

Whereas, by the act of the congress of the United States, passed on the 30th April 1802, entitled, An act to enable the people of the eastern division of the territory north west of the river Ohio, to form a constitution and state government, and for the admission of such state into the union, on an equal footing with the other states, and for other purposes, it was provided, That one twentieth part of the nett proceeds of the lands lying within the state, sold by congress from and after the 30th day of June 1802, after deducting all expenses incident to the same, shall be applied to the laying out and making public roads from the navigable waters emptying into the Atlantic, to the Ohio, to the said state, and through the same, such road, to be laid out under the authority of congress, with the consent of the several states through which the said road shall pass.

And whereas, the aforesaid road has been extended through several states, and is still progressing on to the Mississippi river, and affords incalculable advantages in facilitating the intercourse between the Atlantic and western states.