

before which day arrived the plaintiff died; since which, through the lenity of the administrator of the said Daniel, further proceedings against the said Thomas Kemp have been stayed, and, though he hath not actually paid the debt, he is still liable at any time for payment thereof, therefore under similar circumstances with the former petitioner, Robert Richardson.

Your committee are of opinion, that justice may be done the petitioners, by passing an act, enabling them, or either of them, to sell and dispose of all or so much of the real estate of the said Philip Wetherell, as may reimburse them the sums advanced and paid or to be paid by them respectively.

All which is submitted to the consideration of the honourable house.

Signed by order,

JOHN CALLAHAN, cl. com.

Mr. West, from the committee appointed to report the duty and powers of the auditor-general, brings in a report, which was read and ordered to lie on the table.

The report on the petitions of Robert Richardson and Thomas Kemp being read a second time and concurred with, leave given to bring in a bill to empower Robert Richardson and Thomas Kemp to sell and dispose of the real estate of Philip Wetherell, deceased, and to apply the money arising therefrom to special purposes therein mentioned.

Adjourned till next day 9 o'clock.

T U E S D A Y, March 31, 1778.

THE house met. Present the same members as on yesterday, except Mr. Worthington. The proceedings of yesterday were read. Mr. J. Hall, Mr. Chew, Mr. Maddux, Mr. Veazey, Mr. Chase, and Mr. Sprigg, appeared in the house.

ORDERED, That capt. John David appear before this house to-morrow morning, to give information respecting the capture of the ship Lydia. ORDERED, That the sergeant at arms serve capt. David with a copy of the above order.

Mr. H. Wilson has leave of absence till to-morrow week. Mr. Tillard and Mr. Magruder appeared in the house.

The house taking into consideration the report of the committee appointed to report the duty and powers of the auditor-general, RESOLVED, That a proper and discreet person, well versed in accounts, be appointed to audit, examine, state, and adjust the public accounts, and be stiled "auditor-general," who shall, before he enters on the execution of his office, qualify himself before the governor and council, or some justice of the peace, by subscribing his belief in the christian religion, taking the oath of fidelity and support to this state prescribed by the constitution, and the oath prescribed by the act, entitled, An act to punish certain crimes and misdemeanors, and to prevent the growth of toryism, and an oath well, diligently, and faithfully, to execute the duty of his office, agreeable to this resolve, and have power to appoint a principal clerk, who shall qualify himself, by subscribing his belief in the christian religion, taking the oaths of fidelity to this state as above directed, and an oath truly, honestly, and diligently, to execute his office, and true entries make of all such matters and things as he shall be directed by the auditor-general, and not to divulge any matter or thing which he shall be enjoined by the house of delegates, or said auditor-general, to keep secret. That the said principal clerk have power, in the necessary absence or sickness of the auditor-general, to audit, examine, state, and pass, any public account not exceeding three hundred pounds, and that the auditor-general be accountable for the conduct of such principal clerk, and may displace him at his discretion. That he have power to appoint other clerks, as occasion may require, who shall qualify themselves in such manner as is above directed, and shall pay and be accountable for the conduct of such clerks so employed. That before he enters on the execution of his office, he shall give bond, in the penalty of five thousand pounds, with one or more good securities, to be approved of by the governor and the council, for the faithful performance of his duty; and that the said bond and certificates of the qualification of the auditor-general and his clerks be lodged with the governor and the council. That the said auditor-general attend constantly and diligently at some place in the city of Annapolis, or at such other place as the governor and the council may order and direct, to execute his office, and take into his possession and care the books, papers, and accounts, of the late board of auditors, and continue the same in a plain and methodical manner, carefully examining, stating, and correcting any errors which may be found in the said books, papers, and accounts; or if he shall think proper he may close the said books and transfer the balances into a new set to be opened for the purpose aforesaid. That he call on all persons who have had, or hereafter shall have, any public monies, to render an account of the expenditure thereof; and shall keep true and perfect accounts of all his proceedings ready for the inspection of the house of delegates, when required; and that he divulge no matter or thing which he shall be enjoined to keep secret by the house of delegates, or the governor and the council. That, in the stating and settling of all accounts brought before him, he be guided by the laws and regulations heretofore made, or which shall hereafter be made, so far as they provide; in other respects, he shall be governed by the general principles