

VOTES AND PROCEEDINGS, MARCH, 1778. 97

The bill, entitled, An act to revive and continue the acts of assembly therein mentioned, was read a second time, passed, and sent to the senate by Mr. Quynn and Mr. Brice.
Adjourned till next day 9 o'clock.

S A T U R D A Y, April 11, 1778.

THE house met. Present the same members as on yesterday, except Mr. Turner. The proceedings of yesterday were read. Mr. J. Barnes appeared in the house. Mr. Gibson and Mr. A. Hall have leave of absence.

The amendment proposed by the senate to the bill, entitled, An act to empower Robert Richardson and Thomas Kemp to sell and dispose of the real estate of Philip Wetherell, deceased, &c. was read and assented to, and the bill ordered to be engrossed.

A petition from Stephen West, of Prince-George's county, was presented to the house and read, setting forth, That in the year 1777, a negro fellow, the property of the petitioner, was tried and executed for a rape; and therefore praying to be allowed the value of said slave. **ORDERED**, That Mr. Chase, Mr. Bowie, Mr. Magaudei, Mr. Contee, and Mr. Sprigg, be a committee to enquire into the facts set forth in said petition, and report the same, together with their opinion thereon, to the house.

A letter from Mr. Turner was received and read, notifying a resignation of his seat in the house.

The house proceeded to the choice of an auditor-general, and the ballots being deposited in the ballot-box, the gentlemen named to strike retired, and after some time they return and report, that a majority appeared in favour of Zephaniah Turner, Esq.

Mr. Turner having signified, by letter of this day, that from the constitution as well as the tenor of the oath he had taken, he well knew he could draw no part of the salary annexed to any office during the time for which he was elected a delegate, and that, under that conviction, he would act, if appointed to the office of auditor-general: It is therefore **RESOLVED**, That the said Zephaniah Turner, Esq; be and is hereby appointed auditor-general of accounts for this state. **ORDERED**, That the resolutions of this house, ascertaining the duty and limiting the powers of the auditor-general, be fairly transcribed and delivered by the clerk, together with a copy of the above appointment, to Mr. Turner; which was done.

Adjourned till 3 o'clock.

P O S T M E R I D I E M.

The house met.

Mr. Chase, from the conferrees of both houses, brought in a report, which was read in the words following:

A REPORT of the **CONFERREES** upon the amendments to the bill, entitled, An act to procure troops for the American army.

AGREED by the conferrees to strike out the part of the preamble proposed by the senate, and objected to by the house of delegates.

Agreed to strike out the proviso objected to.

Agreed to limit the age of vagrants to eighteen years, and with this amendment to agree to the clause in the bill.

Agreed to constitute courts-martial in the following manner: "The said court-martial shall be summoned on or before the tenth day of June next, by the lieutenant of the county, to meet within five days from the time of issuing the summons for the meeting of the said court, and in case of failure, the said lieutenant shall forfeit the sum of two hundred pounds common money: And all the field officers of the county shall be summoned to attend, and the lieutenant, and every field officer neglecting or refusing to attend, without being prevented by sickness or some unavoidable accident, shall forfeit and pay the sum of one hundred pounds common money, and a majority of the said field officers may compose the said court, and in case of the absence of the lieutenant, from sickness or other cause, then the summons for the meeting of the said court shall be issued by the oldest field officer of the county in manner and form aforesaid, under the penalty aforesaid."

Agreed to retain the words, "from actual service or imprisonment," proposed to be struck out by the senate.

Agreed to the following clauses:

"*And be it enacted*, That the said draughts for nine months shall be sent to the American camp commanded by at least one commissioned officer for every twenty-five men, which commissioned officer shall be taken from among any officers who may be draughted, in such manner as the governor and council shall direct: And if a sufficient number of commissioned officers proper for the purpose