

“ By the senate, November 10, 1778: Read the second time by especial order and passed with the amendments herewith sent.

“ By order, R. RIDGELY, cl. sen.”

Amendments proposed: Strike out the words “ in any action so discontinued” in the second line of the second proviso, and insert the following: “ given to the sheriff for the appearance of any person or persons on any writ or process returnable at the said August court.” Strike out the last enacting clause.

By order, R. RIDGELY, cl. sen.

The following message was prepared and sent to the senate by Mr. C. Ridgely and Mr. Reynolds.

By the HOUSE of DELEGATES, November 10, 1778.

May it please your honours,

WE propose to go into the choice of counsellors by the joint ballot of both houses, and have appointed Messieurs John Hall, W. M. Beall, and H. Goldsborough, to join the members you may think proper to appoint for examining the ballot boxes.

By order, J. DUCKETT, cl. ho. del.

Matthew Tilghman, Esq; from the senate, delivers to Mr. Speaker the following message:

By the SENATE, November 10, 1778.

Gentlemen,

AS this state is unrepresented in congress, and matters of the greatest moment, we are informed, are now under the consideration of that body, we think an immediate representation necessary, and therefore, in agreeable to your house, we propose to ballot this day for delegates to congress, immediately after the choice of a council to the governor.

By order, R. RIDGELY, cl. sen.

Agreeable to the order of the day, for taking into consideration the Kent county election, the following resolve was unanimously agreed to.

RESOLVED, That the affidavit of the sitting member, ascertaining the property he possessed at the time of the election, is proper and legal evidence, and ought to be received by this house; and that the petitioners be allowed to adduce evidence to disprove all or any of the facts contained in such affidavit.

On motion, unanimously agreed, That the following be entered as the resolve of this house.

The affidavit of Peregrine Lethrbury being read, and the petitioners having been asked, whether they inclined to offer any evidence to controvert the facts therein contained, answered that they did not; and it appearing from the said affidavit, that the said Peregrine Lethrbury had, on the first Monday of October last, truly and *bonâ fide*, real and personal property within this state, above the value of five hundred pounds current money, RESOLVED, That the said Peregrine Lethrbury was duly elected and returned a delegate for the said county.

The following (the petition against the said Peregrine Lethrbury appearing to this house to be groundless and vexatious: Therefore RESOLVED, That the said petition be dismissed, and that the petitioners attending at the bar do make satisfaction to the said Peregrine Lethrbury, the sitting member, for all costs and expences by him incurred by means of exhibiting the said petition) question was put, That the house agree thereto? Resolved in the affirmative.

A F F I R M A T I V E.

Messieurs	Ford,	Reynolds,	Deye,	Quynn,	J. Hanson,	Schnebely,
	Sewell,	Chew,	Veazey,	Brice,	Fischer,	Bayly,
	Hall,	Digges,	Ward,	Gibson,	Mason,	Cramphin,
	Worthington,	Maddux,	Job,	Bruff,	Smith,	Crabb,
	Maccubbin,	Jackson,	Evans,	Bordley,	Chase,	Burgefs,
	H. Ridgely,	Strawbridge,	Gantt,	Sturgis,	Hughes,	Thomas.
N E G A T I V E.						
Messieurs	Mackall,	Dent,	Stevenson,	Magruder,	Chaille,	Keene,
	Gresham,	Smoot,	C. Ridgely,	R. Goldsborough,	Bond,	W. M. Beall,
	Lloyd,	Eccleston,	Hammond,	Brown,	Norris,	H. Goldsborough.
	Wilmer,	Woolford,				

On motion, ORDERED, That Mr. J. Hanson and Mr. Hall be a committee appointed to tax the costs and expences which have accrued on the petition exhibited against the said Peregrine Lethrbury, and that they report the same to this house.

On motion, RESOLVED, That the order of the day, for taking into consideration the report of the committee of the whole house, be referred until to-morrow.

Charles Carroll of Carrollton, Esq; from the senate, delivers to Mr. Speaker the following message:

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By