

ORDERED, That the petition of Dr. Ephraim Howard, and the counter petition thereto, referred from the last session, be taken into consideration on the tenth day of the next session.

On hearing and considering the excuse offered by Mr. Chew, for not returning agreeable to leave, the house accepted thereof.

The resolution respecting the bills of credit of the last emission, was sent to the senate by Mr. Chew and Mr. Duckett.

William Hindman, Esq; from the senate, delivers to Mr. Speaker the said resolve, endorsed; "By the senate, December 4, 1781: Read and dissented to.

By order,

J. MACCUBBIN, clk.

The bill to raise the supplies for the year seventeen hundred and eighty-two, was read the first time and ordered to lie on the table.

Mr. Jenifer, from the committee, brings in and delivers to Mr. Speaker a bill, entitled, An act respecting the sale of the iron works late belonging to James Russell and company.

Mr. Mills brings in and delivers to Mr. Speaker the following report:

By the COMMITTEE appointed to enquire into and report the facts contained in the petition of Luke Marbury.

YOUR committee beg leave to inform the honourable house, that the said Luke Marbury, in the year 1777, commanded a battalion of militia of this state; that in August 1777 he was ordered into actual service, in which service he remained until the 4th of October following, when he was taken prisoner until the 3d of September 1781, when he was exchanged.

Your committee observe, that by law, every officer of militia, while in actual service, is entitled to the same pay and rations as officers of equal rank in the continental service are entitled to; that the pay of a colonel amounted to seventy-five dollars per month, and an allowance of two dollars per week for board while in confinement.

Your committee observe, that the said Luke Marbury received his pay and rations to the 4th of October 1777, so that his pay from that time to the 3d of September 1781, is three years and eleven months, which, at the rate of 75 dollars per month, amounts to £.1321 17 6 specie, and his subsistence money, at two dollars per week, amounts to £.153 0 0 specie.

Your committee observe, that the said Luke Marbury, during his confinement, at several times, received the sum of two hundred and five pounds eight shillings and three-pence specie, and on the 19th of March 1781, he received 3000 continental dollars.

Your committee beg leave to refer the house to an account annexed to this report, by which the net balance due to colonel Marbury, as your committee conceiving, will appear.

Your committee also beg leave to observe, that they are informed by colonel Marbury, that he was obliged while in confinement to borrow considerable sums of money, which are yet unpaid, but which he holds himself bound, both by honour and gratitude, to pay in a short time; he also informed your committee, that the sum of £.350 0 0 specie is absolutely necessary to enable him to settle with his creditors; colonel Marbury also informed your committee, that he is willing and desirous to receive either tobacco or flour for that sum at the current price, and that if the honourable house do not supply him with that sum, or with the means of acquiring it, he must be thrown into very great difficulties.

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

By order,

G. RANKEN, clk.

The house adjourns till to-morrow morning 9 o'clock.

W E D N E S D A Y, December 5, 1781.

THE house met. Present the same members as on yesterday. The proceedings of yesterday were read. Mr. Gibson appeared in the house.

A bill to make valid a deed made by Jonathan Hagar to Daniel Heester the younger, of the state of Pennsylvania, and to confirm a deed of partition made between the trustees of the said Jonathan Hagar and the said Daniel Heester, was read the first and second time by especial order and passed. Sent to the senate by Mr. Stull and Mr. Chapline.

Mr. Dent, from the committee, brings in and delivers to Mr. Speaker a report on the state of the militia.

On motion, Leave given to bring in a bill to appropriate certain lands to the use of the officers and soldiers of this state, and for the sale of vacant land. ORDERED, That Mr. Chase, Mr. Brogden, Mr. Hall, Mr. B. T. B. Worthington, and Mr. Thomas, do prepare and bring in the said bill.

The bill to empower Fitzhugh M'Koy to perform the marriage ceremony, &c. was read the second time, and the question put, That the said bill do pass? The yeas and nays being called for by Mr. Eccleston, appeared as follow:

A F F I R M A -