

With the following message :

BY THE SENATE, JANUARY 10, 1783.

GENTLEMEN,

WE have dissent to your resolution by Messieurs M'Mecheu and Fell, granting an allowance of twenty one shillings per diem for each member of the general assembly, because we think it more than sufficient to defray their reasonable and necessary expences, and when we consider the length of our sessions, the great expence occasioned thereby, we are persuaded no member would wish to receive more than would pay his necessary expences. We are of opinion fifteen shillings per diem will be ample for that purpose, and should you send us a resolution giving that sum, it will have our assent.

By order,

J. MACCUBBIN, clk.

Which was read.

And the bill for the defence of the state, endorsed ; " By the senate, January 9, 1783 : Read " and will not pass.

" By order,

J. MACCUBBIN, clk."

With the following message :

BY THE SENATE, JANUARY 10, 1783.

GENTLEMEN,

IF you are clearly of opinion, that the bill for the defence of the state from the enemy's barges and cruizers, is a money-bill, we are not less certain, that several matters, clauses and things, are annexed to, and blended with this bill, not immediately relating to, and necessary for, the imposing, assessing, levying or applying, the money intended to be raised by it.

The clauses repealing the act imposing certain duties for the purpose of sinking the bills of credit therein mentioned, and establishing a court for the trial of officers, marines and mariners, for breach of any of the articles established for the government of the navy of the United States, and for trying the captains of the barges Fearnought, Terrible and Defence, we conceive, do not relate to, or are requisite for, the imposing, assessing, levying or applying, of money.

The first clause ascertaining the naval force to be equipped, is also, in our opinion, unconstitutionally blended with those parts of the bill, which properly make it a money-bill. To raise money for the purpose of equipping armed vessels, and to ascertain what their number and force shall be, are things in themselves totally distinct. We might agree that it would be proper to raise a certain sum of money to defend the trade and coasts of our bay, and yet, possibly, we might differ about the extensiveness and force of the intended armament. If these distinct matters are cast into separate bills, we may then offer amendments ; for instance, we could amend a bill ascertaining the number and force of the vessels to be equipped, and might, in a message, support our amendments with such reasons as might possibly gain your assent ; but if the clause ascertaining the armed force remains connected with a money-bill, we are by the constitution precluded from making amendments, and from freely exercising our judgments, as to the quantum of the force proposed to be employed. To exercise our judgments freely and fully upon so material a point, and upon others, we are compelled to have recourse to our privilege and right of insisting on a separation of every clause, matter and thing, not immediately relating, and essentially requisite, to a money-bill. Believing that you would not designedly violate the constitution, in making tacks to a money-bill, to prevent a full and free discussion of objects so important, and being satisfied that there are several matters in the bill, which by no torture of criticism can be construed into the necessary appendages of a money-bill, we presumed you were inclined to wave on this occasion your privilege, and permit us to offer such amendments as we might judge proper, in a public parliamentary way, a way more consistent with the independence of the senate, and the spirit of our constitution, than those private negotiations which have some times heretofore taken place, and most commonly to very little purpose.

We therefore insist upon your separating the clauses we have pointed out from those parts of the bill imposing, assessing, levying and applying, the monies to be raised by it, and we therefore have returned you the bill with a negative.

By order,

J. MACCUBBIN, clk.

Which was read.

On motion by Mr. Kent seconded by Mr. Stevens, the question was put, That the bill appropriating certain funds for the payment of the army, be now read the second time ? The yeas and nays being called for by Mr. Kent seconded by Mr. Stevens appeared as follow :

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

Messrs Smyth,  
Lloyd,  
Courts,

Sherwood,  
Hindman,  
Stevens,

Smoot,  
Bowie,

Kent,  
Coursey,

Beatty,  
Hopper,

M'Mecheu,  
Fell.

N E G A -