

puty's abilities and integrity, hath only to lament his ill state of health, which prevents, more especially during the winter season, his rendering so much service in the office as he wishes to do, or the nature of the office requires.

The auditor begs leave further to represent to your honours, that before the books of his office can be properly balanced, he apprehends that all the cloathing, arms and ammunition, that hath been furnished by this state for the use of the United States, since the commencement of the war, should be charged to the United States, and the intendant be directed to price them, in every instance where the prices have been left blank. That all the provisions issued at different posts within this state, where commissaries have been appointed by the state, and the provisions found at the state's expence, and issued to continental troops, or the militia when in the continental service, be also charged to the United States, for which purpose, an account of such provisions ought to be collected from every post where issues of that sort have been made.

Your auditor hath further to inform your honours, that the sales of the gallies and other public property, hath never been entered in the auditor's books. These sales were made previous to his coming into office in February 1781, and no official accounts thereof hath been handed to him since. He believes that an account of these sales was laid before the board of commissioners aforesaid, and the articles sold, certainly ought to have been charged to the different purchasers, on the auditor's books, many of whom stand credited with money paid, but not charged with the articles bought. This must also be done before the books can be properly balanced. The liquidation of continental certificates, the adjusting officers and soldiers accounts for depreciation on their pay to the 1st of August 1780, with the other daily business of office, employs the auditor and his deputy so constantly, that they have not time to proceed with the old business at present, which must lie over until time will permit them to proceed therein, unless they are furnished with an assistant clerk, who must be a person very expert in accounts. Although, from the present situation of the auditor's office, delay in bringing forward the old books must be unavoidable, yet the auditor flatters himself, the books and papers are in such order, that all omissions, so far as vouchers can be obtained, may be entered up as soon as time will permit, and he can retire to a private room for that purpose; the business being of such a nature as to require an undisturbed office, free from the noise and conversation of those who daily attend, to have their accounts, &c. settled.

Your auditor means nothing more by this report than to inform your honours fully of the situation of his office, and to guard against any insinuations that have, or may hereafter be made use of to his prejudice.

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

May 27, 1783.

ZEPH. FURNER, aud. gen.

Which was read.

The house adjourns till 3 o'clock.

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

The house met.

Mr. Shaw, from the committee, brings in and delivers to Mr. Speaker the following report:

THE committee to whom was referred the petition of Willis Newton, of Dorchester county, beg leave to report, That they have taken the said petition into consideration, and find that the allegations set forth in said petition are true (as per the several vouchers annexed fully prove). Your committee are therefore of opinion, that a resolution ought to be passed by this house, directing the treasurer of the western shore to pay to Willis Newton, or his order, all the money he received from said Newton for a tract of land called Newton's Delight, for the following reasons: 1st. The register of the land-office for the eastern shore had not a right to issue proclamation to affect said land. 2dly. As the said land called Addition (on which the warrant aforesaid issued) was on soon after it was taken up, and patent since issued. 3dly. That vacant land could not be affected by virtue of said proclamation warrant, and therefore the proceedings of the register of the land-office were illegal. All which is submitted to the consideration of the honourable house.

By order,

A. GOLDER, clk.

Which was read.

A petition from sundry inhabitants of Baltimore county, setting forth, that they labour under great inconvenience for want of a direct road from the high way between Samuel Worthington's and Benjamin Nicholson's, by the mill of Thomas Matthews, till it intersects the main road leading to Baltimore-town, near Thomas Hooker's, and praying a law for that purpose, and a counter petition thereto from Samuel Worthington, of same county, were preferred and read, and referred to the next session of assembly.

On motion, RESOLVED, That a committee be appointed to prepare instructions to our delegates in congress, relative to the common estate in the western territory claimed by the state of Maryland