

N E G A T I V E.

Mc De Butts, Harwood,	Dent, M'Pherson,	Stone, Pattison,	Matthews, F. Bowie,	Quynn, Loockerman,	Walker.	11.
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So it was resolved in the affirmative.

Sent to the senate, with the bill to reduce the salaries, &c. by Mr. Joshua Seney.

William Hemsley, Esquire, from the senate, delivers to Mr. Speaker the bill respecting insolvent debtors, endorsed; "By the senate, January 5, 1787: Read the first time and ordered to lie on the table.

"By order,

J. DORSEY, clk.

"By the senate, January 17, 1787: Read the second time and will not pass.

"By order,

J. DORSEY, clk."

And the following message:

BY THE SENATE, JANUARY 20, 1787.

GENTLEMEN,

WITH inexpressible regret we perceive, by your message of the sixth of January by Mr. Bowie, that you have determined to adjourn to the 20th of March, and leave the material business of the session unfinished, after setting upwards of eight weeks at a heavy charge to the public.

Although we have been officially informed, that the continental treasury is empty, and the necessity of raising troops has been urged by congress, you have not passed an assessment bill to bring any money into the state or continental treasury, nor have you taken any measures to comply with the requisition of congress for raising a troop of horse.

An act of the commonwealth of Virginia for appointing deputies to meet at Philadelphia in May next for revising the federal government, and correcting its defects, was early communicated to this legislature: In consequence thereof your house proposed to appoint deputies, which we acceded to, and a conference took place to ascertain the powers to be given to the deputies. A report was made by the conferees, which has been agreed to by the senate.

As this proposition originated with you, and the measure is confessedly necessary and important, we are not a little surprised that you have resolved to adjourn, without making this appointment. Although it may be urged, that this deputation may be made at the session proposed by your house to be held in March next, time enough for the deputies to meet at Philadelphia in May, yet it must be obvious, that the other states, perceiving that the legislature of this state has adjourned without making the appointment, may conclude that the measure has not met their approbation. This inference may create suspicions destructive of that unanimity which is admitted, by the wisest and best men in the United States, to be absolutely necessary to preserve the federal union.

The neighbouring states of Virginia and Pennsylvania have discovered their sense of the importance of this meeting, and their expectations of its effects, by appointing some of their first characters to assist in the deliberations.

We cannot account for your postponing the consideration of these great and interesting subjects, and your adjournment to the 20th of March, unless it be to appeal to the people upon the bill for an emission of paper money, which we rejected. This appeal tends to weaken the powers of government, and to disseminate divisions and discord among the citizens of this state, at a crisis, when the energy of the one, and the union of the other, are more than ever necessary. Appeals to the people, upon a diversity of opinion arising between the two branches of the legislature upon any public measure, are unprecedented. The framers of our government have no where intimated the propriety of one branch appealing to the people from the proceedings of the other. Every man of reflection will readily perceive, if this practice should prevail, that the public business will no longer be conducted by a select legislature, consisting of two branches, equally free and independent, calmly deliberating and determining on the propriety of public measures, but that the state will be convulsed upon every difference of opinion between those branches, respecting any question which either may think important. Thus the checks wisely established by the constitution, will in time be destroyed, force instead of reason will govern, and liberty must finally yield to despotism; for the same causes, all circumstances being similar, will produce here the same effects which they produced in the ancient republics of Greece and Rome. It must also be obvious, that the members of your house being more numerous, and more dispersed throughout the state, than the members of the senate, they will have greater opportunities of influencing the people, whose sense is to be collected, in so short a time, and before the merits of the question can be freely and fully discussed. Hence it is probable, that in most cases of difference between the two houses, the majority of the people will be induced to adopt the sentiments of the delegates; in consequence therefore of such appeals to the people, the senate will be deprived of that freedom of debate and decision, which the constitution meant to secure to that branch, and every benefit which might result to the state from that freedom, will be precluded. In such a situation, the powers of the senate would be annihilated, and although its name and semblance might remain, its real utility would cease.

We consider ourselves bound by the most sacred and solemn engagements to preserve inviolate every part of our constitution, and will not remain silent under measures which may tend to subvert our free and happy government.

If appeals are to be made, where is the line to be drawn? The present is a case of policy, blended with justice, but if appeals are proper in such case, why not in a case of justice only? And if so, and the sense of a majority, however collected, is in all cases to govern, then there are no rights in this state which are secured against the opinion of such a majority, full as well qualified to decide upon questions of justice and right, as upon political regulations. The bill which we have rejected declares,