

property sold; and that, upon paying the same, the agent may be directed to reconvey the same; was preferred, read, and referred to Mr. Parnham, Mr. B. Worthington, Mr. M. Tilghman, Mr. Burgefs and Mr. J. Tilghman, to consider and report thereon.

A petition from Mary Magruder, of Charles county, stating that she intermarried with a certain Nathaniel Jones Magruder, who left her in a distressed situation in the year 1783, and hath never since returned; that her father, by his last will, left her the use of several negroes during her life; that she is told her husband threatens to return and deprive her of her said support; and praying an act may pass to secure the said negroes, for her use, in the hands of trustees; was preferred, read, and referred to Mr. R. Bowie, Mr. Oneale and Mr. Parnham, to consider and report thereon.

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

THE committee to whom was referred the petition of Francis Clement Dyer, beg leave to report, that they have had no proof of notice having been given agreeably to the resolution of July, 1779, of the intention to prefer the said petition.

They further report, that, in their opinion, the legislature ought not, at any rate, to interfere in the case, because the heirs at law of William Clagett, who are the persons really interested, do not consent, and indeed cannot, (being minors); and because if the petitioner's case is of that equitable nature he represents it to be, chancery is competent to relieve him.

Wherefore, the committee think that the prayer of the said petition ought to be rejected.

All which is submitted to the honourable house.

By order,

J. KNAPP, clk.

Which was read.

William Perry, Esquire, from the senate, delivers to Mr. Speaker the following message:

BY THE SENATE, NOVEMBER 17, 1789.

GENTLEMEN,

WE concur with your message of this day by Mr. Sterett, and have appointed Charles Carroll and Richard Ridgely, Esquires, to join such members as you have appointed, to prepare an address to the president of the United States.

In answer to your message by Mr. Lowes, we agree to proceed immediately to the election of a council to the governor; and have appointed Richard Ridgely and Samuel Hughes, Esquires, to join the members of your house in the examination of the ballot boxes. No person is nominated by this house in addition to the gentlemen named in your message.

By order,

H. RIDGELY, clk.

Which was read.

The house having qualified agreeably to the constitution and form of government, proceeded to the choice of a council to the governor, and the ballots being deposited in the ballot box, the gentlemen named to strike retired, and after some time reported, that it appeared that John Kilty, James Brice, major John Davidson, William Hindman and Randolph Brandt Latimer, Esquires, had a majority of votes. Whereupon,

RESOLVED, That the said John Kilty, James Brice, major John Davidson, William Hindman and Randolph Brandt Latimer, Esquires, be, and they are hereby declared to be, the council to the governor.

On the second reading of the report on the petition from sundry members of a society for promoting the abolition of slavery, as also a petition and address from the people called Quakers, the question was put, That the said report be committed for amendment? Determined in the negative.

On progression in reading the said report, the question was put, That the house concur with the first clause in the said report? The yeas and nays being called for by Mr. Seney, appeared as follow:

		A F F I R M A T I V E.							
Messieurs	Carroll,	Craik,	Bond,	Dashiell,	Pinkney,	Shryock,			
	Z. Forrest,	M'Pherson,	Matthews,	Faw,	Whitely,	Stull,			
	Barnes,	Ridgely, of Wm.	R. Bowie,	Shriver,	Emory,	Ott,			
	Hopewell,	Gale,	Clark,	Bayly,	Sterett,	Lynn,			
	W. Tilghman,	Winder,	Quynn,	Norris,	M'Henry,	U. Forrest.	33.		
Moore,	Lecompte,	Purnell,							
		N E G A T I V E.							
Messieurs	M. Tilghman,	B. Worthington,	Somervell,	Stewart,	Seney,	Love,			
	N. Worthington,	Fraizer,	Parnham,	Steele,	O'Brion,	Mafon,			
	J. Worthington,	Gantt,	Owings,	Oldham,	J. Tilghman,	Burgefs,			
	Harwood,	Freeland,	Lowes,	Digges,	Dennis,	Oneale.	24.		

So it was resolved in the affirmative.

On further progression in reading the said report, the question was put, That the house concur with the fourth clause in the said report? The yeas and nays being called for by Mr. Mafon, appeared as follow:

		A F F I R M A T I V E.							
Messieurs	Z. Forrest,	J. Worthington,	Steele,	Faw,	Emory,	Stull,			
	W. Tilghman,	M'Pherson,	Bond,	Shriver,	Sterett,	Ott,			
	M. Tilghman,	Winder,	Clark,	Bayly,	M'Henry,	Lynn.	23.		
	Moore,	Lecompte,	Dashiell,	Whitely,	Shryock,				

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