

during the same period; subject nevertheless to such disposition thereof, different from the present appropriations, as may be made by the legislature during this session of assembly.

Sent to the senate, with the resolution in favour of William Moore, by Mr. Quynn.

Mr. Key and Mr. Pinkney have leave of absence. Mr. Wilkinson and Mr. Smith have leave of absence till Thursday next.

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

S A T U R D A Y, November 20, 1790.

THE house met. Present the same members as on yesterday, except Mr. Pinkney, Mr. Smith, Mr. Wilkinson, and Mr. Key. The proceedings of yesterday were read.

The bill to punish profane cursing, swearing, drunkenness and sabbath breaking, and to repeal the act of assembly therein mentioned, was read the first time and ordered to lie on the table.

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

THE committee to whom was referred the petition of Anna Maria Sewell, report, that they have taken the same into consideration, and find, that the said Anna Maria Sewell and her husband have for a considerable time past lived separate from each other, and that a continuance of their connexion will not probably contribute to that happiness which it was originally intended to secure. And it further appears to the committee, that the conduct of Mr. Sewell, as far as it has been disclosed to them, has been truly represented in the petition.

The committee are of opinion, that the dissolution of the marriage contract is an extremely delicate subject, and ought to be justified by powerful reasons before it is determined on. But that cases do exist where divorces would be right and proper, it is difficult to doubt. In many governments the judiciary has the power of granting them under particular circumstances; and in others, where no ordinary tribunal is competent to adjudge them, legislative interference has been frequently obtained; but in the present case, the committee can see no reason sufficiently strong to induce the legislature to interpose. They may think it hard that the matrimonial union should be perpetuated where the affections have been withdrawn, or where either of the parties has ceased to pursue the welfare of the other, but still it cannot but occur to them, that to destroy so sacred a connexion upon grounds of such a nature, would be dangerous as a precedent, and unwarrantable in itself. The committee are therefore of opinion, that the prayer of the petition ought not to be granted.

All which is submitted to the honourable house.

By order,

J. WINCHESTER, jun. clk.

Which was read the first and second time and concurred with.

The resolution in favour of Robert Britt and Roger Skiventon, was read the second time and dissenting to.

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

THE committee to whom was referred the petition of James Hutchings, report, that the house of Thomas Eden, and company, of London, were indebted to the petitioner in the year 1774 and 1775 in a considerable sum of money, which, during the war, he had no opportunity of drawing out of their hands, so as to obtain possession of it himself, or place it in the hands of any friend in America; that after the declaration of independence, to wit, in April, 1780, he drew bills on the said Eden, and company, in favour of Sir Robert Eden, or Mr. Edwards, of London, or any other person of character and fortune, for £. 1500 sterling, on which bills Sir Robert received from the company the sum of £. 750 sterling.

The committee are induced to believe, from the tenor of the bills, and from Mr. Hutchings's assurances, that the reason which induced him to draw these bills, was an idea of confiscation of American property in England, and that he was in hazard of losing his debt.

The committee further find, that on this claim being laid before the auditor by the petitioner, for allowing a confiscation of Sir Robert's property, referred it to the attorney-general, who, on a view of Mr. Hutchings's account (which states a loan generally) gave his opinion that the state ought to pay it, as the money was lent, after the declaration of independence, to a British enemy; but it does not, under the circumstances now disclosed, strike the committee in this point of view; for Mr. Hutchings, in drawing bills, did no more than attempt to transfer his debt, which he feared was likely to be wholly lost, from one British enemy to another, at a time too when it was impracticable for him to place it in any other hands; they are therefore of opinion that the state should pay the petitioner the sum of £. 834 current money (the balance now due from Sir Robert Eden to him) if the confiscated property of Sir Robert Eden is sufficient for that purpose.

All which is submitted to the honourable house.

By order,

T. PURDY, clk.

Which was read.

The report on the memorial of James M'Henry, was read the second time and concurred with.

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

THE committee to whom was referred the petition of Thomas Russell, report, that they have examined the petition, and the several vouchers relative thereto, and find, that the lands in his survey were engaged to him by the late intendant of the revenue at the same rate of other lands of equal value. Your committee therefore are of opinion, that a bill should pass this honourable house, permitting the said Russell to pay for the said land at the rate of seven shillings and six-pence per acre,