

A F F I R M A T I V E.						
Messieurs	Mackall, Freeland, Brooke, M'Pherson, Cockey,	Ridgely, Ridgely, of Wm. Kerr, Hollingfworth,	Ewing, Clark, Contee, Quynn,	O'Bryon, Butcher, Dorsey, Jarrett,	Prall, Amos, M'Mecher, Cromwell,	Jacques, Oneale, Wootton, Oldham. 25.
N E G A T I V E.						
Messieurs	Ford, Plater, Plowden, Wilmer, Tilghman, Harwood, N. Worthington,	J. Worthington, Brogden, Grahame, Hawkins, Campbell, Sherwood, Cox,	Jones, Dashiell, Denwood, Eccleston, Frazier, Eccleston, jun. Goldborough,	Forman, Sprigg, Duvall, Barnes, Hutchings, Townsend, Dennis,	Purnell, Beatty, Hughlett, Driver, Douglass, Loockerman, O'Donnell,	Ott, Swearingen, Crabb, Beall, Bayard, Johnson, Tomlinson. 42.

So it was determined in the negative.

On further progression in reading the said bill, the question was put, That the clause relative to quakers, menonists, and tunkers and others, be amended by inserting the words "except when called into actual service," after the word "duty" in the said clause? The yeas and nays being called for by Mr. Jarrett, appeared as follow:

A F F I R M A T I V E.						
Messieurs	Thomas, Ford, Plowden, Plater, Wilmer, Tilghman, Harwood, N. Worthington, J. Worthington,	Brogden, Mackall, Brooke, Grahame, M'Pherson, Hawkins, Campbell, Ridgely, of Wm. Sherwood,	Cox, Jones, Denwood, Eccleston, Frazier, Eccleston, jun. Goldborough, Oldham, Clark,	Sprigg, Contee, Quynn, Duvall, O'Bryon, Barnes, Butcher, Townsend,	Dennis, Purnell, Beatty, Hughlett, Driver, Douglass, Ott, Swearingen,	Cromwell, Jacques, Crabb, Oneale, Beall, Bayard, Johnson, Tomlinson. 51.
N E G A T I V E.						
Messrs.	Freeland, Cockey, Ridgely,	Gough, Kerr, Dashiell,	Forman, Ewing, Dorsey,	Jarrett, Prall, Amos,	Loockerman, O'Donnell,	M'Mechen, Wootton. 16.

So it was resolved in the affirmative.

The bill being read throughout, the question was put, That the said bill do pass? The yeas and nays being called for by Mr. Denwood, appeared as follow:

A F F I R M A T I V E.						
Messieurs	Ford, Plowden, Wilmer, Tilghman, Harwood, N. Worthington, J. Worthington,	Brogden, Brooke, Grahame, Hawkins, Campbell, Sherwood, Cox,	Jones, Dashiell, Denwood, Eccleston, Eccleston, jun. Forman,	Sprigg, Quynn, Duvall, O'Bryon, Barnes, Hutchings,	Townsend, Dennis, Purnell, Beatty, Hughlett, Driver,	Ott, Swearingen, Beall, Bayard, Johnson, Tomlinson. 38.
N E G A T I V E.						
Messieurs	Thomas, Plater, Mackall, Freeland, M'Pherson, Cockey,	Ridgely, Ridgely, of Wm. Gough, Kerr, Frazier, Hollingfworth,	Oldham, Ewing, Clark, Contee, Butcher,	Dorsey, Sappington, Nelson, Jarrett, Prall,	Amos, Douglass, Loockerman, O'Donnell, M'Mechen,	Cromwell, Jacques, Crabb, Oneale, Wootton. 32.

So it was resolved in the affirmative.

The following message being prepared, was read and agreed to.

BY THE HOUSE OF DELEGATES, DECEMBER 11, 1792.

MAY IT PLEASE YOUR HONOURS,

THIS house was not inattentive to the impropriety of a legislative interference in common cases, where the laws of the land hold out the means of redress, but we were determined in the case of Thomas Handy Gillis by the very particular circumstances which attend it. It appeared to us that the estate of orphans was burthened with a heavy debt, rendered more oppressive by much accumulated interest; that a parole agreement had taken place between Joseph Gillis, the father, in his lifetime, and his sister Eleanor Handy, to whom the evidence of the debt above mentioned had been transferred, by which the principal of the debt would have been extinguished, and the whole interest saved. This agreement was not carried into effect, on account of the death of Joseph Gillis; but Eleanor Handy, now Wilson, from her regard and affection to her orphan relations, is still willing to give up all the interest, and, by completing the contract, to take a piece of poor land of no more intrinsic value than the principal of the debt; and it occurred to us, that if she should die, her heir might not be found so indulgent; and that if she should survive, a tedious course of proceedings in chancery, yet the burthen of costs which must eventually fall on the orphans, already sufficiently straitened in their circumstances, might well be saved to them by the mode pointed out by this house. These facts, all being proved to our satisfaction, induced us to violate what we admit to be a rule founded on prudent caution, and which we shall be always found as unwilling as your honours to destroy in cases not founded on very peculiar circumstances; and these facts induce us to solicit again the attention of your honours to our bill, which we consider as an appeal to the humanity and benevolence