

shake the foundations of the titles to real property. We are well aware, that legislative interpositions to declare the law in doubtful cases, may produce pernicious consequences, unless exercised with the greatest caution; but the experience of this, and every other country, has evinced, that such interpositions are sometimes necessary. The legislature of Maryland has often gone so far as to control the course of law, in order to prevent a considerable public inconvenience. Acts of assembly have been frequent to revive and give continuance to suits which had been discontinued by the neglect of judges to hold courts at the times appointed by law. By the act of November session, 1773, chapter 3, defective acknowledgments of many conveyances taken before Thomas Prather, chief justice of Frederick county, who acted under a misconception of the law, were remedied. By the act of November session, 1766, chapter 21, defective common recoveries, suffered by tenants in tail for the purpose of barring their issue, were made valid. The act of November session, 1785, chapter 9, confirmed illegal acknowledgments of conveyances taken under former acts of assembly. By the act of November session, 1779, chapter 10, it was declared, that the acts of assembly by which deeds of bargain and sale were directed to be recorded within six months from their date, should be understood to mean calendar months, although it was the opinion of the courts that the legal construction was to compute the time by lunar months. We think it needless to mention many other instances, which the wisdom of your house will immediately recollect, tending to confirm this position, that a deviation from the ordinary rules of legislation is justifiable, to secure a number of ancient possessions held on the faith of long received opinions.

We are persuaded that the possessors of real property are considerably alarmed by doubts, which it is the object of the bill in question to explain. We gave it origin, from a conviction that we were bound to quiet these apprehensions, and to prevent a number of ruinous lawsuits. We shall be happy, if upon a candid and serious reconsideration, your sentiments shall coincide with ours. At all events, we shall have discharged our duty in attempting a measure, which, in our opinion, will promote the peace and happiness of our constituents.

By order,

H. RIDGELY, clk.

Which was read.

The house adjourns till 5 o'clock.

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

The house met.

Mr. Quynn, from the committee, brings in and delivers to Mr. Speaker a bill, entitled, An act to continue the acts of assembly therein mentioned; which was read the first time and ordered to lie on the table.

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

THE committee to whom was referred the report and several papers laid before the house by the agent, report, that they have taken the same into consideration, and are of opinion that the interest of the state requires that an agent be appointed for the year one thousand seven hundred and ninety-three; they therefore recommend the following resolution:

RESOLVED, That leave be given to bring in a bill to appoint an agent for the year one thousand seven hundred and ninety-three.

By order,

A. GOLDBER, clk.

Which was read.

Mr. Ridgely, of Wm. from the committee of claims, brings in and delivers to Mr. Speaker the journal of accounts; which was read the first and second time and assented to. Leave given to bring in a bill pursuant thereto. ORDERED, That the committee of claims prepare and bring in the same.

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

THE committee to whom was referred the petition of the visitors and governors of Saint John's college, report, that they have taken the same into consideration, and believe the facts stated in the petition to be true. They also find, that application has been made for the pre-emption of the lands mentioned in the petition, as confiscated property, by John Bullen, of the city of Annapolis, under a law of the state, and that, in consequence of that application, an ejectment has been brought, which is still depending, to try the title to said lands; that if the said lands were liable to confiscation, the state will be entitled to two-thirds thereof, and Mr. Bullen to the remaining third.

That if the general assembly should be of opinion that the state's title ought to be relinquished, the counter petitioner has no objection to the measure, provided his right is not to be affected, and major Ross, to whom the said lands will belong in case the state's title is relinquished, hath agreed that Mr. Bullen shall receive one third of the purchase money of twenty acres, part of the said lands, proposed to be sold at £. 15 per acre, for the purposes mentioned in the petition. The propriety of relinquishing the state's title to the aforesaid twenty acres is submitted to the honourable house, and the following resolution is recommended for the purpose of taking their opinion:

RESOLVED, That the right of the state to twenty acres, part of the lands adjacent to the ground whereon Saint John's college stands (to be laid off as the visitors and governors of Saint John's college direct) be and the same is hereby relinquished; provided, that the right of John Bullen, who has applied for the pre-emption of the said lands, of which the twenty acres are a part, be not affected by this resolution, and that he be allowed to receive one third of the amount of the sales of said twenty acres; and provided also, that this resolution shall not in any manner affect the right of the state to the remainder of the said lands.

By order,

J. O'BRYON, 3d. clk.

Which was read.