

where the fact will sustain it, and when we are introducing a new regulation, by which a garnishee is substituted in his place, and intrusted with the conduct of his case, there seems to be an impropriety in precluding that full and complete defence which the defendant in person, or by attorney, would be competent to set up.

The plea of limitations is not so likely to be abused by garnishees as by the defendants themselves; they have not the same inducement to rely upon it, and will not probably introduce it in cases where it cannot honestly be done. A variety of cases occur in practice, where, without this plea, an iniquitous claim might be successful, and as garnishees have little or no temptation to rest upon it for the purposes of injustice, we think the power of pleading it ought either to be committed to them or allowed to none.

We are not apprised of the reasons which have influenced the senate upon this occasion, and it is therefore possible, that had they been communicated, they might have been satisfactory to us; but, at present, we return the bill without receding from the amendment, in order that you may reconsider and assent to it.

By order, W. HARWOOD, clk.
The house adjourns till to-morrow morning 9 o'clock.

S A T U R D A Y, December 12, 1795.

THE house met. Present the same members as on yesterday, except Mr. Gale. The proceedings of yesterday were read.

The bill to enable the vestrymen of the parish of Saint-James, in Anne-Arundel county, for the time being, to sell a tract of land therein mentioned, and to apply the money arising by such sale towards the purchase of another tract or parcel of land, to be made a glebe, for the use of the rector of that parish, and his successors, was sent to the senate by the clerk.

The bill to empower Richard Johns to collect the balances due him as sheriff and collector of Talbot county, was read the second time by especial order, passed, and sent to the senate by the clerk.

Mr. T. Worthington, from the committee, brings in and delivers to Mr. Speaker a bill, entitled, An act to repeal part of the act of assembly therein mentioned; which was read the first and second time by especial order, passed, and sent to the senate by the clerk.

A petition from sundry persons in the city of Washington, praying an act establishing two annual lotteries, to raise each 26,250 dollars, for the purpose of completing a canal in the said city from James's creek to the Tiber, and a branch of the said canal from the Eastern branch to intersect the aforesaid canal, was preferred, read, and referred to Mr. Key, Mr. Reintzel and Mr. Winchester, to consider and report thereon.

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

THE committee to whom was referred the petition of Notley Young, and others, in the city of Washington, have taken the same into consideration, and report, that the completing the canal therein will be of great public utility, and that the prayer of the petitioners, to raise the sum of money adequate to that purpose by lotteries, is reasonable and ought to be granted, and that leave be given to bring in a bill for that purpose. All which is submitted.

By order, J. W. KING, clk.
Which was read the first and second time, concurred with, and leave given to bring in a bill pursuant thereto.

A petition from the mayor, recorder, aldermen and common council, of the corporation of George-town, praying that their powers may be enlarged relative to their levying money on the said town, also that they may have power to grant ordinary and retailers licences, and to issue writs of ejectment for the recovery of certain property within the said town, and to erect wharfs and lease the same, was preferred and read.

ORDERED, That the said petition be referred to the next session of assembly.

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

THE committee to whom was referred the petition of Thomas Gilleland and James Boggs, of Cæcil county, report, that they have examined into the facts stated in the petition, and find them to be true, they are therefore of opinion that the said petitioners ought to be released from paying the monies arising on ordinary and retailers licences in Cæcil county for the year seventeen hundred and eighty-six, under all the circumstances of the case; they therefore submit the following resolution:

RESOLVED, That Thomas Gilleland and James Boggs, of Cæcil county, be and they are hereby released from the payment of the monies to the state of Maryland arising on ordinary and retailers licences in Cæcil county for the year seventeen hundred and eighty-six, which they might be liable to pay in consequence of their being securities for Archibald Job, sheriff of said county, for the year seventeen hundred and eighty-six, upon their paying the costs of the suits now depending against them in the eastern shore general court for the recovery of the said monies.

By order, J. O'BRYON, 3d. clk.

Which was read.

The bill to lay out a turnpike road from the city of Washington to Baltimore-town, was read the second time, and the question put, That the said bill do pass? Determined in the negative, and the following message prepared and sent to the senate, with the said bill, by the clerk.

By