

Mr. Johnson and Mr. Christie informed the house that the governor is waiting in the senate chamber. The speaker, with the members of the house, attended in the senate chamber, and after having heard the verbal communications of his excellency, the speaker, with the members, returned to the house, and the speaker resumed the chair.

The following message being prepared, was read.

BY THE HOUSE OF DELEGATES, JANUARY 10, 1803.

GENTLEMEN OF THE SENATE,

HAVING finished the business of the session we propose that the governor be immediately notified thereof, and requested, in such manner as you may think most proper, to attend in the senate chamber for the purpose of signing and sealing the laws, it being our wish to rise to-night.

By order,

W. HARWOOD, clk.

The clerk of the senate delivers the following message:

BY THE SENATE, JANUARY 10, 1803.

GENTLEMEN,

THE situation of the state demands, in our opinion, that the legislature should not rise before some order is taken with respect to the difference of opinion that has unfortunately taken place in the executive. Should we rise without acting on this subject, it is probable the proceedings of the government may be stopped, or an extra session required; to give time for reflection on this an important and unexpected subject, we propose to adjourn until to-morrow; it will then be the only subject for our consideration, and we hope the united wisdom of the legislature will adopt those measures our situation requires.

By order,

J. B. DUCKETT, clk.

Which was read.

The message relative to the governor signing and sealing the laws was read the second time, agreed to, and sent to the senate by the clerk.

The clerk of the senate delivers the following message:

BY THE SENATE, JANUARY 10, 1803.

GENTLEMEN,

IN our opinion the business is not finished; in other words, the senate wishes and intends to take some order with respect to the executive of the state; to enable them to prepare that, they have determined to adjourn until to-morrow morning.

By order,

J. B. DUCKETT, clk.

Which was read.

On motion, the question was put, That the house adjourn till to-morrow morning 9 o'clock? The yeas and nays being required, appeared as follow:

A F F I R M A T I V E.

|            |            |            |           |             |             |           |
|------------|------------|------------|-----------|-------------|-------------|-----------|
| Hatcheson, | Moore,     | Rose,      | Van-Horn, | Thompson,   | E. Davis,   | Dickson,  |
| Friaby,    | Stansbury, | Steele,    | Carr,     | Kemp,       | Lytle,      | Kershner, |
| Harwood,   | Love,      | Sheredine, | Quynn,    | Montgomery, | Orrell,     | Smith,    |
| Hall,      | Lemmon,    | Miller,    | Ridgely,  | Forwood,    | Hardcastle, | Tilghman. |
| Grahame,   | Lloyd,     | Alexander, |           |             |             | 81.       |

N E G A T I V E.

|         |            |           |          |             |           |        |
|---------|------------|-----------|----------|-------------|-----------|--------|
| Angier, | Chapman,   | Dashiell, | Wood,    | Wilson,     | T. Davis, | Selby. |
| Jones,  | McPherson, | Keene,    | Quinton, | Swearingen, |           | 12.    |

So it was resolved in the affirmative.

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

T U E S D A Y, January 11, 1803.

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

The following being propounded to the house, was read.

The house having taken into consideration the communication from the senate, containing the separate representations of the governor and council, respecting the appointment of commissioners in behalf of this state to meet the commissioners to be appointed by the state of Pennsylvania and the Susquehanna canal company, for the purpose of making arrangements respecting the navigation of the river Susquehanna, and having also received the governor's verbal communication respecting a diversity of sentiment existing between him and the council, relative to the appointment of officers under the constitution, are of opinion, that the legislative body is not designated by the constitution to decide and determine on any question appertaining to the exercise of the legal and constitutional powers of the executive; but in as much as the legislature have been appealed to by the executive, and they being willing to adjust the differences existing in that body, so far as their opinion may have weight, do hereby declare, that the resolution adopted by the legislature at the present session, authorising the governor, by and with the advice and consent of the council, to appoint said commissioners, was passed for the purpose of enabling the governor and council to make said appointment according to the usual and customary mode heretofore adopted and practised by the executive in the appointment of officers under the constitution since its adoption.