

Your committee beg leave to remark, that the law enjoining the petitioners to pay the damages sustained by cutting the aforesaid road, must have been founded on a presumption, that the benefits derived from the same were peculiar to the petitioners, which your committee have reason to conclude, from the best information they can obtain, is erroneous, and that the whole of the petitioners in the application first mentioned were equally interested.

Your committee further beg leave to suggest, that the act aforesaid declares the same to be a public road, and that it should be kept up at the public expence; from whence it might be with great reason concluded, that the public were equally interested with the petitioners, and of course justly liable to any damages sustained by the establishment of that which is for public convenience. Under this impression, your committee are of opinion, that the prayer of the said Hodson and Purnell's petition ought to be granted.

Your committee beg leave to intimate to the honourable house, the propriety of adopting some general system, to remedy the inconvenience arising from an opinion, now pretty generally taken up, that there is no power but in the general assembly of laying out roads, however partial in their utility and convenience.

All which is submitted to the honourable house.

By order,

A. GOLDBER, clk.

Which was read the first and second time, concurred with, and leave given to bring in a bill pursuant thereto.

A petition from Philip Nollart, of Frederick county, praying an act may pass, to confirm his title to thirty acres of land, being part of a tract of land called Goose-Cap, lying in Frederick county; was preferred and read, and referred to Mr. Beatty, Mr. Faw, and Mr. Funk, to consider and report thereon.

The bill to enable John Eagar Howard, of Baltimore county, to convey to the vestry of Saint Paul's parish, and their successors, a parcel of ground adjoining Baltimore-town, for the purposes therein mentioned, was read the second time by especial order and passed.

On motion, Leave given to bring in a bill to empower the justices of Baltimore county, to assess and levy a sum of money on the inhabitants thereof, to finish the building of the courthouse in said county. ORDERED, That Mr. McMechen, Mr. Joseph Dashiell, and Mr. Bracco, be a committee to prepare and bring in the same.

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

T H U R S D A Y, December 29, 1785.

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

The bill relating to the public buildings in Caroline county, was read the second time and passed.

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

THE committee, to whom was referred the memorial of William Fitzgough, Esq; of Calvert county, beg leave to report, That they have taken the same under consideration, and are of opinion, that his case highly merits the attention of the legislature, and that justice, humanity, and sound policy, strongly point out the necessity of rendering some relief to the memorialist; and that satisfaction ought to be made him on one of the great principles of confiscation, which is to indemnify our citizens for losses sustained by the war. All which is submitted to the honourable house.

By order,

W. PINKNEY, clk.

Which was read.

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

THE committee, to whom was referred the petition of Henry Brothers, of Frederick county, beg leave to report, That they have taken the same under their consideration, and are of opinion, that the prayer of the petitioner is just and ought to be granted; that the reputation of the petitioner, and the certificate of Dr. Philip Thomas, lieutenant of Frederick county, and Mr. George Murdock, commissioner, from the situation and nature of the case, ought to be admitted as vouchers to support the same. All which is submitted to the consideration of the honourable house.

By order,

W. PINKNEY, clk.

Which was read.

A remonstrance from Thomas Johnson, junior, praying depreciation of his pay as clerk to the council; was preferred and read, and referred to Mr. Joshua Seney, Mr. Joseph Dashiell, and Mr. Oneale, to consider and report thereon.

Mr. Mitchell has leave of absence.

The order of the day, respecting Robert Long, and Thomas Russell and William Augustine Washington, is postponed till Friday the 13th of January next.

On a second reading of the letter from his excellency the governor, informing the general assembly of the resignation of John Bracco, Esq; of Talbot county, of his office of register of wills for said county, and the appointment of James Bracco to that office, ORDERED, That a message be prepared to the senate, acquainting them of the said resignation, and that this house propose to ballot immediately for a person to be recommended by the general assembly, to be commissioned