

T H U R S D A Y, January 12, 1786.

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

Mr. Joshua Sney, from the committee, brings in and delivers to Mr. Speaker a bill, entitled, An act to declare and ascertain the right of citizens of this state to private roads or ways; which was read the first time and ordered to lie on the table.

Mr. Edmonson has leave of absence.

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

By the COMMITTEE of GRIEVANCES and COURTS of JUSTICE.

YOUR committee beg leave to report, That a petition has been presented to them by Robert Abell, of St. Mary's county, setting forth, that he was duly elected sheriff of said county, but that his election was set aside by the judges thereof, under a pretence of his not having property sufficient to qualify him for the choice to that office. The paper (No. 1.) annexed to this report is a copy of the return of the judges to the governor and council on the subject of said election.

Your committee further report, that the said Robert Abell hath delivered to them a paper, purporting to be a schedule of property in his possession, antecedent to and at the time of said election, as valued by certain persons whose names are thereto subscribed, and attested by the oath of the petitioner, the amount of which property is £. 1117 0 8 as appears by the paper (No. 2.) also a deed of conveyance from Justinian Mills to the petitioner, for 200 acres of land, executed on the 27th of September 1785, which appears by the paper (No. 3.)

Your committee beg leave further to report, that, by the 42d article of the form of government, the justices, summoned to attend at the election of delegates and sheriffs for the preservation of peace, are appointed judges thereof, and of the qualification of the candidates, and, by said article, no person is eligible to the office of sheriff for a county but an inhabitant of said county, above the age of 21 years, and having real and personal property in the state above the value of £. 1000 current money.

Your committee further report, that it appears to them, that the principle upon which the election of Robert Abell was set aside by the judges thereof, was his want of sufficient amount of assessed property in this state to qualify him for a choice to the office of sheriff; but your committee will not undertake to decide, whether this is the rule by which this matter is to be determined, or, whether the possession of real and personal property to the amount required by the constitution and form of government, though not assessed, is a sufficient qualification.

All which is submitted to the honourable house.

By order,

W. PINKNEY, clk.

Which was read the first and second time and rejected.

Mr. Kirkman is excused for leaving the house on account of his indisposition.

The bill to empower the justices of Anne-Arundel county to assess on the property of the parishioners of the parish of St. Margaret's Westminster, a sum of money for the purposes therein mentioned, was read the second time and passed. Sent to the senate by Mr. N. Worthington.

Mr. McMechen appeared in the house.

The order of the day, respecting the intendant of the revenue, is postponed till to-morrow morning.

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

F R I D A Y, January 13, 1786.

THE house met. Present the same members as on yesterday, except Mr. Hooper. The proceedings of yesterday were 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 sundry inhabitants of Frederick-town, and the neighbourhood thereof, for the removal of the market house in said town, and the counter petitions thereto, beg leave to report,

That they have taken the premises under their consideration, together with other circumstances and facts produced to them, and are of opinion that the petition for the removal is inadmissible.

First, because the number of the subscribers to the counter petition are nearly double, and of equal respectability.

Second, because the contracted situation of the market-ground complained of is removed, by a donation of nearly double the quantity it now contains.

Third, because the present ground was given for the express purpose of building and continuing the market house thereon, and that when the market-house is removed, the property reverts to the original proprietor, and cannot be sold by the inhabitants of said town.

Fourth, because the public lot prayed for is the property of the county, and ought not to be given for the partial advantage of the town.

That the prayer of the counter petition ought to be granted, on the express terms, that they convey to the inhabitants of said town, in like manner as the present market-ground is conveyed, in