

applications to the legislature, but the same was not given six weeks prior to the meeting of the general assembly; your committee are nevertheless of opinion that the said petitioners ought to be relieved, in as much as six weeks have now elapsed since their intended applications have been made public, and ample provision may be made in the law under which they are to be relieved, that every person may have an opportunity to contest their claiming the benefit of an act of insolvency before the chancellor.

The committee further report, that James Smith and William Burk, of Queen-Anne's county, have not, from any information in possession of the committee, given any notice of their intended application; notwithstanding which, your committee are of opinion that the said petitioners ought to be relieved for the reason before given.

The committee further report, that Clement Hollyday, of Cæcil county, and Vachel Stevens, of Anne-Arundel county, have produced affidavits to the committee of their having given personal notice to their creditors of their intentions to apply for acts of insolvency. The committee are of opinion that they ought to be relieved for the reason before mentioned, and in as much as personal notice answers every purpose intended by the resolution requiring six weeks notice to be given in the public papers.

The committee further report, that Elijah Gaither hath, on his own application, and to avoid a criminal prosecution, been banished from this state, that he is now an inhabitant of the state of Virginia; the committee are therefore of opinion that he cannot be relieved by an insolvent law of this state.

The committee further report, that Larkin Thorndike and James Farrar were residents in the county of Beverly, in the state of Massachusetts; that they privately absconded from that place with a view to prevent their creditors from applying to them for their debts, bringing with them property to a considerable amount; that the said property cannot now be found; that the whole of debts due from the said Larkin Thorndike and James Farrar appear to be due to persons inhabitants of the state of Massachusetts, and that all debts due them appear likewise to be due from inhabitants of that place; your committee are therefore of opinion that the said Larkin Thorndike and James Farrar ought not to be relieved by an act of this state.

That they have also considered the petition of Gavin Hamilton Smith, of Calvert county, and the counter petition thereto, and are of opinion that he ought not to be relieved. They further report, that the said Gavin Hamilton Smith requests to be heard by counsel at the bar of the house.

All which is submitted to the honourable house.

By order,

J. O'BRYON, 3d. clk.

Which was read.

ORDERED, That this house will hear Gavin Hamilton Smith by counsel at the bar of the house on Wednesday the eleventh instant, and that depositions taken on three days notice to the adverse party shall be admitted in evidence on the part of either petitioner or counter petitioners.

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

W E D N E S D A Y, December 4, 1793.

THE house met. Present the same members as on yesterday. The proceedings of yesterday were read. Mr. Oneale, Mr. Threlkeld and Mr. Jarrett, appeared in the house.

The resolution approving of the proclamation of the governor to guard against the malignant and contagious fever raging in Philadelphia, was read.

The bill to define and ascertain the powers of the governor on the subject therein mentioned, was read the first time and ordered to lie on the table.

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

THE committee to whom was referred the petition of John Wilkins, and Leah Wilkins, administratrix of Samuel Wilkins, of Somerset county, deceased, report, that they have considered the same, and find the facts truly stated. They further find, that the real property of the said Charles Hall was purchased at the same time by John Jones, of Somerset county; that the said John Jones, on petitioning to the chancery court, was released from the said purchase, and the same was set aside for the reasons stated in the said decree, a copy of which is herewith exhibited. Thereupon the committee are of opinion that the prayer of the petitioner ought to be granted; they therefore submit the following resolution:

RESOLVED, That the attorney-general be and he is hereby directed to suspend and discharge all process and executions against John Wilkins, and Leah Wilkins, administratrix of Samuel Wilkins, late of Somerset county, deceased, which are now depending in any court of law in this state, on account of the purchase money of a certain negro, sold by the late intendant of the revenue to the aforesaid John Wilkins and Samuel Wilkins, and for which purchase money the said John Wilkins and Samuel Wilkins passed their bond to the state on the eighth day of April, seventeen hundred and eighty-five; and that the treasurer of the western shore be and he is hereby directed to deliver up the said bond to the said John Wilkins.

By order,

C. WAYMAN, clk.

Which was read.

The report on the petition of Joseph Forman, was read the second time, and the question put, That the house assent to the resolution in the said report? Resolved in the affirmative.

On motion, ORDERED, That Mr. Crabb be added to the committee on the petition of Talbot Shipley, of Anne-Arundel county.