

VOTES AND PROCEEDINGS, NOVEMBER SESSION, 1809.

The bill empowering the trustees of the poor of Harford county to sell and convey certain property therein mentioned, was read the second time, passed, and sent to the senate.

Mr. Worthington delivers a bill, entitled, An act respecting inspection warehouses in the city of Baltimore; which was read the first time and ordered to lie on the table.

The house resumed the consideration of the bill concerning the amendment of judicial proceedings, and, on motion by Mr. C. Dorsey, the question was put, That the words "by the court of appeals to which the said writ is returnable," be inserted in the second clause after the word "record?" The yeas and nays being required, appeared as follow:

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

Messrs Plater Hebb Hopewell Blakistone Ireland	Wilkinson Stuart Chapman C Dorsey	Bayly Winder Gale Cottman	Lucas Lecompte Griffith Frazier	Calvert Herbert Boyle J Brown	J E Spencer Palmer Hayward J Thomas	Baer J H Thomas Tabbs Gaither	S Thomas Wharton Veatch Hilleary
---	--	------------------------------------	--	--	--	--	---

N E G A T I V E.

Messrs Hall Angier Harris W Moffitt	A Dorsey Williams Harryman M Brown	Randall Seth Groome Veazey	J S Moffitt Physick Sands Hopper	Prideaux Schley Archer Forwood	Davis Streett Willis Driver	Jump Worthington Bland Bowles	Cellar Brent Cresap Reid
---	---	-------------------------------------	---	---	--------------------------------------	--	-----------------------------------

So it was resolved in the affirmative.

On motion by Mr. Bayly, the question was put, That the house reconsider the said amendment? Resolved in the affirmative.

On motion by Mr. Bayly, the question was put, That the words "of appeals" be stricken out of said amendment? Resolved in the affirmative.

On motion by Mr. Worthington, the question was put, That the residue of the said amendment be stricken out? Resolved in the affirmative.

On motion by Mr. J. E. Spencer, the question was put, That the words "by the respective courts to which such writ of error may be made returnable" be inserted after the word "record" in the second clause? Determined in the negative.

On motion by Mr. J. E. Spencer, the question was put, That the words "and that in no case of judgment by confession shall such judgment be reversed," be added to the second clause? The yeas and nays being required, appeared as follow:

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

Messrs Plater Hebb Hopewell Blakistone A Dorsey	Ireland Wilkinson Stuart Chapman C Dorsey	Winder Gale Cottman Lecompte	Griffith Calvert Herbert J Brown	Hopper J E Spencer Hayward J Thomas	Baer J H Thomas Archer Cellar	Tabbs Gaither S Thomas Wharton	Veatch Hilleary Cresap Reid
--	---	---------------------------------------	---	--	--	---	--------------------------------------

N E G A T I V E.

Messrs Hall Angier Harris W Moffitt Belt	Williams Harryman M Brown Randall Seth	Bayly Lucas Frazier Groome	Veazey J S Moffitt Physick Sands	Boyle Palmer Prideaux Quinton	Schley Forwood Davis Streett	Holbrook Willis Driver Jump	Worthington Bland Bowles Brent
---	--	-------------------------------------	---	--	---------------------------------------	--------------------------------------	---

The house being equally divided, it was declared in the negative by the Speaker.

On motion by Mr. C. Dorsey, the question was put, That the following be inserted after the second clause? viz. "And be it enacted, That no action, in which a feme sole may be plaintiff, shall abate by reason of her intermarriage pending the same, but upon coverture being suggested her husband may appear to such action." Determined in the negative.

On motion by Mr. C. Dorsey, the question was put, That the following be inserted after the second clause? "And be it enacted, That under the construction of the term "proceedings" in the first section in this act, the court shall have full power, upon the terms aforesaid, to permit any original writ of any nature or kind whatever to be amended or changed to any other form of action, except from ejectment to covenant, debt or case, or from covenant, debt or case, to ejectment." The yeas and nays being required, appeared as follow:

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

Messrs Plater Hebb	Blakistone Ireland	Stuart Chapman	C Dorsey Winder	Gale	Lecompte	J Brown	S Thomas
--------------------------	-----------------------	-------------------	--------------------	------	----------	---------	----------

N E G A T I V E.

Messrs Hall Angier Harris W Moffitt Belt A Dorsey Williams	Wilkinson Harryman M Brown Randal Seth Bayly Cottman	Lucas Griffith Frazier Groome Veazey J S Moffitt	Physick Sands Boyle Hopper J E Spencer Palmer	Prideaux Quinton Hayward Baer J H Thomas Schley	Archer Forwood Davis Streett H Holbrook Willis	Driver Jump Worthington Bland Bowles Cellar	Tabbs Brent Veatch Hilleary Cresap Reid
---	--	---	--	--	---	--	--

So it was determined in the negative.

On motion, by Mr. Archer, the question was put, That the following clause be stricken out? viz. "And be it enacted, That nothing herein contained shall be construed to extend to any criminal process or prosecutions at the suit of the state." Determined in the negative.