

A petition from Benjamin Ferguson, of Cæcil county, praying to be divorced from his wife, was preferred, read, and referred to Mr. Cox, Mr. Moffit, Mr. Porter, Mr. Mitchell and Mr. Blakistone, to consider and report thereon.

A petition from George Fitzhugh, of Baltimore county, praying some compensation for his negro, which was committed to gaol for an attempt to murder, and escaped therefrom, was preferred, read, and referred to Mr. Harryman, Mr. M. Brown, Mr. Shaaff, Mr. Little and Mr. Jump, to consider and report thereon.

A petition from Ruth Ferguson, praying to be divorced from her husband, was preferred, read, and referred to the committee appointed on the petition of Benjamin Ferguson.

A petition from Joseph Kennedy, praying a special act of insolvency, was preferred, read, and referred to Mr. Bowles, Mr. Shaaff, Mr. Frisby, Mr. Schnebly and Mr. Pearce, to consider and report thereon.

Mr. Chapman, from the committee, delivers to the speaker a bill, entitled, A Further additional supplementary act to the act, entitled, An act for quieting possessions, enrolling conveyances, and securing the estates of purchasers; which was read the first time and ordered to lie on the table.

Mr. W. H. Brown, from the committee, delivers to the speaker a bill, entitled, An additional supplement to the act, entitled, An act to ascertain the allowance to jurymen and witnesses of the general court, and the several county and orphans courts in this state; which was read the first time and ordered to lie on the table.

On motion, ORDERED, That the committees appointed on petitions for acts of insolvency be discharged, and that such petitions be referred to Mr. Winder, Mr. Chapman, Mr. Bowles, Mr. Shaaff, Mr. Hawkins, Mr. Woodward and Mr. Little, to consider and report thereon.

Mr. Davis, from the committee, delivers to the speaker a bill, entitled, An act to restrain the evil practices arising from free negroes keeping dogs, and to prohibit them from carrying guns and offensive weapons; which was read the first time and ordered to lie on the table.

On motion, ORDERED, That the report on the petition of John C. Bond be recommitted for amendment.

Mr. Harryman, from the committee, delivers to the speaker the following report:

THE committee to whom was referred the memorial of the commissioners appointed to superintend the erection of a penitentiary for the reception of criminals condemned, or who might be condemned, under the laws of this state, report, that they have taken the same into consideration.

The committee are of opinion, that the object contemplated by the memorial is deserving of the most serious attention of the house, being intimately connected with the administration of the laws.

In every well regulated society, punishment ought to be proportioned to the crime committed, and capital punishments be inflicted in no case wherein a less degree of severity will be adequate to the correction of the offender; justice does not require the aid of cruelty to enforce her decrees, and humanity will always be offended at the two great rigour of the law. The legislature, at a very early period, was impressed with the propriety of these principles, and substituted the punishment of labour on the roads to many cases, in which, before that time, by the judgment of our tribunals, the sentence of death must have been pronounced upon the person condemned; this, though an amelioration of the former system, is yet far short of that perfection which the criminal code of this free and enlightened country ought to arrive at. The man, impelled by misfortune to the commission of offences, is thrown into one common-herd with the profligate and abandoned, equally doomed to public disgrace and to public exposure, and if the heart is not borne down by the horrors of his situation, the unfortunate individual always returns to society, after his term of servitude expires, more vicious than before. It became necessary to correct the evils of this mode of punishment, and the legislature have, on former occasions, given to the world a well founded hope, that the period is soon arriving when this punishment of labour on the high roads will be changed to that of working in a penitentiary, where every offender will meet with his adequate correction; where the man, who may have seen the error of his life, may have, in solitude, time for reflection, and not hardened by the public scorn of the world, may one day become again a useful member of society.

The committee beg liberty further to state to the house, that the time is not far distant, when, by the operation of the turnpike laws, certain roads, now appropriated for the employment of the criminals, can no longer be used for that purpose, and before any new modification of our criminal code can be effected, so as to change the present punishment to that of working in a penitentiary, it is essentially necessary that a proper place for the reception of the convicted should be prepared, and the committee are of opinion, from the information before them, that the funds provided for that purpose are wholly inadequate.

The committee think, that this important subject ought to meet with a prompt and liberal support from the government; they therefore submit the following resolution for the consideration of the house.

RESOLVED, That the treasurer of the western shore pay — dollars to the commissioners appointed to superintend the erection of a penitentiary for the reception of criminals condemned, or who may be condemned, under the laws of this state, by a resolution passed at November session, one thousand eight hundred and four, or a majority of them, or their order, out of any unappropriated money in the treasury.

By order,

D. L. JACOB, clk.

Which was read.

Mr. Denny, from the committee, delivers to the speaker a bill, entitled, An act to tax bachelors and bank stock for the education of poor children in the several counties in this state; which was read the first time and ordered to lie on the table.