

JOURNAL

OF

PROCEEDINGS

OF THE

Senate of Maryland:

JANUARY SESSION,

EIGHTEEN HUNDRED AND FIFTY-SIX.

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**BY AUTHORITY.**  
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1856.

Mr. Hoffman from the committee on Internal improvements, reported a bill entitled, an act to incorporate the Gas Coal company of the Big Youghogany,

Which was read the first time.

The resolutions in favor of H. M. Fitzhugh;

Were read the third time and assented to;

Said resolutions were then returned to the House of Delegates.

The hour having arrived for taking up the order of the day,

The President announced the bill entitled, an act to establish and endow an Agricultural College in the State of Maryland.

Mr. Sothoron submitted the following amendment:

“Strike out the fifth section;”

Which was read and adopted.

Mr. Sothoron submitted the following amendment;

In section seven, line four, insert after word purpose “an accurate statement of all receipts and expenditures of money and;”

Which was read and adopted.

Mr. Sothoron submitted the following amendment:

8th section, 7th line, “insert after the word dollars” out of any unappropriated money in the Treasury;

Which was read and adopted.

Mr. Hughes submitted the following amendment;

After the word “therefor” in seventh line, of tenth section, insert the following:

“Accepting and reserving such compensation as shall be deemed necessary in the discretion of the commissioners for incidental expenses in obtaining subscriptions, and collecting the same.

Which was read and adopted.

The bill was then read the second time, and ordered to be engrossed for a third reading.

On motion of Mr. Hoffman,

Leave was granted the committee on agriculture, to report a bill entitled, an act amendatory of an act entitled, an act to provide for the appointment of a weigh master of live stock, in the city of Baltimore, passed at December session 1837, chapter 313, and to supplements thereto, passed at December session 1841, chapter 119, and of January session 1854, chapter 218.

Resolved by the General Assembly of Maryland, That we hail with delight and gratitude, the annual return of the birth day of Washington; the Father of his country; loved, respected and venerated by the entire American people. He, who under the wisdom and direction of the great arbiters of human event, led the struggling Patriots of '76, through a perilous and gloomy war, to a successful and glorious issue.

Resolved, That upon this the anniversary of the day, that gave birth to that great and good man, the energies of whose mighty intellect, were bent with unceasing effort to secure the independence and liberty of his country, that we renew our vows of love and attachment to the land of our birth, the home of our youth, around whose past history clusters the brightest achievement, that ever adorned the annals of National History.

Resolved, That we cherish with feelings of grateful and patriotic remembrance the address and admonitions of the patriot Washington, to cultivate a spirit of brotherly feelings between the different sections of our broad and happy country, that the bond of our union was cemented by the blood and suffering of our common sires, and that their children will ever cherish that union as the great bulwark of our national safety, and the ark in which are embarked, the destinies and future prosperity of our country.

Resolved, That whilst the nations of Europe are engaged in dreadful conflicts of strife and war, spreading death and desolation over their habitations, that we adhere to the warning voice of our loved Washington, that comes welling up from the past, to steer clear of all entangling alliances with foreign nations.

Which were read and referred to Messrs. Wallace, Hoffman and Gaither.

Also returned the resolutions in favor of H. M. Fitzhugh, administrator of William Fitzhugh.

Endorsed "read and adopted."

Also delivered the following bills:

A bill entitled, an act supplementary to the act of 1854, chapter four, passed for the regulation of catching of oysters, in the waters of Somerset county, and entitled, an act to fix the time when the clerk of the Circuit Court for Somerset county, shall pay over to the Treasurer of the school fund of said county, certain moneys as provided for in said act, and making his official bond liable for the payment thereof;

Which was read the first time and referred to Messrs. Dennis, Wilkins and Cook.

The bill entitled an act to authorize the Register of Wills and the Clerk of the Circuit Court of Worcester county to have the Record Books in their respective offices repaired,

Was read the third time and passed by yeas and nays as follows :

AFFIRMATIVE.

Messrs. Wells, Pres't,	Cook,	Pitts,
Berry,	Davis,	Tyler,
Chilton,	Hoffman,	Webster,
Clark,	McCullough,	Wilkins—12.

NEGATIVE—None.

Said bill was then returned to the House of Delegates.

Mr. Semmes submitted the following resolution:

Resolved, by the General Assembly of Maryland, That: the joint resolutions passed at the present session of the legislature relating to the claim of the estate of the late Wm. Fitzhugh of Calvert county, under Resolution No. 10, passed at November session, in the year 1791, for services rendered by the said William Fitzhugh during the war of the Revolution, shall not be construed as a recognition of said claim on the part of this Legislature; but only as authority; and nothing more, to the Comptroller, to examine and report the items of the sum claimed.

Which was read the first time.

The bill entitled, an act to refund to John B. Nichols, collector of the first collection district of Anne Arundel county, certain moneys overpaid by him into the Treasury of Maryland;

Was read the third time and passed by yeas and nays as follows:

AFFIRMATIVE.

Messrs. Wells, Pres't,	Cook,	Pitts,
Berry,	Davis,	Schley,
Bowdle,	Gaither,	Tyler,
Chilton,	Hoffman,	Webster,
Clark,	McCullough,	Wilkins—15.

NEGATIVE—None.

Said bill was then returned to the House of Delegates.

On motion of Mr. Wilkins,

The Senate took up for consideration the bill entitled, an act to authorize negro testimony in certain cases.

Which was referred to the Committee on Judicial Proceedings.

On motion of Mr. Schley,

FISHERIES—

mac river within the jurisdiction of Maryland, and to protect the breed of fish therein, 73; bill reported, 91; bill passed, 119, 120; message to the House asking return of bill, 205; message in reply, 223; bill reconsidered, 264; bill amended, 273; bill passed and sent to the House, 273; returned passed by the House, 410, 411.

Leave to bring in a bill, for the better protection of, on the Patuxent river, 159; bill reported, 364; bill passed and sent to the House, 448, 449.

FITZHUGH, H. M.—Resolutions from the House, in favor of, were assented to and sent to the House, 109; returned by the House endorsed "read and adopted," 207; resolution explanatory adopted, 218.

FORD, ROBERT AND STONE, FREDERICK.—A bill from the House entitled, an act to provide for the payment of fees to, for legal services to State, 374; bill passed and returned to the House, 420.

FRAME, ROBERT.—Petition of, of the State of Delaware, praying the passage of a law, authorizing him to bring certain negro apprentices into the State; referred, 193.

FRANKLIN, JAMES S.—A bill from the House, to compensate for the trial of certain cases in the court of appeals, as counsel on the part of the State, 174; bill amended, 176; bill passed and returned to the House, 227; message from the Senate to the House, asking return of bill, 230; message in reply, 240; bill reconsidered, 241; bill passed and returned to the House, 241.

FRICK, WM. F. AND CHARLES.—Leave to bring in a bill to pay over to, executors of the late Judge Frick, his salary, 164; bill reported, 207; bill passed and sent to the House, 305; returned passed by the House, 448.

FREDERICK COUNTY.—Petition of the Judges of the Orphans' Court of, praying for increased compensation, 8; referred, 9; bill reported and referred, 25; reported with amendment, 29; amendment adopted, *ib.*; bill passed, 40; sent to the House, *ib.*; message to the House, 89, 90; message in reply, 99; reconsidered, 99.

Petition of the county commissioners of, for the passage of a law, regulating the appointment of the keeper or overseer of the Alms House of, 62; referred, *ib.*; bill reported, 83; bill passed, 97; returned passed by the House, 230.