

Resolved, That the governor and council be and they are hereby authorized and required, to cause the above resolutions to be published in all the newspapers in this state, and in the district of Columbia, once in each month for the space of four months, before the next election of delegates to the general assembly.

Resolved, That the treasurer of the western shore be and he is hereby authorized and required to pay such printers a reasonable price for publishing said resolutions, out of any unappropriated money in the Treasury.

Mr. Bayly delivers a petition from Charles Farrow, of Somerset county, praying a special act of insolvency; which was read and referred to the next general assembly.

On motion of Mr. Davis, the following resolution was read.

Resolved, That the treasurer of the western shore pay to the examiner general of the western shore, such sum in addition to his fees for the present year as shall amount to the sum of three hundred pounds current money, and the examiner general shall lay before the next session of assembly the amount of fees by him received, in this year, on each.

The speaker laid before the house an account from Thomas Harris, junior, and James Earle; which were read and referred to the committee of claims.

Mr. Stevens from the committee of claims delivers the following resolutions.

Resolved, That the treasurer of the western shore pay unto Thomas Harris, junior, the sum of two hundred and forty dollars and forty-six cents, out of any unappropriated money in the treasury.

Resolved, That the treasurer of the western shore pay to James Earle, junior, the sum of one hundred and sixty-nine dollars and sixty-eight cents, out of any unappropriated money in the treasury.

Which were read.

The clerk of the senate delivers the bill for the benefit of the heirs of Thomas M'El-derry, the bill for the relief of Henry Brown, of the city of Baltimore, the bill to lay out and make public a road in Baltimore county, the bill for the relief of Horatio Claggett, & the bill to authorize the levy court of Washington county to straighten, open and amend, the road therein mentioned, severally endorsed, "will pass." Ordered to be engrossed.

The supplement to the act respecting the equity jurisdiction of the county courts, endorsed, "will pass with the proposed amendments;" which were read.

The resolution for building a bridge over Will's creek, endorsed, "dissented from." The resolutions in favour of Frederick Green and William Horsey, severally endorsed, "assented to."

A letter from the governor enclosing the accounts of expenditures by him under resolution of last session; which was read.

Mr. Dorsey delivers a bill, entitled, An act for the relief of the heirs of Zephaniah Brown, which was read.

The bill for the relief of James Wilson, of Baltimore county, was read the second time, passed, and sent to the senate.

On motion of Mr. T. Hall, the following resolution was read.

Resolved, That the governor of the state of Maryland, the chief judge of the court of appeals, and the chancellor of the state, be and they are hereby authorized and empowered to draw on the treasurer of the western shore of the state of Maryland, for the sum of two thousand dollars, to be by them expended in the purchase of a state library, which shall be placed under the care and direction of the executive of the state, until the next meeting of the general assembly.

The bill declaring the effect of decisions in cases of petitions for freedom, was referred to the next general assembly.

The bill annulling the marriage of Daniel Arthur, was referred to the 21st June next.

The bill for the relief of Linny Conway, was read the second time, passed, and sent to the senate, the bill to tax bank stock and other monied institutions for the establishment and support of district schools in the several counties of this state, and in the cities of Baltimore and Annapolis, was read the second time, passed, and sent to the senate.

On motion of Mr. Dorsey, Ordered, That the committee of claims allow to Lewis Gaffney on the journal of accounts, the sum of 80 dollars, as a further compensation for his extraordinary services during the present session, as a committee clerk to the house of delegates.

The house adjourns till to-morrow morning.

MONDAY, DECEMBER 24, 1810.

THE house met. Present as on yesterday. The speaker appeared and refused the chair. The proceedings of yesterday were read.

The engrossed bills from No. 71 to 114, inclusive, were read, assented to, and sent to the senate.

On motion of Mr. Bowles, Leave given to bring in a bill, entitled, An act for the payment of the journal of accounts.

On motion of Mr. Bowles, the following resolution was read, assented to, and sent to the senate.

Resolved, That the treasurer of the western shore pay to John Brewer, chief clerk to the house of delegates, the sum of sixty dollars; to John S. Skinner, assistant clerk to the house of delegates, the sum of one hundred dollars; to Thomas Rogers, chief clerk to the senate, the sum of thirty dollars; and to James Harwood, assistant clerk to the senate, the sum of sixty dollars, as a further compensation for their extraordinary services.

On motion of Mr. Groome, Ordered, That the committee of claims allow to the Reverend Mr. Wyatt one hundred dollars for his attendance as chaplain to the house of delegates during this present session.

On motion of Mr. Swearingen the following resolution was read, assented to, and sent to the senate.

Resolved, That John Ritchie, Isaac Mantz and John Dill, be and they are hereby authorized, under the direction of the governor & council, to cause to be repaired the arsenal at Frederick-town, in such manner as may be necessary for the reception and safe keeping of the public arms and military stores, and that the expence of making such repairs be paid by the treasurer of the western shore out of any unappropriated money in the treasury, upon the order of the persons, or a majority of them, herein before named.

Mr. Bowles delivers a petition from Cornelius Mills, an old soldier, praying relief; Mr. Bland a petition from Luther Martin, praying a loan from the state, also a petition from Samuel Wright, of the city of Baltimore, praying for a special act of insolvency; which were read and referred.

The bill to alter and amend all such parts of the constitution and form of government as prevent the election of the judges of the levy courts by the people, was read the second time and will not pass.

The amendments proposed by the senate to the additional supplement to the act, entitled, An act respecting the equity jurisdiction of the county courts, were read the second time, and the question put, That the house assent thereto? Determined in the negative.

On motion of Mr. Dorsey, the following message was read,

Gentlemen of the Senate,

Intimately acquainted with the wants and wishes of our constituents, we cannot refrain expressing our unfeigned concern for the disappointment they will sustain by your denying to them the advantages contained in the bill, entitled, A further supplement to the act, entitled, An act relating to the equity jurisdiction of the county courts. It will not be deemed inconsistent with the decorum due to your honourable body, to examine the reasons why you refuse your sanction to this bill, so interesting to the less wealthy of our citizens. The house of delegates, annually elected from the people, is constitutionally supposed to be the organ of their immediate will, and in their acts of legislation to express the opinions of those by whom they are selected; therefore, their sanction to any proposition of a general nature presupposes a coincidence of opinion in those they represent, a practical construction, correspondent with this constitutional inference, has uniformly prevailed in the legislature of this state; nor is it recollected, that any of the important reforms in our jurisprudence owe their existence to any other expression of the public will, than that of the immediate representatives of the people; it is presumed that it is the only mean by which the unequivocal and undoubted wishes of voters can be ascertained, and we should be guilty of a base dereliction of our rights did we recognize any other expression of the public voice than that proceeding from this house. But independent of these general propositions, the rise and progress of the bill, the subject of the present message, prove beyond all doubt, that the extension of the equity jurisdiction of the county courts is a most desirable measure to the freemen of Maryland.

In the session of 1808, the contemplated change was much agitated in the popular branch; it was negatived by one vote. The election of 1809 brought an accession of real strength in favour of the reform, and the bill passed the house of delegates with only thirteen dissenting votes; it was negatived by your honourable house. The house of delegates made an appeal from your determination to the state, and called the very bill which we have acted on this session, to be published for the consideration of the people; the bill excited the public attention, and the voice of the people has been manifested in its favour by the selection of delegates who have, with an unanimity unparalleled in the records of legislation, presented to your house the bill for your concurrence; you have again refused to do so, not because the provisions of the bill are inconsistent with the public weal, but because you have no "evidence that the change is required by those essentially interested in its passage." The preceding narrative, and our solemn asseverations that it is required by the people, ought, and we confidently trust, will, dispel the objection.

We can recognize no reasons flowing from principles of general policy, why the appeal to a court of dernier resort, composed of six enlightened judges, should be denied to, and the adjudication of a court composed of one individual, and not of final jurisdiction, should be conclusive on, the interests of this state; such proceeding is inconsistent with the spirit of our judicial establishment; and, as applicable to the bill under consideration, is highly objectionable. To compel the suitors on the eastern, to follow their suits on the western shore, for adjudication, is productive of real inconvenience and much expence, and to enforce an appeal to a tribunal where the perquisites of office being twice as much as are allowed to the officer of any other court, can never be assented to by us. till we believe that the officer demands more than our constituents the consideration of the legislature; the rights of this house are entrusted to us for their preservation, and we are bound to enter our solemn protest against a principle of legislation attempted by your body, the tendency of which will be to avoid a decision on any question presented for your concurrence. We therefore send you the bill, and flatter ourselves, that upon reconsideration you will adopt the freedom of Maryland, by giving them a pledge of your direction to their will, legally and constitutionally expressed.

On the second reading thereof, On motion of Mr. Archer, that the whole of the said message be stricken out for the purpose of inserting the following.

"We have disagreed to your amendment to the bill passed by us enlarging the equity jurisdiction of the county courts, and have returned it to your honourable house in hope that upon a reconsideration you will recede from your amendments." A division of the question was called for, and put on striking out? Determined in the negative—Ayes 25. Nays 29.

On motion of Mr. Dorsey, the following words were stricken out, "and we should be guilty of a base dereliction of our rights did we recognize any other expression of the public voice than that proceeding from this house."

On motion of Mr. Dorsey the last clause of the message was stricken out.

The question was then put, That the house assent to the said message? Resolved in the affirmative.

Mr. Bowles delivers a favourable report on the petition of Cornelius Mills; which was read.

Mr. Bland delivers a bill, entitled, An act for the benefit of Samuel Wright, of the city of Baltimore, and a bill, entitled, An act for the benefit of Luther Martin, of the city of Baltimore; which were read.

The clerk of the senate delivers the bill to provide for the payment of certain damages sustained by John Logsdon, and others, endorsed, "will pass with the proposed amendment;" which was agreed to and the bill ordered to be engrossed. The bill to tax bank stock, and other monied institutions, the bill to open and lay out a road in Anne-Arundel and Montgomery counties, the bill for the relief of George Jones, and the bill for the relief of Abraham Fuller, severally endorsed, "will not pass."

The resolutions relative to the arsenal at Frederick-town, the armory at Easton, the resolution to remunerate the several clerks therein mentioned, the resolutions in favour of John Brewer, John S. Skinner, Thomas Rogers, James Harwood, and Young Wilkinson, severally endorsed, "assented to." The resolutions in favour of Robert Leatherbury, Samuel Huggins, Richard Butler, and Henry Leeke, severally endorsed, "dissented from." Also the following message.

Gentlemen of the house of delegates, The senate cannot content to reconsider the bill, entitled, An act for the relief of Philemon Towson and Sebastian Grass, for the reasons which influenced them in negotiating it in the first instance.

Which was read.

The engrossed bills from No. 71 to 114, inclusive, endorsed, "assented to."

The report in favour of the proprietors of the woollen factory at Lanvale, in Baltimore county, was referred to the next general assembly.

The report in favour of Thomas Gadd, was read the second time, the resolution assented to, and sent to the senate.

The bill to empower a trustee to sell certain lands belonging to Anna Maria Bryon, the supplement to the act authorizing a lottery for raising a sum of money for erecting a building to be called the Baltimore female academy, the bill respecting the issuing of writs of execution out of the courts of appeals, and the bill for the relief of John Lyon, of Frederick county, were read the second time, passed, and sent to the senate.

(To be continued.)

[On account of the great length of the remainder of the Proceedings, they are unavoidably postponed till next week.]

A LIST OF LAWS PASSED NOVEMBER SESSION, 1810.

1. An ACT to settle and ascertain the salary of the members of the council for the ensuing year.
2. An ACT for the relief of Elizabeth Fling, of Allegany county.
3. An ACT for the benefit of Elizabeth Cook, of Baltimore county.
4. An ACT to give validity and operation to the deeds of conveyance therein mentioned.
5. An ACT for the relief of Oliver R. Howell, of the state of Delaware.
6. An ACT to establish the line between Frederick and Washington counties.
7. An ACT for the benefit of the people in Kent county called Quakers.
8. An ACT to release the right of the state to a part of a tract of land therein mentioned.
9. An ACT for the support of William Clarke, and his helpless family, of Worcester county.
10. An ACT for the benefit of the infant children of James Wilson Perry, of Montgomery county, deceased.
11. An ACT to lay out and make public a road in Anne-Arundel county.
12. An ACT to make void a deed from Arthur Woolford to James Laird, of Somerset county.
13. A Further supplement to an act, entitled, An act to confirm and make public certain road therein mentioned.
14. An ACT to alter and change the place of holding the election, in the third election district in Cecil county, and for other purposes.
15. An ACT relating to servants & slaves.
16. An ACT to give validity to a deed from Robert Gilla Haslip to William Gilbert.
17. An ACT to authorise Hannah A. Hays guardian of the heirs at law of Stephen Hays, deceased, to convey certain lands therein mentioned, lying in Cecil county.
18. An ACT to confirm an act passed in November session, 1809, entitled, An act to alter and abolish all such parts of the constitution and form of government as require property qualification in persons to be appointed, or holding offices of profit or trust in the state, and in persons elected members of the legislature or electors of the senate.
19. A Supplement to an act, entitled, An act to authorise the drawing of a lottery in Frederick-town, for the purpose of paving Market-street, in said town.
20. An ACT to confirm to Lewis Gray Davidson, of the city of Baltimore, the name of Davidson.
21. An ACT to give validity and operation to the deed of conveyance therein mentioned.
22. An ACT to repeal an act, entitled, An act for the more effectual preservation of the breed of wild deer in Dorchester county.
23. An ACT to lay out and open a road from the Franklin paper mill, on Gwynn Falls, in Baltimore county, to the new Liberty road.
24. An ACT to confirm an act passed November session, 1809, entitled, An act to alter all such parts of the declaration of rights, constitution and form of government as make it lawful to lay an equal and general tax for the support of the Christian Religion.
25. An ACT to appoint Thomas Hart jun. of the city of Annapolis, trustee for the sale of the real estate of John Gwinn, Esq. late of the said city, deceased.
26. An ACT authorising a lottery to raise a sum of money for the purpose therein mentioned.
27. A Supplement to an act, entitled, An act to authorise a lottery to raise a sum of money for repairing the protestant episcopal church in the city of Annapolis.
28. A Further additional supplement to an act, entitled, An act to direct descent of real estate of Lewis Montgomery county, deceased.
29. An ACT for the relief of Margaret Widnor, of Harford county.
30. An ACT to open a road in Washington county.
31. A Supplement to an act, entitled, An act to lay out and make public a road in the mentioned in Cecil county, passed the sixth day of January, 1809.
32. A Supplement to an act, entitled, An act to lay out and open a certain road in Cecil county, passed the third day of June, 1807.
33. An ACT to confirm an act passed November session, 1809, entitled, An act to alter such parts of the constitutional form of government of this state as relate to voters and qualification of voters.
34. A Further supplement to the act, entitled, An act for the amending & reducing to system the laws and regulations concerning last wills and testaments, the duties of executors, administrators and guardians, the rights of orphans and other representatives of deceased persons.
35. An ACT for the relief of Edward Miles.
36. An ACT to preserve the breed of in Baltimore county.
37. An ACT for the relief of Sarah Mer, of the city of Annapolis.
38. An ACT to alter and change a in the village of Denton, in Caroline county.

39. A Supplement to an act, entitled, An act to open a road in Frederick county, for the purpose therein mentioned.
40. An ACT to alter and change a in the village of Denton, in Caroline county.
41. An ACT for the relief of John Murr.
42. An ACT for the relief of John Murr.
43. An ACT authorising Charles county to sell certain lands therein mentioned.
44. An ACT for the relief of the heirs of John Murr, of Harford county.
45. An ACT to alter and change a in the village of Denton, in Caroline county.
46. An ACT to alter and change a in the village of Denton, in Caroline county.
47. An ACT for the relief of the heirs of John Murr, of Harford county.
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