

On motion by Mr. Worthington, the same was recommitted.

Mr. Cosden presents a petition from sundry inhabitants of Cecil county, praying that a change in the place of holding the election in the first election district, may not take place; read and referred to the committee on the petition to which it is counter.

The bill for the relief of Stephen Bryan, of St. Mary's county; was read the second time, passed, and sent to the senate.

The amendments to the bill to authorise the county clerks of this state, to judge and approve of security, in cases therein mentioned, (as corrected by the senate) were read the second time, assented to, and the bill ordered to be engrossed.

The supplement to the act, entitled, An act relating to the paving of certain streets in the city of Baltimore; was read the second time, passed, and sent to the senate.

The clerk of the senate delivers the bill to keep in force the act of assembly therein mentioned, and the several supplements thereto, endorsed "will pass with the proposed amendments; which amendments were read, assented to, and the bill ordered to be engrossed.

The supplement to the act to authorise the abutments of a bridge on the Maryland shore of Potomac river at Harper's Ferry, and for other purposes; the further and additional supplement to an act, entitled, An act, concerning crimes and punishments; and the supplement to an act, entitled, An act incorporating into one, the several acts relating to constables fees, severally endorsed "will pass with the proposed amendments;" which amendments were read; the bill for the relief of John W. Berry, of the city of Baltimore, endorsed "will pass;" Ordered to be engrossed; and the resolution in favor of Thomas Armstrong, of the city of Baltimore, endorsed "assented to."

On motion by Mr. Kilgour, the following message was read, assented to, and with the bill sent to the senate.

BY THE HOUSE OF DELEGATES, February 11, 1823.

Gentlemen of the Senate—We regret the rejection of the bill giving jurisdiction to justices of the peace, in small trespasses. This bill, we believe, is desired by the people of this state. We think it is calculated to be useful in many ways; when punishment quickly follows offence, it is not so likely to be committed. If men knew that a speedy remedy could be had, they would be cautious how they violated the feelings of good neighborhood by wanton acts of cruelty, on the beasts of others. The expenses attendant upon law suits, deter men from seeking their rights, generally in cases of the character described in the bill. We think similar reasons present themselves as in cases of small debts. The inconvenience and costs that accompany such prosecutions. It is supposed by some, that there would be appeals in all such cases; if there were the fees and costs would not be by half so great as the fees and costs attending an original action. The angry passions of parties would not be roused in a greater degree, than in the trials of cases of trespasses for cutting trees. Some cases of this sort have been tried without appeals. Indeed, it is not reasonable to imagine, that the plaintiff would always encounter the trouble of an appeal. The defendant would be often too sensible of having done injury to go further with it. We therefore hope your honorable body will reconsider your vote on this bill, and permit it to become a law.

By order,

JOHN BREWER, Clk.

The house resumed the consideration of the bill incorporating the Potomac canal company.

Mr. Semmes withdrew his motion to fill the blank with 390, in the substitute proposed by Mr. Edelen. Mr. A. Lee moved to fill it up with 300? Determined in the negative.

Mr. Wootton moved to fill it up with 200? The yeas and nays being required appeared as follows:

AFFIRMATIVE—Messrs. Millard, G. Leigh, Stone, Maddox, Stonestreet, Edelen, Rogerson, Steele, Semmes, Wootton, Mackall, Hughes, Carroll, Roberts, Wright, Thomas, Farquhar, T. Kennedy, Drury, Keller, Galloway, Kilgour, Williams, A. Lee, Duvall, Greenwell, Hoffman, Pollard, Tomlinson—29.

NEGATIVE—Messrs. Speaker, Ireland, Massey, Hodges, Estep, Linthicum, Howard, Dalrymple, Weems, Smith, Skinner, Stansbury, Orrick, Johnson, Worthington, Loockerman, Lloyd, Martin, Jones, Teackle, Dennis, Byus, Hooper, Sheredine, Parker, Gerry, Cosden, Meconken, Slenaker, Riley, Franklin, H. Kemp, Fisher, Norris, Chauncey, Allen, Whiteford, Boon, Casson, Saulsbury, Douglass, J. P. Kennedy, Purviance—43? Determined in the negative.

On motion by Mr. Edelen, the amendment proposed by him, in lieu of the 18th section was withdrawn.

On motion by Mr. A. Lee, that the following be added in lieu of the 18th section, to wit:

And be it enacted, That the state of Maryland hereby reserves the right to subscribe, or procure subscribers for shares of the capital stock aforesaid, and the same right is also hereby reserved to the commonwealth of Virginia, and to the government of the United States: *Provided*, that if the shares reserved as aforesaid shall not be subscribed for by the state of Maryland, the commonwealth of Virginia, and the government of the United States, within 18 months after the passage of this act, then it shall be lawful for the commissioners aforesaid, or a majority of them, to open books at such times and places as they shall think fit, first giving public notice, in three of the newspapers printed in Maryland, Virginia and the city of Washington, at least one month before the said books are opened for receiving subscriptions as aforesaid.

A motion was made by Mr. Worthington, and the question put, that the further consideration of the bill be referred to the next general assembly? The yeas and nays being required appeared as follow:

AFFIRMATIVE—Messrs. Speaker, Ireland, Massey, Hodges, Estep, Linthicum, Howard, Dalrymple, Weems, Smith, Skinner, Stansbury, Orrick, Worthington, Johnson, Loockerman,