

On motion by Mr. Carroll, the question was put, that the residue be rejected? The yeas and nays being required, appeared as follow:

AFFIRMATIVE—Messrs. Speaker, G. Leigh, Stone, Maddox, Dalrymple, Smith, Skinner, Stonestreet, Edelen, Rogerson, Garner, Jones, Teackle, Dennis, Steele, Semmes, Carroll, Roberts, Meconiken, Wright, Slemaker, Riley, H. Kemp, Thomas, Farquhar, Chauncey, Boon, Drury, Keller, Galloway, Williams, A. Lee, Duvall, Greenwell, Tomlinson.—35.

NEGATIVE—Messrs. Ireland, Massey, Hodges, Linthicum, Howard, Stansbury, Orrick, Johnson, Worthington, Loockerman, Lloyd, Martin, Byus, Willis, Hooper, Sheredine, Parker, Gerry, Cosden, Pratt, Fisher, Norris, Allen, Whiteford, Douglass, J. P. Kennedy, Purviance, T. Kennedy—28. Resolved in the affirmative, and the bill returned to the senate.

Mr. Hooper delivers the following report:

The committee to whom was referred the petition of William Gist, of Dorchester county, have considered the same, and make the following report: The petitioner states that he is now a debtor to the state of Maryland on judgment for the purchase money of certain Choptank Indian lands in Dorchester county, and that he has recently sold the said land on a credit, and is now unable to pay and satisfy the said judgment, but will be able to do so when the credit expires which he has given the purchaser. And whereas, several other purchasers of the adjoining lands are in a similar situation, and it is reasonable that some indulgence should be extended to said petitioner, and others in the same situation: Be it therefore resolved, That all proceedings on the said judgments shall be suspended until the first day of December eighteen hundred and twenty-five, provided, that each of the said defendants shall pay to the treasurer, or agent of the eastern shore, the one third part of the said judgments, in the manner following; that is to say, the one third part of the principal, and all the interest and costs due thereon, on or before the first day of December, eighteen hundred and twenty-three; the like sum of principal, and all the interest due on the remainder of the principal, on the first day of December eighteen hundred and twenty-four, and the remaining part of said principal, with all interest and cost due thereon, on the first day of December, eighteen hundred and twenty-five; and if either of the parties shall neglect to pay the proportion or instalments so as aforesaid directed to be paid by him, then execution shall and may forthwith issue on the judgment or judgments against the party or parties so neglecting to pay as aforesaid, in the same manner as if this resolution had not passed; provided also, that nothing in this resolution contained shall prevent the state from recovering any part of the said debt due from any of the said parties, if either of the defendants shall become unable, or shall neglect to pay the part or instalment so as aforesaid ordered to be paid by them respectively. Which was read.

Mr. H. Kemp delivers the following report:

The committee appointed to confer on the best mode to be adopted for printing the laws and votes and proceedings of the present session of the legislature, recommend the adoption of the following resolution:

Resolved, That the executive be, and they are hereby authorised, to contract for the printing of the laws and votes and proceedings of the present session of the legislature, in the same manner they have heretofore been printed, and that they require of the person with whom they may contract, the same obligations, for the faithful performance of the duty, which have been usually required of the printer to the state, and the sum to be allowed shall not exceed fourteen hundred dollars.

By order,

J. COCKEY, Jr. Clk.

Which was read.

Mr. Keller delivers the following report:

The committee appointed to enquire into the expediency and propriety of repealing the laws directing the punishment of criminals by a confinement in the penitentiary of this state, and also of abolishing the said institution, and suggesting some other mode of punishment, by authorising the courts of law to sentence criminals to labor on public highways, or other public improvements, beg leave to report, That they have had the subject under their consideration, and believe, from all the circumstances which have come to their knowledge, that the penitentiary has entirely failed in the great objects proposed to be obtained by the humane authors of that system.

In reviewing the penitentiary system, it will be acknowledged by all, that the important objects proposed to be obtained thereby, were a salutary and proper punishment of crime, inflicted in such manner as to produce reformation in the morals and habits of the offenders, at the same time to instruct them in such useful mechanic arts as would enable them to support themselves when dismissed, and to become valuable members of society.

Whatever may have been its effects and beneficial influence elsewhere, we are compelled, however unwillingly, to acknowledge, that so far from improving the morals and habits of the persons subjected to its discipline in this state, that it has not only been the receptacle, but the nursery of crime, and has lost all its terrors as a place of punishment, for it is confidently asserted and believed, that petty felonies have been committed for the purpose of being sent to the penitentiary for a short time; more especially since it has been understood, that solitary confinement on spare diet, which so frequently forms part of the sentence of our courts of justice, has only been carried partially into effect. In proof of the opinion of your committee on this head, they would state, that of the 1426 criminals that have been sent there since the organization of the institution, 99 have been there more than once, some a second and third time, and one as often as five times, which clearly and unequivocally proves, as your committee have asserted, "it has lost all its terrors as a place of punishment." Your committee, if solitary confinement on spare diet is to be abandoned, or only partially carried into effect, are entirely and decidedly opposed to the whole system.