

On motion by Mr. Kilgour the following resolutions were read:

Whereas, by the constitution of the United States congress has power to establish uniform laws on the subject of bankruptcies; and, whereas, it is provided by the first section of 10th article of said constitution, that no state shall pass any law impairing the obligation of contracts. And, whereas, it has heretofore, ever since the adoption of the said constitution, been the uniform practice of this state, and almost, if not all the states of the union, to pass laws to release unfortunate debtors, their citizens, from the claims of their creditors upon giving a schedule of the whole of their estates for the payment of their debts, which practice this legislature deems to be directed by and in accordance with the principles of humanity, justice and policy. And, whereas, it is essential to the well being, happiness and interests of our republican government, that all its citizens shall be protected from oppression, and be permitted to exercise their energies for the advancement of the general good. And, whereas, it is the duty of every government to promote industry and encourage honesty, and it is believed that the present condition of things embarrasses the one, and diminishes the inducements to the other. And, whereas, it has been decided by the supreme court of the United States, that the exercise of such power, by the several states, in passing such insolvent laws, is a violation of the constitution of the United States and such laws are null and void. And, whereas, in conformity to the said opinion of the supreme court, it has been decided in some of the judicial districts of this state, that the insolvent laws of this state, are contrary to the constitution of the United States and void, whereby many of the good citizens who have been unfortunate, are deprived of the benefits intended to be offered to them by said laws. And, whereas, all the great commercial nations of Europe have for ages deemed it necessary to their prosperity to have well regulated bankrupt laws. And, whereas, it is by this general assembly believed that the good people of this state, and of the several states of the union, by adopting the said constitution of the United States, did not intend in surrendering to congress the power of passing a uniform system of bankrupt laws, that they thereby divested the states of one of the most important attributes of sovereignty; in the exercise of which, their peace, happiness and prosperity might materially depend; and which, if surrendered to congress has been to the great injury of the citizens of these United States, by the constant and almost uninterrupted refusal or neglect of congress to exercise such power. And, whereas, it was the declared intention of the good people of the United States, in adopting the said constitution, that the same was intended to promote their happiness and prosperity, and that they intended, that where they delegated a power to congress that that body should exercise such power for their benefit, the neglecting of which has been considered an abuse of the constitution, and subversive of the same, which if submitted to by the people, may be made an instrument of oppression and destroy their dearest rights, which it is the duty of the several state legislatures as the immediate representatives and guardians of the people to watch over and preserve from encroachments.— And, whereas, doubts have arisen whether congress have the power by a general bankrupt law, to extend the provisions of the same to others than merchants and traders; which in effect would exclude a great majority of the citizens from relief if unfortunate, unless the several states have the power to pass insolvent laws embracing all such persons. And, whereas, credit is esteemed the life of merchandise, and punctuality the only sure means to maintain it.— And, whereas, it is expedient to punish fraud and guard honesty, the one being now too much overlooked, and the other unprotected, as the practises of the fraudulent involve the innocent and as the chances of the seas may destroy their adventures—Therefore,

Resolved, That the senators of this state in congress, and the representatives of this state, be and they are hereby requested to use their influence, and urge the importance and necessity on the congress to pass at their present session a uniform system of bankruptcy.

Resolved, That the said senators, and members of congress from this state, be and they are hereby requested to use their influence to obtain an amendment to the constitution of the United States, whereby all that part of the said constitution, the same being part of the 1st section which declares, "that no state shall pass a law impairing the obligation of contracts," may be repealed, or that the said constitution be so amended that the said words shall be declared null to effect in any manner the right of the several states to pass insolvent laws in favor of their respective citizens, discharging them from their contracts, and all claims of their creditors on the bona fide surrender for the use of their creditors the whole of their estate.

Resolved, That the said senators and representatives be, and they are hereby requested to propose an amendment to the said constitution, that the several states shall have power to pass insolvent laws to operate on all classes of their respective citizens, not included within the provision of any general and uniform bankrupt law, which may be passed by congress. And further,

Resolved, That the governor of this state be requested to transmit a copy of this preamble and resolutions to each of our senators and representatives in congress, and to the executive of the several states.

Mr. W. Stewart presents a memorial from the devisees of James Calhoun, of the city of Baltimore, relative to the inspection ware houses; referred to the committee on that subject.

The clerk of the senate delivers the bill to regulate the payment of the justices of the lower court, commissioners of the tax and jurors to the county court, so far as the same relates to Caroline county, endorsed, "will not pass;" and the following message:

BY THE SENATE, Jan. 27, 1824.

Gentlemen of the House of Delegates—The senate propose with the concurrence of your honorable body to invite the governor into the senate chamber at 5 o'clock, P. M. on Saturday next, to sign such bills as may be prepared for his signature; we have nominated Messrs. Price

and Jo
excell

Pha
tax ce

On
an act
struc
nistr
neces
their
was p
Semm
taind
sage o
fair a
ces."

On
to the
Deter

appea

AF
C. R.

Bryar
Kemp

W. D
NE

Marti
Nich

wick,
On

ting to
On

said p
AF

T. H
ington

NE
Dalry

Huds
conik

jah B
De

On
tion,

couns
negle

On
out, a

day in
was t

Th
AF

Dalry
Jones

Clar
Crom

Merr
NE

derso
ton, l

Th
Th

Th
Char

On
Mi
town

rick,