



IN THE HOUSE OF DELEGATES,  
January 1, 1840.

[On motion of Mr. TUCK, Ordered, That his Excellency the Governor, be requested to inform this house what acts of Assembly of December session 1838, have been published in the public papers, and whether those proposing alterations in the Constitution and Form of Government, were published as required by the Constitution.]

*Gentlemen of the House of Delegates.*

I have been requested to inform you "what acts of Assembly of December session 1838, have been published in the public papers, and whether those proposing alterations in the Constitution and form of government were published as required by the Constitution."

The 59th section of the Constitution provides "that no part thereof, shall be altered, changed or abolished, unless a bill so to alter, change or abolish the same shall pass the General Assembly and be published at least three months before a new election, and shall be confirmed by the General Assembly after a new election of delegates, in the first session after such new election."

The 60th section provides "that every law shall be recorded in the General Court of the Western Shore, and in due time printed, published and certified under the great seal to the several county courts, in the same manner as hath been heretofore used in this State." The mode of publication previously used may be ascertained by a reference to the act of 1715, chapter 25, which directs that the acts of Assembly shall be fairly transcribed, certified under the great Seal, transmitted to the Sheriffs of the counties and published and proclaimed at the next county courts.

It appears therefore, that a publication in the newspapers was not contemplated, and that the 59th section of the Constitution required amendments of that instrument to be published, at least three months before a new election, as other laws were published, and certified under the great seal to the several county courts.

The resolution of December session 1832, No. 79, requires the state printer to complete the printing of the laws and journals at as early a period after the adjournment of the Legislature as possible, and to distribute the same as authorised by law; but directs, that if he shall not within ten days after the adjournment, enter into an agreement for distributing them, the Executive shall publish proposals for the employment of some other agent. As the state printer entered into no agreement within the limited time, after the last adjournment, proposals were published for the distribution of the laws and journals as the resolution required. Information was received by the Executive on the 27th or 28th of June, that they were ready for delivery; and the agent, who was employed for that purpose, immediately began to distribute them.