

VOTES AND PROCEEDINGS, OCTOBER, 1778.

By the HOUSE of DELEGATES, December 12, 1778:

RESOLVED, That each judge of the court of appeals be allowed a salary of five hundred pounds currency per annum.

By order, J. DUCKETT, cl. ho. del.

The bill, entitled, An act to amend and declare the criminal law of this state, and for other purposes therein mentioned, was read the first and second time by especial order and will not pass, which, together with the following message, was sent to the house of delegates by Thomas Stone, Esq;

By the SENATE, December 12, 1778:

Gentlemen,

THE various and complicated points arising from a revision of the criminal law, render it a very interesting and important subject. We are anxious to render our code of penal jurisprudence full, clear, and explicit; the remainder of the session may not afford sufficient time for this purpose, we have therefore returned with a negative your bill to declare and amend the criminal laws of this state, and propose that a committee of both houses meet during the recess of assembly, to undertake this necessary and arduous task. The gentlemen appointed to consider of a proper system, may frame the heads of a bill to be submitted to the consideration of the legislature, and we are willing to concur with you in nominating members for carrying into effect the measure proposed.

By order, R. RIDGELY, cl. sen.

The bill, entitled, An act for amending and declaring the law in the cases therein mentioned, was read the first and second time by especial order, passed with the following amendments, and sent to the house of delegates by Thomas Jennings, Esq;

Amendments to the above bill:

Between the last enacting clause and the clause for continuance, insert the following: "And, Whereas the fines, which can by law be imposed upon jurors and witnesses for not attending court when legally summoned thereto, are found inadequate to the purpose: Be it enacted, That in all cases when jurors or witnesses shall hereafter be legally summoned to appear at the general court, and shall, without sufficient excuse, neglect to appear and attend according to such summons, the judges of the general court may fine such delinquent, according to their discretion, not exceeding fifty pounds. And whenever any jurors or witnesses shall be legally summoned to attend the respective county courts, and shall, without sufficient excuse, neglect to appear and attend, as required by the summons, such delinquent may be fined by the justices of the respective county courts any sum not exceeding thirty pounds current money.

And, Whereas by the bill of rights and form of government, the general assembly of this state is directed to be holden in the month of November yearly, and by law the several and respective county courts are directed to be holden in the same month, which is found by experience to be very inconvenient: Be it therefore enacted, That the respective county courts on the eastern shore, which by act of assembly are directed to be holden in the months of August and November yearly, be abolished, and that the same be hereafter held in the months of June and October, that is to say: The several and respective county courts on the eastern shore, which were held in the months of August and November, shall hereafter be held in the same weeks in the months of June and October, that the said county courts by law were directed to be held in the months of August and November; and that all acts, proceedings, and other matters whatever, which ought or might have been done or executed at the said August and November courts, by the justices and officers of the said respective courts, shall and may be done and executed at the several and respective county courts to be held in the months of June and October, as aforesaid; and such acts, proceedings, and other matters, so to be had, done, and executed, shall be as good and effectual, to all intents and purposes, as if had, done, or executed, at the said August and November courts before mentioned, and the commissioners of the tax in the several counties shall meet on the same days in August next to hear appeals, as they would and ought to have done had this law not been made, any law, usage, or custom, to the contrary notwithstanding."

The resolution of the house of delegates for ascertaining the salaries of the judges of the court of appeals, was read and assented to, and sent to the house of delegates by Richard Barnes, Esq; The senate adjourns till 4 o'clock.

P O S T M E R I D I E M.

The senate met.

Messieurs Brown and Milson from the house of delegates, deliver to the president the bill, entitled, A supplementary act to an act, entitled, An act for the amendment of the law, thus endorsed; "By the house of delegates, December 12, 1778: Read the first and second time by especial order and will pass with the amendments herewith sent."

By order, J. DUCKETT, cl. ho. del. Amend.