

quired of him; **RESOLVED**, That the said trustee shall be entitled to receive, as a compensation for his services for the ensuing year, the sum of two hundred pounds, instead of the salary in the said act mentioned; but provided the time of subscribing to the loan proposed by congress should be extended during their present session, then the said trustee shall be entitled to receive the sum of two hundred and fifty pounds for his services.

By order, W. HARWOOD, clk.

Which was read the first time and ordered to lie on the table.

The clerk of the house of delegates delivers the following message:

BY THE HOUSE OF DELEGATES, DECEMBER 24, 1791.

MAY IT PLEASE YOUR HONOURS,

WE have rejected your amendments to the bill to compel the attendance of the county clerks at their respective offices, but will agree to amend it, by inserting at the end of the first clause, "at such office hours as the county courts of the county shall appoint, and the said courts are hereby empowered to make such appointment at their first meeting after the passage of this act, and as often thereafter as occasion shall require;" and by striking out the counties Calvert and Harford in the proviso, and inserting Calvert county.

By order, W. HARWOOD, clk.

The resolution respecting John Pickering, was read the second time and dissented to, and, with the following message, was sent to the house of delegates by the clerk of the senate.

BY THE SENATE, DECEMBER 24, 1791.

GENTLEMEN,

WE have dissented to your resolution of the 17th of November, in favour of John Pickering the father, because we conceive, if he can make it appear to the governor and council, that he is justly entitled to the depreciation of pay said to be due his son, he will obtain a certificate for the same under the resolutions which have passed this present session.

By order, H. RIDGELY, clk.

The bill, entitled, An act respecting the equity jurisdiction of the county courts, was read the second time and will pass with the proposed amendments.

Amendments proposed. First page, 3d line from the top, strike out "two" and insert "one." First page, 4th line from the top, strike out "twenty" and insert "ten." At the end of the bill add as follows: "And be it enacted, That this act shall not be construed so as to give any county court an original equity jurisdiction for the purpose of compelling a specific performance of any agreement; and in all cases where a suit at common law is commenced in any county court, and either plaintiff or defendant prays a decision on principles of equity, the common law suit may be proceeded on to judgment, nor shall execution on the said judgment be stayed, unless the party praying an equitable decision shall verify the facts stated in his petition by his oath, or affirmation, as the case may require, and give bond to the adverse party, in such sum, and with such security, as the court shall approve, conditioned for the payment of such sum as shall appear to be due to the said adverse party on the determination of the said suit by the said court on principles of equity as aforesaid, together with all legal costs, both on the common law and equity proceedings.

"This act to continue in force until the first day of January, in the year of our Lord seventeen hundred and ninety-four."

The bill, entitled, An act to repeal certain acts relating to amerciaments, was read the second time and will pass with the proposed amendments.

Amendments proposed. At the end of the bill add the following proviso: "Provided always, That the said amerciaments shall be paid to the treasury as at present, and should the funds appropriated to St. John's college, or Washington college, prove deficient, that then and in that case the said amerciaments, or so much thereof as shall be necessary to satisfy the said deficiency, and as often as the same may occur, shall be and hereby are directed to be applied to the said purpose. Provided also, that the residue, after satisfying the said deficiency, be paid to the several counties according to their respective proportions, and when no deficiency arises, the treasurer shall, at the end of every year, pay to the orders of the several county courts the sums received from the said counties respectively; and that there shall be no restitution to any county of any money already paid into the treasury, nor shall this act extend to any amerciaments laid before the passage thereof in any county of this state."

The bill, entitled, An act for the speedy recovery of small debts out of court, and to repeal the acts of assembly therein mentioned, was read the second time by especial order and will pass with the proposed amendments.

Amendments proposed. In the 10th line from the top of the 1st page strike out the word "shall" and insert "to." In the last line of the same page strike out the word "constable" and insert "sheriff." In the 1st line of the second page strike out the word "hundred" and insert "county." In the 5th line from the bottom of the 6th page strike out the word "within" and insert "at a certain day not exceeding." In the 7th page strike out from the word "constable" in the first line to the word "notwithstanding" in the 2d line inclusive, and insert "sheriff of the county where the said constable resides." In the 7th page strike out from the word "contempt" in the 7th line from the top to the word "justices" in the 8th line, and insert "to be made returnable before the." In the 13th line from the top of the 7th page after the word "damage" insert in cases within the jurisdiction given to justices of the peace out of court by this act." In the 7th page strike out from the word "contract" in the 17th line from the top to the end of the page. At the end of the 7th page insert "And be it enacted, That if any constable to whom any warrant is delivered shall not make return thereof according to the command of the same, it shall be lawful for the justice who issued the said warrant,