

tages, arising therefrom; and such sheriff shall return the inquest of the said jury, or of any eight of them agreeing, under his hand and seal, and the hands and seals of the said jury, to the next county court to be held for the said county, and the amount of the said damages and costs of the said inquest, with a commission as aforesaid, shall be assessed and levied on the said county in the same manner as other county levies?" The yeas and nays being required, appeared as follow:

## A F F I R M A T I V E.

The honourable William Tilghman, Charles Carroll, of Carrollton, James M<sup>c</sup>Henry, Charles Goldsborough, Richard T. Lowndes, John Campbell and Robert Smith, Esquires.

## N E G A T I V E.

The honourable William Perry, Esquire, president.

So it was determined in the affirmative, and the bill passed with the said amendment.

The bill, entitled, An additional supplement to an act, entitled, An act to remove the market-house at the Head of Elk, and establish the same, and for the advancement and regulation of the said town, was read a second time by especial order, passed, and sent to the house of delegates by the clerk.

The clerk of the house of delegates delivers a bill, entitled, An act to repeal part of an act, entitled, An act for the preservation of the breed of fish, thus endorsed; "By the house of delegates, December 9, 1793: Read the first time and ordered to lie on the table.

"By order, W. HARWOOD, clk.

"By the house of delegates, December 20, 1793: Read the second time and will pass.

"By order, W. HARWOOD, clk."

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

The bill, entitled, An act to provide a summary mode of recovering the possession of lands and tenements holden by tenants for years, or at will, after the expiration of their terms, was read the second time, and passed.

The petition of Henry Steele, referred from the last session, was read and rejected.

The senate adjourns until to-morrow morning 10 o'clock.

## S A T U R D A Y, December 21, 1793.

**T**HE senate met. Present the same members as on yesterday. The proceedings of yesterday were read.

On motion, Charles Goldsborough, Esquire, brings in and delivers a bill, entitled, An act to repeal part of the act of assembly therein mentioned; which was read the first and second time by especial order, passed, and sent to the house of delegates by the clerk, with the bill, entitled, An act for the establishment of a market for the sale of live stock, in or near to Baltimore-town, the bill, entitled, An act to provide a summary mode for recovering the possession of lands and tenements holden by tenants for years, or at will, after the expiration of their terms, and the bill, entitled, An act to open and lay out roads from Denton, the seat of justice in Caroline county, to different parts of said county, and the same, when opened and laid out, to be the public roads of said county, with the amendments thereto.

The bill, entitled, A Supplement to an act concerning petitions for freedom, was read a second time, and passed with the proposed amendments.

Amendments proposed. After the word "where" in the 6th line from the beginning, strike out the words "the owner or owners of." After the word "reside" in the same line, strike out to the end of the bill, and insert "under the direction of his, her or their master, mistress or owner; and the court of the county in which such petition or petitions shall be preferred, shall have full power and authority to issue process against such master, mistress or owner, for the purpose of compelling his or her appearance, directed to the sheriff of the county where such person or persons shall reside, and such sheriff shall serve and return such process in the same manner as if issued by the county court of his county, and in case of neglect or delay in such sheriff to execute and return such process, he may be fined by the court issuing such process.

"And be it enacted, That in all petitions now depending, or hereafter commenced, for freedom, either the petitioner or defendant may apply to the court for the benefit of a trial by jury, and that the court shall thereupon charge, as the law directs, the attending jury to determine each and all of the allegations contained in the said petition, which may be controverted, any law, usage or custom, to the contrary notwithstanding.

"And be it enacted, That there shall be no appeal from the judgment of the county court upon such petitions, except as to matters of law, when the facts shall have been tried by a jury; and the master, mistress or owner, of such petitioner, or the petitioner, at the election of either, shall have the right of appeal as to matters of law only, in all cases so tried, to the general court of their respective shores, any thing in this law contained to the contrary notwithstanding.

"And be it enacted, That either the master, mistress or owner, of such petitioner, or the petitioner, shall have the right and privilege of challenging peremptorily to the number of twelve jurors impannelled to try the facts in issue, and for want of a sufficient number of jurors remaining upon the original pannel, a tales, at the prayer of either party, shall be awarded by the court, to try the said issue or issues."

Which said last mentioned bill, with the amendments thereto, was sent to the house of delegates by the clerk.

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