

S A T U R D A Y, December 30, 1797.

THE senate met. Present the same members as on yesterday, except Mr. Hammond, who had leave of absence. The proceedings of yesterday were read.

On motion, the question was put, That the senate do reconsider the bill, entitled, An act to authorise Richard Tilghman, William Hopper, Thomas Wright, of Thomas, and Thomas J. Seth, of Queen-Anne's county, to raise by lottery a sum of money for the purposes therein mentioned? The yeas and nays being required, appeared as follow:

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

Mr. Ridgely, Mr. Forrest and Mr. M'Mechen. 3.

N E G A T I V E.

Mr. Perry, president, Mr. Carroll, Mr. Campbell, Mr. Grahame, Mr. Dorsey and Mr. Thomas. 6.

So it was determined in the negative.

The clerk of the house of delegates delivers to the clerk of the senate the following message and resolution:

BY THE HOUSE OF DELEGATES, DECEMBER 29, 1797.

GENTLEMEN OF THE SENATE,

WE have sent you another resolution for the revision of the laws, in the expectation that upon consideration of the subject you will be induced to concur with us in opinion, and to assent to it in the manner in which it is now framed.

At a very early period of the session the plan on which the resolution of this house was grounded was contemplated by some of the members, and it was not till after a full consideration of the subject, and a very general communication on it, that the question was put, and carried without a dissenting voice.

The interchange of the acts of assembly with the several states, (some of which have already transmitted theirs,) suggested the propriety and necessity of a compilation, more correct and less defective than our present code, and we deem it conducive to the convenience, and to the legislative character of the state, to transmit a body of laws, freed from the incumbrance of such as have been repealed, or have ceased to have operation, and accompanied with an index, which might at one view convey a knowledge of our system of jurisprudence, on the various subjects which it embraces.

It was also considered by the members generally, a compilation, such as the resolution proposes, would be extremely useful, and would tend greatly to remove the ambiguity and difficulty which daily occurs to the most diligent inquirer, and by confining every subject under its proper head, might facilitate the endeavours of succeeding legislatures to improve our judicial system.

To the acts of assembly since the session of 1784 there is no general index, although the subjects on which they treat are of the utmost importance, and have made the most considerable changes as to the law for the regulation of property; and daily experience demonstrates the difficulty of tracing the acts, on any particular subject, through the different sessions in which they have been taken up.

To these observations on the nature of the work proposed, we think proper to suggest the inconvenience and difficulty which would otherwise attend the transmission of our laws to the several states. Our acts, as they now stand, will extend to four large volumes; those since 1784 cannot be procured with any degree of certainty, or (if at all) without great expence, and the acts of 1785, (probably the most important of any,) cannot possibly be procured without a new impression, that would occasion an expence, which, joined with that attendant on the purchase of the others, would fall little short of that which is now proposed.

We beg leave further to observe, that for the purpose of ensuring a punctual and speedy completion of the undertaking, we preferred the commission of it to one person in preference to a greater number; and that the conditions under which it was to be performed were such as to excite fidelity and industry in its execution.

Impressed as we are with the expediency and necessity of the measure, agreeably to the plan contained in our resolution, we have nevertheless, with a view to take from the magnitude and expence of the undertaking, made such alterations in the amended resolution, now sent for your concurrence, as we trust will, in addition to the reasons we have given, induce you to recede from the opinion on which your dissent was grounded, and to concur in the resolution herewith sent.

By order,

W. HARWOOD, clk.

BY THE HOUSE OF DELEGATES, DECEMBER 29, 1797.

RESOLVED, That William Kilty be and he is hereby appointed to revise the acts of assembly of this state, and to prepare an edition thereof, including all public acts now in force, in the order in which they passed, from the year sixteen hundred and ninety-two till the end of the present session, inclusive, inserting, in the same order, the titles of all private acts, and of such public acts as are repealed, have expired, or have ceased to have any operation, the time of such repeal, or expiring of each law, to be noted in the margin, as also the continuances of such acts as were originally passed for a limited time; to be accompanied with a full and complete index to the whole, compiled in the manner of Bacon's edition of the laws of Maryland, or in that of the Pennsylvania or Virginia laws, which have been sent to this state, or in such method compounded of those, or other precedents, as the said William Kilty shall deem best adapted for the purpose; that the said edition be completed within the ensuing year, so as to be laid before this general assembly at their next annual meeting; and that such compensation be allowed to the said William Kilty as the work, and the manner in which it may be performed, shall appear to merit.

RESOLVED, That Frederick Green, printer to the state, be directed to print and procure to be bound, one hundred and fifty copies of the said edition of the laws, under the direction of the said William Kilty; and that the governor and council be empowered, by order on the treasury, to advance to the printer,