

VOTES AND PROCEEDINGS, NOVEMBER SESSION, 1801. 43

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

Mr. Brown, Mr. Hollingsworth, Mr. Houston, Mr. Worthington. 4.

N E G A T I V E.

Mr. Harwood, president, Mr. Johnson, Mr. McCulloch, Mr. Ringgold, Mr. Smith. 5.

So it was determined in the negative.

The senate adjourns till to-morrow morning 9 o'clock.

W E D N E S D A Y, December 23, 1801.

THE senate met. Present the same members as on yesterday. The proceedings of yesterday were read. Mr. Tyler appeared in the senate.

On motion, the question was put, That the senate reconsider the bill, entitled, An act relative to the administration of justice in this state, and to repeal the acts of assembly therein mentioned? Resolved in the affirmative.

On the second reading of the bill, entitled, An act to provide for the collecting of duties or tolls on merchandise or other articles carried out of or brought into this state on the bed of the river Susquehanna, and augmenting the number of canal shares, the question was put, That the following be received as an amendment to the said bill? to wit: "And be it enacted, that the said company shall and they are hereby directed and required, within ten days after the commencement of the annual session of the legislature of this state, which shall be in the year eighteen hundred and five, and within ten days after the commencement of their annual session in every fifth year thereafter, to lay before the legislature fair accounts of the monies expended by them in clearing the obstructions in the bed of the said river, and of the monies received by them for half tolls thereon, and when in the opinion of the legislature the same shall amount to a sum sufficient to reimburse the said company, with an advance of 25 per centum per annum thereon, the bed of the said river shall for ever thereafter be deemed a public highway, and shall be free of all tolls and duties." The yeas and nays being required, appeared as follow:

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

Mr. Brown, Mr. Hollingsworth, Mr. Houston, Mr. Tyler. 4.

N E G A T I V E.

Mr. Harwood, president, Mr. Bowie, Mr. Johnson, Mr. McCulloch, Mr. Ringgold, Mr. Smith, Mr. Worthington. 7.

So it was determined in the negative.

The question was then put, That the following be received as an amendment to the said bill? to wit: "And be it enacted, that the said company shall and they are hereby directed, within ten days after the commencement of the annual session of the legislature of this state, which shall be in the year eighteen hundred and five, and within ten days after the commencement of their annual session in every fifth year thereafter, to lay before the legislature fair accounts of the monies expended by them in clearing the obstructions in the bed of the said river, and of the monies received by them for half tolls thereon." Determined in the negative.

The bill being read throughout, the question was put, That the said bill do pass with the proposed amendments? Amendments proposed. Strike out the word "shall" in the 11th line of the preamble and insert "should." Strike out the word "shall" in the 10th line of the 2d page and insert "should." Strike out the word "this" in the 11th line of the 3d page. Strike out the words "and the law herein recited" in the 11th and 12th lines of the same page. Strike out the words "on demand, or within twenty-four hours thereafter," in the 12th and 13th lines of the 3d page. Strike out the words "twenty-four hours" in the 2d line of the 4th page and insert "three days." Strike out the words "the same or" in the 2d line of the 4th page. Before the word "and" in the beginning of the 5th line of the 4th page insert "provided nevertheless." After the word "shall" in the 5th line of the 4th page insert "before they receive or collect the half tolls aforesaid and." The yeas and nays being required, appeared as follow:

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

Mr. Harwood, president, Mr. Bowie, Mr. Johnson, Mr. McCulloch, Mr. Ringgold, Mr. Smith, Mr. Tyler, Mr. Worthington. 8.

N E G A T I V E.

Mr. Brown, Mr. Hollingsworth, Mr. Houston. 3.

So it was resolved in the affirmative.

On motion, ORDERED, That the bill relative to the administration of justice in this state, and to repeal the acts of assembly therein mentioned, be reconsidered on Saturday the 26th instant.

The clerk of the house of delegates delivers a bill, entitled, A supplement to an act, entitled, An act for the better supporting the magistrates in the administration of justice within this province, and to repeal the third section thereof, thus endorsed; "By the house of delegates, December 14, 1801: Read the first time and ordered to lie on the table.

"By order,

W. HARWOOD, clk.

By the house of delegates, December 22, 1801: Read the second time and will pass.

"By order,

W. HARWOOD, clk."

M

And