

land proclaimed reverted to the state, in consequence of the said John H. Stone having failed to pay the composition required on the same, by a payment of which a title to the said land might have been secured by himself or his children: And whereas the said petitioners having prayed that the sum of money so paid into the treasury should be refunded, or some other relief granted as might seem reasonable and proper, so that they might be benefitted by the payment aforesaid; and this general assembly, finding the facts to be therein correctly stated, and willing to gratify the prayer of said petitioners, so far as to grant to them land warrants in Allegany county to the amount of the sum so as aforesaid paid into the treasury as composition money on said land, therefore, **RESOLVED**, That the register of the land-office of the western shore be and he is hereby authorized and directed to grant to the said Robert Couden Stone, Nathaniel P. Causin and Eliza Causin his wife, Anne Stone and Thomas Stone, representatives of John H. Stone, Esquire, deceased, a warrant or warrants for ten thousand eight hundred and eighty acres of land in Allegany county, upon the said Robert Couden Stone, Nathaniel P. Causin, and Eliza his wife, Anne Stone and Thomas Stone, paying to the said register the fees of office for the same.

By order,

J. BREWER, clk.

By the HOUSE of DELEGATES, December 14, 1808.

RESOLVED, That the treasurer of the western shore pay unto John Williams, of Worcester county, or his order, out of any unappropriated money in the treasury, the sum of eighty-nine dollars and twenty-five cents, with interest from the sixth day of February, eighteen hundred and eight, being for the like sum of money paid by him into the treasury for confiscated lands in Worcester county, sold to him by the executive of this state, and which had been heretofore sold by the state to colonel Peter Chaille, of said county.

By order,

J. BREWER, clk.

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

On motion, **ORDERED**, That the amendments to the bill, entitled, A supplement to the act, entitled, An act to incorporate the stockholders of the Mechanics Bank of Baltimore, have a second reading to-morrow.

Mr. Thomas B. Dorsey, from the committee, delivers a bill, entitled, An act for the appointment of a bailiff to the orphans court for Baltimore county; which was read the first time and ordered to lie on the table.

The senate proceeded, agreeably to their resolution, to the second reading of the bill, entitled, An act to increase the salary of the chief justice of the court of oyer and terminer and general gaol delivery of Baltimore county, and the bill being read throughout, the question was put, Shall this bill pass? The yeas and nays being required, appeared as follow:

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

Mr. Lloyd Dorsey, Mr. Partridge, Mr. Purnell. 3.

N E G A T I V E.

Mr. Thomas, president, Mr. Covington, Mr. Thomas B. Dorsey, Mr. Glenn, Mr. Lowrey, Mr. M. Elderry, Mr. Shriver, Mr. Whitely, Mr. Williams. 9.

So it was determined in the negative.

The following message was read and agreed to.

By the S E N A T E, December 15, 1808.

Gentlemen of the House of Delegates,

THE senate having negatived the bill received from your house, entitled, An act to increase the salary of the chief justice of the court of oyer and terminer and general gaol delivery of Baltimore county, have deemed it expedient to express some of the grounds on which their determination is founded. They conceive, that in the year 1799, when the act of assembly organizing the court of oyer and terminer and gaol delivery for Baltimore county passed, it was supported by the principles of equal justice and impartiality, that the salary of the chief justice should be defrayed by Baltimore county and city, seeing that by the act of assembly passed in 1796, and then continuing in force, every county of the state was burthened with the expenses of the administration of its own civil and criminal jurisprudence. But when, by the act of November session, 1805, the judicial establishments, constituted by the act of 1796, were abolished, and the judges appointed by the act of 1805, instead of being paid as heretofore by the counties in which they presided, are, by an act of the same session, fixing permanent salaries, to draw their compensations from the public treasury, the senate can discover no reason why the salary of the chief justice of Baltimore county criminal court should not be drawn from the treasury in like manner, particularly when they reflect, that the revenue arising from that court is equal to the same species of revenue arising from all the other counties of the state combined. They consider this court, in a peculiar degree, a state court, in as much as its exclusive jurisdiction is the punishment, not of violations of the laws of Baltimore county and city, but of offences against the peace, government and dignity, of the state of Maryland; of consequence, those who impose the punishment of such crimes should rest alone for their support on the bounty of the state. They apprehend that the continuation and indirect sanction of this imposition on Baltimore county would be a precedent for the most unequal, partial, and unjust taxation upon any county or district of the state. The senate are fully convinced of the propriety of increasing the salary of the chief justice of said court upon impartial and liberal principles, and if the house of delegates will originate a bill fixing an