

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

Mr. Covington, Mr. Lloyd Dorsey, Mr. Gibson, Mr. Glenn, Mr. M'Elerry. 5.

## N E G A T I V E.

Mr. Thomas, president, Mr. Thomas B. Dorsey, Mr. Lowrey, Mr. Partridge, Mr. Whitely, Mr. Williams. 6.

So it was determined in the negative.

The bill, entitled, An act to make public an old road in Harford county, was read the second time and will not pass.

The resolution in favour of Robert C. Stone was read the second time and dissented from.

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

T H U R S D A Y, December 22, 1808.

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

The bill, entitled, An act for the relief of John Scott, of the city of Baltimore, the bill, entitled, An act to make public an old road in Harford county, the bill, entitled, A further supplement to an act, entitled, An act for the relief of the poor of Caroline county, and to repeal part of the act of assembly therein mentioned, the resolution in favour of Vachel Burgess, of Anne-Arundel county, the resolution in favour of Robert C. Stone, and the resolution in favour of William D. Beail, were sent to the house of delegates by the clerk.

Mr. Williams asked and obtained leave of absence for Mr. Whitely.

Mr. Williams, from the committee, delivers the engrossed bills No. 14, 44, 49, 71, 72, 73 and 96; which were severally read, assented to, and sent to the house of delegates by the clerk.

The clerk of the house of delegates delivers a bill, entitled, An act to prevent the erection of chimnies of materials other than brick or stone in the town of Salisbury, in Somerset and Worcester counties, passed by that house December 22, 1808; and the following resolutions:

By the HOUSE of DELEGATES, December 21, 1808.

**RESOLVED**, That the treasurer of the western shore be and he is hereby authorised and directed to pay unto Young Wilkinson, of the city of Annapolis, late a lieutenant of the artillery in the Maryland line during the revolutionary war, annually, in quarterly payments, a sum of money equal to the half pay of a lieutenant of the artillery aforesaid.

By order,

J. BREWER, clk.

By the HOUSE of DELEGATES, December 21, 1808.

**RESOLVED**, That the treasurer of the western shore be and he is hereby authorised and directed to pay to John Imeson, late a sergeant in the Maryland line during the revolutionary war, or to his order, a sum of money, in quarterly payments, equal to the half pay of a sergeant, instead of the sum now payable to him in virtue of a resolution of November session, one thousand eight hundred and three.

By order,

J. BREWER, clk.

By the HOUSE of DELEGATES, December 21, 1808.

**RESOLVED**, That the treasurer of the western shore be and he is hereby authorised and directed to pay to Michael M'Can, late a soldier in the Maryland line of the revolutionary army, a sum of money, annually, in quarterly payments, equal to the half pay of a soldier.

By order,

J. BREWER, clk.

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

The clerk of the house of delegates returns the bill, entitled, An act for the appointment of a bailiff to the orphans court for Baltimore county, endorsed, "By the house of delegates, December 22, 1808: Read the second time and will not pass."

The clerk of the house of delegates returns the bill, entitled, An act to regulate the fees of the register of the court of chancery, with the following message:

By the HOUSE of DELEGATES, December 21, 1808.

*Gentlemen of the Senate,*

**NOTHING** but a strong sense of public duty could induce us at this late period of the session to solicit your attention once more to the bill herewith sent, entitled, An act to regulate the fees of the register of the court of chancery, but having passed this house on the 16th by a very considerable majority, and being returned the day before yesterday with the negative of the senate simply endorsed upon it, we cannot relinquish the hope that, upon a reconsideration of the bill, the reasonableness and expediency of its provisions must be apparent to the wisdom and justice of your honourable body.

It can be scarcely necessary to premise what was the original motive of the legislature in establishing the fees of the register in chancery, and of the clerks of the old court of appeals and the late general court, according to the rates at which they stand in the fee bill of 1779, so much greater than those allowed to the clerks of the county courts for the performance of similar services; it is sufficient to know that this difference did not arise from any proportionate difference in the skill and labour required for the respective offices; and that with regard to the court of appeals under its new organization, the legislature, by the act of 1805, have deemed it just