

# VOTES AND PROCEEDINGS, JUNE SESSION, 1809.

11

The bill, entitled, An act to authorise the levy court of Washington county to levy a sum of money for the purposes therein mentioned, was read the second time by especial order and will not pass. Sent to the house of delegates by the clerk.

The clerk of the house of delegates delivers the following resolution:

By the HOUSE of DELEGATES, June 9, 1809.

RESOLVED, That the treasurer of the western shore be and he is hereby authorised and required to pay unto Frederick Green, printer to the state, the sum of two hundred dollars; to John Brewer, clerk to the house of delegates, the sum of one hundred dollars, and to Thomas Rogers, clerk to the senate, the sum of fifty dollars, as a further compensation for the discharge of the several duties imposed on them by this extra meeting of the legislature; also the sum of twenty dollars to the Rev. Mr. Wyatt for attending as our chaplain during the present session of the legislature.

By order,

J. BREWER, clk.

Which was read the first and second time by especial order, assented to, and sent to the house of delegates by the clerk.

The bill, entitled, A further additional supplementary act to an act, entitled, An act for regulating the mode of staying executions, and repealing the acts of assembly therein mentioned, was read the second time by especial order, and the question put, Shall this bill pass with the proposed amendments?

Amendments proposed. 1. After the word "acts" in the 9th line of the bill insert "of the general assembly of Maryland." 2. Strike out from the word "annulled" in the 3d line from the bottom of the bill to the end thereof.

The yeas and nays being required, appeared as follow:

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

Mr. T. B. Dorsey, Mr. Lowrey, Mr. M' Elderry, Mr. Partridge, Mr. Shriver, Mr. Whitely and Mr. Williams. 7.

N E G A T I V E.

Mr. Thomas, president, Mr. Bowie, Mr. L. Dorsey, Mr. Gibson, Mr. Glenn and Mr. Somervell. 6.

So it was resolved in the affirmative, and sent to the house of delegates by the clerk.

The senate adjourns until to-morrow morning 8 o'clock.

S A T U R D A Y, June 10, 1809.

THE senate met. Present the same members as on yesterday, except Mr. Thomas, president, who is indisposed. Mr. Lowrey was appointed president pro tem. The proceedings of yesterday were read.

Mr. Somervell, from the committee, delivers the following message; which was read, agreed to, and sent to the house of delegates by the clerk.

By the SENATE, June 9, 1809.

Gentlemen of the House of Delegates,

WE have received the message transmitted by your house on the subject of the election of a senator of the United States; and as you appear to have relinquished every idea of making such election during the present session of the general assembly, we should not again have intruded upon your notice, but that from the tenor of your communication we are apprehensive you have not rightly understood, or duly appreciated, the conduct and motives of the senate on this important and interesting occasion.

A sense of respect due to a co-ordinate branch of the legislature, and a reasonable deference to the wishes and opinions of the immediate representatives of the people, will, we trust, ever characterise the present senate of Maryland.

It was with pleasure we found that no diversity of opinion existed as to the imperative nature of the constitution of the general government, which directs that the vacancy in the representation of this state in the senate of the United States should be filled at the present meeting of the general assembly; but this pleasure was converted into unfeigned regret when we discovered, that the house of delegates had rejected our proposition to proceed to an election in the usual manner, and had determined that no election should be held but in a way and

on a principle of their own suggestion, foreign and unknown to the constitution, the laws and the usages of the legislature of this state. To the rejection of this innovation the senate were urged by the most cogent and impressive reasons. They considered, that by the plan of election proposed by your house no election could

ever be had, unless both branches of the legislature, in a separate and distinct vote, should select the same character as their senator; an instance of unanimity in selection rarely occurring, and never to be met with where

any difference of political opinions exist in the two houses of the general assembly. That this mode of election, in the conflicts of party, must inevitably eventuate in a total failure of this state's representation in the senate

of the union, and if pursued by other of the United States, may be followed by a dissolution of the general government. That it is a measure not only foreign and unknown to our constitution and laws, but is in direct

repugnance to the views and designs of their framers, in every instance where an election is to be made by both houses of the legislature, is too clearly manifested to be doubted or misunderstood. By the 25th article of the constitution of Maryland, a governor is directed to be chosen by both houses of the general assembly; the mode of election prescribed is a joint ballot. By the 26th article the council to the governor are directed to be