

MONDAY, December 18, 1809.

THE senate met. Present the same members as on Saturday. The proceedings of Saturday were read. Mr. M'Elderry appeared in the senate. Mr. Purnell asked and obtained leave of absence for Mr. Gibson.

The clerk of the house of delegates delivers a bill, entitled, A supplement to an act, entitled, An act to lay out a certain road in Baltimore county, passed by that house December 15, 1809. And the following resolutions:

By the HOUSE of DELEGATES, December 16, 1809.

RESOLVED, That for the better repairing and furnishing the government-house, the governor be and he is hereby authorised and empowered to draw on the treasurer of the western shore for the sum of sixteen hundred dollars, including the sum of twelve hundred dollars formerly appropriated to this purpose and unexpended, and the treasurer is hereby authorised and directed to pay the same out of any unappropriated money in the treasury.

By order,

J. BREWER, clk.

By the HOUSE of DELEGATES; December 16, 1809.

RESOLVED, That the treasurer of the western shore be and he is hereby authorised and required to release unto Charles Mankin, of Charles county, and his securities, the bond entered into by him and them to the state on the tenth day of November, in the year seventeen hundred and ninety-one, on which judgment has been obtained, on the payment of the balance due thereon for the principal sum stated in the bond, together with costs of suit, without any charge of interest on the bond aforesaid.

By order,

J. BREWER, clk.

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

On the second reading of the bill, entitled, A supplement to the act, entitled, An act for the recovery of small debts out of court, and to repeal the acts of assembly therein mentioned, the question was put, Will the senate receive the following as an amendment thereto? to wit: At the end of the bill add "And be it enacted, That whenever any judgment rendered by a justice of the peace shall be superseded, it shall be the duty of the person entitled to, and claiming the money due on, such judgment, before he or she shall proceed to issue execution on such superseded judgment, to demand the money from the person or persons against whom such judgment shall be rendered, or one of his, her or their securities, and if the person claiming the money due as aforesaid, shall fail to comply, then and in such case the person issuing such execution shall be answerable to the proper officer for the costs and commissions on such execution." The yeas and nays being required, appeared as follow:

AFFIRMATIVE.

Mr. Glenn. 1.

NEGATIVE.

Mr. Thomas, president, Mr. Fenwick, Mr. Lowrey, Mr. M'Elderry, Mr. Partridge, Mr. Purnell, Mr. Shriver, Mr. Whitely and Mr. Williams. 9.

So it was determined in the negative.

The question was then put, Shall this bill pass? The yeas and nays being required, appeared as follow:

AFFIRMATIVE.

Mr. Thomas, president, Mr. Fenwick, Mr. Lowrey, Mr. M'Elderry, Mr. Purnell, Mr. Shriver, Mr. Whitely and Mr. Williams. 8.

NEGATIVE.

Mr. Glenn and Mr. Partridge. 2.

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

The bill, entitled, An act to open a road to Swan creek, in Harford county, and to make a public landing place thereat, the bill, entitled, An act to lay out and make public a road therein mentioned in Cecil county, the bill, entitled, An act to authorise a lottery or lotteries in Frederick county, and the bill, entitled, An act authorising George Creager, junior, late sheriff of Frederick county, to complete his collection, were severally read the second time, passed, and sent to the house of delegates by the clerk.

The bill, entitled, An act to repeal all such parts of the acts of assembly of this state as require the payment of twenty-five shillings for a marriage license, was read the second time and will not pass. Sent to the house of delegates by the clerk.

The bill, entitled, An act to authorise and empower the court of appeals for the western shore to hear and determine the matter of the decree of the late court of appeals of June term, eighteen hundred, between Benedict Edward Hall, executor of Amos Garratt, deceased, and administrator de bonis non with the will annexed of Peter Dicks, deceased, and the representatives of Jacob Giles, deceased, was read the second time, and the question put, Shall this bill pass? The yeas and nays being required, appeared as follow:

AFFIRMATIVE.

Mr. Fenwick, Mr. Glenn, Mr. M'Elderry, Mr. Shriver, Mr. Whitely and Mr. Williams. 6.

NEGATIVE.

Mr. Thomas, president, Mr. Lowrey, Mr. Partridge and Mr. Purnell. 4.

So it was resolved in the affirmative.