

VOTES AND PROCEEDINGS, NOVEMBER SESSION, 1809. 19

of the 18th page and insert "eighteen." 8. After the word "drawing" in the 13th line of the 21st page insert "the." 9. Strike out the word "three" in the 12th line of the 23d page and insert "two and one half." 10. After the word "agree" in the 9th line of the 43d page insert "to." 11. At the end of the bill add "And, whereas in making said new road the bed of the old road is frequently departed from, and doubts are entertained whether the proprietors of the land through which such parts of the road pass are authorised in shutting up the same, therefore, Be it enacted, That wherever the new road shall depart from the bed of the old road, it shall and may be lawful for the president and managers of the said company, with the consent of the owner or owners of the land through which the old road passes, to shut up the same, and when the owner or owners refuse to have the same shut up, it shall and may be lawful for the justices of the levy courts for the several counties where such departure may exist, to authorise the shutting up of such parts of the old road as shall be departed from by the said new road."

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

F R I D A Y, December 22, 1809.

THE senate met. Present the same members as on yesterday, except Mr. Purnell. The proceedings of yesterday were read.

The bill, entitled, An act to incorporate a company to make a turnpike road from the town of Westminster, in Frederick county, through Harman's Gap, to Hagar's-town, in Washington county, was sent to the house of delegates by the clerk.

The clerk of the house of delegates delivers a bill, entitled, A further supplement to the act, entitled, An act respecting the equity jurisdiction of the county courts, and a bill, entitled, An act concerning crimes and punishments, severally passed by that house December 21, 1809; which were severally read the first time and ordered to lie on the table.

The resolution relative to the road from Hancock to Cumberland, was read the second time, and the question put, Will the senate assent thereto? The yeas and nays being required, appeared as follow:

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

Mr. Thomas, president, Mr. Bowie, Mr. T. B. Dorsey, Mr. Fenwick, Mr. Glenn, Mr. M'Elderry and Mr. Whitely. 7.

N E G A T I V E.

Mr. Lowrey, Mr. Partridge and Mr. Williams. 3.

So it was resolved in the affirmative.

On motion, ORDERED, That the resolution in favour of John Smith Brookes have a second reading on Wednesday next.

The senate resumed the consideration of the bill, entitled, An act to lay out and make public a road in Baltimore county, and, on motion, the question was put, Will the senate receive the following as an amendment thereto? to wit: Amendment proposed. At the end of the 3d line of the 3d page add, "and provided that the said last mentioned road shall not pass through the yard, garden, orchard or meadow, of any person without his or her consent, in writing, first had and obtained." Resolved in the affirmative.

The bill being read throughout, and one of the petitioners and the counter petitioner having been heard on the subject thereof, the question was put, Shall this bill pass? Resolved in the affirmative.

The resolution in favour of George W. Bradford, was read the second time, and the question put, Will the senate assent thereto? The yeas and nays being required, appeared as follow:

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

Mr. Glenn. 1.

N E G A T I V E.

Mr. Thomas, president, Mr. Bowie, Mr. Fenwick, Mr. Lowrey, Mr. M'Elderry, Mr. Partridge and Mr. Williams. 7.

So it was determined in the negative.

Mr. Williams, from the committee, delivers a bill, entitled, A further supplement to the act, entitled, An act for quieting possessions, and securing and confirming the estates of purchasers; which was read the first time and ordered to lie on the table.

The resolution in favour of Charles Sewell and James R. Green, of Charles county, was read the second time and dissented from.

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

S A T U R D A Y, December 23, 1809.

THE senate met. Present the same members as on yesterday, except Mr. Thomas B. Dorsey and Mr. Glenn. The proceedings of yesterday were read.

The senate adjourns until Monday morning 9 o'clock.