

ill or a resolution. We also think that every resolution passed by both branches of the legislature, which is not limited in terms, or by the nature of the object for which it provides, continues in force, until repealed by the same authority which called it into existence. In the case of the resolution in question, there is neither a limitation of time in express words, nor is it bounded in its operation by the nature of the subject matter. Such being the nature of the resolution, it appears to the senate that it will continue in full force until regularly repealed. That the memorialist is therefore still to be considered as the printer to the state, seems to this branch of the legislature to admit of no doubt. He is moreover recognised and spoken of in express terms, as printer to the state, in the law of the last session providing a compensation for his services. If therefore he is still to be considered as invested with all the rights and privileges of this appointment, it is our opinion (and we think the house of delegates upon a full consideration of the subject will concur in that opinion) that he is entitled in the language of the resolution, to "print the laws and votes and proceedings of the general assembly, and perform such other services as have been usually performed by the printer employed by the state, or may be required by the legislature or either branch thereof, or by the governor and the council." As therefore the printer to the state has heretofore been invariably employed to print every thing required by either branch of the legislature, the conclusion seems inevitably to follow, that during his continuance in office, no other person can be appointed to perform any part of his duties or participate in his emoluments, without a manifest violation of his rights. Nor is it a consideration unworthy of notice, that by a division of the duties of the appointment, serious inconveniencies may arise to the printer, whose arrangements preparatory to the session of the legislature were of course made with a view to the execution of his usual duties, and an expectation that his disbursements and expenditures so incurred would be refunded, and made good to him by the compensation he would receive at the termination of the session. It should also be recollected that by law the printer to the state is bound to print the laws and votes and proceedings of the general assembly by a limited time, under a penalty of fifty pounds and forfeiture of his salary in case of omission or neglect. The duty thus imposed upon him and which he is bound to fulfil under sanctions so highly penal, renders it indispensably necessary that he should engage a sufficient number of hands and make other requisite arrangements before the time arrives when the work is to commence. Those hands are usually employed during the session in executing the common running business or occasional calls of the legislature. By the compensation he receives for the last mentioned services, he is enabled to defray the expences incurred as above stated by an anticipated preparation for the performance of his duties, and which without this source of reimbursement would be productive of so much clear loss. The effect will be a necessary increase of his salary to enable him to fulfil his official duties as prescribed by law, and of course an expense to the state to the extent of such augmentation. The senate therefore confidently trust that the house of delegates will agree with them in opinion, that a remedy should be immediately applied to redress the injuries complained of by the memorialist, and thereby prevent private loss as well as obviate public inconvenience.

By order,

H. Y. WILLIAMSON, Clk.

which was read the first time and ordered to lie on the table,

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

TUESDAY, December 8, 1812.

The senate met.—Present the same members as on yesterday.—The proceedings of yesterday were read. Mr. L. Hollingsworth appeared in the senate.

A petition from Thomas Saulsbury, late sheriff and collector of Caroline county, praying further to complete his collection, was preferred, read and referred to Mr. Holbrook, Mr. Lloyd and Mr. Perkins to consider and report thereon.

The report on the memorial of Jehu Chandler, printer to the state, was read the second time, concurred in, and the resolution, message and memorial sent to the house of delegates by the clerk.

The following message was read, agreed to, and with the bill, sent to the house of delegates by the clerk:

BY THE SENATE, Dec. 8, 1812.

Members of the House of Delegates,

We return you the bill entitled, an act to confirm an act passed at November session eighteen hundred and eleven, entitled, an act to alter the time of the meeting of the general assembly of this state for other purposes; and hope on reconsideration you will agree to pass it. We understand the ground on which the house of delegates have refused their assent to the bill is, because an interregnum would thereby occur in the executive of the state. We beg leave to observe that the constitution provides for the election of a governor and council annually on the days therein mentioned: various instances have occurred wherein the governor and council have not been elected on the specified days, yet such elections, and the acts and doings of the executive in consequence thereof have been considered valid and actual, and we know of no inconvenience that has resulted to the state in consequence thereof, and we beg leave, if you agree to pass the bill, to suggest the propriety of immediately passing a law authorising and empowering the present executive to act as such until the time appointed for electing a governor and council agreeably to the contemplated change.

By order,

THOS. ROGERS, Clk.

On motion, *Ordered*, That the senate proceed to ballot for a director on the part of the state in the Bank of Baltimore, and the person having a majority of the votes of the attending members be declared duly elected.

The senate proceeded thereto, and the ballots being deposited in the ballot box, on examination thereupon, that Benjamin Hodges was unanimously elected.

Whereupon it is declared in the senate, that Benjamin Hodges is duly elected a director on the part of the state in the Bank of Baltimore.