

phatic manner, such of our citizens as evince by their actions a particular devotion to the common weal, so that all may be stimulated to virtuous actions; conscious that if it is deserved, they will experience the gratitude of their country, and thus an holy emulation will be excited amongst us, in performing such deeds both in war and in peace, as will tend to preserve the liberties we now enjoy, and perpetuate the blessings derived from our independence: *And whereas*, if any of our citizens fall in battle, fighting in the cause of his country, leaving behind a name endeared to us by the recollection of his virtues, his bravery and his devotion to the liberties of the republic, it behoves us in the spirit of the same policy, to shew in the most public and pointed manner our respect for that citizen, our regret for his loss, and our gratitude for his services. *And whereas*, William S. Bush, late a citizen of this state, and a lieutenant in the marine corps of the United States, in the late action between the Constitution, one of our frigates, and the Guerriere, an enemy, an English frigate, fell fighting in the most gallant and heroic manner, the battles of his country and her cause; *Therefore*,

*Resolved*, that to shew the respect to his memory which we feel, and which it deserves, and to evince the high regard which this legislature entertains for bravery and patriotism such as he displayed, its gratitude for his services and regret for his loss, the governor and council of this state be, and they are hereby directed to purchase an appropriate golden medal, which they shall present in the name of this state to the nearest surviving male relation of the said lieutenant William S. Bush.

*Resolved*, also, that the treasurer of the Western Shore pay out of any unappropriated money in the treasury, a sum not exceeding two hundred and fifty dollars, to the order of the governor and council, so that the object of these resolutions may be carried into effect.

By order,

UPTON S. REID, Clk.

And the following message:

BY THE HOUSE OF DELEGATES, Dec. 21, 1812.

Gentlemen of the Senate,

We have received your message of to-day, proposing a conference between the two houses, on a bill entitled, an act for the valuation of real and personal property in the several counties of this state. Considering the passage of the bill to which your message relates as important to the interest of the state, and anxious at all times to unite with you in any reasonable means calculated to effect a public benefit, we with pleasure accede to your proposition, and have nominated Messrs. Lecompte, Wilson, Bayly, Sprigg and Kilgour, on the part of this house, as a committee of conference, to join the gentlemen who have been nominated by you.

By order,

UPTON S. REID, Clk.

Which were severally read the first time, and the bills and resolutions ordered to lie on the table. Also returns the bill entitled, an act recognizing the coin of the United States and the value of foreign coins, as established by the acts of the congress of the United States, passed by that house, Dec. 21, and 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, and for other purposes, passed by that house, Dec. 22, 1812. Ordered to be engrossed.

The bill entitled, an act for the benefit of John, James, William and Ann Elizabeth Johnson, heirs and devisees of Barnett Johnson and of Benjamin Rigdon, of Harford county, was read the second time, passed, and sent to the house of delegates by the clerk.

The bill entitled, a further additional supplement to the act entitled, an act to provide for the organization and regulation of the courts of common law in this state, and for the administration of justice therein, was read the second time, and will pass with the proposed amendments.

*Amendments proposed.*

1st. After the word "facias," in the 9th line of the 1st page, insert "or to whom the same was intended to be made known."

"2nd. After the end of the first section, insert the following section: *And be it enacted*, That in all cases of scire facias against the heirs or terretenants which shall or may be issued out of the court of appeals of either shore, or any judgment which hath been or may be rendered therein, or which hath been rendered in the late general court; when any one or more of the heirs or terretenants named and included in such writ of scire facias, or to whom the same is intended to be made known, shall be resident of any other county than that in which the defendant in the original judgment resided, it shall and may be lawful for the clerk of the court of appeals, who shall or may issue the said writ of scire facias, to issue and direct to the sheriff of each and every other county, wherein any of the said heirs or terretenants shall or may reside, a duplicate of the said writ of scire facias, returnable to the county court to which the original writ of scire facias shall be made returnable: And it shall be the duty of each sheriff to serve the said duplicate writ of scire facias, and return the same to the county court to which it shall be made returnable, according to the tenor and command thereof; and the person or persons so summoned by means of any such duplicate writ of scire facias, may appear there to, and the like proceedings shall and may be had against them in the said county court, in the same manner as if they were residents of the county to which the said writ of scire facias shall be made returnable."

3rd. Alter the word "heirs" in the 15th line of the 2d page, insert "or devisees."

4th. After the word "heirs," in the 16th line of the 2d page, insert "or devisees."

5th. After the word "heirs," in the 5th line of the 3rd page, insert "or devisees."

6th. At the end of the bill add, "provided, that if there be any one or more of the heirs or devisees of any deceased person residing in the county in which the said person was resident at the time of his death, or in which his real estate or some part thereof was situate, then and in such case the capias ad respondendum shall issue forth out of the county court of the county in which the deceased died, or in which his real estate or some part thereof is situated.

*And be it enacted*, that the defendant in any suit or action now depending, or which may hereafter be brought in any county court of this state, shall die pending such suit or action, and his executor or administrator shall reside in a different county than that in which such suit or action may be de-