

VOTES AND PROCEEDINGS

Resolved, That the governor and council be and they are hereby authorised to loan to Lieutenant Colonel Richard K. Heath for the use of the fifth regiment of Maryland militia, seventy five stand of rifles and accoutrements, &c. taking bond with security for the return thereof in good order, when required by the executive of this state.

By order,

L. GASSAWAY, Clk.

Read the first and second time by special order and assented to.

Also the following bills: a bill, entitled, An act to provide for repairing the jail in Baltimore county; which was read the first and second time by special order, passed, and sent to the house of delegates; a bill, entitled, An act annulling the marriage of George B. Sumwalt and Jane Sumwalt, of the city of Baltimore; and a bill, entitled, An act annulling the marriage of Samuel Taylor, Junior, and Jane Taylor, of Worcester county, which were severally read and referred to Messrs. Winchester, Gale and Leigh, to report thereon. A bill, entitled, An act respecting the right of challenge in criminal cases, which was read and referred to Messrs. Jackson, Leigh and Emerson, to report thereon. A bill, entitled, An act to lay out a road near Peter Hoofman's mill, in Baltimore county; a bill, entitled, An act for the relief of Mary Wyatt of Caroline county; a bill, entitled, An act for appointing a printer to the state; a bill, entitled, An act to enable Robert Gorsuch to complete his collection in Baltimore county; a bill, entitled, a supplement to the act, entitled, An act to incorporate the Franklin Manufacturing Company of Maryland, and a bill, entitled, An act for the benefit of the heirs of Samuel Wilson, late of Somerset county; which were severally read the first time and ordered to lie on the table.

On motion of Mr. Gale, leave given to bring in a bill, entitled, An act to direct descents, and to repeal the acts of assembly therein mentioned. Ordered, that Messrs. Gale, Taney and Leigh, be a committee to prepare and bring in the same.

The senate adjourns until to morrow morning 10 o'clock.

FRIDAY, December 13, 1816.

The senate met. Present the same members as on yesterday. The proceedings of yesterday were read.

Mr. Dorsey appeared in the senate, and after taking the oaths required by the constitution and form of government, and subscribing a declaration of his belief in the christian religion, and taking the oath for the support of the government of the United States, took his seat.

The bill, entitled, An act for the relief of Mary Wyatt of Caroline county, was read the second time by special order, passed, and sent to the house of delegates by the clerk.

Mr. Winchester presented the petition of Ann Neilson, wife of Hugh Neilson, of Baltimore county, praying a divorce; which was read and referred to Messrs. Winchester, Jackson and Hughlett, to consider and report thereon.

The following bills were sent to the house of delegates by the clerk.—A bill, entitled An act to incorporate the Phoenix Fire Insurance Company of Maryland; a bill, entitled, A supplement to the act entitled An act to incorporate a company to make a turnpike road from the square in the town of Boonsborough, in Washington county, to Swearingen's ferry on the Potomac river; a bill, entitled An act to provide for the repairing the gaol in Baltimore county; a bill, entitled, An act to change the place of holding the elections in the third election district in Caroline county; a bill, entitled, An act for the benefit of Thomas Moore of Cæcil county; a bill, entitled, An act for the relief of Alexander Moore of Cæcil county; a bill, entitled, An act for the benefit of John Shick of Washington county; and the resolution authorising a loan of rifles.

The clerk of the house of delegates delivers the following bills: a bill, entitled, An act relating to the collection of the public taxes in Baltimore county, and a bill, entitled, An act to incorporate the Independent Manufacturing Company of Baltimore; which were severally read the first time and ordered to lie on the table. Also the following message:

BY THE HOUSE OF DELEGATES, December 13, 1816.

Gentlemen of the Senate,

We sent you a message on Tuesday proposing to supply the vacancy in our representation in the senate of the United States, produced by the resignation of Mr. Harper, to which no answer has been made by your honourable body. We therefore respectfully urge the propriety of proceeding to this election to day at one o'clock, as congress is now in session, and the interests of Maryland might probably be better secured, or more highly promoted, by a full representation in that body. Mr. Alexander Contee Hanson and Mr. William H. Winder, are put in nomination by this house, Messrs. Stoddert and Duvall are appointed by this house to join with the gentlemen named on your part in the examination of the ballots.

By order,

L. GASSAWAY, Clk.

Which was read.

On motion of Mr. Jackson the following message was read:

BY THE SENATE, December 13, 1816.

Gentlemen of the House of Delegates,

We have received your message proposing to go into an appointment of a senator to supply the vacancy occasioned by the resignation of the honourable Mr. Harper. The senate in postponing the proposed election have been actuated only with a view to the public good. Aware of the high and responsible situation of an United States senator, they are anxious that the public expression should be as general as possible, and their body not being full, several members having left the senate under the impression that no election would take place this week, for these reasons the senate decline for the present going into an appointment.

Which was read the second time, and the question put, will the senate assent to the said message? The yeas and nays being required, appeared as follows:

AFFIRMATIVE.

Mr. Dorsey, Mr. Emerson, Mr. Jackson, Mr. Magruder, Mr. Taney.—5.

NEGATIVE.

Mr. President, Mr. Gale, Mr. Hollyday, Mr. Hughlett, Mr. Leigh.—5.

So it was determined in the negative.

On motion of Mr. Gale, the following message was read:

BY THE SENATE, December 13, 1816.

Gentlemen of the House of Delegates,

We concur in the proposition made in your message of this date, and are prepared to go into the appointment of a senator of the United States to supply the vacancy occasioned by the resignation of the