

The bill relative to the making of a public landing place and road in Somerset county, was read the third time and will pass with the proposed amendment: Amendment proposed. At the end of the bill add, "And be it enacted, That if any person through whose land said road may pass, or whose land may be condemned for the landing aforesaid, shall conceive themselves aggrieved, either by the assessment of damages, or by the location and condemnation as aforesaid, it shall and may be lawful for such person or persons to pray an appeal from the decision of said commissioners or the said levy court to the judges of Somerset county court, who are hereby authorised and empowered to empanel a jury, and by their issue or issues to be framed for that purpose, try any fact or facts that may be thus put in issue, and finally to decide on such appeal as to them shall seem just and equitable."

The senate proceeded to the third reading of the supplement to the act, entitled, An act for the benefit of the University of Maryland, passed at December session 1816, ch. 28, and on motion of Mr. Parnham to strike out the word "ten" 4th line 2nd sec. for the purpose of inserting "five," the question was put, Will the senate strike out for the purpose of inserting as proposed? The yeas and nays being required appeared as follow:

AFFIRMATIVE—Mr. President, Messrs. Magruder, Parnham—3.

NEGATIVE.—Messrs. Carmichael, Cresap, Emerson, Gale, Harper, Hughlett, Jackson, Maxcy, Taney, West.—10.

Determined in the negative.

The bill being read, the question was put, Shall the bill pass? Resolved in the affirmative. The senate proceeded to the third reading of the resolution in favour of the Maryland University, the same being read, the question was put, Will the senate assent to the same? The yeas and nays being required appeared as follow:

AFFIRMATIVE—Messrs. Cresap, Emerson, Gale, Harper, Hughlett, Jackson, Magruder, Maxcy, Parnham, Taney, West.—11.

NEGATIVE.—Mr. President, Mr. Carmichael.—2.

Resolved in the affirmative.

The bill to enable Hezekiah Niles, of the city of Baltimore, to dispose of certain books in the manner therein mentioned, was read the third time, and on motion of Mr. Carmichael to strike out the 2nd sec. the question was put, Will the senate strike out the same? The yeas and nays being required appeared as follow:

AFFIRMATIVE—Mr. President, Messrs. Carmichael, Cresap, Gale, Parnham.—5.

NEGATIVE.—Messrs. Emerson, Harper, Hughlett, Jackson, Magruder, Maxcy, Taney, West.—8.

Determined in the negative.

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

AFFIRMATIVE—Messrs. Emerson, Harper, Hughlett, Jackson, Magruder, Maxcy, Taney.—7.

NEGATIVE.—Mr. President, Messrs. Carmichael, Cresap, Gale, Parnham, West.—6.

Resolved in the affirmative.

The bill to exempt a lottery therein mentioned from the tax imposed thereon, was read the third time, and on motion of Mr. Taney, the question was put, Will the senate receive the following amendment? At the end of the 1st sec. add "provided that the said lottery shall be liable to a tax of one per cent. to be received and paid in the manner now required by law?" Resolved in the affirmative.

On motion of Mr. Taney to strike out the 2nd sec. the question was put, Will the senate strike out as proposed? Resolved in the affirmative.

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

AFFIRMATIVE.—Mr. President, Messrs. Emerson, Gale, Harper, Jackson, Magruder, Maxcy, Parnham, Taney, West.—10.

NEGATIVE.—Messrs. Carmichael, Cresap, Hughlett.—3.

Resolved in the affirmative.

On motion of Mr. Gale to reconsider the bill respecting an application for a road in Baltimore county court by Thomas Owings, the question was put, Will the senate reconsider the same? Resolved in the affirmative.

On motion of Mr. Harper, the question was then put, Will the senate receive the following as an amendment. After the title insert the following preamble: "Whereas it is stated to this general assembly, by the memorial of Thomas H. Gist of Baltimore county, that sundry petitions have heretofore been presented to the general assembly by a certain Thomas Owings, of Baltimore county, praying for a road from his mill through the lands now occupied by said Thomas H. Gist, and that the said Thomas Owings has heretofore applied, at five different sessions of the general assembly of this state, for said road, which said applications have been rejected, some of them after a full hearing of the parties: And whereas it is further stated as aforesaid, that a decision has heretofore been pronounced by Baltimore county court at September term seventeen hundred and ninety four, upon the petition of the said Thomas Owings, praying for a road through the lands now occupied by the said Thomas H. Gist, and it is just that if the said facts should be found to be true, the said Thomas H. Gist should be relieved from any further application concerning the said road; therefore." Resolved in the affirmative.

On motion of Mr. Harper, the question was then put, Will the senate receive the following as an amendment. Strike out from the word "the" 1st line enacting clause to the end of the bill and insert: "decision so as aforesaid made by Baltimore county court, upon the petition of the said Thomas Owings, shall be conclusive evidence that the said road ought not to be opened, either as a public or private road, provided it shall appear to Baltimore county court, by such summary inquiry as it shall deem proper, that the road which was the subject matter of the said former decision in that court, and of the several petitions to the general assembly above mentioned, is or shall be substantially the same road which is or shall be applied for by or on behalf of Baltimore county, or of any person or persons whatever." Resolved in the affirmative.

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

AFFIRMATIVE.—Mr. President, Messrs. Cresap, Emerson, Harper, Hughlett, Jackson, Maxcy.—7.