

leading from Gettysburg through Nicholson's Gap at the Pennsylvania line, were read a second time and laid on the table.

Mr Johnson from the committee to whom was referred the bill to repeal an act for the relief of poor and distressed families in cases of execution for debt and distress for rent, reported the same with sundry amendments; which amendments were read the first and by special order a second and third time and assented to, and the bill as amended was read a third time and will pass.

Mr Quinton from the committee to whom was re-committed the bill relating to public notices in certain cases, reported the same with sundry amendments, which were read, and on motion of Mr Chambers was with the bill re-committed.

Mr Chambers proposed the following message:

BY THE SENATE, Feb 2, 1822.

*Gentlemen of the House of Delegates*—We have considered the resolution received from your honorable body in favor of Luther Martin, Esq. and have been compelled to reject it.

The senate are constitutionally prohibited from making alterations or amendments in any proposition having for its object the appropriation of money in the treasury.

They have therefore been obliged to express an opinion on the subject as it now presents itself and they cannot but believe that the recital connected with the Resolution, would, if adopted, leave room to doubt the real and only principle on which the senate can believe the appropriation to be justified.

The introduction of a principle contemplating a Pension for civil services alone and unconnected with any revolutionary claims will be novel to our constitution and laws, and the senate think repugnant to the general system and policy of our government.

The Senate are of opinion that if claims for civil services, unaccompanied with revolutionary services, cannot alone be made the ground of application for a pension from the state, they ought not to be made in part the ground of such application.

How far the services of Mr Martin, in reference to the accomplishment of our revolutionary struggle, entitle him to the benefit of the resolution, is not in the view of the senate, the subject presented to their consideration, because these services are recited as a portion only of the inducement to the resolution.

Other service and other grounds of claim assumed by the preamble are thus made a part of the motive of this resolve, and the senate believe may be the occasion of future misconception and of most mischievous precedent.

Which was read.

By order,

WM. KILTY, Clk.

On motion of Mr Wootton the question was put, will the senate strike out the words "Revolutionary claims," in the said message, and insert military services? The yeas and nays being required appeared as follow:

AFFIRMATIVE—Messrs Brownley, Cockey, Kent, Miller, Orrell, Quinton and Wootton.—7.

NEGATIVE.—Messrs Stuart (President,) Chambers, Claude, Johnson and M'Kim.—5. So it was resolved in the affirmative.

The question was then put, will the senate agree to the message as amended? The yeas and nays being required appeared as follow:

AFFIRMATIVE.—None.

NEGATIVE—Messrs Stuart (President,) Brownley, Cockey, Chambers, Claude, Johnson, Kent, Miller, M'Kim, Orrell, Quinton and Wootton.—12. So it was unanimously determined in the negative.

The bill to provide for the widening of East street, in the city of Baltimore, was read a second time and referred to Messrs Johnson, Wootton and M'Kim.

The clerk of the house of delegates delivered the following message:

BY THE HOUSE OF DELEGATES, Feb 2, 1822.

*Gentlemen of the Senate*—In the discharge of a melancholy duty we inform you of the decease of James Brooke, esq. late a delegate from Kent county, and a member of this house. As a testimonial of respect to his memory, we propose that the members of both branches of the Legislature, convene to-morrow evening at 3 o'clock, to join in procession at his funeral.

Which was read.

By order,

JOHN BREWER, Clk.

Also the following resolve. RESOLVED, That the Legislature, in respect to the memory of the late James Brooke, Esq. deceased, a delegates from Kent county, who departed this life, while attending to the discharge of his Legislative duties, wear scarfs and bands during the remainder of the session; and that the funeral expenses be placed on the journal of accounts; which was read and assented to.

The following message was read, agreed to and sent to the house of delegates.

BY THE SENATE, Feb. 2, 1822.

*Gentlemen of the House of Delegates*,—We concur in your proposal that the members of both branches of the Legislature convene to-morrow evening at 3 o'clock, to join in procession at the funeral of James Brooke, Esq. late a member of your house from Kent county.

By order,

WM. KILTY, Clk.

The senate adjourned until to-morrow morning 10 o'clock.

MONDAY, FEBRUARY 4, 1822.

The senate met. Present the same members as on Saturday, except Mr. Bowie, Mr Dickinson and Mr. Chambers. The proceedings of Saturday were read.

Mr. Price appeared in the senate.

The supplement to the act for the distribution of a certain fund for the establishment of free schools in the several counties therein mentioned, was read a second time, amended and ordered to lie on the table.