

On motion by Mr. Johnson, leave was given to bring in a bill for the more effectual amendment of legal proceedings, and it was ordered that Messrs. Johnson, Price and Claude, be a committee to prepare and bring in the same.

Mr. Price from the committee to whom was referred the resolution in favor of Roger Hooper, reported that the committee had had the same under consideration, and were of opinion that the resolution ought to pass. The resolution was then read a second, and by special order a third time, and assented to.

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

FRIDAY, JANUARY 10, 1823.

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

The resolution in favour of Roger Hooper, was sent to the house of delegates.

The communication from the executive relative to the Maryland Penitentiary, with the documents accompanying the same, were sent to the house of delegates.

On motion by Mr. Johnson, leave was given to bring in a bill to be entitled, *An act relating to bail in civil cases*, and it was ordered, that Messrs. Johnson, Wootton and Orrell, be a committee to prepare and bring in the same.

The bill to reduce the per diem of the justices of the orphans court of Anne-Arundel county, and for other purposes, was read a third time by special order, and the question was put, shall the bill pass? Determined in the negative, and it was sent to the house of delegates.

The clerk of the house of delegates delivered a resolution relative to the payment of the balance due Elie Williams, esq. which was read and referred to Messrs. Price, Brownley and Claude.

Also a bill, entitled, *An act to repeal so much of the act therein mentioned, as relates to Somerset county*; which was read the first time and laid on the table.

Also a bill, entitled, *An act for the relief of Caleb Merryman and John Merryman, of Benjamin, securities of William Merryman, late sheriff of Baltimore county*; which was read the first time and referred to Messrs. Johnson, Wootton and Quinton.

The clerk of the council delivered a communication from the executive, enclosing letters from the senators representing the state of Maryland in the senate of the United States, acknowledging the receipt of certain resolutions, lately adopted by the legislature of Maryland, on the subject of national defence and internal improvement; which was read and referred to the consideration of the house of delegates.

The clerk of the house of delegates delivered a bill, entitled, *An additional supplement to the act, entitled, An act for the relief of the poor in the counties of Dorchester and Somerset*; which was read the first time and laid on the table.

Also a bill, entitled, *A supplement to the act, entitled, An act to make public the proceedings of the levy courts in the several counties in this state*; which was read the first time and referred to Messrs. Brownley, Price and Cockey.

Also a bill, entitled, *An act for the relief of George Yeaman, of the city of Baltimore*; which was read the first time and referred to Messrs. Chambers, Cockey and Claude.

Also a bill, entitled, *An act for the benefit of the heirs of Jesse H. Wainright, late of Somerset county*; which was read the first time and laid on the table. And returns the bill entitled, *A supplement to the act, entitled, An act to provide for the recording of certain deeds and other papers, endorsed, 'will pass,' and it was ordered to be engrossed.*

Mr. Johnson submitted the following report:

The committee to whom was referred the bill, entitled, *An act for the benefit of James C. M'Dowell, of Cecil county*, report, that they have had the same under consideration, and think it ought to be rejected. The object of the bill is to free M'Dowell from the necessity of procuring the assent of two-thirds of his creditors, to his discharge as required by the act of 1805. By the act of 1812, chap: 77, sufficient provision is made, in the opinion of the committee, to effect that object.

By this last act complete benefit of our insolvent laws may be obtained without the approbation of creditors, if that approbation, in the opinion of the court to whom the subject is presented, be vexatiously and unreasonably withheld. If it be proper to require the assent of creditors at all, in no other case, than the above, ought it to be dispensed with.

By order,

T, W. LOOCKERMAN, Com. Clk.

Which report was read and concurred in.

The bill for the benefit of James C. M'Dowell, of Cecil county, was then read a second, and by special order a third time, and will not pass.

Mr. Johnson asked and obtained leave of absence for Mr. Bowie.

On motion the question was put, will the senate proceed agreeably to their resolution, to the election of a member to fill the vacancy occasioned by the resignation of Isaac M'Kim esquire? Determined in the affirmative.

The senate proceeded to said election, and the ballots being deposited in the ballot box, on examination thereof, it appeared that General William H. Winder, had eleven votes, being the whole number of the members present in the senate chamber.

Whereupon it was declared in the senate, that General William H. Winder, having had all the votes of the attending members of the senate, is unanimously elected a member of the senate of Maryland.

On motion by Johnson, ordered, that the president address a letter to William H. Winder, esqr. informing him that he has this day been unanimously elected a senator of Maryland, and requesting him to take his seat at as early a period as practicable.