

VOTES AND PROCEEDINGS, November, 1791.

entered until proof shall be made, on oath or affirmation as aforesaid, that the debt and costs have been demanded by the plaintiff, his agent or attorney, of the said sheriff, and that he has refused or neglected to pay the same.

“ And be it enacted, That if any sheriff, against whom judgment shall be entered as aforesaid, shall satisfy the plaintiff the amount of his debt and costs, he shall have the same remedy against the defendant on the plaintiff's judgment against him, as the plaintiff himself might originally have had.

“ And be it enacted, That any justice, imposing any fine by virtue of this act, may also execute for the same in the nature of *capias ad satisfaciendum*, or *fiari facias*, directed to the sheriff, or coroner, as the case may require, and the same shall be applied towards defraying the county charges.

“ And be it enacted, That all constables hereafter to be appointed, instead of the oath of office now directed by law to be taken shall take the following: “ I, A. B. do swear, that I will faithfully and honestly serve in the office of constable for ——— hundred in ——— county, and will truly, according to my power, skill and knowledge, perform and execute the duties belonging to the office of constable so long as I shall continue in such office. So help me God.”

“ And be it enacted, That upon any arrest made by any constable on any warrant issued in virtue of this act, it shall be lawful for the constable making the arrest to take bond from the person arrested, in a sum not exceeding fifteen pounds, conditioned for his appearance before a justice of the peace of the same county, to be named in the said condition, on the return day of the warrant, to answer the suit of the plaintiff, and in case of refusal to give such bond, with sufficient security, such constable may lodge such person in the common gaol of the county, to be safely kept by the sheriff until the return day of the said warrant.”

At the end of the bill insert as follows: “ This act to continue for six years, and until the end of the next session of assembly thereafter.”

Which were read the first and second time.

The following message:

BY THE SENATE, DECEMBER 26, 1791.

GENTLEMEN,  
STRONGLY impressed with the opinion, that all the business of a public nature, essential to be acted upon this session, may be completed in a day or two, and the members of this house being extremely anxious to return to their respective homes, the senate have determined to rise on the ensuing Wednesday, and propose to adjourn to the first Monday in November next.

By order, H. RIDGELY, clk.

Which was read.

The following message being prepared, was sent to the senate by the clerk.

BY THE HOUSE OF DELEGATES, DECEMBER 26, 1791.

MAY IT PLEASE YOUR HONOURS,  
WE are equally anxious with the senate to bring the session to a speedy conclusion, and have agreed to rise on Wednesday next, and to adjourn to the first Monday in September.

By order, W. HARWOOD, clk.

On motion, ORDERED, That the committee of claims close the journal of accounts on Wednesday morning.

On motion, the question was put, That leave be given to bring in a supplement to an act, entitled,

An act to establish permanent salaries for the chancellor and the judges? Determined in the negative. The clerk of the senate delivers the bill respecting the claims of the Messieurs Vansaphorits against the state of Maryland, endorsed; “ By the senate, December 22, 1791: Read the first time and ordered to lie on the table.

“ By order, H. RIDGELY, clk.

“ By the senate, December 26, 1791: Read the second time and will pass with the proposed amendments.

“ By order, H. RIDGELY, clk.

Amendments proposed. After the word “ demand” in the 9th line of the second page insert “ relinquishing the benefits of the act, entitled, An act respecting the creditors and debtors of this state, passed at November session, 1790.” Strike out the word “ June” in the 8th line from the bottom of the 3d page and insert “ July.”

Which were read the first and second time, agreed to, and the bill ordered to be engrossed.

Mr. Pinkney, from the committee, brings in and delivers to Mr. Speaker a bill, entitled, An act to appoint an agent for the year seventeen hundred and ninety-two, and for other purposes, which was read the first time and ordered to lie on the table.

Mr. Seney, from the committee, brings in and delivers to Mr. Speaker the following report:

THE committee to whom was referred the memorial of James Hutchings, of Queen Anne's county, report, that the auditor-general, pursuant to a resolve of the last session, to which the committee refer the honourable house, liquidated and adjusted the claim of the said James Hutchings against the late Sir Robert Eden, and there appeared to be a balance due to the said James Hutchings of £. 749 13 2, of which he has been paid £. 356 5 10, and no more, that being the balance of the amount of the valuation of the property of the said Sir Robert Eden under a former resolution of the general assembly; they further find, that the property of the said Sir Robert Eden was valued in the month of April, 1789, by Charles Wallace, John Davidson and John Randall, to the sum of £. 749 15 0, including £. 244 15 0 personal property, and the houses and lots now the residence of the governor of the state, were occupied by the state about seven years previous to the last mentioned valuation.