

VOTES AND PROCEEDINGS, NOVEMBER SESSION, 1807. - 103

Little, Seth and T. B. Dorsey, a committee thereon, on the part of this house, to join the committee of the senate.

By order,
The house adjourns until to-morrow morning 9 o'clock. J. BREWER, clk.

W E D N E S D A Y, January 13, 1808.

THE house met. Present the same members as on yesterday. The Speaker appears and resumes the chair. The proceedings of yesterday were read.

The bill to incorporate a society to educate and maintain poor orphan and other destitute female children, by the name of The Orphaline Charity School, and to repeal the act of assembly therein mentioned, the bill to continue certain acts of assembly, the bill authorising the drawing of a lottery for raising a sum of money for the purposes therein mentioned, the bill to vest certain powers in the orphans court of Charles county, and for other purposes, the further supplement to the act, entitled, An act for the relief of sundry insolvent debtors, passed at November session, eighteen hundred and five, the bill altering the time for holding the county court of Montgomery county, the bill to abolish all such parts of the constitution and form of government as relate to the time and manner of electing the senate, and the mode of filling up vacancies in that body, the bill investing the justices of the levy courts of the several counties in this state with further powers, the resolution in favour of Letitia Crookshanks, the message relative to closing the session, and the message appointing a committee to examine the treasury, were sent to the senate by the clerk.

A memorial from James Biays, and others, of the city of Baltimore, praying an inquiry into the conduct of Judge Dorsey, was preferred and read.

The house proceeded to ballot for a committee to consider and report thereon, and the ballots being deposited in the ballot box, the gentlemen named to strike retired, and after sometime returned and reported, that Mr. Tabbs, Mr. T. Dorsey, Mr. Steuart, Mr. J. E. Spencer and Mr. Sudler, were elected.

The clerk of the senate delivers the supplement to the act, entitled, An act to appoint and authorise commissioners to review and lay out the road therein mentioned in Harford county, and the bill to lay out, straighten and amend, an old road in Harford county, from the Maryland line to Isaac Davis's, severally endorsed, "will not pass." The resolutions in favour of Thomas S. Brewer and John Trueman, severally endorsed, "dissented from." And the following message:

By the S E N A T E, January 12, 1808.

Gentlemen of the House of Delegates,

WE have negatived your resolution in favour of John Trueman. The senate, in their message accompanying their dissent to your former resolution on this subject, meant not to be understood as offering "an alternative" to the house of delegates. We were of opinion that the sum proposed by you was too large, and that the legislature, in bestowing their charity on an infirm and superannuated attendant of the house of delegates, ought also to regard the indigent widow and family of a deceased officer of the senate, at least equally as meritorious, in every point of view, and whose family, by the death of a husband and a father, have at once been deprived of all resources depending on his life. If the senate had not been desirous to avoid the litigated question of the constitutional right of their altering a resolution of that description, they would have directly amended it, by reducing the sum and extending the provisions of the resolution to Edward Roberts's widow and family. Would this, we ask, if it had been done, had the appearance of offering to your house an alternative? surely it could not, no more than when your branch sends us a bill for the relief of sundry insolvent debtors, named therein, the senate amend the same by the insertion of the names of other persons, whom they conceive also equally entitled to the benefits of such a bill; so in the case now agitated, the senate, to avoid raising a question that might have been occasioned by directly amending your resolution, suggested, by way of message, the extensions of its provisions, as an amendment upon which it would meet their approbation. This, we conceive, is perfectly accordant to the customary forms of proceeding, and upon principles of correct legislation, should be denominated "an amendment suggested," and not "an alternative" offered.

By order,
T. ROGERS, clk.

Which was read.

Also a letter from the executive, suggesting the propriety of increasing the contingent fund; which was read, and referred to Mr. Little, Mr. T. Dorsey, Mr. J. E. Spencer, Mr. Stone and Mr. Winder, to consider and report thereon.

A petition from Margaret Proctor, of Baltimore county, praying that the real estate of her late husband may be sold, was preferred, read, and referred to Mr. Little, Mr. Harryman and Mr. M. Brown, to consider and report thereon.

A petition from John Walters, of Talbot county, praying a special act of insolvency, was preferred, read, and referred to Mr. Kerr, Mr. Seth and Mr. Stevens, to consider and report thereon.

ORDERED, That the report and resolution in favour of John Smith Brookes be withdrawn.

Mr. Little, from the committee, delivers to the speaker a bill, entitled, An act to incorporate the New Market fire company in the precincts of Baltimore; which was read the first time and ordered to lie on the table.