

act for the valuation of real and personal property within this state, the bill to prevent the erection of huckster's booths near the places and during the times of divine worship, the further supplement to an act, entitled, An act for regulating the mode of staying executions, and repealing the acts of assembly therein mentioned, and the bill to repeal so much of the act, entitled, An act for erecting a village at Choptank bridge, in Caroline county, and for other purposes, and the several supplements thereto, as prohibits the running at large of geese and swine in said village, severally endorsed, "will not pass." Also the bill to lay out and open a road in Caroline county from or near Cain Ross's plantation to intersect the state line at or near Brown's chapel, endorsed, "will pass with the proposed amendments;" which amendments were read, agreed to, and the bill ordered to be engrossed. The bill to make public the road therein mentioned, endorsed, "will pass with the proposed amendments;" which amendments were read. Also the resolutions in favour of William Dawson, Ariana French, Robert Halkerstone, William Keough, John Trueman, John Lynch, Denwood Hicks, Gassaway Watkins and David Hopkins, severally endorsed, "dissected from." Also the resolution in favour of John C. Bond, endorsed, "assented to." And the resolution in favour of John Wilkins, endorsed, "will pass with the proposed amendment;" which amendment was read and agreed to.

Mr. Tilghman appears in the house.

The following message was read.

By the HOUSE of DELEGATES, December 21, 1808,

Gentlemen of the Senate,

NOTHING but a strong sense of public duty could induce us at this late period of the session to solicit your attention once more to the bill herewith sent, entitled, An act to regulate the fees of the register of the court of chancery, but having passed this house on the 16th by a very considerable majority, and being returned the day before yesterday with the negative of the senate simply endorsed upon it, we cannot relinquish the hope that, upon a reconsideration of the bill, the reasonableness and expediency of its provisions must be apparent to the wisdom and justice of your honourable body.

It can be scarcely necessary to premise what was the original motive of the legislature in establishing the fees of the register in chancery, and of the clerks of the old court of appeals and the late general court, according to the rates at which they stand in the fee bill of 1779, so much greater than those allowed to the clerks of the county courts for the performance of similar services; it is sufficient to know that this difference did not arise from any proportionate difference in the skill and labour required for the respective offices; and that with regard to the court of appeals under its new organization, the legislature, by the act of 1805, have deemed it just and proper to correct this inequality by enacting that thereafter "the clerks of the court of appeals for the western and eastern shore respectively shall have the same fees for their services as the clerks of the county courts were entitled to for the same and similar services by law," and yet the fees of the register in chancery have been suffered to remain as they were, and thus this officer is permitted to receive charges of a much higher compensation than are allowed to the officer in a court of the first dignity and the highest appellate jurisdiction in the state, or than are allowed to the clerks of the county courts, where the services are similar, or precisely the same. We submit to the senate a brief comparative statement of some of the principal items, which will not fail to attract their notice, as it exhibits a singular and striking contrast.

F E E S.

To the clerks of the county courts.

To the register in chancery.

	lbs. Tobacco.		lbs. Tobacco.
For filing every bill,	2		20
every answer,	2		17
every plea,	2		4
every demurrer,	2		4
accounts, books of entries, &c.	2		4
every return of commission,	2		4
every petition and order thereon,	2		4
copying any matter and not enumerated,	4		8
For every continuance,	2		20

The fee last specified, for the continuance of causes in the chancery court, being ten times the value of what is allowed in the other courts, and being manifestly exorbitant in its nature, ought not to escape a particular consideration. For every continuance of a cause the register now receives 20 lbs. of tobacco, or the sum of 2/6, so that for every cause which continues on the docket one year, (and we apprehend there are very few indeed which continue less,) there being four terms in the year, the register is entitled of course to the sum of ten shillings for his service, which service is generally a mere fictitious one, and cannot consist in any thing more than in entering the mark of continuance in the four quarterly columns as they are extended through a single docket, which he annually makes out for his own use, and thus, it being ascertained that there are at this moment at least twelve hundred cases depending in chancery, it results, from a very obvious and simple calculation, that the register derives no less than the enormous amount of six hundred pounds a year from the mere ar-