

VOTES AND PROCEEDINGS, NOVEMBER SESSION, 1810.

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A division of the question was called for by Mr. Archer, and put on striking out? The yeas and nays being required, appeared as follow:

A F F I R M A T I V E.							
Neale	Warfield	T Blake	Bayly	F Hall	Handy	Gaither	Perry
Hebb	Reynolds	Dorsey	Jackson	Herbert	T Williams	Abram Jones	J Bayard
Comegys	Ireland	Rogerson	Arnold Jones	Mackubin	Quinton	Hilleary	A Browne
R Hall	Grahame	Randall	Dennis	Wilson	Owen		
N E G A T I V E.							
C Hall	Marriott	Moffitt	Bowie	P Blake	Willis	Bland	T Hall
Harris	Harryman	Physick	Boyle	Swearingen	Jump	Martin	Downey
Welch	Stevens	Groome	Miers	Archer	P Bayard	Bowles	W Williams
Belt	Nabb	Cross	Burgess	Davis			

So it was resolved in the affirmative.

The question was then put on the amendment? The yeas and nays being required, appeared as follow:

A F F I R M A T I V E.							
Neale	Reynolds	Dorsey	Jackson	F Hall	Handy	Gaither	Perry
Hebb	Ireland	Rogerson	Arnold Jones	Herbert	T Williams	Abram Jones	J Bayard
Comegys	T Blake	Randall	Dennis	Wilson	Quinton	Hilleary	A Browne
R Hall	Grahame	Bayly					
N E G A T I V E.							
C Hall	Marriott	Moffitt	Bowie	Burgess	Archer	P Bayard	T Hall
Harris	Harryman	Physick	Mackubin	P Blake	Davis	Bland	Downey
Welch	Stevens	Groome	Boyle	Swearingen	Willis	Martin	W Williams
Belt	Nabb	Cross	Miers	Cockey	Jump	Bowles	

So it was determined in the negative.

The amendments proposed by the senate to the additional supplement to the act, entitled, An act respecting the equity jurisdiction of the county courts, were read the second time, and the question put, That the house assent to the first amendment? The yeas and nays being required, appeared as follow:

A F F I R M A T I V E.							
C Hall	Marriott	Warfield	Cross	Mackubin	Archer	Willis	Bland
Belt	R Hall	Harryman	Bowie	Boyle	Davis	Jump	Martin
N E G A T I V E.							
Neale	Ireland	Stevens	Dennis	Miers	T Williams	Bowles	Abram Jones
Hebb	T Blake	Nabb	Moffitt	Burgess	Quinton	Downey	Hilleary
Harris	Grahame	Bayly	Physick	P Blake	Swearingen	W Williams	Perry
Comegys	Dorsey	Jackson	T Hall	Wilson	Cockey	Owen	J Bayard
Welch	Rogerson	Arnold Jones	Herbert	Handy	P Bayard	Gaither	A Browne

So it was determined in the negative.

The question was put, That the house assent to the second amendment? Determined in the negative.

On motion by Mr. Dorsey the following message was read:

By the HOUSE of DELEGATES, December 24, 1810.

Gentlemen of the Senate,

Intimately acquainted with the wants and wishes of our constituents, we cannot refrain expressing our unfeigned concern for the disappointment they will sustain by your denying to them the advantages contained in the bill, entitled, A further supplement to the act, entitled, An act relating to the equity jurisdiction of the county courts. It will not be deemed inconsistent with the decorum due to your honourable body to examine the reasons why you refuse your sanction to this bill, so interesting to the less wealthy of our citizens. The house of delegates, annually elected from the people, is constitutionally supposed to be the organ of their immediate will, and in their acts of legislation to express the opinions of those by whom they are selected, therefore their sanction to any proposition of a general nature presupposes a coincidence of opinion in those they represent, a practical construction correspondent with this constitutional inference has uniformly prevailed in the legislature of this state; nor is it recollected that any of the important reforms in our jurisprudence owe their existence to any other expression of the public will, than that of the immediate representatives of the people; it is presumed that it is the only mean by which the unequivocal and undoubted wishes of voters can be ascertained, and we should be guilty of a base dereliction of our rights did we recognize any other expression of the public voice than that proceeding from this house. But independent of these general propositions, the rise and progress of the bill, the subject of the present message, prove beyond all doubt, that the extension of the equity jurisdiction of the county courts is a most desirable measure to the freemen of Maryland.

In the session of 1808, the contemplated change was much agitated in the popular branch; it was negatived by one vote. The election of 1809 brought an accession of real strength in favour of the reform, and the bill passed the house of delegates with only thirteen dissenting votes; it was negatived by your honourable house. The house of delegates made an appeal from your determination to the state, and caused the very bill which we have acted on this session to be published for the consideration of the people; the bill excited the public attention, and the voice of the people has been manifested in its favour by the selection of delegates who have, with an