

N E G A T I V E.

Neale	Ireland	Rogerson	F Hall	Handy	Swearingen	Bowles	Abram Jones
Hebb	T Blake	Jackson	Herbert	T Williams	Cockey	Owen	J Bayard
Harris	Grahame	Moffitt	Wilson	Quinton	Willis	Gaither	A Browne
Reynolds	Dorsey	Physick					

The house being equally divided, it was declared in the affirmative by the speaker, and sent to the senate.

The engrossed bills from No. 115 to No. 130, inclusive, from 135 to 139, inclusive, from 141 to 169, inclusive, were read, assented to, and sent to the senate.

On motion by Mr. Dorsey, the following resolution was read, assented to, and sent to the senate.

RESOLVED, That the treasurer of the western shore pay to John Sullivan, the sum of fifty dollars, as messenger to the court of chancery.

The clerk of the senate delivers the engrossed bills Nos. 131, 132, 133, 134 and 140, endorsed, "read and assented to;" which were read, assented to, and sent to the senate.

The bill to alter and change the public road leading from or near Mile's river ferry, endorsed, "will pass with the proposed amendments;" which amendments were read, agreed to, and the bill ordered to be engrossed. The bill for the payment of the journal of accounts, endorsed, "will pass." Ordered to be engrossed.

The resolution relative to the per diem, and the resolutions in favour of James Earle, junr. the examiner-general, and William E. Pinkney, severally endorsed, "assented to." The resolutions in favour of Robert B. Belt, Henry Reading, Sarah Easton and Dorothy Storer, Thomas Gadd, Cornelius Mills, and Robert Walters, severally endorsed, "dissented from." Also the following messages.

By the S E N A T E, December 25, 1810.

Gentlemen of the House of Delegates,

WE have received your message, or protest, accompanying the bill concerning the equity jurisdiction of the county courts, which containing no avowed or explicit object of communication connected with the passage of the bill, we were at a loss to determine how, according to the usual course of parliamentary proceedings, this message could become a subject for the consideration of the senate. But feeling that high respect for the house of delegates which should ever be reciprocated by the two branches of the legislature, we have, in order that your communication might not pass without the notice of an answer, been induced to believe, by matter of inference, that the amendments proposed by us to the further supplement to the act, entitled, An act relating to the equity jurisdiction of the county courts, have been negatived by you, and are returned for reconsideration, with a request that the senate may recede therefrom. We will not controvert the position that it is not inconsistent with the decorum due from your honourable body to examine the reasons of this house on any subject on which they may have passed a determination, but it is a matter of regret to the senate, in the present instance, that these reasons were not more thoroughly known and understood before the house of delegates should have made them the object of a formal protest. Judging from the first sheet of your message, it would seem that this house had made a positive rejection of the bill, which appears to be, in so peculiar a manner, the desideratum of your body, whilst in the latter part of your communication you state, that the senate have avoided any decision on the question, and flatter yourselves, that upon reconsideration, we would adopt the bill. What may be the precise object of this alternate statement and reasoning it is not material now to investigate.

The first amendment proposed was introduced solely with a view to render the bill in strict conformity to the provisions of the act to which it purports to be a supplement, and from a belief that equity and justice would be as satisfactorily and more expeditiously administered in the court of chancery, which is always in session, than in the court of appeals which sits but twice a year. As to the insinuation that this measure was founded in a wish to promote the interest of an officer, at the expense of the public, the senate know too well the respect due to themselves to answer it.

With regard to the second amendment, the senate were influenced to its adoption as well on the ground of their not being satisfactorily informed that the people required this important change in the jurisprudence of the state, as from a belief that the bill received from your house was so materially defective in the detail as to be inadequate to the accomplishment of the object of its framers. From the bill's not being submitted to our consideration until the very close of the session, when subjects of an imperious nature, and not susceptible of postponement, were pressed upon us, and when the house of delegates themselves were referring almost every law which was susceptible of reference to the next general assembly, the senate feeling themselves unable, for want of time, to render, by amendments, the bill perfect in all its parts, consented to pass it with a provision by which its operation would be postponed for twelve months, and, from its publication with our laws, disseminated throughout the state, the attention of the people would be called to the subject, and time would be afforded for the preparation of those amendments making the system complete and effectual.

Whilst we feel every disposition to concede to the house of delegates their full weight in the legislative proceedings of the state, we cannot refrain from declaring our dissent from the principle assumed by you, that the public voice, on subjects of a general nature, can only be expressed through the medium of your house. Such a position, if admitted, would wrest from the senate the dignity and power secured to them by the constitution as a co-ordinate branch of the legislature, and the assumption of such a principle by your house, would become the subject of a decisive protest on the part of our body, did we permit ourselves to use any intemperate harshness in our correspondence with you. With much greater propriety, we humbly conceive, might the