

thus excluded the senate's acting further on than by solely giving their assent or dissent, you have annexed to, and blended with, a series of details and regulations on which the senate cannot, consistent with their duty, give up the right of exercising their discretion and judgment. We will enumerate some of the most prominent: The amount of the money thus appropriated; the ratio of the apportionment among the several counties; the appointment of the trustees. The sum appropriated we believe to be larger than the annual income of the state, after the payment of the civil list and other appropriations heretofore made, will be able to meet; the apportionment does not appear to us to be made upon the true and proper grounds, and we conceive that whenever legislative appointments are to be made, the senate claims and ought to exercise its due weight in the selection. No less than two hundred and thirteen persons have been named by you as trustees; for the senate to adopt the whole of your nominations, and agree to make none, can never be acceded to by this body. That the senate should permit themselves to be tied down to a mere assent and negative to a bill containing such important measures and provisions as are contemplated by this bill, without exercising their judgment thereon, because the house of delegates, by annexing a clause, appropriating money in the treasury, have made it a money bill, would be a dangerous precedent; it would be in the senate a relinquishment of a right they possess, an abandonment of a duty constitutionally committed to them, and which they feel themselves fully competent to exercise. Conceiving, therefore, that constitutionally the above details and regulations ought not to have been annexed to, and blended with, a law appropriating money in the treasury, we have negatived the bill and sent it back for your reconsideration, hoping sincerely that it may pass your house in such manner and form as that the senate will be enabled to act jointly with yourselves in the details and regulations which they believe necessary to carry such law into advantageous effect. Be assured that the advancement of literature and the disseminating learning throughout the state, is regarded by the senate as an object of the first importance and consideration, and they have the most earnest desire to co-operate with you in passing a law promotive of so important purposes, upon which they shall not be precluded from exercising their constitutional rights.

By order,

T. ROGERS, clk.

By the SENATE, January 3, 1807.

Gentlemen of the House of Delegates,

WE have reconsidered the bill, entitled, A supplement to an act, entitled, An act authorising a lottery to raise a sum of money to purchase a fire engine, and to purchase ground and to build a school-house, in Rockville, in Montgomery county, and have passed the same.

By order,

T. ROGERS, clk.

Which were read.

Also the supplement to an act, entitled, An act authorising a lottery to raise a sum of money to purchase a fire engine, and to purchase ground and to build a school-house, in Rockville, in Montgomery county, endorsed "on reconsideration will pass." Ordered to be engrossed. The bill authorising the levy courts of Anne-Arundel and Prince-George's counties to levy a sum of money for building a bridge over Patuxent river, at Queen-Anne, the bill for the punishment of forgery, and for other purposes, and the bill to lay out and streighten a road from Towson's tavern, on the Baltimore turnpike road, to intersect the Pennsylvania line at major David Wiley's, severally endorsed "will pass." Ordered to be engrossed. The bill authorising a lottery in the city of Baltimore to raise a sum of money for the purposes therein mentioned, endorsed "will pass with the proposed amendment;" which amendment was read the first and second time by especial order, agreed to, and the bill ordered to be engrossed. The bill to make public a road in Charles county, and the bill for the encouragement of learning in this state, severally endorsed "will not pass." And the resolution relative to the penitentiary, and the resolution in favour of Edward Roberts, endorsed "assented to."

The house resumed the consideration of the supplement to an act, entitled, An act for the relief of sundry insolvent debtors; which was read throughout, passed, and sent to the senate by the clerk.

On motion, the question was put, That 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, be referred to the first day of June next? The yeas and nays being required, appeared as follow:

A F F I R M A T I V E.

Messrs	W. H. Brown,	Williams,	King,	Muir,	Dashiell,	Davis,	Bowles,	Briscoe,
	Pearce,	C. D. Hodges,	B. Hodges,	J. Brown,	Hawkins,	Keene,	Schnebly,	Beall,
	Belt,	Chapman,	Hall,	Sturgis,	Kuhn,	Turpin,	Darne,	Rizer.
	Merriken,	Parnham,	Callis,	Bishop,	Forwood,			29.

N E G A T I V E.

Messrs	Comegys,	Reynolds,	Harryman,	Martin,	Cox,	Mitchell,	Bayard,	Watts,
	Emerson,	M. Brown,	Kerr,	Ward,	Moffit,	Downes,	Jump,	Selby.

So it was resolved in the affirmative.

The following resolution was read the first and second time, and unanimously assented to.

Resolved unanimously, that the thanks of this house be presented to Tobias E. Stansbury, Esquire, in testimony of their approbation of his conduct in the chair, and of his ability, impartiality and attention, manifested in the discharge of the various duties assigned him as speaker of this house.

The report of the committee on the memorial of Samuel Moale was read the second time, and the resolution therein contained assented to.