

The said message having been read, Mr. Dennis moved to reconsider the bill therein referred to, and referred it to the committee to whom it was formerly referred, to wit; Messrs Dennis, Whiteley and Sewell, and it was accordingly so ordered,

And delivered a bill to relieve the Baltimore and Havre de Grace Turnpike Company from the paying the Levy court of Harford county for a county road, which was read the first time, and referred to Messrs. Sewell, Nelson and Kennedy.

Also a bill to authorise the several courts in this state to appoint surveyors in certain cases, which was read the first time.

The senate proceeded to the consideration of the bill entitled, a further supplement to the act concerning crimes and punishments, passed at November session 1809.

The said bill was then read a third time; Mr. Heath moved to amend the same by inserting after the word "necessary," in the 2d line of the 2d section, the words "or the commissioners of Baltimore county," which amendment was read and assented to.

On the further reading of the same section, Mr. Lloyd moved to strike out the whole of it in these words, to wit: "Section 2 And be it enacted, that it shall be the duty of the Levy courts of the several counties in which it may be necessary, or the commissioners of Baltimore county, to levy a sum sufficient for the fitting up as many apartments in their respective jails suitable for the purposes aforesaid"

Mr. Forrest moved to lay the bill and proposed amendment upon the table.

Upon this motion in debate ensuing, Mr. Kennedy asked whether upon a motion to lay a proposition upon the table, a debate upon the merits of the proposition was in order

The president declared that according to his recollection of the practice of the house of delegates whils* a member, and acting as presiding officer of that body, upon a motion, to lay a proposition while under debate upon the table, the whole merits of the proposition were open for debate, and in conformity with his recollections of that practice, decided the debate upon the motion of Mr. Forrest to be in order.

From this decision of the president Mr. Nelson prayed an appeal which was accordingly taken, and the president propounded the question, "will the senate sustain the opinion of the chair?" Determined in the negative.