

therein mentioned passed at November session 1809, chapter 75, was read a third time.

Mr. Johnson moved to amend the bill by striking out the words "by the authority aforesaid" in the first line of the 2d section, and the question was put, and determined in the affirmative.

The question was then put, "shall the bill pass?" The yeas and nays being required, appeared as follows:

AFFIRMATIVE.

Messrs. Herbert, Kennedy, Lloyd, Rees, Sawell, Thomas Whiteley.—7.

NEGATIVE.

Messrs. Marriott, Pres't Dennis, Forrest, Heath, Harrison, Johnson, Nelson.—7.

Determined in the negative, so the bill was rejected and returned to the house of delegates.

Mr. Forrest offered the following message which was read.

By the Senate February 11th, 1828.

Gentlemen of the House of Delegates,

We have received and considered your message proposing to us a reconsideration of the bill entitled, a further supplement to the act entitled, an act for the recovery of small debts out of court, and to repeal the acts of assembly herein mentioned, passed at November session 1809, chapter 76. No reason is assigned in the message for a change of the opinion of the senate, and we look in vain to the bill for such reason, we therefore adhere to our determination, and return the bill rejected.

Mr. Kennedy moved to strike out the following words of the message "and we look in vain to the bill for such reasons" and the question was put and determined in the affirmative.

Mr. Heath offered the following message as a substitute for the one offered by Mr. Forrest, as amended.

By the Senate, February 11th, 1828.

Gentlemen of the House of Delegates,

The senate in compliance with your request have reconsidered the bill entitled, a further supplement to the act for