

Speed appealed from the decision, and the question was put, That the house sustain the chair? Resolved in the affirmative.

Mr. M. Clean called for a division, and the question was put on striking out? Determined in the negative.

Mr. Wright moved to refer the said bill to 1st June next? Determined in the negative.

Mr. Worthington moved to strike out "two months," to insert "twelve months" in the clause requiring the mortgagor to have notice before the mortgagee proceeds to foreclose? Determined in the negative.

Mr. M. Clean moved to strike out to insert "six months?" Determined in the negative.

Mr. M. Clean moved to strike out to insert 3 months? Determined in the negative.

On motion by Mr. Howard, the words "excepting bank stock," were inserted after the words, "That when any sum or sums of money shall hereafter fall due on any mortgage of real and personal property."

Mr. Farquhar moved to refer the bill to the 4th July next? The yeas and nays being required appeared as follow:

Affirmative—Messrs. Hawkins, Kilgour, M. Clean, Beckett, Dalrymple, Shower, Worthington, Price, Turner, Spencer, Lloyd, Reyner, Dennis, Teackle, Jones, Sullivan, Travers, Wootton, Carroll, Nicholson, Wright, Parker, Barnes, Cromwell, Farquhar, Hope, Norris, Harcastle, Brown, Lee, M. Mahon—31.

Negative—Messrs. Speaker, Gough, Millard, Harris, Ireland, Hodges, Gantt, Maxcy, Estep, Parran, John Edelen, Chapman, Rogerson, King, Thomas, Henderson, Ewing, Grubb, Duvall, Speed, Kemp, Jarrett, Barwick, Boon, Howard, Bowles, Fouke, White, Merrick, Willson, Hoffman, Klipstine—32.

Determined in the negative.

Mr. Wootton moved to insert the words "nor shall he be permitted to foreclose the same, provided the mortgagor shall tender or pay one half of the principal and interest due on said mortgage," in the first section. When Mr. M. Clean moved to recommit the bill? Determined in the negative.

Mr. Beckett moved to refer the bill and the amendments to the 1st June next? Resolved in the affirmative.

On motion by Mr. Willson, the following order was read: Ordered, That the committee of claims grant no certificates for attendance to the members of this house from the passage of this order, until the rise of the legislature.

Mr. Teackle moved to postpone the further consideration of the same until Monday? Resolved in the affirmative.

On motion by Mr. Maxcy, the following resolution was read:

Resolved, That the treasurer of the western shore be and he is hereby authorised and required, to pay to Doctor Colin M. Kenzie, of the city of Baltimore, the surviving partner of Smyth and M. Kenzie, or to his order, out of any unappropriated money in the treasury, the amount of the sixth instalment of the loan authorised to be negotiated by them on the credit of the state, under the resolution of the 30th January 1817, for the improvement of the Baltimore Hospital, when that instalment becomes due; Provided, that before such payment, said M. Kenzie give bond to the state, with penalty in double the amount, and with security to be approved of by the said treasurer, conditioned for the payment over by said M. Kenzie, of the amount of such instalment to the owner or owners of the loan aforesaid, said bond to be filed in the records of the court of appeals for the western shore, and an office copy thereof, under seal, to be as good and sufficient evidence in any suit which may be brought on the same in any court in this state, as the original would be if produced and proved.

On motion by Mr. M. Clean, the following order was read and dissented from:

Whereas it will promote the best interests of this state to direct the attention of its citizens to the subject of public instruction, and to disseminate amongst them such information as may lead to the formation and adoption of such a system of education as will give to all classes of the community the means of procuring knowledge: And whereas, these desirable purposes may be in some degree accomplished, by printing and distributing the bill herein after ordered to be printed; Therefore,

Ordered, That the committee of claims cause to be printed, in a pamphlet form, for the use of the members of this general assembly, ten copies for each member, of the bill, entitled, An act to provide for the public instruction of youth throughout this state, and to promote the interests of agriculture.

On motion by Mr. Maxcy the following resolution was read:

Resolved, That all proceedings at the suit of the state against William O'Hara, late sheriff of Anne-Arundel county, be and the same are hereby suspended, until the April term of Anne-Arundel county court in the year 1826; provided, the said William O'Hara shall, within the month of March next, assign to the treasurer of the western shore, for the use of the state, a judgment against Basil Burgess and Thomas Burgess, securities of Roderick Burgess; and also a claim against Henry Bassford, senior, and John Knighton, securities of Henry Bassford, junior, which is now in suit, and upon which judgment will be entered at the ensuing April term of Anne-Arundel county court, provided also, that the amount of said judgment and said claim shall be paid on or before the 1st day of August next; and provided also, that the said William O'Hara shall, on or before the 1st day of March 1826 pay and satisfy unto the treasurer of the western shore, whatever balance may then be due to the state.

On motion by Mr. Norris, the question was put, That the order relative to bills being taken up according to date, be suspended, in order to give a second reading to the bill regulating officers fees? The yeas and nays being required appeared as follow:

Affirmative.—Messrs. Speaker, Harris, Hodges, Estep, Parran, John Edelen, Chapman, Rogerson, Turner, Bennett, Spencer, Travers, Thomas, Ewing, Parker, Hops, Norris, Jarrett, Barwick, Bowles, Merrick, Willson, Hoffman—23

Negative—Messrs. Hawkins, Gough, Kilgour, Millard, Ireland, Gantt, Beckett, Dalrymple, Shower, Worthington, Price, Reyner, Dennis, Teackle, King, Jones, Henderson, R. C. Edelen, Peach, Wootton, Duvall, Carroll, Speed, Nicholson, Wright, Farquhar, Harcastle, Brown, Boon, Tyson, Fouke, White, Lee, Lansdale, M. Mahon—35. Determined in the negative.