

position of the general assembly, and that the circumstances require elucidating and adjusting, but as the committee have not an opportunity of obtaining the testimony attached to the case, they submit to the house the propriety of the following resolution:

**RESOLVED**, That the governor and council be and they are hereby requested and authorised to examine into the claim of the state of Maryland against Charles Mankin, former sheriff and collector of Charles county, from which the said Mankin has prayed to be released, stating, that he has already paid to the state more than could have been justly claimed of him; and that the determination of the governor and council upon such examination of the whole merits of the case, shall be final and conclusive between the state and the said Charles Mankin on the subject of his petition.

**RESOLVED**, That all further proceedings against the said Charles Mankin for the recovery of any balance which may appear to be due from him to the state of Maryland be stayed, until the governor and council shall have determined on his case agreeably to the provisions of the foregoing resolution.

By order,

J. BREWER, clk.

Which was read.

The house adjourns until to-morrow morning 9 o'clock.

S A T U R D A Y, December 29, 1804.

**T**HE house met. Present the same members as on yesterday. The proceedings of yesterday were read. Mr. Swearingen appeared in the house.

A petition from sundry inhabitants of Baltimore county, praying that a streight road may be laid out from Gravel or Long Hill, in a direction towards Hagar's-town, was preferred, read, and ordered to lie on the table.

The report on the petition of William Gardiner was read the second time, concurred with, and the resolution therein contained assented to.

A petition from William Livesay, and others, of the city of Baltimore, praying that John B. Sayre may not obtain an act of insolvency, was preferred, read, and referred to the committee appointed on the petition to which it is counter.

Petitions from John Beadin, of Montgomery county, John Brown and Peter Hougelot, of Baltimore county, praying acts of insolvency, were preferred, read, and referred to the committee appointed on petitions of a similar nature.

Mr. Miller, from the committee, delivers to the speaker a bill, entitled, An act for the benefit of Rebecca Edmondson, Joseph Edmondson, Elizabeth Edmondson and William Edmondson, children and minors of Joseph Edmondson, deceased; which was read the first time and ordered to lie on the table.

The report on the petition of Charles Gardiner was read the second time, concurred with, and the resolution therein contained assented to.

On motion, the question was put, Will the house postpone the order of the day until Tuesday next? The yeas and nays being required, appeared as follow:

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

Scott,	Hall,	Lemmon,	Meluy,	Veazey,	Thompson,	Cockey,	Forwood,
Thomas,	Dorsey,	Brown,	Spencer,	Miller,	Prideaux,	Ayres,	Holtbrook,
Moore,	Harrywood,	Harryman,	Sherdine,	Covington,	Clarke,	Montgomery,	B. Tomlinson. 29.
Hatcheson,	Stansbury,	Lloyd,	Alexander,	Blake,			

N E G A T I V E.

R. Neale,	Stuart,	T. Bayly,	S. Frazier,	Williams,	Ellicott,	Swearingen,	Bruce,
Hebb,	Chapman,	Jackson,	J. Bayly,	Handy,	Bowles,	Selby,	Bayard,
Mercer,	M'Pherson,	Cottman,	Shaaff,	Waters,	Clagett,	Darne,	J. Tomlinson. 29.
Parnham,	Goldsborough,	Hyland,	Sturgis,	Hawkins,			

The house being equally divided, the question was determined in the affirmative by the speaker.

The bill, entitled, An act extending the time for taking the bond of the sheriff of Anne-Arundel county was read the second time, passed, and sent to the senate by the clerk.

Mr. B. Mackall and Mr. Stephen have leave of absence for a few days.

The resolution in favour of James B. Sullivane, the resolution in favour of William Gardiner, and the resolution in favour of Charles Gardiner, were sent to the senate by the clerk.

The amendment proposed by the senate to the resolution in favour of Elizabeth Johnson, was read the second time and agreed to.

The following resolution being propounded to the house, was read and ordered to lie on the table, to wit:

**RESOLVED**, That the governor and council be and they are hereby authorised and requested to contract with some person for the building a house, as a safe depository for the powder belonging to the state, and that the same be paid for out of any unappropriated money in the treasury, by draughts to be drawn on the treasurer of the western shore by the governor and council for that purpose.

Mr. Scott, from the committee, delivers to the speaker the following report:

**T**HE committee to whom was referred the petition of Benjamin Chambers, of Chester-town, in Kent county, report, that they have taken the same into consideration, and it appears to your committee, by the certificate