

62 VOTES AND PROCEEDINGS, NOVEMBER SESSION, 1809.

On motion by Mr. J. E. Spencer, the question was put, That the said bill be recommitted? Determined in the negative.

The question was then put, Shall the said bill pass? The yeas and nays being required, appeared as follow :

A F F I R M A T I V E.								
Messrs	Hall	Williams	Stevens	J S Moffitt	Palmer	Forwood	Jump	Cellar
	Angier	Sellman	Seth	Physick	Prideaux	Davis	Worthington	Brent
	Harris	Harryman	Griffith	J Brown	Quinton	Streett	Bland	Cresap.
	Belt	M Browne	Frazier	Hopper	Schley	Willis	Bowles	Reid
	A Dorsey	Randall	Groome	J E Spencer	Archer			
N E G A T I V E.								
Messrs	Plater	C Dorsey	Cottman	Herbert	Wilson	Baer	S Thomas	Hilleary
	W Moffitt	Kerr	Lecompte	Magruder	Hayward	J H Thomas	Veatch	Bayard
	Chapman	Bayly	Calvert	Boyle	J Thomas	Tabbs		

So it was resolved in the affirmative.

On motion by Mr. Bland, ORDERED, That the bill concerning libel and contempt of court, have a second reading on Wednesday next.

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

T H U R S D A Y, December 14, 1809.

THE house met. Present the same members as on yesterday. The proceedings of yesterday were read. The supplement to the act, entitled, An act for the recovery of small debts out of court, and to repeal the acts of assembly therein mentioned, was sent to the senate.

Mr. Harryman delivers a petition from John Boyer, of Baltimore county, praying to be supported out of the poor's house; which was read and referred to Mr. Harryman, Mr. Randall and Mr. M. Brown, to consider and report thereon.

And a petition from the commissioners for building the new court-house in the city of Baltimore, praying a further appropriation to complete the same; which was read and referred to Mr. Harryman, Mr. M. Brown and Mr. Randall, to consider and report thereon.

Mr. Randall delivers a petition from the New-market fire company, praying for a lottery to build an engine-house; which was read and referred to Mr. Randall, Mr. Bland and Mr. M. Brown, to consider and report thereon.

Mr. Seth delivers a petition from William Horney, an old soldier; which was read and referred to the committee appointed on petitions of a similar nature.

Mr. Worthington delivers the following report:
THE committee to whom was referred the petition of Rachel Burgoyne, having taken the same into consideration, beg leave to report,

Whereas a certain Hugh Burgoyne, late of Baltimore county, deceased, father of Rachel Burgoyne, an indigent orphan of the age of sixteen years, in his life-time purchased of a certain Elijah Norwood two acres of land, being part of a tract of land called Tom's Choice, situate in Baltimore county, for which he received a deed in fee, but the said Hugh Burgoyne, being an alien, the same became liable to escheat; and after the death of the said Hugh a certain Joseph Peregoy, the friend of the said Rachel, escheated the said land, which was afterwards valued at eighty pounds, two thirds of which, to wit, fifty-three pounds six shillings and eight-pence, was paid into the treasury as the right of the state, and the other third, after deducting expenses, has been paid to the said Rachel; therefore RESOLVED, That the treasurer of the western shore be and is hereby authorised and required to pay unto the said Rachel Burgoyne, or her order, the sum of fifty-three pounds six shillings and eight-pence current money, out of any unappropriated money in the treasury.

By order, T. MURPHEY, clk.

Which was read.

Mr. Chapman delivers the following report:
THE committee to whom was referred the petition of Charles Sewall and James R. Green, of Charles county, report, that they have considered the same, and find from the documents accompanying the petition, that the petitioners are liable to pay the sum of money as by them stated, on account of a suretiship entered into heretofore for Charles Mankin, former collector of the taxes for the county aforesaid. They also report, that they have no doubt, from the well known character and integrity of one of the petitioners, Charles Sewall, that his assertion of believing, that the bond in which he was security would not command interest, is founded in the strictest truth, more especially as the bond itself appears to warrant that conclusion, and if it had been discharged previous to the year eighteen hundred and one, such conclusion would have been correct. Your committee, well knowing the insolvency of two of the securities in the said bond, and also the entire inability of the principal to pay any part of the sum of money for which judgment has been rendered against the aforesaid Charles Mankin, and his securities, and that it would be extremely oppressive to exact of the petitioners the aforesaid sum of money, and as it may be doubtful whether the interest on said bond could have been demanded, therefore recommend the following resolution;