

Resolved in the affirmative.

The Speaker, after the decision upon the point of order raised by Mr. Powder, begged the indulgence of the House whilst he stated the reasons which influenced his decision, by the 27th rule, it is declared "that all questions shall be determined by a majority of the members present, those dividing in the affirmative rising in their places, those in the negative *continuing* in their seats, and so *visè versa*, until a decision by the Speaker." The gentleman from Carroll had divided in the affirmative, and was in his seat when gentlemen were dividing in the negative, by the 27th rule he was obliged to *continue* in his seat until a decision by the Speaker, at this period, and *before* the decision by the Speaker, he demanded to be heard and was ruled out of order under a strict construction of that rule, the chair has no alternative. he must construe all rules strictly.

The rule being suspended.

On motion of Mr. Murray,

Leave was granted the committee on Grievances and Courts of Justice, to report a bill for the relief of James M. Smith, executor of Philip Smith and for other purposes.

On motion of Mr. Shriver,

Leave was granted Messrs. Shriver, Lynch, Nail and Thomas of Frederick, to report a bill regulating the fees, to be allowed to the sheriff Frederick county, when under the judgment of the county court, he shall be ordered to sell negroes beyond the limits of the State of Maryland.

Mr. Carroll presented the report of the President of the board of trustees of St. James Academy, in Baltimore county;

Which was read and referred to the committee on Education.

Mr. Causin submitted the following order:

Ordered, That the committee on Claims, pay over to the printers employed in the printing of this House, five hundred dollars, to be charged in their general printing account.

Which was twice read and adopted.

On motion of Mr. Murray,

Ordered, That the committee of Claims, examine the accounts of James S. Owens, late Treasurer of the State, up to the time of his removal, and report to this House.

Mr. Smith, chairman of the select committee, to which was referred the bill from the Senate entitled, a supplement to an act entitled, an act to lay out and open a road in Allegany county, passed at March session 1841, ch. 44, reported the same with the following amendment.

Amendment proposed:

Sec. 2. In the 4th line after the word "not," strike out the word "exceeding," and insert in lieu thereof, the words "less than."

The amendment having been read and assented to;

The said bill was read the second time by a special order, and passed with the proposed amendment.