

The house resumed the consideration of the bill concerning the donation to Harford academy. On motion by Mr. Bowles, the question was put, That the same be referred to the first day of June next? The yeas and nays being required appeared as follow:

**AFFIRMATIVE.**—Key, Plater, J. B. Eccleston, Browne, Marriott, T. W. Hall, Steward, Wyvill, Stoddert, Edelen, Posey, Rogerson, Snowden, Orrick, Hayward, S. Stevens, Dennis, King, Cross, Boyle, Duvall, Wright, M. Pherson, J. P. Kennedy, Kershner, Bowles, Harding, B. Forrest, Hilleary, Scott, Blair.—31.

**NEGATIVE.**—Speaker, Millard, Kent, Beckett, Dalrymple, D. Martin, N. Martin, Polk, Lecompte, Archer, T. N. Williams, R. T. Hall, Nicholson, Maulsby, Allen, Alderson, Norris, Holbrook, Willis, Hardeastle, Whiteley, T. Kennedy, Gaither, Darne.—25.

Resolved in the affirmative.

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

Resolved, That the different funds and donations now appropriated or given to the different academies in this state, be and the same are hereby withdrawn into the treasury of Maryland, and that they then constitute a fund to be hereafter applied to the education of poor children, in such manner as may be directed by the wisdom of the legislature.

Mr. Gabby has leave of absence for the remainder of the session.

Mr. J. P. Kennedy presents a petition from Joseph Jamison and Frederick Johnson, praying for the privilege to file a bill in a court of equity to procure the sale of the real estate of Robert Bigham, deceased; which was read and referred to Messrs. J. P. Kennedy, T. Kennedy and Boyle.

Mr. Lecompte reports a bill, entitled, An act to incorporate the trustees of Taylor's Island Seminary in Dorchester county; which was read.

On the second reading of the resolution in favour of Jeremiah T. Chase, on motion by Mr. Lecompte, the question was put, That the same be referred to the next general assembly? The yeas and nays being required appeared as follow:

**AFFIRMATIVE.**—Speaker, Steward, T. W. Hall, Kent, Beckett, Dalrymple, Showers, Snowden, Orrick, D. Martin, Hayward, N. Martin, S. Stevens, King, Lake, Frazier, Lecompte, Archer, T. Williams, Cross, R. T. Hall, Boyle, Wright, Nicholson, Maulsby, Alderson, Norris, Holbrook, Willis, Hardeastle, Whiteley, J. P. Kennedy, T. Kennedy, Kershner, Bowles, Scott Reid.—37.

**NEGATIVE.**—King, Plater, Boyer, B. Eccleston, Marriott, Stoddert, Edelen, Rogerson, Dennis, Polk, Duvall, Wilson, Parker, M. Pherson, Allen, Gaither, Harding, Darne, B. Forrest, Hilleary, Blair.—21.

Resolved in the affirmative.

On motion by Mr. B. Forrest, the following was read the first and second time:

Resolved by the general assembly of Maryland, That whenever any judgment obtained by a citizen against this state shall be affirmed by the court of appeals, it shall be the duty of the treasurer of the western shore to pay the amount of said judgment to the plaintiff, or his authorised agent, upon the production of a short copy of said judgment under the hand and seal of the clerk of the court of appeals, where much costs and interest may be saved to the state.

On motion by Mr. T. Kennedy, that the whole be stricken out for the purpose of inserting the following: That the governor and council be and they are hereby requested to employ such and so many counsel as they may deem expedient to argue in the court of appeals of this state on the part of this state in the case of Jeremiah Townley Chase and the state, now depending there, and allow such counsel such as they may deem a sufficient compensation for their services. A division of the question was called for by Mr. J. B. Eccleston, and put on striking out? The yeas and nays being required, appeared as follow:

**AFFIRMATIVE.**—Speaker, J. B. Eccleston, Brown, Steward, T. W. Hall, Wyvill, Kent, Beckett, Dalrymple, Showers, Snowden, Orrick, D. Martin, Hayward, N. Martin, S. Stevens, King, Polk, Eccleston, Lake, Frazier, Lecompte, Orrick, T. Williams, Cross, R. T. Hall, Boyle, Nicholson, M. Pherson, Maulsby, Allen, Alderson, Norris, Holbrook, Willis, Hardeastle, Whiteley, J. P. Kennedy, T. Kennedy, Kershner, Bowles, Gaither, Harding, Darne, Reid, Blair.—46.

**NEGATIVE.**—Key, Plater, Boyer, Thomas, Marriott, Stoddert, Edelen, Rogerson, Dennis, Duvall, Parker, Wilson, Forrest, Hilleary.—14.

Resolved in the affirmative.

The question was then put on the adoption of the substitute? Resolved in the affirmative.

The house adjourns until Monday morning 9 o'clock.

## MONDAY, February 5, 1821.

The house met. Present the same members as on Saturday. The proceedings of Saturday were read.

Mr. B. S. Forrest delivers the following report:

The committee to whom was referred the representation of William J. Johnson, and fifteen others, stating forth, that Sarah Tillard, of Montgomery county, did not need the pension which was given her by a resolution of the last general assembly, in consequence of the revolutionary services of her husband, the late Col. Edward Tillard, beg leave to report—That they have given to the said representation all the attention which was due to it; they find that the present Mrs. Tillard was the second wife of Col. Tillard, who died, it is said, without leaving a sufficient estate of his own for the support of his family, but that Mrs. Tillard has derived from some source a considerable property, is a fact, stated in the paper referred to your committee, to contradict which no proof has been offered. That this fact, if admitted and known to the general assembly by which this pension was granted, would have determined them to withhold it, cannot be doubted; but your committee forbear to express any opinion on the right of a succeeding legislature to withdraw an annual donation of this description granted by a former legislature to the pensioner for life, how far one general assembly has a right to pledge the faith of the state, and bind its successors, is a question which your committee submit to the house, and that its sense may be taken upon the right, as well as the expediency of withdrawing the pension granted to Mrs. Tillard, they report the following affirmative resolution: