

OF THE HOUSE OF DELEGATES.

Bowles, Fouke, White, Merrick, Hoffman M-Mahon, Lantz, Worthington—39. Determined in the negative.

On motion by Mr. M-Mahon, the following order was read:

Whereas, by the decision of this house, pronounced on an appeal from the decision of the chair, it is now determined, that it is not competent for any member of this house even to offer an order giving any bill or proposition a particular preference, in opposition to a general rule of this house classifying and determining the preference of all bills of a public nature heretofore reported; but that such particular position can only be introduced by recurring to, and reconsidering the general rule: And whereas, this decision has sanctioned the seeming anomaly, that it is in order for any member of this house to propose a general repeal of this rule, and yet out of order to propose a particular and virtual repeal, by giving a preference inconsistent with the general rule: And whereas this doctrine, if pursued to its utmost bounds, would seem to justify us in determining, that we cannot even repeal any order or act of this house whatsoever, by an order or enactment of an affirmative character, inconsistent with the previous order or act; but that it is incumbent upon us first to recur to the general rule, or order and act, and expressly repeal it, and then to adopt the particular proposition which conflicts with it: And whereas in regard to all acts of this house, the doctrine seems proper, that its last act or order, is that which must take the precedence of all others, and that all previous acts or orders inconsistent or conflicting with the last act or order, whether expressly repealed or not, are yet virtually repealed by the last order with which they are inconsistent: And whereas the propriety of admitting such a proposition to give a particular bill a preference, without first recurring to and repealing the general rule, must be obvious, inasmuch as then the whole rule will not be set afloat or dispensed with, and the object of the member seeking a special dispensation with that rule will be more directly attained, wherefore, Ordered, That hereafter every proposition to give a particular bill, order or motion, a preference, inconsistent with the present general rule of this house as to preference, shall be received and be considered, as in order without first recurring to and reconsidering that general rule.

The house resumed the consideration of the leave asked by Mr Lantz yesterday. Mr. M-Mahon asked if the same be in order. The chair declared the same to be in order. Mr. M-Mahon asked an appeal from the decision of the chair. And the question was put, That the house sustain the opinion of the chair? Resolved in the affirmative—31 in the affirmative, 29 in the negative, declared by the speaker, and the number noted at the request of Mr. M-Mahon, by leave of the house.

On the question that the house grant the leave, the previous question was called for by Mr. M-Clean, and put, that is, Shall the main question be now put? Resolved in the affirmative.

The question was then put, That the house grant the leave? The yeas and nays being required appeared as follow:

Affirmative—Messrs. Gough, Kilgour, Harris, M-Clean, Ireland, Hodges, Gantt, Moxey, Parran, Dalrymple, Worthington, Teackle, Steele, Thomas, Grubb, Peach, Wootton, Duvall, Carroll, Sped, Nicholson, Montgomery, Boon, Lee, Lantz, Klipstine—26.

Negative—Messrs. Hawkins, Millard, Beckett, J. Eoelen, Chapman, Rogerson, Garner, Price, Bennett, Reyner, Dennis, King, Jones, Sullivan, Henderson, Ewing, Wright, Williams, Tingle, Parker, Hoop, er, Barnes, Cromwell, Farquhar, Hope, Norris, Jarrett, Haidecastle, Barwick, Brown, Edward, Bowles, Fouke, White, Merrick, Wilson, Beal, Hoffman, M-Mahon—39. Determined in the negative.

The additional supplement to an act, entitled, An act respecting a monument or statue to the memory of Washington, was read the second time and passed.

On motion by Mr. Steele, Ordered, That the committee on public schools to whom were referred the reports of the colleges and academies, and the commissioners of the school fund in the different counties in this state, report to this house by the 20th of this month, which of said colleges and academies have neglected to report their conditions to this house; also which of said commissioners of the school fund have neglected to make their report as is required by law.

The amendments to the supplement to an act, entitled, An act to incorporate the village of Port Deposit, were read the second time, assented to, and the bill ordered to be engrossed.

On motion by Mr. Steele, Ordered, That the committee of claims be directed to procure three copies of Lucas's Cabinet Atlas, in compliance with an order passed by this house at December session 1823.

The clerk of the senate returns the resolutions in favour of John Gombler, Lethe Willis, Michael Waltman, Spedden Orem, Thomas Townsend, Nathan Porter, and the resolution relative to arms, severally endorsed "assented to." The resolutions in favour of William Johnson, and Ann Coward, severally endorsed "dissented from." And delivers the following message:

BY THE SENATE, Feb. 18, 1825.

Gentlemen of the House of Delegates,

The senate have appointed Messrs. Scott, Claude and Kent, a committee of the senate, to unite with your committee of claims, to contract forthwith for the printing of the laws of a public or private nature, as they are passed.

By order,

WM KILTY, Clk.

Also returns the bill to alter the constitution so as to allow to the city of Baltimore a representation equal to that of the several counties of this state, and the bill to confirm the proceedings of Somerset county court, severally endorsed "will pass." Ordered to be engrossed. Also the bill to abolish all such parts of the constitution and form of government as relate to the time and manner of electing the senate, and filling up vacancies in that body, endorsed "will not pass." Also the bill annulling the marriage of Benjamin Cromwell; the bill for the relief of Allen Ward; the bill for the relief of Eliza Fish; the bill for the relief of John Clarke; the bill for the relief of Rosanna Crowl; and the bill for the relief of Sarah Keer, of the city of Baltimore severally endorsed "will pass with the proposed amendments;" which amendments were severally read, assented to, and the bills ordered to be engrossed.

And delivers a bill, entitled, An act for the relief of Julia a Starr Orr, of Baltimore county; and a bill entitled, An act to repeal part of an act passed at December session 1800, severally endorsed, "will pass;" which were read.