

On motion by Mr. Williams, leave given to bring in a bill entitled, an act for the payment of the journal of accounts. Ordered, that the committee of claims prepare and bring in the same.

The bill entitled, a further additional supplement to an act entitled, an act to direct descents, was read the second time, amended, passed and returned to the senate.

Mr. Barney from the committee delivers the following report:

The committee to whom was referred the petition of Elias Ellicott and others, praying for a law to annul the proceedings of commissioners of review, appointed to establish the lines of Sharp street, between Lombard and German streets, in the city of Baltimore, beg leave to report, that they have attentively examined and considered the subject to them referred; and are of opinion that the prayer of said petition, and the subsequent modification thereof as made to your committee on behalf of the petitioners is unjust and unreasonable and ought never to be granted. Your committee are further of opinion that it is necessary for the public interest and convenience to change the location of Sharp street; that it ought only to be done on the condition that the proprietors of lots fronting and who have encroached on the East side of Sharp street, between Lombard street and German lane with such of the petitioners as conceive themselves interested therein, paying to the proprietors of lots on the west side of Sharp street, all such damages as they shall be adjudged to have sustained by reason of the change of the location of said street as aforesaid.

By order,

JAMES C. BLAIR, Clk.

Which was read.

Mr. Barney delivers a bill entitled, an act to make valid a power of attorney from Toussaint F. V. Caharel to David and William Winchester. Which was read.

The house resumed the consideration of the bill supplementary to the act to regulate and discipline the militia of this state; and Mr. Bayly moved to strike out the seventh section. On motion by Mr. Dorsey, the question was divided, and the question was put that the following words, part of said section, be stricken out, viz:

"And be it enacted, that whenever any part of the militia of this state shall be called into actual service by the commander in chief, or any officer of the said militia, pursuant to the provisions of the constitution or any act of assembly of this state, or shall be drafted or called out by authority of the United States, pursuant to the constitution and laws thereof, every officer, non commissioned officer and private, of the militia so called into service, after being duly notified of such draft or call, shall be considered as in actual service, and may be proceeded against as an officer, non commissioned officer or private, in actual service, for enjoining as well his attendance in obedience to such draft or call, as his performance of the duties legally to be required of him after attendance." The yeas and nays being required, appeared as follow:

**AFFIRMATIVE**—Mr. Speaker, Messrs. Millard, Neale, Blackistone, Causin, Boyer, B. Hands, Spencer, Browne, Hood, Worthington, Hopkins, Blake, Reynolds, Turner, Stonestreet, Jenkins, Caldwell, Hambleton, Seth, A. Hands, Bayly, Waller, Cottman, Long, Griffith, Beard, Mitchell, Hogg, Handy, Williams, Quinton, J. Thomas, Howard, J. H. Thomas, M'Donald, Jones, Kilgour, Crabb, Rigg, Lantz, Hilleary, M'Mahon.—43.

**NEGATIVE**—Messrs. Dorsey, Gray, Randall, Warner, Stansbury, Harryman, Beall, Waring, Van Horn, Duvall, Emory, Burgess, Wright, Stevens, Forwood, of Jac. Dallam, Bradford, Barney, Kell, Tilghman, Schnebly, Gabby, Mason.—23.

So it was resolved in the affirmative.

The question was then put that the following words be stricken out, viz. "and from the time of such draft or call and notification, shall, while in service be subject to the rules and articles of war of the United States as now established?" The yeas and nays being required, appeared as follow:

**AFFIRMATIVE**—Mr. Speaker, Messrs. Millard, Neale, Blackiston, Causin, Boyer, B. Hands, Spencer, Browne, Hood, Worthington, Hopkins, Dorsey, Blake, Gray, Reynolds, Turner, Stonestreet, Jenkins, Warner, Caldwell, Hambleton, Seth, A. Hands, Bayly, Waller, Cottman, Long, Griffith, Beard, Mitchell, Hogg, Handy, Williams, Quinton, J. Thomas, Howard, J. H. Thomas, Bradford, M'Donald, Jones, Kilgour, Crabb, Riggs, Lantz, Hilleary, M'Mahon.—47.

**NEGATIVE**—Messrs. Stansbury, Harryman, Beall, Duvall, Emory, Burgess, Wright, Stevens, Forwood, of Jb. Barney, Kell, Tilghman, Schnebly, Gabby, Mason.—15.

So it was resolved in the affirmative.

The motion to strike out the remainder of the section was withdrawn.

Mr. Dorsey moved the following as an amendment to the bill.

"And be it enacted, That it shall be the duty of the officer required to order into service the whole or any portion of the militia under his command, to enforce obedience to such requisition." Mr. Neale moved to add the following words as an amendment to the amendment, "in the manner prescribed by the militia laws of this state."

Mr. Dorsey moved that the question be taken on the original proposition unconnected with the proposed amendment, which was decided by the chair to be in order; from which decision Mr. Neale prayed an appeal to the house, which after some time was withdrawn, and the question was put, that the amendment, as originally proposed by Mr. Dorsey, be accepted by the house. The yeas and nays being required, appeared as follow:

**AFFIRMATIVE**—Messrs. Dorsey, Stansbury, Harryman, Claude, Duvall, Emory, Burgess, Wright, Stevens, Forwood, of Jb. Dallam, Bradford, Barney, Kell, Tilghman, Schnebly, Gabby, Mason.—18.

**NEGATIVE**—Mr. Speaker, Messrs. Millard, Neale, Blackistone, Causin, Boyer, B. Hands, Speaker, Hood, Worthington, Hopkins, Reynolds, Turner, Stonestreet, Jenkins, Caldwell, Seth, A. Hands, Bayly, Waller, Cottman, Long, Griffith, Mitchell, Hogg, Handy, Quinton, J. Thomas, Howard, J. H. Thomas, Jones, Crabb, Rigg, Lantz, Hilleary, M'Mahon.—35.

So it was determined in the negative.