

Mr. Neale withdrew his proposed amendment, and moved the following as an amendment to the bill, viz.

"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, in the manner prescribed by the militia laws of this state."

On motion by Mr. Dorsey, the question was divided, and the question was put that the house assent to the first part thereof so far as the word requisition. The yeas and nays being required, appeared as follow:

AFFIRMATIVE.—Mr. Speaker, Messrs. Neale, Causin, Hood, Worthington, Hopkins, Dorsey, Blake, Reynolds, Turner, Randall, Warner, Stansbury, Harryman, Caldwell, Seth, Waller, Long, Griffith, Waring, Claude, Davall, Emory, Burgess, Wright, Stevens, Quinton, J. H. Thomas, Forwood of Jb. Dailam, Bradford, Barney, Kell, Tilghman, Schnebly, Gabby, Mason, Jones, Riggs, Lantz, Hilsary.—41.

NEGATIVE.—Messrs. Millard, Blackstone, Boyer, B. Hands, Stonestreet, Jenkins, A. Hands, Cottman, Mitchell, Van Horn, J. Thomas, Howard, Kilgour, Crabb, M'Mahon.—15.

So it was resolved in the affirmative.

The question was then put, that the house assent to the second part of said amendment. The yeas and nays being required, appeared as follow:

AFFIRMATIVE.—Mr. Speaker, Messrs. Millard, Neale, Blackstone, Causin, B. Hands, Spencer, Hood, Worthington, Hopkins, Blake, Reynolds, Turner, Jenkins, Caldwell, Seth, Waller, Cottman, Long, Griffith, Mitchell, Hogg, Waring, Quinton, J. Thomas, Howard, J. H. Thomas, Tilghman, Schnebly, Gabby, Jones, Kilgour, Crabb, Riggs, Lantz, Hilsary, M'Mahon.—37.

NEGATIVE.—Messrs. Boyer, Dorsey, Stonestreet, Randall, Warner, Stansbury, Harryman, A. Hands, Van Horn, Claude, Duvall, Emory, Burgess, Wright, Stevens, Forwood, of Jb. Bradford, Barney, Kell.—19.

So it was resolved in the affirmative.

On motion by Mr. Crabb, the further consideration of the bill was postponed.

On motion by Mr. J. H. Thomas, the following was received as an amendment to the thirteenth rule of the house. "And if an amendment is offered to an amendment, the question shall be first taken on the additional amendment offered; and if it is adopted the question upon the whole amendment as amended, may then be divided in the manner prescribed by the first part of this rule."

On motion by Mr. Kell, leave given to bring in a bill entitled, an act extending the benefit of the insolvent laws to certain petitioners therein mentioned. Ordered, that Messrs. Kell, Randall and Barney be a committee to prepare and bring in the same.

Mr. Kell from the committee delivers a bill entitled, an act extending the benefit of the insolvent laws to certain petitioners therein mentioned. Which was read.

The house adjourns until 5 o'clock, P. M.

POST MERIDIE/M, 5 o'clock.

The house met.

The clerk of the senate delivers the bill entitled, an act authorising a sale of the real property of which Gabriel G. Van Horn died possessed, endorsed, "upon reconsideration will not pass." The bill entitled, an act to repeal an act of assembly therein mentioned, and the bill entitled, a supplement to the act entitled, an act to appoint Thomas Harris, junr. of the city of Annapolis, trustee for the sale of the real estate of John Gwinn, Esq. late of the said city, deceased, severally endorsed "will pass." Ordered to be engrossed. A bill entitled, an act to authorise the sale of certain negroes therein mentioned, passed by the senate January 27. Which was read.

Mr. Kell delivers petitions from Thomas Cloudsly, John B. Gill, Benjamin Solomon, Joht. M'Keel, Gabriel Thomas, and Mr. Barney petitions from Elijah Beam, John S. Horne and Reuben Long, severally praying special acts of insolvency. Which were read and referred to the standing committee on similar applications.

The clerk of the senate delivers the bill entitled, an act for the relief of Thomas Murphy, of Montgomery county, endorsed, "will pass with the proposed amendments." Which amendments were read, assented to and the bill ordered to be engrossed. The bill entitled, an additional supplement to the act entitled, an act for the relief of sundry insolvent debtors, and the bill entitled, a supplement to an act entitled, an act to incorporate a company to open the navigation of Zachia run, severally endorsed, "will pass with the proposed amendments." Which amendments were read. Also the following preamble and resolutions:

BY THE SENATE, January 26, 1815

Whereas, by the 29d section of the constitution of this state, it is provided "that the governor, by and with the advice and consent of the council, may embody the militia, and when so embodied shall alone have the direction thereof, and shall also have the direction of all the regular land and sea forces under the laws of this state, but he shall not command in person, unless advised thereto by the council, and then only so long as they shall have approved thereof."

And whereas, Levin Winder, Esquire, was chosen governor of this state in November 1812, for the ensuing year, and did accept the appointment, and qualify according to the constitution and law.

And whereas, it appears by the proceedings of the council, that an entry was made therein under date of the 20th of April, 1813, in the following words: "the council advised the governor to take command of the militia in person, unaccompanied by any reasons or explanations, the governor being then absent, but the day following he took his seat at the council board, and continued to do so every day until the 18th of September, 1813, with the exception of Sundays, and five other days, which five days occur at different periods and not in immediate succession."