

VOTES AND PROCEEDINGS

enforce the execution of the provisions of the act, entitled, An act providing for the increase of the revenue of this state by laying a tax on brokers and lottery office keepers.

By order,

J. BREWER, Clk.

BY THE HOUSE OF DELEGATES, February 10, 1820.

Resolved, That the governor and council be and they are hereby authorised and empowered, to cause a suitable engine and hose to be purchased for the benefit and protection of the public property at the seat of government, and that they draw on the treasurer of the western shore for the amount of the same, not exceeding one thousand dollars; and that the said engine and hose be placed under the care of the corporation of the city of Annapolis, who shall provide a place for its reception and protection.

By order,

J. BREWER, Clk.

BY THE HOUSE OF DELEGATES, February 9, 1820.

Resolved, That the treasurer of the western shore be and he is hereby directed, to pay to John Leeds Kerr, Esq. the agent for settling the claim of the state of Maryland with the general government, the sum of twelve hundred and fifty dollars, out of any unappropriated money in the treasury, in part compensation for his services.

By order,

J. BREWER, Clk.

BY THE HOUSE OF DELEGATES, February 9, 1820.

Resolved, That in case Henry Darden, and the representatives of Doctor William Nicholson, securities of William Chambers, or either of them, against whom judgments have been obtained by the state in Queen Anne's county court, shall avail themselves of the indulgence allowed them as public debtors by virtue of resolutions of the general assembly of Maryland, then and in that case the heirs and representatives of Joseph H. Nicholson, (the other security,) who have paid their proportions of the said claim, be and they are hereby released from all further liability for the said claim; provided always, that such release shall have no effect to discharge the said William Chambers, and the other securities of the said Chambers, from all further liability for said claim; provided, that in the event of the estate of Doctor Nicholson being insufficient to discharge in full the proportion of the aforesaid claim, the deficiency shall be made up by said Darden, and the estate of Joseph H. Nicholson, in equal proportions, any thing in this resolution to the contrary notwithstanding.

By order,

J. BREWER, Clk.

Which were read the first time and ordered to lie on the table.

And returns the engrossed bills of the senate No. 133, 134, assented to.

The bill to authorise the president and directors of the Conococheague Bank to sell, or otherwise dispose of, the interest of the bank in the Cumberland Road Stock, was further considered, and the question put, Shall the said bill pass? Determined in the negative.

On motion of Mr. Gale, the following message was sent to the house of delegates:

BY THE SENATE, February 10, 1820.

Gentlemen of the House of Delegates,

We have received your message of the 8th inst. The senate are willing that the bill, entitled, An additional supplement to the act, entitled, An act regulating the mode of staying executions, and repealing the acts of assembly therein mentioned, and for other purposes, should be so amended, that judgments given by justices of the peace, may be superseded before justices of the peace, but are of opinion that the best, as well as the most parliamentary mode of arriving at this object, will be by a committee of conference, which we therefore ask, and have appointed Messrs. Gale, Emerson and Maxcy, to meet and confer with such gentlemen as may be appointed by your honourable house for that purpose.

By order,

J. N. WATKINS, Clk.

The senate proceeded to the second reading, by special order, of the bill relating to the chancery, the county and orphans courts, and on motion of Mr. Carmichael, the question was put, Will the senate receive the following as an amendment? After the word "out" 6th line 1st section, strike out to the word "provided" 7th line, and insert "on real estate, taking a bond for the same from the party borrowing." The yeas and nays being required appeared as follow:

AFFIRMATIVE.

Messrs. Carmichael, Howard and Parnham—3.

NEGATIVE.

Mr. President, Messrs. Emerson, Gale, Hollyday, Maxcy and West—6.

Determined in the negative.

On motion of Mr. Gale, the question was put, Will the senate receive the following as an amendment? After the word "court" 1st line second page, insert "and the court of appeals." Resolved in the affirmative.

On motion of Mr. Carmichael, the question was put, Will the senate receive the following as an amendment? At the end of the bill add the following section "And be it enacted, That in all cases where the chancellor, or county courts of this state exercising equity jurisdiction, shall decree, order or direct, any sums of money to be paid out of any funds, or the proceeds thereof, arising from any proceeding or decree in the said courts, any person or persons who shall deem themselves aggrieved may, within 3 months after such decree or order, file a petition to the chancellor or judges of the county court, (as the case may be,) praying an appeal from the decree or order of the said court to the court of appeals, and the same shall be allowed, and thereupon a copy of the proceedings, or such part thereof as may be necessary to set forth and exhibit the true point in controversy, shall be transmitted to the court of appeals of the western shore, if the cause of claim or demand accrue on the western shore, or to the court of appeals of the eastern shore if the claim or demand accrue on the eastern shore." Resolved in the affirmative.

The bill was then read a third time by special order, as amended, and the question put, Shall the said bill as amended pass? The yeas and nays being required appeared as follow:

AFFIRMATIVE.

Mr. President, Messrs. Emerson, Gale, Hollyday, Maxcy, Parnham and West—7.

NEGATIVE.

Messrs. Carmichael and Howard—2.

Determined in the affirmative.