

THE committee to whom was referred the petition of Thomas Nicholls, of Simon, of Montgomery county, report, that they have taken the same into consideration, and find, from the vouchers exhibited, that the said Nicholls purchased from William Marbury, agent of the state of Maryland, two hundred and fifty acres of land, lying and being in Montgomery county, at thirty-six shillings per acre; and, from an agreement made with the agent, it was stipulated, that an accurate survey of the aforesaid lands should be made, and if, upon such survey made thereof, it should be found to contain more, it was to be paid for at the same price, and if found to be less, to be deducted at the same price per acre; that the said Nicholls, at his own expence, did have the said land surveyed, and from the certificate of the surveyor, your committee find that it falls short of the aforesaid quantity of two hundred and fifty acres, as bonded for. Your committee are of opinion, that in all sales of land the seller is, or ought to be, at the expence of ascertaining the quantity where the sale has been made by the acre, as in the present case. Your committee are of opinion, that the said Nicholls ought to be reimbursed the expences of surveying the land aforesaid; they therefore recommend the following resolution:

RESOLVED, That the treasurer of the western shore be and he is hereby directed to credit Thomas Nicholls, of Simon, on his bond given to the state for the purchase of the aforesaid land of the state's agent, the sum of twenty-nine pounds five shillings current money, being the actual expences incurred and paid by the said Nicholls in surveying and ascertaining the quantity of said land which appears to lie clear of elder surveys.

By order, W. BOWERS, clk.

Which was read.

Mr. Dickson, from the committee, delivers to the speaker a bill, entitled, A further supplement to the act, entitled, An act to erect Baltimore-town, in Baltimore county, into a city, and to incorporate the inhabitants thereof; which was read the first time and ordered to lie on the table.

On motion, Leave given to bring in a supplement to an act to authorise a lottery to raise a sum of money for the purpose of finishing the Roman catholic church in Frederick-town, in Frederick county. ORDERED, That Mr. Clarke, Mr. Shriver and Mr. T. Davis, be a committee to prepare and bring in the same.

Mr. Dickson, from the committee, delivers to the speaker a bill, entitled, An act to alter and change the name of James Donaldson Lowry, of the city of Baltimore, to that of James Lowry Donaldson; which was read the first time and ordered to lie on the table.

Agreeably to the order of the day, the bill to ratify an amendment to the constitution of the United States of America, proposed by congress to the legislatures of the several states, was read the second time, and, on motion, the question was put, That the further consideration thereof be postponed till Monday next? The yeas and nays being required, appeared as follow:

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| A F F I R M A T I V E. | | | | | | | | |
| Messrs | Barber, R. Neale, W. Neale, Hopewell, | Mercer, Grahame, Stuart, Jones, | Chapman, M'Pherson, Ridgely, Dashiell, | Carroll, Cottman, Hyland, Goldsborough, | Frazier, Bayly, Calvert, Shaaff, | Purnell, Young, Swearingen, T. Davis, | Veatch, Linthicum, Bayard, | Tomlinson, Cresap, Simkins. 30. |
| N E G A T I V E. | | | | | | | | |
| Messieurs | Angier, Hatcheson, Thomas, Harwood, Hail, | Dorsey, Carcaud, Lemmon, Brown, Lloyd, | Meluy, Rose, Veazey, Miller, Sheredine, | Alexander, Van-Horn, Lyles, Muir, Thompson, | Roberts, Sudler, Lowrey, Sturgis, Williams, | Hawkins, Shriver, Clarke, Montgomery, Forwood, | E. Davis, Lytle, Rich, Dickson, Dugan, | Kershner, Zeller, Smith, Yates. 39. |

So it was determined in the negative.

The question was then put, That the said bill do pass? The yeas and nays being required, appeared as follow:

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| A F F I R M A T I V E. | | | | | | | | |
| Messieurs | Angier, Hatcheson, Thomas, Harwood, Hail, | Dorsey, Carcaud, Lemmon, Brown, Ridgely, | Lloyd, Rose, Veazey, Miller, Sheredine, | Alexander, Van-Horn, Lyles, Muir, Thompson, | Roberts, Sudler, Lowrey, Sturgis, Williams, | Hawkins, Shriver, Clarke, Montgomery, Forwood, | E. Davis, Lytle, Rich, Dickson, Dugan, | Kershner, Zeller, Smith, Yates, Bayard. 40. |
| Messrs | R. Neale, W. Neale, Hopewell, Grahame, | Stuart, Jones, Chapman, M'Pherson, | Dashiell, Carroll, Cottman, | Hyland, Goldsborough, Frazier, | Calvert, Shaaff, Wilson, | Purnell, Young, Swearingen, | T. Davis, Veatch, Linthicum, | Tomlinson, Cresap, Simkins. 26. |

So it was resolved in the affirmative.

Mr. Mercer and Mr. Meluy, at their request, are excused from voting on the question.

Mr. Wilson and Mr. Carroll have leave of absence for the remainder of the session. Mr. Lloyd has leave of absence for a few days.

The house resumed the consideration of the amendments to the bill for the valuation of real and personal property, within this state, and on progression in reading the said amendments, the question was put, That the house agree to the fourth amendment? The yeas and nays being required, appeared as follow:

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| A F F I R M A T I V E. | | | | | | | | |
| Messrs | Angier, Hatcheson, Thomas, Harwood, | Dorsey, Lemmon, Brown, Lloyd, | Rose, Veazey, Miller, Sheredine, | Alexander, Lyles, Roberts, Sudler, | Lowrey, Hawkins, Shriver, Clarke, | Montgomery, Forwood, E. Davis, Rich, | Dickson, Dugan, Kershner, Zeller, | Smith, Yates, Bayard, Simkins. 32. |