

analagous to that which will be presented, should this legislature now omit to fill the vacancy, and the executive make a temporary appointment. It cannot be pretended that any state law does or can exist, here or elsewhere, effectual to control or alter the provisions of the federal constitution; yet we find the majority of the senate refusing to admit Mr. Lanman to his seat, and in the roll of that majority, we find the powerful names of Messrs. Berrien, Branch, Eaton, Lloyd, Van Buren, and Jackson. We are utterly at a loss to account for such a decision, unless it was predicated upon the idea that the "happening of vacancies" was to be understood as meaning vacancies by death, resignation or other casualty, not to be foreseen and provided for by the legislature.

We are, however, forcibly admonished by that decision, that it is our duty to make provision in time for a case now clearly foreseen, and not leave the state unrepresented in the senate, or her representation assailable by new constructions of the constitution. We, therefore, again earnestly invite your honourable body to appoint some convenient day in this session, to elect agreeably to law, a senator to represent this state in congress after the third of March next.

The house then adjourned until to-morrow morning nine o'clock.

SATURDAY, February 12, 1831.

The house met. Present the same members as on yesterday.

The proceedings of yesterday were read.

The resolution in favour of Thomas Osborne, late sheriff and collector of Prince-George's county, was sent to the senate.

Mr. Shaw presented the petition of sundry citizens of Allegany county, praying to be admitted to an equal participation in the benefits of public instruction, and a due apportionment of the school money; which was read and referred to the committee on education.

Mr. McKinstrey presented the petition of sundry citizens of Frederick county, praying for an amendment of the present law, as it relates to the levying money for the use of public roads in said county and for other purposes; which was read and referred to Messrs. McKinstrey, Kemp and Richardson.

Mr. Shaw presented the petition of sundry citizens of Al-