

or acts of Assembly in such case made and provided, or that may be applicable thereto, any common law, custom or usage, to the contrary in any wise notwithstanding.

Sec. 2. And be it further enacted, That, in all cases of application to be made to the County Court, Levy Court, or County Commissioners (as the case may be) for the opening, altering or shutting up of any road, in addition to the notice by advertisement required by law to be set up, the like notice thereof shall also be published in at least one newspaper printed in the same county, if a newspaper be there published.

Mr. Mason moved the previous question, and being demanded by a majority of the members present, said main question was then put, will the House adopt the said substitute;

Determined in the negative.

The question then recurred on the passage of the bill, and on question being put,

Determined in the negative.

The koor-keeper returned and reported that he had notified the absent members that their attendance was required in the House.

The House resumed the consideration of the bill entitled a supplement to an act entitled, an act against excessive usury, passed September session 1704, chapter 69.

The question being on the adoption of the substitute offered by Mr. Mason.

Mr. Berry moved an indefinite postponement of the whole matter.

Mr. Legrand moved the previous question, and being demanded by a majority of the members present, said main question was then put, will the House adopt the substitute offered by Mason.

Determined in the negative.

The question then recurred on the passage of the bill.

On motion of Mr. Sprigg,

The yeas and nays were required and appeared as follows :

AFFIRMATIVE.

Messrs. Hammond	Winder	Giles
Estep	Bowie	Le Grand
Bowling	Welch of A.	Graves
Poultney.	Quynn	Seidenstricker
Welsh of B.	Simmons	Gallagher—15

NEGATIVE.

Messrs. Coad	Long	Firor
Blakistone	Humphreys	Hope
Constable	Frazier	Polk
Welch of K.	Tall	Potter
Ridgely	Willson	Thawley
Owens	Foard	Mason
Dalrymple	Cameron	Byer
Matthews	Sprigg	Gaither
Bruce	Tuck	Dade
Risteau	Maccubbin	Berry