

Ordered that the western shore Treasurer pay to John Shaw Twenty five pounds on Account.

His Excellency the Governor and Mr Pinkney attended

[p. 171] Ordered that the western shore Treasurer pay to Moses Maccubbin Three pounds, two shillings and six pence for riding Express,

That the said Treasurer pay to Abraham Gambell an Invalid Pensioner in Dorchester County for the Deficiency of three Months half pay, Two pounds, five shillings due him the 1st November last,

That the said Treasurer pay to Joseph Sands One pound seventeen shillings and six pence for riding Express to Baltimore to the Electors.

The Board took into Consideration the following Petition of Thomas D. Merrick:

To his Excellency the Governor of Maryland and the honourable the Council:

The Petition of Thomas D. Merrick of the City of Annapolis respectfully shews

That under an Act of Assembly passed at March Session 1780 and shortly after its passage he was appointed Clerk of the Court of Appeals by the Judges of the said Court, in consequence whereof he qualified as such and has ever since continued to Act under their appointment, That doubts have lately been entertained as to the Constitutional authority of the said Judges to appoint to this Office and that it has been supposed that the power is exclusively vested in this honourable Board by [p. 172] the forty eighth section of the Constitution and Form of Government. Your Petitioner does not presume to determine whether this opinion is just or not but as in a case of this kind involving consequences the most important, every pretext of doubt ought, if possible, to be removed, he begs leave to solicit Your Excellency and Honors, that if upon examination of the authority of the Court of Appeals in this particular shall appear either questionable or unfounded you will honor him with a reappointment or a confirmation of that already made. He submits his qualifications for the Office to the determination of the honorable Board presuming that whether he is qualified or not his own recommendation of himself cannot avail him. But as he has been the choice of the Judges, and has lately removed to the Seat of Government for the purpose of attending more punctually to his official duties, and as he has hitherto conducted himself in this Station without occasioning complaint or giving a cause for it, he hopes from your Excellency and Honors a favorable reception to his present application.

T. D. Merrick

19 Nov'r 1792

[p. 173] And thereupon Resolved that so far forth as this Board is or may be constitutionally vested with the power of appointing a Clerk to the Court of Appeals, the said Thomas D. Merrick is hereby appointed to the said Office, and further to secure his right to the same it is hereby advised that his Excellency the Governor issue a Commission to the said Merrick for the aforesaid Office, and a Commission issued accordingly.

Thursday 13. December 1792

The Council met.

Present as on yesterday.

Ordered that the western shore Treasurer pay to William Gilmour Six pounds on Account,

That the said Treasurer pay to Mrs Ann Levascher Thirty pounds for six Months half pay due her the 1st of November last,