

Mr. Montgomery, from the committee, delivers to the speaker the following report :

THE committee to whom was referred the petition of Samuel Chase, report, that they have taken the same under their consideration, and examined the several acts of assembly and resolutions therein referred to, from which it appears, that the petitioner was appointed agent of the state for obtaining a transfer of the stock in the Bank of England in the year seventeen hundred and eighty-three; that he continued sole agent until the same was made the subject matter of diplomatic negotiation; that during all this intermediate time the state of Maryland appeared, through the agent, to be occupied with tedious and expensive suits in chancery, at a very considerable cost and charge, and these chancery suits seem to have been made the pretext of obtaining advances of large sums of money, upon the plea of their being necessary to prosecute these suits, and to compensate the said agent for his professional services and expences incurred by him. That the committee are of opinion, that after incurring these costs and expences, and experiencing the best professional and other services of the petitioner, had the subject continued under his special management, the actual possession of these funds could not have been obtained by the state for a long series of years, nor would the state have derived any benefit therefrom, unless wearied out with expensive and infinite delays, the legislature had consented to sell the same to some of the persons who have heretofore applied to purchase the same: That the transfer of these large funds has been finally effected, not through the agency of the petitioner, but through the interference of the ministers of the United States, connected with, and aided by, the talents and active exertions of Mr. Pinkney: That a very considerable expence has been and must still be incurred before the proceeds of these funds can be brought into the treasury of the state, and in the state's possession: That when the legislature allowed four per cent. to the petitioner, it was with a view of receiving the neat proceeds, with a deduction of the petitioner's four per cent. only, and that all expences, except the legal costs of the chancery suits, should be borne and defrayed out of the four per cent. It appears farther to the committee, that the agent has had a transfer of his full commissions, amounting to the enormous sum of four thousand and thirty-seven pounds bank stock, without being burthened with any charge whatever thereon, including commissions upon the amount paid to Mr. Harford, notwithstanding the relinquishment of the sum made to this gentleman was sanctioned by a suggestion of the petitioner, addressed to the executive: That on this part of the subject the committee are of opinion, that the petitioner ought to bear a share in this sacrifice to Mr. Harford, that was agreed to be made by all the parties interested, and the more so, as it must have been contemplated by the legislature to allow him commissions only upon the actual neat sum transferred, although, for the sake of form and convenience, the whole amount, including the sum understood to be paid to Mr. Harford, being transferred to the minister, may be considered as the nominal neat amount; that the commissions, therefore, transferred upon the sum paid to Mr. Harford, is a fair item of charge in behalf of the state against the petitioner. That under a view of all the circumstances attending the tedious agency of the petitioner, the committee consider that the remuneration already received by the petitioner is far more than adequate to any beneficial services rendered by the petitioner to the state relative to this business; and that, in the construction of the acts of assembly and resolutions allowing him commissions, that construction ought to be rejected, which will give him a most profuse compensation. Upon this part of the subject, and with this view of it, the committee are of opinion, that the petitioner is not entitled, under the act of November session, eighteen hundred and one, to any commissions upon the navy annuities, and five per cents. of seventeen hundred and ninety-seven, they not being received in lieu of cash for dividends, as stated by the petitioner, and which commissions are claimed by him in his letter preferred to the senate, subsequent to the reading and referring of his memorial in the house of delegates, and that this claim appears to have been an after-thought, arising and referring to the presenting of his memorial: It appears farther to your committee, that the petitioner is indebted to the state the balance arising upon deducting the sum of three hundred and fifty pounds sterling, allowed the agent by a resolution of November session, seventeen hundred and ninety, for his professional and other services and expences, incurred, or to be incurred, from the sum of five hundred pounds sterling advanced him pursuant to a resolution of seventeen hundred and eighty-four, and that the balance ought to bear interest from the passage of said last resolution; and farther, that he is indebted to the state in the sum of three hundred pounds sterling, advanced him by a resolution of seventeen hundred and ninety-one, with interest thereon from that period, and that the petitioner can have no pretence of retaining these sums, on account of applying the same to the payment of costs of the chancery suits, as Mr. Lyon, the petitioner's solicitor, has received, by the directions of Mr. Pinkney, the sum of five hundred and thirty-one pounds fourteen shillings and nine-pence sterling, to be applied to the payment of all the costs which have been incurred in the chancery court, from the amount of these sums, and interest, the petitioner is entitled to a deduction for commissions upon the cash received as dividends, and not yet paid over to the petitioner, and to commissions upon bank stock, if any, received since payment to Mr. Pinkney, and due before: In fine, the committee are of opinion, that in adjusting the claim of the state against the petitioner, he ought to be charged with the amount of the commissions transferred to him upon the amount paid to Mr. Harford, also with one hundred and fifty pounds sterling, the balance, after deducting the three hundred and fifty pounds sterling from the five hundred pounds sterling as above mentioned, with interest on that balance from December, seventeen hundred and eighty-four, also with the sum of three hundred pounds sterling, advanced under the resolution of seventeen hundred and ninety-one, with interest thereon from that period; from this amount the petitioner, in the opinion of your committee, ought to have a deduction for the amount of his commissions on the cash received for dividends, and which have not yet been paid over to him, and on bank stock, if any, received since payment to Mr. Pinkney, and due before; and that no deduction ought to be made him on account of an omission of twenty-one pounds, alleged by him to have been made by his agent, Mr. Murdock, in the article of costs, as Mr. Lyon, his solicitor, has in his hands ample means to correct this mistake, if any such exists: after deducting as above, the committee are of opinion, that the balance thence arising is the claim actually due by the