

serious attention of the legislature, at this present time, when the natural small pox having been again lately imported into the city of Baltimore, is likely to extend its fatal effects to every part of the state.

"BY THE HOUSE OF DELEGATES, June 8th, 1809.

*Gentlemen of the Senate,*

We regret that the bill for the preservation and distribution of the vaccine matter for the use of the citizens of this state was rejected by your house. The object of one thousand dollars annually for the period contemplated by this bill, can bear no proportion to the immense benefits that must flow to the citizens of Maryland from the proposed institution. It seems at this day to be generally admitted that vaccination is a certain preventive against infection, derived either from the natural or inoculated small pox, and that the remedy is not only certain but totally exempt from dangers.

To distribute therefore free from individual expense, to the remotest corners of the state, a constant supply of the genuine vaccine matter, must eventually exclude all the miseries that would flow from the introduction and extension of the natural small pox.

Perhaps the senate are not aware of the fact, that in some counties, several persons have died with this fatal disease, having before been inoculated with spurious vaccine matter.

The author of the proposed plan seriously avers that less than the contemplated sum will not be a reasonable compensation for the expenses of the institution, and the labor necessarily requisite completely to effectuate the object. We therefore return you the bill and request your consideration thereof.

By order,

JOHN BREWER, C. k.

To which the senate made the following reply:

BY THE SENATE, June 9th, 1809.

*Gentlemen of the House of Delegates,*

We received your message, requesting a re-consideration of the bill for the preservation and distribution of the vaccine matter for the use of the citizens of this state. The senate have reconsidered the same, but cannot recede from their former determination.

By order,

THOMAS ROGERS, C. k.

At the November session following, Doctor Smith renewed his application to the legislature of this state, and again offered to them the use of his institution for three years for one payment of one thousand dollars. But considering this sum as altogether inadequate to defray the expense which he would have to incur, he solicited in addition thereto, that the legislature would grant him the privilege to raise a certain sum by lottery, part of the proceeds of which he proposed should be applied to defray the expense of vaccinating a sufficient number of poor persons from whom the vaccine matter could be obtained. And the remaining part of the proceeds of this lottery if any, he proposed should be applied to the purchase of a piece of ground whereon he would erect a building to be held forever as public property for the purposes of a vaccine institution for the use of the citizens of this state.

The house of delegates gave the most favorable reception to these proposals, and a bill to accept of the same was again reported by them. But the same unwillingness to grant any pecuniary aid to the institution which before prevailed with the senate, appears to have continued, and the bill which was reported on this last occasion, underwent so many alterations, that finally when it became a law of the state, it scarcely retained any one of the provisions which had been solicited by Doctor Smith for the encouragement of his institution. The lottery section of the bill was the only important part of it which was left remaining, and even this section thereof was retained with a total change of the purpose for which this lottery had been solicited. The main section of the bill making an appropriation of one thousand dollars from the treasury of the state was stricken out of it entirely, while the funds expected to be derived from the lottery were directed to be paid to Doctor Smith in lieu thereof, provided he would himself bear all the expenses of the institution, and continue to serve the state in the manner he had proposed for six years.

The committee have carefully examined the original bill as reported to the house of delegates, and compared the same with the act entitled "An act authorising a lottery for the preservation and distribution of the vaccine matter for the use of the citizens of this state," and they are perfectly well satisfied that it was the intention of the legislature in passing said act, that the whole of the net proceeds of this lottery should be paid to Doctor Smith on condition that he would give bond with approved security, that he would use his best exertions to furnish the vaccine matter and give directions for its use to any citizen of the state who might apply to him for it during a period of six years from the time of passing the said law.

It has been shewn to your committee that the bond required of Doctor Smith was given by him and executed and approved as the law directs. The committee are also well satisfied that the services which were engaged for the use and benefit of the citizens of this state have been fully rendered, and that the public have derived every advantage from these services that was promised or could be expected.

The legislature of Maryland it appears granted the lottery in question for no other purpose than to pay Doctor Smith for his services, and to defray all the expenses which he had to incur for the use of the citizens of this state. Every accusation therefore in any way derogatory to his character, which may have been made against him in consequence of his appropriating to his own use the proceeds of this lottery (which it appears amounted to twelve thousand seven hundred and ninety-seven dollars and twenty cents) is most unjust, and without any foundation.

By order,

SAMUEL S. HODGKIN, Clerk.

The bill for the benefit of Mary Scott, of Charles county, and the bill entitled, An act relating to the town of Elkton, in Cecil county, were read the second time and sent to the senate.