

and after sometime returned and reported, that John Stephen, James Butcher, Reverdy Ghiselin, Thomas W. Hall and George E. Mitchell, were elected; whereupon,

RESOLVED, That John Stephen, James Butcher, Reverdy Ghiselin, Thomas W. Hall and George E. Mitchell, be, and they are hereby declared to be, the council to the governor.

Mr. Randall delivers a petition from Thomas Redding, of Baltimore county, a revolutionary soldier, praying for half pay; which was read and referred to Mr. Randall, Mr. Bland and Mr. Martin.

Mr. Boyle delivers a petition from John Murray, of the city of Annapolis, praying that the title of the state, in the real estate of John Muir, may be relinquished to him; which was read and referred to Mr. Boyle, Mr. Mackubin and Mr. Marriott.

The house adjourns until to-morrow morning 9 o'clock.

T U E S D A Y, November 20, 1810.

THE house met. Present the same members as on yesterday. The proceedings of yesterday were read. Mr. Brooke delivers a petition from Jacob Keler, formerly of Frederick but now Baltimore county, praying a special act of insolvency; which was read and referred to Mr. Brooke, Mr. Schley and Mr. Swearingen.

The bill authorising Daniel Ballard, late sheriff of Somerset county, to complete his collection, was read the second time, passed, and sent to the senate.

Mr. Charles H. W. Wharton, a delegate returned for Montgomery county, appeared, and after qualifying in the mode prescribed by the constitution and form of government, and taking an oath to support the constitution of the United States, took his seat in the house.

Mr. Jump delivers a petition from Elizabeth Taylor, of Caroline county, praying for a divorce; which was read and referred to Mr. Jump, Mr. Willis and Mr. P. Bayard.

On motion by Mr. Bland, Leave given to bring in a bill, entitled, An act to make valid defective manumissions of slaves. ORDERED, That Mr. Bland, Mr. Archer, Mr. Boyle, Mr. Herbert and Mr. Bayly, be a committee to prepare and bring in the same.

The bill to establish the line between Frederick and Washington counties, was read the second time, passed, and sent to the senate.

The order requesting the executive to lay their proceedings before the house, was read the second time and assented to.

Mr. Groome delivers a petition from sundry inhabitants of Cæcil county, praying for the establishment of a bank at Elkton; which was read and referred to Mr. Groome, Mr. Physick and Mr. Moffitt.

Mr. Bland delivers a petition from the yearly meeting of friends held in Baltimore, praying that some additional provision may be made for the protection of free negroes; which was read and referred to Mr. Bland, Mr. Martin and Mr. Boyle.

The house, according to the order of the day, proceeded to the second reading of the report of the committee appointed to bring in a bill, entitled, An act to provide for the election of the levy courts by the people, and, on motion by Mr. Herbert, the question was put, That the whole of the said report from the word "opinion" be stricken out for the purpose of inserting the following? to wit:

"That the proposition to place the election of the justices of the levy courts in the several counties of this state in the hands of the people, is strictly consonant with one of the cardinal principles upon which the republican constitutions of America are founded, "that taxation and representation should be reciprocal," and is impressively advocated by the spirit of the 12th section of the bill of rights, in these words—"That no aid, charge, tax, burthen, fee or fees, ought to be set, rated or levied, without the consent of the legislature." A respectable portion of the free and independent voters of Maryland have repeatedly and earnestly called the attention of the legislature to this subject, both through the medium of their delegates and by petitions laid upon the table of this house. It is understood that objections to the proposed change in the mode of appointing the levy courts, derived from a novel construction of the 48th section of the constitution and form of government, are seriously urged and confidently relied upon. That this construction is novel, and that it has been unequivocally discountenanced by the legislature cannot be, more fully manifested to the satisfaction of this house than by a reference, amongst others, to the several acts of the general assembly passed from the year 1789 to the year 1799, inclusive, appointing agents of the state and dictating their duties. The periodical enactment of the act for the valuation of real and personal property, wherein the commissioners of the tax are appointed by the legislature; the act for the establishment and regulation of the levy courts in the several counties of this state, passed in 1798, in which the legislature authorises and requires the executive to appoint and commission certain persons to be justices of the levy courts, designates the body of men from which the appointment shall be made, and further gives power to the levy courts so constituted to appoint collectors, judges of elections, &c. and the charters of the several banking institutions, in the direction of which the legislature reserves to itself a participation, and elects the directors on the part of the state.

The construction therefore given by the general assembly to the 48th section of the constitution and form of government, as evinced by the acts herein before enumerated, unquestionably is, that the said section does not operate so as to forbid the legislature to declare the mode in which certain offices, subsequently created by law,