

Senate Chamber 4 o'clock P.m.

March 14 1838.

respectfully, Your Excellency's & the Senate's
Ob: H. Nicholson Esq: Governor

By the Senate, in Executive Session.

March 14 1838.

To His Excellency the Governor,

An act of Assembly passed at December session 1836, entitled an
act to amend the Constitution and Form of government of the State of Maryland
was confirmed by the General Assembly of Maryland in conformity with the
Constitution on the 13th day of February last. The ^{13th} section of the act
shall be the duty of the Governor, within the period of one calendar
month next after this act shall go into operation, and in the session
in which the same shall be confirmed if it be confirmed, and annually
thereafter during the regular session of the Senate, and on such particular
day if any or within such particular period as may be prescribed by law,
to nominate and by and with the advice and consent of the Senate
to appoint a Secretary of State, who shall hold his office until a
successor shall be appointed and who shall discharge such duties and
receive such compensation as shall be prescribed by law.

The Senate respectfully suggest to your Excellency that
the limit prescribed by the terms of the act as above recited, in which
a Secretary of State shall be nominated and appointed will expire
with the present day, and no nomination having yet been made
by your Excellency of any person for that office, the Senate respectfully
notify your Excellency that they are now in session and are prepared
to receive and act upon such nomination.

By order for H. Nicholson Esq:.

The following messages sent to the Senate by Hon: H. C. Bullock Esq: Vice Vig.

Executive Department.
Annapolis March 14 1838.

Gentlemen of the Senate:

I have the honor to acknowledge the receipt of
your communication suggesting that the limit prescribed by the
terms of the act of Assembly passed at December session 1836, and confirmed
at the present session, for the nomination of a Secretary of State would
expire with the present day, and notifying me that you intended
session to receive and act upon such nomination as might have been
made to you for that office.

Respectfully I have to report a difference of opinion between
myself & the ~~Chairman~~ of your Honorable Committee
The act report to all the offices of the State.

confirmation to make the nomination of the Secretary of State, and although
action of the Legislature approving and confirming it was had on the 13th of February,
the Act as engrossed was not confirmed, until the 28th of the same month, the day
from which, in my opinion, the limit alluded to commences. Before the termination of
the calendar month, beginning from the 28th of February I shall have the Senate
present for your consideration a nominee for the office of Secretary of State.

With great respect, I have the honor to be
Yours affecly & Sd. W. Peasey.

Executive Department
Cincinnati March 14 1838.

gentlemen of the Senate:

I nominate the following persons to be appointed
with your advice and consent to fill the several offices attached to them
respectively named viz.

For Civil Office

Elas Brackley, to be a Justice, the County Court of Frederick County, Vice
William Childs resigned. —

James D. Birge, George Williams, G. G. Foster, Young, Roger Stevens
and James D. Hatch, Clerks, the Justice, the Clerk of Frederick County
in addition to those now in commission.

Judge of Frederick County to be a Notary, in the town of the City
of Frederick Vice Cyrus Shantz resigned. —

Horatio Waters, the Inspector, Painter in the City of Frederick
Williams Childs of Baltimore City, to be a Director of the
Centennial Socy Williams of Howard, resigned, and one of the executive
Committee Vice J. H. Gould resigned. —

Charles P. Leeserling to be a Notary of the State of Baltimore
City and County Vice William Childs. —

Jonathan Henry, Thomas E. Edger and William Brown
the Justices of the Peace of Caroline County, in addition to those now in
commission.

John Connel to be a Justice, the 3^d Election District Court
in Talbot County, Vice Solomon Mullikin, resigned. —

Henry Ellerling to be a Justice of the Peace of Talbot County
in addition to those now in commission. —

Robert John H. Brown, Richard Steward and Richard Self
the Justices of the Peace of Anne Arundel County, in addition to those
now in Commission. —

Noah Cider, Samuel G. Pollock, Littleton Longfellow
Miles, of Law, William T. G. Polk, Henry Lankford and George
Hans, to be Commissioners of Somerset County.

Isaac Walter, James Benson and John Rider, to be

Allegany County.

Norman Bruce, to the Major of the 58th Regiment, Allegany County.

Capt. Horatio G. Grimes to the Surgeon Dr. Do. - Do.

Alexander King to the Captain £. 2^o .. do. or do.

George W. Read to be paid credit \$1.00 - due - due

John Jones, of Charlestown, Captain of a rifle company, in the 15th Regiment, in
Baltimore County, who David Gurney neglected to report himself.

George Buckley the first recruit of the same company, Mr. Jones promised
Edward D. Wilkins to be Captain of a Troop in the 8th Regimental Cavalry (Ditchfield)
Mr. Gale informed.

During the term, however, Dr. Ba' the Vice President,
the Mayor were to be Lieutenant Colonel, Dr. William E. Alderson, the
Colonel of the 10th Regiment in Baltimore County. —

With great respect? Your
Sister, Ed. W. Kezey.

The following communication was received by His Excellency
the Governor of the State of South Carolina from General Clark
the Senator of his

Bei Siedlungsatmosphäre für ein großes Land

Dear Sirs & Madams I consider it a privilege, the undersigned
and the Honourable Commissioner to pay his respects to the accompanying
and the paper in reply to your message dated this day in which you
express your opinion as to the time when the Act passed during the
present session confirming to the 1st of December 1836 Chap 197,
commenced its operation. The undersigned avails himself of the
occasion to renew the assurances of the high consideration with which
he has the honour to pay his respects to the Hon. Mr. Secretary.

Private Number & Address
March 1st 1838

Mr. & Mrs. Nicholson ~~of~~ ^{at} Seneca Falls

To this exceeding the former,

March 14th 1835

I have ready, in communication, of the present
intelligence, that the General Assembly, opened at December
1st, 1836, entitled, "An Act to amend the Constitution and Form of Govern-
ment of the State of Maryland," and confirmed on the 13th of February, last,
in distinguishing opinion, went into operation, until after it was adopted
on the 28 day of the same month, and also informing the Senate, that
before the termination of the calendar month, beginning from the 1st

day of February, you will present for their Consideration a Message from the Secretary of State.

The Senate deeply regret, the difference of opinion which exists between them, and your Excellency, especially adversely adverse of their co-operation under the new provisions of the Constitution, in relation to appointments to Office. The opinion which they entertain, and which was expressed in their Message of this morning to your Excellency, is founded upon the constant practice of the Executive, and the repeated decisions of the Courts of this State evidence the adoption of the Constitution. It has been uniformly maintained, that an act of the General Assembly, becomes law, immediately after its passage by both branches of the Legislature, although it may not be engrossed for many days, after, or even although it may never have been engrossed at all.

The article of the Constitution, requiring that all bills passed by the General Assembly shall be engrossed before the signature of the Governor shall be attached thereto, it is respectfully suggested was adopted out of an abundant caution in order to guard against errors in the writing, to insert such amendments as might have been made to the original draft, in their passage through the two Houses, and to secure a clear and unmitigated copy of the Laws, after they had received the sanction of the General Assembly, but the mere fact of their engrossment, does not give any greater validity to the acts, nor is it essential to their existence. The Senate would also respectfully remind your Excellency, that Resolutions authorizing the payment of money out of the Treasury, and constantly acted upon by the Treasurer previous to their being engrossed, and no doubt has ever yet been expressed by anyone, so far as the Senate is informed, of the entire Constitutionality of such action.

The Senate would further take leave to remark, that your Excellency, by and with the advice of the State Council, acted in conformity to the views above expressed, in the appointment of Tobacco Inspectors, under an act passed at the present session, entitled a Supplement to an act to establish State Warehouses in the City of Baltimore for the inspection of Tobacco, previous to its exportment; they would also respectfully refer to the fact, that your Excellency has this day nominated to the Senate, in a communication accompanying the one to which they addressed, responding, Sunday persons to fill offices in Somerset County, and certain provisions of an act of Assembly, entitled a Supplement to the act entitled an act to establish Magistrate Courts in the several Counties of this State, and to prescribe their jurisdiction so far as relates to Small Debts. This act was passed the present session, and is not yet engrossed, and will be further observed by your Excellency, that no time is to be given in which such nomination may be made, and that no particular law is to be passed.

that the Governor shall nominate, and by and with the advice and consent
of the Senate shall appoint a Secretary of State, within one calendar month
from the date in which the mandate contained, shall be confirmed.

The Senate therefore with all due respect, submit these
news to the consideration of your Excellency, and hope upon an eventful
the opinion expressed by your Excellency, you will be induced to change
your opinion and nominate a person to the office of Secretary of State,
and they further inform your Excellency, that they will remain in
order to be supplied, to receive it, & return such nomination.

By order for Hutchinson &c.

The following communication was dictated by Joseph H.
Hutchinson March 14, 1835.

Executive Department.

March 14 1835.

President, the Executive.

In performance of my duty I have the honor to advise your Excellency that the
Administration and State of Maryland, & the State of Maryland
desire me to convey to you their thanks for the very action in the
affair of Dr. J. W. Nichols, Executive Branch of Maryland, and who I
well know having conducted operations during the four years
that he has been associated with us, in the Executive Department of
the Government of Maryland, & his qualifications adequate to a correct
and judicious discharge of the duties pertaining to the Office
he was appointed with good advice and consent to the Office of
Secretary, State.

Conveying great respects your Excellency
J. W. Nichols. D. T. W. Hazen.

The following communication was received by the hands
of John Richardson Esq. Secy. to the Senate Vice
Chairman of the Committee on Foreign Affairs
His Excellency George J. Mayes

President, the Executive.

Our Corresponding with the instruction contained in
the accompanying letter herewith transmits your Excellency
advised the document remain your Excellency's & for his
Excellencies reference, etc. D. T. W. Hazen.

March 14, 1835.

Ordered that the Clerk be directed to inform the Governor
the Governor that the Senate do not advise and consent to the
appointment of Thomas Buttrell as Secretary of State, and that
further directed to inform the Excellency that the Senate
remain in session to receive and act upon such nomination.

Requesting Your Pardon to my self for the late offering
By our Hon. Mr. Nicholson Esq.
Whereupon His Excellency Verbally requested the Clerk to inform the
Senate that he should not that night, if ever, make another nomination
to them for the Office of Secretary of State.

Monday March 19th 1838.

The following communication was handed to His Excellency the
Governor by Joseph H. Nicholson Esq; Clerk of the Senate Viz.

His Excellency Thomas W. M'Cauley
Governor of Maryland.

Sir, I have the honor to communicate to your Excellency the accompanying list of appointments which have
been made by the advice and consent of the Senate, agreeably to the
nominations submitted in your Message dated on the 14th instant by
members of Mr. John H. Bullock. The nominations of certain Officers
for Somerset County, and for St. Mary's County, and of John B. Parish,
to be a Justice of the Second District Court, in Kent County contained
in the said Message, have not yet been acted on by the Senate.

I have the honor to remain Your
Excellency's most Obedt Servt

J. H. Nicholson Esq; Clerk Senate and

Chamber March 19th 1838.

Whereupon Commissions were issued to the several persons
appointed to Office as aforesaid.

Tuesday March 20th 1838.

The following Message was sent to the Senate by Mr
H. Bullock Esq; Viz.

Executive Department
Annapolis March 20th 1838.

To the Hon. members of the Senate,

I have the honor to acknowledge the receipt
of your Message dated the 14th ult. informing me that you did
not advise and consent to the appointment of Thomas Bullock, as
Secretary of State, and further informing me that the Senate would
remain in Session to receive and act upon any other nomination
which may be pleased to make for that office.

The Communication which I had the honor to receive
from you, dated on the same day with the one previously mentioned
has failed to convince me that the limit of a Calendar year
by the assumed Constitution, for the nomination of a Secretary
expired with the 14th ult; and therefore I am compelled
to disclaim any responsibility for the
advice given you in my Message.

you my message of the 14th ult, nominating Thomas Bullethwait Esq.
to the Office of Secretary of State. That nomination you were most pleased
to advise and consent to. I deeply regret this decision on your part,
which has deprived me of the efficient and valuable services of a Gentleman
eminently qualified for the discharge. The duties of the office to which he
was nominated, and for whom a personal friendship of long standing
and official intercourse for years, had induced me to feel a mailed
and decided preference. The ground upon which the rejection of the
nomination of Mr. Bullethwait was made is known only to yourselves.
I knew him to be honest, I knew him to be capable, I knew him
to be faithful to the Constitution, and I nominated him.

With great respect for the Senate, and without intending
the slightest imputation, I must be permitted to express my astonish-
ment and mortification at the course which they have been taken
to pursue. I did think it was due to the relations between the honour-
able Body and myself, due to the consideration you yourself had
accorded to administer the Government of the State, that he should
be permitted to make his own choice of the officer whom the Constitution
had made his intimate and confidential agent and advisor. But
the Senate would differently and determinedly to their decision,
which gives rise to the necessity of making a second choice, and
may turn me down to my first choice.

In the communication you sent me on the 14th ult you reply
to the one I had the honor to transmit to you on the same day, it
appears, that the Senate had evaded the question at issue, and
espoused the cause of the Legislature. It is to that the act of the
General Assembly of Maryland December 24th 1836 entitled an act to
amend the Constitution and form of government of the State of
Maryland was confirmed on the 13th of February last, and seeks to
refute a resolution which has never been urged by me, viz: that the
simple engraving of a law can give it only a partial Validity.
This my opinion was, nevertheless, not confirmed on the 13th of
February last, but on the 28th, f. that in my absence I received the
final and consummate action of the Legislature, and I do not doubt
that the simple engraving of a bill could add to its effect, but, that
the action of the Legislature, passing the bill, as an engraved bill,
was necessary to give it the Validity of a law. So far as Legislation
practice avails in the estimation of this disputed point, I think it
will be found upon examination that it sustains the position which
I have taken.

See page 126 of the Journal of the Senate December 24th
1831, will be found a report made by that body by Mr. Mayor,
the Relation of Columbus O'Donnell and the answer to it of Mr.

Dawson and John St. G. Rogers Esq; which distinctly avers the opinion, that a bill
which has passed both branches of the Legislature, but is unengrossed and sealed,
cannot be read as evidence before a Court of Justice. It will be found also, on
reference to the Journals of the Senate and House of Delegates, of December
1835, that a bill for the promotion of internal improvement, passed
both branches of the Legislature, but was afterward, on a message from the
Senate, reconsidered and amended. It is said to have been a Law from the date
of its passage, it could not have been reconsidered, and amended, and could only
have been effected by a repealing or supplemental Law.

If the Senate were right in the position they assume, that the
unengrossed Constitution went into operation on the 13th of February, then it is
respectfully suggested, that the limit imposed on the 13th of March, the day
before the receipt of the message from your honorable body, and the
termination of Secretary of State.

I shall have the honor, when the engrossed bill is passed,
if it should be passed, entitled a Supplement to the act to establish Magis-
trate Courts in the several counties of this State, to make nominations for
the offices required, and respectfully ask the return of the nominations which
I have made for Somerset County, as they were made under the mistaken
impression that the bill had been passed and of course made without
authority.

I send herewith, for your consideration, a communication from
the War Department of the United States.

I thank the honor to the, with high
respect from, your obt. Servt
Thos. W. Keazey.

The following communication was handed to His Excellency
the Governor by Joseph H. Nicholson Esq; Clerk of the Senate, viz
His Excellency Thomas W. Keazey Governor of Maryland.

Sir, By an order of the Senate, have the honor to inform
your Excellency, that the Senate advise and consent to the following
appointment, conformably to the nominations contained in your
message, dated on the 14th Inst, by the hands of Mr John H. Gallatin
viz Noah Rider, Samuel G. Harbord, Littleton Young, Willm. Miles
Miles, of Germ., William T. G. Polk, Henry Langford and Horatio P.
Gandy, to be Commissioners for Somerset County.

Have the honor to remain, etc
Excellency's most Obedt Servt

Joseph H. Nicholson Clerk of the Senate

Senate Chamber about 20 1838.

Whereupon Commissioner was appointed
aforesaid.

and Stephen Lewis, or to make such arrangements as may be necessary therefor
the question involved, to the Supreme Court of the United States.

Oppell Waller, James Tinson and John Rider Justices of District
Court No 1. Quadrant - Theodore G. Dashiell, Isaac Anderson and
Robert Patterson, Justices of District Court No 2, Prince George - and
Levin Fifer, John J. Hardy and Samuel J. Boggs, Justices of District
Court No 3 - Brinkley's, in Somerset County.

William Pickney Lieut Col of Regiments Artillery Guard, Vice
A Col. having resigned Brigadier General Garrison Major of Dots. Vice
Pickney promoted.

A B Fitzgerald to the First 7th Company for Vice Garrison
promoted. James W. Barrell late 2^d Lieut in 7th Company Vice
Fitzgerald promoted. John L. LaRiviere 3^d Lieut 7th Company Vice
Barrell promoted. Anthony L. Jenkins 4th Lieut 7th Company Vice
Riviere promoted.

Sud have the honor to remain
Very respectfully Yours Obedt^t
H. W. Peagor.

Executive Department
Annapolis March 28 1838.

Senators of the Senate,

I nominate John Charles Groome to be
appointed with your advice and consent to the office of Secretary of
State

and have the honor to remain
with great respect yours Obedt^t

H. W. Peagor.

A Message was received from the Senate by the hands of
Joseph H. Nicholson Esq; in the Clerk informing His Excellency
the Governor that the Senate advise and consent to the appointment
agreeably to the nominations submitted this day; also a message
informing His Excellency that the Senate advise and consent to
the appointment of John Charles Groome, to the Secretary of State,
agreeably to the nomination of this day.

Whereupon Commissions were issued to the several persons
appointed to offices aforesaid.

His Excellency the Governor appointed and impowered
Watkins Signer to make an Indemnity to the State and People
General Assembly of Maryland, for the sum of \$15,000 U.S.
from 1837 inclusive, as from the date of his taking
at the present time.

The following message was sent to the House of Delegates by
H. Gallbreth Esqne. N.Y.

Executive Department

Minneapolis March 28 1838

gentlemen of the House of Delegates:

Whereas it has been transmitted to you a communication from the Directors of the Maryland Contingency asking my influence in favoring the passage of a law granting temporary relief to that institution. Having been informed that the Board have acted favorably upon the memorial of the Directors, and believing that by something, however done to afford relief in their case, the integrity of the Contingency and of the State will be materially and injuriously affected & induced to bring the subject again before your attention.

The volume of business before the Legislature, and the time of action imminent, it is to be regretted, above, and its near termination may have precluded full due consideration of the subject which its importance and exigency demanded. The relief prayed for is absolutely indispensable to the credit and honor of the institution, and if not granted will cause a general & greater general discontent & suspision. After real & repeated & the institution, overlooked, there is another important circumstance, the relief sought, which is entitled to much weight, and that is, if the relief be not granted, the sacrifice of the same consequences a wide extenstion, and with violence to the compacts. Those who have considered the matter fully, recognize the exceeding injury & invasion of the good of the Contingency and thus, upon a consideration, have planned, receiving, & rejected, so determinedly against the good of the outdoor elderly and other necessities.

Permit me to call the attention of the House to the accompanying memorial and the melancholy interest, position, and inheritance of the institution as it is now found, & with the State, to ask a re-consideration of the former, in view of the relief considered indispensable to its occupied administration.

Please therefore to me, with great respect
Yours &c Yrs &c H. W. Parsons.

Thursday March 29 1838.

The following communication was received by the hands of Joseph McVicker Esqne. Clerk of the Senate N.Y.
His excellency Governor Slater

Sir In conformity with the direction of the Senate, I send the honor to inform you excellency that the general Assembly by interchange of messages have determined to meet on the 1st instant

tomorrow, Thursday the 29th Inst.

I have the honor to beg your Excellency and
the Board of Audit for H. Richardson & Co. to be paid

Senate Chamber 6 o'clock P.M.

March 28 1838.

The following message was sent to the Senate by John H. Gallatin
Signer No 5.

Executive Department
Annapolis March 29 1838.

Gentlemen of the Senate,

I nominate Thomas H. Hicks Signer to the
Register of Wills for Dorchester County, Vice William M. Eccleston deceased.

Authorise the honor to be with great
respect (Yours &c) T. H. Peasey.

T. H. Peasey.

A message was received from the Senate by Joseph H. Nicholson
Signer then Clerk informing His Excellency that the Senate advise
and consent to the appointment of Thomas H. Hicks, to the Register of
Wills of Dorchester County Vice William M. Eccleston deceased, agree-
ably to the nomination made this day.

Whereupon Commission was issued to the said Thomas H.
Hicks, accordingly. ✓

His Excellency the Governor granted a Writ of Prosser to
James Cullen, Michael Flinn, Thomas Gaffey, Francis Bannon,
Michael McDermott, Daniel Daugherty, Richard McCormick,
Patrick Connaugh, John Boyle, Francis McKeever, on account
of a charge by indictment in Allegany County Court, of having
maliciously and unlawfully spied and conspired together to enter
the dwelling house of N. Ryan, and James Johnson and there
and breaking into and maliciously entering the said dwelling house
and damaging the goods and chattels contained therein.

(See Person Recd)

Ordered that the Treasurer of the Western Shore pay Henry
Thompson in order two hundred and nine dollars fifteen cents
for the purchase of firewood, to be accounted for.

Ordered that the Auditor make a full audit of the accounts

Julius T. Duran
Chancery of the State

The Senate sitting in Committee of the Whole
made the following Civil appearance, viz:

John H. Calvert, Secretary of State, inc John Calvert,
declined.

Henry Thompson, Messenger of the Executive and
the public property.

His Excellency granted a Nolle Prosequi to Samuel Clegg
who was indicted by the Grand Jury of Frederick County for permitting unlawful games to be played in his house. (no person record)

Treasurer of the Western Shore pay to Washington & Tucker
order one hundred and twenty five dollars for one quarter salary and
expenses at Annapolis, due the first instant.

By order of the Governor.

Treasurer of the Western Shore pay Washington & Tucker order
fifty three dollars forty six cents, viz for expenses of firing three salutes
\$32.75, for packing Arms \$15.62 $\frac{1}{2}$, and for repairs of the public property
\$5.08 $\frac{1}{2}$, per account allowed.

By order of the Governor.

Wednesday April 1st 1776
Treasurer of the Western Shore pay William McNeil order
Seventy five dollars for printing circular letters and blanks for the Executive and
Adjutant General, per account allowed.

By order of the Governor.

Treasurer of the Western Shore pay to Joseph Schuyler
Seventy five dollars being the amount of his salary as Chaplain of the
Senate, due the 1st instant.

By order of the Governor.

Treasurer of the Western Shore pay to William Gilpin
Seventy five dollars for one Quarter Salary as Amourer
the 1st instant.

By order of the Governor.

Thursday April 2nd 1776
Treasurer of the Western Shore pay to William Gilpin
Seventy five dollars for one Quarter Salary as Amourer
the 1st instant.

By order of the Governor.

Treasurer of the Western Shore pay to John Clegg
hundred and one dollars.

State Department.

Maryland.

Annapolis, October 8th. 1838.

John H. Calhoun having resigned, His Excellency the Governor this day appoints Jos. H. Choate Secy of State.

He qualified by taking the several oaths required by the Constitution and the Laws.

By order of His Excellency the following draft was drawn upon the Treasury for the Western Shore, and signed by the Secretary of State. Dated:

In favor of His Excellency Gov. Beatty for the quarterly salary due him as the Governor of the State, on the first of October. \$997.60

In favor of Thomas Warden for making tents as per account filed and allowed.

In favor of John Bacon for the tuition of deaf and dumb pupils of the State at the Pennsylvania Institution from the 1st. of April to the 1st. of October 1838 as per account allowed and sent to the Treasury.

In favor of Washington G. Tuck for packing boxes, boxes, bags, muskets, &c. as per account filed and allowed.

In favor of William Darbin for the quarterly salary due him, as Auditor at Frederick, on the First day of October.

In favor of John H. Calhoun for the amount of salary due him, as Secretary of State, from the 1st. of October last to the 8th. of October. The day on which he resigned.

His Excellency the Governor appoints Robert C. Smith Master of Liver Stock for the city of Baltimore.

To be signed

Notice of the sale of land in Anne Arundel County, having a surface area of 100 acres, was issued to the public on the 1st. of October, 1838, and the same is now offered for sale.

Message from the President

The Governor has day transmitted to the Senate
message by the hands of post-chilid, bearing date

To the Senate

of Maryland:

I hereunto transmit for the consideration of the Senate
list of the appointments I have made since the adjournment of
Senate on the 30th of March last, in virtue of the powers authorized
by the Constitution. I now nominate the several persons mentioned
(or so many of them as it may be thought necessary to be
commissioned,) to be appointed, by and with the advice and
consent of the Senate, to the offices respectively attached to their names.

John C. Breckinridge having declined to accept the office of
Secretary of State, to which he had been appointed by my
advice and consent of the late Senate, on the 3d day of March last,
I appointed John H. Catlett to fill the vacancy. Mr. Catlett
resigned on the 6th day of last last, and on the 22d
same month I appointed James H. McDowell, formerly
Mr. McDowell will continue to perform the duties of
the office until his successor shall be appointed.
The expiration of the term for which he was elected, it is believed,
nearly to a close, that I do not consider my appointment
of Mr. McDowell for the expiration of the term
and his being succeeded to interfere with; or other
arrangements of the government, or the
Senate, in regard to the appointment
that for the presidency.

I nominate James Blaine, of New
York, to be appointed, by and with
the advice and consent of the Senate,
one of the several commissioners
to land and mineral rights in
the state of Colorado.

George W. Geary

Amelia D.

The Governor transmitted the following message to the General Assembly by the Hands of Mr. Hickelton, Secretary of State.

Gentlemen of the Senate,

and of the House of Delegates.

I herewith lay before you a communication from Thos. Superintendent of the National Road in Maryland, containing a copy of his first semi annual report of tolls received, and disbursements on account of repairs, commencing on the 20th of June 1838 and ending on the 20th. of November following, together with the vouchers as and till due. This document did not reach the Department in time to be communicated with the annual Message.

Thomas W. Keysey

Annapolis. January 6th. 1839

The following communication was delivered to the Governor by the Atst. Clerk of the Senate.

Senate Chamber.

Annapolis. January 6th. 1839

His Excellency Thomas W. Keysey

Gov. of Md.

Sir, I have the honor to inform you that the Senate advise and consent to the appointments, severally, of certain persons to the Military Office, equally to the message, and accompanying list annexed to the Senate this day.

The Senate also advise and consent to the following appointments, severally to the said Message and accompanying list. To Josiah Gill Bateman, to be Register of Bills for Charles Co. Samuel Donaldson, to be Trustee of the University of Maryland. James Penwick, to be one of the persons to estimate and fix at the value of Jeff Davis's land &c.

Please the Honor to the Senate

John W. Watkins Atst. Clerk

By the direction of the Governor the following draft was made out in the name of the Western Shore.

In favor of Mr. Hickelton, Secretary of State
for Senator's Salary due on the 1st Inst.

In favor of Mr. Hickelton, Clerk of the Senate
for Senator's Salary due on the 1st Inst.

In favor of George Johnson, Cashier
of the Bank of Maryland for Senator's Salary due on the 1st Inst.