

VOTES AND PROCEEDINGS, NOVEMBER SESSION, 1808.

(F.)

The answers of James Shaw, of the city of Annapolis, to the questions proposed by the committee appointed to inquire into the expenses incurred by the Executive in fitting up the house of delegates room, under a resolution of November session, 1806.

TO the first interrogatory this deponent saith, That some few days previous to the election of city delegates, Mr. Washington Tuck called at the office of this deponent, when this deponent introduced the subject of his dispute with the executive, and expressed a wish that he would detail the circumstances which led to it, and the manner in which it terminated: After much solicitation, and apparently with much reluctance, he gave to this deponent, as nearly as he can now recollect, a statement to the following effect: "That sometime after the completion of the work done by himself and his brother, under the direction of the executive, they (the Messrs. Tucks.) filed in the council chamber an account against the state, in general terms, for work done and materials found; that shortly afterwards they were requested by the executive to furnish them with a statement of their claim, wherein the several articles furnished by them should be particularly enumerated, at the same time expressing their perfect satisfaction as to the amount, stating that they wished it as a voucher to that authority to whom they were responsible, and protesting against any suspicion of the correctness and justice of the demand: That accordingly the Messrs. Tucks did exhibit such an account, duly proven, and accompanied with vouchers, and prayed that the executive would proceed to act on it. An objection was now made to their account as exorbitant, and, as well as this deponent recollects, a proposal was made by the executive to refer the matter to arbitration, the Messrs. Tucks binding themselves in a penalty to abide by the award; which was refused, the obligation not being mutual: That sometime previous to this, an order on the treasurer in favour of the Messrs. Tucks had been drawn, for what amount this deponent does not recollect, and that after the conversation last mentioned between the Messrs. Tucks and the executive, they attended in the council chamber, when a further order on the treasurer was offered, for an amount less than the balance claimed, which was refused: That one of the Messrs. Tucks stated to the executive, that their account was just, that in proof of it they had sworn to it; that as honest men they could not accept of less; that the executive were, on the other hand, committed not to admit it, and that therefore they despaired of an amicable adjustment:" This deponent does not know whether this was before or after the reference herein after mentioned: Two several references were made, whether by consent of parties or not this deponent does not recollect; the result of those references is with the committee: That the Messrs. Tucks refusing to take less than originally demanded, no further proceeding was had until an order for the full amount was presented them, at what time will best appear from the date of the order, and from the day on which it was filed in the treasury-office. The above conversation was had in the presence of Thomas H. Bowie, Esq. to whom this deponent would refer the committee.

To the other questions proposed, this deponent, conceiving that he could disclose nothing which would meet the object of the committee, begs leave to decline a further answer.

*City of Annapolis, to wit:*

PERSONALLY appeared James Shaw, of the city of Annapolis, before me the subscriber, Mayor of the said city, and made oath on the Holy Evangelists of Almighty God, that the several circumstances detailed in the above deposition, were related to him as therein stated, to the best of his recollection and belief. Taken this 22d December, 1808, before

BURTON WHETCROFT, Mayor.

(F. F.)

The further Deposition of James Shaw, of the city of Annapolis, to the interrogatories of the committee, &c.

THIS deponent states, that he has frequently heard Mr. Washington Tuck express himself very freely on the subject of his dispute with the executive; that he invariably reprobated their conduct in the most pointed manner, and publicly intimated, that at some future day they might have reason to wish they had pursued a different course. He well remembers, that soon after the council had refused to pass his account, he heard Mr. Tuck declare, *that he would oppose the council, or the party*, the particular expressions this deponent cannot positively swear to, but the impression made by them on his mind at the time was, that in elections for delegates, (in which the members of the council, resident in this city, generally take a very decided and active part,) they should never have his vote or influence.

Sworn to this 24th Dec. 1808, before the subscriber, one of the associate judges of the third judicial district.  
RICHARD H. HARWOOD.

(G.)

The answer of Joseph McCeney, of the city of Annapolis, to the interrogatories proposed to him by the committee.

WHO deposes and saith, to the first interrogatory, That he has had frequent conversations, previous to the last election for city delegates, with Mr. Washington Tuck; whenever the subject of his account was introduced, he always spoke in abusive terms of the conduct of the council in not paying it, and always insisted that Mr. Magruder would be elected unless it was paid.

To the second and third interrogatories this deponent saith, That he never had conversation with any of the council on the subject.