

ture of the constitution of the general government, which directs that the vacancy in the representation of this state in the senate of the United States should be filled at the next meeting of the general assembly; but its pleasure was converted into unfeigned regret when we discovered, that the house of delegates had rejected our proposition to proceed to an election in the usual manner, and determined that no election should be held in a way and under a principle of their suggestion, foreign and unknown to the constitution, the laws and the usages of this state. To the rejection of this innovation the senate were urged by the most cogent and impressive reasons. They considered that by the plan of election proposed by our house no election could ever be had, unless both branches of the legislature, in a separate and distinct vote, should select the same character as their senator; an instance of unanimity in election rarely occurring and never to be met with where any difference of political opinions exist in the two houses of the general assembly. That this mode of election, in the conflicts of party, must inevitably eventuate in a total failure of this state's representation in the senate of the union, and pursued by either of the United States, may be followed by a dissolution of the general government. That it is a measure not only foreign and unknown to our constitution and laws, but is in direct repugnance to the views and designs of their framers, in every instance where an election is to be made by both branches of the legislature, is too clearly manifested to be doubted or misunderstood. By the 25th article of the constitution of Maryland, a governor is directed to be chosen by both houses of the general assembly, the mode of election prescribed is a joint ballot. By the 26th article the council to the governor are directed to be chosen by the same authority, the mode of election prescribed is a joint ballot. By the 27th article the delegates to the old confederative congress from this state are directed to be chosen by both houses of assembly, the mode of election is a joint ballot. By the 41st article a register of wills for each county is directed to be appointed by the senate and house of delegates, the mode of election is a joint recommendation or ballot. By sundry acts of assembly by the two branches of the legislature are authorized to appoint directors in several of the incorporated banking institutions, the mode of election is a joint ballot. In fine, it may be stated, without the fear of contradiction, that in every instance either under the constitution, the acts of assembly, or the usages of the legislature, where the election of an officer is to be made by the vote of both houses, the variable mode of election has been a joint ballot.

After the hue and cry which has been raised against the senate of Maryland, "so remotely selected, and so constituted as the senate is," we were not a little surprised at the new & momentous power offered us by the other branch of the legislature, by which in one of the most important subjects on which the legislature can be called upon to act, eight members of the senate are enabled to defeat or control the united voices of eighty members of the house of delegates, the immediate representatives of the people, at large, and by which eight members of the senate may, during a term of five years, prevent the election of a senator of the United States, in opposition to the unanimous voice of the people of Maryland. The adoption of such a principle, the possession of such a power by the senate, we view as repugnant to the genius and spirit of our republican constitution, and an alarming infringement on the rights of the people.

The house of delegates will bear in mind that the first proposition for the election of a senator was made to them by the senate; that this proposal offered no new or unusual mode of election, but was the same which had been pursued, without interruption or change, from the first formation of the general government to the present day, a period of more than twenty years.

It may also be worthy of remark, that of the three members delegated by the state of Maryland to the general convention which ratified the constitution of the United States, two, (namely, the honourable James M'Henry and Daniel Carroll,) were members of the general assembly at the time of the first election of senators to congress, and that the mode of election then adopted has been followed by the legislature without innovation or change, until the present session of assembly.

The senate were not influenced in their determination respecting the election of a senator of the United States by a spirit of party, or by a partiality or dislike to any individual, or by a prophetic anticipation of the senate's being determined to confine the choice to a particular individual, and to compel you to re-elect him, and him alone, against whom it is known that in your house and throughout the majority of the counties there exist great and insuperable objections," as you have been pleased to suggest; but the permanent interests of the state, the safety of the general government, the protections of the rights and privileges of the people, and the dangerous and inconvenient tendency of the contemplated change, are the grounds on which the senate

have adhered to their proposition first made to the house of delegates.

The senate are actuated by the same spirit of liberal, just and mutual accommodation and candour, which is professed by your honourable body, and are and ever will be ready to confer with the other branch of the legislature on any matter which can with propriety become a fit subject of conference between them; and should the house of delegates inform us that they are willing to proceed to an election in the usual way, we are prepared to appoint a committee to interchange sentiments with such committee as you may think proper to appoint on the characters which shall have been put in nomination by the two houses.

We trust the house of delegates will credit our assurances when we inform them, that nothing is more foreign from the views of the senate than a wish to exercise an undue control over the immediate representatives of the people of Maryland.

By order, T. ROGERS, clk.

Which was read.

The speaker laid before the house a letter from Samuel Smith, Esquire, enclosing a letter from him to the senate of the United States, and a resolution of that body on the same; which were read.

The speaker laid before the house a letter from Robert Wright, Esquire, late governor, inviting an examination of his executive proceedings as to the cases of pardon; which was read.

The bill to provide a ready mode of obtaining the testimony of the register of the land-office, was read the second time, and the question put, That the further consideration of the same be referred to the next general assembly? Resolved in the affirmative.

The clerk of the senate delivers the following message:

By the Senate, June 10, 1809.
Gentlemen of the House of Delegates,

We have finished all the business before us, and are ready to close the session immediately. We have appointed Mr. Partridge and Mr. Lloyd Dorsey, to join such gentlemen as shall be named by your house, to wait upon the governor, and request his attendance in the senate chamber to sign and seal the laws.

By order, T. ROGERS, clk.

Which was read.

Also the engrossed bill No. 16, endorsed; "read and assented to."

Mr. Dorsey delivers a report on the state of the government-house and property therein; which was twice read, and the blank in the resolution (appropriating money for the repairs thereof) filled up with "two thousand dollars," and the question put, That the house assent to the resolution therein contained? Resolved in the affirmative, and sent to the senate.

The engrossed bills No. 15 and 16 were read and assented to, and sent to the senate.

Ordered, That the committee of claims close the journal of accounts, including Sunday next.

Ordered, That the letter from Robert Wright, of this day, be placed on the journal, and that he be heard at the bar of the house, agreeably to his request.

The following message was read, and the question put, That the house agree to the same? Resolved in the affirmative, yeas 39, nays 54.

By the House of Delegates, June 10, 1809.
Gentlemen of the Senate,

It is with serious concern that the house of delegates observe by your message of this morning, that the senate have finally resolved to adhere to their determination on the subject of the appointment of a senator; nor is our surprise diminished by the elaborate attempt which the senate have deemed it necessary to make in support of that determination, because it will be seen, if the premises and reasoning adduced in your message were not too evidently fallacious to require an answer, that no new argument bearing upon this subject is now adduced which has not been obviated and already completely answered in the communication we had the honour to address to you on the 8th instant.

If the proposition offered by the immediate representatives of the people to confer with the other branch of the legislature on a question of great moment to our constituents had not been at once peremptorily rejected, we had entertained a fond expectation that a fair and honourable adjustment might have been the result. It is with increased pain and astonishment we perceive that the senate have again rejected all hopes of a conference, unless the house of delegates will first abandon the constitutional right for which they have contended, and by so doing, without any other assurance whatever, at once subject themselves entirely to the dominion of the senate.

The repeated and liberal advances on our part having thus failed, nothing remains for us but to leave your honourable body to their own responsibility; and under these circumstances, having transacted all the other business before us, the house of delegates have no option left but to comply with the desire the senate have expressed to close the present extraordinary session of the legislature.

Mr. Baer delivers the journal of accounts; which was read and assented to. And a bill

for the payment of the journal of accounts; which was twice read, passed, and sent to the senate.

The following order was read and agreed to: Ordered, That five hundred copies of all the proceedings and entries on the journals of this house during this session, relative to the appointment of a senator to represent this state in the senate of the United States, including the yeas and nays on each question, in the order of time in which they appear on the journals, be printed for the use of the members, and forwarded in the usual manner.

The following message was read, agreed to, and sent to the senate:

By the House of Delegates, June 9, 1809.
Gentlemen of the Senate,

We have finished all the business before us, and are prepared to close the session immediately. We have appointed Mr. Sanders and Mr. Wilson, to join the gentlemen named on the part of the senate, to wait upon his excellency the governor, and request his attendance in the senate chamber to sign and seal the laws.

The clerk of the senate delivers the resolution relative to repairing and furnishing the government-house, and the journal of accounts, endorsed, "assented to." And the bill for the payment of the journal of accounts, endorsed, "will pass." Ordered to be engrossed.

The following resolution was twice read, assented to, and sent to the senate:

Whereas Thomas King, belonging to the artillery company of the city of Annapolis, and who has been a soldier in the late revolutionary war, and wounded therein, in discharging his duty on the tenth day of June, has been so unfortunate as to lose his right hand by the firing of a cannon, which entitles him to the peculiar care of this state; and the said Thomas King having a family dependent on him for support, therefore resolved, That the treasurer of the western shore pay immediately to the said Thomas King, or to his order, the sum of fifty dollars, and a sum equal to the half pay of a sergeant during his life, in quarterly payments, to commence on this day.

Resolved unanimously, That the thanks of this house be presented to Levin Winder, Esquire, for the ability, attention and impartiality, with which he has, during this session, discharged the various duties of speaker of the house of delegates.

The clerk of the senate delivers the resolution in favour of Thomas King, endorsed, "assented to."

Mr. Dorsey and Mr. Williams, from the senate, inform the speaker that the governor is attending in the senate to sign and seal the engrossed bills, and request the attendance of this house for that purpose.

The speaker left the chair, and, attended by the members of this house, went to the senate, and there presented the following engrossed bills to the governor, who signed the same, and affixed the great seal thereto, in the presence of both houses.

No. 1. An Act for the relief of Dennis Connell, of Charles county.

2. An Act to confirm the location of the turnpike roads therein mentioned.

3. A Further supplement to an act, entitled, An act to extend Centre-street, in the northern precincts of the city of Baltimore, and to build a bridge therein across Jones falls.

4. An Act to authorize and empower William Stanbury, and Ellen Kent Stanbury his wife, to demise and lease the piece of ground therein mentioned.

5. An Act to prescribe the time which jurors shall serve in Baltimore county.

6. An Act to lay out a road therein mentioned.

7. An Act for the relief of Jacob Gettag, an insolvent debtor.

8. An Act for the benefit of Elizabeth Thomas, of Kent county.

9. An Act authorizing and directing the levy court of Somerset county to levy a sum of money for the support and maintenance of Levin Miles, a lunatic.

10. An Act for the benefit of Edward Everfield, a minor, and others, of Prince-George's county.

11. An Act for the relief of David C. Stewart, Lloyd Buchanan and William P. Stewart, of Baltimore county, insolvent debtors.

12. An Act annulling the marriage of Charles Farrow, and Anne his wife.

13. An additional supplement to an act, entitled, An act to authorize a lottery to raise a sum of money for the repairs of Shrewsbury church, in Kent county.

14. An Act to authorize the governor and directors of the Susquehanna canal company to raise a sum of money, by lottery, for the purpose therein mentioned.

15. A Further additional supplementary act to an act, entitled, An act for regulating the mode of slaying executions, and repealing the acts of assembly therein mentioned.

16. An Act to alter the thirty-second and thirty-seventh articles of the constitution and form of government.

17. An Act for the payment of the journal of accounts.

The speaker, with the rest of the members, returned and resumed the chair.

The house adjourns until the first Monday of October next.

Died, at Philadelphia, on the 4th inst. in the 39th year of his age, Dr. James Woodhouse, late Professor of Chemistry in the University of Pennsylvania.

See Supplement

PUBLIC SALE.
By virtue of a decree of the high court of chancery, in Maryland, will be sold public sale, on Saturday, the 5th of August next, in Berlin, in Worcester county,

ABOUT twenty-five acres of LAND the estate of LAYFIELD COLLIER, of Worcester county, deceased; the said land is situate between Berlin and the Traill said county. A description of said land not deemed necessary, as it is expected who may wish to purchase will view the said land will be sold on a credit of six months, the purchaser to give bond, approved security, conditioned for the payment of the purchase money, with legal interest on the same.

THOMAS N. WILLIAMS, Justice
June 14, 1809.

CINCINNATI.
A MEETING of the SOCIETY of CINCINNATI will be held at Barney's tavern, the Fountain Inn, in the city of Baltimore, on Tuesday, the fourth of July next, at 11 o'clock in the forenoon, agreeably to their last adjournment. Members of said Society are requested to their attendance.

By order,
ROBERT DENNY, Sec'y
June 10, 1809.

In CHANCERY, June 1, 1809
Walter S. Chandler, and others,
vs.
The Heirs of Thomas Clarke.

IT is, this first day of June, Anno Domini 1809, Ordered, adjudged and decreed, the Chief Judge of the third Judicial District in virtue of the power and authority vested in him by the act of assembly, entitled, "An act concerning the chancery court, that report of the auditor of the 11th of April be confirmed, and that the Trustee, James Morrell, Esq. pay over to the several claimants the respective sums allowed and reported to be due to them by the said report, and statement of the Auditor accompanying the same, marked A, unless cause be shewn the contrary on or before the tenth day of July next.

True copy.
Test. NICHOLS BREWER
Reg. Cur. Can.

THIS IS TO GIVE NOTICE,
THAT the subscriber hath obtained from the orphans court of Calvert county in Maryland, letters of administration on the personal estate of SCATH HELLER late of Calvert county, deceased. All persons having claims against the said deceased are hereby warned to exhibit the same, with the vouchers thereof, to the subscriber, at or before the 15th day of December next, they may otherwise by law be excluded from benefit of the said estate. Given under my hand, this 5th day of June, 1809.

BENJAMIN H. MACKALL, Admr.

STATE OF MARYLAND, sc.
Anne-Arundel County, Orphans Court
June 6, 1809.

ON application, by petition of BASIL BROWN, administrator, with the will annexed, of WILLIAM HAMMOND, late of Anne-Arundel county, deceased, it is ordered that he give the notice required by law to creditors to exhibit their claims against the said deceased, and that the same be published once in each week, for the space of six successive weeks, in the American, of Baltimore, the National Intelligencer, at the city of Washington, and the Maryland Gazette.

JOHN GASSAWAY, Reg. Wills
for Anne-Arundel county.

THIS IS TO GIVE NOTICE,
THAT the subscriber, of Anne-Arundel county, hath obtained from the orphans court of Anne-Arundel county, in Maryland, letters of administration, with the will annexed, on the personal estate of WILLIAM HAMMOND, late of Anne-Arundel county, deceased. All persons having claims against the said deceased are hereby warned to exhibit the same, with the vouchers thereof, to the subscriber, at or before the sixth day of December next, they may otherwise, by law be excluded from all benefit of the said estate. Given under my hand this 6th day of June 1809.

BASIL BROWN, Admr. w. a.

TO THE VOTERS
Of Anne-Arundel County, and the City of Annapolis.

GENTLEMEN,
FROM the promised support of many of my fellow-citizens; I am encouraged to offer myself a candidate for the next SHERIFFALTY of this county; should I be honoured with your support on that occasion you may rest assured, that every exertion of my part will be used to discharge the duties that will necessarily devolve on me with industry and fidelity.

I am, Gentlemen, Your obt. servant
25 SOLOMON GROVES.