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WEDNESDAY, NOVEMBER 22, 1809.

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Maryland Gazette.

ANNAPOLIS:

WEDNESDAY, NOVEMBER 22, 1809.

Legislature of Maryland.

HOUSE OF DELEGATES.

MONDAY, NOVEMBER 13, 1809.

THE house met. Present as on Saturday. The proceedings of Saturday were read. Edward H. Veazey, a delegate for Cecil county, and Mr. William Hebb, for St. Mary's county, appeared, qualified, and took their seats.

On motion of Mr. Brent, the following message was sent to the senate: *By the House of Delegates, Nov. 13, 1809. Gentlemen of the Senate,*

With the concurrence of your house, we propose to proceed at 12 o'clock this day to the election of a governor. Edward Lloyd, Esquire, is put in nomination by us, and we have appointed Mr. Brent and Mr. Wharton, with such gentlemen as may be appointed by you to examine the ballots, and report thereon.

By order, J. BREWER, clk. On motion of Mr. J. Brown, Leave given to bring in a supplement to the act for the recovery of small debts out of court, and to repeal the acts of assembly therein mentioned.

Mr. J. E. Spencer presents a petition from one O'Bryan, of Queen-Anne's county, praying a trustee may be appointed to sell the estate of William O'Bryan, deceased, for the benefit of his infant children, and Mr. Brent presents a petition from Martha Key, of Cecil county, praying a divorce; which were read and referred.

The order directing the register of the office for the eastern shore to be furnished with the laws and proceedings, was read the second time and assented to.

Mr. Worthington presents a memorial from one Comegys, and others, of the city of Baltimore, praying a lottery to raise money for the erection of a monument in or near the city to the memory of George Washington. Mr. Tabbs delivers a petition from sundry inhabitants of Washington county, concerning the petition for a road, and a petition from John Carr, of Washington county, a stationary soldier; which were severally read and referred.

On motion of Mr. Brent, Ordered, That the resolutions disapproving of the resolutions of the 11th November session which disapproved the embargo, have a second reading on Friday, the 30th inst.

The clerk of the senate delivers the following message:

*By the Senate, Nov. 13, 1809. Gentlemen of the House of Delegates,*

We agree to proceed to the election of the governor at the time mentioned in your message, and have appointed Mr. Partridge and Mr. Pindell, to join the gentlemen named by your house for the examination of the ballots. No person is put in nomination by the senate in addition to the gentleman named by you.

By order, T. ROGERS, clk. Which was read.

The bill for the relief of Patrick Gillaspay, read the second time, passed, and sent to the senate.

Mr. Cottman presents a petition from George Robertson, of Somerset county, praying that a person may be appointed to convey certain lands; which was read and referred.

On motion of Mr. Seth, Ordered, That the bill to alter such parts of the constitution and form of government of this state as relate to the election and qualification of voters, be recommended for amendment, and that Mr. J. Thorton and Mr. Brent be added to the committee.

Mr. Tabbs presents a petition from Catherine Hogmire, of Washington county, praying a divorce; which was read and referred.

The bill to alter and change the names of Daniel, William and Jacob Cole, was read the second time, passed, and sent to the senate.

Mr. Palmer delivers a bill, entitled, An act annulling the marriage of Amelia Peters, of Queen-Anne's county; which was read.

On motion of Mr. Tabbs, the following resolution was read:

*Resolved,* That the court of Allegany may be and they are hereby authorized and directed to contract with some person or persons (taking bond, with security, for due performance,) for the expending of — in such manner as the court shall direct, and to the best advantage, in opening, making passable, the road already laid off located, in the nearest direction from Hancock to Cumberland; which said sum

the treasurer of the western shore is hereby directed and required to pay to the order or orders of the said court, out of any unappropriated money in the treasury.

The house having qualified according to the constitution and form of government, proceeded to the choice of a governor, and upon examining the ballots it appeared, that Edward Lloyd, Esquire, was elected; he was accordingly declared to be governor of the state of Maryland.

Mr. Frazier delivers a bill, entitled, An act to repeal the act, entitled, An act for the preservation of the navigation of Cabin creek, in Dorchester county; which was read.

On motion of Mr. Stevens, the following message was sent to the senate:

*By the House of Delegates, Nov. 13, 1809. Gentlemen of the Senate,*

The honourable Edward Lloyd, Esquire, having been elected governor of the state of Maryland, we have appointed Mr. Stevens and Mr. Chapman, jointly with such gentlemen as may be named by your house, to wait upon the governor elected, and request his attendance in the senate room to qualify according to the constitution and form of government.

By order, J. BREWER, clk.

Mr. Street delivers a favourable report on the petition of Matthew Clark; which was read.

Mr. Hilleary presents a petition from George Plummer Hinkle, praying to be released from the payment of a sum of money due for improvements; which was read and referred.

On motion of Mr. Seth, Leave given to bring in a supplement to the act relating to the standard of English weights and measures.

The clerk of the senate delivers the following message:

*By the Senate, Nov. 13, 1809. Gentlemen of the House of Delegates,*

We have appointed Mr. Thomas B. Dorsey and Mr. Gibson to join the members appointed by you, to wait on the governor elected, and request his attendance in the senate chamber to qualify agreeably to the constitution and form of government.

By order, T. ROGERS, clk. Which was read.

Mr. Partridge and Mr. Bowie, from the senate, acquaint the speaker that the governor elected is attending in the senate room, and the senate requests his attendance, with the members of the house of delegates, in the senate room, to see the governor qualified.

The speaker, attended by the members, went to the senate room, saw the governor qualify in the presence of both houses, and returned and adjourned the chair.

The house adjourns till to-morrow morning.

TUESDAY, NOVEMBER 14, 1809.

THE house met. Present as on yesterday. The proceedings of yesterday were read.

On motion of Mr. Archer, the following message was sent to the senate:

*By the House of Delegates, Nov. 14, 1809. Gentlemen of the Senate,*

We propose to proceed immediately to the election of a council to the governor. Reverdy Giffelin, George E. Mitchell, James Butcher, Lewis Duvall and Thomas W. Hall, are put in nomination by this house. We have appointed Mr. Archer and Mr. Stuart to join any gentlemen named by your house to examine the ballots, and report thereon.

By order, J. BREWER, clk.

Mr. Harryman presents a petition from Benjamin Boyce, of the city of Baltimore, praying to be supported out of the poor-house; Mr. S. Thomas presents a petition from William Wheeler, of Montgomery county, praying to be supported out of the poor-house; Mr. Veazey presents a petition from Richard Flintham, of Cecil county, praying that he may be vested with a right in fee to certain land; Mr. Worthington presents a petition from George Redd, of Frederick county, Virginia, praying that the state subscribe for a number of copies of a pamphlet written by him, entitled, "A late discovery extremely interesting to Planters and Farmers;" and Mr. Wharton presents a petition from James Lackland, and others, of Montgomery county, praying for a road; which were severally read and referred.

On motion of Mr. J. E. Spencer, Ordered, That the sergeant at arms furnish to each member of this house, during the session, such one of the papers published in this city as the members may respectively direct.

Mr. Seth delivers a bill, entitled, An act to alter such parts of the constitution and form of government as prevent persons conscientiously scrupulous of taking an oath from serving as jurors; which was read.

Mr. Bland delivers a bill, entitled, An act respecting writs of habeas corpus, and Mr. J. E. Spencer delivers a bill, entitled, An act to empower the trustee herein after named to

sell certain lands of the late William O'Bryan, deceased, situate, lying and being, in Queen-Anne's county, and for other purposes therein mentioned; which were read.

Mr. A. Dorsey presents a petition from capt. Vachel Burgess, of Anne-Arundel county, a revolutionary officer, praying relief; which was read and referred.

The order relative to furnishing the members with news-papers, was, on motion of Mr. J. E. Spencer, reconsidered, amended and agreed to.

Mr. Tabbs presents a petition from Mary Weaver, of Frederick county, praying a divorce; which was read and referred.

The clerk of the senate delivers the following message:

*By the Senate, Nov. 14, 1809. Gentlemen of the House of Delegates,*

We agree to proceed immediately to the election of a council to the governor, and have appointed Mr. Williams and Mr. McElderry to join the gentlemen named by your house in the examination of the ballots. No person is named by the senate in addition to those mentioned in your message.

By order, T. ROGERS, clk. Which was read.

The house, having qualified, proceeded to the choice of a council to the governor, and upon examination of the ballots it appeared, that James Butcher, George E. Mitchell, Thomas W. Hall, Reverdy Giffelin and Lewis Duvall, Esquires, were elected; they were accordingly declared to be a council to the governor.

Mr. Worthington delivers a bill, entitled, An act to establish a permanent salary for the chief justice of the court of oyer and terminer and grand delivery for Baltimore county; which was read.

Mr. Wharton presents a petition from David Hambleton, of Montgomery county, praying to be supported out of the poor-house; Mr. A. Dorsey presents a petition from John Dorsey, of Anne-Arundel county, praying that the direction of a road through his land may be changed; and Mr. Wharton presents a petition from Matthew Bradburn, of Montgomery county, praying to be supported as an out pensioner; which were read and referred.

On motion of Mr. Boyle, the following resolution was read and assented to:

*Resolved,* That the levy court of Anne-Arundel county, be and they are hereby authorized and empowered to levy a sum of money on the said county for the support, clothing and maintenance, of William Johnson, (at present sick and unable, by reason of his infirmities, to proceed to the state of Tennessee, where the said Johnson resides,) until the attending physician of the poor-house shall think the said Johnson may be discharged without danger, and that the trustees of the poor for the county aforesaid be authorized to receive him into the poor-house for the county aforesaid.

Mr. Harryman delivers a bill, entitled, An act to authorize and empower the levy court of Baltimore county to assess and levy a sum of money for the purpose therein mentioned; which was read.

Mr. Worthington delivers a bill, entitled, An act annulling the marriage of Eleanor Parker and Robert Parker, of Baltimore city; which was read.

The bill for the relief of John Cooper, was read the second time and passed.

On motion of Mr. Worthington, Leave given to bring in a bill to increase the salary of the chief judge of the sixth judicial district of Maryland.

The bill to authorize a lottery in Frederick county, was read the second time and passed.

Mr. Tabbs presents a petition from Rebecca Adams, of Washington county, praying a divorce, and Mr. Chapman presents a petition from Robert Halkerkstone, a revolutionary officer; which were read and referred.

On motion of Mr. J. H. Thomas, Leave given to bring in a bill to alter and abolish all such parts of the constitution and form of government as require a property qualification in persons to be appointed or holding offices of profit or trust in this state, and in persons elected members of the legislature, or electors of the senate.

On motion of Mr. Worthington, Leave given to bring in a bill to alter and simplify the proceedings at law, and to expedite the administration of justice.

On motion of Mr. J. E. Spencer, the following message was sent to the senate:

*By the House of Delegates, Nov. 14, 1809. Gentlemen of the Senate,*

We propose, with the concurrence of your house, to proceed immediately to the election of a senator to represent this state in the senate of the United States. Samuel Smith and John Eager Howard are put in nomination

by this house. We have appointed Mr. J. E. Spencer and Mr. Gale, on the part of this house, to join such gentlemen as may be named by your house for the purpose of counting the ballots.

By order, J. BREWER, clk.

Mr. Bland delivers a bill, entitled, An act concerning crimes and punishments; which was read.

On motion of Mr. Archer, Leave given to bring in a bill concerning costs in criminal prosecutions.

Mr. J. Brown delivers a bill, entitled, An act for the valuation of real and personal property within this state; which was read.

On motion of Mr. J. Brown, Leave given to bring in a bill for the regulation of officers' fees.

The clerk of the senate delivers the following message:

*By the Senate, Nov. 14, 1809. Gentlemen of the House of Delegates,*

We agree to your proposition for proceeding immediately to the election of a senator to represent this state in the senate of the United States. No person is put in nomination by this house in addition to those nominated by you. Mr. Thomas B. Dorsey and Mr. Purnell are appointed to join the members named by your body to count the ballots.

By order, T. ROGERS, clk. Which was read.

The house proceeded to the said election, and upon examining the ballots it appeared, that Samuel Smith, Esquire, was elected, and he was accordingly declared to be the senator to represent this state in the senate of the United States.

Mr. S. Thomas delivers a bill, entitled, An act for the support of William Wheeler, of Montgomery county; which was read.

The house adjourns till to-morrow morning.

WEDNESDAY, NOVEMBER 15, 1809.

THE house met. Present as on yesterday. The proceedings of yesterday were read.

The bill for the support of William Wheeler, the bill to authorize a lottery in Frederick county, the bill for the relief of John Cooper, and the resolution in favour of William Johnson, were sent to the senate.

On motion of Mr. J. E. Spencer, Leave given to bring in a bill to prevent free negroes, mulattoes or slaves, from attending the places where a regiment or battalion may be convened for military duty.

Mr. Harryman presents a petition from sundry inhabitants of Baltimore county, praying for a road, and a counter petition thereto; which were read and referred.

Mr. Worthington delivers an unfavourable report on the petition of George Redd; which was twice read and concurred with.

Mr. Worthington presents a petition from Rachel Burgoyne, of Baltimore county, praying to be refunded the money paid on cheating certain land, and Mr. Veazey presents a petition from sundry inhabitants of Cecil county, praying for a turnpike road; which were read and referred.

Mr. J. E. Spencer delivers a bill, entitled, An act to fix the mode of electing senators to represent this state in the senate of the United States; Mr. Tabbs delivers a bill, entitled, An act annulling the marriage of Nathan Adams, and Rebecca his wife; and Mr. Seth delivers a bill, entitled, An act to alter all such parts of the constitution and form of government of this state as relate to voters and qualification of voters; which were severally read.

Mr. Worthington presents a memorial from the representatives of the yearly meeting of Friends, held in the city of Baltimore, praying some provision for the better protection of free negroes; Mr. Harryman presented a petition from sundry inhabitants of Baltimore county, praying to be exempt from paying toll on the turnpike roads while attending funerals and going to or from places of worship; and Mr. Herbert presents a petition from John S. Brookes, of Prince-George's county, praying a certain certificate may be received in part discharge of his debt to the state; which were severally read and referred.

Mr. Chapman delivers a bill, entitled, An act regulating the powers of the county courts in criminal proceedings; which was read.

On motion by Mr. Bland the following resolution was read:

*Resolved,* That the chancellor and the judges of the court of appeals be requested to inquire and report to the legislature, at the next session, all such English statutes as existed at the time of the emigration of the people of this state into the same, and which, by experience, have been found applicable to their local and other circumstances, and of such others as have been since made in England or Great-Britain, and have been introduced, used and practised, by the courts of law or equity;

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