

# MARYLAND GAZETTE, AND POLITICAL INTELLIGENCER.

ANNAPOLIS, THURSDAY, FEBRUARY 2, 1815.

No. 510

(VOL. LXXIII)

PRINTED AND PUBLISHED

JONAS GREEN,

CHURCH-STREET, ANNAPOLIS.

Price—Three Dollars per Annum.

LEGISLATURE OF MARYLAND.

HOUSE OF DELEGATES.

Thursday, Jan. 19.

The Speaker laid before the house communication from the treasurer of the western shore, accompanied by a letter from the president of the Union Manufacturing Company, offering to the state fifty shares of their augmented stock.

Mr. Duvall delivers a petition from William Wells, of the city of Annapolis, praying a special act of insolvency.

Mr. Kell delivers a memorial from the committee of vigilance and safety of Baltimore, praying that a law may pass to authorise the corporation of Baltimore to impose a tax for the defence of the city.

On motion by Mr. Blakistone, leave given to bring in a bill supplementary to an act providing for the calling out and detaching the militia of the state, and for other purposes.

The clerk of the senate delivers the following message: Gentlemen of the House of Delegates,

Believing that all business necessary to be acted on during this session may be finished on or before the latter part of next week, we therefore propose, with your concurrence, to close the session on Saturday the 28th instant.

Adjourned.

Friday, Jan. 20.

The clerk of the senate delivers the following message: Gentlemen of the House of Delegates,

The bill to provide for the better defence of the state, and prevent the necessity of frequent calls of the militia, which originated in your house, being a money bill, the constitution does not permit the senate to propose any amendment to it.—We therefore return you the bill, hoping that you will expunge such clauses as make it a money bill, so that the senate may have the power of proposing such amendments as they may deem necessary.

Which was read.

On motion by Mr. Dorsey, the question was put, That the house reconsider the bill to provide for the better defence of the state, and to prevent the necessity of frequent calls of the militia? Resolved in the affirmative.

On motion by Mr. Dorsey, the question was put, That the bill be amended by striking out that section thereof which makes an appropriation of three hundred thousand dollars for equipping the troops mentioned in the bill, and also the clause thereof, which relates to the bounty given to recruits? Resolved in the affirmative.

The question was then put, That the house pass the bill as amended? The yeas and nays being required appeared as follow:

**AFFIRMATIVE.**

Mr. Speaker—Messrs. Millard, Neale, Blakistone, Gausin, Boyer, B. Hands, Spencer, Hood, Worthington, Dorsey, Blake, Reynolds, Turner, Stonestreet, Ford, Warner, Stanbury, Harryman, Caldwell, Hambleton, Seth, A. Hands, Bayly, Cottman, Long, Toolell, Mitchell, Hogg, Evans, Beall, Waring, Emory, Butgees, Wright, Stevens, Wilson, Handy, Williams, Quinton, J. Thomas, Howard, Taney, Forwood of Jac. Dallam, Bradford, Potter, McDonald, Barney, Kell, Tilghman, Schnebly, Gabby, Mason, Jones, Kilgour, Riggs, Hilleary, M'Mabon—59.

So it was resolved in the affirmative.

The resolution making an appropriation for the Penitentiary was read the second time, and on motion by Mr. Kell, the question was put, That the blank be filled up with twenty-five thousand dollars? Determined in the negative.

On motion by Mr. Kell, the question was put, That the blank be filled up with twenty thousand? Resolved in the affirmative.

ed up with twenty thousand? Resolved in the affirmative.

The question was then put, That the house assent to the resolution? Resolved in the affirmative, and the resolution sent to senate.

On motion by Mr. Mason, the following preamble and order were read and adopted.

“It being the special duty of this house to attend to the expenditure of the public money, and to guard against the misapplication of such money appropriated and advanced for special purposes; and it appearing to this house, by the accounts of the treasurer of the western shore of Maryland, that large sums of money were paid and advanced by the said treasurer, in virtue of orders from the executive, to sundry persons to be by them respectively accounted for; and there being at this time no regulation making it the duty of any public officer distinctly to shew this house how this money so advanced to be accounted for, has been applied expensed or accounted for, it is therefore

Ordered, That the auditor for the state exhibit to this house a statement shewing the persons to whom monies so to be accounted for have been advanced in the years 1813 and 1814, or either of them, the sums so advanced to each individual, and the balance still due and unaccounted for by such individual, if any such there be, and also to state to this house, if in his power to do so, the reasons why such money remains unaccounted for.

On motion by Mr. Mason, the following preamble and order were read and adopted.

“It appearing from the books of the treasurer of the western shore of the state of Maryland, that he the said treasurer, on the day of February, 1814, paid to Levin Winder, esquire, Governor of Maryland, in virtue of an order from the executive, the sum of \$1643 63, for his services as commander in chief of the militia of Maryland; and it being the peculiar duty of this house to superintend the expenditure of the public money, and to prevent its misapplication,

Ordered, That the Executive of Maryland be requested to state particularly and fully their reasons for issuing that order to the treasurer, and also to state the act of assembly, resolution, or authority, under which that order was by them given, and that they lay before this house the record of their proceedings for the year 1813.”

Adjourned.

Saturday, Jan. 21.

On motion by Mr. Kell, the bill from the senate to allow further time to the several sheriffs and collectors therein named to complete their collections, was read the second time by special order, amended, passed, and with amendments proposed, sent to senate.

The bill to alter such parts of the constitution and form of government as relate to the appointment of governor of the state, and to abolish such parts as relate to the appointment of an executive council, was read the second time; and on motion by Mr. Bayly, the question was put, That the further consideration thereof be referred to the first day of June? Resolved in the affirmative—yeas 42, nays 13.

On motion by Mr. Lantz, the following message was read and agreed to.

Gentlemen of the senate, From the very great inconvenience experienced by a part of the citizens of Allegany county, for want of two additional elections districts in that county, we hope, on a reconsideration of the bill intended to embrace that object, you will pass it; by which means you are permitting freemen, with more convenience, to exercise that right and privilege which the constitution guarantees to them. Adjourned.

Monday, Jan. 22.

On motion by Mr. Dorsey, the question was put, That the house assent to the following resolutions? Resolved, that the several banks in this state, be and they are hereby authorized and empowered, to lend

money to the United States, in the same manner that they are now authorized by law to make loans of money to the state of Maryland.

The yeas and nays being required appeared as follow.

**AFFIRMATIVE.** Messrs. Dorsey, Blake, Waller, Duvall, Emory, Burgess, Wright, S. Stevens, Forwood of Jacob, Dallam Bradford, Kell, Tilghman, Schnebly, Gabby—15.

**NEGATIVE.** Mr. Speaker—Messrs. Millard, Neale, Blakistone, Boyer, B. Hands, Hood, Worthington, Reynolds, Turner, Ford, Jenkins, Hambleton, A. Hands, Bayly, Cottman, Long, Griffith, Beard, Hogg, Evans, Beall, Handy, Williams, John Thomas, Howard, John H. Thomas, McDonald, Jones, Kilgour, Riggs, Lantz, Hilleary, Mc Mahon—34.

So it was determined in the negative.

On motion by Mr. Hambleton, the following preamble and resolution were read and ordered to be printed.

**WHEREAS.** Two years experience has clearly evinced, that great loss and inconvenience has resulted to the good people of this state, for want of some ready and efficient mode of procuring the earliest information of the movements of the enemy in the waters of the Chesapeake; but more particularly to the owners of vessels, a useful, enterprising, and valuable class of the community. And whereas, it becomes our duty, as the representatives of the people of this state, and the faithful guardians of their rights and interest, to guard as far as may be practicable against such loss and vexation in future; therefore

**RESOLVED.** That the Executive of this state be, and they are hereby authorized and directed, to have forthwith built, manned and equipped, two fast sailing boats, on the most approved models, to go with sails and oars, whose crews shall not exceed twenty men each, and be armed in such manner as the Executive may direct; and such boats shall be built, or purchased, equipped and manned, at the expense of this state, one to be employed on the western shore, and the other on the eastern shore; the one located on the eastern shore to rendezvous at the port of Oxford, and the other designed for the western shore to rendezvous at the port of Annapolis; and it shall be their duty to ply up and down the bay to procure and disseminate the earliest information of the movements, force, and situation of the enemy, and to act, if necessary, as convoy to such bay craft as it may be in their power to protect, without interfering with their ordinary duties. And the Executive are hereby authorized and directed, to procure two intelligent, enterprising men, to command said boats, whose wages shall not exceed forty dollars each per month, and two rations, each of whom shall have a mate, whose pay shall not exceed twenty dollars each per month, and two rations; and each seaman, or sailor, to have a monthly pay not exceeding or sailor, to twelve dollars.

And for the purpose of carrying into effect the foregoing resolution, the treasurer of the western shore is hereby authorized and directed, to pay unto the Executive, or their order, any sum not exceeding \_\_\_\_\_ dollars, out of any unappropriated money in the treasury.

The bill to incorporate a company to make a turnpike road from the turnpike leading from Westminster, through Harman's Gap, to Hagar's town, to Emmittsburg, in Frederick county, was read the second time and passed.

Adjourned.

Tuesday, Jan. 24.

According to the order of the day, the house proceeded to the consideration of the bill to regulate and discipline the Militia of this state; and on progression in reading said bill, on motion by Mr. Bayly, the question was put, that the words “with their clerks,” after the words, “all custom house officers,” in first section of said bill, be stricken out.

Determined in the negative—Yeas 27, Nays 33.

On motion by Mr. Crabb, the question was put, that the further consideration of the said bill be postponed until the next general assembly? Determined in the negative—yeas 20, nays 44.

On motion by Mr. Blakistone, the question was put, that the further consideration of the said bill, be

postponed until tomorrow? Resolved in the affirmative.

Mr. Blakistone from the committee delivers a bill, entitled, a supplement to an act providing for the calling out and detaching the militia of this state, and for other purposes—which was read.

The bill from the senate to incorporate the powhatan manufacturing company of Maryland, was read the second time and passed.

Adjourned.

Wednesday, Jan. 25.

The house resumed the consideration of the bill to regulate and discipline the militia of this state; and on motion by Mr. Blakistone, the question was put, that the words “forty-five” in the first section be stricken out for the purpose of inserting “fifty.” Determined in the negative—yeas 25, nays 37.

On motion by Mr. Bayly, the question was put, that the following words be stricken out of the first section, “except such as are exempt under the act of congress.” Resolved in the affirmative—yeas 43, nays 23.

Post Meridicm 5 o'clock.

The house resumed the consideration of the bill to regulate and discipline the militia of this state; and Mr. Crabb moved to refer the further consideration thereof to the next general assembly?

On motion by Mr. Thomas, the question was put, that the house receive the following as an amendment to the motion for reference.

“The bill to regulate and discipline the militia of this state, having occupied the attention of the house at this late and busy period of the session for the last two days, during which no further progress has been made in it than in the consideration of two sections out of ninety-seven in the bill, as reported; and the said bill containing divers difficult provisions of more rigor and severity than the militia of Maryland have been accustomed to, and it being therefore desirable that fair opportunity should be afforded to the people of this state of considering the principles of the said bill, so that their delegates may be better informed of their opinion and wishes on the subject thereof; Ordered, that the bill, as originally reported, to regulate and discipline the militia of this state, be printed in such newspapers as the executive may direct, for the information of the people of this state, and be referred to the consideration of the general assembly at their next session; and that in order to supply and remedy the more apparent defects and evils existing in the present militia system, as far as it may be necessary and practicable to do so at this time, a committee of five members be immediately appointed, who are hereby instructed to prepare with all convenient brevity, a supplementary act for the purpose aforesaid, and report the same to the house as speedily as possible: Resolved in the affirmative.

On motion by Mr. Dorsey the motion, as amended, was divided, and the question was put, that the house assent to so much thereof as directs the printing and reference of the bill? Resolved in the affirmative.

The question was put, that the house assent to the remaining part of the motion? Resolved in the affirmative.

Messrs. Barney, Blakistone, B. Hands, Tilghman and Hood, were appointed a committee.

Adjourned.

Thursday, Jan. 26.

Mr. Dorsey from the committee delivers the following report: The committee to whom was referred the letter of the president of the Union Manufacturing Company of Maryland, beg leave to submit the following resolution:

Resolved, That the treasurer of the western shore be and he is hereby authorized and directed, before the first day of March next, in the name & on behalf of the state of Maryland, to subscribe for fifty shares of stock in the Union Manufacturing Company of Maryland, and that he pay out of any unappropriated money in the treasury the

amount of such shares in the manner prescribed by the board of directors of such company.

By order, LOUIS GASSAWAY, Clk.

Which was read the first and second time by special order, concurred in, and the resolution therein contained assented to and sent to the senate.

The amendments proposed by the senate to the additional supplement to the act for regulating the mode of staying executions, and repealing the acts of assembly herein mentioned, were read the second time, assented to, and the bill ordered to be engrossed.

On motion by Mr. Williams, the following resolution was read assented to, and sent to the senate.

Resolved, That the governor and council cause to be published, as soon as possible, in one newspaper in each county in this state, where there may be a newspaper printed, an act, entitled, A further supplement to the act for regulating the mode of staying executions, and repealing the acts of assembly therein mentioned, and for other purposes, passed this session.

Mr. Barney delivers a further additional supplement to the act to regulate and discipline the militia of this state.

On motion by Mr. Barney the house proceeded to the second reading of the said bill by special order, and after some time spent in the consideration of the same,

Adjourned until 5 o'clock, P. M.

P. M. 5 o'clock.

On motion by Mr. Long, the following message was read and agreed to.

Gentlemen of the Senate, We send you back the additional supplement to the act respecting the equity jurisdiction of the county courts, and hope upon a reconsideration thereof you will pass it.

The bill to incorporate a company for the improvement of the navigation of the river Susquehanna, was read the second time, and the question put, shall the said bill pass? Determined in the negative.

Adjourned.

Friday, Jan. 17.

The House resumed the consideration of the bill supplementary to the act to regulate and discipline the militia of this state; and Mr. Bayly moved to strike out the seventh section.

On motion by Mr. Dorsey, the question was divided, and the question was put, That the following words, part of said section, be stricken out, viz.

“And be it enacted, That whenever any part of the militia of this state shall be called into actual service by the commander in chief, or any officer of the said militia, pursuant to the provisions of the constitution or any act of assembly of this state, or shall be drafted or called out by authority of the United States, pursuant to the constitution and laws thereof, every officer, non-commissioned officer, and private, of the militia so called into service, after being duly notified of such draft or call shall be considered as actual service, and may be proceeded against as an officer, non-commissioned officer or private, in actual service, for enforcing as well his attendance in obedience to such draft or call, as his performance of the duties legally to be required of him after attendance.” Resolved in the affirmative—yeas 43, nays 23.

The question was then put, That the following words be stricken out, viz. “and from the time of such draft or call and notification, shall while in service be subject to the rules and articles of war of the United States as now established?” Resolved in the affirmative—yeas 47, nays 15.

The motion to strike out the remainder of section was withdrawn.

Mr. Dorsey moved the following as an amendment to the bill.

“And be it enacted, That it shall be the duty of the officer required to order into service the whole or any portion of the militia under his command, to enforce obedience to such requisition.”