

MARYLAND GAZETTE.

Annapolis, Monday, Feb. 1.

MARYLAND LEGISLATURE

Mr. Lecompte presented to the chair the following report.

The Committee of Ways and Means beg leave to submit to the House of Delegates the following Report:

FUNDS.

The funds of the state are as follows.

Table listing various funds and their amounts, including Exchange 6 per cent stock of the U. S. of 1812, Funded 3 per cent stock of the U. S., Loan to the president and directors of the Potomac Company, etc.

To which may be added the sum of 252,219 dollars 12 cents, exclusive of the interest due thereon from the United States.

The State of Maryland expended in its defence during the late war the sum of 449,513 dollars 81 1/2 cents, as follows.

Table listing expenditures for the late war, including The several sums for pay of the militia, transportation of baggage, pay and subsistence of drafted militia, &c.

To which add for the purchase of a ms. powder & ball, cartridge boxes, knapsacks, &c. the sum of 156,995 46

And it will make the foregoing sum of 449,513 81 1/2 (Vide Exhibit 3)

The agent of the state having reported generally the assumption of the claim presented, and the vouchers being in order, there appears every reason to believe that the amount asserted and the amount rest on the same foundation, will be received. And with respect to the other items, your committee would remark that powder and ball actually expended, and arms lost in battle, or lost over while in service, and other incidental expenditures necessarily connected with the public defence, would seem to present no subjects of claim on the general government.

The state hath received of that portion of the claim already as used by the general government, the sum of 40,000 dollars.

REVENUE.

The permanent annual revenue of the state, exclusive of that destined for the encouragement and support of county schools, is estimated by the treasurer at 96,564 dollars 12 cents, arising from the following sources:

Table listing revenue sources and amounts, including Funded stock of the U. S. at 6 per cent, Funded stock of the U. S. at 3 per cent, Loan to the Potomac Company, at 6 per cent, etc.

To which may be added as the clear annual revenue, on account of the tax imposed by the law of the last session, on lotteries drawn within the city of Baltimore, 30,000 00

Your committee would respectfully recommend a continuance of the act to regulate lotteries, with such modifications as will render it more efficient for the accomplishment of its objects.

Also may be added the annual interest accruing on the sum already assumed by the government of the United States, which may be estimated at 15,000

It is recommended to impose a tax on licenses to retailers of dry goods, the annual revenue of which may be estimated at 4,000

It is also recommended to increase the tax on ordinary and retail licensees 25 per cent the annual revenue of which may be estimated at 4,000

It is also recommended to increase the tax on hawkers and pedlars licenses 150 per cent the increased annual revenue of which may be estimated at 1,000

If the legislature should impose a tax on sales at auction, &c. within the city of Baltimore, according to the principles and regulations of a bill introduced, &c. within the city of Baltimore, herewith reported, the annual revenue derived from this source may be estimated at least at 30,000

Making the permanent annual revenue of the state amount to the sum of 180,564 18

A portion of this estimate of the permanent revenue, is made on the supposition, that the banks of the state will divide per cent upon their capital stock. Recent experience has shown, that this expectation may be defeated; but your committee can not believe that the diminution of the revenues thereby produced, can materially vary the estimate of the foregoing estimate. No account has been taken of the probable revenue that may be derived from the act of last session, entitled, "An act to impose a tax on all banks or branches thereof, in the State of Maryland, not chartered by the legislature;—the branch bank of the United States having resisted the payment of the tax as unconstitutional; nor hath any account been taken of the probable revenue that may hereafter be derived from the stocks in the Union Manufacturing Company of Baltimore, and in the Potomac Company—these stocks having heretofore yielded none, or very insignificant dividends.

EXPENDITURE.

The annual permanent expenditure of the state, exclusive of that appropriated for the support of county schools, amounts to the sum of 122,612 dollars 84 cents, as estimated by the treasurer; arising from the following appropriations, viz:—

Table listing annual permanent expenditures, including The governor's salary, Five counsellors, Six chief judges of the judicial district, 2,200 dollars each, Twelve associate judges, do. do. 1,400 do. do., The chief judge of Baltimore city court, The chancellor, The treasurer of the Western Shore, The treasurer of the Eastern Shore, The trustee, The auditor, The printer, The clerk of the council, The clerk of the house of delegates, The clerk of the senate, The messenger of the council & keeper of the state house, The armourer of the Eastern Shore, The armourers of the Western Shore, Annapolis \$500 & Fredericktown \$300, The half pay list, Contingent expenses, Donations to colleges, academies and schools, Indian annuities, Judge of the land office, Eastern Shore, Register of the land office, Eastern Shore, Register of the land office, Western Shore, Penitentiary - Physicians acc. cou. t. salaries to the keepers, &c., The expenses annually of a session of the legislature, as estimated by the treasurer, Making the total amount of the annual permanent expenditure of the state, with the exception before mentioned, 122,612 84

Which deducted from the before mentioned annual revenue of 180,564 dollars 18 cents, will leave a clear annual surplus in favour of the treasury of 57,951 dollars 34 cents over and above the expenses of government.

This sum may be appropriated by the general assembly to the construction of roads and canals, improving the navigation of the waters of the state, to the promotion of education, literature, art and sciences, and generally to the endowment and encouragement of institutions which the legislature may think, from time to time, to merit and deserve it; or it may be annually invested in some productive funds, until thereby a revenue is created competent to all the purposes of government, without the imposition of any description of taxes whatever, as

\* Under the operations of this report, retailers of spirituous liquors, may retail dry goods; but a license to retail dry goods, will not authorize a person to retail spirituous liquors, this not interfering with the proper control exercised by the courts over the conduct of retailers of spirituous liquors.

was the case before the expiration of the life was reduced the public treasury to its present diminished state.

It may be proper to remark, that the appropriation for the payment of the pension list, must in the nature of things, diminish annually.

An Estimate of the probable demands on the treasury for the year 1819.

PERMANENT EXPENSES.

Table listing permanent expenses, including The permanent expenses as before stated, To which may be added, principal and interest of the loan of 1817, reimbursable on the first of January, 1818, Principal and interest of the loan of 1818, reimbursable the first of April, 1819, etc.

Making the probable demand on the treasury for the year 1819, 188,484 02

WAYS AND MEANS, FOR 1819.

Table listing ways and means, including Permanent annual revenue as before stated, To which may be added, for interest on the loan to the Potomac Company and unpaid, For a loan to the trustees of St. Peter's school, in the city of Baltimore, pursuant to a resolution of November session 1811, etc.

EXHIBIT A.

COUNCIL CHAMBER, Jan. 14, 1819.

SIR,

In Answer to the enquiry as proposed by your letter of the 11th instant, we have the honor to state, that from the best examination of the account in this department, it appears that the following expenses have been incurred:—

Table listing expenses incurred, including The several sums for pay of the militia, rations, transportation of baggage, pay and subsistence of draughted militia, and so forth, which have been regularly stated and presented to the department of war, by the agent of the state, amount to \$250,719 61 1/2

Several accounts made out since the above were presented, which stand exactly on the same ground and will be presented in due form, amount to 6,099 31

In addition to the above expenses, the state has paid for the articles of powder and ball, the sum of 17,800 31

For the purchase of arms, the sum of 93,741 74

For cartridge boxes, tents, knapsacks and other military articles specified in the several accounts filed, 35,000 01

For armourers' bills, mounting guns, repairing arms, and so forth, the sum of 10,337 60

You will perceive, sir, from the above, that the amount of the claim now presented to the general government, (including the above sum of 6,099 dollars 31 cents,) is 292,819 dollars 15 1/2 cents.

That the amount of the other several expenses stated as above, is 156,995 dollars 66 cents.

The agent of the state having reported generally the assumption of the claim presented, and the vouchers being in order, the only reason to believe that the amount will be received by the state.

With respect to the other items, we can make no clear statement. Powder and ball actually expended, and arms lost in battle or destroyed while in service, would seem to present a fair claim on the general government—but a great portion of the arms, and many of the military equipments are now in possession of the state; no accurate estimate of the quantity of ammunition expended has been made out; it is therefore at present impracticable to give a more particular statement of the amount which might probably furnish a fair claim on the general government.

We have the honor to be, Very respectfully, Your obedient servants, C. GOLDSBOROUGH.

P. S. It appears that there was a sum of 20,764 dollars 21 cents, paid away subsequently to the 1st of November, 1812, under contracts made in pursuance of the act and resolutions of 1808, and June session of 1812, for arms, knapsacks, cartridge boxes, swords, &c. These expenses have not been noticed above, as they arose from acts and appropriations of the legislature previous to the declaration of war.

To BENJAMIN W. HENNING, Esq. Chairman of the Committee of Ways and Means.

THE PUBLIC DEBT.

The state is indebted to sundry banks, for loans bearing an interest of 6 per cent, the sum of 68,000 dollars.

Of this sum 28,000 dollars were borrowed during the past year, under a resolution of the last general assembly, and appropriated to the extinguishment of the debt contracted or repairs of the penitentiary—the balance has been expended in discharge of the permanent expenses of the government, and of particular appropriations made from time to time, by the legislature.

Debts due to the State from its Citizens, &c.

By the report of the treasurer, it appears that there is due to the state from its citizens, the sum of \$ 255,033 49

Of this amount the treasurer or item rec'd the sum of 233,004 11

Leaving a balance, considered by the treasurer as valid, of \$ 22,029 38

Of the large sum here deemed valid, there can be no doubt the greater portions of it has been lost, in consequence of the extreme indolence of the state towards its debtors; and the sum secured, valid, much of it, there is reason to fear, will be lost from the same cause. Your committee beg leave to recommend, in the most earnest manner, the adoption of the most efficient measures for the recovery of the public debts.

Besides the debts above mentioned, the treasurer reports that there is due from the supervisors of the public roads 7,812 dollars 7 cents. Balance from the poor-houses of Baltimore County 10,600 dollars sixty seven cents.

These sums were loaned under the act of 1774, chap. 21, and 1773, chap. 26, and 1773, chap. 30—and were directed to be levied on the assessable property of the several counties for whose benefit the loans were made, and to be refunded to the state. The loans have never been repaid. It is with the wisdom of the legislature to direct what steps shall be adopted in relation thereto.

Your committee understand that the loans made to Baltimore county were assessed for the use of the state upon the county in 74, 75 or 6, and collected by the then sheriff and his deputies; that the property of the sheriff became confiscated and was appropriated to the use of the state.

The deficiency appearing in the report of the committee of claims for the present session.

The deficiency in the report of the committee of claims, is \$15,253 45

Of the appropriations unpaid, is the amount authorized to be subscribed on the part of the state on account of the stock reserved in the Farmers' and Merchants' Bank of Baltimore, per resolution of December session, 1816, 10,000 00

This resolution should be repealed.

The balance of the deficiency can produce no embarrassment. The appropriations that will remain uncollected, and the current receipts of the treasury preclude the possibility of difficulty on that account.

All which is respectfully submitted, W. S. BUELL, CLK.

Saturday, Jan. 24.

Mr. Harrison's motion to abolish all such parts of the constitution and form of government relating to the time and manner of electing the senate and the filling up vacancies in the same.

A petition from Philip Queen Anne's, a resolution was presented and read.

The house proceeded to the reading of the bill for mechanics, and others, for erecting of houses in the city of Baltimore.

On motion by Mr. Jenney, a question was put, That the bill be added to the second reading.

And be it further provided, that when the party suing shall find to be due, the party sued shall and every case shall be the whole amount of the debt determined in the negative.

On motion of Mr. C. D. D. a question was put, That the bill be added to the second reading.

And be it enacted, That fieri facias issued by a justice of peace, which may affect any person within this act shall be directed to the sheriff of the county, and for the same, or any other fieri facias be levied upon any lot or on which any dwelling-house, other building, subject to a lien under this act, may be erected, or any sale shall be made of a lot or land by order of the sheriff, or orphans court of said county, or by an executor or trustee, or any will directing such sale, of twelve landholders of said county shall be summoned by order of the chancellor, in case he directs the sale; and by order of the court, where the sale is directed, such court, or where it is made pursuant of a will; and by the sheriff or coroner respectively, in case of executions to be levied by the not being interested in either lot or buildings, shall upon obligation, affirm the value of the lot or ground upon which such dwelling-house or other building, may be erected, distinct and separate from the improvements subject to a lien as aforesaid, and return the said valuation to the clerk of Baltimore county court, to be by him recorded; and out of the money arising from the sale of the lot and improvements, the amount of the valuation aforesaid shall first be appropriated to the owners of such lot or ground, and the residue to the claims for wages and materials; and if not sufficient to pay the whole of such claims, they shall be averaged and paid proportion to their several amounts, and the debtors remain liable for the balance; but if such sale produce more than the amount of the valuation of the ground, claims aforesaid, then the owners of the lot or ground shall have the whole surplus, and the county court may provide for averaging such average and the settling any conflicting claims between claimants, by rules or orders necessary therefor; and any other debtors or creditors of the owners of such lot or ground, shall have the same remedy against the lot and buildings to the amount of the valuation made by the jury aforesaid, as if no lien had been authorized by this act.

Determined in the negative.

On motion by Mr. Lecompte, That the following be added to the foregoing section: "Provided, that no thing in this clause shall be construed to pair, change, diminish or alter any lien or other remedy thereto, which may exist previous to the commencement of the erection of buildings as aforesaid."

On motion by Mr. Kell, the following was added to the amendment: "but no conveyance shall be made of such prior lien unless it be recorded before such commencement of the building."

The question was then put, That the house assent to the amendment as amended? Resolved in the affirmative.

On motion by Mr. Lecompte, the question was put, That the following be added to the amendment: "Provided the party interested fraudulently omitted to have the same so recorded?" Determined in the negative.

On motion by Mr. Wilson, the following was added to the amendment: "And be it enacted, That this act shall continue and be in force until the first Monday in October, 1819, and until the end of the next session of the general assembly which shall happen thereafter."

The question was then put, That the said bill pass? The yeas were as follow:

Affirmative.

Head, Fryor, Hynson, Matholi, T. H. Dorsey, G. Stewart, Showers, E. S. Thomas, Orrick, S. Prazier, Moffitt, Paten, Glauke, Quinton, Cockey, Worthington, Smith, Hawkins, Maulby, Norris, Steele, Henderson, Holbrook, Willis, Kell, Breckenridge, Keller, Kennedy, Schnebly, S. Thomas, Tidball—31.

Negative.

Mr. Speaker, Blakitone, Greenwell, Plater, G. Dorsey, Jenifer, Brawner, Wm. Hayward, Long, Dashiell, Eccleson, Lecompte, Mackey, Somerville, Wilson, Yates, Washington, Gaither, Forrest, Tomlinson, Shaw—21.

Monday, Jan. 25.

PETITIONS.

From sundry inhabitants of the Eastern Precincts of Baltimore, praying they may be exempt from the assessment of damages for opening South street.

From Susanna Leach for a support.

From Hetty Carr, of Virginia, that she may be permitted to remove her slaves into Maryland.

From sundry old soldiers for relief.

From Anne Hinton, for a support.

From George Guy, for a confirmation of the will of his uncle Robert Guy.

From the commissioners of the school fund in Saint-Mary's county.

From sundry inhabitants of Caroline, that causes of assaults and batteries and damages in small causes may be tried before a justice of the peace.

From Penelope Butman for a divorce.

From the police officers of the city of Baltimore to be paid for serving state warrants.

From the president and directors of the Surquhanna bridge company for a lottery.

From John Saunders and John Lynch, guardians of John W. Saunders and Elizabeth Saunders, that they may be authorized to sell the real estate of the said John and Elizabeth.

From sundry inhabitants of Caroline, for a road.

From Peter Kemp, praying for compensation for damages sustained by him by a road passing through his land.

From George Amick, for a special act of insolvency.

On motion by Mr. Kennedy, Ordered, That the executive of the state be requested to furnish this house with a statement of the number of arms of every description, and the quantity of ammunition of every kind belonging to the state, and specifying where they are deposited, and whether in the opinion of the executive any part of the same ought to be disposed of, and whether any, and what further measures ought to be adopted for keeping the public arms in order, or for the better protection of the arms or ammunition; and that they also furnish this house with a statement of the number of arms, &c. belonging to this state, which have been collected under the authority of the resolutions of the legislature of 1815 and 1816, shewing the number which has been collected by each person, and the sum of money paid or to be paid to each person under the resolutions aforesaid, and also to lay before this house any communications received from the commissioners appointed to view & inspect the armory on the Eastern Shore, by the resolution of December session, 1817.

Tuesday, Jan. 26.

PETITIONS.

From Larkin Hammond, for a support for the infant children of Joseph Stewart; also from Jane Gaither, for a support. From sundry inhabitants of Kent county, that licenses to retail spirituous liquors may not be granted without the consent in writing of two-thirds of the free male white citizens, residing within five miles of the place of retailing the same; also from sundry inhabitants of said county, that the sum of money may be levied to remunerate certain persons for losses sustained by fire, occasioned by incendiaries. From Solomon Lowe, of Talbot, to be compensated for supplying the militia. From sundry persons in the town of Salisbury, to prevent swing going at large herein. From James Egan, of Calvert, for further time to complete his collection. From Wm. Hempston, of Montgomery, a revolutionary soldier. From the orphans court of