

On motion by Mr. Maxcy the following resolutions were read: BY THE HOUSE OF DELEGATES, February 5, 1825. Whereas it is understood by this general assembly, that a proposition has been made in congress, to alter the constitution of the United States in relation to the election of the president and vice president of the United States...

Resolved, That his excellency the governor, be requested to transmit a copy of the foregoing preamble and resolutions to each of our senators and representatives in congress, and also a copy to the governors of all the other states in the union, requesting them to lay the same before their respective legislatures, and ask their concurrence.

MONDAY, February 7, 1825.

Mr. Kemp reports a bill, entitled, An act for the revaluation of the real and personal property in Frederick county. Mr. Wootton moved to postpone the bill to abolish all such parts of the constitution as relate to the appointment of a chancellor until to-morrow.

Mr. Chapman reports a bill, entitled, An act for the relief of Edward Ellsworth, of the city of New York, which was twice read by special order, past 4, and sent to the senate. On motion by Mr. Chapman, the following resolution was read: Resolved, That the governor and council be authorized and verily requested, to contract with an artist to make the likeness of our distinguished fellow citizen, Major General Lafayette, to be placed in the hall of the house of delegates, and when the same shall have been finished, to draw upon the treasurer for such sum as may be necessary to discharge the expense thereof.

TUESDAY, February 8, 1825.

The house met. Present the same members as on yesterday. The proceedings of yesterday were read. The bill to enlarge the powers of the trustees of the poor in the several counties of this state, was sent to the senate. On motion by Mr. Wilson, the question was put, That the order proposed yesterday by Mr. Nicholson relative to the attendance of members, be reconsidered? Determined in the negative.

On motion by Mr. Thomas, the following message was read: BY THE HOUSE OF DELEGATES, Feb 8, 1825. Gentlemen of the Senate, We return you the bill, entitled, A supplement to an act, entitled, An act to lay out and make public two roads therein mentioned in Cecil county, passed at December session 1821, ch 127. The house have rejected the amendment proposed by your honorable body, as we are of opinion the amendment would entirely defeat the object of the bill, and we can see no possible objection to grant to the parties in this case the same right of appeal, which is given to all others by the act relating to public roads in the several counties therein mentioned, passed at December session 1821, chapter 152. We therefore hope upon further consideration, you will pass the bill without the amendment, and thus grant to the parties complaining, that justice which they have been so improperly deprived of by the unjust, arbitrary and oppressive act of 1821, chapter 127.

On motion by Mr. Wright, the question was put, That the words "unjust, arbitrary and oppressive," be stricken out? Resolved in the affirmative. The message was then assented to, and with the bill sent to the senate. Mr. Brown obtained leave to bring in a bill, entitled, An act to exempt the parsonage-house in the village of Greenborough, in Caroline county, from taxation, and for other purposes. Ordered, That Messrs. Brown, Boon and Hardcastle, report the same.

Mr. M. Clean obtained leave to bring in a bill, entitled, An act relating to the manner of altering the constitution of this state. Ordered, That Messrs. M. Clean, Speed and Merrick, report the same. On motion by Mr. King, the question was put, That leave be given to bring in a bill, entitled, An act to alter and amend the constitution, so as to reduce the number of delegates from the several counties? The yeas and nays being required, appeared as follows: Affirmative.—Messrs. Harris, Spencer, Reyner, Dennis, Teackle, King, Jones, Sullivan, Eccleston, Travers, Speed, Nicholson, Williams, Tingle, Parker, Hooper, Barnes, Cromwell, Kemp, Hooper, Norris, Montgomery, Hardcastle, Barwick, Brown, Boon, Howard, Bowles, Fonke, Merrick, Willson, E. B. Lansdale, Hoffman, M. Mahon.—35

Negative.—Messrs. Speaker, Hawkins, Gough, Kilgour, Millard, M. Clean, Ireland, Hodges, Gantt, Maxcy, Estep, Barron, Rogerson, Shaw, Wootton, Price, Turner, Bennett, Thomas, Henderson, Ewing, Grouse, Peach, Duvall, Carroll, Wright, Jarrett, Tyson, Lantz, Kilpintine.—36 Resolved in the affirmative. Ordered, That Messrs. King, Tingle, M. Clean, M. Mahon and Chapman, report the same. Mr. Dennis obtained leave to bring in a bill, entitled, An act to confirm the proceedings of Somerset county court. Ordered, That Messrs. Dennis, King and Jones, report the same. Mr. John Edelen delivers the following report: The committee to whom were referred the petition of Robert Crane, of Charles county, and the accompanying documents, have had the same under consideration, and beg leave to report.—That from an examination of the petition, and accompanying documents, it appears to your committee, that to legislate in his behalf would be to adopt a principle incorrect in itself, and establish a precedent dangerous in its effects; that the law court, to whom the petitioner first made his application for relief, is the proper and most competent tribunal to decide the petitioner's claim. Your committee therefore think it inexpedient to reverse the decision of the law court upon this question, or to interfere in any manner, they therefore recommend that the petitioner have leave to withdraw his petition. Which is respectfully submitted.

By order, I. HINES, Clk. Mr. Peach delivers the following report: The committee on special acts of insolvency, to whom was referred the petition of John Middleton, of Prince George's county, have had the same under their serious consideration, and beg leave to report—that they think the prayer of the petitioner reasonable, and that he is in all respects entitled to the favorable consideration of the legislature, the committee therefore for his relief, recommend the passage of the accompanying bill. Which was twice read and concurred with. And a bill, entitled, An act for the relief of John Middleton, of Prince-George's county; which was twice read by special order, passed, and sent to the senate.

Mr. Miller obtained leave to bring in a bill, entitled, An act for the relief of Jane Evans, of Saint Mary's county. Ordered, That Messrs. Miller, Gough and Hawkins, report the same. Mr. Maxcy obtained leave to bring in a bill, entitled, An additional supplement to an act respecting a monument or statue to the memory of Washington. Ordered, That the committee of ways and means report the same.

Mr. Maxcy delivers the following report! The committee of ways and means, having reported in part to the house, beg leave to report further.—That having taken into consideration the revenue derived to the state from lotteries, they are of the opinion, that the sum received annually would be very considerably increased, if the compulsion in this respect, which has hitherto been annually renewed, were to be discontinued. As to the precise amount between the state, and other lotteries, could be diminished, or entirely destroyed. As to the precise amount, it is difficult to form an opinion, but they are persuaded that it is prudent to try the experiment, in such a mode as will not risk the revenue, which in their estimate they have heretofore set down as arising from this source.

The managers of the Washington Monument have a privilege of drawing lotteries until a sufficient fund shall be raised to complete the plan according to the original design. According to information received by the committee, the managers would be willing to withdraw their lottery from the market, and yield it entirely to the lottery on the part of the state, so far as concerns them, if the state would appropriate the increased fund, which they would thus derive, to the purpose of forwarding and completing a monument, whose existence is calculated to reflect credit and honour upon the state. They therefore submit the following bill.

TRUEMAN CROSS, Clk. By order, And the bill relative to a monument or statue to the memory of Washington. Mr. Harris reports a bill, entitled, An act relating to a public landing and wharf at a place commonly called the Ship Yard, in Kent county. The house proceeded to the second reading of the bill relative to the inspection of salted fish. On motion by Mr. Tyson the question was put, That the same be referred to the 12th of September next? Determined in the negative. Mr. Tyson moved to strike out the second section to wit: "And be it enacted, That the governor, by and with the advice and consent of the council, shall appoint and commission for the city of Baltimore two persons of integrity, skilful in the goodness, quality, and well-curing of salted fish, and that the said inspectors may be taken from any county or counties in the state, that the governor and council may think proper." Determined in the negative.

Mr. Howard moved to strike out the 3d section to wit: "And be it enacted, That the said inspectors, shall each of them pay to the treasurer of the western shore the sum of two hundred dollars, which said sums shall be paid by them on the first day of June next, and annually thereafter during the continuance of this act." Determined in the negative. Mr. Tyson moved to insert in the clause which gives permission to land fish for inspection on the public wharfs, the words "except during the period between the 15th day of May and the first day of November" be inserted in the clause which gives permission to land fish for inspection on the public wharfs. Determined in the negative. On motion by Mr. Thomas, the words "resolution or any other act" were inserted in the 5th section after the words "city ordinance".

Mr. Howard moved to strike out the 14th section to wit: "And be it enacted, That the governor, by and with the advice and consent of the council, shall and may appoint such person or persons as they may think proper, and said inspectors shall be governed by the same rules with regard to their inspection, and be entitled to the same fees as are herein provided for the inspectors in the city of Baltimore, but that nothing herein contained shall be understood to compel any person or persons to have their fish inspected at their fisheries, if intended to be transported to any adjoining state." Determined in the negative. The question was then put, Shall the said bill pass? Resolved in the affirmative. The house adjourns until to-morrow morning 9 o'clock.

BLOCKADE OF CALLAO BY COM. HULL. From the Charleston Mercury, Jan. 23. By the schr. Endeavour, from Chagres, we learn that at the time of her sailing, the latest accounts received at Panama stated, that Bolivar was in possession of Lima. On the 23d Dec. Com. Hull had declared the port of Callao to be in a state of blockade. He was induced to do this in consequence of the Royal General Roddell having illegally seized the ship China of New York.

MR. CLAY'S AFFAIR. In order that our readers may be better understood the causes which have led to the appointment of a committee by the House of Representatives of the U. S. to inquire into the truth of certain charges made against the Hon. Henry Clay, we insert the letter containing them. The letter appeared originally in the Columbian Observer, and purported to be written by a member of Congress from Pennsylvania, to the editor of that print.

Washington, January 25, 1825. Dear Sir—I take up my pen to inform you of one of the most disgraceful transactions that ever covered with infamy the Republican Ranks. Would you believe that men professing Democracy, could be found base enough to lay the axe at the very root of the tree of Liberty? Yet strange as it is, it is not less true. To give you a full history of this transaction would far exceed the limits of a letter. I shall, therefore, at once proceed to give you a brief account of such a bargain as can only be equalled by the famous Burr Conspiracy of 1801. For some time past, the friends of Clay have hinted that they, like the Swiss, would fight for those who would pay best. Overtures were said to have been made by the friends of Adams to the friends of Clay, offering him the appointment of Secretary of State, for his aid to elect Adams. And the friends of Clay gave this information to the friends of Jackson, and hinted that if the friends of Jackson would offer the same price, they would close with them. But none of the friends of Jackson would descend, to such mean barter and sale. It was not believed by any of the friends of Jackson, that this contract would be ratified by the members from the States, who had voted for Mr. Clay.

I was of opinion when I first heard of this transaction, that men professing any honourable principle could not, nor would not, be transferred like the planter does his negroes, or the farmer his team and horses. No alarm was excited—we believed the Republic was safe. The Nation having delivered Jackson into the hands of Congress, backed by a large majority of their votes, there was on my mind no doubt that Congress would respond to the will of the Nation, by electing the individual they had declared to be their choice. Contrary to this expectation, it is now ascertained to a certainty, that Henry Clay has transferred his interest to John Quincy Adams. As a consideration for this abandonment of duty to his constituents, it is said and believed, should this unholy coalition prevail, Clay is to be appointed Secretary of State. I have no fears on my mind—I am clearly of opinion we shall defeat every combination. The force of public opinion must prevail, or there is an end of Liberty.

On the appearance of this letter in one of the Washington papers, Mr. Clay published the following card in the National Intelligencer: A CARD. I have seen, without any other emotion than that of ineffable contempt, the abuse which has been poured out upon me by a scurrilous paper, issued in this city, and by other kindred prints and persons, in regard to the Presidential Election. The editor of one of those prints, ushered forth in Philadelphia, called the Columbian Observer, for which I do not subscribe; and which I have not ordered, has had the impudence to transmit to me his vile paper of the 28th inst. In that number is inserted a letter, purporting to have been written from this city, on the 25th instant, by a member of the house of representatives, belonging to the Pennsylvania delegation. I believe it to be a forgery; but, if it be genuine, I pronounce the member, whoever he may be, a base and infamous calumniator, a dastard and a liar; and if he dare unveil himself and avow his name, I will hold him responsible, as I here admit myself to be, to all the laws which govern and regulate the conduct of men of honour.

H. CLAY. 31st January, 1825. This card was noticed by Mr. Kremer, one of the representatives from Pennsylvania, in the Intelligencer of the 3d inst. in the subjoined address to Mr. Clay: ANOTHER CARD. GEORGE KREMER, of the House of Representatives, tenders his respects to the Honourable Mr. Clay, and informs him, that by reference to the Editor of the Columbian Observer, he may ascertain the name of the writer of a letter of the 25th ult. which seems, has afforded so much concern to Mr. Clay, in the mean time, George Kremer holds himself ready to prove, to the satisfaction of unprejudiced minds, enough to satisfy them of the accuracy of the statements which are contained in that letter, to the extent that they concern the course and conduct of Mr. Clay. Being a Representative of the People, he will not fear to "play abroad and spare not," when their rights and privileges are at stake. On the day succeeding the appearance of Mr. Kremer's card, Mr. Clay introduced the subject to the notice of the House of Representatives in the following speech, which, after some debate was ordered to be entered on the journal: The Speaker, (Mr. Clay) rose from his place and requested the indulgence of the house for a few moments, whilst he asked its attention to a subject, by which he felt himself deeply concerned. A notice appeared this morning, in the National Intelligencer under the name, and with the authority, as he presumed, of a member of this house from Pennsylvania, (Mr. Kremer) which adopted, as his own, a previous letter, published in another print, containing serious and injurious imputations against him, and which the author avowed his readiness to substantiate by proof. These charges implicated his conduct, in regard to the pending Presidential election; and the respectability of the station which he member holds, who thus openly prefers them, to that of the people whom he represents, entitled them to grave attention. It might be, indeed, worthy of consideration, whether the character and dignity of the house itself did not require a full investigation of them, and an impartial decision on their truth. For, if they were true, if he were capable, & best enough, to betray the solemn trust which the Constitution had confided to him; if, yielding to personal views and considerations, he could compromise the highest interests of his country, the House would be scandalised by his continuing to occupy the chair with which he had been so long honoured. In pressing at its deliberations, and he merited instantaneous expulsion. Without, however, presuming to dictate what the House might conceive it ought to do on account of its own purity and honour, he hoped that he should be allowed respectfully to solicit, in behalf of himself, an inquiry into the truth of the charges to which he referred. Standing in the relations to the House, which both the member from Pennsylvania and himself did, it appeared to him that here was the proper place to institute the inquiry, in order that, if guilty, here the proper punishment might be applied, and, if innocent, that his character and conduct may be vindicated. He anxiously hoped, therefore, that the house would be pleased to direct an investigation to be made into the truth of the charges. Emanating from the source which they did, this was the only notice which he could take of them. If the House should think proper to raise a committee, he trusted that some other rules of the House would be adopted to appoint a committee.

The bill "to abolish all such parts of the constitution as relate to the appointment of a chancellor" and in effect abolishing that office, was yesterday rejected in the Senate of this state by a large majority.

Arrived, on Tuesday, the sloop Rising Sun, Taylor, 10 days from Charleston, (S. C.) Married, on Thursday evening the 27th ultimo, by the Rev. Mr. Watkins, of this city, Mr. David Stewart, of Caleb, to Miss Elizabeth Ginn, both of Anne-Arundel county.

On Sunday evening last by the Rev. Mr. Griffith, Mr. Thomas Landman, to Mrs. Susan Shepherd, all of this city. To the Editor of the M. Gazette. Sir, The following extracts from the debate in the New York Convention, on a proposition to abolish the Court of Chancery, you will be pleased to publish in your paper.

Chancellor Kent was opposed to the abolition of the court of chancery, and stating its powers in the supreme court. The court of chancery had been a distinct tribunal from the first settlement of the colony by the English, and it had become too deeply incorporated in our institutions and jurisprudence, to be now destroyed as an independent jurisdiction, without the utmost inconvenience and hazard. It was wisest and safest to have the systems of law and equity deposited in separate and distinct courts. The systems were essentially different in their character, and relations, and objects, and each of them required a distinct preparation and study and qualifications. It would be dangerous, and contrary to the cautious policy of a free government, to accumulate all the powers of each system in one tribunal. We should run the hazard of having equity intermixed with law, and law so intermixed with equity, as to lose the certainty and distinct character of each.

It was well observed the other day, that to innovate is not always to reform. The maxim was derived from the wisdom of Lord Bacon. And why should we break up the foundations of a court which has stood so long, and received such marks of public confidence? We ought to cherish the ancient and venerable institutions of the state. Those states which have not a separate court of chancery feel the want of one. The general language of the experienced and enlightened jurists of our country is in favour of the judicial establishments of this state. Excuse me for the interest which I take in this subject. It is not personal. I am soon to retire from public life, and the amendment would not affect the short remaining term of my office. But I wish well to our courts, and I have a still higher wish for the welfare of my native state. My prayer is, that length of days may be in her right hand, and in her left hand riches and honour.

Mr. N. WILLIAMS. As to the chancery, he would do nothing more than lay before the convention the very able and conclusive opinion of one of the justices of the supreme court of the United States, (Story) who was entirely disinterested, and who was admitted to rank among the first of the elegant and learned jurists of our country. Speaking of the subject of equity jurisdiction, he says—"There are cases when relief becomes necessary from accident, or the mistake of the parties, cases of complicated accounts, &c. cases of fraud assuming myriads of vivid, or of darkened hues, as prolific in their blood as the motes floating in sunbeams; cases of trust and confidence spreading through all the concerns of society, and striking their roots deep and firm through all the foundations of refined life and domestic relations; cases where bills of discovery are indispensable to promote public justice; and lastly, cases where bills of injunction are the only solid security against irreparable mischiefs and losses. &c. &c. and in the times to come, they will probably give ample employment for all the learning and acuteness, and diligence, of the ablest chancellors, in states where courts of chancery are established."

"But it may be asked, why all these objects are not and may not be as fully accomplished by courts of law? To a certain extent they undoubtedly are accomplished by these courts, for it would be strange, if courts, established for the administration of justice, should wholly fail to answer the purpose of their institution. There are many cases in which the parties are without remedy at law." &c. "It might as well be asked, why may not courts of equity perform all the functions of a court of law? But the true answer is, that each is adapted to its own objects, and cannot accomplish the objects of the other, without breaking in upon all the settled analogies of the common law, and shaking its oldest and most venerable foundations. He who is bold enough for such an undertaking, may applaud