MARYLAND GAZETTE,

AND STATE REGISTER.

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LEGISLATURE OF MARYLAND.

PROCEEDINGS OF THE HOUSE OF DELEGATES.

WEDNESDAY, February 9, 1825.

Mr Turner reports a bill, entitled, An act to repeal all such parts of the act, entitled, An act for the valuation of real and personal property in the several counties of this state, as relate to the appointment of commissioners of the tax for Baltimore county.

Mr. Williams reports a bill, entitled, An act to relieve executors and administrators from the obligation of performing the duties of guardians as is required by an act passed at December session 1820, chapter 174. Ordered to have a second reading on Friday next.

Mr M'Clean reports a bill, entitled, An act relating to the manner of altering the constitution of this state. Ordered to have a second reading on the 15th instant

Mr Peach reports a bill, entitled, An act for the relief of Mary Whitmore, of Prince-George's county.

Mr. Dennis reports a bill, entitled, An act to confirm the proceedings of Somerset county court.

Mr Brown reports a bill, entitled, An act to exempt the parsonage house in the Village of Greensborough, in Caroline county, from taxation

Mr. Millard reports a bill, entitled, An act for the relief of Jane Evans and Eliza Evans, infant children of Richard Evans, late of Saint-Mary's county, deceased. Also a bill, entitled, An act for the relief of Ann Dorsey of Saint Mary's county.

Mr. Beall reports a bill, entitled, An act to alter and change all such parts of the constitution and form of government, as relates to the time of holding elections in this state.

Mr. Tyson delivers a petition from R B. Beall, of the city of Baltimore; referred to the committee on insolvencies.

Mr Garner presents a petition from sundry citizens of Charles county, praying for a change in their August term; referred to the committee on that subject.

THURSDAY, February 10, 1825.

The house met. Present the same members as on yesterday. The proceedings of yesterday were read.

The supplement to an act to incorporate the trustees of the Franklin Academy or school in Baltimore county; and the bill for the benefit of Joseph Philips of Cecil county, were sent to the senate

On motion by Mr Worthington, the following message was read, assented to, and sent to the senate:

BY THE HOUSE OF DELEGATES, February 10, 1825.

Gentlemen of the Senate,

We have received your message proposing the election of bank directors this day at 12 o'clock, and concur therein, the following persons are nominated by this house: For the Mechanics Bank of Baltimore, Tobias E. Stansbury, William Stewart; For the Union Bank, Alexander C Bullitt, John P. Kennedy, William Meteer; For the Commercial and Farmer's Bank, Charles C Egerton, John Barney; For the Farmers Bank of Maryland, Jeremiah T Chase, Joseph Sands, Nicholas Brewer Theodorick Bland; For the Easton Bank, William Clark, Lambert W. Spencer; For the Elkton Bank, Jeremiah Taylor, Thomas S Thomas; For the Hagers Town Bank, David Schnebly, John Vanlear, Junior, Jacob Zeller. We have appointed Messrs. Worthington and Eccleston, to examine the ballots, in conjunction with the gentlemen to be named by the senate. By order, J. BREWER, Clk.

Mr. Parran has leave of absence.

Mr. M'Mahon obtained leave to bring in a bill entitled. An act to explain and amend the act, entitled, An act to tax certain offices. Ordered, That Messrs. M'Mahon, Merrick and Barnes, report the same.

On motion by Mr. Duvall, the house proceeded to ballot for a director in the Bank of Baltimore; the ballots being deposited in the ballot box, the gentlemen named to strike, retired, and after some time, returned and reported, that John S. Skinner was elected. Whereupon Resolved, That John S. Skinner be, and he is hereby declared to be, a director on the part of this state, in the Bank of Baltimore for the ensuing year.

Mr. Norris presents a petition from John Ward, praying his name may be changed; referred to Messrs Norris, Montgomery and Jarrett.

Mr. Worthington delivers the following report:

The committee on applications for the relief of the poor to whom was referred the petitions of Seney Rigby, of the city of Annapolis, and George W. Parker, of the city of Baltimore, have had the same under consideration, and beg leave to report,—That they think their cases amply provided for by the existing laws on that subject, they therefore recommend that they have leave to withdraw their petitions.

By order, J. B. LATIMER, Clk.

Which was twice read and concurred with.

Mr. Beall reports a bill, entitled, An act to repeal the 5th section of an act passed at November session 1797, chapter 89, relating to the commissioners of the tax for the several counties of this state, and of the city of Baltimore.

On motion by Mr. Millard, the following order was read:

Whereas hopes are entertained, that the congress of the United States will, at the present session, pass a law to erect light houses at Point Look Out, at the mouth of the Potomac river, at Cedar Point, at the mouth of the Patuxent river: And whereas it is thought to be an object of great public utility; therefore Ordered, that a committee, to consist of five, be appointed by the speaker, to report immediately, a bill relating to the United States, jurisdiction over so much land, at the respective points, as may be necessary for the erection of light houses.

Mr Teackle moved to insert "Tangier Island?" Resolved in the affirmative.

Mr. Travers moved to strike out "Tangier Island?" Determined in the negative.

Mr Kilgour moved to strike out "Cedar Point?" Determined in the negative.

The order was then assented to and Messrs. Millard, Travers, Maxcy, Dalrymple and M'Clean, were appointed as the committee.

Mr. Merrick obtained leave to bring in a bill, entitled, An act to repeal all such acts or parts of acts of assembly as authorise the election of bank directors on the part of the state. Ordered that Messrs. Merrick, Chapman and Duvall, report the same.

The house proceeded to the second reading of the resolutions approving of the administration of James Monroe, president of the United States.

Mr. Williams moved to strike out the last resolution? Determined in the negative.

The question was then put, That the house assent to the resolutions? The yeas and nays being required appeared as follow:

Affirmative—Mr Speaker, Hawkins, Gough, Millard, Harris, Hodges, Gantt, Maxcy, Estep, Beckett, Dalrymple, Chapman, Rogerson, Garner, Shower, Worthington, Price, Turner, Bennett, Dennis, Teackle, King, Sullivane, Eccleston, Travers, Thomas, Henderson, Ewing, R C. Edelen, Peach, Wootton, Duvall, Carroll, Speed, Nicholson, Tingle, Hooper, Barnes, Hope, Norris, Montgomery, Hardcastle, Brown, Boon, Howard, Tyson, Bowles, White, Merrick, Hoffman, Lantz, Klipstine, 52.

Negative—Mr. M'Clean, Spencer, Lloyd, Reyner, Jones, Wright, Williams, Parker, Barwick, 9.

Resolved in the affirmative, and the resolution sent to the senate

Mr. M'Clean asked the following leave. "Leave to place upon the journal, as his reason for voting against the resolutions approving of the administration of James Monroe, president of the United States, that he is opposed to legislating upon such subjects."

Mr. Millard moved to refer the same to the next general assembly. Resolved in the affirmative.

On motion by Mr. Maxcy, Ordered, That the bill relative to the erection of state warehouses, have a second reading on to-morrow

The clerk of the senate returns the bill for the relief of James M'Intire, endorsed "will not pass." And delivers a bill, entitled, An act to change the mode of electing electors of president and vice-president of the United States, endorsed, "will pass;" which was read. And the following message.

BY THE SENATE, Feb. 10, 1825.

Gentlemen of the House of Delegates,

The senate have received your message assenting to their proposal to go into the election of Bank Directors this day at 12 o'clock, and have appointed Messrs. Scott and Kent, to join the gentlemen named by you, to count the ballots and report the result.

The senate have put no other persons in nomination besides those gentlemen named in your message.

By order, WM. KILTY, Clk.

Which was read.

The speaker laid before the house a communication from the state's agent, relative to public lands; referred to the committee on that part of the governor's communication relative to public lands.

The house proceeded to the election of directors in the several banks. The ballots being deposited in the ballot box, the gentlemen named to strike, retired to the conference room, and after some time returned and reported, that for the Union Bank of Maryland, Alexander C. Bullitt and John P. Kennedy were elected; For the Mechanics Bank of Baltimore, William Stuart and Tobias E. Stansbury, were elected; For the Commercial and Farmers Bank of Baltimore, Charles Egerton and John Barney, were elected; For the Farmers Bank of Maryland, Theodorick Bland and Nicholas Brewer, were elected; For the Branch of the Farmers Bank of Maryland at Easton, William Clark and Lambert W Spencer, were elected; For the Hagers Town Bank, David Schnebly and John Vanlear Junr. were elected, and for the Elkton Bank, Jeremiah Taylor was elected. Whereupon Resolved, That they be, and they are hereby declared to be, directors on the part of this state, in the banks aforesaid for the ensuing year.

Mr. Lantz delivers the following report:

The committee to whom was referred the petition of Alexander Robertson, of Allegany county, praying an allowance for money which he had paid in the treasury, in part composition money on a tract of land intended to be secured by him in Allegany county, and which land reverted to the state under the law of December session, 1822, relative to lands in Allegany county, beg leave to submit the following resolution—Resolved, That the treasurer of the western shore be and he is hereby authorised and required, to pay over to Alexander Robertson, the sum of 126 dollars and 21 cents, or give him a credit for the same in the treasury, to be allowed in payment of caution money, that may in future become due from him, on any vacant land he may wish to secure in Allegany county.

By order, W. H. ENORY, Clk.

Which was twice read, the resolution assented to, and sent to the senate.

Mr. Maxcy obtained leave to bring in a bill, entitled, An act relative to licences to retailers of spirituous liquors, licences to retail spirituous liquors at horse races, and licences to hawkers and pedlars. Ordered, That Messrs. Maxcy, Tingle and Merrick, report the same.

Mr. Brown obtained leave to bring in a bill, entitled, A further supplement to an act, entitled, An act for the relief of the poor of Caroline county. Ordered, That Messrs. Brown, Barwick and Boon report the same.

Ordered, That the resolution in favour of Jeremiah T. Chase, Esq. be postponed until Monday next.

Mr Beall presents a petition from Eleanor Jameson, and Mary Ann O'Neal, praying for a division of certain lands; referred to Messrs Beall, Merrick and M'Mahon.

On motion by Mr Millard, the following resolution was read:

Whereas, it is the wish of the good people of Maryland, to perpetuate the memory of those brave and illustrious heroes, who so nobly fought and bled in the defence of their country's rights: And whereas, it appears that the portrait of Washington, Lafayette, and Tilghman, which now ornaments the wall of this house, is much defaced, therefore *Resolved*, That the governor be and he is hereby requested, to cause the portrait aforesaid to be repaired, and that he draw upon the treasury for such sums as may be necessary for said reparation

Mr. M'Mahon reports a bill, entitled, An act to explain and amend the act, entitled, An act to tax certain offices.

Mr Merrick reports a bill, entitled, An act respecting bank directors on the part of the state.

The resolution in favour of James Dooly, was read the second time and assented to

On motion by Mr Thomas, Ordered, That the bill relative to the time and manner of electing the senate, have a second reading on Saturday.

On motion by Mr. Norris, Ordered, That the bill to diminish the expense of judicial proceedings have a second reading on to-morrow.

On motion by Mr. Norris, the bill relative to a convention, was ordered to have a second reading on Saturday next

On motion by Mr Wright, the question was put, That the house adjourn? The yeas and nays being required appeared as follow:

Affirmative—Messrs. Hawkins, Kilgour, Harris, Hodges, Gantt, Maxcy, Dalrymple, Rogerson, Garner, Travers, Wootton, Nicholson, Wright, Cromwell, Kemp, Norris, Hardcastle, Barwick, Wilson, Lee, Lansdale, Hoffman, M'Mahon, Lantz, Klipstine.—25

Negative.—Messrs Speaker, Gough, M'Clean, Ireland, Chapman, Shower, Turner, Bernett, Lloyd, Reyner, Dennis, Teackle, King, Jones, Sullivane, Thomas, Henderson, Ewing, Grubb, R C Edelen, Duvall, Speed, Williams, Tingle, Parker, Hooper, Barnes, Hope, Jarrett, Montgomery, Tyson, Fouke, Beall—33.

Determined in the negative.

The clerk of the senate returns the bill to exempt the rifle company commanded by Captain Ignatius Brown, from regimental and battalion musters, endorsed "will pass." Ordered to be engrossed.

The bill to enlarge the powers of the trustees of the poor in the several counties of this state, endorsed "will pass with the proposed amendments;" which amendments were read, assented to, and the bill ordered to be engrossed. And delivers the following message:

BY THE SENATE, February 9, 1825.

Gentlemen of the House of Delegates,

The senate received your message with 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, chap 127. The amendment to which, proposed by the senate, has been rejected by your house How the amendment "would entirely defeat the bill," the senate are at a loss to conceive The right of appeal is given by the amendment to the parties under the direction of the levy court of the county. The commissioners, from whose judgment of damages appeal may now be made, were named in the original law. This provision of the law differs from the law afterwards passed in 1821, chap. 152, which empowers the levy court to name the commissioners in the first instance The senate are of opinion, that the levy court composed of seven judicious men taken from different parts of the county, are more suitable and proper to select an impartial and competent jury to ascertain the damages in this case, than a sheriff. And the senate cannot suppose that the object of the bill to be other than to obtain an impartial tribunal to assess the damages. The law, to which this is a supplement, though considered advantageous to the public, was particularly so to the individuals through whose lands these roads pass, by making mill and market more convenient and accessible, and no tribunal of appeal, from the judgment of the commissioners, was provided, because it was believed that little or no damage would be required where such great advantages were obtained These considerations alone are sufficient to shew, that the legislature could have had no intention by these two laws, to deprive the parties of "that justice" to which they are entitled, but on the contrary to secure to them advantages not before enjoyed.

By order, WM. KILTY, Clk.

Which was read.

Mr Tyson moved, that the house adjourn until to-morrow morning 9 o'clock?

The yeas and nays being required appeared as follow:

Affirmative—Mr. Speaker, Millard, Maxcy, Chapman, Garner, Bennett, Spencer, King, Eccleston, Henderson, R. C. Edelen, Wright, Hope, Jarrett, Tyson, White, Beall, Lee, M'Mahon, Lantz, 20.

Negative—Mr. Kilgour, Harris, M'Clean, Ireland, Hodges, Estep, Shower, Worthington, Turner, Reyner, Dennis, Jones, Nicholson, Williams, Tingle, Hooper, Barnes, Cromwell, Kemp, Norris, Montgomery, Hardcastle, Barwick, Fouke, Lansdale, Hoffman, Teackle, 27 Determined in the negative.

Mr. M'Mahon renewed the motion to adjourn until to-morrow morning 9 o'clock?

Determined in the negative.

Mr. Thomas moved to adjourn? Determined in the negative

Mr. Eccleston renewed the motion to adjourn? The yeas and nays being required appeared as follow:

Affirmative.—Messrs. Speaker, Estep, Worthington, Turner, Eccleston, Thomas, R. C. Edelen, Nicholson, Wright, Williams, Tingle, Hooper, Barnes, Cromwell, Kemp, Hope, Norris, Hardcastle, Lansdale—19.

Negative—Messrs. Kilgour, Ireland, Chapman, Shower, Spencer, Dennis, King, Henderson, Grubb, Jarrett, Montgomery, Barwick, Howard, Beall, Lee, Hoffman, M'Mahon, Lantz.—18.

Resolved in the affirmative, and the house adjourned until 6 o'clock P. M.

SIX O'CLOCK P. M.

The house met. The house adjourns until to morrow morning 9 o'clock.

FRIDAY, February 11, 1825.

The house met. Present the same members as on yesterday, except Mr. Parran. The proceedings of yesterday were read

The resolution in favour of Capt. James Dooly, was sent to the senate.

On motion by Mr Speed, Ordered, That the bill for the benefit of Charles Carroll of Carrollton, have a second reading this evening; that the bill respecting writs of error and giving appeal have a second reading on Tuesday; and that the bill for the more speedy foreclosure of mortgages have a second reading on Wednesday.

On motion by Mr. Howard, Ordered, That it shall be the duty of the clerk forthwith to arrange the public bills in the order in which they were reported as to date; that the speaker present them to the house in that order, (giving a preference to revenue bills,) and that all bills so presented, shall be forthwith acted upon by the house, or lose their preference, and that all the orders of the day be and the same are hereby rescinded:

Mr Tyson presents a petition from sundry citizens of Baltimore, praying for the establishment of a system of public schools in said city; referred to the committee on the same subject.

Mr. R. C. Edelen presents a petition from Mildred Thompson, and Mr Dalrymple presents a petition from William Gardner, each praying for support; referred to the committee on similar petitions

Mr. Dalrymple presents a petition from sundry inhabitants of Calvert county, praying for a road law, and a petition counter thereto; referred to Messrs Dalrymple, Beckett and Parran.

Mr. Speed presents a petition from Lewis Duvall, relative to the assessment of taxes on certain lands in the vicinity of Annapolis; referred to the committee, who obtained leave to bring in a bill on the same subject.

Mr. Ireland presents a petition from sundry citizens of Kent county, for the support of John Ryland; referred to the committee on similar subjects.

Mr Dennis presents a petition from Elizabeth Handy, praying further time to record certain papers; referred to Messrs Dennis, King and Jones.

Mr. Brown presents a petition from sundry citizens of the lower district of Caroline county, praying that the place of holding the election may be changed, and a petition counter thereto; referred to Messrs. Brown, Boon and Hardcastle

Mr. Grubb, delivers the following report:

The committee to whom was referred the petitions of sundry inhabitants of Cecil county, praying for the passage of an act, to authorise the levy court of said county to levy a sum of money to build a bridge across the east branch of North East Creek, on the road leading from Elkton to Port Deposit in said county, beg leave to report, that they have had the same under consideration, and are well aware of the necessity of having a bridge over said creek, at the place described, but are of opinion that it does not need the interposition of the legislature, inasmuch as the act of assembly passed November session 1792, chapter 83, authorises the levy court to assess and levy a sum of money for the purpose of erecting a bridge or bridges, not exceeding one hundred pound current money in any one year, which sum your committee deem altogether sufficient for the purposes prayed for.

By order, ISAAC HINES, Clk.

Which was twice read, and concurred with.

Mr. Norris reports a bill, entitled, An act to alter and change the name of John Ward, of Hatford county, to John Ward Smith.

The supplement to an act, entitled, An act against excessive usury, was read the second time.

On motion by Mr. Jones, the question was put, That the following be added to the same: "And be it enacted, That nothing contained in this act shall be construed to extend or have operation beyond the limits of the city of Baltimore?" Determined in the negative.

The question was then put, Shall the said bill pass? Determined in the negative, and the bill returned to the senate.

The supplement to the act to establish state warehouses for the inspection of tobacco, in the city of Baltimore, was read a second time.

On motion by Mr. Wootton, That the first clause be so amended, as that the commissioners to contract should not be residents of the city of Baltimore. Mr. Lee moved so to amend it to make it the duty of the governor and council to contract. When Mr. Beall moved to refer the whole to the 1st of June next.

After some time spent in discussing the same,

The house adjourns until 6 o'clock P. M.

SIX O'CLOCK P. M.

The house met. The house adjourns until to-morrow morning 9 o'clock.