

# Maryland Gazette.

ANNAPOLIS, THURSDAY, MARCH 1, 1827.

VOL. LXXXII.

PRINTED AND PUBLISHED

BY JONAS GREEN,  
NORTH-STREET, ANNAPOLIS.  
—Three Dollars per annum.

**MR. CLAY.**  
The extract from Mr. Clay's speech in Congress on the subject of the direct tax, which we published in our paper, will serve to our readers, the estimation which Gen. Jackson was held by Hon. Speaker, at that time. His speech was made after the conclusion of the war. Strange, and with no additional lights to shed upon it, he should since, on a more important occasion, have denounced him as a "Military Chief, and dangerous to liberty."  
St. Louis Enquirer.  
The following is the extract referred to.

Extract from the Speech of Mr. Clay on the Direct Tax.  
"Have we gained nothing by the war? Let any man look at the deplorable condition of this country, after the war. The scenes of the war, the contempt of our lives, all tell us we have gained nothing by the war? What is our present condition? Respectability and character abroad—security and confidence at home. If we have not obtained, in the opinion of some, the full measure of retribution, our character and constitution are placed on a solid basis never to be shaken. The glory acquired by our gallant tars—by our Jackson's and our Browns on the land—is that nothing? True we had our humiliations—that there were humiliating events which the patriot could not review without deep regret. But the great account, when it came to be balanced, thank God, would be found vastly in our favor. Is there a man, he asked, who would have obliterated from the proud pages of our history the brilliant achievements of Jackson, Brown, Scott, and the host of heroes on land and sea whom he would enumerate? Is there a man who could not desire a participation in the national glory acquired by the war? Yes, national glory, which however the expressions may be condemned by some, must be cherished by every genuine patriot. What do I mean by national glory? Glory such as Hull of the Constitution, Jackson, Lawrence, Perry, have acquired. And are gentlemen sensible to their duty—to the value of them in animating the country in the hour of peril hereafter? Did the battle of Thermopylae preserve Greece, but once? Whilst the Mississippi continues to bear the tribute of the Iron mountains, and the Allegany to her Delta and to the Gulf of Mexico, the 8th of January shall be remembered, and the glory of that day shall stimulate unborn patriots, and nerve the arms of unborn freedom in driving the presumptuous invader from our country's soil!"

**December Term,**  
Anne Arundel County, Orphans Court, January 8th, 1827.  
Ordered, That Thomas J. Hall, administrator of Jesse Leitch, late of Anne Arundel county, deceased, give notice, by advertisement, to be inserted in the Maryland Gazette and Baltimore Gazette, once in each of six successive weeks, to the legal representatives of the said Jesse Leitch, that distribution of the estate will be made under the court's direction on the second Tuesday in April next. In testimony that the foregoing is a true copy taken from the proceedings of the orphans court, I hereto set my hand and affix the seal of my office, this 8th day of January, eighteen hundred & twenty-seven.  
Thos. H. Hall, Reg. Wills  
A. A. County.

**DECISIONS**  
OF THE  
Court of Appeals of Maryland.  
PUBLISHED  
By Subscription.

**THE DECISIONS**  
OF THE  
COURT OF APPEALS OF  
MARYLAND.

To be Reported by Thomas H. Hall, Esquire, Clerk of the Court of Appeals, and Recorder Johnson, Esquire, Attorney at Law.

These Decisions will form a continuation of the first volume of Reports already published by Messrs. Hays and Johnson, which closes with the year 1805. It is proposed to publish the Decisions in a Series of Numbers, each to contain not less than one hundred and twenty-five pages, and four numbers to constitute a volume. The last number of each volume will contain a full and complete Index. This mode of publication, it is conceived, possesses advantages, which give it a decided preference to that of publishing the Reports in bulky volumes. It ensures the earlier publication of the Reports, and as not more than four numbers will be published in a year, the expense will not be so sensibly felt.

**TERMS.**  
The price of each number of the Reports will be \$1 25, payable on delivery.  
Subscriptions to the above work are received at G. B. SHAW'S Store, the Maryland Gazette Office, and the respective Offices of the County Clerks of this State.

## PROCEEDINGS OF THE LEGISLATURE OF MARYLAND.

HOUSE OF DELEGATES.  
WEDNESDAY, February 21, 1827.

The house met. Were present, the same members as on yesterday. The proceedings of yesterday were read.  
On motion by Mr. John W. Thomas, the house agreed to reconsider their determinations of yesterday, referring the resolution with the accompanying address, relative to the removal from office of Judge Ward, to the consideration of the committee on grievances and courts of justice, and adopting the orders submitted by Mr. Peach relating to that subject.

When Mr. John W. Thomas submitted the following preamble and order:  
Whereas this house have learned that the Honourable William H. Ward, an associate judge of the 6th judicial district, is now languishing on the bed of sickness, and that it is unreasonable to expect that he will be able, during the short time that the legislature will remain in session, to appear before this house, to defend himself against the charges that have been preferred against him; and to condemn him unheard, upon accusation, would be cruel in the extreme; therefore, Ordered, That the resolution and order, which were yesterday referred to the committee of grievances and courts of justice, relative to the removal of Judge Ward, be and the same are hereby rescinded.  
Which having been twice read, on motion by Mr. Du Val, the said order was amended, by striking out the last word thereof, "rescinded," and substituting therefor, the word "annulled."  
The said preamble and order, so amended as above, were then adopted.

Petitions and memorials, of the following titles, were this day presented:

By Mr. Buchanan, a memorial from sundry inhabitants of Baltimore county, praying that a law may be passed to carry into speedy operation the state system of public instruction; referred to the committee on ways and means.

By Mr. Campbell, the memorial of E. H. Cummins, praying the state to patronize a book prepared by him, relating to the office and jurisdiction of a justice of the peace, entitled, "The Maryland Justice;" referred to the committee on grievances and courts of justice.

By Mr. Edward Hughes, the petition of Christopher Miller, of Montgomery county. And  
By Mr. Du Val, the petition of Mary Hunt, of Prince George's county, each praying for pecuniary relief; severally referred to the committee on that subject.

By Mr. Stewart, the petition of John Abrams, of Anne Arundel county, a poor old soldier of the revolutionary army, praying for a pension; referred to the committee on pensions and revolutionary claims.

Also the memorial of sundry inhabitants of Anne Arundel county, counter to the petition for building a bridge over the Patapsco, leading from Richard Cromwell's store to William Krebs' farm; referred to the committee to whom was referred the petition to which this is counter.

By Mr. Linticum, the memorial of Seth Sweetser, senior, of Anne Arundel county, counter to the petition for building a bridge over the Patapsco, between the lands of Richard Cromwell, in said county, and William Krebs, in Baltimore county; referred to the committee already appointed on the subject.

Also, the petition of Ellen Burnett, of Anne Arundel county, praying that the levy court of said county may be authorized and directed to levy for her use such a sum of money as may be deemed sufficient for her support; referred to the committee on the subject of pecuniary relief.

By Mr. Dennis, the petition of sundry inhabitants of Somerset county, praying the passage of an act for the re-valuation of the real and personal property, in said county. And.

By Mr. Done, the petition of sundry inhabitants of Somerset county, also praying a new assessment and valuation of property, in said county; which two last mentioned petitions were severally referred to the committee already appointed on the subject.

Also, by Mr. Done, the petition of sundry inhabitants of the town of Salisbury, in Somerset and Worcester counties, praying an act to revive and amend an act passed at November session 1812, (chapter 153), which provided for the appointment of commissioners for the regulation and improvement of said town; referred to Messrs. Done, Samuel R. Smith, Dennis, Hitch and Bishop.

By Mr. Hall, the memorial of sundry citizens of Hagerstown, in Washington county, praying that the original act incorporating said town, and the several supplements thereto, may be so altered, that all free white male citizens, may be entitled to vote for officers of said town; referred to the committee already appointed on that subject.

By Mr. Farquhar, the petition of sundry inhabitants of Frederick county, praying the legislature to pass a supplement to an act relative to the division of Frederick county, into twelve election districts, which has been passed during the present session; referred to Messrs. Farquhar, Sappington and Barnes.

By Mr. Crabb, the petition of Martin Fenwick of Anne Arundel county, praying that the claim of the state to certain lands may be relinquished; referred to Messrs. Crabb, Stewart, Compton, Speed and Barnes. And.

By Mr. Turner the petition of sundry inhabitants of the sixth and ninth election districts in Baltimore county, praying that the constitution may be so altered and amended as to authorize the formation of an additional election district, in said county; referred to Messrs. Turner, Price, Buchanan, Montgomery and McIlhenny.

Mr. Montgomery asked and obtained leave to introduce a bill, to be entitled, A further supplement to an act to incorporate a company to make a turnpike road from the contemplated bridge over the river Busquehanna, at Colonsago Creek, in the Pennsylvania line. Ordered, That Messrs. Montgomery, John W. Thomas and Harlan be a committee to prepare and report the same.

On motion by Mr. Buchanan, leave was granted to him by the house to withdraw the report of the standing committee on grievances, unfavorable to the petition of Elizabeth Bowen, of Baltimore county.

## THURSDAY, Feb. 22.

The committee to whom was referred the general fee bill prepared and reported by Gideon Pearce, Esq. having acted in conjunction with the committee on the part of the senate on the same subject, beg leave to report—That the joint committee appointed have had the said bill under consideration, and they propose sundry amendments thereto, which with the original bill, are herewith respectfully submitted.  
And in order that the legislature may act upon the said bill during the present session, the joint committee have agreed to make this hasty report; the difficulties of the subject, and their other legislative duties, having prevented them from bestowing on it that attention which it merits.

All which is respectfully submitted,  
John G. Chapman, Chairman.  
Jacob S. Smith, Com. Clk.

Amendments proposed by the joint committee of the senate and house of delegates to the general fee bill, laid before each branch of the legislature of Maryland, at December session 1826, under the authority of the resolution (No. 99.) passed at December session 1825.

Which having been read, on motion by Mr. Brooke, the said report, with the accompanying bill and the proposed amendments thereto, were made the order of the day for Monday next, the 26th instant. And the usual number of copies of the said report, with the proposed amendments, were ordered to be, in the mean time, printed.

Mr. Samuel R. Smith, chairman of the committee therein mentioned, delivered the following report:  
The committee to whom was referred the bill from the senate, entitled, An act relating to the commissioners of the tax of Worcester county, have examined its details, and beg leave to report the same without amendment.

Samuel R. Smith, Chairman.  
Ben. Segar, Clk.

By order,  
Which, with the accompanying bill therein mentioned, were read and ordered to lie on the table.

A message was received from the senate, by their clerk, returning the bills that were sent from this house for their concurrence, of the following titles, to wit:

A supplement to an act, entitled, An act for the valuation of real and personal property in the several counties in this state, passed at November session 1812, chapter 191, so far as relates to Dorchester county. And, an act to provide for the more speedy payment of jurors, in Harford county; severally endorsed, "will pass."

Which said bills were thereupon severally ordered to be engrossed.  
Mr. Tyson submitted the following preamble and order:  
Whereas this is the anniversary of the day which gave birth to the illustrious Washington; therefore,

Ordered, That the house adjourn till to-morrow morning nine o'clock.  
Which was twice read, the question taken on the adoption thereof, and decided in the affirmative.

Whereupon, the house accordingly adjourned until to-morrow morning nine o'clock.

**FRIDAY, February 23, 1827.**  
The house met. Were present the same members as on yesterday. The proceedings of yesterday were read.

Mr. Buchanan submitted a motion, that the house reconsider their vote on the day before yesterday, rejecting the bill from the senate; entitled, A supplement to an act, entitled, An act against excessive usury. And the said motion, at his request, was ordered to be laid on the table.

Mr. Barnes moved, that the regular and ordinary progress of the business of the house conformably to the rules thereof, be now suspended, for the purpose of taking up for consideration, the bill reported by him on the 20th instant, entitled, An act to change the names of the Bank of Westminster and office of pay and receipt to the Farmers' and Mechanics' Bank of Frederick county, and to locate said Bank at Frederick city, with a branch at Westminster.

When, on motion by Mr. McIlhenny, the question was propounded, that the consideration of said motion be postponed until Friday next, the second proximo? And it was determined in the negative.

The question was then taken on the motion of Mr. Barnes, and decided in the affirmative.  
The said bill was then read the second time and considered.

On motion by Mr. Teackle, the following amendment was twice read and adopted, as an additional section, to be inserted at the close of the bill, viz:

"And be it enacted, That nothing herein contained shall operate to release nor to impair, the liabilities of the original act or acts herein referred to, but the same shall continue, and remain in full force and operation, to the same extent, as if this act had not passed."

Mr. McIlhenny then moved, that the said bill be now laid on the table.  
After debate, Mr. McIlhenny obtained the permission of the house to withdraw his motion for laying the bill on the table.

Whereupon Mr. Campbell renewed the motion to lay the bill on the table.  
And the question being put thereon, was determined in the negative.

The question then recurred and was propounded, Shall this bill pass? It was resolved in the affirmative; and the bill being passed, was sent to the senate for their concurrence therein.

At the request of Mr. McIlhenny, the house permitted his dissent to the passage of said bill, to be thus recorded on the journal.

On motion by Mr. Teackle, the regular and ordinary progress of the business of the house, conformably to the rules thereof, was further suspended, for the purpose of considering a bill, which he then reported, entitled, An act to provide for the valuation and condemnation of a lot of land at the mouth of Cambridge creek, in Dorchester county, for the erection and establishment of a tide-mill. And the said bill having been read the first, and, by special order, the second time, was considered and passed.

Mr. Banning rose in his place, and, after announcing the death of Mr. Bennett, offered the following message; which was twice read, agreed to, and sent to the senate for their concurrence therein, viz:

By the House of Delegates, February 23, 1827.  
Gentlemen of the Senate.

In the discharge of a melancholy duty, we have to in-

form you of the decease of Thomas P. Bennett, Esquire, a delegate from Talbot county, and a member of this house. As a testimonial of respect to his memory, we propose, that the members of both branches of the legislature, convene to-morrow morning at 9 o'clock, for the purpose of joining in procession at the state-house, and of attending the corpse of the deceased, to the steam-boat Maryland, by which it is contemplated, to convey the body to the eastern shore.

By order,  
Gideon Pearce, Clk.  
Mr. Banning also submitted the following order:

Ordered, That Messrs. \_\_\_\_\_ be a committee to make such arrangements as may be necessary for the conveyance of the body of Thomas P. Bennett, Esq. deceased, late a delegate from Talbot county, to the eastern shore.

Which was twice read, and the blank therein being filled with the names of Messrs. Banning, Denny, Price, Hall, Hardcastle and Keene, it was adopted.

Mr. Banning then proposed the following resolution; which was twice read, by a special order, and assented to, viz:

Resolved, That the members of the legislature, in respect to the memory of Thomas P. Bennett, Esq. late a delegate from Talbot county, who departed this life while attending to the discharge of his official duties, wear the usual mourning, during the remainder of the session, and that the expense of conveying his body to the eastern shore, be placed on the journal of accounts.

A message was received from the senate, by their clerk, returning the resolution authorizing the sale of sundry articles of furniture, and other property, in and about the state and government houses, belonging to the state; endorsed "assented to." The said resolution was thereupon ordered to be engrossed.

Also communicating the following reports; received and referred by the senate, to the consideration of this house; which were read, and, with the accompanying abstracts, therein severally referred to, ordered to lie upon the table, to wit:

Baltimore and Havre-de-Grace Turnpike Office,  
February 1st, 1827.

The Honourable  
The President of the Senate, and  
The Speaker of the House of Delegates of the State of Maryland,

Gentlemen,  
I now have the honour to enclose to you, for the information of the general assembly of the state of Maryland, an abstract of the accounts of the Baltimore and Havre-de-Grace Turnpike Company, in the prosecution of their work, in conformity to directions in the act of assembly passed at December session 1813, entitled, An act to incorporate a company to make a turnpike road from the city of Baltimore to Havre-de-Grace.

I am, Gentlemen,  
Very respectfully,  
Your Obedient Servant,  
Jno. H. Barney,

President of the Balto. & Havre-de-Grace T. Com.

Baltimore and Harford Turnpike Office,  
February 1st, 1827.

The Honourable  
The President of the Senate, and  
The Speaker of the House of Delegates of the State of Maryland,

Gentlemen,  
I now have the honour to enclose to you, for the information of the general assembly of the state of Maryland, an abstract of the accounts of the Baltimore and Harford Turnpike Company, in the prosecution of their work, in conformity to directions in the act of assembly passed at December session 1815, entitled, An act for making certain roads in Baltimore and Harford counties.

I am, Gentlemen,  
Very Respectfully,  
Your Obedient Servant,  
Henry Thompson, Presd.

Of the Baltimore and Harford Turnpike Co.  
And the clerk of the senate, also delivered the following message; which was read, viz:

By the Senate, February 23, 1827.  
Gentlemen of the House of Delegates.

The senate have received with regret the melancholy intelligence contained in your message, of the death of Thomas P. Bennett, Esquire, late a member of the house of delegates; and accede to your proposal to convene to-morrow morning at nine o'clock, and to join in procession, as a testimonial of respect to the memory of the deceased.

By order,  
W. Kilty, Clk.  
The house then adjourned until to-morrow morning nine o'clock.

## Valuable Law and Miscellaneous Books.

At Auction in the City of Annapolis.

The Gentlemen composing the Legislature of Maryland, the Bar, and Citizens generally, are respectfully informed, that in a few days will be sold at Auction, one of the most valuable collections of

Law and Miscellaneous Books,

ever offered in this place, embracing many of the most prominent authors in Law, as well as the miscellaneous department. The whole of which will be sold by printed catalogue, from day to day, until the whole are disposed of. Due notice will be given of the precise time and place of sale, which will certainly take place in the course of 10 days from this date, and the same will be peremptory. A better opportunity has never offered for gentlemen to supply themselves with standard books, particularly Law.

Any information required will be given by the editor of this paper.  
Annapolis, Feb. 15.