PROCEEDINGS

OF THE

LEGISLATURE OF MARYLAND

HOUSE OF DELEGATES.

TUESDAY, March 6th, 1827.

The house met. Were present, the same members as on yesterday. The proceedings of yesterday were read.

Mr. Millard, who had been absent several days from the seat

of government, having returned, again appeared in the house and resumed his seat.

The message, adopted by this house yesterday, in reply to that of the senate, proposing a committee of conference on the bill, entitled. An act for the benefit of the American Coloniza-

tion Society, was sent to the senate.

The exercial bills, passed by this house yesterday evening, were also sent to the senate for their concurrence therein; the

respective titles whereof, are as follows, to wit. An act to repeal all that part of the constitution and form of government, as relates to the division of Dorchester county into aix separate election districts.

An act to appoint commissioners for the purpose of dividing

Durchester county into seven separate election districts.

A supplement to the act, passed at December session 1826, entitled, An act to repeal such parts of the constitution and form of government as solution that districts of Realest k county is to

of government as relate to the division of Frederick county into cleven election districts. A supplement to the act, entitled. An act to establish a patrol

in Calaert county, passed at December session 1822, chapter 85.

An act supplementary to an act, entitled, An act for the establishment and support of public free schools in the first elec-

tion district of Baltimere county.

An act for the benefit of James Wolfenden, and Joseph Jami son, of Baltimore county. An act relating to certain trespasses in Montgomery county.

An act to invest the orphans court of Cecil county with the

An act to interest or the senate, also passed control of Allen Wilson's property.

And the several bills received from the senate, also passed by this house vesterday evening, were returned to the senate, the respective titles whereof are as follow, to with the respective fifth whereof are as follow, to with the respective of the senate of the senate

An act for the relief of Satah Henderson, of Montgomery An act to alter the time of holding the county courts of Frede

An act to after the que of more and the relief of William H. Burwell, of Washington An act for the relief of William H. Burwell, of Washington

Leaves of the house were this day severally asked for and obtained to introduce bills of the following titles, to

By Mr. Harlan, An act relating to the inspection of lumber, at Port Deposit.

Ordered, That Messrs, Harlan, John W. Thomas and Maffitt, be a committee to prepare and report the bill. And, By Mr. Buchanan, An act to repeal an act probibiting

the collection of certain wharfages within the city of Baltimore. Ordered, That Messrs, Buchanan, Barnes and Stricker,

be a committee to prepare and report the bill. Mr. Buchanan, chairman of the committee on divorces,

to whom, on Friday evening the 2d instant, was recommit ted for the purpose of amendment, the bill which had then been reported on the subject, delivered a bill, entitled, An act for the relief of George Lewis Opperman, of the city of Baltimore; which was read the first time, and ordered to lie on the table.

Mr. Done, from the select committee, therein mention ed, delivered the following report:

The select committee, to whom was referred so much of the executive message, as relates to the penitentiary, having had the expects, and the several documents accompanying the message, under their deliberate consideration, and having also consideration. ed the report of the joint committee who were delegated to visit That by reason of the small number of solitary cells now

that by reason of the single provided in the building, it is impracticable to carry into effect that part of the sentence passed on convicts which consigns them to solitary confinement; one number of cells being twentytwo, are not more than sufficient to enforce the police of the institution in the confinement of the more desperate of the convicts, whose association with the rest would be always danger-That no other plan can, in the opinion of your committee, be

devised to enforce the execution of the sentence, or to promote one of the chief objects of the system, the reform of the criminals, then the erection of an additional building, of sufficient dis mensions to provide a solitary ceil for each convict, in which he should be confined every night, and whenever at other times They have therefore drafted a bill, which they now submit.

authorise the treasurer of the western shore to raise by loin, a

Sum sufficient to defray the expense incurred.
The directors of the pentientiary are of opinion, that under the existing law they have no authority to take legal steps to collect any dept due to them on any contract, to enforce a proper responsibility from their officers and

Your committee have therefore ingrafted a clause in the bill reported, giving them that power. But the committee think it improper. as well as inexpedient, to make the directors a corp rate body.

By a law passed at December session 1825, the sentencing of free coloured persons to confinement in the peni-tentiary was prohibited, and the convicts of that description were to be sold into banishment, or to receive corporal punishment. The effect of that law is not problematical; there being no doubt, but that in almost every instance, the criminal will be sold in perpetual slavery, an effect which was never contemplated, and which does violence to every principle of justice and humanity.

Your committee are however of opinion, that the safety of the state justifies and requires the banishment of all criminals of that cast, who are guilty of crimes of any enormity; and they have in accordance with their views, attached a clause to the bill they report, which, while it compels such criminals to make some return to the state for the violence done to its laws, will, after some time. place them in a condition to gain an honest livelihood in

On the other recommendations of the committee, ap pointed at the last session, your committee are not prepared to make any report to this house; they are, however. of opinion, that as the penitentiary is a state institution. and ought to be entirely under the control of the legisla ture the salaries of all its officers ought to be fixed and regulated by the legislature. In accordance with which opinion, they have added a clause to the bill reported.

By order. J. H. Milbourne, Com. Clk.

Which, with the accompanying hill therein referred to, are at present, or which may hereafter be appropriated to crimes and punishments, were read the first time, and or dered to be laid out the table.

Mr. Speed submitted the following regulation; which was read the first time and ordered to lie on the table, viz. Resilved. That a delay until the first day of March 1828, he allowed to the personal representatives of John

Nicholson, late of Anne Arundel county. for the payment Nichols on, late of Anne Arunnet county, for the payment of certain judgments of the state against them.

On motion by Mr. Dennis, the house took up for consideration the resolution submitted by him on the 15th ultimo, allowing to Robert Stewart, collector of the tax for Somerset county, further time to complete his collections; and the same, having been read the second time, considered and assented to, was sent to

the senate for their concurrence therein. The report of the committee on claims, to whom was referred The report of the commutee on cisions, to whom was referred the petition of Units Gallagher, of Cecil county, delivered on the 21st ultimo, was also taken up for consideration, read the second time and considered; the report was concurred in, and the accompanying resolution, being assented to, was sent to the

senate for their concurrence therein. The report of the committee appointed by an order of this house, to examine and report to the house the present state of the public buildings in this city, and whether any, and, if any, what repairs are necessary to the same, together with the probable costs of such repairs, made on the third instant, was also taken up for consideration, read the second time and considered; the report was concurred in, and the accompanying resolution, being assented to, was sent to the senate for their concurrence

Mr. Barnes, chairman of the committee to whom was referred the bill from the senate, entitled, A supplement to the act, en-titled. An act for regulating the mode of staying executions, and for recealing the acts of assembly therein mentioned, reported that the committee have had the same under consideration, and ere of the opinion, that it ought to pass without amendment Whereupon, the said bill was then read the second, and, by special order, the third time, considered and passed, without a mendment.

Messages were this day received from the senate, by their clerk, returning the bills and resolution, sent from this house, for their concurrence, of the following titles, to

An act making appropriations for the benefit of the American Colonization Society.

An act for the relief of certain negroes therein men-Air act to facilitate the collection of taxas due upon bonds in Charles county, belonging to nonresident proprie-

A Simplement to the act, entitled. An act to incorporate the president and directors of the Piremen's Insurance

Company of Baltimore.

A supplement to an act, entitled. An act to amend and reduce into one the several acts of assembly relating to

the public roads in Worcester county, passed at Novem ber session 1321. And. A further supplement to the act, entitled, An act to establish a bank, and incorporate a company, under the

name of The Cumberland Bank of Alleghany. Severally endorsed "will pass." Whereupon it was ordered, that the said bills be severally engrossed. Also an act to provide for the building of a bridge over

the Patapsco Falls, at or near the Thistle Factory, endorsed "will not pass." Also a resolution respecting the claim on the state of the

Honourable Jeremiah Townley Chase, endorsed, "dis

And, an act to abolish all such parts of the constitution and form of government as relate to the time and manner of electing the senate, and the mod. of filling up vacancies n that body, so that each county, and the city of Baltimore, may have a senator, to be elected immediately by the people; endorsed, "will not pass." Accompanied by the following message; which was read.

By the Senate. March 6th, 1827. Gentlemen of the House of Delegates,

In reply to your message of the 3d inst. relating to the bill for the election of the senate by the people, we have to inform you, that the endorsement on that bill, as it was necessful returned to your house, is correct. By order,

Wm. Kilty, Clk.

On motion by Mr. Teackle, the house proceeded to consider the bill reported by him, entitled. An additional supplement to an act, entitled. An act to provide for the pub lic instruction of youth in primary schools, throughout this

state. Mr. Hall, at the request of the speaker, occupied the chair.

And in the progress of the second reading thereof, On motion by Mr. Teackle, the ninth section of the bill

was amended by striking out the words for inhabitants," after the word oppoperty," in the sixth line thereof, in the manuscript. Mr. Edward Hughes Ordered, That the bill, entitled, An additional supple.

ent to an act, entitled, An act to provide for the public instruction of youth in primary schools throughout this state, be recommitted to the committee on public instructin, with instructions to said committee to report a hill re pealing all that part of the original bill, which provides for the appointment of a superintendant, all that part which mposes fines for the nonacceptance of appointments; and all that part which makes it the duty of the inhabitants of the school districts to levy and collect a tax on them-selves for the purpose of building school houses, furnishing books, &c. and making it the duty of the levy courts to levy-the same on their respective counties.

Which having been twice read, the question on the adop tion thereof was propounded, and determined in the nega-

Mr. John W. Thomas offered the following amendment as an additional section of the bill:

Whereas the society of Quakers are in the habit of edu-cating all the poor children belonging to their own society.

Be it enacted, That nothing contained in the original act, to which this is a supplement, or in this act, shall be taken or construed to authorise a tax to be levied upon the property of any Quaker for the support of primary schools, provided said Quaker belongs at the time to a meeting that educates their own poor.

Which having been twice read, the question on the adoption thereof was propounded, and determined in the nega

Mr. Barnes offered the following amendment, as additional sections, to come in between the 9th and 19th sec tions of the bill:

And be it enacted. That nothing contained in the original act, to which this is a supplement, shall be so construed as to authorise the superintendant of primary schools to re-

the support of primary schools.

And be it enacted. That the superintendant of primary schools shall receive the sum of dollars, annually, to be paid quarter yearly by the treasurer of the western shore, as a full compensation for discharging the duties required to be performed by him, by the act, to which this is an additional supplement.

And be it enacted, That so much of the act, to which this is an additional supplement, as imposes a penalty upon persons appointed commissioners of primary schools, for refusal to act, or upon other officers therein directed to be appointed or elected, for refusing to serve in the office to which they may be so appointed or elected, be and the same

is hereby repealed. Which having been twice read, the question on the adoption of the first additional section, proposed by Mr. Barnes

was taken, and decided in the affirmative. Mr. Barnes then moved to fill the blank in the second

additional section with \$500. Mr. Du Val moved to fill the blank with \$500. Mr. Beall moved to fill it up with \$1000, and the question th reon being taken, it was determined in the negative, The question was then taken on the motion for \$500,

and determined in the negative.

Mr. Nicholson then moved to fill the blank with \$300. and the question thereon being taken, it was resolved in

the affirmative. The speaker then moved to strike out the said second additional section, and the question thereon being taken,

it was resolved in the affirmative. Mr. Speed then off-red the following amendment, to be inserted in lieu of the additional section so stricken out: "And be it ena ted, That the chancellor of the state, for the time being, is hereby appointed, and desired to act

as superintendant of primary schools."

Which being twice read, Mr. John W. Thomas proposed to amend the same, by striking out "chancellor," and inserting instead thereof "auditor general," and the question thereon being taken, was determined in the negative. After debate, Mr. Speed, by permission of the house, withdrew the amendment offered by him as above, And on motion by Mr. Barnes, the house reconsidered their decision striking out the said second additional sec-

When Mr. Dennis proposed to amend the same by ad-

ding thereto the following:

But not to be under pay until he shall give notice of the first distribution of the school money, payable in the same manner as is provided for the payment of other officers, named in the act to pay the civil list of this state."

Which being twice read, the question thercon was propounded. Will the house adopt the amendment so proposed by Mr. Dennis? The year and nays, being required by seven members, were taken and appeared as follow: AFFIRMATIVE.

Crabb

S. R. Smith Sleinaker

Sutton

Montgomery

Messrs, Bourne

Dennis

Disnop	II at a Castro
	Brown
	Ridgely
	Shaw-22
NEGATIVE.	
Chapman	Stevens
Rogerson	Nicholson
	Winchester
King	Ridgaway
	Barnes
	Farquhar
	Milhenny
Denny	Stricker
Banning	Hall
Thompson	Newcomer
Maffitt	E. Hughes
	Peter
	Janes
Gantt	Lanadale-14
	Chapman Rogerson J. Hughes King Price Buchar.an Reyner Denny Banning Thompson Maffitt Bealt Du Val

M. Smith Speed So it was determined in the negative.

The question then recurred and was propounded, That the house agree to the adoption of the second additional section offered by Mr. Barnes, the blank being filled in with \$300 as above?

The year and nays, being required by seven members, were taken and appeared as follow:

Were taken and ap		
	AFFIRMATIVE.	
Messrs. Speaker	J. Hughes	Winchester
Millard	King	Ridgaway
Gough	Buchanan	Barnes
R. Thomas	Turner .	Sappington
Campbell	Reyner	Farquhar
Bocn	Banning	Melihenny
Ringgold	Thompson	Tyson
Stewart	Maffitt	Stricker
Compton	Beall	Hall
Kent	1)u Val	Newcomer
Linthicum	Gantt	Fitzhugh
Bourne	Speed	F. Hughes
Fomervell	Crabb	Peter
M Smith	Stevens	Janes
Chapman	Nicholson	Lansdale-45
C	NEGATIVE.	
Messrs, Wilmer	Peach	Sutton
Done	S. R. Smith	Montgomery
Dennis	Slemaker	Hardcastle
Gibbons	Bishop	Brown
Goldshorough	Hitch	Tidball
Griffith	Hope	Ridgely
J. W. Thomas	Norris	Shaw-21
	d in the affirmative.	
	amended the bill was	saxed.
After being further	amended the bill was f	exect.

Latest from England.

From the New York Coinmercial Advertiser of March 5.

By the Orozimbo, Capt. Mayell, we have received intelligence one day later than by the Britania.

London, Jan. 16. We have just received intelligence from Lisbon, to the 2d inst. The Windsor Castle, Romney, Melvillee, Glourester and Wellesley, arrived on the 27th and landed their troops. There is official intelligence of several actions having been fought between the Constitutional and rebel forces, all of which are stated to have terminated in favour of the former. It is confirmed that Almeida had fallen into the hands of the rebels. A private letter of the 1st says, "the English troops are landing, but it is believed they will have nothing to do."

Detachments from four regiments are ordered to embark this morning on board the steam-boats, for Chathatham & Harwich.

Sheriff's Sales

By virtue of sundry writts of facias issued out of Anna-Aria country court and court of appeals to me directed, egainst the goods chattels, lands and tenement, of sir Hammond and Resis Hammond, and old executors of Major Philip Hammond deceased, at suit of Andernov Andread, at suit of Philemes Major and Adam Miller of Benj, and Adam Miller

Shff. A. A. C.

field of Benj, and Adam Miller, have seized and taken in execuhave seized and taken in executs sundry tracts of land, lying and have in Anne Arundel county, and signer to each other, viz Warfer Forrest, Owing's Range, Hammer Connexion. Henrietta's Allotma and Moore's New Market, and Thursday the 22nd day of Minimah, at the court house in the city Annapolis, I shall proceed to sell a said lands, or so much thereof as more than the highest bidder, for cital to the highest bidder, for cital satisfy the debts due as aforem Sale to commence at 11 o'clock.

Sale to commence at 11 o'clock.
R. Welch, of Bea

By virtue of sundry writs of the facine issued out of Anne Armid county court, and to me directed, gainst the goods and chattels, had and tenements, of Joseph Morton, suit of Nicholas J. Watkins, J. Scrivener for the use of Riche Crandell, and Thomas J. Hall, one M'Donald & Ridgely, use of Riche Crandell, I have seized and taken execution, all that tract of his whereon the said forton now sides, called "Golden Valley," or is whatsoever name the same may be called, containing two hundred am of land more or less; the improvements are in good order, consisting of land more or less; the improments are in good order, consistinof a comfortable Dwelling House, at
all necessary out buildings; there a
also on the premises a good and a
stantial Windmill, and on Thurse
the 22d day of March inst. at
court house in the city of Annya
I shall proceed to sell the said poperty to the highest bidder, for as
to satisfy the debt due as aforesa.
Sale to commence at 11 o'clock

R. Weich, of Bea Shift. A. A. C. March I.

In Chancery, Feb. 26th, 1827. Samuel Deale, and Susannah his wife

Mary Miles and Henriotta Miles, and others.
The object of the bill filed is the case, is to obtain a decree for a to veyance or sale of the land in the

proceedings mentioned.

The bill states, that William 1 Miles, late husband of complains Susannah, purchased of Lucy Es-wood a tract of land called Rawin Tavern, for the sum of \$1200. The the said William R. Miles afterwish departed this life intestate, wither paying for the same, except fifty is lars. That since the death of an William R. Miles, and during the William R. Miles, and during the downhood of said Susannah, and previous to her intermarriage with coplainant, Samuel Deale paid the gree er part of said purchase meney of of her own funds, and that complaints are ready to pay the balance of the purchase money on obtaining conveyance. That said William I Miles left the following children, is heirs at law, all of whom are misor to wit: John Miles, Mary Miles, he chard Miles. Henrietta Miles, and Maria Miles. That the said children have no funds to complete said prehase, and that it would be to their terest to be relieved from saider tract. It is also stated by points. tract It is also stated by positic that since the filing of the complicant's bill, two of the defendant. Fry Miles and Henristta Miles by Miles and Henristta Miles by land. It is thereupon adjudged as urdered, that the complainant, y causing a copy of this order to be serted once in each of three socresive weeks in one of the Annapa newspapers, before the 26thdy March next, give notice to the absidefendants of the substance and diject of the bill, that they may ject of the bill, that they may warned to the person or by solicitor, on or believe the 20th day of July next, to the cause, if any they have, why a deep should not pass as prayed.

True Copy,— Test
Ramsay Waters
Reg. Cur. Cur.
March 1 Reg. Cur. Cu.

Notice.

Persons having either of the bost mentioned below, having the name Benjamin Harwood or Richard Har wood of Thos. written therein, are quested to leave them at this en or return them to the subscriber.

th vol. Goldsmith's Works, 5th vol. Analestic Marazina
8th do Goldsmith's Asimated Name
2d do Shakespeares Plays.
1 & 3d do Pope's Works.
Richard Harwood, of The

Foryland Gazette

ANNAPOLISE HURYDAY, MARCH 8, 1827.

MERTING the Friends of General Andrew Jackson, in Baltimore.

Agreeably to public notice, a meeting of effiends of GENERAL JACKSON was ld on Wednesday evening, for the purse of adopting some becauses preparato to the next Presidential election. The reting was held at Simper's long room, e largest in the city, and it was entirely led.

ed.

AREXAMBE M'KIN, Esq. was called to the sair, and BRUZAMBE C. Howake, Esq. sp. inted Necretary.

The meeting Buing organised, Gronou Israeven, Esq. sp. inted Necretary.

The meeting buing organised, Gronou Israeven, Esq. moved the following ramble and reach one, which, being semiled by Joan Grava, Esq. were unaniously adopted, and ordered to be published in all the papers of this city.

ALEXANDER MKIM, Chairman.

REFLARIS C. Howards, Sec'ry. Bigjamin C. Howald, sec'ry.

Although the period assigned for the e-

Although the period assigned for the ection of the next President of the United tates, it in some degree reinner, yet the itense intense of that question to the people of the Union has already induced a arm can also upon the subject throughout most every section of the country.

The importance which is justly attached that event, and the peculiar circumstanes attending the recent election, present if the singular spectacle of THE PROPER TURNING TO THE PROPER TO THE PROPER TO SEE A ST. Would see In to demand an earlier lovement amongst the former, than is usually in the ordinary occasion of the election of a Unief Magdarate for this nation, the conduct of the administration also has wakened the approbasion, and aroused to just the other of the first proper is natural and legitimate periods. It is too evident to be taken the distribution of the thirty of the thirty of the thirty of the properties of the properties and the chief of the subject of the properties and the chief of the subject of the thirty of the the chief of the chief of the subject of the properties of the proper he jealouses of the proper, and the statural statural the controversy, before its natural all kighting to period. It is too evident to dunit of contradict a dust the chief employment of the party diministration, is to secure its columnitie in power. To attain that end no nearne which power has blood at their disposal are left untired.—Nor in the application of those means are they reptrained by any considerations of right, or obstructed by any of the difficulties which principle or the solemn obligations of daty may interpose.

The liberty and freedom of the press is sailed wherever the influence of the administration extends—the fairest character for sittle and patriotism—the longest and not faitful services—the most exalted station in the affections of the hopple, afford no security to any who dare, or are even sus-

ion in the affections of the people, afford no security to any who dare, or are even suspected of, an opposition to the administration. Not only wre individuals thus selected for political victims, but the great body of the opposition is denounced as factious and unprincipled. The people themselves are not to question their rulers, although it is admitted; they have seized upon power against the will of the people—passive obsdence and nonresistance are exacted with all the ternores of aboute authority.

dience and nonresistance are exacted with all the eternness of absolute authority.

Such a course of conduct on the part of the administration could not fail to rouse a generous and free people to an indignant resistance—and hence in most of the states, preparation is active for the conflict which is thus forced upon them. In Varyland the deep and well founded conviction that the friends of Genl. JACKSON were daily increasing, as the principles of the administration were more fully developed, induced a belief, that for some time to come it would be premature and wholly unnecessa. ed a belief, that for some time to come it would be premature and wholly unnecessary for resort to any measures of union and concert with a view to the next election, even if some advantages could have been gained by an earlier effort, the friends of timeral Jackson, were averse to renewal. thereal Jackson, the prematurely a controversy at all times warm and violent, but in this instance peculiarly calculated to call up high excitement and to stimulate a protracted and reatless contest, and this forbearance was persevered in, notwithstanding it was well known that their opponents were in the field and labouring with all the advantages that government outronage and the press could give them—

hat no occasion was permitted to pass by, that was not improved to their advantage. But the time has arrived when longer for-bearance and salence might be construed into submission. That which our adversaries first whispered, as a doubt about the integrity I hat which our adversances first whispered, as a doubt about the integrity of Maryland, has recently swelled into the bold time of positive assertion, that she has gone over to the administration—and this by concert has been repeated in all the affiliated presses from one end of the country to the nur, and if not counteracted may pass for the truth, and operate injuriously to the general sause, in other sections of the country. We have no press devoted to our cause—a manifestation of the strength, the energy, and the union of the friends of General Jackson in Maryland, is a duty intumbent upon them, that their silence may no longer be mistaken for the evidence of annual state of the state of We have a devoted to ou probation, or the acknowledgment of de

feat.
The character of the Jackson party in
Maryland can be but little known by those Maryland can be but little known by those who have imputed to them a variableness, that could spring only from a want of any settled principle of action or firmness of purpose. We venture to claim for them as much intelligence and integrity as our opponents; and we boldly affirm, because we have proved it, that we constitute the majority in the state.

We took up the cause of General Jackson at a time and under circumstances which place our motives above the reach of suspicion; and every event which has occurred since, has but served to strengthen our affection and regard for the man, our gratitude for the services, and our admiration of his platriolism, his firmness and his consistency. A people actuated by such motives and extracts the have done, can

ration of his platriotism, his firmness and his consistency. A people actuated by such motives, and acting as they have done, cannot be brought to think or act otherwise. They can feel no sympathy with an administration who displied to power by trampling under foot the most saleted principles of our government, and who maintain their usurped possession by means equally destructive to the stability and value of our political institutions.

In order to insure a union and concert o

political institutions.

In order to insure a union and concert of action, smongst the friends of General Jackson throughout the state, and to preserve an understanding with the part throughout the union, it is proposed the a Genepal Convention be held in the city of Baltimore, it is ungrest and mature such mer surers as may be thought adviseable to it sure suches to their views, and to prepar and submit an address to the people of M.