

Legislature of Maryland.

House of Delegates

SATURDAY, February 2, 1828.

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

The Speaker communicated to the house a letter from the honorable Samuel Smith, one of the senators of this state in the senate of the United States, which was read, and is as follows:

Washington, 31st January, 1828.

Sir, I have sent by the present mail the report of the committee on military affairs, and on the claims of South Carolina, and the bill predicated thereon. It ably sustains the claim for interest unpaid, and for rejected items for principal. I have thought it possible that it might be useful to Maryland and have therefore done myself the honour to forward it.

With the highest respect, I have the honour to be, Your most obedient servant, S. SMITH.

Hon'ble, the Speaker House of Delegates.

And also a report from the clerk of the executive council, transmitted in compliance with the order of this house, adopted yesterday, requesting him to inform the house, what volumes of the laws of Maryland, also of the Maryland Reports, and also of the acts of congress have been distributed to the several counties and individuals entitled to receive the same, which was read, and laid on the table.

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

By Mr. M. Johnson, the petition of Fitz King, an imprisoned debtor in Baltimore county, praying for a personal discharge, which was referred to the standing committee on insolvency.

And the petition of Hugh Campbell, of the city of Baltimore, praying for an act divorcing him from Mary Campbell his wife.

By Mr. Stewart of Baltimore, the petition of Emily Bertou, of the city of Baltimore, praying for an act divorcing her from her husband Peter Bertou.

By Mr. Martin, the petition of Mary Harris, of Talbot county, praying for an act divorcing her from her husband Nicholas C. Harris.

Ordered, That the three last mentioned petitions be severally referred to the standing committee on divorces.

By Mr. Semmes, the memorial and petition of sundry citizens of Prince-George's county, praying that the selling of spirituous liquors, without license, may be made a Penitentiary offence, which was referred to the committee on crimes and punishments.

By Mr. Hooper, the petition of Charles Farrow, keeper of the public gaol in Worcester county, praying for a law providing compensation for his trouble, and reimbursement of his expenditures, in taking care of, and victualling, certain negroes confined therein, who have petitioned for freedom; which was referred to the committee on grievances and courts of justice.

By Mr. Ely, the memorial of sundry citizens of Baltimore county, praying for an amendment of the laws of this state, in respect to licenses granted to keepers of ordinaries, retailers of spirituous liquors, dry goods and merchandises; which was referred to the committee on ways and means.

By Mr. Orrell, the petition of sundry inhabitants of Caroline county, praying for a law authorizing the alteration of a public road therein mentioned, for the purpose of straightening and improving the same, which was referred to a select committee of five, consisting of Messrs. Orrell, Goldsborough, Potter, Douglas of Carroll, and Douglas of Dorchester.

On motion of Mr. Ely, it was Ordered, That the memorial of John Folly Worthington, and others, of Baltimore county, relative to an act of assembly passed at Dec. session 1815, authorizing a lottery for the erection of a church in said county, which had been referred by the senate to the consideration of this house, and was read, and laid on the table on the second ultimo, be referred to a select committee of five, consisting of Messrs. Ely, Stewart of Baltimore, Price, Turner, and Shower.

On motion of Mr. Martin, it was Ordered, That the governor be requested to lay before this house, at as early a day as practicable, the number of days each member of the council has attended in the council chamber, since the first Monday in January 1826, designating the several adjournments of that body, and the number of days each member attended at each adjournment.

MONDAY, February 4.

The resolution, with its preamble, in favour of Thomas Baldwin and Samuel Scott, junior, of Prince-George's county, offered by Mr. Gantt on the 26th ultimo, was taken up for consideration, read the second time, assented to, without amendment, and sent to the senate for concurrence.

The reports of the committee on pensions and revolutionary claims, to whom were referred the respective petitions of Simeon Waltz, of Frederick county, and Julia Gwynn, of the city of Baltimore, made on the first instant, were severally taken up for consideration, read the second time, and concurred in.

On motion of Mr. Semmes, the house resolved itself into a committee of the whole house, on the bill reported by Mr. Thomas, of Frederick, entitled, An act to provide for the making the several turnpike roads, therein mentioned; and after some time spent therein, the Speaker resumed the chair, when Mr. Fitzhugh, the chairman, reported, that the committee, having according to order, had the said bill under consideration, directed him to report the same with certain amendments proposed thereto by the committee; which were subsequently read, and severally concurred in by the house.

The bill, as amended, was then read the second time, passed without further amendment, and sent to the senate for concurrence.

On motion of Mr. Semmes, the order of the day in regard to the bill reported by Mr. Teackle from the committee on ways and means, entitled, An act to regulate sales by public auction, which had been committed to a committee of the whole house, was postponed, and the bill laid on the table.

According to the order of the day, the house proceeded to consider the bill reported by Mr. Thomas of Frederick, chairman of the committee on grievances and courts of justice, entitled, A further supplement to an act, entitled, An act concerning crimes and punishments, passed at November session, eighteen hundred and nine; when, in the progress of the second reading thereof,

On motions by Mr. Thomas of Frederick, the several blanks in the first section were filled in as follows: the first blank with the word "two," the second blank with the word "six," the third blank with the word "sixty," and the fourth blank with the word "sixty."

The said bill was then passed—Yeas 34, nays 32.

TUESDAY, February 5, 1828.

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

The Speaker communicated to the house a report from the cashier of the Hagerstown Bank, respecting the directors appointed on the part of the state in that bank; transmitted in compliance with the order adopted by the house on the 25th instant; which was read.

And also a report from the collector of taxes for Queen-Anne's county, of the number of deaf and dumb persons in said county, transmitted in obedience to an act of this legislature passed at the last session thereof; which was read and referred to the committee on education.

The bills passed by this house yesterday, entitled, A further supplement to the act, entitled, An act concerning crimes and punishments, passed at November session eighteen hundred and nine. And,

An act to regulate the issuing of licenses to traders, keepers of ordinaries, and others, were sent to the senate for concurrence.

Mr. Montgomery, presented the petition of John Donoho, and others, citizens of Harford county, counter to the petition of sundry fishermen at the head of Chesapeake Bay, praying for a law to prohibit floats or any other contrivance for the catching of fish, in the waters at the head of said bay, and its tributary streams, or otherwise prohibiting any float or other device for the catching of fish from being anchored or stowed in said waters, within two miles of any shore fisheries, from the first of April to the twentieth of May, in any one year, presented by Mr. Thomas of Cecil, on the 29th ultimo; which was referred to the committee to whom was referred the said petition to which this is counter.

Mr. Stewart of Baltimore, presented the petition of William C. Morse, merchant, residing in the city of Baltimore, praying for a special act of insolvency; which was referred to the committee on insolvency.

Mr. Stewart of Baltimore, asked and obtained leave to introduce a bill to be entitled, An additional supplement to an act, entitled, An act relating to the city of Baltimore.

Mr. Stevens asked and obtained leave to introduce a bill to be entitled, A supplement to the act to prevent gaming.

Mr. Hughes of Montgomery, asked and obtained leave to introduce a bill to be entitled, An act relative to the fees of clerks and registers.

Mr. Lee having asked and obtained leave of the house for the purpose, presented a bill, entitled, An act relating to slaves convicted of crimes; which was read the first time and ordered to lie on the table.

Mr. Mills offered the following order for consideration:

Ordered, That the committee on grievances and courts of justice inquire into the expediency of introducing a bill more effectually to prevent duelling.

Which was twice read; when Mr. Thomas of Frederick, proposed to amend the same by striking out the words "the committee on grievances and courts of justice," for the purpose of inserting in lieu thereof, the words "a select committee of five members appointed to;" and the question thereon being taken, Will the house agree to the proposed amendment? It was resolved in the affirmative. The order, so amended, was then adopted; and Messrs. Mills, Goldsborough, Stewart of Baltimore, Semmes and Fitzhugh, were appointed by the Speaker the select committee, pursuant to said order.

Mr. Stewart of Baltimore, asked and obtained permission of the house to withdraw the petition of Robert Lawson, of the city of Baltimore, praying for a divorce a mensa et thoro, from his wife Sarah Lawson, with the accompanying documents, presented by him to the house on the 29th ultimo.

On motion of Mr. Donoho, the bill reported by him, entitled, An act to repeal part of an act of assembly therein mentioned, was recommitted to the committee from which it was reported, for the purpose of amendment.

On motion of Mr. Douglas, of Dorchester, the bill reported by him, entitled, An act relating to constables sales, and for other purposes, was also recommitted to the committee from which it was reported, for the purpose of amendment.

On motion of Mr. Fitzhugh, it was Ordered, That the committee on the militia inquire into the expediency of providing by law, that all persons liable to perform militia duty, may obtain an exemption therefrom, during peace, on paying a sum of money annually for the benefit of the common schools of this state; and that said committee report on the expediency of encouraging the formation of volunteer uniform companies, by exempting from liability to perform militia duty, except in time of war, all persons who shall have been a member of a regular uniform company, and performed duty therein for a period not less than \_\_\_\_\_ years from the passage of the law.

Mr. Rogerson, chairman of the committee therein mentioned, delivered the following report; which was read the first time, and ordered to lie on the table, to wit:

The committee on pensions and revolutionary claims, to whom was referred the petition of Richard Nagle, of Cambria county, Pennsylvania, have had the same under consideration, and beg leave to recommend the adoption of the following resolution:

Resolved, That the treasurer of the western shore, pay to Richard Nagle, of Cambria county, Pennsylvania, or to his order, during life, in half yearly payments, a sum of money equal to the half pay of a private, as a further remuneration for his services during the revolutionary war.

By order, J. S. Smith, Com. Clk.

Bills of the following titles, were this day severally reported:

By Mr. Stewart of Baltimore, from the committee on ways and means, An act to ascertain and fix the allowance of members of the senate, members of the house of delegates, and their respective officers, and the salaries of certain officers of the state, therein mentioned. This bill, on motion by Mr. Mahon, was made the order of the day for Tuesday next, the twelfth instant.

By Mr. Thomas of Frederick, An act to incorporate the Westminster Savings Institution.

By Mr. Parran, An act relative to tobacco remaining in the several tobacco warehouses in this state.

By Mr. Gough, chairman of the committee on insolvency, An act for the relief of Thomas D. Singleton. And,

By Mr. Stevens, A supplement to the act, entitled, An act for draining the right prong of a branch in Queen-Anne's county, known by the name of the Andover Branch.

Which said bills were severally read the first time, and ordered to lie on the table.

Mr. Gough, chairman of the committee on insolvency, to whom was referred the bill from the senate, entitled, A further additional supplement to the act, entitled, An act for the relief of sundry insolvent debtors, reported verbally, that the said committee, having considered the said bill, were of the opinion it ought to pass without amendment.

The said bill was then read the first time, and ordered to lie on the table.

Mr. Fitzhugh, chairman of the select committee to whom was referred the bill from the senate, entitled, An act authorizing the recording of a deed from Daniel Schuebly,

late sheriff of Washington county, to Emanuel Newcomer, reported verbally, that the said committee, having considered the said bill, were of the opinion it ought to pass without amendment. The said bill was then read the first time, and ordered to lie on the table.

On motion by Mr. Semmes, the house proceeded to consider the report of the select committee who were authorized and directed, by an order of the house, to inquire into the situation of the state's claim on the government of the United States, for interest on monies expended in the late war, and to report to this house the measures which may seem proper and necessary for the recovery of the said claim, delivered by Mr. Teackle on the 31st ultimo; and in the progress of the second reading thereof,

On motion by Mr. Semmes, the said report was amended by striking out the words "and required," in the last paragraph on the third page thereof, and inserting in their place the words "if they deem it necessary."

Mr. Martin then proposed to amend the said report, by striking out altogether the said paragraph, amended as above, which is contained in the following words:

"And they further propose, that in case an act for that purpose should not have been passed during the present session of the legislature, that the governor and council be authorized, if they deem it necessary, to appoint some suitable agent to attend at Washington, to represent the state's interest in this concernment, and to attend to the final adjustment of the matter, and to draw upon the treasurer of the western shore for such sum, as they in their discretion shall deem just and reasonable for the services of the said agent."

And the question thereon being taken, it was resolved in the affirmative.

The said report, so amended, was then concurred in, and the preamble and resolutions accompanying the same, were severally assented to.

The report of the committee on pensions and revolutionary claims to whom was referred the petition of Henry Martin, of Frederick county, made on the second instant, was taken up for consideration and read the second time; the said report was concurred in, and the resolution therein contained assented to, and sent to the senate for concurrence.

The bill reported by Mr. Fitzhugh, entitled, A supplement to the act, entitled, An act for the erection of a new gaol in Hagerstown, Washington county, was taken up for consideration, and read the second time, passed without amendment, and sent to the senate for concurrence.

The clerk of the senate returned the several bills, sent to that body for concurrence, of the following titles, viz:

An act relating to the swearing of petit jurors.

An act to authorize Amos Ewing, to convey a piece of land therein mentioned, to Henry B. Broughton.

An act to repeal an act, entitled, A further supplement to the act, entitled, An act for making certain roads in Baltimore and Harford counties, passed at December session 1815, chapter 48.

An act for the relief of Bayley L. Clarke, of Prince-George's county.

A further supplement to the act, entitled, An act for the recovery of small debts out of court, and to repress the acts of assembly therein mentioned, passed at November session eighteen hundred and nine, chapter seventy-six.

An act to confirm and make void two deeds therein mentioned.

Severally endorsed, "will not pass." Also,

An act to fix the compensation of supervisors of the public roads in Prince-George's county.

A supplement to the act, entitled, An act for the benefit of the infant children of Benjamin B. Wroth, late of Kent county, deceased, passed at December session 1825, chapter 217.

An additional supplement to an act, entitled, An act for the distribution of a certain fund for the purpose of establishing free schools in the several counties therein mentioned, severally endorsed, "will pass." And,

A preamble and resolution in favour of Thomas Baldwin and Samuel Scott, junior, of Prince-George's county, endorsed, "assented to." Whereupon, it was Ordered, That the three last mentioned bills, and the said preamble and resolution, be severally engrossed.

The clerk of the executive council delivered the following communication from his excellency the governor, inclosing the report therein referred to; which were read and ordered to lie on the table, viz:

Executive Department, Annapolis, Feb. 5th, 1828.

Gentlemen of the House of Delegates,

In compliance with your order of the 2d instant, requesting me to lay before you at as early a day as practicable, the number of days each member of the council has attended in the council chamber since the first Monday in January 1826, designating the several adjournments of that body, and the number of days each member attended at each adjournment, I herewith submit a report from the clerk of the council, which will afford you the desired information.

With the highest respect,

I have the honour to remain,

Your obedient servant,

John Kent.

The house proceeded to consider the bill reported by Mr. Turner, entitled, An act to restrain the evil practices of persons of colour in this state, on the Sabbath day; and in the progress of the second reading thereof,

On motion by Mr. Turner, the first section was amended, by inserting at the end thereof, the words, "except such as are travelling on business."

On motion by Mr. Blakistone, the said section was further amended, by also adding at the end thereof, amended as above, the words, "or in case of sickness."

On motion by Mr. Teackle, the said section was further amended, by inserting, "negro or mulatto," in the place of, "person or persons of colour," stricken out.

On motion by Mr. Gantt, the fourth section of the bill was amended, by inserting between the words, "any person," in the first line thereof, the words, "constable or other."

On motion by Mr. Turner, the fourth section was further amended, by substituting the words, "negroes or mulattoes," in the place of "coloured persons," stricken out.

On motion by Mr. Hughes of Montgomery, the said section was further amended, by striking out the words, "or otherwise," in the third line of that section, and inserting in lieu thereof, the words, "or elsewhere."

On motion by Mr. Boon, seconded by two other members, the house agreed to reconsider the third section of the bill for the purpose of amending the same; when,

Mr. Boon proposed, that the said section be amended, by inserting after the word, "complainants," in the first line thereof, the words, "on oath or otherwise." And the question thereon being taken, it was decided in the negative.

Mr. Blakistone then moved to strike out the fourth section of the bill.

After debate, on motion by Mr. Thomas of Frederick, the question was taken, That the further consideration of said bill, with the amendments, be referred to the next general assembly? And it was resolved in the affirmative.

The public are cautioned against receiving counterfeit \$10 notes of the Manhattan Banking Company in New York, dated July 1, 1825, letter F. F. payable to T. Phelps.—H. Remsen, Prest. Robt. White, Cashr.

METEOROLOGICAL

Kept by a synchrograph living in the city of Baltimore.

January, 1828.

1 Clear, mild for the season.

2 Rain all day, mild.

3 Cloudy, mild.

4 Foggy, light rain, warm.

5 Very foggy.

6 Cloudy, mild.

7 Clear at times, warm, weather bright.

8 Snow and rain.

9 Cloudy, white frost.

10 Cloudy, rain at night with some snow.

11 Cloudy, moderate.

12 Cloudy, foggy.

13 Clear part of the day, like yesterday.

14 Cloudy, drizzly rain, foggy.

15 Clear, fresh breeze cool.

16 Rain, foggy.

17 Cloudy, fresh breeze.

18 Clear part of the day, little fog.

19 Rain forenoon, cloudy p. m.

20 Clear, cold, fresh breeze.

21 Clear, cold, heavy blow.

22 Clear, very cold.

23 Cloudy, moderate.

24 Clear, very cold.

25 Cloudy, rain.

26 Cloudy, foggy.

27 Rain nearly all day.

28 Clear at times, heavy blow.

29 Clear, cool, fresh breeze.

30 Clear, smart frost, ice nearly everywhere above bridge.

31 Clear, cloudy, p. m. mild.

DEATHS IN NEW-YORK.

The total number of deaths in the city of New-York, during the last year, 1818, of which number there were men, 991 women, 1437 boys, 123 girls. The most mortal months were July and August, (the latter the most so) the least were January and May and June.

NORTH-CAROLINA LEGISLATURE.

The Fayetteville, (N. C.) Journal of the following as the politics of the Legislature of that state:—"In the House of Commons of the whole number of 113, there are 103 friends of General Jackson, and 10 friends of General Calhoun, of both houses, one hundred and thirty-five are for Adams, and the balance are neutral, being more than three-fourths of the whole legislature for Jackson."

STEAM ENGINE.

Our readers may have observed that a bill has passed through Congress, granting to Mr. Broadhead, an inventor, the privileges of the patent law, for certain useful inventions. One of these is an improved Steam Engine, the mode of which we have seen in operation, and were much struck with its great apparent simplicity in comparison with the ordinary Engine.

Mr. Broadhead's improved Steam Engine. The advantage of this improved engine consists, first, in superseding the necessity of the four valves, the valves, and the side pipes, by the substitution of one small roller valve, and a power required to open or to shut the valve.

Upon all other engines there is considerable power lost in the opening of the valves, that is to say, an engine of ten horse power, will require nine inches, and the area of each must be 20 lbs to the inch, to lift the valve, and require twenty times nine pounds for that purpose; that is 180 a stroke, and must act twice to make one stroke of the engine. It might be said that lifting requires only a vast of time, and that as soon as the valve finds its way under the valve, it is raised. This is granted; but the power was not necessary to bear the weight of the valve, and the area of the valve, that is to say, an engine of ten horse power, will require nine inches, and the area of each must be 20 lbs to the inch, to lift the valve, and require twenty times nine pounds for that purpose; that is 180 a stroke, and must act twice to make one stroke of the engine.

Further, the wear of these rollers is to be considered, and the packing of the stuffing boxes which must be screwed down so tight as to prevent the steam from escaping, or to prevent the engine, and must be attended to with a loss of power; whereas, by the Roller Valve, all these inconveniences are obviated, as there is no stuffing box, and only one simple rod and valve. Finally, the simplicity of the machine is a very strong recommendation in its favour. There is no stuffing box, and only one simple rod and valve. Finally, the simplicity of the machine is a very strong recommendation in its favour.

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On motion by Mr. Turner, the fourth section was further amended, by substituting the words, "negroes or mulattoes," in the place of "coloured persons," stricken out.

On motion by Mr. Hughes of Montgomery, the said section was further amended, by striking out the words, "or otherwise," in the third line of that section, and inserting in lieu thereof, the words, "or elsewhere."

On motion by Mr. Boon, seconded by two other members, the house agreed to reconsider the third section of the bill for the purpose of amending the same; when,

Mr. Boon proposed, that the said section be amended, by inserting after the word, "complainants," in the first line thereof, the words, "on oath or otherwise." And the question thereon being taken, it was decided in the negative.

Mr. Blakistone then moved to strike out the fourth section of the bill.

After debate, on motion by Mr. Thomas of Frederick, the question was taken, That the further consideration of said bill, with the amendments, be referred to the next general assembly? And it was resolved in the affirmative.

Maryland Gazette

ANNAPOLIS:

Friday, February 7, 1828.

By the Rev. C. A. Davis.

On Thursday 31st ult. Dr. Sparks, to Miss CHARLOTTE

all of A. A. County.

BANK DIRECTORS.

The Bank yesterday elected the following gentlemen Directors on the 5th inst. in the several Banks.

The Bank of Maryland—Hughes and Charles C. Egerton.

The Mechanics Bank of Baltimore—John and William Stewart.

The Commercial and Farmers Bank—George H. H. and Richard

The Farmers Bank of Maryland—J. and Theodore H. H.

The Branch of the Farmers Bank of Maryland—Theodore R. Lock-

and William Clark.

The Bank—Adam Whann.

The Hagerstown Bank—John Van-

and David Schuebly.

The subjects of interest which are under the consideration of the Legislature of the state are the Chesapeake canal, connected with the Chesapeake Bay, and the Baltimore and Annapolis canal, which are both of them, as their accomplishment would be a great benefit to the State.

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