

Maryland Gazette.

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Legislature of Maryland.

House of Delegates

WEDNESDAY, February 20, 1828.

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

Mr. Dennis presented the petition of Levin Tyler, of Somerset county, guardian to Samuel C. Broughton, Paddy Ann Broughton and Rebecca Broughton, the infant children of Anne Broughton, deceased, residing in said county, praying the passage of an act for their relief, as respects the payment of the debts of the deceased; which was referred to a select committee consisting of Messrs. Dennis, Gibbons and Teackle.

Mr. Harlan presented a petition from sundry inhabitants of Cecil county, praying that a law may pass empowering magistrates to issue attachments in all cases under fifty dollars, and for other purposes; which was referred to a select committee consisting of Messrs. Harlan, Thomas of Cecil, and Mackey.

Mr. Price presented the memorial of Richard Fowler, a citizen of Baltimore county, praying that the commissioners of Baltimore county may be authorized and directed to return to him the sum of money therein mentioned, which, it is alleged, he had twice accounted for and paid as a collector of taxes in the second collection district in said county; which was referred to a select committee consisting of Messrs. Price, Shower and Turner.

Mr. Gantt having asked and obtained leave to introduce a bill to be entitled, An act to continue in force the acts of assembly which would expire with the present session; it was, on his motion, Ordered, That a select committee consisting of three members be appointed to prepare and report the same. Messrs. Gantt, Stevens and Semmes, were appointed the said committee.

Mr. Gantt accordingly reported said bill; which was read the first time, and ordered to lie on the table.

Mr. Duvall having asked and obtained leave to introduce a bill to be entitled, An act to repeal a supplement to the act, entitled, An act to prevent the issuing of small bank notes, so far as relates to the Planters' Bank of Prince-George's county; it was, on his motion, Ordered, That a select committee, consisting of three members, be appointed to prepare and report the same. Messrs. Duvall, Beall and Semmes, were appointed the said committee.

Mr. Duvall accordingly reported said bill; which was read the first time, and ordered to lie on the table.

Mr. Teackle, chairman of the committee on education, delivered the following reports; which were severally read the first time, and ordered to lie on the table, viz:

The committee on education, to which was referred the report of the treasurer of the western-shore, in obedience to a resolution No. 49, of December session 1824, with an abstract of the returns of the trustees, commissioners, &c. of the several colleges, academies and schools, receiving funds or donations from this state, beg leave to state—that they have considered the subject of this reference; and, having received the returns of those reports, they have seen, with regret, the imperfections of former years, and have had to lament the deficiency of a satisfactory account of the means devoted to literature. The committee ascribe those imperfections, and that deficiency, to the want of a proper system of accountability. The abstract referred to is annexed in further illustration of this matter—and as the said treasurer, in a former report upon this subject, has very aptly suggested a repeal or modification of a requisition imposed upon an officer properly constituted to receive, and disburse, and account for the public treasure; they beg leave to recommend the adoption of the accompanying resolution.

All which is respectfully submitted.

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

Resolved by the general assembly of Maryland, That the commissioners, trustees, and other authorities of the several literary institutions, receiving pecuniary aid from this state, shall each respectively, and the same are severally hereby required, to return, annually, on or before the first Monday of December, to the superintendent of public instruction, the amount of funds, or other aid received by them, detailing the mode of its application—also the number, qualifications and emoluments of the professors and teachers employed therein, the rates of tuition, the number of free students admitted under the act of December session 1823, entitled, An act to disseminate literature in this state, and the number of students or pupils, in the classical department and dead languages, in the English and mathematics, in the Lancasterian, monitorial, or other system; and that the said superintendent be required to present annually, an abstract of such returns, with detailed remarks and information to the legislature, on or before the first Tuesday in January, and that the resolution No. 49, passed at December session 1824, be and the same is hereby repealed and annulled.

The committee on education, to which was referred the reports of sundry collectors of the tax, of the number of deaf and dumb residents of their counties, in pursuance of the act of December session 1826, chapter 255, beg leave to present the following reports, to wit:

	White.	Col'd.
1. Report of Robert Stewart, collector of Somerset county,	10	0
2. Report of William Chambers, coll'r of Queen Anne's county,	5	2
3. Report of James Moore, coll'r. 3d district Harford county,	1	0
4. Report of James Perry, coll'r. 4th district Cecil county,	3	0
Total 21, to wit, 19 white and 2 coloured,	19	2

The act, above referred to, imposes no penalty for the neglect of the duty required; and considering it expedient, with a view to the relief of persons deprived of the facilities of hearing and speech, to obtain full information on the subject, the committee beg leave to submit the following resolution:

Resolved, by the General Assembly of Maryland, That it shall be the duty of the sheriff in each and every county of this state, under the penalty of one hundred dollars, to make diligent inquiry, and to ascertain and report to the superintendent of public instruction, on or before the first day of December next, the number of white persons, residents of their respective counties, who are deaf and dumb, also the sex, age and condition, of each of the said persons; and, that it shall be the duty of the said superintendent to present a condensed view of the said reports to the legislature, in the first week of their next session.

All which is respectfully submitted.

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

On motion by Mr. Teackle, the bill reported by Mr. Donohoe, entitled, An act to amend and reduce into system the several acts concerning elections, was committed to a committee of the whole house.

Whereupon the house resolved itself into a committee of the whole house on the said bill; and after some time spent therein, the Speaker resumed the chair, when Mr. Hawkins, the chairman, reported, that the committee had, according to order, had the said bill under consideration, and made some progress therein, and that he was directed to ask leave for the said committee to sit again on said bill.

Ordered, That the committee of the whole house have leave to sit again on the said bill.

The bill reported by Mr. Ruth, entitled, A supplement to the act, entitled, An act to prevent the unnecessary accumulation of costs in civil suits, passed December session 1825, was taken up for consideration, and read the second time; when

On motion by Mr. Williams of Dorchester, the question was propounded, Shall the further consideration of said bill be referred to the first day of June next? And it was resolved in the affirmative.

The clerk of the senate returned the bill, entitled, An act to incorporate 'The Female Penitents' Refuge, in the city of Baltimore; endorsed, 'well pass.' Ordered, That the said bill be engrossed.

And delivered a bill, originated in and passed by the senate, entitled, A further supplement to the act, entitled, An act to incorporate a company for building the several turnpike roads therein mentioned, passed at December session eighteen hundred and fifteen, chapter one hundred and ninety; which was read by its title, and referred to the consideration of the standing committee on internal improvement.

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

By Mr. McMahon, A supplement to the act, entitled, An act for the promotion of internal improvement. This bill, on motion by Mr. McMahon, was made the order of the day for Friday next, the 22nd instant.

By Mr. Teackle, chairman of the committee on education; An additional supplement to the act, entitled, An act for the benefit of the University of Maryland, passed at December session 1816, chapter 78.

By Mr. Tilghman, An act to authorize and empower Richard Ireland Jones, of the city of Annapolis, to remove certain negroes from the state of Kentucky into this state.

By Mr. Dennis, An act for the relief of Levin Tyler, guardian of Samuel C. Broughton, Paddy Ann Broughton and Rebecca Broughton, infant children of a certain Ann Broughton, late of Somerset county, deceased. And,

By Mr. Price, An act for the benefit of Richard Fowler, of Baltimore county.

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

The hour having arrived for taking up the orders of the day.

On motion by Mr. Teackle, the several orders of the day were postponed; and the house resumed the consideration of the unfinished business of Monday last, in reference to the bill, entitled, An act to provide for the better regulation of the treasury department, with the amendments proposed and reported by the committee of the whole house. When

On motion by Mr. Thomas of Cecil, the question was taken, That the further consideration of said bill and amendments, be referred to the first day of June next?

Determined in the negative—yeas 32, nays 37.

On motion by Mr. Semmes, the house again resolved itself into a committee of the whole house on the said bill, and, after some time spent therein, the speaker resumed the chair, when Mr. Dennis, the chairman, reported, that the committee of the whole house had, according to order, had the said bill under further consideration, and that he was directed to report said bill, with several other amendments.

The house then adjourned until to-morrow morning nine o'clock.

THURSDAY, February 21, 1828.

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

Mr. Mackey presented a petition from sundry inhabitants of Cecil county, praying that the levy court of said county may be abolished, and that commissioners may be elected immediately by the people, who shall be vested with the same powers now vested in said court, and for other purposes, which was referred to the committee already appointed on that subject.

Mr. Potter presented the petition of Elizabeth Carey, of Caroline county, setting forth her indigent and helpless situation, and praying that the levy court of said county may be directed to levy for her support and maintenance, to be placed in the hands of some friend, whatever sum her case may require; which was referred to the committee on the subject of pecuniary relief of indigent persons.

And the petition of sundry citizens of Caroline county, praying that a tax may be imposed upon jugglers and actors; which was referred to a select committee, consisting of Messrs. Potter, Orrell, Jones, Douglas of Caroline and Dennis.

Mr. Ely presented the memorial of sundry citizens of Baltimore county, praying that the people may be authorized by law, to elect, by ballot, justices of the peace and constables for the several militia company districts within said county; which was read, and ordered to lie on the table.

Mr. Thomas of Cecil, submitted the following order for consideration: Ordered, That the committee on ways and means be instructed to inquire into the expediency of allowing pensions to such military officers and privates, as enlisted in Maryland, and were wounded in battle during the late war with Great Britain, and report thereon to this house.

Which was twice read; and on the question, Will the house agree to adopt said order? it was determined in the negative.

Mr. Turner having asked and obtained leave to introduce a bill to be entitled, An act to take the sense of the people at the next general election, in the several counties of this state, on the expediency of electing one member of the senate in each county, and one from the city of Baltimore; it was, on his motion, Ordered, That a select committee of five members be appointed to prepare and report the same. Messrs. Turner, Stevens, Boon, Watkins and McNeill, were appointed the said committee.

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

The committee to whom was referred the memorial of sundry citizens of Harford county, relative to negro slavery, beg leave to report—

That the important subjects of the memorial have commanded their most serious and anxious attention. While your committee are compelled to acknowledge the inexpediency of submitting to the house, at the present moment, any system of legislation which might have for its object the abolition of negro slavery in this state, they cannot refrain from expressing their entire confidence, that the time is fast approaching when they shall be relieved from this grievous national calamity. Your committee allude to the great and successful exertions of the American Colonization Society, in aid of which our state has not been backward in contributing.

While your committee are again compelled to deplore the impossibility of providing by law for the sudden removal of this great evil, they think their fellow-citizens are encouraged to press on in the use of those means which have already been resorted to, and to strengthen their hope of final success.

We cannot now, for obvious reasons, follow the examples which have been set us by our sister states to the north and east of us.

With them the evil to be subdued was a pigmy, with us it is a monster; with them a superfluous and decaying limb was to be removed; with us the destroying worm is to be sought for in the root. There, the system, full of health and vigour, submitted cheerfully to the simple cure; here the disease, exhibiting itself in its greatest strength and worst form, must receive a different treatment, and be gradually subdued by persevering, but not abrupt remedies.

Such is the view your committee take of this subject.— They beg leave to add, that at the last session of the legislature a donation of one thousand dollars was made to the colonization society, to be applied for the removal of free persons of colour from this state to Liberia.

This appropriation is a permanent one, and the above sum is to be paid annually to the officers of the society as a contribution on our part to the great objects of their association.

Since the passage of this law, several of our sister states have followed our example to the extent of passing resolutions expressive of their confidence in, and respect for, this society, and from the growing importance and popularity of the institution, there is every reason to hope that in a short period of time, a large proportion, if not all the state governments, will be found contributing pecuniary aid to objects of so much benevolence, and such general concern.

In the opinion of your committee, the American Colonization Society is the great and last hope of the slave holding states. The plan of this society for removing gradually, and with their own consent, the whole black population of the country, to colonies on the western coast of Africa, is no longer a speculative one. The colonies have been established, and are flourishing to a great extent; hundreds of coloured persons have already been transported thither at the expense of the army, and their population is constantly swelling with fresh arrivals from the United States. These colonies are widely extending themselves along the shores of that fertile and productive country; Civilization, letters, laws, religion and happiness, prevail among them, and the blessings of a free government are already theirs. Under such auspices, and with such advantages, both they and we have the surest hope that in a few years, free and enlightened nations will take place of our infant settlements. Your committee say our infant settlements, for since our appropriation for their support, we surely claim may some little merit in the work, and succeed, at least, (as all other states under the same circumstances must do) to a co protection of these colonies, with the society.

Your committee have no fear that Maryland will ever lose sight of her great stake in this enterprise, nor but what she will again and always, show herself ready to act when suitable occasions present themselves. Without our five hundred negroes were removed to Africa the last year, and when the society may find itself in sufficient strength to increase the annual number of emigrants from five hundred to five or ten thousand, your committee believe our government will not be backward in making a proportional contribution.

Thomas Hope, Chairman.
D. Ringely, Com. Clk.

By order, The hour having arrived for the consideration of the orders of the day; on motion by Mr. Teackle, the house proceeded to consider the unfinished business of yesterday, being the report of the committee of the whole house, in reference to the bill, entitled, An act to provide for the better regulation of the treasury department. And in the progress of the second reading thereof,

Mr. Ringgold offered the following as a substitute for the first section of the said bill, viz:

Be it enacted by the General Assembly of Maryland, That there shall be appointed by the house of delegates, an officer to be known and distinguished as the comptroller of the treasury, who shall be deemed the head of that department, and shall hold his office during the pleasure of said house.

Which being twice read; the question thereon was taken, Will the house agree to adopt the substitute proposed as above? Determined in the negative—yeas 34, nays 34.

On motion by Mr. Stevens, the question was then taken, that the said bill, with the several amendments proposed therein, and reported by the committee of the whole house, be laid on the table? And it was resolved in the affirmative.

The house then adjourned until to-morrow morning nine o'clock.

FRIDAY, February 22, 1828.

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

Mr. Mackey presented the petition of sundry citizens of Cecil county, on behalf of The Oxford Rail Road Company of Chester county, in the state of Pennsylvania, praying that they, and their associates, may be incorporated for the purpose of extending said road to a point at or near Elkton, or both places if it should be found practicable, and for the interest of the company which was referred to the committee already appointed on that subject.

Mr. Mercer, presented two several petitions of sundry inhabitants of Baltimore city and county, and of Harford and Cecil counties, to the same effect, praying for an act to incorporate a company to make a turnpike road from the Conowingo or Saquoahanna Bridge, to the Delaware line, in a direction towards Wilmington; which were severally referred to the committee already appointed on that subject.

Mr. Shriver, presented the petition of Margaret Yungling, of Frederick county, praying that a deed for a certain lot of ground and premises in the town of Westminster, in Frederick county, may be rendered valid; which was referred to a select committee of three members, consisting of Messrs. Shriver, Thomas of Frederick, and Kemp.

Selling off Cheap for Cash.

Bryan & Anderson, Have determined to close their mercantile business; they offer to a public, (from whom they have received liberal encouragement,) the entire

Stock in Trade.

consisting of Dry Goods, Groceries, Glass, Queen's-ware, Hats, &c. which they will sell at reduced prices. All persons indebted to the firm, please to call and settle the same, or before the first day of March, as longer indulgence cannot be given. Jan. 17.

In Chancery.

Ordered, That the sale of the real estate of Richard Jordan, made and reported by William B. Merritt, trustee, be ratified and confirmed, unless cause to the contrary be shown before the 11th day of April next, provided a copy of this order be inserted once in each of the newspapers, before the 11th day of March next. The report states the amount of sales to be \$4951 75.

True copy, Remy Water, Reg. Cor. Clk.

Notice is hereby given.

That the subscriber has obtained from the orphan court of Anne Arundel county, short letters of administration with the will annexed, of the personal estate of Charles Stewart, late of said county, deceased. All persons having claims against said estate are requested to present them, legally authenticated, and those indebted are requested to make payment, before the 11th day of March next.

CHARLES R. STEWART, Adm'r.

HAYDEN DENTIST.

Respectfully offers his services to the citizens of Annapolis and vicinity. He is at Mrs. ROBINSON's, where he will remain a short time, and will be happy to render assistance that may be required by him in his profession.

Notice.

The Commissioners of the Anne Arundel county will hold the court house in the city of Annapolis, on Thursday the 21st of February next, for the purpose of hearing appeals and making transfers to the board, and those having transfers to be made, are hereby notified that at the time of that meeting the books of the commissioners will be closed for the year 1827.

R. I. Cowman, Clk.

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PROPOSAL FOR PRINTING

The Journals of the Conventions of the Province of Maryland, Held in the City of Annapolis, in the years 1774, 1775 and 1776.

If sufficient encouragement be offered, the Subscriber proposes to publish, in one volume octavo, the Journals of the Conventions of 1774, 1775 and 1776. It is believed that there are more than two copies of these Journals now extant; and from the circumstances that they were printed in pamphlet form, and unbound, it may be concluded that they, too, must in some years be destroyed by the mere decay of time. These Journals are the authentic evidence of the Political History of Maryland, during that interesting and unquiet period. Alas! we have, in abundance, histories of Maryland, as connected with the Revolution, and the formation of the Constitution of the United States; but we have none of the history of that time formed, for mutual protection against the improper assumption of power on the part of the Mother Country, yet none of these works exist, what may be termed its Domestic and Internal Political History.

This part of the history of Maryland it should be her pride to hand down to posterity, not only as a record of its deep interest, but as a permanent State Record of the voluntary sacrifices, daring spirit, and determined resolution, of her citizens, during that period of doubt and dismay.

In the confident expectation that the citizens of Maryland will consider the proposed publication of sufficient importance to entitle it to their patronage, the Subscriber is induced to propose these proposals.

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ANNE ARUNDEL COUNTY, SC.

Application by petition, in writ of John Perrigo, to me, as Chief of the third judicial district of Anne Arundel county, in the recess of the said county court, praying for the relief of sundry solvent debtors, passed at November session 1825, and the several decrees thereon, a schedule of his debts, as he could ascertain them on being obliged to his said petition, and being satisfied that the said Perrigo has resided in the county of Maryland for two years, and being also satisfied that said John Perrigo was in actual possession of the said debts, and adjudged, that the said Perrigo be discharged from his debts; and it is further ordered, that the said John Perrigo copy to his creditors, by causing a copy of this order to be inserted in one of the newspapers published in the city of Annapolis, once for the term of three months, before the Anne Arundel county court, to be held in the city of Annapolis on the third Monday of the next, for the purpose of rendering a true and correct account of the same, if any they may have the benefit of said order and supplements, as prayed, under my hand this 11th day of February 1827.

THOS. DORSEY, Clk.

THE Sheriff's Sale.

By virtue of a writ of fieri facias, issued by the court of Anne Arundel county, directed against the said Horatio White, at suit of the said John Perrigo, I have seized and taken possession of all the right, title, interest, claim and demand, in law or in equity, of the said White, in and to all that certain lot called "Harry's Lot," containing two hundred and forty and no parts of an acre of land more or less, situate near Merrill's Ridge, and on Thursday the 15th of March next, at court house door in the city of Annapolis, I shall proceed to sell the same, or so much thereof as may be necessary to discharge the debt due as aforesaid, to commence at eleven o'clock.

R. Welch, of Ben. late Sh. of A. A. county.

LAND FOR SALE.

By virtue of a decree of the court of Anne Arundel county, made on Friday the 14th of February at 12 o'clock A. M. at the tavern in Annapolis, the said Benjamin Elliott, deceased, whose estate contains about 170 acres of excellent quality, and susceptible of improvement. It lies near the house of All Hallows parish, Anne Arundel county, and adjacent to the farms of Moses Orme, R. S. Sellman, and William Stewart.

This land will be sold on credit, and taken in six months, purchasers to give bonds, with security, for the payment of said debts, with interest from the day of sale.

The said Benjamin Elliott, deceased, are hereby required to file their claims, properly authenticated, with the register of the chancery, within three months of the day of sale.

Thos. S. Alexander, Trustee.

Constable's Sale.

By virtue of sundry writs of fieri facias, issued by Rinaldo Pindell, esq. Justice of the peace for Anne Arundel county, at the suit of Martin Penick, against the goods and chattels, and tenements, of Ann Bass and her heirs, seized and taken in execution, a quantity of Tobacco, 3 bedsteads, a tract or parcel of land called "New Ridge," and "Sorey's" near the town of Annapolis, on Saturday the 15th of March 1828, at 11 o'clock in the forenoon, on the premises, I shall proceed to sell the said property for cash, to satisfy the debt due as aforesaid.

By order, James J. Drury, Con'ble.

Feb 21.