

24. An act to repeal a supplement passed at December session 1824, and a supplement passed at December session 1825, to an act passed at May session 1803, entitled, an act to incorporate the trustees of the Westminster General Meeting House in Frederick county.

25. An act for the division of Queen-Anne's county into election districts.

26. A supplement to the act, entitled, an act for the opening of Ennor-street in the city of Baltimore.

27. An act for the relief of Francis Matthews, of Cecil County.

28. An act to revive an act passed at November session 1811, chapter 153, and to repeal an act passed at December session 1826, chapter 141, concerning the town of Salisbury in Somerset and Worcester counties.

29. A supplement to the act, entitled, an act for the more effectual protection of public worship in this state, passed at December session 1821, chapter 53.

30. An act to authorise Joshua W. Massey, of Queen-Anne's county, to convey the land therein mentioned.

31. An act to authorise the building a bridge across the south branch of the Patapsco river, from a point on the land of Richard Cromwell, to a point on the opposite shore, on the land of William Krebs.

32. An act relating to the county tax in the city of Baltimore.

33. An act to provide for the valuation and condemnation of water at the mouth of Windsor's creek, in Somerset county, for the erection and establishment of a tide mill.

34. An act for the preservation of the navigation of the rivers Transquakin and Chicknamacomico, in Dorchester county.

35. An act supplementary 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 named, passed at December session 1816.

36. An act to alter the present mode of appointing the justices of the levy court of Dorchester county, so that each election district may have one member.

37. A further additional supplement to the act concerning crimes and punishments.

38. An act for re-establishing a road and landing at a place commonly called The Ship Yard, in Kent county.

39. An act to empower the levy court of Kent county to grant relief to indigent persons of said county.

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

41. 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 December session 1823, chapter 217.

42. An act to provide for the making the several turnpike roads, and for the extension of the charters of the several banks therein mentioned.

43. 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.

44. An act to authorise the several courts in this state to appoint surveyors in certain cases.

45. An act to promote education in Frederick.

46. An additional supplement to an act, entitled, an act for the establishment and support of public free schools, in the first election district of Baltimore county.

47. An additional supplement to an act, entitled, an act respecting the equity jurisdiction of the county courts in this state.

48. An act to make valid a certain deed of manumission.

49. An act to relieve the Baltimore and Havre-de-Grace Turnpike Company from paying the levy court of Harford county for a county road.

50. An act to alter and repeal all such parts of the constitution and form of government of this state as relate to the division of Worcester county into election districts.

51. An act to repeal an act to declare certain trespasses void, in so far as they relate to Calvert and Baltimore counties.

52. An act to amend an act, entitled, an act authorising the Commissioners of the County of Cecil county, to purchase lands for the relief of Elizabeth Hardikin, of Dorchester county.

53. An act to incorporate the Elkton and Susquehanna Bridge Turnpike Company.

54. An act for the revaluation of the real and personal property in Calvert county.

55. 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 December session 1821, chapter 110.

56. An act to divorce Augustus J. T. Geraud, and Mary Ann his wife, of the city of Baltimore.

57. An act to provide for condemning and opening an alley in the city of Baltimore as a public highway.

58. A supplement to an act, entitled, an act to incorporate a society for the maintenance and education of poor female children, by the name of The Benevolent Society of the city and county of Baltimore, passed at November session 1799, chapter forty-four.

59. A supplement to the act, 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.

60. An act to amend the act incorporating the Chesapeake and Ohio Canal Company.

61. An additional supplement to the act, entitled, an act concerning crimes and punishments, passed at November session, 1809.

62. An act for the benefit of William W. Whittington, Charlotte Whittington, John R. Whittington, and Robert H. Whittington, the infant children and heirs at law and representatives of William Whittington, late of Worcester county, deceased.

63. An act to extend to Worcester county the provisions of the act of assembly, entitled, an act to declare certain trespasses felony, and for other purposes.

64. An act authorising Thomas J. Mann to convey certain lands to David Webb, and Mary his wife.

65. An act to incorporate the Lanvale Manufacturing Company.

66. An act respecting Naturalization.

67. An additional supplement to the act, entitled, an act for founding an university in the city or precincts of Baltimore, by the name of The University of Maryland.

68. An act to incorporate the Neptune Insurance Company.

69. A further additional supplement to the act, entitled, an act for the relief of sundry insolvent debtors.

70. An act authorising the recording a deed from Daniel Schnobly, late sheriff of Washington county, to Emanuel Newcomer.

71. An act to incorporate the Baltimore and Susquehanna Rail Road Company.

72. A supplement to an act, entitled, an act for the benefit of Alfred H. Dashiell, and others, of the city of Baltimore, passed at December session 1826, chapter 163.

73. An act for the relief of Aquilla Beall, clerk of Prince-George's county.

74. An act to incorporate The Female Penitents' Refuge in the city of Baltimore.

75. A supplement to an 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.

76. An act for the revaluation of the real and personal property in Kent county.

77. An act for the relief of Thomas D. Singleton.

78. An act to change the place of holding elections for vestrymen and churchwardens and the regular meetings of the vestry of Somerset Parish, in Somerset county.

79. An additional supplement to an act, entitled, an act relating to the city of Baltimore.

80. An act to provide for electing commissioners for Harford county, and prescribing their powers and duties.

81. An act to open and lay out certain streets, lanes and alleys, in Westminster, Frederick county.

82. An act to settle and determine the compensation of judges and clerks of elections in Baltimore county.

83. An act for the appointment of trustees for the sale of the real estate of Thomas Gorsuch, late of Baltimore county.

84. A further supplement to the act for the recovery of small debts out of court, and to repeal the acts of assembly therein mentioned.

85. An act to incorporate the Westminster Savings Institution.

86. An act to continue in force, an act passed at December session 1823, chapter 185, entitled, an act to repair the highways and bridges in certain parts of the city of Baltimore, and for other purposes.

87. An act for the relief of Gabriel Isaacs, an insolvent debtor of the city of Baltimore.

88. An act to establish an Academy in the town of Denton, in Caroline county.

89. An act to authorise George Parker, senr. of Somerset county, to remove a negro boy from the state of Delaware to this state.

90. An act relative to the Inspection of Tobacco.

91. A further supplement to the act, entitled, an act to incorporate a company to make the several turnpike roads therein mentioned, passed at December session 1813, chapter 190.

92. An act for the opening and extension of Lombard street in the city of Baltimore.

The Speaker, (attended by the other members of the house of delegates, and their clerk,) returned, and resumed the chair.

Whereupon, on motion, the house then adjourned until to-morrow morning nine o'clock.

SATURDAY, March 1, 1828.

Mr. Shower presented the petition of a number of the inhabitants of Baltimore county, praying for a supplement to an act, passed at December session 1825, to appoint a commissioner to open a road from Westminster, in Frederick county, to the city of Washington; which was referred to a select committee, consisting of Messrs. Shower, Turner and Ely.

Mr. Sellman presented the petition of sundry voters of the second election district in Anne-Arundel county, praying for a law, to change the place of holding elections in said district; which was referred to a select committee, consisting of Messrs. Sellman, Stewart of Anne-Arundel, and Linticum.

Mr. Stewart, of Anne-Arundel, presented the memorial of Ann Crandell, widow of George Crandell, of Anne-Arundel county, representing, that, with two small children, she is entirely dependant on the charity of the world for the necessary subsistence of life, is in a helpless condition, and without any means of support; and praying, that she may be put on the out pension list for said county; which was referred to the standing committee for the pecuniary relief of indigent persons by county assessments.

Mr. Donoho submitted the following resolution for consideration.

Resolved, by the general assembly of Maryland, That it shall be the duty of the harbour master, of the western district of the city of Baltimore, to collect wharfage on the state's wharves in the said city, and to pay over the same to the order of the treasurer of the western shore, under the like restrictions, obligations and regulations as are required by the existing ordinances of the city of Baltimore.

Which was read, and, on motion by Mr. Donoho, it was ordered, that the same be referred to the consideration of the committee on ways and means.

On motion by Mr. Thomas, of Cecil, it was further ordered, that the said committee be instructed to ascertain, if possible, whether any person has been collecting said wharfages, his name, by what authority he has collected, and what he has done with the amounts of wharfages collected, and to report thereon to this house.

On motion by Mr. Teackle, it was ordered, That the committee on ways and means, be instructed to inquire into the expediency of authorising the collection of wharfage, upon all commodities landed, or stored, upon, or shipped from, wharves belonging to individuals, the city, and state, in the city of Baltimore, for the use and benefit of the several proprietors of the said wharves respectively.

Mr. Watkins, offered the following resolutions for consideration; which were read the first time, and ordered to lie on the table, viz.

Resolved, by the General Assembly of Maryland, That the governor and council be and they are hereby authorised and required, to employ counsel on the part of the state, to aid in the prosecution of the suit now pending in Anne Arundel county court.—The state against the late Registers in Chancery.

Resolved; That the treasurer of the western shore, be and he is hereby authorised, to pay to the order of the governor and council, such sums as they may deem sufficient to compensate such counsel.

Mr. Hitch, from the committee on education, delivered the following report; which was read the first time, and ordered to lie on the table, viz.

The committee on education, to which was referred the petition of sundry inhabitants of Harford county, praying a change in the act of 1825 relative to primary schools, have had the same under consideration, and beg leave to offer the following report:

The petition, very properly, presents the importance of primary schools as calculated to promote the best interests of the state, and as the surest guarantee of public liberty, the advancement of personal respectability, independence and happiness, but express a belief that the law of 1825 is not adapted to the circumstances of the state, and particularly to their county. They assign their reasons for this opinion, and their views upon a system suited to the object of educating the poor, increasing the facilities of all classes

to obtain a common education, and the present general ability to support such a system.

1. They object to the office of superintendent, and allege that the duties assigned to that officer can never be well performed by any one man; and pronounce their preference in favour of the delegates from the different counties as a better resource for obtaining the necessary information upon this subject.

2. They also object to the appointments by the levy courts of persons to lay off their counties into school districts of five miles square, as they think the districts too large, and suggest the appointment of two officers, one for the eastern and one for the western shore, to be associated with two others, practical surveyors, making a commission of three for each shore, whose duty it should be, to survey and lay off their respective shores into districts of 4 or 4½ miles square, without regard to county lines or fractional parts of the same district being in different counties. The funds for such fractions to be supplied by the county in which it should fall, in proportion to the children therein, &c. They propose to detail the mode of effecting the proposed survey of the whole state.

3. The petitioners propose, that the burden of building, supplying and repairing the school-houses, should fall on those most convenient, to wit: Those within one mile to pay one half of the expense, and those within one and two miles the other half. In other respects their suggestions upon this head are, substantially, the same as those of the act in question.

Upon these objections and propositions the committee submit the following remarks:

1. They dissent from the opinion expressed by the petitioners with respect to the office of superintendent. And in support of their dissent, they adduce the practice and experience of other states, in which the interests of education have been advanced to an eminent degree of improvement under the direction of a single officer; and in no country has there ever existed a greater scheme of public instruction, without an efficient head to that department. They conceive the appointment to be absolutely, and indispensably essential to its successful and beneficial operation.

2. With reference to the supposed requisition of laying off the counties into school districts of five miles square, the petitioners are without a proper understanding of the laws in that particular, as no such provision is to be found in it: on the contrary, the districts are required to be made suitable and convenient according to localities and circumstances, in the discretion of the commissioners; to be enlarged or diminished as the population may be sparse or concentrated; and rather than incur great and oppressive charge of a general survey and subdivision of the whole state into squares or sections, the committee would adopt the more economical, and more simple course prescribed by the superintendent in his instructions to the commissioners of primary schools, in which he says—"it will naturally occur to you, that the square will not be the most suitable or convenient form; and that in the absence of more palpable boundaries, such as bays, rivers, creeks, mountains, or remarkable hills, roads, established fences, or other lines of demarcation, the most eligible marks of description may be the different dwellings or places of public worship, or other houses; and distinguishing from house to house, around the school house as a common centre, reserving always that every dwelling, without the line, which may have been omitted, or overlooked, and all such as may hereafter be erected, during the continuance of the district, shall of right, belong to the nearest school-house. In many cases, however, you will find it necessary to circumscribe a district by its natural limits, such as a small island, on which there may not be a sufficient number of children for the support of a school, and which cannot, conveniently, be attached to any adjacent district; in such cases, as the distribution of the public money will be in proportion to the number of children, it will be necessary, to enable the inhabitants to partake of the benefit of the law, for them to provide the residue of means to complete the salary of their teacher, or to graduate the duration of their school according to the amount distributed to them. And the like necessity will equally occur in every peninsula or long neck of land, or districts of sparse population; but such occurrences may be hoped, will be found rare."

3. And the committee would prefer that the school-houses should be erected, supplied and repaired, by an equal and equitable course of contribution from the districts, as prescribed by the act, or from the whole county, as contemplated by the supplement now pending, to an imposition upon those within a limited distance, as proposed by this petition.

The petitioners enlarge in some general observations in which they seem to consider the system as eleemosynary, rather than as an institution for the free diffusion of elementary education to all the youth throughout the state, without distinction or exception—in which character it is to be viewed as calculated to promote the intellectual improvement—to elicit the latent resources, and advance the physical power and respectability of the whole people.

A variety of other suggestions or propositions are comprised in this petition, the most of which are provided for in the act of 1825. In fact the provisions of that act, with the exception of their objection to the office of superintendent, and their proposition to survey the state, are, in substance, the same as those which seem to be desired by these petitioners.

The committee beg leave to be discharged from the further consideration of this reference.

All which is respectfully submitted,

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

Bills of the following titles, were this day severally reported, by Mr. Fitzhugh, from the committee on the militia. A further supplement to the act, entitled, An act to regulate and discipline the militia of this state.

By Mr. Potter, from the committee on ways and means, An act to abolish all that part of the constitution and form of government, which requires the appointment of a treasurer on the eastern shore.

An act to abolish all that part of the constitution and form of government, which requires the appointment of a register of the land office on the eastern shore.

By Mr. Potter, from a select committee, An act to tax all travelling show-men, players, slight-of-hand-men, ventriloquists, and jugglers, in this state.

By Mr. Stewart, of Anne-Arundel, An act to protect the breed of oysters, in the waters of Anne Arundel county. And,

By Mr. Ganitt, An act to make valid a certain deed therein mentioned, and for other purposes.

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

Mr. Thomas, of Cecil, having asked and obtained leave to introduce a bill, to be entitled, An additional supplement to the act, entitled, An act authorising the commissioners of Charles town, in Cecil county, to purchase a lot of ground, for the purposes therein mentioned, it was, on his motion, ordered, that a select committee of three members be appointed to prepare and report the same. Messrs. Thomas, of Cecil, Mackey and Mercer, were appointed the said committee.

On motion by Mr. Mackey, the bill reported by him, entitled, An act regulating the service of process by constables, was made the order of the day for Monday next, the third instant.

On motion by Mr. Banning, the following was adopted as an additional bill of the house, viz.

That no bill or resolution shall be allowed to originate in either house, on the two days next preceding the day of closing the session of the legislature.

Maryland Gazette
ANNAPOLIS.
Thursday, March 6, 1828.

A CANDIDATE
We are authorised to state, BARELLIAH MARROT will be elected, as a Delegate to represent Anne-Arundel in the next legislative session.

CONGRESS.—HOUSE OF REPRESENTATIVES.
TENNESSEE MILITIA.

Mr. Hamilton, from the Committee on Military Affairs, to which the subject was referred, made the following report:

The Committee on Military Affairs, to which the subject was referred, were convened by the Secretary of War, on the 16th of January, relative to the proceedings of a Court Martial, which commenced its sitting at or near Mobile, on the 5th of December, 1814, for the trial of certain Tennessee Militia, who, with the correspondence between the governor of that state and the Secretary of War, respecting the length of military drafts of that state, dated late war, report.

That by the reference of these papers to your committee, it has been ascertained, that the intention of the President, that it should examine the same, to determine whether all the documents, necessary to a true understanding of the case to be tried, had been furnished to the Court Martial, and if not, to ascertain what were the documents which were withheld, and if necessary, to determine whether the legislature in its proceedings, was justified in its amendments, and if so, to amend the laws governing militia of the United States.

In the discharge of this duty, your committee will proceed successively to examine the character of the documents which were withheld, and to determine whether they were necessary for the purposes of the Court Martial, and if so, to ascertain what were the documents which were withheld, and if necessary, to determine whether the legislature in its proceedings, was justified in its amendments, and if so, to amend the laws governing militia of the United States.

The Secretary of War has transmitted to your committee, two copies of a report, which was made by a select committee, consisting of Messrs. Hamilton, Stewart and Ely, on the 12th of January, 1818, relative to the proceedings of a Court Martial, which commenced its sitting at or near Mobile, on the 5th of December, 1814, for the trial of certain Tennessee Militia, who, with the correspondence between the governor of that state and the Secretary of War, respecting the length of military drafts of that state, dated late war, report.

That by the reference of these papers to your committee, it has been ascertained, that the intention of the President, that it should examine the same, to determine whether all the documents, necessary to a true understanding of the case to be tried, had been furnished to the Court Martial, and if not, to ascertain what were the documents which were withheld, and if necessary, to determine whether the legislature in its proceedings, was justified in its amendments, and if so, to amend the laws governing militia of the United States.

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