

The Maryland Gazette.

VOL. LXXIV.

Annapolis, Thursday, January 22, 1829.

No. 4.

State of Maryland,
Anne Arundel county, Orphans' Court,
Dec. 16, 1828.

On application by petition of *Laura Faulkner*, administratrix of the estate of *John Faulkner*, late of Anne Arundel county, deceased, it is ordered that the said petition be referred to the committee on the subject of the said petition, to be reported on at the next session of the court.

Notice is hereby given that the subscriber has obtained from the Orphans' Court of Anne Arundel county, letters of administration upon the personal estate of *Thomas Faulkner*, late of Anne Arundel county, deceased. All persons having claims against the said deceased are hereby warned to exhibit the same with the vouchers thereon, to the subscriber, at or before the 15th day of June next. They may, however, be excluded by the law in that behalf made, if they do not exhibit the same on or before the 1st day of December, 1828. *Laura Faulkner, Adm'r.*

State of Maryland,
Anne Arundel county, Orphans' Court,
Dec. 16, 1828.

On application by petition of *John Chew*, Administratrix of the estate of *John Chew*, late of Anne Arundel county, deceased, it is ordered that the said petition be referred to the committee on the subject of the said petition, to be reported on at the next session of the court.

Notice is hereby given that the subscriber has obtained from the Orphans' Court of Anne Arundel county, letters of administration upon the personal estate of *Richard Chew*, late of Anne Arundel county, deceased. All persons having claims against the said deceased are hereby warned to exhibit the same with the vouchers thereon, to the subscriber, at or before the 10th day of June next. They may, however, be excluded by the law in that behalf made, if they do not exhibit the same on or before the 1st day of December, 1828. *John Chew, Adm'r.*

VALUABLE LAND FOR SALE.

The subscriber, trustee appointed by a decree of the Court of Chancery, will offer at public sale on Saturday, the 24th day of January next, at 12 o'clock precisely at Friendship in Anne Arundel county, part of a tract of land, in said county, called

HUNT'S MOUNT,

Now in the occupation of *Walter Harts*. This land contains about **160 ACRES** Lies very near Friendship, and has a considerable proportion in wood. The cleared land has been lately set in clover, and is otherwise in good cultivation. Persons desiring further information, are invited to visit the land, and examine for themselves.

TERMS OF SALE.

One half of the purchase money to be paid on the day of sale, and the other half in six months thereafter, with legal interest from the day of sale, to be secured by bond with security, to be approved by the trustee. *Augustus E. Addison, Trust.*

Persons

Who have borrowed any Books belonging to the late *Jonathan Pinkney*, are requested to return them to the office of the subscriber.

For Sale

The following Lots of Land lying in the Westward of Fort Cumberland, in Allegany county, and containing each 50 acres of land:
William Cromwell No 87 50 do
Benjamin Marsh 98 50 do
John Hurley 331 50 do
Thomas King 331 50 do
Peregrine Ainsworth 250 50 do
John Welch 98 50 do
Nicholas Elliott 93 50 do

For further information apply at the Office of the Maryland Gazette, Oct. 10.

The Journal of Proceedings of the House of Delegates.

Has been completed and is ready for distribution. A few copies for sale at this office, price \$1.00.

PRINTED AND PUBLISHED BY JONAS GREEN, 120 N. STREET, ANNAPOLIS.

Superior Polishing Powder

Silver, Brass, Copper, Steel, and Tin.

Prepared and Sold by Henry Couler, ANNAPOLES.

Directions for using the powder. Let metal be free from grease, by washing it with warm soap suds, and apply the powder in small quantities with a piece of buckskin.

The above powder is greatly superior, and different from any heretofore known. *June 26.*

NOTICE IS HEREBY GIVEN.

That the subscriber has obtained from the Orphans' Court of Anne Arundel county, letters of Administration upon the personal estate of *Zachariah Lenthien*, late of Anne Arundel county, deceased. All persons having claims against the said deceased, are hereby warned to exhibit the same with the vouchers thereon, to the subscriber, at or before the 10th day of June next. They may, however, be excluded by the law in that behalf made, if they do not exhibit the same on or before the 1st day of December, 1828. *Zachariah Lenthien, Adm'r.*

Notice.

The Commissioner of the Tax for the County of Anne Arundel, will meet at Court House in the City of Annapolis, on Wednesday the 21st day of January for the purpose of hearing and making transfers, &c. By order of R. J. Cowman, Ck.

Whiskey QUALITY

The subscriber offers for sale two barrels of Whiskey, which has been stored upwards of seven months. A superior lot of Whiskey, and will sell at current prices. *E. C. W. Sherman.*

FOR SALE,

Lot Number 1078, lying to the eastward of Fort Cumberland, in Allegany county, and containing fifty acres of land. Also Lot Number 10 the third tier of the eighth township, in the sixth range of the Military District in Ohio. The above will be sold on accommodating terms. Apply at this office, Oct 2.

CAUTION.

All persons are hereby forewarned on hunting, with dog or gun, on the subscriber's Farm, on the North side of the river, called Bell-field, as all of the subscribers will be punished as the law directs. *James Muekubin.*

100 Dollars Reward.

Ran away from the farm of the late *Jonathan Pinkney* a negro man named *JIM WOOTTEN*, aged a bout thirty years, five feet ten inches high, and

black complexion, the other named *BEN OWEN*, ab out 19 years old, five feet 8 inches high, very black, walks a little lame. It is supposed that these two persons went away in company with a light mulatto man named *Henry Hylace*, belonging to *Mrs Juliana*. The color of the above persons is not known. A reward of fifty dollars will be given for the apprehension of the two negroes, or twenty for each, if taken within this state. I secured in 1827 that I get them or one hundred dollars for both, fifty for each if taken out of the state. *34m. Pinkney adm'r.*

NOTICE

The Daily Court of Anne Arundel county, will meet at the court house in Annapolis, on the 21st day of January, 1829, for the purpose of settling the supervisors of the public lands, and the inspectors of tobacco. *Wm. S. Green, Ck.*

Legislature of Maryland.

House of Delegates.

WEDNESDAY, January 14, 1829.

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

The clerk of the senate read the bill, entitled, An act to alter and change the name of *William Jones*, of Thomas, of Dorchester county, to that of *William Wood Jones*; endorsed, "will not pass."

And delivered a bill, originated in, and passed by the senate, entitled, A supplement to the act, entitled, An act respecting judges, justices, and persons non compos mentis; which bill was read by its title, and referred to a select committee, consisting of *Messrs. Turner* of Baltimore county, *McMahon* of Baltimore city, and *Blakistone*.

Mr. Ely presented petitions from *Emanuel D. Smith* and *John T. Doryer*; imprisoned debtors in the goal of Baltimore county and city, each praying for relief, under the insolvent laws of this state; which petitions were severally referred to the committee on insolvency.

Mr. Turner of Baltimore county, presented a petition of *Rhody Clarken*, of the city of Baltimore, wife of *Barney Clarken*, praying for a divorce a mensa et thora.

Mr. Price of Baltimore county, presented a petition of *Rachel Eppor*, of said county, wife of *Luke Eason*, praying for a divorce.

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

Mr. Duval presented a petition of *Henry Gantt*, of Prince George's county, praying an act may pass authorizing him to bring into this state from Virginia, a certain slave therein named, who is a petition was referred to a select committee, consisting of *Messrs. Duval*, *Sommerell* and *Gantt*.

Mr. M'Pherson presented a memorial of the *Visitors of the Frederick County School*, praying for a law authorizing them to sell and convey the school house, and lot of ground whereon it is situated, and to apply the proceeds arising from the sale thereof, to the purchase of a lot of ground in Frederick town, advantageously situated, and the erection thereon of a comfortable and commodious building for a county school-house; which memorial was referred to a select committee, consisting of *Messrs. M'Pherson*, *Shriver* and *Kemp*.

Mr. Shriver presented a petition of *John Beaver*, late of Baltimore county, deceased, praying that a law may be passed authorizing the sale of certain real estate therein mentioned; which petition was referred to a select committee consisting of *Messrs. Shriver*, *Kemp* and *Ely*.

On motion by *Mr. Hughes*, the following preamble and order were twice read and adopted, viz:

Whereas *Jacob Holland*, an old soldier, and other persons, have deposited in the archives of this state, certain papers, heretofore presented, which he deems of consequence to him to establish his claims upon the general government; therefore,

Ordered, That the said *Jacob Holland*, have leave to withdraw said papers.

Mr. Hatch asked and obtained leave to bring in a bill, to be entitled, An act to reduce into one act the several acts of assembly relating to the civil jurisdiction of justices of the peace, and to repeal the acts of assembly therein mentioned.

And, on his motion, it was Ordered, That a select committee, consisting of five members, be appointed by the Speaker to prepare and report said bill.

Messrs. Hatch, *Wright* of Dorchester, *Hope*, *Turpin* and *Garrison*, were appointed the said committee; pursuant to the order.

Mr. Lee, chairman of the committee therein mentioned, delivered the following report:

The committee on internal improvement, have had under consideration the memorial of *Charles Warfield* and others, asking for a law to authorize the erection of a bridge across the Patuxent river, and the counter memorials of *Rebecca Smith* and *Samuel J. Donaldson*, and are of opinion the prayer of the memorialist, *Warfield*, should not be granted, believing that the public convenience will not be materially benefited by such a bridge; they therefore recommend that the said *Warfield* have permission to withdraw his memorial.

The said report being read the first time, was, on motion of *Mr. Hood*, ordered to lie on the table.

On motion by *Mr. Gantt*, the following message, offered by him, was twice read and agreed to, viz:

By the House of Delegates, January 14, 1829.
Gentlemen of the Senate,
We propose, with the concurrence of your honorable body, to proceed to the election of bank directors on the part of the state, on the 20th inst at 12 o'clock.

Mr. Donohy, chairman of the select committee appointed for the purpose, reported a bill, entitled, An act to amend and reduce into system, the several acts concerning elections.

Mr. McMahon of Baltimore city, from the select committee to which the subject was referred, reported a bill, entitled, An act to incorporate The American Insurance Company of Baltimore. And, *Mr. Sockett*, from the select committee appointed for the purpose, reported a bill, entitled, An act relating to Anne Arundel county court.

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

Amendments adopted in committee of the whole house.

1st. Strike out after the enacting clause, viz: "Be it enacted by the General Assembly of Maryland," all that follows of the first section, and in lieu thereof insert the following: "That every free white male citizen of this state, above 21 years of age, and having resided twelve months within this state, and six months within any county of this state, or the city of Annapolis, as the case may be, next preceding the election at which he may offer to vote, shall on the first Monday of October 1830, and on every first Monday of October thereafter, have a right to vote for two delegates, and no more, from the county in which he may have so resided, or one for the city of Annapolis, if he has so resided therein; and that the two persons from each county, or the person from the city of Annapolis, who upon the final casting up of the polls shall appear to have the greatest number of legal votes, shall be declared and returned as duly elected for said county or city."

2d. Insert the following as an additional section: "And be it enacted, That it shall not be lawful for the senatorial electors to elect more than three senators for the eastern shore, and four from the western shore at any meeting of the electoral college to be held hereafter."

3d. Strike out the preamble of the bill, which is contained in these words: "Whereas, it having been represented to the general assembly of Maryland that the business from each county and city of Annapolis could be performed with equal advantage and promptitude by reducing the number of delegates in the popular branch of the legislature; Therefore,"

The house proceeded to consider the report of the committee of the whole house in regard to said bill; and on the second reading of said amendments,

Mr. Blakistone moved that the further consideration of said bill and amendments, be referred to the first day of June next. And the question thereon being taken, it was determined in the negative.

On the question, Will the house concur in so much of the report of the committee of the whole house as proposes the adoption of the first amendment to said bill? It was resolved in the affirmative.

On the question, Will the house concur in so much of the report of the committee of the whole house, as proposes the adoption of the second amendment to said bill? It was determined in the negative. Yeas 38, nays 40.

On the question, Will the house concur in the residue of the said report, which proposes further to amend the said bill by striking out the preamble thereof? It was resolved in the affirmative.

Mr. Phelps then moved further to amend the said bill by inserting the following as an additional section, viz:

Section 2. And be it enacted, That nothing in this act contained shall extend to or in anywise affect the right of the city of Baltimore to elect two delegates in the manner heretofore prescribed by the constitution and laws of this state.

And on the question, Will the house agree further to amend said bill as proposed? It was resolved in the affirmative. Yeas 41, nays 31.

Mr. Buskirk moved further to amend said bill by inserting the following as an additional section, to come in after the 2d section, viz:

Section 3. And be it enacted, That all that part of the constitution and form of government as provides for the election of a council to the governor, be and the same is hereby repealed.

Mr. Blakistone proposed to amend the said amendment by appending thereto the following words: "And that the governor have power to employ a Secretary at a salary of five hundred dollars per annum."

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

The question then recurred and was put, Will the house agree to the amendment proposed by *Mr. Buskirk*, as amended? It was resolved in the affirmative. Yeas 44, nays 30.

Mr. Teackle moved further to amend said bill, by inserting the following as an additional section, to come in as the 4th section, viz:

"And be it enacted, That in all future elections of senators, it shall not be lawful to select more than four members from the eastern nor more than six members from the western shore of this state."

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

Mr. Yoe moved further to amend said bill by inserting the following as an additional section, viz: "Sec. 5. And be it enacted, That hereafter the governor be elected by the people."

And the question being taken on agreeing thereto? It was resolved in the affirmative.

Mr. Smith of Worcester, moved further to amend said bill by inserting the following as an additional section, viz: "Sec. 6. And be it enacted, That the said governor shall be elected for a term not exceeding three years."

And the question being put, Will the house agree thereto? It was resolved in the affirmative.

Mr. McMahon then moved that the house do now adjourn? And the question thereon being put: It was decided in the negative.

Mr. Lee moved that the further consideration of said bill as amended, be referred to the next general assembly. And the question thereon being put, It was resolved in the affirmative. Yeas 37, nays 30.

THURSDAY, January 15, 1829.

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

petition was referred to the committee on education, to whom the said memorial has been referred.

Mr. Crabb also presented a petition of *Walter Cross*, of Anne Arundel county, praying for a special act of insolvency, for his benefit; which said petition was referred to the committee on insolvency.

Mr. John presented a petition of *John Griffin*, of Harford county, praying that an act may pass, directing and requiring the levy court of said county to levy a sum of money for his support as may seem fit and proper; which petition was referred to the committee on the subject to which it relates.

Mr. Turpin asked and obtained leave to bring in a bill supplementary to the act, entitled, An act for the relief of the poor of Queen-Anne's county.

And, on his motion, it was Ordered, That a select committee, consisting of three members, be appointed to prepare and report said bill.

Messrs. Turpin, *Wright* of Queen-Anne's, and *Olson*, were appointed the said committee, pursuant to the order.

The clerk of the senate delivered the following message, which was read:

By the Senate, January 15, 1829.
Gentlemen of the House of Delegates,
We have appointed *Messrs. Forrest* and *Rees*, on the part of the senate, to join such gentlemen as may be named by your house, to wait on the governor elect, and request his attendance in the senate chamber to qualify according to the constitution and form of government.

By order,
Louis Gassaway, Clk.

Mr. Gantt proposed the following message, in reply to that of the senate:
By the House of Delegates, January 15, 1829.
Gentlemen of the Senate,

This house has received the message from your honorable body, proposing the appointment of a joint committee to wait on the governor elect, and request his attendance in the senate chamber to qualify according to the constitution and form of government, and concur therein.

We have appointed *Messrs. _____*, to join the gentlemen appointed by your honorable body.

Which being twice read, and the blank therein filled with the names of *Messrs. Gantt*, and *Wright* of Queen-Anne's, it was agreed to, and sent to the senate.

Mr. Blakistone having first asked and obtained leave for the purpose, reported a bill, entitled, An act to extend the time of taking the bond of *Thomas W. Morgan*, sheriff of Saint-Mary's county; which bill was read the first, and by a special order dispensing with the 25th rule of the house, was read the second time, and sent to the senate for concurrence.

Mr. Semmes, chairman of the committee on ways and means, reported a bill, entitled, An act for the general valuation and assessment of property in this state.

Mr. Yoe, chairman of the select committee appointed for the purpose, reported a bill, entitled, An act to exempt the wearing apparel of deceased persons from appraisement and exposure to sale by executors and administrators.

Mr. Kent, chairman of the select committee appointed for the purpose, reported a bill, entitled, A supplement to the act for regulating and inspecting weights and measures used in this state, passed at December session 1825, chapter 206.

Mr. Ely, from the committee on insolvency, reported a bill, entitled, An act for the relief of *Emanuel D. Smith* an insolvent debtor of the city of Baltimore.

Mr. Davell, chairman of the select committee to which the subject was referred, reported a bill, entitled, An act to authorize *Henry Gantt* of Prince-George's county, to remove *negro Harriet* into this state.

Mr. M'Pherson, chairman of the select committee to which the subject was referred, reported a bill, entitled, An act authorizing the visitors of Frederick county school to sell the Frederick county school house, and the lot on which the same is situate, and to apply the money arising from the sale thereof, to the purchase of a lot more eligibly situated, and to erect thereon suitable buildings for a county school.

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

Mr. Teackle, chairman of the committee therein mentioned, delivered the following report:

The select committee to which was referred so much of the executive communication as relates to the state's claim on the government of the United States, for interest on expenditures in the last war with Great Britain, have considered the subject of this reference, and beg leave to submit their report thereon.

It appears by a resolution passed at December session 1825, that the senators of this state in the congress of the United States, were requested to bring before the general government the claim for interests on loans contracted by this state for the prosecution of the late war; and that their representatives were also requested, to assist in prosecuting the said claim to a successful termination. In consequence of this resolution it further appears, that an act was passed by the congress of the United States to authorize a settlement of the said claim, on terms similar to those of an act of the same congress, which had been passed at the previous session, upon the claim of the respective claims of the two states, there was found a want of analogy, by reason of which the application of the law of Virginia was insufficient to mete substantial justice to this state.

In the liquidation of this claim a difference of construction was put by the treasurer, who furnished the statement in behalf of Maryland, and the third auditor of the treasury department of the United States, on whom the adjustment of the claim in question devolved. The auditor made his objections to the several items of the treasurer's statement, which were answered by an elaborate and able argument, which was supported by his statement, and the principles upon which it was founded, as well with reference to the act of congress, as to their intrinsic propriety and justice; yet the auditor, if seems, could not be convinced that the act of congress authorized him to allow the claim as stated by the treasurer, and therefore, without contesting its merits, adhered to his objections, and liquidated the claim upon the principles which he believed to be prescribed by the said act. Whether a liberal construction of the act of congress would have authorized the auditor to settle the claim upon the principles contended for by the treasurer, the committee will not undertake to determine; but whether the fault be in the law, or in the construction of it, to them it appears

(Continued to last page.)