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No. 9

Legislature of Maryland.

House of Delegates.

FRIDAY, February 13, 1829.

The house met. Were present, the same members as on yesterday.

Mr. Done presented a petition from the justices of the levy court of Somerset county, praying for the confirmation of their proceedings in relation to the appointment of a collector of the public dues of said county for the year 1828.

Which was referred to a select committee, consisting of Messrs. Done, Gibbons and Donohoe.

Mr. Hardestie of Caroline, presented a memorial of sundry citizens of Hillsborough, in Caroline county, and others, praying a repeal of so much of the act of December session 1827, as withdrew a moiety of the funds assigned to the Hillsborough school, in favour of the Denton academy.

Ordered, That the said report and memorial be severally referred to the committee on education.

Mr. Stewart, of Anne Arundel, presented a petition of Caleb Stewart, of Anne Arundel county, praying that a certain judgment obtained against him by Benjamin Gaitner, a former sheriff of said county, who transferred the same to the state, may be relinquished; and that the petition may be released from the payment thereof, which petition was referred to the committee on grievances and courts of justice.

Mr. Gantt, presented a petition of William Thomas, of Prince George's county, (an alien,) praying that an act may be passed in his favour, investing him with the privilege of holding real estate, and the power of disposing of the same as he may see most expedient, which petition was referred to a select committee, consisting of Messrs. Gantt, Semmes and Duval.

Mr. Boyer presented a petition of James H. Mitchell, of Worcester county, praying that a law may be passed to authorise him to erect a gate or gates on a certain public road therein mentioned; which petition was referred to a select committee, consisting of Messrs. Boyer, Hitch and Roach.

Mr. Shriver presented a petition of Samuel Messinger, of Frederick county, praying that a law may be passed by which his title to certain real estate in said county, mentioned in said petition, may be rendered as effectual and valid in law, to all intents and purposes, as if the petitioner were a natural born citizen of this state; which petition was referred to a select committee, consisting of Messrs. Shriver, Kemp and M'Pherson.

Mr. Hughlett asked and obtained leave to bring a bill, entitled, An act to regulate sheriffs in the several counties advertising property taken in execution for sale.

And, on his motion, it was

Ordered, That a select committee of three members, be appointed by the speaker, to prepare and report said bill.

Messrs. Hughlett, Grison and M'Pherson, were appointed the said committee, pursuant to the order.

The clerk of the executive council delivered the following communication:

Executive Department,
Annapolis, February 13, 1829.

Gentlemen of the House of Delegates,
I have received your order of the 10th instant, requesting me to furnish you with "a report upon the number of deaf and dumb pupils sent on by the several levy courts or commissioners of the counties and cities of this state to this department the last year; the number sent on to the institution at Philadelphia; the disposition made of the fund authorised to be used by the governor; and to obtain and report such general information touching the instruction of the deaf and dumb at the said institution, as may be afforded by the directors;" and I herewith transmit you a list extracted by the clerk of the council from the several reports received, which will show the whole number reported; from what counties reports have been received, and the number in each respectively; and also the number and names of those selected to be sent to the Pennsylvania institution, and where from.

There has been but the sum of ten dollars eighty-seven cents and a half of the fund authorised to be used by the governor, drawn from the treasury; that sum was paid to Colonel Arnold E. Jones for expenses of conveying Samuel Adams to the institution.

Immediately upon the receipt of your order, I transmitted an extract, containing the latter clause of it, to the president and directors of the institution in Philadelphia, and requested their early attention to it. A reply may, it is presumed, be expected in a few days, and when received, I shall lose no time in laying it before you.

With the highest regard,
I have the honour to remain,
Your obt. serv't.

DANL. MARTIN.

Which was read, and with the accompanying list therein mentioned, referred to the committee on education, and ordered to be printed.

The clerk of the senate returned the bills and resolution, originated in, and passed by, this house, of the following titles:

An act to incorporate the master and wardens of Patmos Lodge, number seventy, of free and accepted Masons, and for other purposes, endorsed "will pass."

Also, a supplement to an act, entitled, An act for the amendment of the law, passed at December session 1811, chapter 161. And,

An act to authorise the levy court of Somerset county to levy a sum of money for the use of Mason Abbot of said county; severally endorsed, "will pass, with the proposed amendment." The amendment proposed by the senate to each of said bills, was read the first, and by a special order the second time, and assented to.

And the resolution providing a compensation to the registers of the land office for the eastern and western shores, for certain services therein mentioned, endorsed "discontinued from."

Also, delivered bills, originated in, and passed by the senate, of the following titles:

A supplement to the act, entitled, An act to incorporate the Baltimore and Susquehanna Rail Road Company. This bill being read by its title, was referred to the committee on internal improvement.

An act to incorporate the stockholders of the Cerralvo Mining Company of Baltimore. This bill being read by its title, was referred to a select committee, consisting of Messrs. Stewart and M'Pherson, of Baltimore city, and Ely. When Mr. Stewart from that committee, reported said bill, without amendment; and it was read the first time, and ordered to lie on the table.

And an act for the benefit of the heirs at law of John Eger Howard. This bill, being read by its title, was referred to a select committee, consisting of Messrs. Stewart of Baltimore city, Watkins and Hynson.

When Mr. Stewart, from that committee, reported said bill, without amendment, and it was read the first time, and ordered to lie on the table.

On motion by Mr. Done, the remaining orders of the day were postponed, and the house proceeded to consider the bill reported by him, from the committee on ways and means, entitled, An act to abolish the office of trustee of the state, and to authorise the treasurer of the western shore to employ a clerk. In the progress of the second reading thereof,

On motion by Mr. Teackle, the third section was amended, by inserting after the word "direction," in the third line thereof, the words "and responsibility."

On motion by Mr. Done, the third section was further amended, by adding at the end thereof, the following words: "Who shall, before he proceeds to act as such, take an oath well and faithfully to execute the duties of his office as clerk to the treasurer of the western shore, which shall be administered by any justice of the peace of Anne Arundel county."

Mr. Shower moved to amend the fourth section of the bill, which provides a salary of five hundred dollars, for the clerk, by striking out the word "five" in the first line of that section, and inserting "three," in lieu thereof.

And on the question, Will the house agree so to amend the bill? It was decided in the negative.

After some debate,

The question was put, Shall the said bill pass as amended? And it was resolved in the affirmative—Yeas 53, Nays 52.

The clerk of the senate returned the bill, entitled, An act incorporating a company to erect a toll bridge across the Potomac river, at some eligible point between Nolant's ferry, and the Mouth of Goose creek; endorsed, "will pass with the proposed amendment;" which amendment, being read the first, and by a special order, the second time, was assented to, and the bill ordered to be engrossed.

Also, returned the bill, entitled, An act to authorise Henry Gantt, of Prince George's county, to remove negro Harriet into this state; endorsed, "will not pass."

And delivered bills, originated in, and passed by, the senate, entitled, An additional supplement to the act, for the better regulation of chancery proceedings in certain cases; which, being read by its title, was referred to the committee on grievances and courts of justice.

And, An act to prevent obstructions in Smith's, and other docks, in the city of Baltimore; which, being read by its title, was referred to a select committee, consisting of Messrs. Stewart and M'Pherson of Baltimore city, and Turner of Baltimore county.

On motion by Mr. Hood,
The house adjourned until to-morrow morning ten o'clock.

SATURDAY, February 14, 1829.

The house met. Were present, the same members as on yesterday.

Mr. Gaitner presented a memorial from sundry citizens of Clarkburgh and its vicinity, in Montgomery county, counter to the memorials, from Frederick and Montgomery counties, presented on the 6th instant, praying for an act of incorporation of a company for the purpose of making a turnpike road, from the city of Washington to New Market, in Frederick county.

Mr. M'Pherson presented a memorial of sundry citizens of Frederick county, of similar import on the same subject. Ordered, That the said memorials be severally referred to the committee on internal improvement.

Mr. Evans presented a petition of sundry parts of an act passed at the present session of the legislature, entitled, "An additional supplement to the act, for making the river Susquehanna navigable from the line of the state to tide water," as may be inconsistent with his rights; which petition was referred to the committee on grievances and courts of justice.

Mr. Wright of Dorchester, presented a petition of sundry citizens of Dorchester county, praying for a law to authorise the sale of the present almshouse establishment of said county, and the purchase of another more conveniently situated to the chief town of the county, and for other purposes; which petition was referred to a select committee, consisting of Messrs. Wright of Dorchester, Eccleston and Hardestie, of Dorchester.

Mr. Bowler offered the following order:

Ordered, That a select committee to consist of — members be appointed by the chair, to inquire into, and report to this house, on the expediency of abolishing the present lottery system of this state, and authorising, in its stead, the drawing of such private lotteries as the legislature may, from time to time, think proper to grant, for the construction of roads, building of bridges, school houses, churches, or for other public purposes; the drawers of such lotteries paying into the public treasury a certain portion of their profits, as a bonus for the privileges granted:

Which being read,

On motion by Mr. Teackle, it was referred to the committee on ways and means.

Mr. Turner of Baltimore county, offered the following order.

Ordered, That this house sit, for the dispatch of local business, from six until nine o'clock in the evening, during the remainder of the present session, to commence on Monday next.

Which being read the first time, was ordered to lie on the table.

Mr. Steuart asked and obtained leave, to bring in a bill, entitled, A supplement to an act, entitled, An act to incorporate the Port Deposit and Chesapeake Turnpike Company, passed at December session, 1827, chap. 300. And,

On his motion, it was

Ordered, That a select committee of three members, be appointed by the speaker, to prepare and report said bill. Messrs. Mercer, Townsend and Gale, were appointed the said committee, pursuant to the order.

Mr. Miller asked and obtained leave to bring in a bill, entitled, A supplement to an act for the protection of ships, in the several counties of this state, and for other purposes, passed at December session, 1827, chapter 199.

And, on his motion, it was

Ordered, That a select committee of three members be appointed by the speaker, to prepare and report said bill. Messrs. Miller, M'Pherson and Hughes, were appointed the said committee, pursuant to the order.

The clerk of the senate returned the bills of this house, of the following titles:

An act for the relief of Elizabeth Showbrooks, of Queen Anne's county.

An act to repeal part of an act, entitled, An act for the encouragement of primary schools in Anne Arundel county.

A further supplement to an act, entitled, An act to incorporate an insurance company in Baltimore town.

An act to authorise John Armstrong, of Baltimore county, to hold real estate.

Severally endorsed, "will pass."

Also, an act to incorporate the Ely's Ville Manufacturing Company, endorsed, "will pass, with the proposed amendments." Which amendments being read the first, and by a special order the second time, were severally concurred in.

Ordered, That the said bills be severally engrossed.

And, an act to amend and reduce into one system the several acts concerning elections, endorsed "reconsidered, and will not pass;" accompanied by the following message, which was read:

Mr. M'Pherson of Baltimore city, chairman of the committee therein mentioned, delivered the following message:

The committee on grievances and courts of justice, to whom was referred a bill, entitled, An act to exempt the wearing apparel of deceased persons from a prison and warehouse, and to public sale, by executors and administrators, beg leave to report the said bill with the following amendments:

Strike out the proviso at the end of the first section, and insert the following in lieu thereof, "Provided always, That the property of the deceased shall be sufficient to pay his or her funeral expenses."

Add the following as the second section of the bill: "And be it enacted, That the wearing apparel of deceased persons exempt from appraisement and sale under this act, shall not be deemed or taken to include watches or jewellery of any description."

Add the following as the third section of the bill: "And be it enacted, That in all cases where the wearing apparel of the deceased is exempt from appraisement and sale, under the provisions of this act, it shall be the duty of the executor or administrator of the deceased, as the case may be, to return a special and separate inventory of the said wearing apparel to the chancery court of the county, in which he has obtained letters testamentary or of administration, as the case may be, within two months after the obtaining of said letters; and that after the said inventory has been returned to said court, the said court may direct the distribution of the same among the legal representatives of the personal property of the deceased, by lot, or in such other manner as said court may deem expedient, in order to a fair distribution of the same, amongst the said representatives, in proportion to their respective interests in the personal estate of the deceased."

The said report and bill being severally read the first time, were ordered to lie on the table, and to be printed.

Mr. Teackle, chairman of the select committee appointed on the subject, reported a bill, entitled, An act to establish a public library in each of the several counties of this state, and in the city of Baltimore.

Mr. Beckett, chairman of the select committee appointed on the subject, reported a bill, entitled, An act to prevent the unlawful exportation of negroes and mulattoes, and to amend the laws concerning runaways, passed at December session eighteen hundred and twenty four, chapter 171, and for other purposes.

Mr. Gibbons, chairman of the select committee, to which the subject has been referred, reported a bill, entitled, An act to incorporate a bank to be called by the name of The Bank of Salisbury.

Mr. Hughlett, chairman of the select committee appointed on the subject, reported a bill, entitled, An act relating to sheriffs, and for other purposes, passed at December session 1813.

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

On motion by Mr. Done the bill reported by him as chairman of the committee on ways and means, entitled, An act for the general valuation and assessment of property in this state, was made the order of the day for Monday next, the 16th instant.

On motion by Mr. Burchenal, the following message, offered by him, was twice read and assented to, viz.

By the House of Delegates, February 14th, 1829,
Gentlemen of the Senate,

Permit us to return to you the bill, entitled, An act to authorise the issuing of attachments by justices of the peace for the recovery of small debts, with the hope that upon reconsideration you may be induced to pass the same. Upon an examination of the bill, with the amendments engraffed on it, in its progress through this house, it will be seen that every benefit, and every security against vexatious and oppressive proceedings under this act is provided for the debtor, and which is secured to him by the existing attachment laws; and that the singular effect of the passage of this bill will be to change the court of which the process of attachment issues, and thereby to give the creditor the advantage of many proceedings for the recovery of small debts, which would have if the process by warrant were adopted for the recovery of the same; and that thus it will render one system conformable to the spirit of the restrictions heretofore imposed upon the jurisdiction of single justices of the peace, in cases of small debts, by making their jurisdiction dependent upon the amount sued for, and not upon the process

(See last page.)

LOST
In a Store in Annapolis...
BATTERED
up said boat and...
three Dollars...

FOLLOWING ADDITIONAL BOOKS
Green lately received...
Library in this C...
of Tales of My Grand...

Jonas Green,
GEOURGE STREET, ANNAPOLIS.
These Dollars per annum.
Bryan & Bassford,
Merchant Tailors,
just received a large and hand...
some assortment of...
CLOTHS AND CASSIMERES,
consisting of some of the best...
Blue, Black, Olive, Green,
Drab, Gray, Claret, cloths
and Cassimeres
And a variety of handsome
VESTINGS

All of the LATEST FASHIONS
which they will be happy to make up
for their friends in the best style, and
shortest notice.
Oct 9.

Fresh and Splendid
VELVET CLOTHS.
GEOURGE WATKINS,
Merchant Tailor,
Has just returned from Philadelphia
and Baltimore, with a
Large Stock of Goods,
In his line consisting of
Some of the best Velvet Cloths, and
an assortment of Cassimeres,
and a variety of
VESTINGS,
Of the latest fashions, with an
assortment of
Stocks, Gloves, Collars & Suspenders
All of which he will sell for Cash,
at a punctual reduction on most goods.
Sept. 18.

100 Dollars Reward.
Jonathan Pinkney Esq
near Annapolis town
WOODTEN, aged a
bout thirty years five
feet ten inches high, and
of a brown complexion.
The other named BEN
SNOWDEN, about 19
years old, five feet 2
inches high, very black
and walks a little lame.
It is supposed that these
negroes went away in company with
bright mulatto man named Henry
Wallace, belonging to Mrs Juliana
Brics. The clothing of the above
negroes is not known. A reward of fifty
dollars will be given for the apprehen-
sion of the two negroes, or twenty
five for each, if taken within this state,
and secured in Jail so that I get them
again; or one hundred dollars for both,
or fifty for each if taken out of the
state.
Wm. Pinkney adm'r.
Jonathan Pinkney.

Persons
Who have borrowed any Books
belonging to the late Jonathan Pink-
ney, are requested to return them to
the office of the subscriber.
Sum. Pinkney.
Jan. 17.

For Sale
The following Lots of Land lying
to the Westward of Fort Cumberland
in Allegany county, and containing
each 50 acres of land:
William Cromwell 257 50 acres
Benjamin Marsh 263 50 do
John Hurley 33 50 do
Thomas King 931 50 do
Peregrine Alquist 830 50 do
John Welch 585 50 do
John Elliott 932 50 do
For further information apply
at the Office of the Maryland Gazette
Oct. 29.

FOR SALE,
Lot Number 1028, lying to the
westward of Fort Cumberland, in Al-
legany county, and containing fifty a-
crees of land. Also Lot Number 16
situate in the sixth range of the eighth
township, in the sixth range of the
Eighth District in Ohio. The above
land will be sold on accommodating
terms. Apply to the office.
Oct 29.

PRINTING
John B. Wells, Esq.
A. A. 4239.

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