

county, such sums of money as may be due to Montgomery county, as her portion of the free school fund and now lying in the treasury of the western shore. Which was read the first time, and laid upon the table.

Mr. Hitch, from the select committee appointed for the purpose, reported a bill, entitled, An act to authorize the transfer of licenses by merchants, and keepers of ordinaries and others.

Mr. Johns from the select committee appointed for the purpose, reported a bill, entitled, An act to prevent the unnecessary accumulation of costs upon state fines.

Mr. Grason, chairman of the committee on Ways and Means, delivered the following report; the reading of which was dispensed with; and it was ordered to be laid upon the table, and to be printed, viz:

The committee of Ways and Means respectfully submit the following report: The balance in the treasury on the 1st day of December, 1828, amounted to \$30,325 75

The receipts into the treasury from the 1st day of Dec. 1829, were as follows:

From Amenciaments	13 65
Auction duties	32,437 08
Auctioneers licenses	6,200 00
Bank Stock	30,388 34
Billiard table licenses	1,952 88
Direct taxes	1,522 08
The E. S. Treasury	14,538
Fines and forfeitures	3,991 08
Funded 3 pr ct stock	10,053 08
Hawkers & pedlars licenses	802
Interest on personal accounts	1,928 33
The land offices	3,403 96
Licenses to dealers in lottery tickets	2,839 30
Ditto to retailers of dry goods	362 78
Ditto to do. spirituous liquors	529 13
Ditto to races, fisheries and musters	188 10
Marriage licenses	8,482 56
Ordinary ditto	20,910 09
The Penitentiary	2,897 36
Road stock	700
State lotteries	6,483 37
State tobacco inspection in Baltimore	26,633 16
State wharves in do.	1,581 65
Taxes on plaintiffs	3,941 30
Taxes in chancery	1,069 87
Traders licenses	18,939 86
The Union Manufacturing company of Maryland	400
The University of Maryland	1,500
Victuallers licenses	255 98
The Board of Public Works	53
The chancery records	73
The Internal Improvement sinking fund	1,720
Costs of suits repaid	25 62
The militia proceeds of sale per resolution No. 35, of 1827	178 47
	206,072 50

The amount of receipts as above for the fiscal year ending Dec. 1st, 1829 206 072 50

Which, with the balance remaining in the treasury the 1st day of Dec. 1828, makes the sum applicable to the expenditures of the fiscal year ending the 1st day of Dec. 1829. 386,898 33

The expenditures during the fiscal year aforesaid, are as follows for Chancery records 650

Civil officers	11,496 44
Colleges, academies & schools	12,449 98
The colonization society	1,000
Commissions	364
The Executive contingent	2,197 49
Indian annuities	75
Indigent deaf & dumb	742 52
The Judiciary	37,428 70
The Legislature	44,768 66
The Library	195 25
Loans of 1827 & 1828 for interest	4,848 58
The Mayor & city council of Baltimore	2,300 17
The militia	1,876 09
Miscellaneous acts.	4,461 70
The Penitentiary	6,000
Penitentiary 5 per cent stock of 1822	1,397 20
Pensions to officers & soldiers	14,998 75
The Public buildings at the seat of government	1,472 07
Rail road 5 pr ct stock	1,562 36
The state tobacco inspections in Baltimore	7,175
Do. do. warehouses in Baltimore	17,315 53
The University 5 pr ct stock of 1822	1,500
Do. sinking fund	500
Do. of Maryland	5,500

Making the amount of disbursements as above 182,545 66

And leaving a balance in the Treasury on the 1st day of December, 1829, of 54,052 37

Subject to the following unsatisfied appropriations due on the 1st day of December, 1829.

For civil officers	2,160 44
The Judiciary	6,897 00
Pensions to officers and soldiers of the revolution	5,656 68

The Keeper of the government house 35 33

The Journal of Accounts from 1826 to 1828, inclusive 106 38

Indian annuities 99 17

Expenses on account of militia 238 25

Colleges, Academies and Schools 2,650

Interest on Penitentiary 5 per cent stock for 1822, and loans for 1828 663 28

Interest on University 5 per cent stock of 1822 210

Interest on loans of 1827 924 59

Do on Rail Road stock 208 33

The State Inspectors of Tobacco and their Clerks 950

Claims in pursuance of resolution No. 10, 1822 The Mayor and City Council of Baltimore 20,000

Appropriation for Library for 1829, and balance of ditto for 1828 204 71

Amount of unsatisfied appropriations as above 49,833 81

Leaving in the Treasury applicable to the fiscal year ending the 1st day of December, 1830 13,218 07

Estimate of the Revenue for the year ending December 1st, 1830.

From interest on 3 per cent stock	10,053 08
Ditto on loans to the Charlotte Hall School	160
Fines, forfeitures and amerciaments	3,009
Licenses granted by the clerks of the county and city courts	57,006
Escheats and vacant lands	2,000
Taxes in Chancery	1,000
Ditto on plaintiffs	4,000
Licenses to auctioneers	6,000
Auction duties	30,000
Stock of the Bank of Baltimore	10,440
Stock of the Union Bank	1,590
Stock of the Framers' Bank	11,400
Stock of the Hagerstown Bank	1,500
Stock of the Commercial and Farmers' Bank of Baltimore	1,753 54
Stock of the Farmers and Merchants Bank of Baltimore	750
Stock of the Franklin Bank of Baltimore	1,200
Stock of the Marine Bank of Baltimore	600
Stock of the Mechanics Bank of Baltimore	2,325
The Union Manufacturing Company	400
The Baltimore and Frederick town Turnpike Company	440
The Baltimore and York town Turnpike Company	150
The University of Maryland	1,500
The Penitentiary	2,897 36
The State Lotteries	15,000
The Tobacco Inspection in Baltimore	80,000
The State Wharves in Baltimore	1,500
For direct taxes for 1823, 4, 5 and 6	2,600
	199,638 78

Which added to the balance in the Treasury the 1st day of December 1829, makes the whole sum applicable to the fiscal year ending the 1st day of December 1830, 211,837 54

Estimate of Expenditures for the fiscal year ending December 1st, 1830.

For the Journal of Accounts for the present year	\$45,000
The Governor	2,666 67
The Council	2,500
The Clerk of the Council	1,500
The Messenger	400
The treasurer of the W. Shore	2,000
The Clerk in the Treasury	500
The Librarian	500
The treasurer of the Eastern Shore	450
The Clerk of the House of Delegates	300
The Clerk of the Senate	150
The Examiner General of the W. S.	600
The do. do. of the E. S.	150
The Register of the Land Office of the W. Shore	50
The Register of the Land Office of the E. Shore	20
Pensions to officers, soldiers, & their widows	15,779
Colleges, academies and schools	15,000
Armory of the western Shore	500
Do. of the E. S.	500
Rent of gun house and magazine	95
Indian annuities	130
Interest on Penitentiary	

Stock of the Chesapeake and Ohio Canal Company 87,500

Bonds installed and not installed 26,500 98

Interest due on bonds for money and stock lent 21,530

411,473 42

Whole amount of the states' capital 1,333,322 75

The expenses attending the session of the legislature have been heretofore included in the estimate of expenditures for the previous year, because it was considered that so large a demand, at the commencement of the year, ought to be provided for, by having a surplus in the treasury. But as this mode of making the estimates had no effect in producing such surplus, it was thought better to charge the expenditures of each year, to the revenue of that year, that the actual surplus, or deficiency in the treasury might be more easily understood. It ought however to be borne in mind that the unappropriated balance on the first day of every December, should be sufficient to pay the subsequent journal of accounts; otherwise the demands on the treasury could not be immediately satisfied. According to the present estimates, there will be a small deficiency on the first day of December next, but by an early adjournment of the legislature, and a careful disbursement of the public money, enough will be saved to pay the deficiency, and to leave a small balance in the treasury. It will then be necessary to demand that will be made in the early part of the next year. This can be done by so amending the license law, as to make it apply to all traders, whether importers or not, who sell goods by the piece, and to require that each person, applying for a license should pay more or less, according to his capital in trade. The committee propose that there should be three grades or licenses, the lowest to be twelve dollars, and payable by retailers whose capital does not exceed one thousand dollars; the next to be fifteen dollars, and payable by those whose capital exceeds one thousand dollars, and does not exceed three thousand dollars; the highest to be twenty dollars and payable by those whose capital exceeds three thousand dollars; the grade to be determined by the person applying for the license. This change would produce a considerable addition to the revenue, would be just in principle, and would cause the merchants to pay nearly the same proportion of the expenses of the state government that is now borne by the landed interests, in the payment of the county assessments. The revenue derived from this source is collected by the clerks of the county courts; who are under no checks, and who consequently have it in their power to defraud the state of considerable sums. Your committee do not mean to intimate that frauds have been committed by their officers, or that any part of the money collected by them has been withheld, but considering it unsafe, in the government, to depend too much upon the honesty of its agents, they recommend the adoption of some measure to secure correct returns to the treasury of this important branch of the revenue.

All which is respectfully submitted,

WM. GRASON, Chairman of the Committee on Ways and Means.

On motion by Mr. Done, it was Ordered, That three hundred extra copies of the report of the committee on ways and means be printed, in octavo form, for the use of the legislature and executive department.

The clerk of the senate returned the bills of the following titles:

An act to provide for electing commissioners for Washington county, and prescribing their powers and duties; and

An act to provide for electing commissioners for Allegany county, and prescribing their powers and duties, severally endorsed, 'will pass.'

Executive Department, Annapolis Jan. 23th, 1830.

Gentlemen of the House of Delegates:

In compliance with the request contained in the enclosed communication from the Hon. Charles Fenton Mercer, President of the Chesapeake and Ohio Canal Company we have the honour to lay before you a memorial of the said company, with accompanying documents.

We also, by request of his Excellency George R. Gilmer, Governor of the State of Georgia, lay before you certain Resolutions of the Legislature of that State upon the subject of amendments proposed by the States of Louisiana and Missouri, to the Constitution of the United States, in relation to the election of President and Vice-President.

We have the honour to remain, With the highest consideration, Your obedient servants,

THOMAS K. CARROLL.

Ordered, That so much of said communications (with the accompanying papers and documents therein mentioned,) as relates to the Chesapeake and Ohio Canal Company, be referred to the committee on Internal Improvement; and that so much thereof as relates to the communication from the Governor of Georgia, (with the accompanying documents upon the subject therein also mentioned,) be referred to the select committee already appointed on that subject.

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

The house met at ten o'clock pursuant to adjournment, and the roll being called over, the same members were present as on yesterday.

On motion, the reading of the proceedings of yesterday was dispensed with, by a suspension of the rule relating thereto.

The Speaker laid before the house a report from the sheriff of Worcester county, furnishing a statement of public money paid by him into the Treasury in the course of the last year, ending on the 30th day of November.

And a communication from Samuel Tyler, one of the Inspectors of Tobacco in the city of Baltimore, in answer to the order of the house of the instant, requiring the Inspectors of Tobacco in the warehouses on Deagan's and O'Donnell's wharves, to report how far they had complied with the resolution passed at the last session, relative to building offices, stating that for want of a knowledge of the resolution, the said Inspectors had not complied with it.

Ordered, That the said report and communication be severally referred to the committee on Ways and Means.

Mr. Orrell presented a petition of William Potter of Caroline county, praying for the reduction of the charges for the inspection of Quercitron bark, and a correction of the practice of weighing it, whereby more than the net weight of each hoghead shall not be allowed which petition, with its accompanying documents, were referred to the committee on Inspections.

Mr. Nicholas presented a memorial of Enrico Caucci, of the city of Baltimore, praying for additional compensation on account of expenses incurred, and labour performed, in executing and completing the colossal statue of Washington, erected on the summit of the Monument at the said city; which memorial was referred to the committee on Claims.

Mr. Gale presented a petition of sundry citizens of Cecil county, residing on the Susquehanna river, praying for the passage of a law authorizing the appointment of an Inspector and Measurer of Lumber for Ark-Haven, in said county; which petition was referred to a select committee, consisting of Messrs. Gale, Evans and Creswell.

Mr. Brookhart presented the petition of eleven hundred and twenty citizens of Washington county, praying for certain alterations of the Constitution, in relation to the mode of electing State Senators, and the appointment of clerks of the county courts and Registers of Wills, so as to give to the people the privilege of voting directly for the State Senators, and the power of electing said clerks & Registers for a term of years; and also praying for the abolition of the levy court of said county, and that the qualified voters of each election district may have the power of electing a commissioner to represent their interests, which petition was referred to the several committees already appointed on those subjects, respectively.

Mr. Voe, chairman of the Committee on Elections and Privileges, delivered the following report; which was read the first time, and ordered to lie on the table, viz:

In pursuance of an order of the House, requiring the Committee on Elections and Privileges, to enquire and report whether any sitting member of this House holds such an office under the government of the United States, as renders him incompetent under the constitution of this State, to hold a seat in this present House of Delegates; the Committee beg leave to make the following report,

The papers and documents which were referred to this Committee in the course of this investigation, relate to two gentlemen, now sitting members of this House of Delegates, John McNeill, Junior, esq. of Allegany county, and Dennis Claude, esq. of the city of Annapolis. In the case of the first named gentleman, Mr. McNeill, the Committee are of opinion, that he does not hold a seat in this House of Delegates, according to the provisions of the Constitution of Maryland. The Constitution expressly states, 'that no person holding an office of trust or profit under the United States, shall be capable of having a seat in the General Assembly, or being an elector of the Senate, or holding any office of trust or profit under this State.' Evidence before the Committee clearly establishes the fact, that John McNeill, Jr. was an officer, under the United States, up to the 20th day of the present month; and does not appear that he is not an officer under the General Government at the present time.

The testimony, in order, is, first, a certified copy of a commission issued to John McNeill, Jr. in eighteen hundred and twenty, by James Monroe, then President of the United States, appointing him collector of direct taxes and internal duties, for the ninth collection district, in the state of Maryland. Secondly, a copy of the bond approved, filed in the treasury department of the General Government, given by John McNeill, Jr. as collector of direct taxes and internal duties for the ninth collection district of Maryland. Thirdly, a certified copy of an account, with the United States, rendered by John McNeill, Jr. as collector of the revenue, for the ninth collection district of Maryland, on the first day of October, eighteen hundred and twenty-nine. The chain of evidence establishing the Committee to be complete, establishing the fact, that John McNeill, Jr. held an office of trust and profit, under the present government, to the twentieth day of the present month, which according to the provisions of the state of Maryland, precludes him from a seat in this House of Delegates.

With respect to the case of Dennis Claude, Esq. the committee have arrived at no definite conclusion. It appears from a certified letter of the surgeon general of the United States, dated the twentieth of the present month, that Dennis Claude was employed under a contract with the United States, to

United States, which contract is dated the 10th of March, 1819, as the medical attendant at Fort Severn, and that he has been in that station, up to September 30th, 1829, at the rate of thirty and forty dollars per month, according to the strength of his command. The said letter states, that the said Claude, Esq. held such an office or situation at Fort Severn, on the eighth of last month, but not having reported his arrival, it is not known whether Doctor Claude's services ceased. The main question involved by this enquiry, (whether Dennis Claude, Esq. held such an office or situation under the United States as rendered him incapable of holding a seat in this Legislature) not being determined in Committee, the committee beg leave to refer to the consideration of the house of delegates, together with the foregoing abstract of the case, and the accompanying letters from the surgeon general, and the committee desire to be discharged from the further consideration of the subject.

The committee therefore recommend the passage of the following order:

Ordered, That the seat of John McNeill, Esq. a member of this house, be vacated, until the Speaker issues his warrant, directing the Sheriff of Allegany county, to call an election in said county, for a delegate to this General Assembly, to supply the vacancy thus occasioned.

Respectfully submitted,

By order, Benjamin F. Voe, chairman. Charles B. Palmer, Com. Clk. Saturday, January 30.

The house met. Present the same members as yesterday.

The several bills passed by this house yesterday, was sent to the senate for concurrence, the titles whereof were as follows:

An act to abolish the levy court, and provide for the election, by the people, of commissioners for Talbot county, and prescribing their powers and duties.

An act to incorporate the trustees of Saint Charles' college.

An act to authorize equitable assignees to be in their own name. And,

An act to provide for the payment of witnesses summoned at the instance of the State of Maryland.

The speaker laid before the house a report from the clerk of the Executive council made in compliance with the order of this house of yesterday, relative to the last appeal bonds created by the clerk of the county courts and registers of wills for Harford county; which report was read and ordered to lie on the table.

Mr. Grason presented a petition of Richard Newman, by Catharine Newman, his mother, a next friend, praying that the legislature will relinquish the right of the state to certain property therein mentioned.

Mr. Hunt presented a memorial of sundry citizens, constables, and bailiffs in the city of Baltimore, praying for the passage of a declaratory act, in relation to the fees which they should be entitled to receive on the appraisal and sale of goods and chattels distrained or rent.

Ordered, That the petition and memorial be severally referred to the committee on Grievances and Courts of Justice.

Mr. Nicholas presented the petition of Ephraim Barker and others, of the city of Baltimore, praying for the passage of an act to incorporate the Baltimore Theatre and Circus Association; which petition was referred to a select committee, consisting of Messrs. Nicholas, Hunt, and Thomas of St. Mary's.

Mr. Johnson presented the petition of sundry inhabitants of Baltimore and Anne-Arundel counties, counter to a petition heretofore presented, praying that a public road may be opened from Herra's Old Field in Baltimore county, to the village of Lisbon, in Anne Arundel county, which said petition was referred to a select committee, of whom has been referred the petition to which this is counter.

Mr. Burcheal presented a petition from sundry citizens of Caroline county, praying, (for the reasons therein stated,) the passage of a supplement to the act of the general assembly passed at December session 1826, chapter 146, authorising the levy court of said county to build a bridge, and open certain roads therein; which petition was referred to a select committee consisting of Messrs. Burcheal, Orrell and Keene.

Mr. Hunt from the select committee, to which the subject had been referred, reported a bill, entitled, An act to authorize and empower the mayor and city council of Baltimore to extend, open and condemn a certain alley therein mentioned.

Mr. Hunt, from the select committee to which had been referred the bill from the senate, entitled, An act to incorporate the Universal Insurance Company of Baltimore, reported verbally, that the committee having considered said bill, were of the opinion it ought to pass without amendment.

The house then adjourned.

Monday, February 1st, 1830.

The house met, present the same members as on Saturday; the Speaker laid before the house a report from the clerk of Calvert county court, made in pursuance of a resolution passed at December session 1827, transmitting a statement of the sums of money paid by William B. Morrell, late clerk of said court, into the Treasury of the Western Shore, in the course of the year, ending on the 30th day of Nov. 1829; which was referred to the committee on Ways and Means.

Mr. Dorsey presented a memorial and petition of the stockholders in the Westminster, Taney town and Emmittsburg Turnpike Road and others, citizens of Frederick county, praying that a law may be passed authorizing the clerk of said county to receive of the stockholders a certain sum of money on the condition that he should pay the same to the stockholders of the state, for the completion of the Turnpike road from Westminster to Emmittsburg in said county; which was referred to the committee on Internal Improvement.

On motion by Mr. Done, it was Ordered, That three hundred extra copies of the report of the committee on ways and means be printed, in octavo form, for the use of the legislature and executive department.

The clerk of the senate returned the bills of the following titles:

An act to provide for electing commissioners for Washington county, and prescribing their powers and duties; and

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We have the honour to remain, With the highest consideration, Your obedient servants,

THOMAS K. CARROLL.

Ordered, That so much of said communications (with the accompanying papers and documents therein mentioned,) as relates to the Chesapeake and Ohio Canal Company, be referred to the committee on Internal Improvement; and that so much thereof as relates to the communication from the Governor of Georgia, (with the accompanying documents upon the subject therein also mentioned,) be referred to the select committee already appointed on that subject.

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