and take them away.
RICHARD H. JOURNEY.
December 20.

Office of the Ann[illegible]
Ridge Rail Road Company.
[illegible] 7th, 1838.
MILE subscribers to the capital stock of this Company are hereby notified, that ayment of five dollars on each share subscribed, is required to be made into the Farmers Bank of Maryland, to the credit of the company, on or before the 20th day of January next, a further payment of five dollars on each share of capital stock subscribed, to be paid, as before stated, on or before the 15th day of March next.
By order,
N. H. GREEN, Secretary.
December 18 — 115d.

NOTICE.
ALL persons are hereby warned against trespassing of in any manner trespassing the Farm of the subscriber adjoining the city of Annapolis. The law will be enforced against all who offend after this notice, without respect to persons.
JAMES MURRAY.
November 29.

NOTICE.
THE ELECTION will be held at the next meeting of the Visitors and Governors of St. John's College, to supply the Vacancies in the number of Youths to be educated in the Institution without charge for Books or Tuition, under provision of Acts of the Legislature. Applications, accompanied by certificates of moral and intellectual character, may be addressed to the subscriber,
HECTOR HUMPHREYS,
Principal of St. John's College.
December 13.

NOTICE.
THE Annual Meeting of the Taxable Inhabitants of School District No. 3, in Anne Arundel county, comprising the city of Annapolis, will be held on the FIRST SATURDAY, 5th day of JANUARY next, at the City Hall, at 3 o'clock P. M.
THOS. S. ALEXANDER, Clerk.
December 13.

NOTICE.
THAT on the first Monday in January next, at eight o'clock, A. M. all the STALLS and BENCHES in the Market House will be offered for RENT for one year, ending the first Monday in January 1840—*Rent to be paid in advance*, as no certificate will be given until the money has been paid—And any person or persons occupying any of said Stalls or Benches before complying with the above terms, shall pay for every day so occupied such Rates as are prescribed by the by-law of the Corporation of the city of Annapolis, entitled, A By-law prescribing the duties of the Market Master, &c.
NICHOLAS KILMAN,
Market Master.
December 13.

WANTED.
THE subscriber wishes to purchase three or four healthy NEGRO BOYS, from the age of twelve to twenty years; he wants them expressly for his own use, and will pay liberal prices and cash, and will oblige not to send them out of the State.—Slaves from the country and for life will be preferred. Persons having such to dispose of would do well by addressing a few lines to the subscriber, who resides near Sweet-Air's Bridge Post Office, in Anne-Arundel county, four miles from Baltimore.
SAMUEL THOMAS.
November 29. 4t.

THIS IS TO GIVE NOTICE,
THAT the subscriber has obtained from the Orphans Court of Anne-Arundel county, letters testamentary on the personal estate of William Steuart, late of said county, deceased. All persons having claims against the said deceased, are hereby warned to exhibit the same, with the vouchers thereof, to the subscriber, on or before the 30th day of June, 1839, they may otherwise, by law, be excluded from all benefit of the said estate. All persons indebted to the said estate, are requested to make immediate payment. Given under my hand this 29th day of November, 1838.
GEO. H. STEUART, Executor.
November 29. R. 4w.

SAINT-MARY'S COUNTY COURT,
August Term, 1838.
ORDERED BY THE COURT, That the creditors of Robert McK. Hammett, a petitioner for the benefit of the Insolvent laws of this State, be and appear before Saint-Mary's County Court, on the first Monday of March next, to file allegations, if any they have, and to recommend a permanent trustee for their benefit.
By order, JO. HARRIS, Clk.
True copy, JO. HARRIS, Clk.

FOR SALE,
A YOUNG NEGRO WOMAN, 19 years of age, accustomed from her infancy to house Work—she is a good Cook, Washer, and Ironer. For further information apply at the Office of the Maryland Gazette.
November 29.

The Maryland Gazette.

VOL. XCIV. ANNAPOLIS, THURSDAY, JANUARY 31, 1839. NO. 5.

Printed and Published by
JONAS GREEN,
At the Brick Building on the Public Circle.
Price—Three Dollars per annum.

HIGHLY IMPORTANT.
☞ Nervous diseases, liver complaint, dyspepsia, bilious diseases, piles, consumption, coughs, colds, spitting of blood, pain in the chest and side, ulcers, female weakness, mercurial diseases, and all cases of hypochondriacism, low spirits, palpitation of the heart, nervous irritability, nervous weakness, fluor albus, seminal weakness, indigestion, loss of appetite, heartburn, general debility, bodily weakness, chlorosis or green sickness, flatulency, hysterical faintings, hysterics, headaches, hiccup, sea sickness, night mare, rhoumatism, asthma, tic douloureux, cramp, spasmodic affections, and those who are victims to that most excruciating disorder, *Gout*, will find relief from their sufferings by a course of Dr. Wm. Evans' medicine.
Also, nausea, vomiting, pains in the side, limbs, back, stomach or back, dimness or confusion of sight, noises in the inside, alternate flushes of heat and chillness, tremors, watchings, agitation, anxiety, bad dreams, spasms.
Principal Office, 100 *Chatham st. New York.*

THE FOLLOWING
INTERESTING & ASTONISHING FACTS, are amongst the numerous CURES performed by the use of Dr. Wm. Evans' Medicines.
PRINCIPAL OFFICE, 100 Chatham Street, New York, where the Doctor may be consulted personally, or by letter, (post paid) from any part of the United States, &c. Persons requiring medicine and advice, must enclose a Bank Note, or Order.

CERTIFICATES.
☞ *MORE CONCLUSIVE PROOFS* of the extraordinary efficacy of *Dr. WM. EVANS'* celebrated *CAMOMILE* and *APERIENT ANTI-BILIOUS PILLS*, in alleviating afflicted mankind.—Mr. Robert Cameron, 101 Bowery. Disease, Chronic Dysentery, or Bloody Flux. Symptoms, unusual flatulency in the bowels, severe griping, frequent inclination to go to stool, tenesmus, loss of appetite, nausea, vomiting, frequency of pulse, and a frequent discharge of a peculiar fœtid matter, mixed with blood, great debility, sense of burning heat, with an intolerable bearing down of the parts. Mr. Cameron is enjoying perfect health, and returned his sincere thanks for the extraordinary benefit he had received.

☞ ASTHMA, THREE YEARS' STANDING.——Mr. Robert Monroe, Schuylkill, afflicted with the above distressing malady. Symptoms: Great languor, flatulency, disturbed rest, nervous headache, difficulty of breathing, tightness and stricture across the breast, dizziness, nervous irritability and restlessness, could not lie in a horizontal position without the sensation of impending suffocation, palpitation of the heart, distressing cough, costiveness, pain of the stomach, drowsiness, great debility and deficiency of the nervous energy. Mr R. Monroe gave up every thought of recovery, and dire despair sat on the countenance of every person interested in his existence or happiness, till by accident he noticed in a public paper some cures effected by *Dr. Wm. Evans' Medicine* in his complaint, which induced him to purchase a package of the Pills, which resulted in completely removing every symptom of his disease. He wishes to say his motive for this declaration is, that those afflicted with the same or any symptoms similar to those from which he is happily restored, may likewise receive the same inestimable benefit.

☞ LIVER COMPLAINT, TEN YEARS' STANDING.—*Mrs. Hannah Browne*, wife of Joseph Browne, North Sixth st. near Second street, Williamsburg, afflicted for the last ten years with Liver Complaint, restored to health through the treatment of *Dr. Wm. Evans*. Symptoms: Habitual constipation of the bowels, total loss of appetite, excruciating pain of the epigastric region, great depression of spirits, languor and other symptoms of extreme debility, disturbed sleep, inordinate flow of the menses, pain in the right side, could not lie on her left side without an aggravation of the pain, urine high coloured, with other symptoms indicating great derangement of the functions of the liver.
Mrs. Browne was attended by three of the first physicians, but received but little relief from their medicine, till Mr. Browne procured some of Dr. Wm. Evans' invaluable preparations, which effectually relieved her of the above distressing symptoms, with others, which it is not essential to intimate.
JOSEPH BROWNE.
City and County of New York, ss.
Joseph Browne, Williamsburgh, Long Island, being duly sworn, did depose and say that the facts as set forth in the within statement, to which he has subscribed his name, are just and true.
JOSEPH BROWNE,
Husband of the said Hannah Browne.
Sworn before me, this 4th day of January, 1837.
PETER PINCKNEY, Com of Deeds.

A CASE OF TIC DOLOREUX.
Mrs. J. E. Johnson, wife of Capt. Joseph Johnson, of Lynn, Mass. was severely afflicted for ten years with Tic Doloreux, violent pain in her head, and vomiting, with a burning heat in the stomach, and unable to leave her room. She could find no relief from the advice of several physicians, nor from medicines of any kind, until after she had commenced using Dr. Evans' medicine, of 100 Chatham street, and from that time she began to amend, and feels satisfied if she continue the medicine a few days longer, will be perfectly cured. Reference can be had as to the truth of the above, by calling at Mrs. Johnson's daughter's Store, 389 Grand st. N.Y.

☞ PARALYTIC RHEUMATISM.—A perfect cure effected by the treatment of *Dr. W. Evans*. Mr. John Gibson, of North Fourth street, Williamsburgh, afflicted with the above complaint for three years and nine months; during which time he had to use crutches. His chief symptoms were excruciating pain in all his joints, but especially in the hip, shoulder, knees and ankles; an aggravation of the pain towards night; and for the most part all times from the external heat, an obvious thickening of the tissues and ligaments, with a complete loss of muscular power.—For the benefit of those afflicted in a similar manner, Mr Gibson conceives it meet to say that the pains have entirely ceased, and that his joints have completely recovered their natural tone, and he feels able to resume his ordinary business.

☞ Mrs. Anne F. Kenny, No. 115 Lewis street, between Stanton and Houston sts., afflicted for ten years with the following distressing symptoms: Acid eructation, daily spasmodic pains in the head, loss of appetite, palpitation of her heart, giddiness and dimness of sight, could not lie on her right side, disturbed rest, utter inability of engaging in any thing that demanded vigour or courage, sometimes a visionary idea of an aggravation of her disease, a whimsical aversion to particular persons and places, groundless apprehensions of personal danger and poverty, an irksomeness and weariness of life, discontented, disquietude on every slight occasion, she conceived she could neither die nor live; she wept, lamented, desponded, and thought she led a most miserable life, never was any one so bad, with frequent mental hallucinations.
Mr. Kenny had the advice of several eminent physicians, and had recourse to numerous medicines, but could not obtain even temporary alleviation of her distressing state, till her husband persuaded her to make trial of my mode of treatment.
She is now quite relieved, and finds herself not only capable of attending to her domestic affairs, but avows that she enjoys as good health at present as she did at any period of her existence.
J. Kenny, husband of the aforesaid Anne Kenny.
Sworn before me, this 14th day of December, 1836.
Peter Pinckney, Com. of Deeds.

☞ A Letter from Mr. Sheldon P. Gilbert, to Dr. Wm. Evans, proprietor of the celebrated Camomile Pills:
Dear Sir—Had the immortal Cowper known the medical qualities of the Camomile Plant, he as well as thousands since (besides myself,) would have experienced its wonderful effects on the nervous system. The public utility of Cowper was blighted in the bud, thro' the natural effect of his nervous debility upon the mental powers, which made it necessary for him to seek relief beneath the rural shade, but the calm retreat gave his physical nature no repose. If some one then had known the secret of concentrating the medical virtues of Camomile, the discoverer would have been immortalized with poetic zeal as the benefactor of suffering man.
The above lines were prompted from the effect I have experienced from Dr. Wm. Evans' Camomile Pills.
Yours, with esteem,
Sheldon P. Gilbert.
Durham, Green Co., N. Y.

☞ *Another recent test of the varivalled virtue of Dr. Wm. Evans' Medicines.—DYSPEPSIA, TEN YEARS' STANDING.*—Mr. J. McKenzie, 176 Stanton street, was afflicted with the above complaint for 10 years, which incapacitated him at intervals, for the period of six years, in attending to his business, restored to perfect health under the salutary treatment of Dr. Wm. Evans.
The symptoms were—A sense of distension and oppression after eating, distressing pain in the pit of the stomach, nausea, impaired appetite, giddiness, palpitation of the heart, great debility and emaciation, depression of spirits, disturbed rest, sometimes a bilious vomiting, and pain in the right side, an extreme degree of languor and faintness; any endeavour to pursue his business causing immediate exhaustion and weariness.
Mr. McKenzie is daily attending his business, and none of the above symptoms have recurred since he used the medicine. He is now a strong and healthy man. He resorted to myriads of remedies, but they were all ineffectual. He is willing to give any information to the afflicted respecting the inestimable benefit rendered to him by the use of Dr. Wm. Evans' medicine.

☞ *An Extraordinary and Remarkable Cure.—Mrs. Mary Dillon*, Williamsburgh, corner of Fourth and North streets, completely restored to health by the treatment of Dr W. Evans, 100 Chatham st.
The symptoms of this distressing case were as follows: Total loss of appetite, palpitation of the heart, twitching of the tendons, with a general spasmodic affection of the muscles, difficulty of breathing, giddiness, languor, lassitude, great depression of spirits, with a fear of some impending evil, a sensation of fluttering at the pit of the stomach, irregular transient pains in different parts, great emaciation, with other symptoms of extreme debility.
The above case was pronounced hopeless by three of the most eminent physicians, and the dissolution of the patient daily awaited by her friends, which may be authenticated by the physicians who were in attendance. She has given her cheerful permission to publish the above facts, and will also gladly give any information respecting the benefit she has received, to any inquiring mind.
MARY DILLON.

☞ DYSPEPSIA AND HYPOCHONDRIACISM.—*Interesting Case*—Mr. William Salmon, Green street, above Third, Philadelphia, afflicted for several years with the following distressing symptoms. Sickness at the stomach, headache, dizziness, palpitation of the heart, impaired appetite, sometimes acid and putrescent eructations, coldness and weakness of the extremities, emaciation and general debility, disturbed rest, a sense of pressure and weight at the stomach after eating, nightmare, great mental despondency, severe flying pains in the chest, back and sides, costiveness, a dislike for society, or conversation, involuntary sighing and weeping, languor and lassitude upon the least exercise.
Mr. Salmon had applied to the most eminent physicians, who considered it beyond the power of medicine to restore him to health; however as his affliction had reduced him to a very deplorable condition, and having been recommended by a relative of his to make trial of Dr. Wm. Evans' medicine, he with difficulty repaired to the office and procured a package, to which, he says, he is indebted for his restoration to life, health and friends. He is now enjoying all the blessings of health.
Persons desirous of further information, will be satisfied in every particular as to this astonishing cure, at Dr. Wm. Evans' Medical Office, 100 Chatham st. N. Y.

☞ *A severe case of Piles cured at* 100 *Chatham street.*—Mr Daniel Spanning, of Shrewsbury, Eden Town, New Jersey, was severely afflicted with Piles for more than 20 years. Had had recourse to medicines of almost every description, also the advice of several eminent physicians, but never found the slightest relief from any source whatsoever, until he called on Dr. Evans, of 100 Chatham street, N. Y. and procured some medicine from him, from which he found immediate relief, and subsequently a perfect cure.

☞ *An Extraordinary Cure* performed by Dr. Wm. Evans, of 100 Chatham st. N. Y.—Mr. W. W. W. of 160 Eldridge street, was labouring under a disease, which was by many physicians considered incurable, and could find no relief from any source whatever, until he made application to Dr. Evans, and placed himself under his successful course of treatment, from which he began to find immediate relief, and in a few weeks was perfectly cured.

☞ *REMARKABLE CASE OF ACUTE RMEUMATISM*, with an affection of the Lungs—cured under the treatment of Dr. Wm. Evans, 100 Chatham street, New York. Mr. Benjamin S. Jarvis, 13 Centre street, Newark, N. J. afflicted for four years with severe pains in all his joints, which were always increased on the slightest motion; the tongue preserved a steady whiteness; loss of appetite, dizziness in his head, the bowels commonly very costive, the urine high coloured, and often profuse sweating, unattended by relief. The above symptoms were also attended with considerable difficulty of breathing, with a sense of tightness across the chest, likewise a great want of due energy in the nervous system.
The above symptoms were entirely removed, and a perfect cure effected by Dr. Wm. Evans.
BENJ. S. JARVIS.
City of New York, ss.
Benjamin S. Jarvis being duly sworn, doth depose and say, that the facts stated in the above certificate, subscribed by him, are in all respects true.
BENJ. S. JARVIS.
Sworn before me, this 25th of November, 1836.
WM. SAUL, Notary Public, 96 Nassau st.
The above medicine for sale by
J. HUGHES,
Druggist, Annapolis.
January 17. 1y.

JOURNAL OF PROCEEDINGS
Of the House of Delegates of the State of Maryland,
DECEMBER SESSION, 1838.

TUESDAY, Jan. 22d, 1839.

Mr. Huddlesen presented a petition of John Davis, of Washington county, praying the passage of an act authorising a patent to issue to him for a certain tract of land therein mentioned.

Mr. Grove, a petition signed by 186 citizens of Washington county, praying the passage of an act to allow the Thompsonian practitioners to charge for their services.

Mr. Powder, a petition of sundry citizens of Carroll county, praying the passage of an act to change the location of a certain road.

Mr. Roberts, a petition of Anna Merchant, of Queen Anne's county, praying to be divorced from her husband Alfred Merchant.

Mr. Townsend, a memorial of William D. Fassitt, Charles Parker, and others, of Worcester county, praying that Parker Eshom, may be released of a fine therein mentioned.

Mr. Neff, a petition of sundry citizens of the town of Frostburg in Allegany county, praying for an act of incorporation for said town.

Mr. Bowie, a petition of Charles Clarkson, and others, of Prince George's county, praying the said Clarkson may be placed on the pension list of said county.

Mr. Collins, a communication from the President of the Washington monument.

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

WEDNESDAY, Jan. 23d.

Mr. Williams, of Harford, presented a memorial of William Wilson and others, citizens of Harford county, for the passage of an act in relation to certain improvements suggested in said memorial.

Mr. Williams, of Harford, a petition of sundry citizens of Harford county, praying for an act to authorise the building of a bridge over Deer creek.

Mr. Powder, two memorials of sundry citizens of Carroll county, praying the passage of a law to secure to the Thompsonian practitioners pay for services rendered, so that all contracts entered into may be binding on the parties.

Mr. Hammond, a petition of Anthony Kimmel, Thomas E. D. Poole and others, praying for an act for the opening of a new road in Frederick and Carroll counties.

Mr. Roberts, a petition of John Hamm, of Queen Anne's county, praying the passage of an act authorising him to bring into this State a certain negro slave.

Mr. Blocher, a petition of John Hoye, B. S. Pigman and S. M Semmes, praying the passage of a law authorising and obliging the commissioners, of said county, at their next ensuing session, to levy a sum of money for the purposes therein mentioned.

Mr. Hope, a petition of Mary Smith, of Harfoad county, praying to be placed on the pension roll of said county.

Mr. Hook, a petition of sundry citizens of Baltimore county, praying for a donation to a school near Pikesville, in said county.

Mr. Orrick, a petition of sundry citizens of Baltimore county, praying for an act to authorise the commissioners of said county to levy the sum of 400 dollars for the building of a bridge over the Falls of Gunpowder.

Mr. Fitzhugh obtained leave to bring in a bill entitled an act, prescribing a general and uniform mode of creating corporations in this State.

Ordered, That Messrs. Fitzhugh, Pitts and Spence report the same.

The clerk of the Senate returned the bill, for the relief of the representatives of Susan Prior—endorsed "will not pass."

Also, the bill, to repeal an act, to appoint an officer of the State of Maryland, to be called the Stewart to the Governor.

Endorsed "will pass," and ordered to be engrossed.

Also, the bill to release John Jones from confinement in Baltimore county jail, endorsed "will pass with the proposed amendment."

And returned the resolution directing the treasurer of the Western Shore, to pay to Amelia Lord widow of Henry Lord, the balance of pension due him at the time of his death, endorsed, "assented to," and ordered to be engrossed.

And delivered a bill originated in and passed by the Senate, entitled, an act for the division of the real estate of Samuel and William Meeser, deceased.

Mr. Thomas reported a bill entitled, an act to incorporate the St. Michael's Silk Company.

THURSDAY, Jan. 24th.

Mr. Watson presented a petition of Jehu Brown, praying to be divorced from his wife, Elizabeth Brown.

Mr. Schley, a petition of sundry citizens of Frederick county, praying the passage of a law to repair injuries done by rail road engines and carriages.

Mr. Pitts, a memorial of William F. Leypold and others, counter to the memorial praying the passage of a law to authorise the opening of Lowe street, in the city of Baltimore.

Mr. Calvert, a petition of the trustees and patrons of Rockville Academy, praying an alteration in the act incorporating said academy, and a communication from P. G. Biays on the same subject.

Mr. Schley, a petition of George Devilbiss, William Hobbs and others, praying for an act for the opening of a new road in Frederick and Carroll counties.

Mr. Berret, a petition of sundry citizens of district No. 1 and No. 2, Carroll county, praying the passage of an act to form a new election district in said county.

Mr. Ridgely, a memorial of James Gaskins, of the city of Baltimore, setting forth that he is the author of a new theory of Agriculture, founded on philosophical and practical principles, and praying the State to encourage the same by directing a subscription thereto.

Mr. Ridgely, a memorial of the German Hebrew Charity Society, praying for an act of incorporation.

Mr. McPherson, a petition of sundry citizens of Frederick county, praying the passage of a law to allow damages to persons for injuries done to stock by rail road engines on the Baltimore and Ohio Rail Road.

Mr. Thomas, a memorial of Thomas C. Nicols and others, praying the per diem allowance of witnesses in a certain criminal prosecution therein mentioned.

Mr. Page, a memorial of the Maryland Silk Society, praying the patronage of the State government in the form of bounty, on the production of cocoons and merchantable raw silk, and for other purposes.

Mr. Roberts, a petition of sundry citizens of Queen Anne's county, praying an act of incorporation for the Farmer's silk company.

Mr. Waters, a petition of the commissioners appointed by an act of assembly, to build a bridge over the Patuxent river.

Mr. Hope, a petition signed by seventy-two citizens of Harford county, praying that the whole people of the county may be placed on an equal footing in relation to the election of their commissioners.

The clerk of the Senate returned the bill, to make valid a certain deed, and to correct a mistake in certain Chancery proceedings in a case therein mentioned, endorsed "will pass," and ordered to be engrossed.

Also, the resolution authorising the Sheriff of Worcester county, to release Parker Eshum from confinement in jail in said county.

Also, the resolution authorising the treasurer of the Western Shore, to pay to Levin Ballard, the balance of pension due Thomas Muir of Somerset county.

Severally endorsed "assented to."

Also, the resolution authorising the Governor to procure and present a sword to C. Hughes Armistead, in testimony of the high sense the legislature entertain of the gallant conduct of his father, the late Col. Armistead, endorsed "dissented from."

And delivered the following bills originated in and passed by the Senate, viz:

A supplement to an act, to incorporate the Baltimore Musical Association.

A bill, to authorise the commissioners of Charles town in Cecil county, to sell and convey a piece or parcel of land therein mentioned.

Mr. Spencer, from the minority of the committee on elections and privileges, submitted the following report.

The undersigned members of the committee of elections and privileges, differing in opinion with the majority of the said committee on the memorials of Benjamin Kirby and Robert Welch, submitted the following report.

Mr. Kirby claims his right to a seat in this house as a delegate from Kent county for three reasons.

1st. Because at the election for delegates to the General Assembly of Maryland, held in Kent county in October last, he received five hundred and thirty-five fair and legal votes, as one of said delegates, James S. Primrose received five hundred and thirty-nine votes, William S. Lassell five hundred and thirty six votes, William S. Constable five hundred and twenty-eight legal votes and six illegal votes, for want of residence, John McDaniel five hundred and twenty-seven legal votes and six like illegal votes, and James H. Gale five hundred and six legal votes and six illegal votes, for the same office.

2d. Because in addition to the said illegal votes received by the said Constable, McDaniel and Gale another illegal vote, for want of age, was counted to each of the said gentlemen.

3d. Because the ballot of a good and lawful voter of said county, who offered to vote for the said Kirby, William S Lassell and James S. Primrose was rejected by the judges of the election.

If it be in the power of Mr. Kirby to establish, either one of the points contained in his memorial, he is entitled to his seat in this house. If it be true, as stated by him that the votes which he received were legal votes, then the subtraction of a single vote from William S. Constable, will establish Mr. Kirby's claim to his seat. He states that he can prove to the satisfaction of this house, that seven illegal votes, six for want of residence, and one on account of minority were given to the said William S. Constable. All of which illegal voters are named by Mr. Kirby in his memorial.

In this condition of his case, and with an averment on his part of his ability to prove the facts as stated by him, the majority of the committee have declined to examine into testimony, and without a hearing from Mr. Kirby, have reported unfavourably to his claim.

However much any portion of your committee might regret the inconvenience, trouble and expense incident to an inquiry, whether the judges of election, from want of judgment, due information or corruption, have received and counted illegal votes, yet the minority of the committee are of opinion that when an allegation is properly made that a member has been returned by illegal votes, or rejected by illegal votes, the constitution and law of the land require that the matter should be investigated.

By the election laws of the State of Maryland, no person shall vote at an election for delegates to the General Assembly, who is not of the age of twenty-one years, and has not resided twelve months in the State and six months in the county, next preceding said election.—And by the constitution it is declared, that the House of Delegates shall judge of the elections and qualifications of its members.

Every candidate for a seat in this house who has received a sufficient number of legal votes to elect him, has a right from which he cannot be deprived. It matters not whether illegal votes have been counted against him, from misapprehension, or fraud, by the judges. The only proper question is, were illegal votes received and counted? If they were, and inquiry is concluded, then an individual having a legal right to his seat may be rejected.

The undersigned cannot think, because the judges of election may be presumed to act fairly, that it is safer to trust to their decision the question of legality in voting, than that this house should undertake to exercise its constitutional duty in investigating whether the judges received illegal votes, and by so doing have deprived the house of its proper member—an individual of his right—and the people of their chosen representative. Should this doctrine prevail the worst consequences may be apprehended. Every day gives additional proof of the corruption of judges of election and the necessity of passing penal laws to restrain their frauds and corruptions. It is well known that popular sentiment will not always restrain them. They are too often selected for party purposes, and those selected, the weakness of whose intellects render them the convenient instruments of the corrupt and intriguing. This is far from being always the case; nor will it be intimated that a great body of the judges of elections are not honourable men. But if this house should determine, it will leave with them exclusively, the right of judging whether voters have legal qualifications, then will have passed away the restraint that is now felt in the knowledge, that their acts in this particular will be supervised by this body.

It cannot be disputed that the three persons having the greatest number of votes at the recent election in Kent county, are entitled to seats on this floor. If Mr. Kirby was one of those, he has a claim of which he cannot be deprived—and if deprived, he can demand an inquiry from this house, which it cannot, without putting at defiance the constitution, deny him. He has the same right to demand a seat before this house that an individual has in the prosecution of a claim, to institute a suit in any of the courts of this State; and this house has no more right to refuse him redress, on the ground of inconvenience and discretion, than could the judges of the courts. If he choose to incur the responsibility of an investigation, and it turn out that his allegations are untenable, then the responsibility is with him—not with this house. It has accorded to him what is his right and privilege. If though he prove the fact that he was defeated by illegal votes, his claim is established and his right to a seat incontestable.

He contends that he received five hundred and thirty-five legal votes—that there were only two others who received as many votes—that William S Constable with whom he is returned by the judges tied, received only five hundred and twenty eight legal votes. If this be true, Mr. Kirby has a legal vested right, which it is competent for him to establish in the way pointed out by the law. He has resorted to his legal remedy, and without a hearing on his part, or of his presence before the committee, the majority have reported that he is not entitled to a seat in this house.

Mr. Welch claims his seat on the same ground as set forth in the 1st and 3d points of Mr. Kirby—all the reasoning therefore of the undersigned which applies to Mr. Kirby's case, reaches Mr. Welch's.

The majority of the committee, though they have refused in both cases to inquire into the