

On motion by Mr. Lecompte, the following order was read and adopted:

Ordered, That this house will, on Wednesday next, proceed to the election, by ballot, of an Auditor to the state, and that the concurrence of a majority of the votes of all the attending members shall be requisite to a choice.

On motion by Mr. Wilson, Leave given to bring in a bill, entitled, An act declaring what shall be evidence in certain cases therein mentioned. Ordered, That Messrs. Wilson, Harrison and Eccleston, be a committee to prepare and bring in the same.

On motion by Mr. Blakistone the following message was read and agreed to:

BY THE HOUSE OF DELEGATES, December 5, 1817.

Gentlemen of the Senate,

We have received your message of this morning. This house also is formed and ready to proceed to the business of the session. We have appointed the Honourable Nicholas Stonestreet Speaker, and Louis Gassaway chief clerk. The time of sitting of this house will be from 9 o'clock in the morning until 3 o'clock in the afternoon.

By order,

L. GASSAWAY, Clerk.

The clerk of the senate delivers the following communication from the executive:

IN COUNCIL, Annapolis, December 1, 1817.

GENTLEMEN—In conformity with the resolutions of your honourable body, at its last session, imposing certain duties upon this department, we have the honour to state, that the honourable John C. Herbert and James Fenwick, esquire, were appointed commissioners, on the part of the state of Maryland, to meet such commissioners as might be appointed on the part of the commonwealth of Virginia, to arrange and devise some efficient mode of protecting the fisheries on the Potomac river, by inhibiting steam boat navigation on the said river during the month of April. No official notification of the appointment of commissioners on the part of Virginia has been communicated to this department, arising not from any disinclination to co-operate in the prosecution of the measure, but as we have reason to believe proceeding wholly from an adjournment of its legislature before any communication from this department could be received by it.

We have the honour further to state, that twenty-five copies of the new edition of the laws of the United States, printed under the direction of the secretary of state, and the attorney-general of the United States, have been purchased, and partially distributed.

It will be recollected by your honourable body, that the sum of eight thousand dollars was placed at the disposal of the executive, for the purpose of collecting the public arms, camp equipage, and munitions of war generally, which had been distributed among the several regiments during the late war. This measure was recommended by the executive to the last general assembly, with a view to prevent emigrants to the western states and territories from carrying the public arms out of this state. It is to be lamented that this resolution cannot be carried into effect, as fully and effectually as could be wished, owing to the want of system and discipline in the militia of the state, arising as well from the resignations of militia officers, as from the defects in the system itself.

Your honourable body are well aware, that by the law of the United States, and the rules of the war department, it is required of the adjutant-generals of the respective states that they make an annual return of the militia of the state to the inspector and adjutant-general of the United States. As no provision by law now exists by which this object can be effected, we feel it our duty to recommend to your honourable body, the enactment of a law upon the subject, making it the duty of major-generals commanding divisions, to make return annually to the adjutant-general of the number of militia in their respective divisions, and compelling the brigadiers, colonels, lieutenant colonels, majors and captains, to make such like annual return to their respective immediate military superiors, under such penalties and forfeitures as to the wisdom of the legislature may appear expedient and necessary.

We deem it further our duty to state to your honourable body, that the claims and vouchers against the United States for military expenditures have been fully arranged, and are now in a state of complete preparation, and will be submitted to the general government by the states' agent as soon as possible; and we have the strongest reasons to believe and hope, will receive the early attention of the general government; the principal obstacle to an adjustment being the difficulty of fixing on some general principle which may be found applicable to the claims of the states generally.

The law of the last session, appointing an agent to collect the state's debts, has not been carried into effect, as the agent appointed by the law has not accepted of the appointment. We are of opinion that this law must fail in its effect, so long as the amount of compensation which the agent shall receive for his services is uncertain, and depends upon the amount of the valid debts; we therefore respectfully recommend the appointment of an agent with a certain annual salary.

Contracts have been made with the registers of the land-office for an index of the names of all the lands surveyed and patented, and of the unpatented certificates, since the revolution to the present time, which work is in a state of considerable forwardness.

We herewith transmit a copy of a work entitled, "Rules and Regulations for the field exercise and manœuvres of infantry, compiled and adapted to the organization of the army of the United States, agreeably to a resolve of congress," together with an accompanying letter from the author.

We also herewith transmit a proposition of Nathan Starr, of Connecticut, offering to contract with the state of Maryland for any number of swords which they may require.

Which are respectfully submitted to the inspection and consideration of your honourable body.

We have the honour to be, with high consideration and respect, your obedient servants,

C. RIDGELY, of Hampton.

The Honourable the General Assembly.

Which with the accompanying documents were read and ordered to be printed.

Mr. Eccleston delivers a petition from Samuel Ringgold, of Kent county, praying that a law may pass to ascertain the damages sustained by the owner or owners of certain lands through which a stream of water passes from his mill, and that the use of the said stream may be secured to him and others, who may be owners of said mill, upon the payment of the damages to be assessed; which was read and referred to Messrs. Eccleston, Neale and Roberts.

Mr. Estep delivers a petition from John Smith, of Anne-Arundel county, a revolutionary soldier, praying compensation for his services; which was read and referred to Messrs. Estep, R. Dorsey and C. Stewart.

The house adjourns until to-morrow morning 9 o'clock.