

The supplement to an act, entitled, An act taxing or licensing certain dealers in lottery tickets, and others, passed at December session 1822, chapter 232, was read the second time and passed.

The bill from the senate relative to the divisional line between Anne Arundel and Calvert county, was read the second time and passed.

The bill to regulate the fees of constables in cases of levying distress, was read the second time.

On motion by Mr. Tyson, the question was put, That the following be added:

“And be it enacted, That in all cases where there are joint defendants, the constable serving warrants or other process, upon such defendants, shall have the same fees, as if those defendants were several.”

Determined in the negative

The question was then put, Shall the said bill pass? Resolved in the affirmative.

The house adjourns until 6 o'clock, P. M.

SIX O'CLOCK P. M. The house met.

The bill to alter and change the name of John Ward of Harford county, to John Smith Ward, was read the second time and passed.

The resolution in favour of Matthew Murray, was read the second time, amended, and assented to.

On the second reading of the bill for the establishment and support of public schools in the city of Baltimore, Mr. Gough moved to strike out the first section; when Mr. Dennis moved to refer the bill to the next general assembly.

The bill being read throughout, the previous question was called for by Mr. Wright, and put, that is, Shall the main question be now put? Determined in the negative.

The question was then put on the reference? Determined in the negative.

The house adjourns until to-morrow morning 11 o'clock.

SATURDAY, February 19, 1825.

The house met. Present the same members as on yesterday. The proceedings of yesterday were read.

The additional supplement to an act, entitled, An act respecting a monument or statue to the memory of Washington; the supplement to an act taxing certain dealers in lottery tickets, and others; the supplement to the act to establish the divisional lines between Anne Arundel and Calvert counties; the bill to alter and change the name of John Ward to John Smith Ward, and the resolution in favour of Matthew Murray, were sent to the senate.

Mr. Howard delivers the following report:

The committee to whom was referred the petition of Alexander Nisbet, administrator de bonis non, of Thomas Cockey Dye, late of Baltimore county, beg leave to report—That by an act of the general assembly of Maryland passed at April session 1787, ch. 37, certain trustees were appointed to sell the real estate of Archibald Buchanan, for the purpose of paying debts due by the said Buchanan to the state of Maryland. That by the said act the trustees were authorised to receive in payment for the said lands, from the purchasers thereof, final settlement certificates, at the same rate and manner that the balances due by the purchasers of the Nottingham Company's property were authorised to be paid in said certificates, by a resolution (No. 5,) passed at the same session of April 1787; that is to say, 22s. 6d. final settlement certificates for every 10s. of the said debts. It appears that the said Thomas Cockey Dye became the purchaser, to a large amount, of the said lands, and hath actually paid the whole amount of the purchase money, and received a conveyance for the same. It appears that the said Thomas Cockey Dye made payment for the said lands in final settlement certificates, (legally to the said act,) upon which interest was due prior to the first of January 1785; and the said Thomas Cockey Dye received credit for the said certificates, and the interest thereon, subsequent to the first day of January 1785, as directed by the said resolution relating to the sales of the Nottingham Company's lands. But the interest due prior to the first of January 1785, although always demanded, was not allowed to the said Thomas Cockey Dye. It appears to your committee, that at November session 1792, the legislature took into consideration the hardship attending the cases of such debtors to the state as had discharged their debts in final settlement certificates, which bore interest prior to the first of January 1785, but which interest had not been allowed them, as the terms of the original resolution, (passed at April 1787,) only authorised the trustee to receive the said certificates, and the interest growing due subsequent to the 1st of January 1785. And the legislature, (See resolution No. 5, Nov. 1792,) declaring the justice of the claim for the said surplus interest, passed the following resolution:—“Resolved, That the trustee for the time being be and he is hereby directed to pay the amount of such surplus interest in three per cent stock, belonging to this state, after existing appropriations on such stock shall have been satisfied.” This resolution was undoubtedly intended to embrace all cases where final settlement certificates had been paid to the treasury, and upon which the interest prior to the 1st January 1785, had not been allowed—but as the preamble to the resolution speaks of “debtors to the state,” the trustee for the time being did not conceive himself at liberty to include the case of Mr. Dye, because he was not literally a debtor to the state, although he was a debtor to trustees appointed by the state, to sell the lands of a debtor to the state, to discharge debts due by him to the state. The resolution of 1792 did not deserve or require the very limited and strictly literal construction which it received from the trustee—its object was liberal and equitable, and it ought to have a construction conforming to the spirit which had prompted its passage. Indeed, there cannot be much doubt entertained, that if the courts of justice were open to the petitioner, he would be entitled to recover under the said resolution. All the petitioner now asks, is to be placed on a footing with all the other persons in this state, who have paid final settlement certificates into the treasury, and upon which the surplus interest due prior to the 1st January 1785, has been allowed. That such a request is reasonable and just, cannot be questioned, and the petitioner is fairly entitled to it upon every consideration of equity, as well as upon the principle of the resolution of 1792. It is well known, that the said final settlement certificates were all funded by the United States, and that the state of Maryland hath actually received, in three per cent stock, the whole amount of principal and interest of the said certificates. If the said petitioner had paid into the treasury, in such certificates, either of principal or interest more than the amount of the debt he contracted for the purchase of the lands from the state's trustees, he is unquestionably entitled to have it refunded. Your committee submit the following resolution—

Resolved, That the treasurer of the western shore of the state of Maryland, be and he is hereby authorised and directed, to liquidate the account of the said Alexander Nisbet, administrator de bonis non of Thomas Cockey Dye, late of Baltimore county, deceased, and ascertain the amount of interest due on certain final settlement certificates prior to the 1st January 1785, paid by the said Thomas Cockey Dye, to trustees appointed to sell the lands of Archibald Buchanan; and the said treasurer of the western shore shall also show the amount of interest received by the state upon the said final settlement certificates, from the United States, and report the whole to the next general assembly, with any other information he may possess on the subject. Which was twice read and concurred with.

Mr. Howard delivers the following report:

The joint committee of both branches appointed to superintend the reception and entertainment of General Lafayette, at his recent and gratifying visit to the legislature of this state, beg leave to report, finally—that in the execution of the duty assigned to them, it was their object to consult the known wishes of the members of the legislature, by causing the reception of the illustrious individual to correspond with the warmth of feeling demonstrated by the people of the state. They are induced to hope, that they have succeeded in this purpose; and it only remains to say, that in the necessary performance of their duties, they have drawn from the treasury, and expended, the sum of \$1,377 50 cents, by virtue of the authority conferred upon them by the resolution under which they have acted. Which was read.

Mr. Price presents a petition from sundry inhabitants of Baltimore county, praying that no allowance be given to owners of slaves condemned to death; and Mr. Snower presents a petition from sundry inhabitants of Baltimore county, praying the levy courts may be elected immediately by the people; which were read and ordered to lie on the table.

Mr. Travers delivers the following report:

The committee to whom was referred the petition of Susan Hooper, of Dorchester county, report—That a resolution was passed December session eighteen hundred and twenty-two, giving Roger Hooper,