

March 8th 1852

The Governor this day sent the following communication to the House of Delegates:

Executive Department, Annapolis, March 8th 1852

To the House of Delegates:

Gentlemen: In reply to your order of the 13th of February last, I have the honor to state that from the original election returns, received by me at this Department, from the Clerk of the County Court, now the Circuit Court of Somerset County, in November last, it appeared that John W. Carew had been elected one of the Board of County Commissioners. The specific vote received by each Candidate for Commissioner was not given in these returns, (as should have been done,) but a general Certificate of election, only, was furnished by the return judges. I accordingly issued Commissions to those who were returned elected in the certificates. Subsequently, I received information that Daniel Benson had obtained a larger number of aggregate votes, cast in the County, than Mr. Carew, but that Mr. Carew had been returned elected, upon the supposition that the Act of Assembly relative to district residence, had not been repealed by Article VII, Sec. 8, of the new Constitution. I accordingly, instructed the Clerk of the Circuit Court for Somerset County, to return to me the Commission previously forwarded to Mr. Carew, if yet in his Office, together with full copies of the returns of the votes cast: which was done. Upon an examination of these returns, it appeared that there was a tie vote between Daniel Benson and William Bacon, each having received a larger number of the aggregate votes cast in the County, than was received by Mr. Carew. I was, at the same time, notified by the Clerk that there were seven disputed tickets, the admission of which, would give a majority to William Bacon over Daniel Benson. I regarded the contest as unquestionably between Bacon and Benson, upon a fair construction of the Article of the Constitution referred to. But, having no authority to purge the ballot-box, or to decide upon any issue connected therewith, I have kept the question open, by withholding the Commission until a decision is obtained from such Tribunal as may be established by the general Assembly in pursuance of Article III, Sec. 48 of the Constitution.

This communication has been delayed in consequence of my not having received the returns from the Clerk of the Circuit Court (called for by me) until recently.

E. Louis Lowe.

Also this day transmitted the following communication to the Senate:

Executive Department, Annapolis March 8th 1852

To the Senate:

Gentlemen: In compliance with your order of the 17th of February last, I herewith transmit a statement of the "items of expenditure, on account of the Contingent Fund appropriated by the General Assembly of Maryland at the Session of 1849, paid during my Administration, dating from the 6th day of January, 1851, to the 6th day of December of the same year, at which time the Fund became exhausted. The vouchers of expenditures incurred during the term of my predecessor having been deposited by him in the Office of the Treasurer, I respectfully submit that it will be more appropriate to obtain a statement of them from that Department, inasmuch as I have no references other than the general entries upon the