

community to secure their safety in travelling, we hold the protection of their other rights equally so, which we conceive might be marred by suffering a subordinate tribunal in our administration to appoint to such offices some of the most dignified characters, both in civil and religious life. We agree that liberty and equality are characteristics of a republican government, in which we delight, but that an improper use of those valuable principles may and will often detract from the dignity of station necessary to be preserved, in order to insure all possible blessings from the uninterrupted administration of justice. Although the clergyman, the legislator, the justice of the peace, and other characters exempted from serving as overseers of the road, are equally interested with their fellow-citizens in safe travelling, still their more important concerns in the security of the public weal, ought certainly to be attended to in such manner as will insure the most perfect and valuable discharge of their respective functions; no new expression of the public will, however sovereign, has as yet manifested the necessity of compelling those in holy orders to do the drudgery of executive office of any description, or called for like services from the legislators of our state, or others mentioned in the excepting clause of the bill, which ideas we apprehend are justified in rejecting the said provision. The practising physician and attorney are also, in their professional pursuits, charged with their respective duties to society, the faithful execution of which may certainly be prevented by their liability to serve as overseers of the roads, at the whim and caprice, or even in the exercise of the judgment, of a levy court, while persons whom the appointment would better suit, and to whom the reward given for the services would be an object, and who at the same time would be better judges of the labour necessary to be performed on the roads, would be precluded from the employment. We are also of opinion it would be hard and oppressive to oblige any person to serve as overseer oftener than is provided for in the bill.

By order,

W. HARWOOD, clk.

And the following resolutions:

BY THE HOUSE OF DELEGATES, DECEMBER 14, 1801.

RESOLVED, That all proceedings on the bond passed by James B. Sulivane, of Dorchester county, be suspended until the first day of August next, and that the surveyor of Dorchester county be and he is hereby required, on or before that day, to survey and lay out, clear of the lands of all other persons, lots number fourteen and fifteen of the Choptank Indian lands, which were purchased by the said James B. Sulivane, and also return a correct plot and certificate thereof to the treasurer of the western shore, in order that the true quantity of land may be ascertained with which the said James B. Sulivane ought to be charged, and if the quantities of land contained in the said lots be less than those for which the bond of the said James B. Sulivane was taken, the treasurer is directed to credit him with the amount, at the same rate per acre at which the said land was sold, if more, then the surplus shall be sold by the agent for the benefit of the state, unless the said James B. Sulivane will agree to purchase the same at the rates aforesaid.

RESOLVED, That if the whole quantity of land contained in said lots be less than that for which the said James B. Sulivane gave bond as aforesaid, the survey above directed shall be at the expence of the state, if otherwise, then the expence of such survey shall be paid by the said James B. Sulivane.

By order,

W. HARWOOD, clk.

BY THE HOUSE OF DELEGATES, DECEMBER 14, 1801.

RESOLVED, That the chancellor be authorized and requested to inquire into all the circumstances respecting a certificate of survey of a tract of land called Friendship, owned by Thomas Randall, a patent issued to Joseph Shaul for a tract of land called Amos's Venture, and also a certificate of survey called Small Hope, granted to a certain George Storm, and if he should be of opinion that the said Thomas Randall is not entitled to a grant on the said certificate called Friendship, that then and in that case the said chancellor be authorized and requested to decide thereon, and the merits of the respective claims of the parties, in the same manner as if the said act of assembly in favour of the said Thomas Randall, enacted at November session, seventeen hundred and ninety-eight, had never passed, any thing in the same to the contrary notwithstanding.

By order,

W. HARWOOD, clk.

BY THE HOUSE OF DELEGATES, DECEMBER 12, 1801.

RESOLVED, That the treasurer of the western shore pay to Charles Emory, or order, seven pounds, with interest thereon from the first day of January, seventeen hundred and eighty-three, it being a balance due to the said Charles Emory, an old bargeman, for his services on board of the barges during the late war, as appears by a voucher from the auditor's office, under the hand of the auditor.

By order,

W. HARWOOD, clk.

BY THE HOUSE OF DELEGATES, DECEMBER 12, 1801.

RESOLVED, That the court of oyer and terminer and gaol delivery for Baltimore county are authorized and required to value the time of service of negro David Cole, the servant of Abraham G. Hammond, from the time of the conviction of the said servant in the special court of oyer and terminer and gaol delivery for Baltimore county, and enter the same in their proceedings, and that such value shall be assessed and collected with the county assessment, and paid to the said Abraham G. Hammond, or his order.

By order,

W. HARWOOD, clk.

Which were severally read the first time and ordered to lie on the table.