

BY THE HOUSE OF DELEGATES, Jan. 1, 1813.

*Gentlemen of the Senate,*

We have appointed Messrs. Banning and Marriott in addition to those gentlemen heretofore appointed by this house to join the gentlemen of your house to examine the engrossed bills.

By order,

UPTON S. REID, Clk.

The clerk of the senate delivers the resolution in favor of John Norris, of Harford county, endorsed, "dissented from." The resolution in favor of John Sullivan, endorsed, "assented to." The bill entitled, an act for the relief of Henry King, and the bill entitled, an act to authorise a lottery for the use and benefit of the Washington Free School, in the city of Baltimore, endorsed, "will not pass." The bill entitled, an act for the removal of certain proceedings against General Henry Lee, of the city of Alexandria, from the county court of Baltimore county, to the county court of Montgomery county, and for other purposes; the bill entitled an act authorising Robert Welch, (of Ben.) former collector of Anne Arundel county to complete his collection; the bill entitled, a further additional supplement to the act entitled, an act to direct descents; the bill entitled, an act authorising a lottery to raise a sum of money to purchase a fire engine in Cumberland, in Allegany county, severally endorsed, "will pass." Ordered to be engrossed. And the bill entitled, an act for the relief of William Smith, and others, of the city of Baltimore, endorsed, "will pass with the proposed amendments;" which amendments were read, assented to, and the bill ordered to be engrossed.

The report on the petition of Thomas Helsby, of Talbot county, was read the second time and concurred in.

Mr. Dorsey from the committee, delivers the following report:

The committee to whom was referred the petition of Jehu Chandler, beg leave to report, that they find that the general assembly of Maryland, at their last November session, passed a resolution in the following words:

*Resolved*, that Jehu Chandler, print the laws, and votes and proceedings of the general assembly, and perform such other services as have been usually performed by the printer employed by the state, or may be required by the legislature or either branch thereof, or by the governor and the council."

They further find by the constitution and form of government, the house of delegates has the sole and exclusive right of appointing its own officers. The nature and number of those officers are not enumerated. That some years since the house of delegates was not in the practice of ordering any bills or papers connected with their legislative duties to be printed, but that copies of the same when deemed by the house requisite, were multiplied by committee clerks solely appointed by the house of delegates; that in time, as the objects of legislation increased with our wealth and population, the house of delegates, with a view to the dispatch of business and to economy, ordered the necessary number of copies to be printed under their own immediate control, and the charges thereof to be placed on the journal of accounts, as a portion of the contingent expences of the session, growing out of their own discretion, and in the same manner that their committee clerks and serjeant at arms were paid. It is thus apparent that the business, of the profits of doing which Jehu Chandler complains that he has been deprived, was originally performed by clerks exclusively appointed by the house, under the universally recognized right given to them by the constitution, "of selecting their own officers." And that the printer has been substituted by the house instead of committee clerks. Under this view your committee are of opinion that the house of delegates would be guilty of a violation of the constitution, and a flagrant abandonment of the rights of the popular branch, did they recognise a right in the senate to participate in the selection of any appointments exclusively reserved to this house. As well might it be contended that the general assembly could by any concurrent resolution declare that any designated individual should do the writing or reading business required by the house of delegates to be performed, and that such a resolution should be obligatory upon our successors in office. The constitutional right of exercising an exclusive control over the ordinary business required by this house to be printed, being thus apparent to your committee, they would remark that experience has sanctioned the expediency of vesting the discretionary power in the committee of claims to cause it to be done upon terms the most beneficial to the interest of this state, for it appears that the state instead of paying the sum of eleven dollars per sheet for plain work, and twenty dollars per sheet for rule and figure work, which it did last year, it now only pays eight dollars per sheet for plain work, and sixteen dollars per sheet for rule and figure work. This saving is the necessary consequence of a competition.

Your committee notwithstanding the preceding course of remarks, are of opinion that the above recited resolution was never intended, nor can it be construed to be obligatory upon the present general assembly, but that provision was only intended to be made for the objects mentioned in the resolution until the meeting of the present session. Your committee cannot admit that the resolution of the last general assembly can be considered in the nature of a continuing contract unlimited in its duration; if it be one, it must partake of all the properties of one, and the legislature would have no right to substitute any other printer than Jehu Chandler, unless by his assent, and Jehu Chandler would be bound to continue the printing business designated in the resolution, notwithstanding his disposition to decline so doing, unless released therefrom by a declaratory act of the legislature, neither of which legal consequences your committee believe will be attempted to be attributed to the resolution.

Your committee thus believing that the preceding resolution is not now in force, that if even admitting it to have the operation of an act of assembly, that it is unconstitutional, as it infringes on the rights of this house, that it has not the legal bearing of a contract, are of opinion that Jehu Chandler has no right to ask from the justice of the state any compensation for the loss alledged to have been sustained by him.

They would remark, if they err in this exposition, that the petitioner is not without remedy, as the laws of this state enable a citizen to resort to the tribunals of justice to obtain compensation for any