

tution on which the militia may be called forth, having occurred, it was considered the duty of the executive to comply with the requisition, and the necessary orders for that purpose were issued. By another letter from the secretary of war, dated April 16th a further requisition of two thousand men to be stationed at Baltimore was made; orders have been issued in consequence of this requisition. Copies of the requisition are included in the documents communicated.

It being by the constitution the duty of the general government to provide for the common defence, we have represented to the Secretary of War some time since, the exposed and defenceless situation of many parts of Maryland. So much of the correspondence with that officer as has relation to this subject, accompanies this communication. A copy of a letter written by this department to the president of the United States, being in part connected with this subject, is also transmitted: To this letter an answer has been received.

A vacancy in the senate of the United States having happened during the recess of the legislature the executive proceeded, in conformity to the provisions of the constitution of the United States to make a temporary appointment until the next meeting of the legislature, and the honorable Robert Henry Goldsborough of Talbot county was appointed and has been commissioned.

Upon the approach of the enemy to the seat of government, it was deemed expedient to order the removal of the public records. The legislature will take any order that may be thought necessary in relation to them.

We have thought it proper to introduce these subjects to your notice at the commencement of a session which has been directed in consequence of the present alarming state of things.

We had hoped that answers from the officers of the general government, to the communications which we have had the honor to make to them, would have enabled us to have given some assurance of future protection and security. To provide for the common defence was one of the important objects for which the federal constitution was formed; to protect each state against invasion is made the imperative duty of the national government, and for that purpose every necessary power is delegated to the national authorities. The means of defence reserved to the state governments are very limited and their powers in the conduct of a war defined. If, however, the general government should fail to afford adequate security against the violence of the enemy, the law of self preservation, which belongs to communities as well as to individuals, would demand that every effort which it is in our power to make should be made for the safety of the state. But it seems necessarily to follow, as the defence of the union and of the several parts of it has been committed to the general government, that all expenses incurred in affording protection by the several states ought to be reimbursed by the United States. It would be proper therefore, to authorise by law the appointment of officers to keep regular accounts (with the proper vouchers) of the expences to which the state may be subjected.

We have the honor to be, with much respect, your obedient servants,

LEVIN WINDER.

*The Honorable the President of the Senate.*

Which was read and ordered to lie on the table.

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

TUESDAY, May 18, 1813.

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

Messrs James Brown and Levi Hollingsworth, appeared in the senate.

Mr. John Williams appeared in the senate, and after taking the oaths required by the constitution and form of government, and subscribing a declaration of his belief in the christian religion, and taking the oath for the support of the government of the United States, took his seat.

Ordered, that the treasurer of the Western Shore inform the senate, whether William Marbury, late agent of the state of Maryland, has complied with the resolution of November session 1812, directing him to transfer to Benjamin Harwood trustee, the United States' stock then standing in his name, belonging to the state of Maryland.

The president laid before the senate a letter from the treasurer of the Western Shore, stating that William Marbury had not complied with the resolution of November session 1812, directing him to transfer to Benjamin Harwood, trustee, the United States' stock then standing in his name, belonging to the state of Maryland.

ORDERED, that the honorable executive council be requested to lay before the senate their proceedings to this date.

The clerk of the house of delegates delivers the following message:

BY THE HOUSE OF DELEGATES, May 18, 1813.

*Gentlemen of the Senate,*

We propose on Thursday next, if agreeable to your house, to go into a joint ballot for the election of a senator to represent this state in the senate of the United States, agreeably to the constitution of the United States, and the provisions of an act of Assembly passed at November session 1809, entitled an act to fix the mode of electing senators to represent this state in the senate of the United States.

By order,

UPTON S. REID, Clk.

Which was read.

The following resolution was read the first and second time and assented to.

BY THE SENATE, May 18, 1813.

Whereas, it appears from the communication of the treasurer of the Western Shore, that William Marbury, late agent of the state of Maryland, has not complied with the resolution of November session 1812, directing the said William Marbury to transfer to Benjamin Harwood, trustee, all the six per cent and deferred and three per cent stocks now standing in his name, belonging to the state of Maryland;

Therefore, Resolved, that Benjamin Harwood, trustee and treasurer of the state of Maryland, be,