

sent to and the bill ordered to be engrossed.

The bill entitled, an act for the benefit of the several free schools in the city and precincts of Baltimore, was read the second time, passed and sent to the senate.

The bill from the senate entitled, an act to authorise the sale of certain negroes therein mentioned, was read the second time, and the question put, shall the said bill pass? Determined in the negative, and the bill returned to the senate.

Mr. J. H. Thomas from the committee delivers the following report :

The committee to whom the same were referred, have had under consideration the preamble and resolutions, sent on Friday evening last from the senate, and the preamble and resolutions of a like tenor introduced the day afterwards in the House of Delegates, requiring the Governor to refund the payment made to him for services as commander in chief of the militia, from the 20th April to the 17th September, 1813, as therein stated; and also the communication received from two members of the executive council, in answer to a previous order passed this house, calling upon the executive for information relative to the same subject. Upon which they beg leave to submit the following report:—

The committee do not deem it necessary to enter into a particular recital of the circumstances from which the present inquiry has originated—it will be sufficient to observe, that in the spring and summer of 1813, as will be generally recollected, the more exposed points on the western shore of this state, and more especially this city, and the adjacent country, were seriously threatened by the appearance of a formidable force of the enemy hovering on the coast. For the purpose of affording that protection, which it was the duty of the general government to supply, but which that government had not adequately provided, it became expedient for the state authority to call on the militia of the state, and to employ that mode of defence, or such portions and detachments of it as might be most conveniently and advantageously engaged in the service. In this posture of affairs, the executive council considered, that a time had arrived in which it would be proper for them, in pursuance of the 33d article of the constitution, to advise the Governor to take the "command in person," under an impression, from the experience he was known to have acquired in the war of the revolution, and the general respect in which his character was held, that this step would be well calculated to inspire a salutary confidence in the public mind, and more particularly in the militia themselves, of whom there was a considerable detachment stationed at the city of Annapolis during the period referred to, as is perfectly notorious, notwithstanding the Senate's direct assertion to the contrary. In conformity with this advice, the governor entered upon the active duties of commander in chief, on the 20th April, 1813, and continued in the exercise of those duties until the 17th September following, when the militia were disbanded, having established head quarters in this city immediately after his appointment.

The committee conceive it superfluous to enlarge on the zeal, fidelity, and indefatigable diligence, with which the governor is known to have discharged the trust thus confided to him. Those who had the opportunity of personal observation, will bear ample testimony to this point; and those who will take the pains to enquire, will be satisfied, from a mere view of the various general orders still extant, and other documents connected with the service, that the continued vigilance of the commander in chief was occupied in a series of useful, attentive, and laborious exertion. It is true, that as this place was head quarters, & its vicinity their principal scene of operation it was not requisite or advisable for him to command on any distant service, although it will be remembered, that an occasion did occur in which he manifested his readiness to do so, if the turn of events had not again rendered his presence necessary in this city.

The committee have briefly noticed these circumstances, because both in the Senate's resolutions, and in those moved in this house, it is gravely urged, as if to aggravate the offence of an alleged illegal receipt of public money for military service, that by reference to the journals of the council it would appear, that the governor was not more than five days, (exclusive of Sunday) absent from the council chamber, thereby intending to imply, that he did not actually, or faithfully perform the service to which he was specially appointed, and for which he was paid. Without making a minute examination into the accuracy of this statement, to the objection founded upon it, the answer is obvious, that the governor's appearance in the council chamber would be noted on the journal, however momentary it might be, and although (as the fact generally was) he might be principally engaged abroad, throughout the day, in the extraordinary duties of his office as commander in chief; and although, even while he remained in the council chamber, many of his more important duties as commander in chief might have been there performed. It is not, it seems, made a charge against him, that he neglected any of the ordinary regular functions of his office as governor. It is not shewn by any evidence, that his civil and military functions did in reality interfere with each other:—But by a singular perversion of justice, and a strange fatuity of malevolence, the force of this part of the charge, considered in its best shape, seems to be, that while devoting an anxious attention to the highly responsible and interesting cares of commander in chief, he sedulously and successfully endeavored at the same time to acquit himself of the prescribed constitutional obligations imposed on him as governor of the state.

The committee had supposed, that in regard to the merit of the governor's conduct in military command, all pretence for clamour or cavil had ceased, or been abandoned. And they had been induced to suppose so, from having observed, that this part of his conduct had even extorted public expressions of applause from those who are not connected with him by the ties of political sympathy, and who are not much accustomed to allow to their political opponents any of the attributes of patriotism. But in whatever view the matter may be now designed to be placed by the authors of the resolutions in question, it is undeniable, that the governor, in person having performed the actual service of commander in chief, for the time specified, and his account having been rendered in the usual military form, (upon honor) and being duly examined and passed by the