

Mr. Faw, from the committee of claims, brings in and delivers to Mr. Speaker the following report:

BY THE COMMITTEE OF CLAIMS.

YOUR committee, to whom was specially referred the accounts of Mr. James Earle, clerk of the general court on the eastern shore of Maryland, beg leave to report, that they find two accounts unsettled, one of which was referred from April session, 1787, amounting to £. 249 5 3, one other account rendered at November session, 1787, amounting to £. 53 2 7, and as Mr. Earle was directed, by an order of the house of delegates, to attend the house at November session, 1787, at which session Mr. Earle was excused for not attending, and his accounts referred to the present session of assembly, and as the committee of claims, at said November session, could not consider said accounts in Mr. Earle's absence, and it being represented to them, that Mr. Earle's situation required an advance on his said accounts, they applied a credit to his use for £. 200, to be by him accounted for.

Your committee further beg leave to report, that they have taken the said account of £. 249 5 3 into consideration, and have rejected the same upon the following principle, to wit, they find on the first page a charge of £. 178 8 6, arising for issuing casa's against persons on 366 bonds for interest due the state, which were by the legislature ordered to be countermanded, they being erroneously issued.

Your committee beg leave to suggest, that they are of opinion the state ought not to be chargeable with any costs on said executions; that if the charges are illegal, the attorney-general, who advised the issuing of them, ought to be answerable to the different officers for the execution of them, and if not, the defendants ought to pay the coits; that they are further of opinion those charges were not made for the services actually performed, or necessary to be performed (they being countermanded) but could only have arisen, if the suits had been continued.

In the second page they find a charge for a trial on indictment against seven persons for the same offence, charged to be committed at the same time, and the trial had generally before one jury, and arraigned at one time, yet every article arising on said trial charged in a sevenfold proportion, as if seven different trials and verdicts had been had; as also a charge of £. 6 for a court docket, when in no other preceding account more than 48lbs. tobacco, equal to £. 3 in cash, was charged, and do not apprehend an increase to the amount of difference of charge.

In the third page they find similar charges against Cornelius Wells on four indictments, which they are of opinion the state ought not to be chargeable with, the defendant being a free man, and convicted, was afterwards pardoned by the governor.

In the second account for £. 53 2 7, they find a charge for an indictment against William Ennalls Hooper, who was discharged on a nolle prosequi, and is subject to the costs, as also a charge against the state for issuing capias's against fifty persons, to compel the payment of one year's interest on their bonds.

Your committee are informed by Mr. Earle, that he has not charged the aforesaid accounts himself, but it was done by his clerks, to whom he always gave positive directions not to exceed the charge in the table of fees, but to be rather under, of which instructions he produced several certificates given on oath by them, and that they believe any charge made contrary to law was not done by Mr. Earle intentionally, or knowing them to be such.

Your committee would further beg leave to suggest to the honourable house the propriety (or rather necessity) of revising the table of fees, finding them exceedingly difficult to charge fees under, as the construction in its operation is exceedingly various, and by many exceeding hard to be perfectly understood.

All which is submitted to the honourable house.

By order,

A. GOLDER, clk.

Which was read.

Mr. Brown, from the committee, brings in and delivers to Mr. Speaker a bill, entitled, An act for the relief of the poor of Queen-Anne's county; which was read the first time and ordered to lie on the table.

A petition from Nancy Steyer, of Baltimore county, counter to the petition of George Woolf, was preferred, read, and referred to the committee appointed on the petition of George Woolf.

A petition from Adam Fonerden, of Baltimore, praying an exclusive right in making and vending a new constructed machine called a Card-teeth-cutter, was preferred, read, and referred to Mr. Gough, Mr. M'Mechen and Mr. Ridgely, to consider and report thereon.

A petition from Sarah Buchanan, Alexander Cowan, Daniel of St. Thomas Jenifer and Benjamin Nicholson, praying that no execution may issue against the securities of Archibald Buchanan, deceased, until the end of the next session of assembly, for confiscated property purchased by the said Buchanan, was preferred, read, and referred to Mr. M'Mechen, Mr. Digges, Mr. Craufurd, Mr. Forrest and Mr. Duvall, to consider and report thereon.

A petition from Peter Hoffman, of Baltimore-town, in behalf of Philip Stock, of Germany, respecting a legacy left by George Steyer to the said Philip Stock, his nephew, was preferred, read, and referred to the committee appointed on the petition of George Woolf.

Mr. J. S. Purnell, from the committee, brings in and delivers to Mr. Speaker a bill, entitled, An act to revive and make valid the proceedings of the vestry of Worcester parish, in Worcester county; which was read the first and second time by especial order, passed, and sent to the senate by Mr. J. S. Purnell.