

# VOTES AND PROCEEDINGS, NOVEMBER SESSION, 1801.

Mr. Love, from the committee, delivers to the speaker the following report :

THE committee to whom was referred the petition of Joseph Shaul and George Storm, of Baltimore county, report, that the late intendant of the state of Maryland did, on the 12th day of September, 1785, sell at public sale, to a certain Amos Ball, ninety-eight acres and three quarters of an acre of land, being part of the reserves in Baltimore county, the certificate of which said parcel of land called Amos's Venture, was assigned to the said Joseph Shaul, who paid the purchase money therefor, and obtained a patent thereon on the 2d day of January, 1790; that twenty-four acres of the said parcel of land called Amos's Venture, is included in a certificate called Friendship, claimed by a certain Thomas Randall; that the other petitioner, George Storm, did, on the 17th day of March, 1796, execute a special warrant of resurvey, called Small Hope, and include nine acres, other part of said tract of land called Friendship; that it appears to your committee, from the testimony produced before them, that the said Shaul and Storm had no notice of the said certificate of survey called Friendship at the time they purchased and paid for the said parcels of land called Amos's Venture and Small Hope. It further appears to your committee, that at the time the law passed in favour of Thomas Randall, at November session, 1798, entitled, An act for the relief of Thomas Randall, of Baltimore county, and which may eventually injure the petitioners, the facts aforesaid were unknown to the legislature. Your committee further report, that no patent hath as yet issued on the said certificate called Friendship, agreeable to the act of assembly aforesaid passed in 1798; that from the positive terms in which the said act of assembly is couched, the chancellor, as judge of the land-office, is prohibited from deciding thereon, although he should be of opinion that no patent ought to issue on said certificate called Friendship, consistent with the rules of the land-office. Your committee further report, that whether the said Shaul and Storm have a prior title or not to the land aforesaid included in the certificate called Friendship, is a question properly cognizable before the chancellor as judge of the land-office, and not before the legislature; they therefore submit the following resolution to the consideration of the house.

**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 said Thomas Randall, enacted at November session, 1798, had never passed, any thing in the same to the contrary notwithstanding.

By order,

J. HARWOOD, clk.

Which was read.

A petition from Thomas Barney, of Baltimore county, praying an act of insolvency, was preferred, read, and referred to the committee appointed on petitions of a similar nature.

On motion, Leave given to bring in a supplement to the act, entitled, An act to alter the times of holding the county courts in Frederick and Washington counties, passed at November session, 1801. **ORDERED**, That Mr. Nelson, Mr. Quinton and Mr. Tilghman, be a committee to prepare and bring in the same.

Mr. Quinton, from the committee, delivers to the speaker the following report :

THE committee to whom was referred the petition of Elizabeth Chenowith, of Frederick county, have had the same under their consideration, and are of opinion that the facts therein contained, if true, are lamentable, but your committee are further of opinion, the relief prayed for cannot be granted.

By order,

L. GASSAWAY, clk.

Which was read the first and second time and concurred with.

On motion, **ORDERED**, That Mr. Keene be added to the committee on the petition of Joseph Churchman, and others.

**RESOLVED**, That William Richardson, junior, Esquire, late treasurer of the eastern shore of Maryland, or such person by him authorized who now has possession of the public monies, books and papers, belonging or appertaining to the treasury, is hereby required forthwith to deliver unto William Chambers, Esquire, the present treasurer for the eastern shore of Maryland, all monies in the treasury, books of accounts and other papers, appertaining to the said treasury.

Sent to the senate by the clerk.

The bill to authorize the persons therein named to build a methodist meeting-house on the public ground in Chester-town, in Kent county, was read the second time, passed, and sent to the senate by the clerk.

Mr. Quinton, from the committee, delivers to the speaker the following report :

THE committee to whom was referred the petition of Elizabeth Townsend have taken the same into consideration, and find the facts therein stated to be true, and that the prayer of the petitioner is reasonable, and ought to be granted; therefore submit the following resolution :

**RESOLVED**, That the chancellor be and he is hereby authorized to inquire into the facts stated in the petition of the said Elizabeth Townsend, and if they are established to the satisfaction of the said chancellor, that he be authorized to direct a sale of that part of the land prayed for, agreeable to the petition, on such condition and on such