

# VOTES AND PROCEEDINGS, NOVEMBER SESSION, 1804.

The following message was read and agreed to.

BY THE HOUSE OF DELEGATES, DECEMBER 5, 1804.

GENTLEMEN OF THE SENATE,

THE office of register of wills being vacant in Allegany county, we propose, with the concurrence of your house, to proceed to an election to supply the vacancy on Monday the tenth instant. Hanson Bristoe and George Bruce are put in nomination by this house.

By order,

J. B. DUCKETT, clk.

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

THE committee to whom was referred the memorial of Elizabeth Johnson, of Anne-Arundel county, have considered the same, and submit the following report : At November session, seventeen hundred and ninety-two, the legislature of Maryland passed a resolution, directing one thousand pounds to be advanced to Dennis Griffith, then employed in preparing a map of Maryland, on condition of securing the repayment of the said sum, with interest ; this condition, your committee believe, was intended rather to secure the performance of the work than the repayment of the money ; such a map was indispensable to the state for public and private purposes, and no doubt the legislature would have readily contributed that sum for the encouragement of the work, being eventually and so ably executed as it has been ; the bonds however remained in the treasury, and the legislature has since discharged the principal, Dennis Griffith, by an act of insolvency, but have continued to exact the interest from and hold the securities bound for the repayment of the principal sum ; these securities had been induced to join in the bond from the most benevolent motives, excited by the uncommon talents and amiable qualities of their unfortunate principal, without any prospect whatever of advantage to themselves, and ultimately one of them, Horatio Johnston, has died, leaving his wife and eight orphan children in distressed circumstances. Your committee pretend not to investigate the legal effect of an act of the state liberating their principal debtor from his obligations, and holding his securities liable for the whole sum due to them, but they do not hesitate to observe, that to continue rigorously to exact from this helpless family their proportion of a sum of money, so circumstanced, the payment of which must take the bread from the widow and orphan, of a sum of money from which their husband and father never was to have derived the smallest advantage, for the repayment of which he became involved by a benevolent act of friendship, which the laws of society render frequently indispensable in social intercourse, and from which the state has already received ample remuneration by a great and useful public work, would, in their opinion, be unworthy of those generous and upright principles which ought to guide, and so frequently have influenced, the legislature of Maryland on similar occasions. Your committee have therefore prepared and submit the following resolution :

RESOLVED, That the treasurer of the western shore, be and he is hereby directed to enter an exoneration on the bonds of Dennis Griffith and his securities, so as to discharge the estate and heirs of Horatio Johnson of the proportion thereof due from them and the other co-obligors, from any claim or demand of the state for and on account of the said Horatio Johnson.

By order,

C. GIBSON, clk.

Which was read.

On motion, ORDERED, That the resolutions respecting the compensation to be allowed William Pinkney, Esquire, for his services in the recovery of the bank stock, be withdrawn for amendment.

A petition from Moor Falls, of the city of Baltimore, stating, that Stephen Wilson, late of the city aforesaid, died seized of a small parcel of land, which has an old stone dwelling-house on it that is in a very ruinous and decayed state; that the said Stephen Wilson left four small children, and that he has been appointed guardian to the said children, and praying an act may pass authorising him to dispose of the said property, and to vest the proceeds thereof in bank stock for the use of the said children, was preferred, read, and referred to Mr. Ellicott; Mr. Stephen and Mr. R. Mackall, to consider and report thereon.

The house, according to the order of the day, proceeded to the second reading of the bill respecting the religious sect of people called Jews, and the bill being read throughout, the question was put, That the said bill do pass? The yeas and nays being required, appeared as follow ;

## A F F I R M A T I V E.

Moore,	Stansbury,	Sheredine,	Covington,	Waters,	Ayres,	Holbrook,	Ringgold,
R. Mackall,	Lemmon,	Miller,	Contee,	Hawkins,	Montgomery,	Bowles,	Stephen,
Somervell,	Harryman,	Lyles,	Lowrey,	Bond,	Forwood,	Yates,	Ellicott.
N E G A T I V E.							
R. Neale,	Mercer,	B. Mackall,	Goldsbrough,	Ennalls,	Shaaff,	Clarke,	Selby,
W. Neale,	Hall,	Parnham,	T. Bayly,	S. Frazier,	Thompson,	Tillotson,	Darne,
Hebb,	Dorsey,	Chapman,	Jackson,	Eccleston,	Sturgis,	Clagett,	Bayard,
Soett,	Harwood,	M'Pherson,	Cottman,	J. Bayly,	Prideaux,	Swearingen,	J. Tomlinson.
Hatcheson,	Ireland,	Meluy,	Hyland,	Muir,	Williams,	Linthicum,	39.

So it was determined in the negative.

A memorial from the president and directors of the union bank of Maryland, in answer to the counter memorial of the president and directors of the bank of Baltimore, was preferred, read, and ordered to lie on the table.

Mr. Ringgold, from the committee, delivers to the speaker a bill, entitled, A supplement to an act, entitled, An act relating to runaway servants and slaves ; which was read the first time and ordered to lie on the table.

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