

THE committee to whom was referred the petition of Gassaway Watkins, of Anne-Arundel county, beg leave to report, that after examining into the matters therein stated, find that the said Watkins entered into the service of his country as a soldier in the revolutionary war, and continued to serve as such to the end thereof; his conduct during this struggle placed him high in the opinion of his companions in war, and acquired him the reputation of a brave and valuable officer. Your committee further find, that his circumstances are much straitened, and having a wife and nine children to provide for, an annuity from the state would greatly contribute to render easy his declining days, and give to his children and family a decent though frugal support. Your committee, in order to bring the subject before the house, beg leave to submit the following resolution:

RESOLVED, That the treasurer of the western shore be and he is hereby directed and required to pay unto Gassaway Watkins, of Anne-Arundel county, late a captain in the revolutionary war, a sum of money equal to half pay as a captain, annually, in quarterly payments, during his life, as a reward to those meritorious services which he rendered his country in establishing her liberty and independence.

All which is submitted.

By order,

R. WELCH, Jan. clk.

Which was read.

The clerk of the senate delivers the further additional supplement to an act, entitled, An act to incorporate companies to make several turnpike roads through Baltimore county, and for other purposes, the bill to authorise the judges of Saint-Mary's county court to direct a division or sale of the real estate of Robert Young, late of Saint-Mary's county, deceased, the bill to revive and continue an act, entitled, An act authorising Joseph Green, late sheriff and collector of Charles county, to complete his collection, and the additional supplement to the act to incorporate a company for erecting a bridge over Chester-river, severally endorsed, "will pass." Ordered to be engrossed. The bill to lay out and open a road in Prince-George's county, and part in Montgomery county, endorsed, "will pass with the proposed amendments;" which amendments were read. Also a bill, entitled, An act to repeal an act, entitled, An act for the punishment of forgery, and for other purposes, endorsed, "will pass;" which was read the first time and ordered to lie on the table. And the bill to increase the salary of the chief justice of the court of oyer and terminer and general gaol delivery of Baltimore county, endorsed, "will not pass;" with the following message.

By the S E N A T E, December 15, 1808.

*Gentlemen of the House of Delegates,*

THE senate having negatived the bill received from your house, entitled, An act to increase the salary of the chief justice of the court of oyer and terminer and general gaol delivery of Baltimore county, have deemed it expedient to express some of the grounds on which their determination is founded. They conceive, that in the year 1799, when the act of assembly organizing the court of oyer and terminer and gaol delivery for Baltimore county passed, it was supported by the principles of equal justice and impartiality, that the salary of the chief justice should be defrayed by Baltimore county and city, seeing that by the act of assembly passed in 1796, and then continuing in force, every county of the state was burthened with the expenses of the administration of its own civil and criminal jurisprudence. But when, by the act of November session, 1805, the judicial establishments, constituted by the act of 1796, were abolished, and the judges appointed by the act of 1805, instead of being paid as heretofore by the counties in which they presided, are, by an act of the same session, fixing permanent salaries, to draw their compensations from the public treasury, the senate can discover no reason why the salary of the chief justice of Baltimore county criminal court should not be drawn from the treasury in like manner, particularly when they reflect, that the revenue arising from that court is equal to the same species of revenue arising from all the other counties of the state combined. They consider this court, in a peculiar degree, a state court, in as much as its exclusive jurisdiction is the punishment, not of violations of the laws of Baltimore county and city, but of offences against the peace, government and dignity, of the state of Maryland; of consequence; those who impose the punishment of such crimes should rest alone for their support on the bounty of the state. They apprehend that the continuation and indirect sanction of this imposition on Baltimore county and city would be a precedent for the most unequal, partial, and unjust taxation upon any county or district of Maryland. The senate are fully convinced of the propriety of increasing the salary of the chief justice of said criminal court upon impartial and liberal principles, and if the house of delegates will originate a bill fixing an adequate salary for said justice in lieu of all other salaries, and making the same payable out of the state treasury, it will meet the entire concurrence of the senate.

By order,

T. ROGERS, clk.

Which was read.

On motion, Leave given to bring in a bill, entitled, An act to extend the time for the president, managers and company, of the Falls turnpike road, to complete the said road. ORDERED, That Mr. Bland, Mr. Harryman, Mr. Randall, Mr. Streett, Mr. Bowles, Mr. O. Williams and Mr. Dorsey, be a committee to prepare and bring in the same.

Mr. Carroll, from the committee, delivers to the speaker a bill, entitled, An act authorising Benjamin Ray, late sheriff and collector of Montgomery county, to complete his collection; which was read the first and second time by especial order, passed, and sent to the senate by the clerk.