

considered in no other light than as a mere digest, or general survey, of British statute law; and when they took into consideration, that it was not enough that those statutes should be viewed as connected with each other, and as an integral part of one distinct and great code of laws, but that it was necessary to collate, sort and cull out, from this prodigious multitude of laws, such as were or had been determined to be applicable to our local or other circumstances, and to point to such as were foreign in their nature as well as origin, the committee were no less deeply impressed with the great difficulty of the work, than they have been highly gratified by the evident skill and accuracy with which it has been performed. When this house is given to understand, that in order to obtain the information necessary to execute the work now presented to the legislature, the chancellor has, with the most patient assiduity for several years past, carefully extended his researches through the judicial and land records, executive proceedings, journals of the legislature, and old chronicles of the colony and state of Maryland, back to its first settlement, it may form some opinion of the complicated extent, and in some measure be enabled to estimate the value of a work that has preserved and embodied a great portion of the most necessary and useful legal information which hitherto lay scattered in various directions, and was daily mouldering in the greatest obscurity.

The method and arrangement of the work appears to your committee to be intelligent, clear, and level to the comprehension of every citizen, however unskilled he may be in the law as a science. The British statutes have been classified in the following order: First, those which are certainly not in force in this state; upon this class it does not appear that many notes or remarks have been thought necessary. Second, such as are or were supposed to be of a doubtful nature; on those of this class notes are almost always subjoined to a reference to the title of each, in which the cause of doubt is clearly stated, leaving to the judiciary to decide one way or other, when called on, or to future legislatures to adopt or reject them as the public good may dictate. And third, such statutes as are known to be in force; on many of this class a question frequently arises as to the applicability of some sections or expressions, or whether it ought to obtain a construction here similar to that which it has had in the country where it was made; these questions, where they have arisen, are stated with perspicuity in notes upon each statute; and in all cases where either tradition or records were in existence, that in any manner proved, illustrated or settled, any position, difficulty or doubt, they appear to have been carefully and accurately related or referred to. The whole work is arranged in chronological order, which in itself tends to facilitate any research upon the subject of it that may be desired; but in addition, there are separate lists of the chapters, and general heads of those statutes which did extend, but are not proper to be incorporated, and of the chapters and titles of those which are considered proper to be incorporated, and full indexes are subjoined, by the last of which, particularly, a judgment may be formed from the subjects that are therein embraced, of the statutes reported as proper to be incorporated with our laws.

There is no mode by which the liberties of a people can be so well preserved, as by equality, perspicuity and simplicity, in the code of laws by which they are governed, nor is there any thing which mankind have more ardently wished for, or more generally concurred in deeming, assential to the happiness of society, than unsophisticated, clear, certain and known laws, operating alike upon every member of the community; and in republican forms of government, it is certainly of great importance that there should be a congenial plainness between the juridical and political institutions of the nation. These most desirable objects are brought, by the report of the chancellor, nearer to us, and placed completely within the reach of the future legislatures of the state. Your committee would therefore congratulate the state upon the attainment of so valuable an acquisition, and beg leave to submit the following resolution for the consideration of the legislature.

RESOLVED, That William Kilty, chancellor of this state, shall, as soon as may be, print and publish the work which he has presented to this general assembly, entitled, "A report of all such English statutes as existed at the time of the first emigration of the people of this state into the same, and which, by experience, have been found applicable to their local and other circumstances, and of such others as have been since made in England or Great-Britain, and have been introduced, used and practised, by the courts of law or equity, and also all such parts of the same as may be proper to be introduced and incorporated into the body of statute law of this state," the copy right whereof he may secure to himself, according to law; and that he shall furnish, for the use of the state, thirty copies thereof, in consideration whereof the treasurer of the western shore be and he is hereby authorised and required to pay unto the said William Kilty the sum of _____ dollars immediately, and also the further sum of _____ dollars on the delivery of the said thirty copies to the governor of this state, out of any unappropriated money in the treasury.

By order,

L. GASSAWAY, clk.

Which was read.

Mr. Bland delivers a petition from Luther Martin, of the city of Baltimore, praying that it may be lawful for him to receive a loan at 8 per cent. which was read and referred to Mr. Bland, Mr. Frazier and Mr. Martin.

The speaker laid before the house a letter from the register of wills of Anne-Arundel county, enclosing a list of fees properly chargeable; which was read and referred to the committee appointed to bring in a bill for the regulation of officers fees.

Mr. Bowles delivers the following report:

THE committee to whom was referred the memorial of Mountjoy Bayly, of the Territory of Columbia, report, that they have taken the same into consideration, and find the facts therein stated to be true; they are