

MARYLAND GAZETTE.

[LXVIIIth YEAR.]

WEDNESDAY, DECEMBER 5, 1810.

[No. 3334.]

MARYLAND GAZETTE.

ANAPOLIS, WEDNESDAY, DEC. 5, 1810.

Legislature of Maryland.

HOUSE OF DELEGATES.

TUESDAY, NOV. 27, 1810.

THE house met. Present the same members as on yesterday. The proceedings of yesterday were read.

The further supplement to the act for amendments, and reducing into system, the laws and regulations concerning last wills and testaments, &c. the bill to appoint Thomas Harris, junior, of the city of Annapolis, trustee for the sale of the real estate of John Gwinn, the bill to repeal the act for the more effectual preservation of the breed of wild deer in Dorchester county, the bill for the benefit of Alexander and John McKinzie, the bill annulling the marriage of Ezekiel Walker, the further additional supplement to the act to direct descents, the bill for the relief of Margaret Wedner, and the resolution in favour of William Bruce, were sent to the Senate.

Mr. Randall delivers a bill, entitled, A further supplement to an act, entitled, An act to incorporate companies to make several turnpike roads through Baltimore county, &c. for other purposes; which was read.

Mr. Randall delivers a petition from James Wilson, of Baltimore county, praying a special act of insolvency. Mr. Bland delivers a petition from sundry inhabitants of the city of Baltimore, praying for a law to unite Holliday-street, to change the name of Backstreet, and to extend Orange alley, and Mr. Randall delivers a petition on the same subject; which were read and referred.

Mr. Brooke delivers a bill, entitled, A supplement to an act, entitled, An act to authorise the drawing of a lottery in Fredericktown for the purpose of paving Market-street in said town; which was twice read, passed, and sent to the Senate.

Mr. Jump delivers a petition from Thomas Salisbury, of Caroline county, praying the erection of a road running through his lot may be changed, and Mr. Randall delivers a petition from sundry inhabitants of Baltimore county, praying that the criminals may be employed on the post-road from Baltimore to Philadelphia; which were read and referred.

On motion of Mr. Archer, the following message was agreed to, and sent to the Senate.

Gentlemen of the Senate,

We return you the bill, entitled, An act to make valid a deed from Robert Gilla Hampton to William Gilbert, and hope, upon reconsideration, you will pass the said bill. We transmit you herewith the said defective deed, by which it will appear that the purchase money has been paid by Gilbert to Hampton. We think that this is one of those cases in which the legislature might with safety, and ought in justice, to interfere. It is indeed true, that by an application to the chancellor, this defect in said deed might be remedied, but the great expense of a suit in chancery has hitherto deterred him from an application to that court, as he is a very poor man, and the property conveyed, as will appear by a reference to the deed, is so small in quantity, that a suit in chancery would exhaust more than the value of the land. We cannot discover any impropriety in the interference of the legislature in a case situated as this is. It has certainly been hitherto the practice of the legislature, in many instances, to make valid defective conveyances, where no objections were made by parties interested, and we can discover no reason why the general assembly should deviate from a practice, which, in cases circumstanced as the present is, cannot but prove salutary to the people of this State.

Mr. Physick delivers a bill, entitled, A supplement to an act to lay out and open a road in Cecil county, passed the third day of January, 1807; which was read.

Mr. Wilson delivers a memorial from Thomas Cooper, agent for the State of Delaware, praying that original warrants, &c. recorded in the western shore land-office, may be delivered to him, and Mr. P. Bayard delivers a petition from Levin Charles and wife, of Caroline county, praying they may be authorised to sell the real estate of Robert Hurd, a minor; which were read and referred.

Mr. Streett delivers a report from the commissioners appointed to view the ground, and lay out a road, near Elijah Bosley's; which was read and referred.

Mr. Mackubin delivers a bill, entitled, An act for the relief of Sarah Rimmer, of the city of Annapolis, and Mr. Comerys deli-

vers a bill, entitled, An act to tax bank stock, and other monied institutions, for the establishment and support of district schools in the several counties of this State, and in the cities of Baltimore and Annapolis; which were read.

The bill for the relief of George Jones, was read the second time, passed, and sent to the Senate.

On motion of Mr. Warfield, Leave given to bring in a bill to regulate and confine the duties of constables.

The bill to authorise the sheriffs and collectors of the several counties of this State to complete their collections, and the bill to authorise a lottery to raise a sum of money for the purpose therein mentioned, were read the second time and passed.

Mr. Bland delivers a petition from William Maxwell, of the city of Baltimore, praying a special act of insolvency; which was read and referred.

On motion of Mr. T. B. Hall, the following order was read and agreed to.

Whereas it is requested by Zebulon Hollingsworth, Esq. that commissioners be appointed to take the depositions of certain witnesses who are unable to attend at the bar of this house; therefore, Ordered, That John Gill, notary public of the city of Baltimore, Unit Angier, of Kent county, and John Moores, of Harford county, be and they are hereby appointed commissioners, with full power to examine and take the depositions, on oath or affirmation, of any witnesses who may be brought before them, or either of them, on the part of the said Zebulon Hollingsworth, Esq. or of this house; the depositions so taken to be by them, or some one of them, certified and transmitted to this house, on or before the tenth day of December.

The house, according to the order of the day, proceeded to the second reading of the bill to prevent fraud, which being read throughout, the question was put, Shall the said bill pass? Determined in the negative, yeas 14, nays 44.

The bill to confirm an act passed at Nov. session, 1809, to alter all such parts of the declaration of rights, constitution and form of government, as make it lawful to lay an equal and a general tax for the support of the Christian religion, was read the second time and passed.

Mr. Eccleston delivers a petition from Anthony Thompson, of Dorchester county, praying an appeal by him from Dorchester county court to the court of chancery may be reinstated; which was read and referred.

On motion of Mr. Bland, Ordered, That the bill to confirm to Lewis Grant Davidson, of the city of Baltimore, the surname of Davidson, be recommitted for amendment.

Mr. Bland delivers the said bill as amended, which was twice read and passed.

Mr. Mackubin delivers a favourable report on the memorial of Frederick Green; which was read.

The house adjourns till to-morrow morning.

WEDNESDAY, NOVEMBER 28, 1810.

THE house met. Present as on yesterday. The proceedings of yesterday were read.

The bill to authorise the sheriffs and collectors of the several counties of this State to complete their collections, the bill to confirm an act passed at November session, 1809, to alter all such parts of the declaration of rights, constitution and form of government, as make it lawful to lay an equal and a general tax for the support of the Christian religion, the bill to confirm to Lewis Grant Davidson the surname of Davidson, and the bill authorising a lottery to raise a sum of money for the purpose therein mentioned, were sent to the Senate.

The supplement to an act to lay out and open a certain road in Cecil county, passed the third day of January 1807, the supplement to an act to lay out and make public a road therein mentioned in Cecil county, passed the sixth day of January, 1809, and the bill to lay out and open a road to the Franklin paper mill on Gwinn's falls, were read the second time, passed, and sent to the Senate.

Mr. Streett delivers a petition from sundry inhabitants of Harford county, praying commissioners may be appointed to review a certain road; which was read and referred.

The clerk of the Senate delivers the bill relating to servants and slaves, endorsed, "will pass." Ordered to be engrossed. The bill to alter and change the place of holding the election in the third election district of Cecil county, endorsed, "will pass with the proposed amendment;" which amendment was agreed to, and the bill ordered to be engrossed. And the resolution in favour of Edward Wingate, endorsed "assented to."

The speaker laid before the house a return from the clerk of Prince-George's county, relative to the attendance of the judges; which was read and referred.

Mr. Bland delivers a petition from Eleanor Parker, of the city of Baltimore, praying a divorce; which was read and referred.

The bill for the relief of George Stone, was read the second time, passed, and sent to the Senate.

Mr. Randall delivers a petition from Samuel Sargeant, of Baltimore county, praying a divorce; which was read and referred.

Mr. Archer delivers a bill, entitled, An act for the relief of John Norris, of Harford county; which was read.

On motion of Mr. Bland, Leave given to bring in a bill to revive an act to lay out and establish a turnpike road from the city of Wallington to Baltimore-town.

The supplement to the act to authorise a lottery to raise a sum of money for repairing the protestant episcopal church in the city of Annapolis, the bill to preserve the breed of fish in Baltimore county, and the bill annulling the marriage of Abraham Parks, and Eleanor his wife, were severally read the second time, passed, and sent to the Senate.

Mr. Boyle delivers a bill, entitled, An act for the relief of John Murray, devisee of John Muir; which was read.

On motion of Mr. Physick, Ordered, That the bill vesting powers in the orphans courts of the several counties of this State, have a second reading on the third of December next.

On motion of Mr. Forwood the following message was sent to the Senate.

Gentlemen of the Senate,

We propose, with the concurrence of your house, to proceed this day at 12 o'clock, to an election of two directors on the part of this State for the Union Bank of Maryland. Mr. Elias Glenn, Mr. James Caldwell and Mr. George A. Hughes, are put in nomination by this house, and Mr. Forwood and Mr. Wharton are appointed, on the part of the house of delegates, to join such gentlemen as may be named by you, for the purpose of examining the ballots; and for regulating said election, we have adopted the following resolution:

Resolved, That the person or persons having a majority of ballots of all the attending members of both branches of the legislature, shall be the director or directors of said bank.

The clerk of the Senate delivers the bill to give validity to a deed from Robert Gilla Hampton to William Gilbert, endorsed, "on reconsideration will pass with the proposed amendment;" which amendment was agreed to, and the bill ordered to be engrossed. The bill to authorise Hannah A. Hayes, guardian of the heirs at law of Stephen Hayes, deceased, to convey certain lands therein mentioned, endorsed, "will pass." Ordered to be engrossed. The bill to reduce the per diem of the judges and clerks of election in Allegany county, endorsed, "will not pass." And a report from the trustees of Frederick county school; which was read.

Mr. Brooke delivers a petition from Jacob Eversole, of Frederick county, praying the treasurer may be directed to pay him a sum of money according to the decree of the chancellor; which was read & referred.

Mr. Streett delivers a petition from sundry inhabitants of Harford county, praying that such persons may be appointed commissioners of the tax as will fulfil the duties thereof; which was read.

Mr. Archer delivers a bill, entitled, A supplement to an act, entitled, An act to admit persons conscientiously scrupulous of taking an oath to serve as jurors; which was read.

The house, according to order, proceeded to the second reading of the bill for the valuation of real and personal property within this State, and after making some progress therein, on motion of Mr. Stevens, the same was postponed until to-morrow.

The clerk of the Senate delivers the supplement to the act to authorise the drawing of a lottery in Fredericktown for the purpose of paving Market-street in said town, and the bill to confirm an act passed at November session, 1809, to alter and abolish all such parts of the constitution and form of government as require a property qualification in persons to be appointed or holding offices of profit or trust in this State, and in persons elected members of the legislature or electors of the Senate, severally endorsed, "will pass." Ordered to be engrossed. And the following message:

Gentlemen of the House of Delegates,

We have received your message of this day, proposing to proceed to the election of two directors of the Union Bank of Maryland,

and do concur therewith. No other persons are put in nomination by this house in addition to those mentioned in your message. Mr. Lloyd Dorley and Mr. Lowrey are appointed by this house, to join the gentlemen named by you to count the ballots and report thereon.

The house proceeded to ballot for two directors in the Union Bank of Maryland, and upon examining the ballots it appeared, that James Caldwell and Elias Glenn were elected; they were accordingly declared to be directors on the part of this State for the ensuing year in the Union Bank of Maryland.

The clerk of the Senate delivers the bill to confirm to Lewis Grant Davidson, of the city of Baltimore, the surname of Davidson, endorsed, "will pass." Ordered to be engrossed.

The house adjourns till to-morrow morning.

THURSDAY, NOV. 29, 1810.

THE house met. Present as on yesterday. The proceedings of yesterday were read.

The report on the petition of Gassaway Watkins was read the second time, and the question put, That the house concur with the said report, and assent to the resolution therein contained? Resolved in the affirmative, yeas 43, nays 8, and sent to the Senate.

Mr. Brooke delivers a petition from sundry inhabitants of Frederick county, praying for a bridge over Pipe creek in said county, and Mr. M. Phinton delivers a petition from Robert Couden Stone, praying a special act of insolvency; which were read and referred.

Mr. Bland delivers an unfavourable report on the petition of Margaret Spiecer; which was twice read and concurred with.

Mr. Bland delivers an unfavourable report on the petition of Margaret Price; which was read.

Mr. Brooke delivers a favourable report on the petition of Jacob Eversole; which was twice read, the resolution therein assented to, and sent to the Senate.

On motion of Mr. Jackson, Leave given to bring in a bill declaring the effect of decisions in cases of petitions for freedom.

Mr. Moses Brown, a delegate for Baltimore county, appeared, qualified, and took his seat.

The house, according to order, proceeded to the second reading of the bill to establish a bank, and incorporate a company, under the name of the Elkton Bank of Maryland, and after an amendment being proposed and negatived, the question was put, Shall the said bill pass? Resolved in the affirmative, yeas 55, nays 10, and sent to the Senate.

The clerk of the Senate delivers the bill to lay out and open a road from the Franklin paper mill on Gwinn's Falls to the new Liberty road, the further additional supplement to the act to direct descents, and the bill for the relief of Margaret Wedner, severally endorsed, "will pass." Ordered to be engrossed. The resolution in favour of Mountjoy Bayly, endorsed, "dissented from." And the following message:

Gentlemen of the House of Delegates,

We have dissented from the resolution in favour of Mountjoy Bayly, under an impression that the language of the resolution is not sufficiently explicit for the direction of the treasurer in adjusting the account to be submitted to him. If the house of delegates will originate a resolution, directing the payment by the treasurer, of five years full pay as a captain in our late revolutionary war, without any interest thereon, in full of all claims he may have for his commutation pay, it will meet with the concurrence of the Senate. Which was read.

Also the bill to repeal the act for the more effectual preservation of the breed of wild deer in Dorchester county, the bill to appoint Thomas Harris, junior, trustee for the sale of the real estate of John Gwinn, deceased, the bill to confirm an act passed at November session, 1809, to alter all such parts of the declaration of rights, constitution and form of government, as make it lawful to lay an equal and a general tax for the support of the Christian religion, the bill to give validity & operation to a deed of conveyance therein mentioned, the supplement to the act to authorise a lottery to raise a sum of money for repairing the protestant episcopal church in the city of Annapolis, and the bill authorising a lottery to raise a sum of money for the purpose therein mentioned, severally endorsed, "will pass." Ordered to be engrossed.

Mr. Brooke delivers a bill, entitled, An act for the relief of Jacob Keiser; which was read.

The speaker laid before the house a report from the clerk of Queen-Anne's county court,