HARNESS,

To go with one or two horses—low for cash. Orders from the country will be faithful and promptly at. tended to. Feb. 8.

In pursuance of a commission, which has heretofore issued from Worrester county court, authorising, and requiring the subscribers to divide the real settle estate, lying and being situate in Worbern term, Walston, late of sakl younty, dad seized without having disposed therenson's entitled to the same by the laws of entitled to the same by the laws of this State, the subscribers will meet on the said real estate on Monday the 14th day of March next, for the purpose of performing the duties enjoined on them by the said commission.

David floward

Joseph Leonard James Fooks, sen. Thomas Gordy, & Saml. Gordy. Commiss'rs. Worcester county, Jan. 8, 1827.

Sale of Land for Cash. To be sold for CASH, at Public Sale, on Saturday the third day of

TWO TRACTS OF LAND lying on Severn River, five miles from the city of Annapolis; and contiguous to each other. The one called Fradsurn and the other Angles three hundred and twenty acres or thereabout. John Camden, who lives on the land, will shew it to any person inclined to purchase. The sale to be at Mr. Hunter's Hotel. Mr. Richard J. Crabb will attend the sale. and is authorised to receive the cash and will receive in payment good ne-gotiable Notes, with two indorsers, payable and discountable at the Farmers Bank of in ryland. The sale to commence at coven o'clock. Jan 18 Jeremiah T Chase-

December Term,

Anne Arundel County, Orphans Court, January 8th, 1827. Ordered, That Thomas J. Hall al-ministrator of Jesse Leitch, late of Anne Arundel county, deceased, gire notice, by advertisements to be inserted in the Maryland Gazette and Baltimore Gazette, once in each distributions. six successive weeks, to the legal tr-presentatives of the said Jesse Leith that distribution of the estate will be made under the court's direction a

In testimony that the foregoing is a true copy taken from the proceedings of the orphans court, I hereto set ny hand and affix the seal of my office, this 8th day of January, eighteen hundred & twenty.

ho. H. Hall, Reg. Wills A. A. County. DECISIONS

OF THE Court of Appeals of Maryland. PUBLISHED

By Subscription.

ekoleload arr OF THE COURT OF APPEALS OF MARYLAND,

ough and Esquire, Clerk of the Court of Appeals, and Reverdy Johnson, Esquire, Attorney at Law. Esquire, Attorney at Law.

These Decisions will form a con-nuation of the first volume of Reports already published by Messrs. Harri and Johnson, which closes with the year 1805. It is proposed to publish the Decisions in a Series of Numbers, year 1805. It is proposed to wholen the Decisions in a Series of Number, each to contain not less than one for dred and twenty five pages, and for numbers to constitute a volume. The last number of each volume will contain a full and complete Index. This mode of publication, it is conceived, possesses advantages which give it a decided preference to that of publishing the Reports in bulky volumes. It ensures the earlier publication of the Reports, and as not more than for numbers will be published in a year, the expense will not be so sensibly felt.

The price of each number of the Reports will be \$1 25 yable on the livery.

work are received at 'GEO' SHAW'
Store, the Maryland Garage Office
and the isand the respective Offices of the Control ty Clerks of this State.

Ataryland Gazette

ANNAPOLIS, THURSDAY, FEBRUART 22, 1827.

PRINTED AND PUBLISHED

TVOL. LXXXII.

JONAS GREEN, CHURCH-STREET, ANNAPOLIS.

rice - Three Dollars per agnum.

CONGRESS.

ouse of Representatives, Tuesday February 13th, 1827. THE VICE PRESIDENT.

Mr. Wright from the Select comnittee appointed on the subject of he Vice President, made the folwing report, which was ordered be laid on the table, and ordered be printed.

REPORT OF THE COMMITTEE. he select committee to whom was referred the communication of the Vice President of the 29th December last, respectfully re-That immediately after they as-

mbled, they informed the Vice esident of their being organized, nd of their readiness to receive ny communication which he might efit to make. On the receipt of is reply, dated the third of Januay, and which accompanies this ret, Mr. M. Duffie, as the friend and representative of the Vice Preident, was admitted before. the ommittee, and attended throughout he examination which followed. The first object of inquiry, in roceeding to business, was to asertain, whether any charges a ainst the Vice President had been laced among the public records f the War department. And after n examination on this point, the mmittee became satisfied that no uch charges were, or had been, anong the records or papers of that om Elijah Mix, addressed to Maor Saterice Clark, under the name the Alexandria Phenix Gazette. f the 28th December, which pubarticularly referred to, in his note of the committee, they felt bound to

xamine fully and freely into the

ruth or falsity of the matters ontained in that letter. From the nature of the duties imosed upon a Committee of Inquiy, especially when connected with e distinct wish, as expressed by be Vice President in the present astance, for the freest investigaon, has been impossible for the ommittee to give to their proceedings the connexion and conciseness acident to trials, when the testimoy is ascertained and arranged bere it is presented. They have, owever, diligently applied them-lives to the subject referred to hem, and after a long and laborios examination, they are unani-lously of opinion, that there are o facts which will authorise the elief or even suspicion, that the ice President was ever interested, r that he participated directly or directly, in the profits of any conact formed with the Government rough the department of war, bile he was entrusted with the disharge of its duties, or at any other

the alightest degree, deserving censure. The accusation con-ined in the letter was regarded by mana-base calutany upon the ice President, penned by a man holly unworthy of notice; and the

made public, he requested Col. R. M. Johnson, of the se-nate, to call upon the Vice President as a mutual friend, and inform him of the manner in which the letter had come to his (Mr. Barbour's) hands, and that the same had been subsequently transmitted through the post office in an envelope to Major Clark to whom it belonged. This information was given by Col. Johnson to the Vice President, in the morning of the 29th December, just before he transmit-

ted his communication to the house.

The letter to "Hancock," as published, and to which the Vice President had referred, contained among other things, Vamleventer's, which most positively mention that he (meaning Mr. Calhoun.) was engaged, and received some portion of the contract." As such letters, if they existed, might As such letters, if they existed, might lead to further evidence, and be important to aid the committee in their inquiries, they thought proper, in the early and Vandeventer, with a clause therein contained, com-manding them to produce any papers in their possession letter to Hancock. In obedience to this summons, the wit nesses appeared, and Mix having been first called upon to testify, produced, during his examination, the letters from Major Vandeventer, dated August 7th, 1818, September 10th, 1818, July 8th, 1820, March 24th, 1321, and the let

On his second examination, he produced the letters from Major Vandeventer, dated August 3d. 1818. September ed that, in one of the letters of Major Vandeventer, to wit, the one dated the 7th of August, 1818, and to which they the contract, whose name was to have been kept secret they felt it to be their duty to discover, if they could, who ry so far as to leave no room for suspicion that the Vice President was the person alluded to. This branch of the subject has been the principal cause of their consuming so much time in the investigation; they found that they were here led into a wider field than could have been at first anview of the whole ground, to go thoroughly into the origin and history of what is commonly called the Mix contract. The letters of Major Vandeventer, above referred to, appear to relate principally to the private and confidential transactions between him and E. Mix, in regard to the con-Vice President was over made acquainted with their con

The letter from Col. Armistcal, written while he was at the head of the Engineer Department, although it wears the appearance of an official paper and was improperly in tended, as the Committee believe, to bring the weight of official influence to bear upon the private transactions be-tween Vandeventer and Mix, was not written with the sanction or knowledge of the Vice President, and no copy of it was ever entered in the letter book of the Department.

The Committee will here remark, that they place no re liance whatever on the testimony of Elijah Mix. From the self contradictions, apparent on the face of his testimony, and which it is unnecessary here to recapitulate, aside from the infamy attached to his character, the committee were satisfied that he ought not to be believed on his oath. The letters, however, just referred to, and produced by him during his examination, do not rest for their authenticity on his testimony. Those from Major Vandeventer, excepting such parts as had been defaced or obliterated, were acknowledged by Major Vandeventer himself to be genuine; and he was requested in every instance, to state, with the letters before him, what names or words had occupied the obliterated places, when the letters were written.

The letter from Col. Armistead was also acknowledged by that officer to be genuine. But the three papers purparting to be copies or the substance of a letter from Maor Vendeventer to Mr. Calhoun, rest for their authenticity on the unsupported testimony of E. Mix, and are regarded by the committee as having been fabricated by him. They are also of opinion that the words or names defaced from the letters of Major Vandeventer were so defaced by E. Mix: and the committee have been unable to ascertain with certainty, either from Vandeventer, the admitted author of

names were, which have been thus obliterated.

The offer for the contract appears to have been They are also of opinion, that is conduct of Mr. Barbour, the conduct of Mr. Barbour, the at Old Point Comfort, "from one to one hundred and fifty thousand perches of stone, at 83 per perch." The contract appears to have been made by E. Mix. on the 23d of July, 1818, and proposes to delivered to the center of Mix, is not the stiff of the War Department, bears date the orth of July, 1818. It stignings for the delivered the 25th of July, 1818. It stipulates for the delivery of one hundred and fifty thousand perches of stone, at three dellars per perch is drawn up in the hand writing of Ma-jor Vandeventer, and by him alone witnessed, and is signed by Gen. Joseph G, Swift, then chief engineer, and by E. by Gen. Joseph G. Switt then caret engineer, and by Mix. Although Mix here appears to have been the only contractor, jet, from the evidence, there is reason to believe that at the time the contract was made, or soon after, and before the execution of any valid bould for the per-

holly unworthy of notice; and the ommittee have no reason to believe that the supposed truth of that acculation was at any time the basis of ny act of the War Defartment. The notice of the letter appears to have been the only in the month of December list, lewes Goldsborough and Elijah lix were competitors for a contact, with the War Department; oldsborough, soon, after his arrival in Washington, obtained from Liby S. Clark & Soy of the letter, with a view to do the same and form agreement between him and Mix, and so remained the little of Wandeventer to his fourth, at the time above referred to, appears to have rested on a verbal and confidence with a view to do the same and form little of Wandeventer to his fourth, at the time above referred to, appears to have rested on a verbal and confidential agreement between him and Mix, and so remained the little of Wandeventer to his fourth, at the time above referred to, appears to have rested on a verbal and confidential agreement between him and Mix, and so remained the little of wandeventer to his fourth, at the time above referred to, appears to have rested on a verbal and confidential agreement between him and Mix, and so remained the little of wandeventer. Howes Goldsborough & Co., subsequently became the owners of one fourth, by purchase from Samuel Cooper, who had previously purchase from Major Vandeventer; and they (Goldsborough & Co.) were recognised at, the War Dapartment, by the consent of E. Mix, expressed in a letter sent by him to the section of the Phenix Ga-

ing in that paper, accompanied by his editorial remarks. In this publication Mr. Barbour had no agency, either direct or indirect. When he heard that the letter had been Goorge Cooper, for the delivery of one hundred thousand perches of stone, being fifty thousand less than Mix was entitled to deliver. This bond is signed by E. Mix and George Cooper, as contractors; and by Samuel Cooper and James Oakley, as sureties; the sureties were regularly approved by R. Riker, Recorder of the City of New York, as appears by his certificate following immediately after the signatures, and dated the same as the bond. It will be per ceived at once, that there is an obvious and fatal variance between this bond and the contract. In an official letter written from the Engineer Department, on the 11th day of August, 1818, to Lieutenant George Blaney, and copied into the letter-book of that Department, the contract is described as for one hundred thousand perches of stone. The Agent that a contract has been made with Captain E. Mix. to deliver, as soon as practicable, at the Rip Raps, one hundred thousand perch of stone."

In a subsequent letter, written to James Maurice, also copied into the same letter-book, and dated the 21st day of of August, 1818, the contract is described as being for two hundred thousand perches. The language of this letter is as follows: "Mr. E. Mix will soon commence to deliver stone at the Rip Raps, under contract with this Department, for two hundred thousand perch."

Some time after the delivery at the Engineer Department of the first bond, but at what precise time does not ap pear. a new bond was given for the delivery of one hundred and fifty thousand perches, describing the contract as made by E. Mix. This second bond is signed by E. Mix as contractor, and Samuel Cooper and James Oakley, as scretics-and it is ante-dated to 5th of August. 1818-but 'no certificate; in regard to the sufficiency of the sureties, was attached to this instrument. The Committee have been unable to ascertain when this second bond was received at the Engineer Department; though the impression of Gen. Swift is, that it was received before he left the office, which was on the 11th of November, 1818. Major Vandeventer also expresses his belief, that it was delivered during the fall of 1818. How far his testimony conflicts, if at all, with his letter to Mix, dated 17th of October, 1820, in which he urges upon the latter to attend to "the bond," the committee will not undertake to determine.

The attention of Gen. Swift was particularly directed before the committee, to the discrepancies in the bonds, and also to the two letters from the Engineer Department, in which the contract is alluded to. The explanation which he gives will be found in his testimony, to which the Com-

During an investigation relative to this contract, by a committee of the House of Representatives, in 1822, a copy of the bond was requested by that committee. In answer to which the Engineer department furnished a copy of the second bond, which had been substituted for the one first given-but, as there was no certificate of the recorder of New York, approving the sureties on the second bond. s copy of the certificate annexed to the cancelled bond, was made, and attached to the copy of the bond furnished Capt, Smith of the Engineer Department, who attested these copies, has explained the cause of his certifying to this inaccuracy, and to his testimony, in that particular, the committee here refer.

The question still remains, who was the secret partner? But the committee being entirely satisfied that the secret partner was not the Vice President, which was the main question to be decided, will leave the conflicting testimony on the other point with the House, without attempting to decide upon its relative weight.

On the 27th January, 1827, the committee closed the examination of witnesses on their part, except as to one or two, who had been summoned, but had not attended. On that day, the friend and representative of the Vice President was advised that the committee had so closed their examination; and he was also informed by a member of the committee, in its presence, that the committee were unanimously of opinion that the Vice President was innocent of the charge of having participated in any manner in any contract made with the war department, while he was secretary of War. The same day, at the instance of Mr. M.Duffie, subpense were issued for witnesses to appear and testify on behalf of the Vice President. On the 29th of January, the committee received from the friend and representative of the Vice President, a paper protesting athe letters, or from any other source, what the words or gainst the previous proceedings of the committee. Considering this paper as prepared and presented under the committee have deemed it their duty to transmit it to the House, but they torbear all comment on its contents.

The committee submit herewith all the testimony they have received during the examination.

Titles of Laws

Passed at the present Session of the Legislature.

No. 1. An act to alter and change the name of James Tolly Howard, of Harford county, to that of James Walter Tolly.

2. An act to alter the time for the transaction of equity bu siness in the county courts of the First Judicial District. 5. An act to change the name of John Cullember, and Ann his wife, and Mary Ann his daughter, of Calvert county, to the

name of John Williams, Ann Williams, and Mary Ann Wil-

liams.

4. An act to alter and change the name of James Mills, a minor, of Dorchester county, to that of James Applegarth.

5. An act to extend to Thomas St. Clair, of Harford county, the benefit of an act passed February the eleventh, eighteen hundred and twenty-two, chapter one hundred and fifty-two, relating to public roads in the several counties therein mentioned.

6. An act for the relief of Mary Hall, of Worcester county.

7. An act for the relief of gertain minors therein mentioned.

8. An act to the relief of act and act and water public.

7. An act for the relief of certain minors therein mentioned.
8. An act to close up part of an old road, and make public, in lieu thereof, the new road therein mentioned.
9. An act relative to public roads in Prince George's county.
10. An act to repeal an act, cutified, An act to exempt the servants of overseers of the county roads in Derthester county, those vioing duty on said roads, passed at December session one thousand eight handred and sweaty-three, and for other purposes.

11. An act for the relief of Wilson Carey Selden, senjor, and Wilson Carey Selden, junior, citizens of Virginia.

12. An act to repeal an act of assembly, entitled. An act requiring the judges of the fourth judicial district of this state to set

apart certain days for the transaction of chancery business in mid.

13. An act to divorce Catharine Will, and her husband George

Will, of Frederick county.

14. A supplement to an act, entitled, An act for the revaluation of the real and personal property in Allegany county, passed at December session 1824.

*13. An act to repeal an act relating to the public roads in Talbet county, passed at December session 1825. 16. An act to confirm the proceedings of the levy court of Somerset county.

17. A supplement to the act, entitled, Anact to authorise the governor and council of Maryland to appoint the inspectors of floor for this state.

18. A Supplement to an act, entitled, An act authorising the commissioners to lay out a road in Montgomery and Anne-Arun-

19. A Supplement to an act, entitled, An act to incorporate the trustees of the Male Free School of Baltimore.

20. An act for the revaluation of the real and personal pro-

perty in Cecil county.
21. An act for the relief of Negro Esther, and others her descendants. 22. An act to authorise the levy court of Washington county

22. An act to authorise the levy court of Washington county to levy a sum of money, to be applied towards the erection of a bridge over the Conococheague creek, on the road leading from Hager's Town to Mercersburgh.

23. An act extending the time for Fielder Cross, the collector of Prince-George's county, to complete his collections.

24. An act to authorise the levy court of Frederick county to levy a sum of money for the purpose therein mentioned.

25. An act to make valid a deed from John Miles to John

25. An act to make valid a deed from John Miles to John Coulburn, late of Somerset county, deceased.
26. An additional supplement to the act for the relief of the poor in Dorchester and Somerset counties.
27. An act for the revaluation of the real and personal pro-

28. An act respecting the town of Clear Spring in Washing-

29. An act to enlarge the powers of the trustees of the poor

in Montgomery county, and for other purposes.

30. An act to alter and amend so much of an act, entitled,
An act to lay out and open a road from Westminster, in Frederick county, to the city of Washington and George-Town, as relates to the opening of said road through Montgomery county. S1. An act to repeal all such parts of the constitution and form of government as relates to the division of Frederick coun-

ty into eleven election districts. 32. A supplement to an act, entitled, An act for incorporating a society to educate and maintain poor orphan, and other destitute female children, by the name of The Orphaline Charity School, and to repeal the act of assembly therein mentioned.

33. An act to confirm certain proceedings of David Crawford, Alexander Mundell, John R. Magruder, junior, and John Hodges, commissioners appointed by an act of the last session of assem-bly to appropriate and expend certain monies raised by Lottery. 54. An act to provide for the repairing a certain bridge there-

35. A supplement to the act, entitled, An act to provide for a new assessment, and to appoint collectors of the county tax, in and for the city and county of Baltimore.

36. An act to authorise and empower the justices of the levy court of Harford county, to convey a portion of public ground for the purposes therein mentioned. S7. An act to extend the time for James Dirickson, late col-

lector of Worcester county, to complete his collection.

38. An act to authorise and empower James J. Bourne, of Calvert county, to perfect a contract entered into by himself and Susan his wife, with Nathaniel Dare, of the said county, and for other purposes.

39. An act to prevent boats and other vessels from taking sand from that part of the Eastern Branch of the Potomac lying and being in Prince George's county.

40. An act to incorporate the Methodist Preacher's Aid So-

ciety of Baltimore.
41. An act to alter and change the location of part of Hall's Cross Roads and Belle Air election districts, in Harford county.

An act to ascertain and settle the salaries of the members of the council for the present year. 43. An act authorising the register of wills for Anne-Arun-ilel county to perfect the record of Joseph Chew's will.

44. An act for the relief of Elizabeth M. Brown, of Harford 45. A supplement to the act to provide for the preservation of the records belonging to the office of the clerk of Somerset

46. An act for the relief of Elizabeth Saturfield, of Caroline

county.

47. An act to alter and change the name of Alexander Ewing, a minor, of Talbot county, to Alexander Ewing Dudley.

48. A supplement to an act, entitled, An act to alter and the charter of the city of Annandis. amend the charter of the city of Annapolis.

29. An act to incorporate a Mutual Beneficial Society in the city of Baltimore, by the name of Saint Patrick's Society.

50. An act for the relief of Michael De Young, of the city of

Baltimore.
51. An act for the relief of Margaret Johns Key.
52. An act to alter the times of holding the County Courts in
Worcester and Somerset counties.
53. An act establishing a library for the use of the Ingislature.
54. An act for the benefit of Mary Davis, of Washington

county.
55. An act to repeal part of an act of assembly therein men-

56. An act for the relief of Henrietta Maria Goldsborough, of

Baltimore county,
57. An act relating to the register of the Land Office for the Western and Eastern shores.
58. An act to divorce Elizabeth Blakely, and her husband, John Blakely, of Baltimore county.

59. An act to incorporate a company in the city of Baltimore, to be called The Independent Fire Company.

60. An act for the benefit of Elizabeth Smith, of Washington

county.

61. An act to continue in force the acts of assembly which would expire with the present session.

62. An act to divorce Ann Culverwell, and her husband Wil-

liam Culverwell, of the city of Baltimore.
63. An act for the relief of Lucretia M. Watkins, of Anna

Arondel county.

64. A supplement to an act passed at December session eighteen hundred and twenty-three, entitled, An act to repeal an act passed at November session eighteen hundred and twelve.

65. An act for building a new prison in Calvert county, and

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