

The Maryland Gazette.

Annapolis, Thursday, April 2, 1829.

No. 14.

Legislature of Maryland.

House of Delegates.

THURSDAY, March 12th, 1829.

The house met. Were present the same members as on yesterday.

The clerk of the senate returned the bill of this house, of the following title, viz:

A supplement to the act, entitled, An act to appoint state wharfingers in the city of Baltimore, and to authorize the collection of wharfage in certain cases, in said city.

And, an act relating to certain undistributed stock reserved for the state in the Commercial and Farmer's Bank of Baltimore, severally endorsed, "will pass."

Also, an act for the relief of sundry poor persons in the several counties therein mentioned; endorsed, "will pass, with the proposed amendments." Which amendments were read the first, and by a special order, the second time, and severally assented to.

Ordered, That the said bills, respectively, be engrossed.

And, an act regulating the charges of the register in chancery, the clerks of the county courts, and the clerks of the court of appeals, for recording judgments and decrees; endorsed, "will not pass."

And delivered bills, originated in, and passed by the senate, of the following titles, viz:

A further additional supplement to an act to regulate the inspection of tobacco.

A supplement to the act to incorporate companies to make certain turnpike roads through the counties of Montgomery, Frederick and Washington, and for other purposes.

And, an act relating to the sheriff of Baltimore county.

Which said bills were read by their respective titles, and severally referred as follows, viz:

The first to a select committee, consisting of Messrs. Semmes, Gough, Rogers, Hood, Billingsley, Gantt and Gaither.

The second to the committee on internal improvement.

And the third to a select committee, consisting of Messrs. Stuart of Baltimore city, Price and Turner of Baltimore county.

On motion by Mr. El, the house proceeded to consider the report made on the 24th ultimo, from the select committee to which had been referred the petition of William Scharf, of Baltimore county, praying relief from a certain judgment obtained by the state of Maryland against said Scharf, and others, as securities of Robert H. Scharf, who was the collector of the state tax within the 6th, 7th and 8th wards of the city of Baltimore, for the year 1825.

The said report was read the second time.

And, after considerable discussion, the question was put, Will the house concur in said report, and assent to the resolution therein contained.

It was determined in the negative.

Mr. McMahon of Baltimore city, by a special leave of the house, obtained for the purpose, then offered the following resolution:

Resolved by the general assembly of Maryland, That all further proceedings upon a certain judgment obtained by the state of Maryland against William Scharf, William P. Mills, and others, be suspended against said William Scharf and William P. Mills, until in the opinion of the attorney-general, all the proper and necessary steps have been taken upon said judgment to enforce payment from Charles S. Davis, one of the defendants in said judgment, of his proportion of the judgment, as one of the co-sureties, with the said William P. Mills and William Scharf, of a certain Robert H. Scharf, and until such steps have proved ineffectual for the recovery of his said proportion from the said Charles S. Davis; Provided always, That the attorney-general shall be satisfied that at least two-thirds of the amount of said judgment, and all the costs which have accrued thereon, shall have been paid by the said William Scharf.

Which was read the first, and by a special order the second time, assented to, and sent to the senate for concurrence.

On motion by Mr. Semmes, the house proceeded to consider the bill from the senate, entitled, An act to incorporate the Baltimore and Potomac Steam Packet Company; which was read the second time, passed without amendment, and returned to the senate.

Mr. Lee, chairman of the committee therein mentioned, delivered the following report:

The committee on internal improvement, to whom was referred the bill from the senate, entitled, A supplement to the act to incorporate companies to make certain turnpike roads through the counties of Montgomery, Frederick and Washington, and for other purposes, have had the same under consideration, and are of opinion that the said bill should not pass.

The said report was twice read by a special order, and concurred in by the house.

On motion by Mr. Lee, the bill mentioned in said report, was then read the first, and by a special order, the second time.

When, The question was put, Shall the said bill pass?

It was determined in the negative; and the bill was returned to the senate.

Mr. Semmes, chairman of the select committee to which was referred the bill from the senate, entitled, "A further additional supplement to an act to regulate the inspection of tobacco," reported the same without amendment.

The said bill was then read the first, and by a special order the second time, passed without amendment, and returned to the senate.

The clerk of the senate returned the bills and resolutions, of this house, of the following titles:

An act to provide for the public instruction of youth in primary schools, in Anne Arundel county; endorsed "will pass with the proposed amendment."

Also, an act to incorporate The Maryland Mining Company.

And an act to incorporate The Maryland Iron Company; severally endorsed "will pass with the proposed amendments."

The amendments proposed by the senate to the first mentioned bill, and the amendments in each of the two last mentioned bills, being read the first, and by special order the second time, were severally assented to.

Also, a resolution in honor of Andrew Schuch, of the city of Baltimore, in consideration of his services during the revolutionary war, and as having given to the people of

A resolution to provide for the payment of the expense incurred for the sawing of wood for the use of both branches of the legislature.

A resolution to compensate Gottlieb J. Grammer, sergeant at arms of the house of delegates, for serving subpoenas on certain witnesses, therein mentioned.

A resolution in favor of Felling Lucas, junior, for books furnished the state in 1828.

And a resolution in favor of the legal representatives of George Ireland, a revolutionary officer of the Maryland line, authorizing a grant of two hundred acres of vacant land, westward of Fort Cumberland, in Allegany county; severally endorsed, "assented to."

Ordered, That the said bills and resolutions, respectively, be engrossed.

The house accordingly adjourned until this evening six o'clock.

THURSDAY EVENING, SIX O'CLOCK,

March 12th, 1829.

The house met pursuant to the adjournment. Were present the same members as in the morning.

Mr. Done asked and obtained leave to introduce a bill, to be entitled, An act to provide for a new assessment and valuation of property in Somerset county.

And on his motion, it was Ordered, That a select committee of three members be appointed by the speaker to prepare and report said bill. Messrs. Done, Gibbons, and Donoho, were appointed the said committee pursuant to the order.

Mr. Done from that committee, accordingly reported said bill; which was read the first time, and ordered to lie on the table.

On motion by Mr. Done, the following message, offered by him, was twice read, agreed to, and with the bill to which it relates, sent to the senate, viz:

By the House of Delegates, March 12, 1829.

Gentlemen of the Senate,

We return you the bill to confirm the title to property purchased at sheriff's sales, &c. in the hope that you will reconsider and pass the same.

Until the law of 1816, chapter 159, it was required that notices of the sales made under execution, of lands and slaves, should be published in one newspaper, if there should be any printed in the county. By that law it is made imperative on the selling officer to advertise in some newspaper; if any in the county. The compilers of the laws of the state have referred to this law in a note to that of 1813, chapter 102, and have given the singular instead of the plural number; and Lalor's Justice, to which officers in the counties generally refer, makes use of the same term in the singular. Although we are aware of its being generally conceded that it is necessary in contesting the sale of any property under execution that objections be made on the return of the writ. The part of the bill which confirms sales already made, is desirable to quiet apprehensions already felt by many who had not been apprised of the terms of the law. The principal motive of the bill however, is to prevent any unnecessary accumulation of costs in future to the defendant, in requiring notices of sales to be inserted in more than one newspaper, and to guard against future litigation, even if objections be made at the return of the writ.

On motion by Mr. Stuart of Baltimore city, the bill from the senate, entitled, An act to incorporate The Commercial Exchange Company of Baltimore, was taken up for consideration, read the second time, passed, and returned to the senate.

The clerk of the senate also returned the bills of this house, of the following titles:

An act to divorce Sarah Sandman, and her husband Jacob Sandman, of Washington county.

A supplement to an act, entitled, An act for the relief of the poor of Queen-Anne's county.

And, an act to provide for the execution of certain trusts; severally endorsed "will pass."

Ordered, That the said bills, respectively, be engrossed.

Also an act authorizing the court of appeals for the western shore to reinstate certain cases therein mentioned.

And, an act authorizing the purchase of stationary for the use of the legislature, and for other purposes, therein mentioned; severally endorsed will not pass.

And delivered the following message; which was read, viz:

A deputation from the senate being announced, Messrs. Forrest and Heath, members of that body, appeared within the bar of the house, who stated that they were authorized by the senate to inform the Speaker, and the other members of this house, that in accordance with the joint invitation of both houses, which had been communicated to him, his excellency the governor, was then attending in the senate chamber, for the purpose of signing and sealing such of the engrossed bills of both branches of the legislature, as were prepared for that procedure; and that they were further authorized to request the attendance, in the senate chamber, of the Speaker, with that of the honorable body over which he presided; there to witness the ceremony of signing and sealing said bills, as required by the provisions of the constitution and form of government of this state.

And they withdrew.

Whereupon the Speaker left the chair, and (accompanied by the other members of this house, and the clerk thereof,) proceeded to the senate chamber, where he presented the engrossed bills of both houses, from numbers eighty-three to number one hundred and sixty-two, both inclusive, to his excellency the governor, who thereupon signed, and affixed the great seal of the state to each of the said bills, respectively, in the presence of the members of both houses, in conformity with the provisions of the constitution and form of government of this state; the titles whereof are as follows:

1. An act for the opening a street in Boonborough in Washington county, to be called Patrick street.

2. An act to authorize the justices of the levy court of Washington county to let a sum of money for the provision of a bridge over the Potomac river, to be called the Boonborough bridge.

3. An act to amend an act, entitled, An act to regulate the sale of land, in the county of Frederick.

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missed for the regulation and improvement of Chesapeake in Kent county, and for other purposes.

87. A supplement to the act, entitled, An act to authorize the governor and council of Maryland to appoint the inspectors of flour of this state, passed at December session eighteen hundred and twenty-five, chapter one, hundred and seventy-four.

88. An act supplementary to an act for the opening of Pratt street, passed at December session eighteen hundred and seventy-four, chapter 71.

89. An act to authorize the laying out and opening a road through a part of Frederick, Anne Arundel and Montgomery counties.

90. An act to incorporate the Maryland Society for promoting the culture of the Vine.

91. An act to alter the time for the transaction of equity business in the first judicial district of this state and for other purposes.

92. An act to authorize the orphans court of Saint Mary's county to have perfected and recorded certain papers and instruments of writing left incomplete and unrecorded by the late register of wills for the said county.

93. An act to provide for the building of a bridge over the Patuxent river at the place called Mulliken's Ford.

94. An act for the relief of Victor D. Montali of the city of Baltimore.

95. An act relating to the owners and occupants of the shad, herring and ale-wife fisheries in any of the waters of this state.

96. An act relating to the alms or work house of Dorchester county.

97. An act to authorize William Thomas of Prince-George's county, to hold real estate.

98. An act to repeal an act, entitled, A supplement to an act, entitled, An act to prevent the unlawful exportation of negroes and mulattoes, and to alter and amend the laws concerning run-aways, passed at December session 1824, chapter 121, and for other purposes.

99. An act for the benefit of certain proprietors of lots in the city of Baltimore.

100. An act to incorporate certain trustees to build an academy or school house in or near the town of Manchester in Baltimore county, to be known by the name and style of The Manchester United Academy or School.

101. A further supplement to an act regulating fences in Charles and Allegany counties, passed at December session 1826, chapter 82.

102. An act empowering the commissioners of Harford county, in their discretion, to build two fire proof offices, for the use of the clerk of the county, and register of wills, for the safe-keeping of the records appertaining to their respective offices, in the town of Belle-Air.

103. A supplement to an act, entitled, An act to authorize the trustees of the poor of Charles county, to purchase land and build a new poor-house.

104. An act to provide for filling up vacancies in the board of trustees of the Severn Church.

105. An act for the relief of Samuel Messenger of Frederick county.

106. An act to exempt certain persons from serving as jurors in the courts of Anne-Arundel county.

107. An act relating to the records in the register of wills office of Harford county.

108. An act to authorize Samuel R. Turner of Kent county, to cut a canal or head race, and to raise a dam or dams through and on certain lands therein mentioned.

109. An act to lay out and open a road from the town of Westminster, in Frederick county, to the eastern edge of the fording place on the western fork of the Patuxent Falls, near Wampler's Mills in Baltimore county.

110. A supplement to the act to incorporate a company to make a turnpike road from near Ellicott's Lower Mills towards George-town, in the District of Columbia.

111. An act to authorize the levy court of Frederick county, to levy a sum of money for the purposes therein specified.

112. An act for the destruction of wolves and panthers in Allegany county.

113. An act to exempt the property of the Grand Lodge of Maryland from taxation.

114. A further supplement to the act, entitled, An act relating to the city of Baltimore.

115. A supplement to an act to provide for the repair of public roads in Montgomery county, passed at December session 1826, chapter 227.

116. An act to confirm the marriage of Basil Grimes and Mary Grimes, of Frederick county.

117. An act for the relief of George King, of the state of Ohio.

118. A supplement to an act, entitled, An act to confirm the proceedings of certain commissioners in Queen-Anne's county.

119. A supplement to the act, entitled, An act to provide for the making the several turnpike roads, and for the extension of the charters of the several banks therein mentioned, passed at December session 1827, chapter 42.

120. An act to incorporate in the town of Boonsborough, in Washington county, a company to be called The Boonsborough Fire Company.

121. An act to authorize the levy court of Prince-George's county, to convey certain lots therein mentioned, in the town of Nottingham.

122. An act to make good and valid the acts and duties performed by James McQuinn, as a justice of the peace for Caroline county.

123. An act to change the divisional line between Dublin and Brinkley's election districts, in Somerset county.

124. An act to authorize the levy court of Somerset county to alter and straighten the public road in said county, which leads across James' Quarter Neck.

125. A supplement to an act, entitled, An act to incorporate the village of Port-Deposit, in Cecil county.

126. An act for the benefit of James H. Mitchell, of Worcester county.

127. An act for the compensation of the judges of Baltimore county court.

128. An act to preserve the breed of fish in the waters of the river Patuxent.

129. A supplement to an act, entitled, An act to amend the lottery system.

130. An act to divorce John H. Smith of the city of Baltimore, from Adeline his wife.

131. An act to authorize the governor and council to appoint a committee to inquire into the conduct of the judges and officers of the courts of this state, and to report thereon to the next session of the general assembly.

132. An act to amend an act, entitled, An act to regulate the sale of land, in the county of Frederick.

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