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MARYLAND LEGISLATURE.

HOUSE OF DELEGATES.

THURSDAY, February 21st, 1832.

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

Mr. Lyles presented the petition of sundry citizens of Prince George's county, praying for an appropriation by the state for the construction of the Baltimore and Washington Railroad.

Mr. Stewart presented the petition of sundry citizens of Anne Arundel county, praying for certain restrictions upon licenses to retailers of spirituous liquors.

Mr. Bruff presented the petition of sundry citizens of the town of Oxford in Talbot county, praying that there may be two additional commissioners appointed for said town.

Mr. Welch presented the petition of the trustees of the Millington Academy, praying for some portion of the funds appropriated towards the support of education in Kent and Queen Anne's counties.

Mr. Ely presented the petition of sundry citizens of Baltimore county, praying the passage of an act to extend the time for locating and opening a certain road therein mentioned.

Mr. Nicola, from the select committee, to which was referred so much of the executive communication as relates to communications from the executive of the several states of Maine, New Hampshire, Massachusetts, Connecticut, Delaware and Virginia, delivered the following reports:

The select committee to which was referred so much of the executive communication as relates to a report and resolutions, respecting the tariff and internal improvements, of the legislature of Maine, have had the same under consideration, and respectfully submit the following resolutions:

Resolved by the General Assembly of Maryland, That although the government of the United States, has not the power of executing a system of internal improvement, expressly granted to it by the constitution, yet conceding that power to be necessary for carrying into execution a general power, which has been granted, ought in raising revenue, to consider internal improvement among the purposes for which it can lay and collect taxes, duties, imports and excises.

Resolved, That the tariff of duties on imports, ought to be so modified, as having regard to the protection of the labour and industry of the country, that the receipts from them and all other sources of public income, should not greatly exceed the ordinary charges of the government, and the means of executing the most essential lines of intercommunication throughout the Union.

The select committee, to which was referred so much of the executive communication, as relates to certain resolutions, in relation to monoweth of Massachusetts, in relation to certain proceedings of the government of the state of Georgia, deeply and extensively affecting the integrity and stability of our civil institutions, have carefully considered the importance of the same, and respectfully submit the following reports:

The committee believe that it is not only the right, but the duty of the legislature in the exercise of their conservative functions, while they would carefully avoid any effort improperly to influence the judicial tribunals of a sister state, to express their views and opinions, with freedom on all constitutional questions involving a common interest. The committee hold it an undeniable proposition, that the federal constitution, the laws of the United States correspondent therewith, and all treaties made by competent powers, are of importance, and authority paramount to the constitution and laws of any state; and that the judiciary of any state is concluded by the same, although at variance with the constitution and laws of any component part of the Union. Therefore,

Be it resolved by the General Assembly of Maryland, That no state can constitutionally enjoin on its executive officers, to disregard or resist any process, or mandate, served by the authority of the United States courts, acting in their legitimate sphere.

Resolved, That it is the duty of the President of the United States to take care that the constitution, the laws of the United States, and the treaties made under their authority, are faithfully executed.

The select committee, to which was referred so much of the executive communication, as relates to a report adopted, and resolutions passed by the Legislature of the state of Connecticut, have had the same under consideration, and submit the following resolutions, and recommend their adoption:

Resolved by the General Assembly of Maryland, That it is expedient at this time, to amend the constitution of the United States, in relation to the term of service of the President and Vice-President of the United States, so as to elect the President for a term

of six years, and to render him forever ineligible after the expiration of the term of service.

Resolved, That the general government does possess the power to appropriate money in aid of the colonization of the free negroes and mulattoes residing within the United States, and territories thereof. And, that in the opinion of this general assembly, it is expedient to make an appropriation for that purpose.

The select committee, to which was referred so much of the executive communication, as refers to certain proceedings and resolutions of the general assembly of the state of Delaware, relative to the public lands of the United States, have had the same under consideration, and submit the following report:

The citizens of Maryland, with great solicitude, have witnessed the strenuous and persevering efforts which have been made in the national legislature to deprive the original members of the Union, and particularly the Atlantic states, of their just and equitable proportion of the public lands. And, claiming as they do a community of interest in those domains, and that claim having not only been asserted, but conceded to them at the formation of the federal compact, they have always regarded the avails of that substantial capital, after the payment of the public debt, as a most appropriate resource for the extending the benefits of education throughout the Union, and therefore recommend the adoption of the following resolutions.

Resolved by the General Assembly of Maryland, That this legislature will regard as unjust and improper, any attempt to make a partial disposition of the public land of the union, among the states, either by a direct grant to any state, or by nominal sales at reduced prices.

Resolved, As the sense of this general assembly, that the revenue arising from the public lands, ought to be distributed among the states, according to the ratio of representation, in the popular branch of the national legislature, for extending the means of education in common schools, as soon as the liquidation of the public debt shall warrant such an appropriation.

The select committee to whom was referred so much of the executive communication, as refers to the resolutions of the general assembly of the state of Delaware, relative to the election of president and vice president of the United States, have had the same under consideration, and beg leave to submit the following resolutions.

Resolved by the General Assembly of Maryland, That this General Assembly does not concur with the General Assembly of the state of Delaware, and believes that it is expedient at this time to amend the constitution of the United States, so as to extend the term of office of the President and Vice-President to six years, and to render the President after one term of service ineligible.

Resolved, That this general assembly does concur with the general assembly of the state of Delaware, that it is inexpedient at this time, to amend the constitution of the United States, so as to provide a uniform mode of electing the President and Vice-President, without the intervention of electors, and that the election of President and Vice-President, should on the failure of the electors to elect, be submitted to the decision of the House of Representatives of the United States, as is now provided for by the constitution.

The select committee to which was referred so much of the executive communication as relates to a resolution adopted by the Legislature of the state of New Hampshire, have had the same under consideration, and concurring in the proposition therein contained submit the following resolution.

Resolved, That his excellency the Governor, be requested to transmit copies of these resolutions to the senators and representatives of this state, in congress; and also to the governors of other states, with a request that the same may be laid before their respective legislatures, for their consideration.

Which were severally read.

Mr. Wilson, of Cecil, reported a bill, entitled, An act to incorporate the Elkton and Baltimore railroad company.

The report and resolution submitted by Mr. Johnson, chairman of the committee on internal improvement, on the 15th instant, relative to removing certain obstructions in the head waters of Chester river, was taken up for consideration, read the second time, the report concurred in, and the resolution therein contained, assented to.

The clerk of the senate returned the bill, entitled, An act to provide for the appointment of wood cutters in the town of Princess Anne, in Somerset county, endorsed "will pass." Ordered to be engrossed.

Also the bill, entitled, An act to extend the jurisdiction of justices of the peace, endorsed "will not pass."

Also the resolution requiring the armorer to deliver to captain Charles R. Stewart, certain rifles, &c., endorsed "assented to." Ordered to be engrossed.

And delivered a bill, originated in and passed by the senate, entitled, An additional supplement to the act, entitled, An act for erecting a bridge over Choptank river, at or near Dover Ferry.

Which was read and referred to Messrs. Dudley, Brink and Stevens.

On motion by Mr. Brown, of Queen Anne's, The house took up for consideration, the

bill from the senate, entitled, An act to alter the time of the meeting of the general assembly of this state, and for other purposes.

Mr. Teackle moved that the bill be rejected—

Resolved in the affirmative.

The house adjourned until to-morrow morning ten o'clock.

THURSDAY, February 23d, 1832.

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

Mr. Dalrymple presented the petition of William Hance and others, of Calvert county, praying that the commissioners of the tax for said county, may be directed to levy a sum of money for the repairs of a road therein mentioned.

Mr. Richardson presented the petition of sundry citizens of Fredericktown, praying for an act to incorporate a fire insurance company in said town.

Mr. Armstrong presented the petition of sundry citizens of Allegany county, praying for the passage of an act to prevent the unreasonable destruction of deer in said county.

Mr. Hood presented the petition of the Methodist Episcopal Church of the Severn circuit, praying for an act to authorise them to dispose of their parsonage property.

Mr. Hall presented the memorial of sundry ladies of Hagerstown, in Washington county, praying an act of incorporation for certain charitable and benevolent purposes therein specified.

Mr. Keat presented the petition of Levi Chaney, of Anne Arundel county, praying for relief therein mentioned.

Also presented the petition of sundry citizens of Anne Arundel county, praying the repeal of so much of the act of assembly, passed in the year 1801, as authorises the commissioners of the tax of said county, to sell the tobacco warehouses.

The speaker laid before the house several memorials of underwriters, ship owners and merchants, in favour of the employment of skilful pilots, &c.

The speaker also laid before the house a communication from Philip E. Thomas, President of the Baltimore and Ohio Railroad Company, transmitting the report of the estimates and surveys of the contemplated rail road from Baltimore to Washington, and asking the favourable consideration of the legislature to that subject which was read.

Mr. Nicola, from the select committee, delivered the following report:

The committee to which was referred so much of the executive communication as refers to certain resolutions of the general assembly of the state of Delaware, in relation to the re-election of Andrew Jackson, as President of the United States, have had the same under consideration, and beg leave to recommend the adoption of the following resolutions:

Resolved by the general assembly of Maryland, That this legislature accord with the views of the legislature of Delaware, in believing that the best interests of the country do not require the re-election of Andrew Jackson, after his present term of office shall expire.

And whereas, the state of Delaware, through their legislature, have expressed their views as to the person who shall next fill the presidential chair—We consider it our privilege and duty, to declare what we conceive to be the will and wish of our state. Therefore,

Resolved, That the course of that patriot and statesman, Henry Clay, has our gratitude; and we believe that the best interests of the nation would be greatly promoted by his election to the Presidency of the United States, after the present term of office of Andrew Jackson shall have expired—And we therefore recommend said Henry Clay, as a suitable person for President of the United States.

Mr. Johns reported a bill, entitled, An act to prevent the unnecessary accumulation of costs upon state fines.

Mr. Teackle reported a bill, entitled, An act to provide for the cession of territorial jurisdiction of Turkey Point in Cecil county, for the erection of a light house thereon, by the government of the United States.

Mr. Thomas, of Queen Anne's, reported a bill, entitled, An act to regulate the election of clerk of the county court and register of wills for Queen Anne's county.

Mr. Roberts reported a bill, entitled, An act relating to judgments and decrees obtained in the several courts of this state.

Mr. Orrall reported a bill, entitled, An act for the further distribution of the donation to the Colleges and Academies in the several counties of this state, so far as the same relates to Caroline county.

Also reported a bill, entitled, A further supplement to the act, entitled, An act for the relief of the poor of Caroline county.

Which were severally read.

The clerk of the senate returned the bill, entitled, An act relating to certain fees in Anne Arundel county court, also the bill, entitled, An act for the relief of Margaret Bayler of Allegany county, also the bill, entitled, An act authorising the Levy court of Worcester county, to levy on the assessable property of said county, a sum of money for the purposes therein mentioned; also, the bill,

entitled, An act to authorise the justices of the orphans' court of Caroline county, to appoint their clerks; severally endorsed, "will pass;" ordered to be engrossed.

Also the resolution in favour of Mary Ensom, endorsed "assented to," ordered to be engrossed.

And delivered a bill, originated in and passed by the senate, entitled, An act for the benefit of Mary Ann Reynolds, of Allegany county.

The bill reported by Mr. Stockett, entitled, An act supplementary to the acts relating to the University of Maryland, was taken up for consideration, read the second time, and passed.

On motion by Mr. Hunt,

The speaker appointed Mr. Stewart, on the select committee, to which was referred the petition of sundry citizens of the city of Baltimore, respecting Dugan's and M'Eldey's wharves, to supply the vacancy occasioned by the death of Mr. Edelen.

Mr. Armstrong, from the committee, made a favourable report upon the bill from the senate, entitled, An act for the benefit of Mary Ann Reynolds, of Allegany county.

The said bill was then read the first and second time by special order, and passed.

The house then adjourned until to-morrow morning ten o'clock.

FRIDAY, February 24th, 1832.

The house met. Present the same members as on yesterday.

Mr. Brookhart presented the petition of sundry citizens of the village of Boonsboro, praying for an act of incorporation.

Mr. Hunt presented the petition of Eliza Kite, of the city of Baltimore, praying to be divorced from her husband Benjamin Kite.

Also presented the memorial of William Patterson, and others, stockholders of the Neptune Insurance Company, of Baltimore, praying for a supplement to the act of incorporation of said company.

And presented the petition of Josiah Hubbell, and others, of the city of Baltimore, counter to the petition of William W. Handy, and others, praying the passage of an act to provide for the extension of Bottle Alley.

Mr. Belt presented the petition of the justices of the orphans' court, of Prince George's county, praying for an act authorising the erection of a new building for the office of the register of wills of said county.

Also presented the petition of Belinda Wallace, of Prince George's county, praying to be placed on the pension list of said county.

Mr. Gittings presented the memorial of Charles Bunting, of Montgomery county, praying the passage of a law authorising the levy court of said county, to levy a sum of money therein mentioned.

Mr. Richardson presented petitions and memorials of sundry citizens of Frederick county, counter to the petition of sundry other citizens of said county, praying for a modification or repeal of the act of December session, 1830, chapter 117, entitled, A supplement to the Baltimore and Ohio rail road charter.

The speaker laid before the house, a petition from the trustees of the Franklin Academy, in Baltimore county, praying that the donation of the said academy may not be diminished.

Mr. Gantt presented the petition of John M. Hepburn, administrator de bonis non of John Hepburn, deceased, praying a re-reference of his claim on the state to the Chancellor of Maryland, with the accompanying documents, with the right of appeal, &c.

Mr. Hunt obtained leave to bring in a bill, to be entitled, A supplement to an act providing for the widening of Orange Alley, in the city of Baltimore.

Mr. Jones, of Frederick, obtained leave to bring in a bill, to be entitled, An act to incorporate the Savings Institution of Liberty Town, in Frederick county.

On motion by Mr. Johnson,

Ordered, That the committee on grievances and courts of justice, be instructed to inquire into the expediency of providing, that a *seri facies venditionis exponas*, or *capias quod servat*, may be issued by any justice of the peace, on a short copy of any judgment rendered by any justice of the peace in any county in this state, in the same manner as is now the practice, on a short copy of any judgment rendered by any single justice of the peace residing in the same county, and that they report to this house by bill or otherwise.

Mr. Johnson, chairman of the committee on internal improvement, reported a bill, entitled, A supplement to an act, entitled, An act for the promotion of internal improvement.

Mr. Hollman reported a bill, entitled, An act to incorporate the Washington Academy, in the town of Williamsport in Washington county.

Mr. Johnson reported a bill, entitled, An act regulating the admission of attorneys to practice law in the several courts of this state.

Mr. Tarnar, of Baltimore, from the committee on divorces, reported a bill, entitled, An act for the relief of Martha Elizabeth Cunningham, of Harford county.

Mr. Nicols reported a bill, entitled, An act to incorporate the Savings Institution of Dorchester county, to be located in the town of Cambridge.

And Mr. Richardson reported a bill, entitled, An act to incorporate the Frederick Fire Insurance Company.

Which were severally read.

The clerk of the senate returned the bill, entitled, An act to incorporate the Baltimore and Chesapeake Steam Saw Mill Company, endorsed "will pass with the proposed amendments," which amendments were severally read the first and second time by special order, severally assented to; and the bill ordered to be engrossed.

And delivered a bill originated in and passed by the senate, entitled, An act for amending and reducing into system the laws and regulations concerning powers of attorney, from heirs and legatees, and final discharges to executors, administrators, and guardians, which was read and referred to the committee on grievances and courts of justice:

Also a bill, entitled, An act for the benefit of William Lamar, of Allegany county, which was read and referred to Messrs. Armstrong, Lantz and Blair.

Mr. Kent reported a bill, entitled, An act relating to the tobacco warehouses in Anne Arundel county.

Which was read the first and second time by special order, passed, and sent to the senate.

The bill from the senate, entitled, A further supplement to an act, entitled, An act to establish a bank, and incorporate a company under the name of the Conococheague Bank, in Williamsport in Washington county, passed at December session, 1819, chapter 142, was taken up for consideration, read the second time, passed, and returned to the senate.

The bill, reported by Mr. Johnson, to incorporate the Savings Institution of Emmitsburg:

The bill, reported by Mr. Richardson, entitled, A supplement to the act, to incorporate the trustees of the public school in Middle town, in Frederick county, passed at December session, 1822, chapter 179.

The bill, reported by Mr. Parjan, to authorise the recording of a deed therein mentioned—Were severally taken up for consideration, read the second time, passed, and sent to the senate.

Mr. Hood reported a bill, to authorise the Methodist Episcopal Church, of the seventh circuit, to sell the parsonage property of the said circuit.

Mr. Nicola reported a bill, to authorise the trustees of the poor of Dorchester county, to purchase a farm for the use of the poor, and sell the present almshouse of said county, and for other purposes.

Mr. Bruff reported a supplement to an act relating to a public road in Montgomery county, passed at December session, 1830, chapter 112.

Which said bills were severally read the first and second time by special order, and passed.

The bill, reported by Mr. Gantt, to provide for the rebuilding of a certain bridge therein mentioned:

The bill, reported by Mr. Teackle, to provide for the cession of territorial jurisdiction at Turkey Point, in Cecil county, for the erection of a light house thereon by the government of the United States:

And the bill from the senate, entitled, An act to incorporate the United States Insurance Company of Baltimore:

Were severally taken up for consideration, read the second time, and passed.

Mr. Williamson submitted the following resolution:

Resolved by the general assembly of Maryland, That the treasurer of the western shore, pay to the Rev. Mr. Guest, chaplain of the house of delegates, and to the Rev. Mr. Blanchard, chaplain of the senate, or their respective orders, each the sum of one hundred dollars, as compensation for their services during the present session.

Which was read the first and second time by special order, and assented to.

The house adjourned until to-morrow morning ten o'clock.

SATURDAY, February 25, 1832.

The house met. Present the same members as on yesterday.

Mr. Sothorn moved that the house adjourn until ten o'clock.

Resolved in the affirmative.

The house accordingly adjourned until one o'clock, P. M.

The house met.

Mr. Thomas, of Cecil, presented the petition of sundry citizens of Cecil county, praying that the location of the contemplated Rail Road, from Wilmington to Port Deposit, may not have any intermediate calls—but left with the engineers, and surveyors appointed for the purpose of locating said road.

Mr. Dalrymple presented the petition of Isaac Hooper, of Calvert county, praying that the commissioners of the tax for said county, may be authorised to release him from the payment of a balance due said county.

Mr. Moore's presented the petition of Catherine Dearmont, of Harford county, praying to be placed on the pension list of said county.

And Mr. Lantz presented the petition of sundry citizens of Allegany county, praying for an alteration of a road in said county.

Mr. Carmichael obtained leave to bring in

## PATENT

### INCORRUPTIBLE TEETH.

#### DR. A. PLANTOU, SURGEON DENTIST.

(From Paris, but residing for the last twelve years in Philadelphia, No. 110, South Fourth-street, where his son attends to his office.)

OFFERS his services to the inhabitants of Annapolis, for a short time, in perfecting, cleaning, filing and plugging teeth; and particularly in setting incorruptible artificial teeth, of which he is the inventor, and for which he received ten years ago, a Certificate from the Medical Society of Philadelphia, signed by Drs. Jackson, Harris and Meigs, as a Committee, attesting their superiority over all other kinds they being not subject to change of colour nor bad smell, and perfectly durable. He will attend on the Ladies who may honour him with their confidence. He has recommendations of the highest sources.

He resides at Mr. Williamson's Hotel.

P. M. 16

## NOTICE.

TO persons indebted to the late firm of WALKINS & SELBY—That a longer indulgence than the 15th March next cannot be given, as they wish to close the business of that firm. It will therefore be expected, that all claims be settled at or before that time.

P. M. 16

## NOTICE.

BY virtue of a writ of fieri facias issued by Mr. Lane Brown, Esq. and to me directed will be offered for sale on the premises of Jacob Fineman on MONDAY, the 25th inst. at 12 o'clock P. M. for cash only, one—

### BRICK HOUSE.

near Elliott's Mills, about three hundred paces from Mrs. J. Manly's Tavern, seized and taken as the property of said Fineman, at the suit of Jesse Gosling, use of James Brant.

Feb. 9.—16. JAMES TREABLE, Constable.

### Anne Arundel County, &c.

ON application to me the undersigned in the name of the court, as Chief Justice of the third Judicial District of the State of Maryland, by petition in writing of John Gallagher, now in actual confinement for debt, praying the benefit of the Act for the relief of sundry insolvent debtors, and the several provisions thereof, a schedule of his property, and a list of his creditors, on both, as far as he can ascertain them, being annexed to his petition, and the said John Gallagher having testified by a subsequent testimony that he has released the two last years in the State of Maryland, and having gone to Maryland security for his personal appearance in Anne Arundel county court, to answer such allegations and interrogatories as may be made against him, and a bond appointed Joshua Lilly, trustee, for the benefit of the creditors of the said John Gallagher, and the said John Gallagher, having executed a deed to sell the real estate of the said John Gallagher, and the said John Gallagher be discharged from his imprisonment; aforesaid, and that by causing a copy of the order to be inserted in one of the public newspapers printed and published in Anne Arundel county, once a week for three months successively, on the third Monday of April next, to give notice to his creditors to appear before said county court, at the third Monday of April next, to show cause why they have, why the said John Gallagher, should be released from his imprisonment, and the said John Gallagher, then and there taking the oath prescribed by law. Given under my hand this seventh day of February, 1832.

THOMAS DORRIS, Clerk.

Nov. 10.

## PRINTING

Neatly executed at this

Office.