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MARYLAND LEGISLATURE.

HOUSE OF DELEGATES.

Monday, Jan. 31, 1825.

On motion by Mr. Teackle, the following message was read assented to, and sent to the senate.

By the House of Delegates, Jan. 31.

Gentlemen of the Senate,—We propose with the concurrence of your honorable, body to invite his excellency the governor into the senate chamber, on Thursday next, at 7 o'clock, to sign such of the laws of the present session as may be ready for that purpose and have appointed on the part of this house Messrs. Teackle and Raphael C. Edelen, in conjunction with such gentlemen as you may select, to wait upon and apprise the governor of this message.

By order,
JOHN BREWER, Clk.

The speaker laid before the house a communication from Charles Carroll, of Carrollton, Esq suggesting the propriety of the state employing council in a suit brought by the representative of Lord Baltimore for quit rents.

Mr. Speed presents a petition from Charles Carroll, of Carrollton, praying that John M'Tavish may be by law authorized to act as one of his executors.

Mr. Nicholson reports a bill, entitled, An act to enlarge the powers of the trustees of the poor in the several counties of this state.

Mr. Grubb presents a petition from sundry inhabitants of Cecil county praying that no compensation may be made to the owners of slaves convicted of capital crimes.

Mr. Harris presents a petition from sundry inhabitants of Kent county, praying for a public landing.

Mr. Wright presents a petition from Richard Cray, of Queen Ann's county praying that a law may pass authorising his wife and children to inherit his estate.

The clerk of the senate returns the bill to repeal the 12th and 13th sections of an act for the relief of the poor of Worcester county, passed at December session 1821, chapter 145, endorsed 'will pass with the proposed amendments,' which amendments were read. And delivers a bill, entitled, An act to confirm an act of the general assembly of Virginia, entitled, An act incorporating the Chesapeake and Ohio Canal Company, endorsed 'will pass;' which was read. Also the resolution in favour of Philemon B. Hopper, endorsed 'assented to.' And the following messages; which were read.

By the Senate, Jan. 29.

Gentlemen of the House of Delegates—We received your message of the 27th inst. with the bill, entitled, A supplement to an act, entitled, An act to increase the pay of the judges of the orphans court for the several counties therein mentioned, stating that you have rejected the amendment proposed therein, and expressing a hope that upon further consideration, we will pass the bill. As the amendment does not propose to give the judges of Cecil county orphans court more than what is allowed to judges of several of the orphans courts in the state nor more than what we conceive their services justly entitle them to, we upon due consideration, adhere to our amendment.

By order, WM. KILTY, Clk.

By the Senate, Jan. 31.

Gentlemen of the House of Delegates—We have received your message proposing to invite his excellency the governor to attend in the senate chamber, at seven o'clock on Thursday evening next, to sign such of the engrossed bills as may be prepared for his signature, and concur therein. We have appointed Messrs. Kent and Quinton, on the part of the senate, to join the gentlemen named by you to wait upon his excellency.

By order, WM. KILTY, Clk.

The amendment to the supplement to an act entitled, An act to increase the pay of the judges of the orphans court for the several counties therein mentioned, was assented to, and the bill ordered to be engrossed.

On motion by Mr. Teackle, the following resolutions were read.

Resolved by the General Assembly of Maryland, That we highly appreciate the faithful services of our fellow citizen James Monroe, President of the United States, and that his impartial and dignified deportment in the exalted office of Chief Magistrate for eight years, has justly entitled him to the approbation and affectionate regard of the good people of this union.

Resolved, That the governor be and he is hereby requested, to communicate to our fellow citizen James Monroe, the contents of the foregoing resolution, and to tender to him the unfeigned wishes of this Legislature, in behalf of the freemen of the state of Maryland, that in retirement he long may live to enjoy the blessings of every domestic comfort, and the patriot's best reward, in the gratitude of his countrymen, freely flowing from every state and territory of a great and glorious empire.

On motion by Mr. Beall, the following resolution was read and assented to.

Resolved, That his excellency the governor, be and he is hereby requested, to transmit forthwith, copies of the act incorporating the Chesapeake and Ohio Canal Company, passed by the legislature of Maryland at its present session, to the President of the Senate, and the Speaker of the House of Representatives of the Congress of the United States, requesting that it may be submitted to their respective bodies, and copies to the governors of Virginia and Pennsylvania, with a request that they will submit the same to their respective legislatures.

The house adjourns until to morrow morning 9 o'clock.

Tuesday, Feb. 1.

The bill incorporating the Chesapeake and Ohio Canal Company, and the resolution relative thereto, were sent to the senate.

Mr. Brown reports a bill, entitled, An act to prevent geese and swine from going at large in the village of Denton, in Caroline county; which was twice read by special order, passed, and sent to the senate.

Mr. Grubb obtained leave to bring in a bill, entitled, An act for the benefit of the heirs of Patrick Kennedy, late of Cecil county, deceased.

Mr. Grubb reports said bill; which was read.

The bill to prohibit the transportation of absconding slaves to Hayti, or elsewhere, was read the second time, passed, and sent to the senate.

Mr. Howard presents a petition from sundry citizens of Baltimore city, praying an increase of their delegation, which was read.

Mr. Travers presents a petition from Gamelial Banks, of Somerset county, praying for a law to authorise the clerk of Dorchester county court to record a deed.

Mr. Eccleston presents a petition from Susan D. Hopper, of Dorchester county, praying for a stay on monies due the state on a purchase of Indian lands.

The supplement to an act, entitled, An act to lay out and make public two roads therein mentioned, in Cecil county, passed on the 25th of January, 1822, was read the second time passed and sent to the senate.

Mr. Duvall reports a bill, entitled, An additional supplement to the act, entitled, An act to regulate and discipline the militia of this state.

The house resumed the consideration of the bill to alter and change all such parts of the constitution and form of government as relates to the election of delegates to the general assembly of this state.

On motion by Mr. Teackle, the question was put, That the word 'October' be stricken out of the first clause which appoints the day of election, for the purpose of inserting the word 'November.'

The yeas and nays being required appeared as follow.

Affirmative—18—Negative—41.

Determined in the negative.

Mr. King moved to strike out 'three' for the purpose of inserting 'two,' in the clause limiting the number of delegates.

The yeas and nays being required, appeared as follow:

Affirmative—16—Negative—56.

Determined in the negative.

On motion by Mr. Kilgour, the question was put, That the first section be stricken out, to wit:

"1. Be it enacted by the General Assembly of Maryland, That the free white male citizens of this state, above twenty one years of age, and no other, having resided twelve months within this state and six months in the county next preceding the election at which they offer to vote, shall, on the first Monday of October, in the year eighteen hundred and twenty six, and on the first Monday of October, in each and every year thereafter, assemble at the respective places of holding the elections in their respective election districts of the several counties in this state, and when so assembled, shall proceed to elect by ballot, three delegates for their respective counties; of the most wise, sensible and discreet of the people, residents of the county, one whole year next preceding the election, above twenty one years of age; and upon the final casting of the polls, the three persons who shall appear to have the greatest number of votes, shall be declared and returned duly elected for their respective counties."

The yeas and nays being required appeared as follow:

Affirmative—31—Negative—40.

Determined in the negative.

On motion by Mr. M'Clean, the question was put, That the 2d section be stricken out to wit:

'2. And be it enacted, That the free white male citizens of this state, and no other, having twelve months residence within this state, and six months in the city of Baltimore, next preceding the election at which they may offer to vote; shall on the first Monday of October, in the year eighteen hundred and twenty six and on the first Monday of October, in each and every year thereafter, have a right to vote for, and elect three delegates for the said city, in the same manner they now elect two delegates for the said city.'

The yeas and nays being required appeared as follow:

Affirmative 33—Negative 37.

Determined in the negative.

Mr. M'Clean moved to strike out of the same section the word 'three' to insert 'one.' The speaker declared the same out of order, when Mr. M'Clean appealed from the decision of the chair, and the question was put, That the house sustain the opinion of the chair? Resolved in the affirmative.

Mr. Speed moved to strike out the third section to wit:

'3. And be it enacted that all such part or parts of the constitution and form of government, as give to the citizens of Annapolis a right to vote for, and elect two delegates to the general assembly of this state, and which prohibit the said citizens from voting for delegates for Anne Arundel county, be, and the same is hereby repealed, annulled and abrogated.'

Mr. Beall moved the following to be inserted in the said section after the words 'Be it enacted, That 'the free white male citizens of this state, and no others, having twelve months residence within this state, and six months in the city of Annapolis next preceding the election at which they may offer to vote, shall on the first Monday of October in the year 1826, and on the first Monday of October in each and every year thereafter, have a right, to vote for and elect one delegate for the said city in the same manner they now elect two delegates.'

A division of the question was called for by Mr. Carroll, and put on striking out? The yeas and nays being required appeared as follow:

Affirmative.—Mr. Speaker, Hawkins, Gough, Kilgour, Millard, Harris, M'Clean, Ireland, Hodges, Gantt, Maxcy, Estep, Parran, Dalrymple, Rogerson, Garner, Shower, Price, Spencer, Lloyd, King, Sullivane, Thomas, Henderson, Ewing, Grubb, R. C. Edelen, Peach, Wootton, Duvall, Carroll, Speed, Wright, Cromwell, Farquhar, Kemp Montgomery, Barwick, Beall, Landsdale, Hoffman, Lantz—42.

Negative.—Messrs. J. Edelen, Chapman, Worthington, Turner, Reyner, Dennis, Teackle, Jones, Eccleston, Travers, Nicholson, Williams, Tingle, Parker, Barnes, Hope, Norris, Jarrett, Hardcastle, Brown, Boon, Howard, Tyson, Bowles, Fouke, White, Merrick, M'Mahon—28. Resolved in the affirmative.

On motion by Mr. Duvall, that the word 'one,' be stricken out from the amendment proposed by Mr. Lansdale, for the purpose of inserting 'two.' Mr. M'Mahon called for a division of the question, so that it might be put on striking out, when Mr. M'Clean moved to refer the whole to the first day of April next.

The yeas and nays being required, appeared as follow:

Affirmative.—Mr. Speaker, Hawkins, Gough, Kilgour, Millard, M'Clean, Ireland, Hodges, Gantt, Maxcy, Estep, Parran, Dalrymple, J. Edelen, Chapman, Rogerson, Garner, Shower, Dennis, Teackle, Sullivane, Thomas, Ewing, Grubb, R. C. Edelen, Peach, Wootton, Duvall, Carroll, Speed, Wright, Cromwell, Farquhar, Jarrett, Barwick, Bowles, Beall, Lee—53.

Negative.—Mr. Harris, Worthington, Price, Turner, Bennett, Spencer, Lloyd, Reyner, King, Jones, Eccleston, Travers, Henderson Nicholson, Williams, Tingle, Parker, Barnes, Kemp, Hope, Norris, Montgomery, Hardcastle, Brown, Boon, Howard, Fouke, Tyson, White, Merrick, Lansdale, Heffman, M'Mahon, Lantz—34.

Resolved in the affirmative.

The house adjourns until to morrow morning 9 o'clock.

Wednesday, Feb. 2.

The bill for the benefit of the heirs of Patrick Kennedy, late of Cecil county, deceased, was read the second time by special order, passed, and sent to the senate.

Mr. Tingle presents a petition from sundry inhabitants of Worcester county, praying that wilful trespasses, in cutting down timber trees, may be made by law criminal offences.

The amendments to the bill to repeal the 12th and 13th sections of an act for the relief of the poor of Worcester county, passed at December session 1821, were read the second time, assented to, and the bill ordered to be engrossed.

Mr. Thomas reports a bill, entitled, An act to withdraw the funds from the several colleges and academies in this state, and subject the same to the appropriation of the legislature.

Mr. Maxcy presents a petition from the representative of the late Ninian Pinkney, praying compensation for his services in collecting and arranging the documents relative to the claim of the state against the United States.

Mr. Henderson reports a bill, entitled, An act for the benefit of Joseph Philips, of Cecil county.

The house proceeded to the second reading of the bill to alter and amend the constitution so as to allow to the city of Baltimore a representation equal to that of the several counties of this state.

On motion by Mr. M'Clean the question was put, That the same be referred to the 1st of June next? Determined in the negative.

Mr. Tyson moved to strike out the second clause, which abolishes that part of the constitution which gives to Annapolis a right to elect two delegates. The yeas and nays being required appeared as follow:

Affirmative 38.—Negative 29.—Resolved in the affirmative.

On motion by Mr. Carroll, the question was put on striking out the 3d section, which makes Annapolis the 6th election district of Anne Arundel county? Resolved in the affirmative.

On motion by Mr. Norris, the question was put, That the house reconsider the bill so as to introduce the following preamble offered by Mr. Lee: 'Whereas it having been represented to the general assembly, that the business of Baltimore city requires an additional delegation to attend to, and secure the interests and perform the business of that city in the legislature.' Resolved in the affirmative.

The question was then put on the preamble? Resolved in the affirmative.

The question was then put, Shall the said bill pass? The yeas and nays being required, appeared as follow:

Affirmative—Mr. Speaker, Harris, Hodges, Gantt, Maxcy, Estep, Beckett, Dalrymple, Shower, Worthington, Price, Turner, Bennett, Spencer, Lloyd, King, Henderson, Ewing, R. C. Edelen, Wootton, Duvall, Barnes, Farquhar, Hope, Norris, Jarrett, Montgomery, Barwick, Boon, Howard, Tyson, White, Merrick, Lee, M'Mahon, Klipstine, 36.

Negative—Mr. Hawkins, Gough, Kilgour, Millard, M'Clean, Ireland, Parran, John Edelin, Chapman, Rogerson, Reyner, Dennis, Teackle, Jones, Sullivane, Eccleston, Travers, Thomas, Grubb, Carroll, Nicholson, Wright, Williams, Tingle, Parker, Hooper, Cromwell, Kemp, Hardcastle, Brown, Bowles, Fouke, Beall, Landsdale, Hoffman, Lantz, 36. Determined in the negative.

The house adjourns until to morrow morning 9 o'clock.

Thursday, Feb. 3.

The clerk of the senate returns the bill to enable Thomas Humphreys, the guardian of Elizabeth Leatherbury, to sell and convey a lot of ground in the town of Salisbury in Somerset county; endorsed 'will not pass.

On motion by Mr. Lee, the following message was read.

By the House of Delegates, Feb. 3.

Gentlemen of the Senate—It is with regret that we learn you have rejected the bill to limit the number of justices of the peace in the several counties of this state Believing, as we do, that this measure will be productive of important advantages to the state at large, and satisfactory to our fellow citizens, we cannot but flatter ourselves that your honorable body will reconsider it, and give to it that character you may deem essential, if such amendment be called for in your wisdom.

By order,
JOHN BREWER, Clk.

And the question was put, That the house assent to the same. Resolved in the affirmative. And the message with the bill sent to the senate.

On motion by Mr. Williams, the question was put, That the house reconsider the bill to alter and amend the constitution so as to allow to the city of Baltimore a representation equal to that of the several counties of this state?

The yeas and nays being required appeared as follow:

Affirmative 36—Negative 35.

Resolved in the affirmative.

Mr. Wilson moved to postpone the same until to morrow? Determined in the negative.

On the second reading of the same, Mr. Tingle moved to insert the following.

And be it enacted, That all such parts of the constitution and form of government, that provides for the election of two delegates to the general assembly, for the city of Annapolis, and which prohibit the citizens of said city from voting for delegates for Anne Arundel county, be and the same are hereby repealed. And be it enacted, That from and after the confirmation of this act, the city of Annapolis shall constitute the seventh election district of Anne Arundel county.

The Speaker declared the same out of order.

Mr. Thomas moved to refer the same to the next general assembly? Determined in the negative.

Mr. M'Mahon called for the previous question, and it was put, that is, Shall the main question be now put? Resolved in the affirmative.

The question was then put, Shall the bill pass? The yeas and nays being required, appeared as follow:

Affirmative—Mr. Speaker, Harris, Hodges, Gantt, Estep, Beckett, Dalrymple, Shower, Worthington, Price, Turner, Bennett, Spencer, Lloyd, King, Henderson, Ewing, R. C. Edelen, Duvall. Carroll, Williams, Barnes, Farquhar, Hope, Norris, Jarrett, Montgomery, Hardcastle, Brown, Boon, Howard, Tyson, Bowles, Fouke, White, Merrick, Lee, M'Mahon, Klipstine. —39.

Negative—Mr. Hawkins, Gough, Kilgour, Millard M'Clean, Ireland, Maxcy, Parran, J. Edelen, Chapman, Rogerson, Reyner, Dennis, Teackle, Jones, Sullivane, Travers, Thomas, Grubb, Wootton, Nicholson, Wright, Tingle, Parker, Hooper, Cromwell, Kemp, Barwick, Beall, Lansdale, Hoffman, Lantz—33. Resolved in the affirmative and the bill sent to the senate.

The report of the committee of ways and means on the report of the agent for the Western Shore, was read the second time, and the blank in the resolution giving compensation to the said agent, was filled up with $650.

On motion by Mr. Duvall, the following message was read and assented to:

By the House of Delegates, Feb. 3.

Gentlemen of the Senate,

We propose, with the concurrence of your honourable body, to go into the election of bank directors on Wednesday next.

The house adjourns until 6 o'clock P. M.

six o'clock, p. m.

The clerk of the senate delivers the engrossed bills from No. 73 to 79, inclusive, endorsed 'read and assented to;' which were read and assented to, and returned to the senate.

The resolution in favour of the state's agent for the western shore, was sent to the senate. The engrossed bills from No. 39 to 72, inclusive, were read, assented to, and sent to the senate.

The clerk of the senate returns the said engrossed bills, severally endorsed 'read and assented to.'

Mr. Kent and Mr. Quinton, from the senate, inform the speaker that the governor is attending in the senate to sign and seal the engrossed bills, and request his attendance with that of the members of this house, for that purpose.

The speaker left the chair, and, attended by the members of this house, went to the senate chamber, and there presented the engrossed bills to the governor, who signed the same, and affixed the great seal thereto in the presence of both houses, from No. 1 to 79 inclusive.

The speaker, with the members, returned and resumed the chair.

The house adjourns until to morrow morning 9 o'clock.

Friday, Feb. 4.

Mr. Wright delivers the following report:

The committee to whom were referred the petition of Richard Cray, of Queen Ann's county, beg leave to report, that they have had the same under consideration, and after a full and mature deliberation thereon, are fully satisfied that the case is amply provided for by existing laws, and therefore that he have leave to withdraw his petition.

By order, I. HINES, Clk.

Which was twice read, and concurred with.

Mr. Ireland from the committee on pensions and revolutionary claims, delivers the following report:

The committee on pensions and revolutionary claims, to whom was referred the petition of James Watts, of Dorchester county, have had the same under consideration, and beg leave to report—That they are of opinion that he is not entitled to a pension, he having produced to your committee no proof of his services during the revolutionary war, they therefore recommend that he have leave to withdraw his petition.

By order, I. HINES, Clk.

Which was twice read and concurred with.

Mr. Reyner reports a bill, entitled, An act to establish magistrates courts in the several counties of this state, and for other purposes.

Mr. King presents a petition from sundry inhabitants of Somerset county, praying for a public road and landing.

Mr. Grubb presents a petition from sundry inhabitants of Cecil county, praying for a bridge over North East Creek at the place therein mentioned.

Mr. Ireland from the committee on pensions and revolutionary claims, delivers the following report:

The committee on pensions and revolutionary claims, to whom was referred the petition of John Ricketts, of Cecil county, have had the same under consideration, and beg leave to report—That they think he is not entitled to a pension; they therefore recommend that he have leave to withdraw his petition.

By order, ISAAC HINES, Clk.

Which was twice read and concurred with.

Mr. M'Clean presents a petition from Henry Tilghman, counter to the petition from sundry inhabitants of Kent county, praying for a public landing; referred to the committee on the petition to which it is counter.

On motion by Mr. M'Mahon, the question was put, That leave be given to bring in a bill, entitled, An act to alter and change all such parts of the constitution and form of government as relate to the election of delegates from the city of Annapolis? The yeas and nays being required appeared as follow:

Affirmative.—Messrs. Gough, Kilgour, Harris, Ireland, Hodges, Parran, John Edelen, Rogerson, Garner, Shower, Worthington, Price, Turner, Bennett, Spencer, Reyner, Dennis, Teackle, King, Jones, Sul-

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