EASTON GAZETTE.

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LEGISLATURE OF MARYLAND

HOUSE OF DELEGATES.

ABSTRACT OF PROCEEDINGS.

Tuesday, Feb 6.

Mr. Harlan delivered the following report; which was read, and laid on the table, viz.

The committee to whom was referred the petition of John S. Maffitt, of Cecil county, have had the same under consideration, and beg leave to report—That they are of opinion that the prayer of your petitioner is reasonable, and ought to be granted.

Therefore, Resolved, That the treasurer of the western shore is hereby authorised and directed, to pay to John S. Maffitt, of Cecil county, or order, the sum of one hundred and twenty-two dollars and eighty-six cents, out of any unappropriated money now in the treasury.

By order,
James H Milbourne, Com. Clk.

The order submitted by Mr. Gough on the 24th ultimo, relative to Harris and Johnson's Reports, was taken up, read the second time, considered and adopted.

Mr. Striker, from the committee therein mentioned, delivered the following report; which was read, viz.

The committee of ways and means, who were instructed to inquire into the expediency of repealing the law of 1823, taxing certain offices, have had the same under consideration, and beg leave to report, that in their opinion the same should be repealed.

The house then, according to the order of the day, proceeded to consider the bill, reported by Mr. Speed, from the committee on grievances and courts of justice, entitled, "An act to repeal an act, entitled, An act to tax certain offices," passed at December session 1823, and the act to explain and amend the same, passed at December session 1824; when, in the progress of the second reading thereof, on motion by Mr. Speed, the question was propounded, That the further consideration of said bill be postponed, and that it be laid on the table? Determined in the negative.

The said bill having been read the second time, Mr. Teackle offered a substitute therefor; which was read, when,

On motion by Mr. Teackle, the further consideration of both the bill and the substitute proposed, was then postponed, and the same were made the order of the day for Tuesday next, the 13th instant.

On motion by Mr. Banning, the following resolution was twice read, by special order, assented to, and sent to the senate for concurrence, viz.

Resolved, that Thomas J. Bullitt, Robert H. Goldsborough and John M. G. Emory, Esquires, be and they are hereby appointed to inspect the records of Talbot county court & that they, or any two of them, are requested to make report to the general assembly of Maryland, at their next session, of the state and condition of said records, specifying how many of them are in a bad or decayed state, and the probable cost of recording anew, such as may require it, together with the binding of such as it would be advisable to have bound.

The bill, reported Mr. Peter, entitled, An act to alter and amend the third section of an act, entitled An act respecting elections; being one of the orders of the day, was taken up for consideration and read the second time; when on motion by Mr. Peach the further consideration thereof was postponed until Friday next the 9th instant, and the bill was made the order of that day.

The house resumed the consideration of the unfinished business, in reference to the bill, reported by Mr. Brooke, entitled, An act to repeal an act, entitled, An act to prevent the unlawful exportation of negroes and mullattoes, and to alter and amend the laws concerning runaways; passed at December session eighteen hundred and twenty-four, chapter 171; and in the progress of the second reading thereof, on motion by Mr. Brooke, the title of said bill was amended by inserting after the word, entitled, the words A supplement to, and after the word, act, the words, entitled an act.

The speaker having left the chair, it was at his request, occupied by Mr. Chapman; When,

On motion by the speaker, the said bill was recommitted to the committee that reported it for the purpose of amendment, viz. Messrs. Brooke, Chapman, Campbell, Compton and Du Val.

And on motion by Mr. Brooke, the said committee was enlarged to seven by the addition thereto of Messrs. Richard Thomas and Buchanan.

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

Wednesday, Feb. 7.

Leaves were this day asked and obtained to introduce bills of the following titles, viz.

By Mr. Beall, An act to repeal all such parts of the constitution or form of government as disqualify a minister or preacher of the gospel, of any denomination, from having a seat in the general assembly, or the council of the state.

Mr. Teackle, from the committee therein mentioned, delivered the following report, with the accompanying resolution, the adoption of which is thereby recommended; which were read the first time, and ordered to lie on the table, viz.

The Committee on Internal Improvement, to whom was referred a letter from the treasurer of the Chesapeake and Delaware Canal Company, requesting payment of the fourth and fifth instalments of the state's subscription to the capital stock of the said company, beg leave to report—

That it appears the amount subscribed in behalf of the state, pursuant to the original act for that purpoes, was 50,000 dollars, to be paid in annual instalments of 10,000 dollars; that the first and second of these instalments have been paid, and that the third will be paid in the course of the present month. That the time fixed for the completion of the canal was the spring of 1828; that the advance has been more rapid than was expected, and that there is a reasonable prospect that the water may be let into the whole line during the current year. That the whole amount of their subscriptions have been paid by the United States, the state of Pennsylvania, and with very few exceptions, by all the individual subscribers. The committee, therefore, considering that the interest of the state, as a proprietor in the said company, may be promoted by the gratification of this request, beg leave to recommend the adoption of the accompanying resolution.

All which is respectfully submitted.

By order,
James H, Milbourne, Com. Clk'

By the House of delegates, Feb. 7.

Resolved by the General Assembly of Maryland, That the treasurer of the western shore be, and he is hereby, authorised and required to pay to the President and Directors of the Chesapeake and Delaware Canal Company, or to their order, the 4th and 5th instalments remaining unpaid of the state's subscription to the capital stock of the said company; and that the said treasurer be authorised and required, for the payment of the said instalments, to borrow, on the credit of the state, the sum of twenty thousand dollars, redeemable in three years, at pleasure of the legislature, provided that the same may be obtained at a rate of interest not exceeding five per centum per annum; and the faith of the state is hereby pledged for the payment of the said principal, and the interest thereon accruing, semi-annually, until paid.

Mr. Tyson, chairman of the committee on Internal Improvement, to whom was yesterday recommitted the bill reported by said committee on the first instant, entitled, An act to incorporate the Pennsylvania and Maryland Canal Company, reported, that the committee have had the same under consideration, and are of the opinion that it ought to pass with the amendment, which the committee had agreed to and ingrafted thereto.

The said bill, as amended by the committee, was then read, laid on the table, made the order of the day for to-morrow.

Mr. Banning submitted the following message, viz.

By the House of Delegates, Feb. 7.

Gentlemen of the Senate,

We propose, with the concurrence of your honorable body, to invite his Excellency the Governor in the senate chamber, on next —— afternoon at — o'clock, to sign such of the engrossed bills as may then be prepared for his signature. We have appointed Messrs. —— —— to join such gentlemen as may be named by your house, to present this invitation to his Excellency.

Which being twice read; on motion by Mr. Banning the first blank thereof was filled with the word "Monday," the second blank with the figure '5,' and the third blank with the names of "Banning and Hawkins."

A further supplement to the act, entitled, An act for the recovery of small debts out of court, and to repeal the acts of assembly therein mentioned; endorsed, "will not pass."

And conveying a communication from the executive of this state, received and referred by the senate to the consideration of this house, enclosing, a joint resolution of the senate and house of representatives of the state of Alabama, disapproving certain resolutions of the legislatures of the states of Delaware, Connecticut, Illinois and Indiana, concurring with a resolution of the state of Ohio, proposing the emancipation of slaves, and a resolution of the legislature of New-Jersey recommending a system of foreign colonization; transmitted from the executive department of that state; also a resolution of the legislature of the state of Lousiana, disapproving certain resolutions adopted by the general assembly of Ohio, at their session in the year 1824, proposing a plan for the gradual emancipation of slaves; and another resolution of the state of Louisiana, concurring in the amendment proposed by the state of Georgia, to the constitution of the United States, passed the 22nd day of December 1823, in the words following, to wit:

"That no part of the constitution of the United States, ought to be construed or shall be construed, to authorise the importation or ingress of any person of colour, into any one of the United States, contrary to the laws of such state." Also transmitted from the executive department of the latter state.

Which said communication, with its enclosures and accompanying documents, were read and laid on the table.

Mr. Brooke chairman of the committee on applications for special acts of insolvency, delivered the following report; which was read, viz.

The committee to whom was referred the petition of James Kelly, of Kent county, praying for a special act of insolvency, have had the same under consideration, and beg leave to report, that they consider the application of the petitioner as reasonable, and have therefore reported a bill for the purpose of affording him relief.

Your committee have also reported a general bill, embracing cases similar to the above, which, if passed, they are persuaded will supersede the necessity of future legislation on this head.

The bill accompanying said report, entitled, An act for the relief of James Kelly, of Kent county, was then read the first, and by special order, a second time, and passed.

On motion by Mr. John W. Thomas, the bill reported by him, entitled, An act to repeal an act, entitled, An act to incorporate a company for the purpose of building a bridge over the river Susquehanna at Havre De Grace, was made the order of the day for to-morrow.

Mr. Done, from the committee therein mentioned, delivered the following report:

The committee to whom was referred so much of the executive message as relates to the penitentiary, beg leave to report—That they have had the same under consideration, and although the report made by the committee appointed to visit the penitentiary in the recess of the legislature, is able and comprehensive, your committee are not prepared to recommend any of the important changes proposed, without a personal examination of the building, and site, and additional information on the finances and general police of the institution. They therefore propose, that a portion of your committee should be delegated to visit Baltimore as soon as convenient, that a report may be made in time for the present legislature to act upon; and beg leave to submit the following message to the senate:

House of Delegates, Feb. 7.

Gentlemen of the Senate,

We propose, with your concurrence, to appoint a joint committee to visit the penitentiary, for the purpose of making a further investigation of the state and condition, and to examine into the accounts and police of said institution, and have named Messrs. ——, on the part of this house, to join any gentlemen from your honorable body for that purpose.

Which was twice read and concurred in; and the blank in the message proposed by said committee being filled with the names of Barnes, Done and Tyson, it was agreed to, and sent to the senate.

On motion by Mr. Dennis, the bill reported by Mr. Bennett, entitled, An act to abolish imprisonment for debt, within this state was ordered to lie on the table.

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

Thursday, Feb. 8.

The house met. Were present, the same members as on yesterday Mr. Reyner, who had for some time been prevented by sickness from attending appeared in the house. The proceedings of yesterday were read.

By Mr. Keene, a petition from sundry inhabitants of Caroline county, praying that a bridge may be built over the Bloomery Branch, and that certain roads therein mentioned, may be opened.

Mr. Teackle, chairman of the committee on the subject of public instruction, delivered the following report; which was read and laid on the table, viz.

The committee on public instruction, who were instructed to inquire into the expediency of withdrawing the donations from colleges, academies and schools, have had the same under consideration, and are decidedly of opinion that it would be inexpedient to withdraw the munificence of the state from those institutions. Experience has proved that they cannot exist without the aid of public patronage, and the withdrawing of that aid would operate to their destruction, and in effect give to the rich a monopoly of the higher branches of education; as men of wealth can afford to support their sons at distant colleges or universities, whilst the middling & even lower orders of society, would be deprived of the means of acquiring a classical education, which is now presented by the seminaries endowed in their neighbourhood; and, in the deficiency of the necessary qualifications, consequent upon that deprivation, they would be shut out from the fair prospect of competition, and the equal pretensions which they would otherwise enjoy for public employment, or professional elevation.

All which is respectfully submitted.

By order,
Jas. H. Milbourne, Com. Clk.

Mr. Bennett, who had obtained leave of absence, again appeared in the house.

According to the order of the day, the house proceeded to consider the bill, reported by Mr. John W. Thomas, entitled An act to repeal an act, entitled, An act to incorporate a company for the purpose of building a bridge over the river Susquehannah, at Havre-de-Grace; and having been read the second time, the question was propounded, Shall the said bill pass? Resolved in the affirmative, and so the bill was passed,

And the following message; which was read, viz.

By the Senate, Feb. 8. 1827

Gentlemen of the House of Delegates,

The senate accede to the proposition contained in your message of the 7th inst. to appoint a joint committee to visit the penitentiary, for the purpose of making a further investigation into the state and condition of that institution, and of examining the accounts connected therewith; and have named Messrs. Herbert and Forrest on the part of this house.

The senate propose, with the concurrence of the house of delegates, to impose the further duty upon the committee of inquiring into the state, condition and management of the Baltimore Hospital, and whether any and what further legal provisions, are necessary to secure its proper regulation, and promote its utility to the public.

By order, W. Kilty, Clk.

On motion by Mr. Done, the following message was twice read, and assented to, viz.

By the House of Delegates, Feb. 8.

Gentlemen of the Senate,

The house of delegates has received your message acceding to the proposition to appoint a joint committee to visit the penitentiary, and proposing to impose the further duty on the same committee of inquiring into the state, condition and management of the Baltimore Hospital. This house concurs in your proposition, and has instructed its committee to join in the investigation.

The house then adjourned until to-morrow morning 10 o'clock.

Friday, Feb. 9.

The several bills of the following titles, passed by this house yesterday, were sent to the senate for concurrence, viz.

An act to incorporate the Maryland Savings Institution.

An act to repeal an act, entitled, An act to incorporate a company for the purpose of building a bridge over the river Susquehanna at Havre-de-Grace. And,

An act for building a new Prison, in Calvert county, and for other purposes.

The message relating to the appointment of a joint committee to visit the Penitentiary and also to inquire into, and investigate, the state, condition and management of the Baltimore Hospital, agreed to by this house yesterday, was also sent to the senate.

Petitions and memorials of the following titles were this day presented, viz.

By Mr. Keene, the petition of Gideon Gambrel, of Caroline county, a poor old soldier of the revolutionary war, praying relief, in consideration of his military services in said war; severally referred to the committee on pensions and revolutionary claims.

By Mr. Harlan, the petition of sundry inhabitants of Cecil county, praying for the passage of a law to tax dogs.

By Mr. Buchanan, An act to prevent the evils caused by the sale of spirituous liquors in small quantities, on credit.—Messrs Buchanan, Richard Thomas, Hall, Banning and Nicholson, were named as a committee to prepare and report the bill. Whereupon Mr. Buchanan reported said bill accordingly; which was read the first time and ordered to be laid on the table.

Mr. Teackle, Chairman of the committee therein mentioned, delivered a report, with the accompanying resolution, and the annexed abstract therein referred to; which, being read, were laid on the table, and are as follow, viz.

The committee on public instruction, to whom was referred the report of the treasurer of the western shore in obedience to a resolution number 49, of 1824, with an abstract of the returns of colleges, academies & schools, in this state, beg leave to report—that they have deliberately considered the important subject of this reference, & having reviewed the returns of former years, they witnessed with regret the imperfections of those reports, and have had to lament the deficiency of a satisfactory account of the means devoted to literature. The committee are constrained to ascribe those imperfections and deficiencies to the absence of a proper system of accountability. They annex the abstract referred to, in further illustration of this matter; and as the treasurer of the western shore, has very aptly suggested a repeal, or modification of a requirement imposed upon an officer properly constituted to receive, and disburse, and account for the public treasure, they beg leave to recommend the adoption of the accompanying resolution.

All which is respectfully submitted.

Littleton Dennis Teackle, Chair'n.

Resolved by the General Assembly of Maryland, That the commissioners, trustees or other authorities of the several schools, academies and colleges, receiving funds, or donations, from this state, shall each respectively and the same are hereby required, to return annually on or before the first Monday of December, to the superintendant of public instruction, the amount of funds or donations received by them, detailing the manner of its application or distribution; also the number and qualifications of the teachers employed, the rate of tuition, the number of poor children admitted under the act of December session 1823, entitled, An act to disseminate literature in this state, and the number of students or pupils, in the classical department and dead languages, in the English and Mathematics, and in the Lancastrian, or other system; and that the superintendant of public instruction be required to present annually an abstract of such returns, with detailed remarks and information to the legislature, on or before the first Tuesday in January, and that the resolution No. 49, passed at December session 1824, be and the same is hereby repealed.

On motion by Mr. Buchanan, it was Ordered, That in addition to the standing committees already appointed on the part of this house, a committee on Agriculture be appointed by the speaker, to consist of seven members.

Bills of the following titles were this day severally reported, viz.

By Mr. Crabb, An act to authorize the Rev. Henry L. Davis to remove certain negroes from the state of Delaware to this state.

By Mr. Saulsbury, An act to alter the time of holding the county courts in Caroline county, at their March terms.

By Mr. Speed, An act authorising a lottery for the building a Masonic Hall, in the city of Annapolis. On motion by Mr. Teackle, this bill was referred to the committee on lotteries.

Mr. Barnes reported a bill, entitled, An act to prevent gaming; which was read the first time; and on motion of Mr. Barnes the house by a special order, agreed to proceed to the consideration thereof; when in the progress of the second reading of said bill, on motion by Mr. Barnes the first blank was filled with "two thousand dollars." Mr. Barnes then moved to fill the second blank with "five hundred dollars." Mr. Brooke moved to fill the second blank with "one thousand dollars," and the question being taken thereon, it was resolved in the affirmative.

On motion by Mr. Barnes, the third blank was filled with "four thousand dollars;" the fourth blank was filled with "two thousand dollars;" and the fifth blank was filled with "twelve months, nor less than three months."

Mr. Teackle offered the following as an amendment and an additional section viz.

"And be it enacted, That nothing herein contained shall operate to abate any prosecution now pending under the laws of this state."

Which was twice read, and the question taken on the adoption thereof. Determined in the negative.

On motion by Mr. Barnes, the question was propounded, Will the house adopt the following amendment as an additional section, to be inserted immediately preceding the last repealing clause of the bill, viz.

"And be it enacted, That all fines imposed under this act shall be paid, one half to the informer, and the other half to the state."

Resolved in the affirmative.

On motion by Mr. Teackle, the question was propounded. That the house reconsider its decision on the amendment which he had proposed as above? Determined in the negative.

The question then recurred, and was propounded, Shall the said bill pass? Resolved in the affirmative; and so the bill was passed.

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

Saturday, Feb. 10.

On motion by Mr. Peach, the question was propounded, That the decision of the house yesterday on the passage of the bill entitled, An act to prevent gaming, be now reconsidered? Resolved in the affirmative.

On motion by Mr. Done the question was propounded, That the said bill be laid on the table? Determined in the negative.

On motion by Mr Teackle, the question was propounded, Will the house agree to adopt the following amendment, as an additional section of the bill, viz.

"And be it enacted, That nothing herein contained shall operate to abate any prosecution now pending under the laws of this state"

Resolved in the affirmative.

The question then recurred, and was taken, Shall the said bill be passed as amended? Resolved in the affirmative. So the bill having been reconsidered amended and passed, was sent to the senate for concurrence.

The speaker laid before the house, a communication from the clerk of Queen Ann's county court, stating the number of votes taken in the election district No. 4, of said county, in favor of, and against the establishment of primary schools at the election held on the first Monday in October last; transmitted in obedience to an order of this house of the 6th ult. referred to the committee on public instruction.

By Mr. Shemaker, An act to alter and amend the laws relating to the public roads of Worcester county.

The committee to whom was referred the petition of sundry inhabitants of Cecil county, praying for the establishment of another election district in said county, have had the same under consideration, & beg leave to report, that they are of opinion that it would be unnecessary; and they fur-

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