Legislature of Maryland.

HOUSE OF DELEGATES.

THURSDAY, Jan. 27.

On motion by Mr. Hardcastle, leave was given to bring in a bill, entitled, An act to authorise the levy court of Caroline county to build a bridge and causeway over Old-town Branch in said county. Ordered, That Messrs. Hardcastle, Jones and Charles, prepare and report the same.

The clerk of the senate returned the bill, entitled, An act to restrain attornies and solicitors in chancery from entering their appearance to any suit, bill, or action at law or in equity, in the courts of this state, without special authority, endorsed 'will pass, with the proposed amendments?' which amendments were severally read the first time and ordered to be printed.—Also the bill, entitled, An additional supplement to the act entitled, An act to authorise the governor and council of Maryland to appoint the inspectors of flour of this state, passed at December session 1825, chapter 174 and the bill, entitled, An additional supplement to the act, entitled, An act authorising the appointing inspectors and corders of fire wood brought by water to the city of Baltimore for sale severally endorsed 'will not pass.' And the resolution in favor of Joshua Ruth, of Frederick county, endorsed 'assented to.' Ordered to be engrossed.

FRIDAY, Jan. 28.

Mr. Moffett presented the petition of sundry inhabitants of Kent and Queen Ann's counties, praying for the establishment of a bank at the town of Millington, in Kent county; which was read and referred to Messrs. Moffett, Wallis, Brown of Kent, Tilghman and Brown of Queen Anne's.

MONDAY, Jan. 31.

The bill, entitled, An act to authorise the justices of the levy court of Caroline county, to levy a sum of money for the purposes therein mentioned; also the bill, entitled, An act for the revaluation of real and personal property, in Montgomery county; also the bill, entitled, An act for the relief of Bolton Jackson, of the city of Baltimore: also the bill, entitled, An act to authorise commissioners to divide Prince George's county into school districts; and the bill, entitled, An act to divorce Elizabeth Rawleigh from her husband, Greenbury L. Rawleigh, of Dorchester county; also the resolution directing the clerk of the senate and house of delegates, to deliver over to the state librarian the manuscript votes and proceedings of the several legislatures of the province and state of Maryland; and the resolution directing the clerk of the council, for the time being, to transmit to the legislature, annually, within the second week of the session, a fair and correct statement of the disbursements and expenditures of the executive department for the previous current year, were sent to the senate.

Mr. Nicholas presented the memorial of the Baltimore and Susquehanna Rail Road Company, praying for a subscription to the stock of the said company; which was read and referred to Messrs. Nicholas, Ely, M'Elfresh, Tilghman and Montgomery.

And Mr. Teackle presented the petition of Mrs. E. Maddox, of Worcester county, praying that the levy court of said county may be authorised and directed to grant an allowance for the support of her afflicted son Elzey Maddux, of said county; which was read & referred to the committee on pensions to indigent persons by county assessment.

TUESDAY, Feb. 1.

Mr. Wallis presented the petition of Frederick Wilson, register of wills for Kent county, praying the passage of an act authorising the orphans court of said county to have transcribed certain records in his office; which was read and referred to Messrs. Wallis, Brown and Piner.

On motion by Mr. Edelen, leave was given to bring in a bill, to be entitled, An act directing in what newspapers publications shall be made of description of trespassing estrays. Ordered, That Messrs. Edelen, Teackle and Gale, report the same.

WEDNESDAY, Feb. 2.

Mr. Hunt presented the memorial of C. W. Karthause and others, of the city of Baltimore, praying the passage of an act to limit the dimensions of hogsheads of tobacco as provided for in the act of assembly, passed at November session 1801.

The committee of grievances and courts of justice, to whom was referred the petition of sundry citizens of Washington county, praying that the court of appeals for the western shore be removed to the city of Baltimore, beg leave to report, That they have had the same under consideration, and are of opinion that it is inexpedient to grant the prayer of the petitioners.

The bill, entitled, An act further to provide for the payment of future instalments of the state's subscription for stock of the Baltimore and Ohio Rail-road or Chesapeake and Ohio Canal Companies, were severally taken up for consideration and passed.

The bill to authorize the Baltimore and Susquehanna Rail-road Company to construct a lateral Rail-road to Westminster, and for other purposes, was ta-

[illegible]ad and pass-

[illegible]DAY, Feb. 3.

[illegible] following order which [illegible]

Ordered, Th[illegible]ee on inspections be directed a[illegible]uired to report a bill limiting the term of office of the inspectors of tobacco in the state warehouses in the city of Baltimore, to four years.

Mr. Smith moved to amend said order, by striking out the word "four," and insert "three."

On the question being put, it was determined in the negative.

The question was then put, Will the house adopt the order? Resolved in the affirmative.

On motion by Mr. Hughlett, the house proceeded to consider the message offered by Mr. Merrick on the 2d inst. proposing a continuance of the session until Saturday, the 12th instant—which was adopted.

On motion by Mr. Teackle, the bill reported by him from the committee on education, entitled, A further supplement to an act for the distribution of a certain fund for the purpose of establishing free schools, in the several counties therein mentioned, was taken up for consideration, read the second time, passed, and sent to the Senate.

The bill reported by Mr. M'Elfresh, entitled, A further supplement to the act, entitled, An act directing the manner of suing out attachments in this province, and limiting the extent of them, was taken up for consideration.

Mr. Shaw moved to amend said bill by adding at the end thereof the following, as an additional section:

"And be it enacted, That it shall and may be lawful for any justice of the peace in any county of this state, to issue out an attachment agreeable to the provisions of the first section of this act, where the debt claimed does not exceed the sum of fifty dollars; also against any person or persons against whom an attachment may issue, who should or may be able to abscond, or remove his, her, or their property, as the case may be, out of this state, on application being made to any such justice, by any creditor or creditors, on oath or affirmation, as the case may be, & direct the same to any constable of his hundred, who shall have full power to take into custody any property of or belonging to any person or persons against whom any such attachments may issue; and on the condemnation thereof by any justice, the said constable then to proceed to take the money due, with all the costs accrued thereon, as small debts are now collected, by giving at least ten days notice by advertisement."

On the question being put, Will the house adopt said amendment as an additional section? It was determined in the negative.

The bill was then read the second time, and passed.

The bill reported by Mr. Merrick, entitled, A supplement to the act for the better regulation of apprentices, was taken up for consideration; when on motion of Mr. Merrick said bill was amended, by adding at the end thereof, as an additional section, the following:

"And be it enacted, That the several orphans courts shall have full power in all cases where, in virtue of this act they will be authorised to discharge an apprentice, or release a master or mistress from his or her contract, and in all cases with the consent of the master or mistress, and the father of an apprentice, or of the mother if the father shall be dead, to bind such apprentice to any person of a different trade or occupation from that of the former master or mistress, if the court shall be satisfied that such change of trade will be beneficial to the apprentice, or necessary on account of his disposition, genius or capacity, or for his moral improvement and instruction."

The said bill was then read the second time, as amended, passed and sent to the senate.

FRIDAY, Feb. 4.

Mr. Tilghman from the committee on ways and means, delivered the following report:

The committee on ways and means, to which were referred the several bills for amending the license law of this state

Report—That they have given them serious consideration. The license system being intimately connected with the interests of society, both as a police and a revenue measure, requires the most deliberate action of the legislature. The committee therefore beg leave to say, that in their opinion, the importance of the subject demands, for its consideration, more time than the advanced stage of the session now admits of: and as they cannot hope that their labours in preparing and digesting a system which would be acceptable to the public, and at the same time protect the revenue, would be crowned with success, they have reported a bill, which, with the proposed amendments, they believe will correct some of the defects of the existing law, leaving it to the wisdom of a future legislature to devise a system which may be commensurate with the interests involved. Your committee will report separately on the several bills referred to them.

Mr. Tilghman from the committee on ways and means, to which was referred the bill reported by Mr. Hughlett, entitled, An additional supplement to the act of December session 1827, chapter 117, entitled, An act to regulate the issuing of licenses to traders, keepers of ordi-naries; and others, reported the same with the following amendments.

Amendments proposed.

At the end of the 1st section, add the following proviso:

"Provided, That any person applying for a license as aforesaid, who shall refuse to state the amount of capital which he, she, or they, have in trade, or expects to keep on hand, shall pay the highest grade of license authorised by this act."

Add the following as the 3d section of the bill:

"And be it enacted, That so much of the 7th section of the original act to which this is a further additional supplement, as imposes a fine of fifty dollars for any violation of the provisions of the said section, [illegible] the same is hereby repealed [illegible]ded, that such repeal shall not prevent [illegible]e prosecution and trial of any present[illegible]ent or indictment for any breach of the [illegible]section aforesaid."

Which were read.

The clerk of the senate delivered the following message:

By the Senate,
February 4th, 1831.

Gentlemen of the House of Delegates,

The senate have received your message proposing to proceed this day to the election of a Senator, to represent this state in the congress of the U. States, and respectfully decline acceeding thereto.

By order,
L. Gassaway, Clk.

Which was read.

Mr. Blackison submitted the following message; which was read:

By the House of Delegates.
February 4, 1831.

Gentlemen of the Senate,

We have received your message this morning declining to go into the election of senator, to represent this state in the congress of the United States.

Feeling it a duty which we owe to our constituents, and to the state, that the vacancy which will occur on the third of March next, should be filled by us during the present session, and the legislature having determined to adjourn on Saturday the 12th inst. we therefore most respectfully invite your honorable body to fix some day previous to the day of the contemplated adjournment, on which to go into the election, as any day that may be convenient to your honorable body, will suit the convenience of this house.

By order,
G. G. Brewer, Clk.

Mr. Ely moved to lay the message on the table? Determined in the negative.

The question was then put, Will the house adopt the message? Resolved in the affirmative, and the message was sent to the senate.

SATURDAY, Feb. 5.

On motion of Mr. Burchenal, leave was given to bring in a bill, entitled, An act directing the mode for taking bases in this state.

On motion by Mr. Wright, Ordered, That the account, return and accompanying documents of Major Wm. C. Ridgaway, for the services and expenses of the militia, attached to the extra battalion of Dorchester county, be referred to the committee on claims for examination and settlement, and that they report the result of their determination to this house.

CONGRESS.

FRIDAY, Jan. 28.

In the Senate yesterday, various petitions and memorials were presented; among which was one from the workers in iron, in the city and county of Philadelphia, praying for a re-modification of the tariff upon that article. It was referred to a select committee, consisting of Messrs. Hayne, Dickerson, King, Bell, and Tyler.

After the presentation and consideration of several bills and resolutions, the Senate again resolved itself into a court of Impeachment for the continuation of the trial of Judge Peck, of Missouri. Mr. Storrs concluded his argument at a quarter before 3 o'clock, when the Court adjourned. Mr. Buchanan will assume the floor to day, and make the closing plea on the part of the House of Representatives.

In the House of Representatives, several reports were presented and bills introduced. The joint resolution from the Committee on Public expenditures, on the subject of the compensation of members of Congress, retrenching the perdiem allowance for such days as they may be absent, unless in the case of sickness, absence by leave, or on the public business, was discussed, and finally passed, by a vote of 158 to 21.

The bill for the quieting of the titles of certain purchasers of lands between the lines of Ludlow and Roberts, in the State of Ohio, was taken up in a Committee of the Whole, Mr. Howard in the chair, and considered till 12 o'clock; at which hour the House again proceeded to the Senate chamber to attend the trial of Judge Peck. On returning, they reported.

The Speaker laid before the House a communication from the Secretary of War, with a map of the United States, compiled in pursuance of a resolution of March 18th, 1830, for the use of the Committee of Commerce. The House then adjourned until to-day 11 o'clock.

SATURDAY, Jan. 29.

In the Senate, yesterday, the resolution submitted by Mr. Clayton, authorizing the select committee appointed to examine and report on the condition of the General Post Office to send for persons and papers, was considered, & adopted. The following bills were read the third time, and passed. The bill authorising the construction of three schooners for the naval service of the United States; the bill for the relief of James Sprague; and the bill to alter and amend the act of setting apart a portion of the public lands for the cultivation of the vine and olive.

In the High Court of Impeachment, sitting for the trial of Judge Peck, Mr. Buchanan, one of the managers of the impeachment, addressed the Court at great length, in a most eloquent and argumentative speech, in reply principally to Mr. Wirt and in favor of the impeachment. Mr. B. it is presumed will conclude to day.

In the House of Representatives, Mr. Hodges, from the Committee on the Post Office and Post Roads, reported a bill for regulating the compensation of the clerks in the Post Office Department; which was read twice, and committed to a Committee of the Whole.

Mr. Verplanck, from the Committee of Ways & Means, introduced a bill making appropriations for the Cumberland and various other roads, and for the necessary surveys thereon. It was referred to a Committee of the Whole, and made the order of the day for this day. Mr. Polk, from the select committee on the subject presented a report in pursuance of that part of the President's message which related to the distribution of the surplus revenue after the payment of the national debt. It was laid upon the table

Mr. Lecompte submitted a resolution to limit the terms of office of the Judges of the United States, as well of the Supreme Court as of the inferior tribunals which was however, upon a division by ayes and nays, negatived by a vote of 116 to 60. The bill to compensate the witnesses attending the trial of Judge Peck passed through committee and was ordered for a third reading this day. The annual report of the commissioners of the navy pension fund was presented, and ordered to be printed; after which, the House, as usual, attended the Senate Chamber during the progress of the trial of Judge Peck.

MONDAY, Jan. 31.

In the Senate, on Saturday, the Chair announced a memorial from sundry inhabitants of Philadelphia, praying for a reduction of the duties on iron; and it was referred to a select committee, consisting of Messrs. Hayne, Dickerson King, Bell, and Tyler. A memorial was also presented by the President, from sundry citizens of New Jersey, complaining of the high duties on articles used in ship building, and praying for their reduction. A debate ensued on the motion of Mr. Dickerson to refer this memorial to the Committee on Manufactures, and the motion of Mr. Hayne to refer it to the Committee on Commerce; in which the first motion was advocated by Messrs. Dickerson & Foot; and opposed by Messrs. Hayne, Benton, Woodbury, King and Silsbee. The hour of twelve o'clock having arrived, the memorial was, on motion of Mr. Webster, laid on the table.

The bill reported by Mr. Davis, of S. Carolina, from the Committee on the Judiciary, to repeal the 25th section of the Judicial act, subjecting the decrees or judgments of State Courts to the revision of the Supreme Court of the U. States, was the first business taken up in the House. Mr. Crawford called for the previous question upon it; and the call being sustained, the main question was put, and the bill was, upon a division by yeas and nays rejected, by a vote of 137 to 51. The resolution introduced by Mr. Haynes, for the reduction of the duties on brown sugar imported into the United States was, upon the motion of Mr. White, of Louisiana, postponed until Wednesday next. Various other resolutions were acted upon; after which, the House on motion of Mr. Coleman, went into a Committee of the Whole House, Mr. Martin in the chair, and proceeded to the Senate chamber, to attend the impeachment. At 3 o'clock they returned, reported, and adjourned.

TUESDAY, Feb. 1.

In the Senate, yesterday, Mr. Sanford introduced a bill concerning vessels employed in the whale fisheries; which was read, and ordered to a second reading. Among the petitions and memorials presented, was one by Mr. Sprague, from Maine, remonstrating against the law of the last session of Congress, for the removal of the Indians beyond the Mississippi. On the opening of the High Court of impeachment for the trial of Judge Peck, a motion, submitted by Mr. Tazewell, that the Court would then pronounce judgement in the case, was adopted; and the Vice President, having successively asked each Senator whether the respondent was guilty or not guilty, was answered by twenty one Senators voting guilty—Messrs. Barnard, Brown, Clayton, Dickerson, Dudley, Ellis, Forsyth, Hayne, Iredell, Kane, King, Livingston, McKinley, Poindexter, Robbins, Sanford, Smith of Maryland, Smith of South Carolina, Troup, Tyler, and Woodbury—21.

And twenty two Senators voting not guilty—Messrs. Barton, Bell, Burnet, Chase, Foot, Frelinghuysen, Grundy, Hendricks, Holmes, Johnston, Knight, Marks, Naudain, Noble, Ruggles, Seymour, Silsbee, Sprague, Tazewell, Webster, and White—22.

In the House of Representatives, petitions and memorials were presented, and referred to the appropriate Committees. The speaker laid before the House memorials from the states of N. Carolina and Pennsylvania, on the subject of Sunday mails; which were laid upon the table. After several reports had been made and acted upon, Mr. Cambreleng, from the Committee, introduced a bill for the construction of a custom house in the city of New York; which was read twice and committed to a committee of the Whole on the state of the Union. Mr. Mercer, from the committee on Roads and Canals, reported a bill to authorize a subscription of stock to the Alexandria Canal Company; which was disposed of in a similar way with the foregoing bill, and ordered to be printed. On motion of Mr Johnson, of Kentucky it was resolved that the House proceed, on Wednesday, to the election of a printer for the next Congress. Upon the bill for regulating the compensation of clerks in the Post office Department, Mr. Ramsey offered an amendment, providing that such additional clerks as might be requisite should not receive a salary exceeding $800 per annum. The House then went into a Committee of the whole, Mr. Cambreleng in the chair, and repaired to the Senate chamber in order to attend the trial of Judge Peck. At 1 o'clock they returned and reported that the high court of Impeachment had decided by a vote of 22 to 21, that the charge against that individual had not been sustained. Various bills from the Senate were then taken up, and passed through their proper stages; and the bill authorizing the transportation of foreign merchandize, by land or water, with benefit of debenture, was read a third time, and passed; the motion to re-consider the vote rejecting the Illinois and Michigan canal bill, was taken up; and after some discussion, in which Messrs. Macoy; Duncan, Vance, Bell, and Irwin, of Ohio, took part, it was negatived by a vote of 109 to 82. The remainder of the sitting was occupied by the further discussion of the bill relative to the claims of Ex-president Monroe.

THE JUDICIARY.

Our readers will perceive (a large proportion of them, we are persuaded, with great satisfaction) that the House of Representatives promptly met and decisively settled the question of the proposed repeal of the 25th section of the venerable act of Congress, commonly known by the name of the Judiciary Act. To announce the question in a few words, it was upon a proposition to repeal, *as being unconstitutional* (after more than forty years action under it) that part of the Judiciary act extending the jurisdiction of the Supreme Court of the United States over final decisions in State Courts which impugn the validity of any laws or treaties of the United States. A bill was reported by the Judiciary committee, (four against three in Committee,) to repeal the section conferring, or rather regulating the mode of exercising this jurisdiction.

This bill was, as a matter of course, read a first time, & as a matter of course, also, would have received its second reading, but for the objection made to its second reading by Mr. DODDRIDGE, of Virginia, who excepted to it on the ground that the bill, being of equivalent consequence to a bill *to repeal the Union*, ought not to be allowed to be so much as entertained by that House. Upon this objection, the question, according to the rules of the House, assumes this form: "Shall the bill be rejected?" On that question, coming up on Saturday, the *Previous question* was agreed to, precluding Debate; and the main question being taken, the bill was REJECTED by 187 votes to 51—a most decisive majority, but a majority which would have been enlarged, had the question been upon the final passage of the bill, by the votes of several who voted *against* rejection, either from a desire to hear an argument upon it, or to have an opportunity of voting upon amendments which might be proposed with a view to a modification of the 25th section, to the absolute repeal of which they were themselves unequivocally opposed. We know of two gentlemen whose votes are thus to be accounted for, & it is probable there are more of them.

No set of yeas and nays perhaps, has been taken in Congress for these fifteen years, that has been as closely scrutinized and canvassed as that upon the above question will be. We do not mean to make comments upon it here, which the reflections of every reader will supply abundantly, but will content ourselves with the simple statement of one or two striking *facts* which it presents.

We heartily rejoice, then, that the yeas and nays present no defined geographical lines. The heaviest vote against the rejection of the bill was certainly from the South, but the West, and East too, also lent support to the bill. Maine, New Hampshire, and New York, furnished votes against its rejection; so did Louisiana, Mississippi, and Missouri. Two to one of the votes of Virginia and Kentucky, and half the votes of Tennessee befriended the bill. South Carolina presented but two votes against it, and Georgia not one. Whilst in the important States of Pennsylvania, Maryland, New Jersey, Ohio, Indiana, Connecticut, Vermont and Massachusetts, not a single vote was given in favor of the proposed "reform," and in Maine but one vote.—North Carolina, though intermediate to two great anti-national States, gave a majority of votes against the bill. Counting it off by *States*, the votes stands two to one for the rejection of the bill.

National Intelligencer.

©Maryland State Archives, msa_sc2940_scm11030-0003.jpg