EASTON GAZETTE.

WHERE THE PRESS IS FREE—"Literature well or ill-conducted, is the Great Engine by which all Popular States must ultimately be supported or overthrown RELIGION purifies the Heart and teaches us our Duty—Morality refines the Manners—Agriculture makes us Rich, and Politics provides for the enjoyment of all.

VOL. XX. EASTON, (MD.) SATURDAY MORNING, FEBRUARY 4, 1837. No. 6.

PRINTED AND PUBLISHED EVERY *Saturday Morning* BY

Alexander Graham,

TERMS.

TWO DOLLARS AND FIFTY CENTS Per annum, payable half yearly in advance.

ADVERTISEMENTS

Not exceeding a square inserted three times for ONE DOLLAR; and TWENTY FIVE CENTS for every subsequent insertion.

A LOT OF

NEGROES FOR SALE.

The subscriber will sell, on Monday the 5th. day of February, at the Court *House* or Jail door, in Cambrige, Dorchester county, E. S. Maryland, about noon of the said day, the following



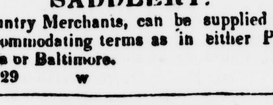
NEGROES, to wit:

One negro man, named Jerry, about 18 years of age; Major, 28; Sophia, 22; Betty, 18, and child—all sound and healthy, and now in Cambridge jail, where persons desirous of purchasing can view them. The said negroes will be sold by virtue and in pursuance of an order of the Honorable Justices of Dorchester County Orphans' Court, for the payment of legacies due from William Staplefort, under the will of his brother, Charles Staplefort, to certain legatees mentioned in said will.

ROBERT F. TUBMAN, Adm'r. d. b. n of William Staplefort.

Jan. 14 3w

Latest Fashions.



JOHN SATTERFIELD,

IS happy to announce to his customers and the public generally that he has received the

Fall and Winter Fashions,

and is now prepared to execute all kinds of work in his line with neatness and despatch.

Thankful for past favors, he solicits a continuation of the same, and advites gentlemen to call and see his map of fashions, consisting of

A new style OVERCOAT, with or without cape, &c. which fashion is expected to be the winter *ton* in all the cities..

A new style PANTALOONS, varying but a little however from the present fashion.

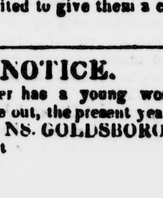
A new style BUSINESS COAT.—This is a neat and convenient coat—with double breast, &c. &c

DRESS OR PARTY COATS vary from last reports. Gentlemen would do well to call and see the representation of those coats.

Frock Coats, Dress Coats, Vests, Children's and youth's clothes, and every description of Gentlemen's wearing apparel in all their varieties and fashions, will be cut in a handsome style, *warranted to fit*, and made in a durable and neat manner at the shortest notice.

nov. 12 eow3w

New Saddlery.



WM. W. HIGGINS,

Has just returned from Philadelphia and Baltimore, with a handsome assortment of

SADDLERY.

Country Merchants, can be supplied upon as accommodating terms as in either Philadelphia or Baltimore.

oct 29 w

STEAM BOAT

NORFOLK.

JO. PEARSON,

Respectfully informs the public, that the Steam Boat Norfolk, has discontinued her route to Corsica and Queenstown. He takes the present opportunity of returning his sincere thanks for the liberal patronage extended to him, while on the route.

Steam Boat Norfolk, Oct. 8th, 1836.

ADDITIONAL SUPPLY OF Seasonable Goods,

STEVENS & RHODES

Are receiving and opening at their store rooms opposite the Court House, an additional supply of

Seasonable Goods;

which will be sold cheap for cash, or exchanged for kersey, linsey, wool, feathers, &c.

Their friends, and the public generally, are respectfully invited to give them a call.

nov 26

NOTICE.

The subscriber has a young woman and two girls to hire out, the present year.

NS. GOLDSBOROUGH.

Jan. 14 3t

TO RENT,

For the ensuing year, the following houses, viz:

The house and premises on the East side of Washington street in Easton, now occupied by Mr. Solomon Barrott, as a *public house.*

Do. three small houses, at the White Chimnies, near Easton.

Do. a comfortable dwelling house, near the Quaker Meeting House.

Also several houses belonging to the estate of the late Doct. Hammond.

For terms apply to the subscriber in Easton

JOHN GOLDSBOROUGH.

Easton, aug 6 w

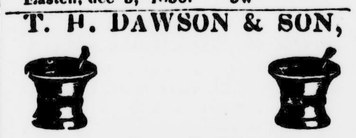
Take Notice.

Persons calling for Letters, or sending for them, must pay the postage before they can have them, as I am determined to give no credit. The law is this—Postmasters are unauthorized to give credit for postage, want of funds therefore is no excuse for failure of payment, all newspapers and pamphlets must be paid for the quarter in advance, or they cannot be delivered.

HENRY THOMAS, Postmaster.

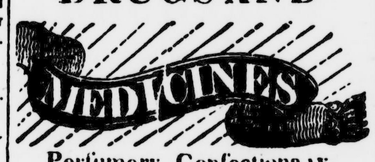
Easton, dec 3, 1836. 3w

T. H. DAWSON & SON,



Are now opening a splendid supply of articles in their line, carefully selected in Philadelphia and Baltimore, by the Junior partner; which added to former purchases, make their stock very complete. Always thankful for the custom of their friends and the public, they hope to merit a continuance thereof, and invite them to call and look at their assortment, consisting as usual of

DRUGS AND



Perfumery, Confectionary,

Brushes of all kinds,

Paints, Oil, Glass, &c. &c.

October 29

N. B. T. H. D. & Son, received by the Steam Boat last evening, a supply of first quality Malaga Grapes and Raisins, of this years vintage.

MR. AND MRS. HAMILTON'S

Boarding and Day School

FOR YOUNG LADIES.

Corner of Courtland and Saratoga streets.

BALTIMORE.

Will be re opened on Monday, the 5th of September next. As this Institution during the present year, has received the most extensive improvements and additions, the Principals feel a confidence in saying they believe it to be *now* superior to any similar establishment ever offered to public patronage both in the School and Boarding departments.

Although the character of this Institution is generally well known, yet for the satisfaction of those unacquainted with it, they give the following gentlemen as references:

Rev. Dr. JOHNS,
Rev. Dr. HENSHAW,
Rev. J. M. DUNCAN.

A prospectus of the School may be obtained by addressing (post paid) William Hamilton, Baltimore.

Aug. 27

THE SATURDAY NEWS AND *LITERARY GAZETTE*

A WEEKLY FAMILY NEWSPAPER

Devoted to Literature, Criticism, the Fine Arts, General Intelligence, News, &c.

Price Two Dollars per annum—payable in advance.

On Saturday, July 2, 1836, the subscribers will commence, in Philadelphia, the publication of a new weekly newspaper under the above title.

The *News* will embrace every variety of light literature, including, Tales, Poetry, Essays, Criticism, Notices of the Fine Arts, the Drama, &c. The original matter will be supplied by writers of the first eminence. A regular correspondence will be maintained with Washington, and the principal Cities of the Union, and arrangements are in progress by which letters from Europe will be constantly furnished.

Attention will be paid to securing at the earliest possible date the choicest productions of the English periodical press. Popular novels will occasionally be given, though they will not be suffered to interfere with a general variety. The latest news, and all items of interesting intelligence will invariably form part of the contents.

The *News* will be printed on a folio sheet of the largest class, and will furnish as large an amount of reading matter as any weekly paper now published in this country. It will be conducted in a spirit of the most fearless independence. All allusion to party politics or sectarian religion will be carefully avoided.

LOUIS A. GODEY,
JOSEP C. NEAL,
MORTON McMICHAEL.

Agents of this paper will be allowed the usual commission.

Six copies furnished for ten dollars.

All payments to made in advance.

Orders, free of postage, must be addressed to L. A. GODEY, & Co.

No 100 Walnut St. Philadelphia.

June 11

Our editorial friends in the country will oblige us by inserting the above prospectus, and accepting a free exchange.

BLANKS

OF EVERY DESCRIPTION FOR SALE AT THIS OFFICE.

MARYLAND LEGISLATURE

REPORT

OF THE

Select Committee of the Senate,

ON THE CONSTITUTION.

The select committee, who were appointed with directions "to take into consideration the Constitution and Form of Government of this State, and to report to the Senate what alterations should be made in its provisions, and in what mode such alterations can be most eligibly made," beg leave to submit, in part, the following

REPORT.

Your committee entered upon the performance of the highly responsible and interesting duties of their appointment, with a becoming sense of the magnitude of their task, and of its intrinsic difficulty. They fully realized that they were invested with an important and a very delicate commission:—important, because it concerned the fundamental law; and delicate, because it would bring them into conflict with local prejudices, with sectional interests and preconceived opinions. Whatever their conclusions might be, they readily foresaw that many would condemn, and few approve. For although many are agreed that Reform is necessary and proper, very few concur in any specific proposition, or in any general plan. Some are for limited, others for general reform. Of the former class, some look, exclusively, to one thing; others, exclusively, to another.—One desires some alterations in regard to the Judiciary, and in nothing else; another, in respect of the Executive; and a third, in relation to the Legislative Department. Of those who desire a general reform, as it is called, some desire that they shall be made through the medium of amendments to the Constitution; whilst others insist, that they shall be made by a convention, and by a convention alone. These last do not desire reform merely, but reform *by a convention*; and assume the ground, that however the constitution may be altered by legislative action, the majority of our people will not live under its authority. Another class assert, that 'the constitution and form of government' requires no further amendment; and that it is well adapted to the wants situation and exigencies of our people.

In addition to these extrinsic difficulties, your committee were not without apprehension of conflicting views and opinions, in their own body, likely to embarrass their proceedings. Some being citizens of one shore, and part of the other, they might be supposed to cherish correspondent partialities, and mutual distrust: and coming, as they do, from different parts of the State, and in so far, representing different interests, it was not unreasonable to anticipate a divided feeling, upon many of the propositions, upon which they would be required to pass. But they determined, if possible, to merge their minor distinctions, in the higher and common title of CITIZENS OF MARYLAND, and to look to the general welfare,—to the whole State, and to every portion of the State, in its various interests, its relations, and its dependencies. They determined, moreover, to bring with them, into their conferences, so much of the spirit of compromise, and mutual concession, as might be consistent, in each, with a conscientious discharge of his duty.—Under these auspices, they have come to the conclusions, which are embodied in this report.

The primary question, submitted to the decision of your committee, had relation to the power of the General Assembly to call a convention, and provide for the election of its members. They were unanimously of the opinion, that the General Assembly has no such power. They believe that the passage of a law for that purpose, without a previous alteration of the constitution, would not merely be the usurpation of a power not entrusted, but a plain violation of an express article of the constitution. The 59th article is in the following words—"That this Form of Government, and the Declaration of Rights, and no part thereof, shall be altered, changed or abolished, unless a bill so to alter, change or abolish the same, shall pass the General Assembly, and be published at least three months before a new election, and shall be confirmed by the General Assembly, after a new election of delegates, in the first session after such new election; provided that nothing in this Form of Government, which relates to the Eastern Shore particularly, shall at any time hereafter be altered, unless for the alteration and confirmation thereof, at least two-thirds of all the members of each branch of the General Assembly shall concur." Now it is very clear, that the power to *alter, amend* or *abolish* any part of the form of government, or of the declaration of rights, is reposed by the constitution in the General Assembly, *and in the General Assembly alone*, and by two successive acts, with an intervening election. The General Assembly cannot delegate this power to any other body, however constituted and however created. If the constitution was submitted to a convention, and by such convention revised, altered and amended, it would then be *altered and amended*, not in the mode prescribed, but in a manner unknown to the constitution. If superseded by a new constitution and form of government, emanating from a convention, it would be *abolished*, not by the General Assembly, the only constitutional legislature, but by a convention, a power not known to the constitution, nor consistent with it. Those who have solemnly promised to support the constitution, cannot disregard its plain provisions.

Your committee do not mean to question the great political apothegms, announced and asserted in the Declaration of Rights. The rights there declared, are above the constitution, and not derived from it. The constitution itself, sprang from the exercise of the great power, which is claimed in the first article. It is the social compact, there intended; and in the provisions of that compact the General Assembly had its origin, and therein will be found the limits to its powers. The question submitted to the committee, concerned the power of the Legislature—not the power of the people. Unquestionably, the legislature can so alter and amend the constitution by two successive enactments, as to make it lawful to call a convention, and to provide, by law, for the election of its members. But as the constitution now stands, this cannot be done, and it only remains for your committee to suggest such alterations in its provisions, as, in their opinion, are proper to be made.

Your committee may be allowed, they hope, without impropriety to remark, that they took up, with great respect, for consideration and revision,—The Constitution and form of Government, under which the citizens of Maryland, for two generations, have lived in happiness and peace. Under the broad shield of its protection, the weak found a refuge from oppression, and the stranger an asylum. All were safe in their persons, secure in their property, and protected in their characters. It was the work of patriots, who had put their all in peril for the rights of man. It was framed and adopted at a period, when every tongue was eloquent in favor of liberty, and in condemnation of arbitrary power. It was the compact of the freemen, and the Delegates of the Freemen of '76; solemnly formed and adopted, as a law for themselves, their children and successors. Your committee *felt*, that it was not rashly to be changed, nor for light and trivial causes.

At the same time, your committee very readily concluded, that in such of its provisions as were unequal and partial, it ought surely to be amended. Such they found to be the case, in regard to the basis of representation in the House of Delegates. Equality of suffrage is thereby given to the counties—the representation from each county being four Delegates. So the city of Annapolis, and what was then Baltimore Town, are placed on the same footing—the representation, originally, being two delegates from each. The basis was not strikingly objectionable, at the date of the constitution; but immense changes have occurred, within the last sixty years. The western portion of our State, from the fertility of its valleys and its great productiveness, has risen in wealth, and increased in population, in a very extraordinary degree. So Baltimore town, which the framers of our constitution supposed it possible might be found, in the course of time, to contain less than half as many voters as the least populous county of the State, and for which contingency they have carefully provided, is now a city of great wealth and of many people—One of the great marts of our country, her enterprising merchants hold correspondence and commerce with all the nations of the earth. Other changes have occurred, in relative importance, less cheering to contemplation. The representation, in the house of delegates, although originally just, is now practically unjust. Your committee have agreed to recommend an apportionment of representation, in the *House* of Delegates, upon a different basis; and suggest an alteration of the constitution accordingly. The great disparity in the population of the several counties, and the total want of correspondence between the ratio of population to territory, in some of the counties in comparison with others, indicated the propriety of adopting a mixed basis.—Your committee, therefore, suggest, that every county, shall have allowed to it, as for territory, two Delegates; that every county having a population, on the basis of federal representation, of five thousand souls, shall have a additional delegate; and that for every ten thousand souls, on the basis of federal representation, beyond five thousand, such county shall have an additional delegate, but that no county shall be allowed, in any event, a greater representation than six, and that the city of Baltimore shall have no greater representation than the largest representation from any county. For the present, they further suggest, that the census of 1830 shall be temporarily adopted; and that after the census of 1840 shall have been taken and officially promulged the representation shall be graduated and permanently established, upon the basis above declared.

With respect to the Senate, your committee have not been able to concur in their views, either as to the proper organization of that body, or as to the mode of electing its members. All the committee, save one, concur in recommending, that the Senate shall consist of one member for and from each county in the State, and one member for and from the city of Baltimore. At the time of the formation of the constitution there were but eighteen counties in the State—eight of which composed the Eastern Shore, and ten counties, and the two cities, of Annapolis and Baltimore, the Western Shore—The apportionment, therefore, of nine Senators to the Western Shore, and six Senator the Eastern Shore, was in an exact proportion, rating the two cities equal to two counties. Since that period, however, the county of Allegany has been established, and the new county of Carroll is about to be created. There will then be twenty counties in the State; and it is deemed a convenient arrangement, to give a Senator to each county, and one to the city of Baltimore. This will make the precise number of twenty-one Senators—a body, it is believed, not inconveniently large.

In regard to this branch of the General Assembly, the majority of the committee, in changing the number of Senators, do not depart from the basis of representation adopted by the framers of the constitution. The inequality of representation, in the other branch, will compensate in some respects, for the equality of suffrage which is secured to *sectional interests* in this. If both bodies were constituted upon the same basis, whether territorial, popular or mixed, and differing only in numbers, or in the duration of their respective terms of office, the majority of the committee cannot well conceive why a consolidated assembly would not equally avail—more especially if both branches are elected in the same mode. Some check is necessary in all legislation; and experience has shown, and political forecast will discern, that the rights of the minority must be respected; and that territorial and sectional interests, in every well organized government, will be recognized, and in some degree represented. The wise men who framed the admirable constitution, under which our union has, thus long, been so happily preserved, gave equality of suffrage to the States in the constitution of the Senate, without regard to difference of territory or disparity of population. And although it is conceded that there is no exactness of similitude between the relation sustained by a Sovereign State to the Union, and the relation of a county, itself a mere sectional part, in reference to a State; yet the *illustration* is all that is sought by the reference, and it is aptly furnished.

Your committee have been unable to agree in the recommendation of a mode of electing the Senators. A bare majority have decided in favor of suggesting the election of a Senator from each county, and one from the city of Baltimore, by a direct popular vote of the citizens of each county and of said city, respectively. In obedience to their directions, such mode of election is now suggested. The dissenting members were in favor of the election of a Senate by electors, and by their concurrence in this report they do not waive their privilege, as Senators, from voting accordingly, when the subject shall come up for the action of the Senate.

Your committee will proceed to express their views in relation to the Executive Department. They recommend an amendment of the constitution, so as to authorize the election of the Governor directly by the people. They are induced to make this recommendation not because your committee or a majority of them, perceive any imperious necessity for the change; but because it seems to be called for by public opinion, and is not only in accordance with the general practice of the States, but is entirely consistent with the genius of our republican institutions. No evil can result to the public from the change; and the only objection which was entertained by any member of the committee, arose from an unwillingness to alter any part of the constitution, without an apparent necessity. Your committee recommend an election by general ticket; but they feel at the same time, that respect should be paid to interests as well as to population. The city of Baltimore, from her great population and central position, would in such a contest, very greatly influence, if not control, the result. *Her* popular vote is nearly one-fourth of the aggregate vote of the whole State, and from the enterprise of her citizens, and her admirable location, she must continue to increase in population, as she will still increase in importance and in wealth. It would be doing injustice to other portions of the State, and in disregard of the rights of the farmer and the planter, to adopt a system without some counterveiling benefits, which would give this unequal power to so small a territory, and to a several interest.—No restriction however, could be tolerated which would deprive a citizen of Baltimore, because of his locality, from his equal weight in a general election, with any other freeman of the State. All are alike subject to the action of the laws—all should equally participate in the choice of the Chief Magistrate. But one apt expedient has occurred to your committee, and this they recommend for adoption. It is to divide the State into four gubernatorial districts, and to provide that a Governor shall be chosen, in succession, from these several districts, according to a priority, to be determined by law. The votes of the State, as taken at the recent presidential election, were upwards of forty eight thousand. Of these nearly one-fourth were given in the eight counties of the Eastern Shore—these would conveniently compose one gubernatorial district. The counties of Allegany, Washington and Frederick gave, within a fraction, one-fourth of the entire vote; —these, with the new county of Carroll, would conveniently compose a second gubernatorial district.—Baltimore city, Baltimore county, and Harford county gave more than one-fourth; and after subtracting from the vote of Baltimore county, so much thereof as may fall within the limits of Carroll county, there will still remain a vote of more than one-fourth;—these would conveniently compose another gubernatorial district. And the remaining counties of the State, consisting of St. Mary's, Charles, Calvert, Prince George's, Anne Arundel, (inclusive of the city of Annapolis,) and Montgomery counties, would compose the remaining gubernatorial district. This division is geographically convenient and natural; and although the population of the several districts is not precisely equivalent, it is not strikingly unequal. In each of the districts, as thus proposed to be divided, gentlemen of intelligence, of virtue and honor may always be found, entirely competent to fill the highest executive office of our State with dignity and public usefulness; and by confining the selection at each election, to a particular district, but giving to all the citizens a vote in his selection, not only are the just pretensions of each portion of the State consulted and respected; but the right of every voter is fully secured and maintained. Another consideration might be urged, in favor of the adoption of these districts. It would prevent the distraction that might otherwise arise, from the nomination of numerous candidates, in various parts of the State; and the consequent generation of partizan feelings, dependent, not on principle, but on mere locality.

Your committee unanimously concur in the opinion, that the Council to the Governor may well be abolished. The framers of the constitution considered it unsafe and inexpedient to confide to any man, however exalted, the uncontrolled and absolute power of confirming all the executive appointments. In this sentiment your committee fully concur. But experience has shown that the same check to executive independency may be found in the action of the Senate, by requiring that all appointments shall be made by and with their advance and consent. When acting upon executive business they would be sitting as a council to the Governor, and not in the exercise of legislative functions. And by clothing Senators with this new capacity the Bill of Rights which declares that the executive and legislative departments should be kept distinct, would not be disregarded nor invaded.

The abolition of the council would of course destroy the offices now known to the constitution, of Clerk to the Council. In his stead a Secretary of State would be necessary; and to him might be confided the archieves of the State; and he might also be entrusted with the performance of various and important duties. Such an officer is known to the laws of several States—and, it is believed, with great convenience.

In relation to the Judicial Department, your committee have no alteration to propose. In the wholesome and regular administration of the laws, the public are deeply and vitally concerned. Any inroad upon a well established system, is fraught with danger, and should not rashly be attempted. Jurists may differ in their opinions as to the relative merits of one judicial system, in comparison with another; but every jurist should deprecate an attempt to break down one system, well established and well administered, merely to substitute another, upon a different plan of organization.—Innovation is the mania of our day.—Fancied improvements are proposed, without always considering the possible mischief that may ensue. But it well becomes those, who have the power in their hands, to forbear its exercise, in doubtful cases; and in determining to abandon one system for the adoption of another, to be well assured, in every case, that the preferred system will combine all the advantages of the rejected one, and that it will not only be free from its defects, but be also free from any elements of mischief.

Your committee do not mean to say, that there can be any objection to a limitation of the term of tenure of certain officers. But, at present, they do not mean to report in respect of that subject. It is their purpose, at this time, to suggest alterations of the constitution in re-

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