A LIST OF LAWS

Passed by the legislature of Maryland, November session, 1805.

No. 1. An act to settle and ascertain the salary of the members of the council for the ensuing year.

2. An act granting leave to the trustees of Bethel congregation, in Harford county, to receive a deed for and hold the land therein mentioned.

3. An act for the relief of Thomas Webb, of Montgomery county.

4. An act for the relief of Benjamin Gushwa, Martin Rickart and John Manning of Washington county.

5. An act to change the names of Jacob Sedgwick, Matthias Sedgwick, George Sedgwick, and Christian Sedgwick, to the names of Jacob Adreon, Matthias Adreon, George Adreon & Christian Adreon.

6. An act for the establishment of a school in the city of Baltimore.

7. An act to authorise the justices of the levy court of Washington county to assess a sum of money on the taxable property of said county for the purposes therein mentioned.

8. An act to authorise and empower the levy court of Worcester county to levy annually a sum of money on the assessable property of said county, for the purposes therein mentioned.

9. An act to open a road from Barnsville, in Montgomery county, to Zachariah Maccubbin's mill, and from thence to intersect the main road leading from Frederick-town to Georgetown, at or near Logtown

10. An act to vest temporary powers in the several clerks in the several counties of this state.

11. An act for the more effectual preservation of the breed of wild dear in Somerset county

12. An act to enable James Walker, John Sprigg Belt and Archibald Dorsey, to complete the collection of the county tax in certain districts in Anne Arundel county.

13. An act authorising James Hackett, and others, securities of James R. Pratt, late sheriff, and John B. Hackett and Richard E. Harrison, late collectors of Queen-Anne's county, to complete the collection of the money due the said sheriff and collectors.

14. An act confirming the title of Ignatius Davis to the land therein mentioned

15. A supplement to an act entitled an act to incorporate companies to make several turnpike roads through Baltimore county, and for other purposes.

16. An act to confirm an act, entitled an act, to provide for the trial of facts in the several counties of this state, and to alter, change & abolish all such parts of the constitution and form of government as relate to the general court and court of appeals.

17. An act to lay out and open a road from the Pennsylvania line by John Frey's forge, on Octorara creek, to the tide water on the Susquehanna, in Cæcil county.

18. An act granting additional compensation to the harbor-master of the port of Baltimore.

19. A supplement to an act, entitled, an act to establish a market, and to build a market-house, in the western precincts of Baltimore, and for the regulation of the same.

20. An act to repeal the second section of an act, entitled, an act to enlarge further the powers of the trustees of the poor in the several counties therein mentioned.

21. An act to lay out, open and clear, a road in Harford county, beginning at the end of Patrick Smith's lane where the Peach Bottom road crosses the York road leading to Rock run, to intersect the main road leading from the Black house to the Pennsylvania line at Mier's mill, on Deer creek.

22. An act authorising the laying out a road in Worcester county, from Mitchell's cause way, to intersect the Soccum road leading to Broad creek.

23. An act annulling the marriage of Archibald Alexander and Susanna Alexander.

24. An act for the relief of William Thomas and John Carvil Hynson, jun. of Kent county

25. An act to authorise and empower the levy court of Baltimore county, to assess & levy a sum of money for the purpose therein mentioned.

26. An act to lay out and open a certain road in Harford county.

27. An act for the relief of Henry Stevenson, of Baltimore county

28. An act for the benefit of Amelia Chance, of Caroline county.

29. An act to continue the act therein mentionen.

30. An act to alter and change the name of William Sentee, of Harford county, to the name of Carlin.

31. An act to prevent persons from staking out seins across the rivers Transquakin and Chickwicomico, in Dorchester county.

32. An act to authorise the issuing of a patent to Joshua Meredith and Thos. Meredith, for the land therein mentioned.

33. An act for the benefit of Grafton Duvall, of Prince-George's county.

34. An act to straighten the road leading into Howard-street, in the city of Baltimore.

35. An act appointing Richard Cramphin, Benjamin Lowndes and George Calvert, commissioners for the purpose therein mentioned.

36. An act authorising Jacob Schnebly, late collector of Washington county, to complete his collection.

37. An act authorising Lawrence Brengle, late collector of Frederick county, to complete his collection.

38. An act for the benefit of Anne Reynolds, of Talbot county.

39. A further additional supplement to an act, entitled, an act to establish a market in Frederick town, in Frederick county, and for the regulation of the said market.

40. A supplement to an act, entitled, an act to provide the exportation of flour not merchantable, and unsound salted provisions, from the port of Havre-de-Grace.

41. An act to confirm a division of the real property of the Havre-de-Grace company.

42. An act giving further powers to the corporation of the city of Baltimore.

43. An act to authorise and empower the levy-court of Baltimore county to assess and levy a sum of money for the purpose therein mentioned.

44. A supplement to an act, entitled, an act for introducing a copious supply of wholesome water into the city of Baltimore.

45. An act for the support of Solomon Jones and wife.

46. An act to lay out and open a road from the Pennsylvania line to the Susquehanna canal in Cæcil county.

47. An act for an addition to the town of Rockville, in Montgomery county.

48. A supplemnnt to an act, entitled, an act to incorporate a company to make a turn-road to lead from the cross roads near Richard Caton's lime-kiln, in Baltimore county, nearly in the direction of Jones's falls, to the city of Baltimore.

49. An act for the support of Coventon Jones and wife.

50. An act to provide for recording certain papers in the register's office of Dorchester county.

51. An act to lay out and open a certain road in Baltimore county, to intersect the main road leading from Cromwell's bridge to Baltimore.

52. An act to lay out and make a public road in Frederick county.

53. An act for draining part of a branch of Tuckahoe, known by the name of Beaver Dam Branch, lying in Queen-Anne's county.

54. A further additional supplement to an act, entitled, an act for marking and bounding lands.

55. An act lay out and straighten a certain road in Baltimore county.

56. An act for the benefit of Robert Williams, a free black man, and of his wife and children.

57. A supplement to the act, entitled, an act to lay out and make a public road from the Black-house, in Harford county, to intersect the Pennsylvania line.

58. A supplement to the act, entitled, an act to lay out, open and clear, a road in Harford county, from a place known by the name of Darlington, to intersect the road leading from Belle-Air to Havre-de-Grace.

59. An act authorising the trustees of the poor of Prince-George's county to make an exchange of part of the lands belonging to said poor-house.

60. A supplement to an act, entitled, an act for the establishment of a new public road in Somerset county, passed at November session, seventeen hundred and ninety-eight.

61. An act to extend the powers of the trustees of the poor of Montgomery county.

62. A supplement to the act, entitled, an act to straiten part of the road in Harford county, which leads from Underhill's mill to the city of Baltimore.

63. An act to authorise James Rice and Mary Wolf to dispose of the land therein mentioned.

64. An act for the relief of Richard Gittings and Lambert Smith, of Baltimore county, insolvent debtors.

65. An act to provide for the organization and regulation of the courts of common law in this state, and for the administration of justice therein.

66. An act, entitled, an additional supplement to an act, entitled, an act relating to negroes, & to repeal the acts of assembly therein mentioned.

67. A further supplement to an act, entitled, an act to incorporate companies to make several turnpike roads thro' Baltimore county, and for other purposes.

68. An act for the benefit of Andrew Hamilton, of Prince-George's county.

69. An act authorising a lottery to raise a sum of money to purchase a fire-engine, and to purchase ground and build a school-house, in Rockville, in Montgomery county.

70. An act to authorise a lottery in Frederick-town, in Frederidk county.

71. An act to authorise a lottery to raise a sum of money for building a bridge over a branch of Patuxent river at or near the mill of John Crow.

72. An act authorising a lottery to raise a sum of money for the purpose of rebuilding the steeple of the German Reformed Church in Frederick-town in Frederick county.

73. An act for the relief of John R. Caldwell, of the city of Baltimore.

74. An act to authorize the drawing of a lottery within the city of Baltimore for the purpose therein mentioned.

75. An act to amend and make conveniently passible, the public road leading from the lands of Mrs. Dennison, to the upper ferry, in the town of Havre-de-Grace, in Harford county.

76. A supplement to an act, entitled an act authorising a lottery to raise a sum of money, for repairing Shrewsbury church in Kent county.

77. An act to authorise and empower the levy court of Anne-Arundel county to assess a sum of money for the purpose therein mentioned.

78. An act authorising the late collectors of public taxes in Cæcil county to complete their several collections.

79. An act to incorporate a company to make a turnpike road from the line of the district of Columbia, where it crosses the post-road leading from George-town to Frederick-town, thro' Montgomery and Frederick counties, to Frederick-town.

80. An act to prevent free negroes from selling any corn, wheat or tobacco, without having a licence for that purpose from a justice of the peace.

81. A supplement to the act, entitled an act, for the relief of sundry insolvent debtors, passed at November session, eighteen-hundred and three.

82. An act to restrain the evil practices of certain persons within this state.

83. An act to change the place of holding elections in the fourth election district of Montgomery county.

84. An act compelling the proprietors of lots binding on the water at the west end of the bason in the city of Baltimore to extend and improve the same.

85. An act to withdraw the funds from Washington and St. John's colleges, and subject the same to the appropriation of the legislature.

86. An act to establish permanent salaries for the judges of the six judicial districts in this state.

87. An act to authorise the drawing of a lottery for the benefit of St. Mary's college, in Baltimore county.

88. An act to lay out and make a public road from William Pyle's saw-mill, on Deer creek, in Harford county.

89. An additional supplement to an act, entitled, an act to extend the powers of the levy court of Allegany county relative to roads in said county

90. An act for the benefit of Colmore Duvall, of Prince-George's county.

91. An act to provide for the erection of a new court-house for Baltimore county.

92. An act for erecting a town at or near the mouth of Will's creek in Allegany county.

93. An act authorising the chancellor in certain cases to decree conveyances for land, the title to which is in British subjects.

94. An additional supplement to an act, entitled, an act to lay out and establish a road from the city of Annapolis to the city of Washington, and to repeal the act therein mentioned.

95. An act to enlarge the powers of the levy court of Baltimore connty, & for other purposes.

96. An act to suspend the operation of the part of the act of assembly therein mentioned

97. An act to reduce into one the several acts of assembly respecting elections, and to regulate said elections.

98. A supplement to the act, entitled, an act to authorise the levy court of Baltimore county to establish two additional warehouses in the city of Baltimore for the inspection of tobacco.

99. An act to ascertain the mode of completing the title to purchasers of confiscated British property, and for other purposes.

100. An act for draining part of a branch called Old-town branch, lying in the upper part of Caroline county.

101. An act to appoint commissioners for the regulation and improvement of Chester-town, in Kent county, and for other purposes.

102. An act authorising a lottery for raising a sum of money for repairing St. George's church, on Deer-creek, in Harford county.

103. An act to pay the civil list, and other expences of civil government.

104. An act to authorise the elders and trustees of the German Evangelical Reformed church in Baltimore county, to draw a lottery within the city of Baltimore.

105. A supplement to an act, entitled, An act to incorporate a company to make a turnpike road, to lead from the cross-roads near Richard Caton's lime-kiln, in Baltimore county, nearly in the direction of Jones's Falls, to the city of Baltimore

106. An act respecting writs of error bonds.

107. An act relative to sheriffs and constables

108. An additional supplement to an act, entitled, An act to erect Baltimore-town, in Baltimore county, into a city, and to incorporate the inhabitants thereof.

109. An act to continue certain acts of assembly.

110. An act for the relief of sundry insolvent debtors.

111. An act for the benefit of Hugh Anderson, of Montgomery county.

112. An act to provide for rendering passable through Baltimore county the public road leading from the city of Baltimore, by Belle-Air, in Harford county, to Peach-Bottom ferry, on the river Susquehannah.

113. An act authorising the drawing of a lottery to defray the expence of building a masonic hall in the city of Baltimore.

An act for the payment of the journal of accounts.

MESSAGE

From the president of the United States, respecting the application of

HAMET CARAMALLI Ex-bashaw of Tripoli.

[CONCLUDED.]

Commodore Barron to William Eaton, esq.

MALTA, May 19, 1805.

SIR,

By the Hornet sloop, which arrived in harbor on the 26th inst. (having had a tedious passage) I had the honor of receiving your dispatches of the 29th ult. and 1st instant, announcing the capture of Derne, after a contest, in which permit me to observe, that your conduct and that of your companions in arms, will not discredit the character which our countrymen have established among the nations of Barbary. I have perused with deserved attention the arguments and reasons adduced in your letter of the 1st. on the subject pursuing the co-operation with Sidi Hamet Bashaw. Being myself too weak for the exertion of letter writing, and my secretary writing with difficulty, owing to an inflammation in his eyes it is impossible for me to enter into a lenthy reply nor does it indeed appear necessary, The business is now arrived at that point where, if the ex-bashaw, after being put in possession of Derne, his former government, and the district in which his interest is most powerful, has not in himself energy and talent, and is so destitute of means and resources, as not to be able to move on with successful progress, seconded by our naval force acting on the coast, he must be held as unworthy of further support, and the co-operation as a measure too expensive and burthensome, and too little pregnant with hope or advantage, to justify its further prosecution; for whatever, sir, may have been once the intentions of a government on this subject, and whatever your ideas, touching those intentions, I feel that I have already gone to the full extent of my authority. The instructions from the navy department on this particular point, with which you are not unacquainted, fall short of that unlimited discretion and power of application as relates to funds, insisted on in your letter and are totally silent in regard to the quantity and description of supplies and stores, which you mention to have been in the contemplation of government to furnish to the bashaw; hence you will be sensible, that without taking a latitude that would involve me in a sum of responsibility, which it were the extreme of folly and rashness to encounter, I cannot proceed further. Independent of this consideration, it may not be improper to state, that I have not at my disposal funds sufficient to meet the large sums, which, according to your calculation, would be required to pursue the plan with effect. With respect to any engagement with Sidi Hamet, I cannot consider them as binding or definite. We have, by our resources, and your valor and enterprise, placed him at the post from which he was driven, when first he solicited the aid and support of our arms, and in the "most valuable province of Tripoli;" in performing which, we have, I conceive, fulfilled every pledge, and that he can neither charge us with bad faith in our engagements, nor with injustice to himself. His want of those qualities so essential in the character of a commander, and especially to a prince contending for his throne, is a serious obstacle to the advancement of his cause, not to be surmounted even by the existence and manly exertion of them, in those about his person. But it is what he had no reason to anticipate, and still less to suspose, that when master of the finest province in his kingdom, where his influence is greatest and his adherents most numerous, his situation would not be materially altered, and himself as destitute of means to carry on the contest, as when he was brought from his exile in Egypt. In short, sir, the matter reduces itself to this; we are willing and ready to support the bashaw, by a union of operations on the coast, so long as the war with Tripoli continues; but you will state explicitly to his excellency, that our supplies of money, arms and provisions, are at an end, and that he must now depend on his own resources and exertions. This determination will suggest to you and your comrades that line of conduct most prudent to be adopted in the present posture of affairs. I have lost no time in dispatching the Hornet with a supply of provisions, for the crews of the Argus and Nautilus, and the christians under your command, and I hope she will arrive in time to prevent your suffering from want.

I have now to acquaint you with an occurrence in our affairs, interesting in itself, and momentuous as relates to your situation. In consequence of recent advices from Tripoli, I have thought it my duty to state to the consul-general, colonel Lear (now at this place) my candid opinion that the present is the moment highly favorable to treat for peace, and a communication has this moment been handed me from that gentleman, expressing his determination to meet the overture lately made by the reigning bashaw, so far as to found on it the commencement of a negociation, and to proceed to Tripoli in the Essex frigate in the course of this week. From a variety of concurring circumstances, the present appears to be the period propitious to such a step, and I cannot help indulging sanguine hopes that a very short time will restore captain Bainbridge and his unfortunate companions to freedom and their country. It would be useless in me to say any thing on the effect which this measure must needs have on your situation; it is a measure which was anticipated in my letter to you by captain Hull, and as such, the intelligence of it would not, I presume, reach you unprepared. The interest of Sadi Hamet will not be overlooked. It is with col. Lear's express sanction that I state to you his intention to endeavor at stipulating some conditions for the unfortunate exile, provided this can be done without any considerable sacrifice of national advantage on our part, and without giving up points that are essential.

I have sent by lieutenant Evans 2000 Spanish dollars, which he is directed to deliver to you or captain Hull. This sum will serve to extinguish any little engagements you have contracted at Derne.

I am extremely anxious for further intelligeuce from you, and remain,

With much respect, &c.

S. BARRON.

Extract of a letter from Robert Denison, secretary to the commander of the Mediterranean squadron, to the secretary of the navy, dated

Malta, May 22d, 1805.

It appears, by a variety of letters which have been received, that the bashaw is seriously disposed and earnestly desirous for peace with the United States, and what confirms this idea beyond all doubt is the receipt by col. Lear, of a letter, written at the express solicitation of the bey, by the Spanish consul, with overtures for opening a negociation, and accompanying a teschera or passport, under the bey's seal, guaranteeing the inviolability of any person or persons sent to Tripoli to treat of peace. These direct evidences of a pacific disposition in the bashaw were a few days ago prefaced by a communication to commodore Barron from Mr. Nessen, the Danish consul, written at the desire of the minister, Sidi Mahomet Doghies, expressing the minister's sincere and earnest wish for the re-establishment of peace, and recommending that a person should be sent over immediately to commence a negociation. In consequence of these repeated and unequivocal manifestations of a disposition, on the part of the enemy, to accommodate differences, the commander in chief thought it his duty officially to communicate to the consul general his opinion that the present moment is favorable for opening a negociation, and the latter having expressed his coincidence therewith, the measure has been agreed upon, and col. Lear is making arrangements to proceed, on board the Essex frigate, to the coast of Tripoli in 2 or 3 days. Commodore Barron entertains the most sanguine hopes of the happy issue of this measure, and anticipates, with not less confidence than pleasure, the speedy emancipation of captain Bainbridge and his suffering companions. I think it is not hazarding too much to say, there is scarcely a doubt but the business will be honorably and satisfactorily terminated in less than a fortnight.

Article third of the preliminary articles of a treaty of peace to be entered into between the president and citizens of the United States of America, on one part, and the bashaw, bey and subjects of Tripoli, in Barbary, on the other part.

Upon the conclusion of a peace, as aforesaid, between the United States and the regency of Tripoli, all the forces of the United States which have been and may be in hostility against the bashaw of Tripoli, in the province of Derne, or elsewhere, within the dominions of the said bashaw, shall be withdrawn therefrom, and no supplies shall be given by or in behalf of the said U. States, during the continuance of the peace aforesaid, to any of the subjects of the said bashaw, who may be in hostility against him, in any part of his dominions: and the Americans will use all means in their power to persuade the brother of the said bashaw, who is co-operating with them at Derne, &c. to withdraw from the territory of the said bashaw of Tripoli; but they will not use any force or improper means to effect that object: and in case he should withdraw himself, as aforesaid, the bashaw engages to deliver up to him his wife and children, now in his power.

(Signed) TOBIAS LEAR,

Commissioner in behalf of the United States, for negociating a peace with his excellency the bashaw of Tripoli.

EXTRACTS.

Colonel Lear to Wm. Eaton, esq.

Tripoli, 6th June, 1805.

In consequence of a representation made to me by commodore Barron, that the present was a favorable moment for us to enter into a negotiation with the bashaw of Tripoli, and my instructions leaving it to the commander of our forces in this sea to determine the proper time for such an attempt, I repaired off this place on the 26th ultimo, in the United States' frigate Essex, and immediately opened a communication with the bashaw. His demands were 200,000 dollars for peace and ransom, and the delivery on our part of all the Tripolines in our possession, and a restoration of all their property. These terms were at once rejected *in toto*; and after some discussion, I proposed as the ultimatum, that a mutual delivery of prisoners should take place, and as he had a balance of more than 200 in his favor, I would give him 60,000 dollars for them; but not a cent for peace, which should be made on terms of the most favored nation with whom he has a treaty, and a regulation respecting prisoners, if a future war should take place between our nations; and in order to prevent any fruitless altercation, I declared I would not go on there to complete the business until these terms were formally acceded to. The weather proving bad for the season, obliged our vessels to keep off, and prevented a regular communication with the shore, which prevented the completion of the preliminaries until the 3d instant, when they were sent off to me with the bashaw's seal. I immediately went on shore, and in 24 hours all the officers and crew of the late frigate Philadelphia were sent on board the ships.

I found that the heroic bravery of our few countrymen at Derne, and the idea that we had a large force and immense supplies at that place, had made a deep impression on the bashaw. I kept up that idea & endeavored from thence to make an arrangement favorable to his brother, who, altho' not found to be the man whom many had supposed, was yet entitled to some consideration from us. But I found this was impracticable, and that if persisted in, would drive him to measures which might prove fatal to our countrymen in his power. I therefore engaged, of course, that on the conclusion of peace, we should withdraw all our forces and supplies from Derne and other parts of his dominions; and the bashaw engages, that if his brother withdraws himself quietly from his dominions, his wife and family should be restored to him. This is all that could be done, and I have no doubt the U. States will, if deserving place him in a situation as eligible as that in which he was found.

TRANSLATED.

Copy of a letter from Hamet bashaw Caramalli, to his friend and brother, William Eaton late general and commander in chief of our allied forces in our kingdom of Tripoli.

Without placing in view the misfortunes which so long pursued me, I cannot forbear expressing to you, at this moment of our final separation, the deep sense of gratitude I feel for your generous and manly exertions in my behalf. Be assured, that in whatever situation the will of God shall place me, I shall always bear this impression of gratitude on my heart.

On returning to your happy country, to which I wish you a safe passage. I request you will express to your sovereign my cordial thanks for his manifestations of friendship toward me. Had it been ordained, that measures might have been carried forward to the attainment of my wishes, the restoration of my rightful dominions to me, it would certainly have been cause of eternal gratitude. But it is true my own means were small. I know indeed they did not answer your reasonable expectations. And this I am ready to admit, is a good reason why you shoud not choose to persevere in an enterprise hazardous in itself, and perhaps doubtful in its issue. I ought, therefore to say, that I am satisfied with all your nation has done concerning me. I submit to the will of God; and thank the king of America, and all his servants, for their kind dispesitions towards me. Situated as I am, you must still allow me to ask another expression of your friendship. You tell me that in your treaty with Jussuf bashaw, my perfidious brother, he has promised to restore to me my family. I pray you will use your influence with your admiral, to permit one of your vessels to go and ask for them, and that he will give me the means of repairing, with some small assistance to enable me to subsist myself and suite, into some country where I may hope to spend the residue of may days in peace.

Again I repeat to you, my love and esteem, and I send honor and long life to your sovereign, which may the merciful God confirm to him.

Done at Syracuse, the 29th day of June, 1805.

[*Hamet's Seal.*]

William Eaton to commodore Rodgers.

Syracuse, January 30th, 1805.

I have been yesterday and to-day occupied with the proceedings and records of the court of enquiry, on capt. Bainbridge, which is the reason I did not wait on you on board yesterday morning.

Inclosed is a copy by translation, of a letter Hamet Bashaw has written me, dated 29th. This, I think, is enough to do away any insinuation concerning our interconrse with this prince, injurious to the honor of the United States. He tells me he shall write to the same effect to the president.

To-morrow morning I will do myself the honor to wait on you with a statement of the pay due the troops. who served with me through the desart of Derne.

To the people of the United States of America.

It is known to the whole world that the reigning bashaw of Tripoli, Jussuf, obtained the throne by the murder of our father and elder brother, and by my exile,