LAWS OF MARYLAND.

[BY AUTHORITY.]

AN ACT.

To amend the Constitution and form of government, as it relates to the division of Somerset county into election districts.

Whereas it has been represented to this general assembly, that a numerous class of voters on the North side of Wicomico creek, and also in the neighborhoods of Dublin and Cokesbury, on the eastern borders of the middle district of Somerset county, by reason of their remote location from the place of holding elections, are virtually deprived of the privilege of voting, which according to the spirit of the constitution, is designed to be extended to every free white male citizen of this state, and is intended to be secured by the bill of rights; for remedy whereof,

SEC. 1. Be it enacted by the General Assembly of Maryland, That the election district in Somerset county, lately called and known as number two, or the middle district, shall be further subdivided, and that two additional election districts shall be established therein; one of which shall be made convenient to the voters on the north side of Wicomico creek, and the other shall be at or near Dublin or Cokesbury, on the eastern borders of the said district.

2. And be it enacted, That in case this act shall be confirmed as required by the constitution, and form of government, the levy court of Somerset county shall be, and they are hereby required to appoint three commissioners, who, or a majority of them, shall proceed to subdivide the said district, and to select and appoint suitable places for holding elections on the north side of Wicomico creek, and in the neighborhoods of Dublin or Cokesbury as aforesaid, having due regard to population, extent of territory, and the convenience of voters.

3. And be it enacted, That the commissioners who shall be appointed by the levy court in virtue of this act, shall meet at the town of Princess Anne, on the 1st Monday of May next, succeeding the confirmation of this act, as required by the constitution and form of government or within ten days thereafter, for the purpose of carrying into effect the provisions of this act; and the said commissioners may adjourn from time to time, and from place to place, until they shall have performed and completed the several duties required of them by this act; and the said commissioners shall be, and they are hereby required on or before the first day of July next, after their meeting as aforesaid, to make out and deliver to the clerk of the county aforesaid, a plain and accurate description in writing, of the limits, boundaries and designation of each district so created and laid off, certified under their hands and seals, & the said clerk shall make a fair record thereof amongst the records of the county aforesaid.

4. And be it enacted, That the said commissioners be, and they hereby are authorised and required to adjust and limit the quantum of compensation, to be allowed to the proprietor or proprietors of the place of holding elections in each of the said election districts, if any compensation shall be required by the said proprietor or proprietors, and the same to certify as aforesaid.

5. And be it enacted, That for the performance of the duties required of the said commissioners by this act, and for the places of holding elections, if any compensation shall be claimed, the levy court shall make allowance and the same shall levy upon the county, to be collected and paid as other county charges are collected and paid; *Provided*, that the said commissioners shall not receive a sum exceeding two dollars each per diem, for each and every day they may severally be engaged in the proper duties of this act.

6. And be it enacted, That after the confirmation of this act, the levy court of Somerset county, shall according to the provisions of the act of eighteen hundred and five, chapter ninety seven, appoint three persons in each of the said districts, residents therein, who or such of them as shall attend, shall be the judge or judges of elections for the district for which he or they shall have been appointed as aforesaid, and the judges so appointed, shall have, hold and exercise the same powers & authorities, and be subject to the same penalties, and be entitled to the same pay as the judges of elections in Somerset county, now exercise and are entitled and subject to: *Provided*, That the compensation to be allowed for the services of the said judges and of the clerks by them to be appointed, shall not exceed two dollars per diem, which compensation shall be levied and paid as aforesaid.

7. And be it enacted, That all laws now in force, not inconsistent with this act, shall be and remain in force; and all provisions repugnant to this act shall be and the same are declared to be repealed, upon the confirmation of this act.

8. And be it enacted, That if this act shall be confirmed by the next general assembly, after the next election of delegates, in the first session after such new election, as the constitution and form of government directs; in such case, this act and the alterations in the said constitution contained therein, shall be considered as a part and constitute, and be valid as a part of the said constitution and form of government, to all intents and purposes, and every matter and thing in the said constitution and form of government in any wise conflicting with or contrary thereto, shall be, and the same is hereby repealed, abrogated and annulled.

By the House of Delegates 11th day of February, 1826.—read and assented to.

By order,
JOHN BREWER, Cl'k.

By the Senate, 13th day of February, 1826.—read and assented to. By order,
WM. KILTY, Cl'k.

JOS. KENT,
Governor. [L. S.]

An act to alter and amend the constitution of this state, so that the governor may be elected by the people, and to abolish the council.

SEC. 1. Be it enacted by the General Assembly of Maryland, That the executive power of this state shall be vested in a Governor as hereinafter provided for.

2. And be it enacted, That the governor shall be chosen alternately from the western and eastern shores, by the citizens of the state, having a right to vote for delegates to the general assembly, in the counties where they severally reside at the time and place where they shall vote for delegates aforesaid, & the votes shall be received and counted by the same judges, and in the same manner as the votes for Delegates; the presiding judges of elections in each county, shall make a list of all the persons voted for as governor in their respective counties, and of the number of votes given for each, which list they shall sign and certify, and transmit, sealed, to the seat of the government, directed to the president of the senate, who shall upon the first Monday after the meeting of the general assembly, in the presence of a majority of the members of each branch, open all the certificates and the votes shall then be counted and the person having a majority of all the votes given, shall be the governor, and the president of the senate shall forthwith announce the same; but if no person shall have a majority of all the votes given, no choice or election shall be considered as having been made and the said president shall announce the number of votes given to each person voted for, and thereupon a governor shall be elected forthwith by joint ballot of both branches of the legislature, from among the candidates voted for by the people, who shall appear by the said returns to have had the 2 greatest number of votes, & should neither of the persons so voted for, have a majority of all votes on the joint ballot aforesaid, the ballot shall be renewed and continued until some one of them shall receive such majority; contested elections of governor shall be determined by both branches of the legislature, in such manner as shall be prescribed by law.

3. And be it enacted, That the governor shall hold his office, during the term of three years from the time appointed for the annual meeting of the legislature next ensuing his election, and until another governor shall be elected and qualified, but he shall not be eligible as governor for the three next succeeding years after the expiration of the time for which he shall have been elected.

4. And be it enacted, That the governor shall be at least thirty years of age, and have been fourteen years a citizen of the United States, and a resident of this state ten years next preceeding his election, unles he shall have been absent on the public business of this state or of the United States.

5. And be it enacted, That the governor shall be removed from office on impeachment for, and conviction of treason, bribery, or other high crimes and misdemeanor or any misdemeanors in office, but judgement in such case shall not extend further than removal from office and disqualification to hold any office, of honor, trust or profit in this state; he shall nevertheless, whether convicted or acquitted, be liable to indictment, trial, judgement, and punishment according to law.

6. And be it enacted, That the house of delegates shall have the sole power of impeaching the governor, but two thirds of all the members shall concur in such impeachment.

7. And be it enacted, That the impeachment of the governor shall be tried by the Senate, and when sitting for that purpose the senators shall be upon oath or affirmation to do justice according to the evidence; the party accused shall not be convicted without the concurrence of two thirds of all the Senators.

8. And be it enacted; That the governor shall have his permanent residence at the seat of government, and shall at stated times receive for his services an adequate salary to be fixed by law, which shall neither be increased nor diminished during the period for which he shall have been elected.

9. And be it enacted, That there shall be a secretary of state, appointed by the Governor, to hold his office during the pleasure of the governor, who shall keep a fair register of all the official acts and proceedings of the governor, and shall, when required, lay the same, and all papers, minutes, and vouchers relative thereto, before the legislature or either branch thereof, and shall perform such other duties as shall be enjoined on him by law, and shall receive such salary or compensation for his services as may be provided by the legislature.

10. And be it enacted, that in case of the removal, death, resignation or inability of the governor to discharge the duties & powers of said office, the same shall devolve upon the president of the Senate, until another governor shall be elected and qualified as is hereinafter provided for, and in case of the removal, death, resignation or inability of both governor and president of the Senate, the legislature may provide by law what officer shall act as governor, until another be elected and qualified, or the disability removed.

11. And be it enacted, That in case of the removal of the governor from office, or of his death, resignation, or disqualification, his successor shall be elected at the first election for delegates to the general assembly, which shall take place thereafter, and his term of service shall be the same as if no vacancy had occurred.

12. And be it enacted, That the first election for governor shall be held at the time of the election of delegates for the general assembly next ensuing the ratification and confirmation of this act.

13. And be it enacted, That all the powers and authorities at present exercised by the executive of this state, shall be, and hereby are vested in the governor, except the appointment of Chancellor, judges of the courts of common law, attorney general, general, field and general staff officers, who shall be nominated by the governor and approved of by the senate.

14. And be it enacted, That the governor, appointed by virtue of this act, or the person authorized to act in his place, shall take the same oaths of office as are now directed to be taken by the governor of this state.

15. And be it enacted, That all and every part of the constitution and form of government of this state, which relates to the election of the governor and to the election of the council to the governor, that is in any manner repugnant to or inconsistent with the provisions of this act be, and the same is hereby repealed upon the confirmation hereof.

16. And be it enacted, That if this act shall be confirmed by the general assembly of Maryland, after the next election of the delegates, in the first session after such new election, as the constitution and form of government directs, that in such case this act and the alterations and amendments of the constitution and form of government herein contained, shall be taken and considered, and shall constitute and be valid as a part of the said constitution and form of government to all intents and purposes, any thing in said constitution & form of government to the contrary notwithstanding

By the House of Delegates, 17th day of February, 1826—read and assented to.

By order,
JOHN BREWER, Clerk.

By the Senate, 1st day of March, 1826—read and assented to.

By order,
WM. KILTY, Clerk.

JOSEPH KENT, Governor. [L. S.]

june 3 4w

From the Easton Gazette.

PRIMARY SCHOOLS.

TO THE PEOPLE OF MARYLAND.

Read & consider, that you may understand.

As the general system of Public Instruction, under the authority of your Governor and Council, is now before you; I presume to offer some illustrations, and some of the arguments used in a report upon that measure. The intent of this is to avoid the mischievous influences of misrepresentation, or of such mistaken views, or misapprehensions, as might tend to deceive the public mind, and thus defeat the State's design in this munificence.

The law provides for the appointment of a Superintendent to execute the general concernments of the institution; and proper commissioners and supervisors to visit the schools periodically, to examine into the qualifications and moral conduct of the different teachers, and to extend a superintending care within the borders of their several counties.

The commissioners are charged to divide their counties into districts, & when divided, the taxable inhabitants of each district are to elect three Trustees to conduct and manage the school business; to vote a tax for the purchase of ground and the building of a school house, if necessary, and to supply fuel & stationary. The powers of the trustees extend *merely to these objects* and to *nothing more*—where school-houses exist already, the building of them will not be necessary; and no tax will be required for that purpose—The *great fund to pay the teachers will be provided by the State*, and distributed from the treasury.

The present funds for free schools will come in aid of the new system according to the previously existing laws, but the future means to be provided will be graduated in just accordance to the white children, in each of the school districts, throughout the state.

It has been considered, and the experience of other states justifies the anticipation, that the *general admission of all classes to a common school*, will elicit talents, and prove in practice a felicitous accommodation to the genius & spirit of our constitution and form of government.

The beneficial effects of a systematic course of common education in N. York, from which in fact, the proposed system is mainly drawn, are happily pourtrayed in a recent message of the distinguished Governor of that state. Philanthropy and wisdom are most manifest in the enlightened views of that statesman. He says, in substance, that the first duty of government, & the surest evidence of good government, is the encouragement of education. A *general diffusion of knowledge* is the *precursor* and *protector* of *free institutions*, under it we may *confide* as the *conservative power*, that will *watch over our liberties* and *guard against fraud, intrigue, corruption and violence*. A good system of common schools may be considered as the "palladium of our freedom," for no apprehension of its subversion can be entertained as long as the great body of the people are enlightened by education—To break down the barriers which poverty has erected against the acquisition of knowledge, is to restore the just equilibrium of society, and to perform a duty of paramount obligation.

The subjoined abstract from the last report of the Superintendent of common schools, to the Legislature of New York, will exhibit, in high relief, the vast advantages of their system, since its commencement in 1816.

COMPARATIVE VIEW.

Dates of Reports.	*Number of School Dist.*	*Children taught.*
1816	2755	140,106
1817	3713	170,386
1818	3864	183,253
1819	4614	210,316
1820	5763	271,877
1821	6382	304,559
1822	6659	332,979
1823	7051	351,173
1824	7382	377,034
1825	7612	402,940
1826	7773	425,350

This unprecedented success is the highest reward and gratification to the benefactor of that state, who gave "form and comeliness" to their system.

From a comparison of our white population, according to the census of 1820 and an estimate of the actual terrene superficies of Maryland, the ratio of that population may be assumed at 26 to the square mile, and having made allowance for cities and villages, the general average of the interior may be put at 20, and the proportion of children from 5 to 15 years of age may be computed at 30 per centum, or 6 children to the square mile, and allowing five miles square as convenient subdivisions, the terrene superficies of the whole state will contain 400 districts, and rating the annual charge for the pay of teachers at 300, the distribution of 120,000 dollars will provide instruction for 60,000, being all the youth of this state, exclusive of the cities and villages, where greater benefits from the concentration of their population, will result—Or the matter may be more clearly demonstrated by the following assumed propositions—That is to say

LEMMA I.

The terrene superficies of the state of Maryland, is 10,000 square miles, or 400 districts of 5 miles square.

LEMMA II.

The whole white population is 260,000 or 26 to the square mile.

LEMMA III.

From the abstraction of cities and villages, the rest of the state is reduced to 20 white inhabitants to the square mile.

LEMMA IV.

The proportion of children from 5 to 15 years of age is 30 per centum, or 6 children to the square mile.

LEMMA V.

Competent teachers of Primary Schools may be employed at an annual salary of 300 dollars.

The foregoing lemmata will support the following corollary—

The subdivision of counties into school districts of five miles square will suffice to convey the benefits of education to a convenient distance of every door, & the annual distribution of 120,000 dollars will provide for the education of all the youth in such districts, throughout the state, *at the reduced rate of two dollars for each child*, and allowing a proportion distribution for the cities and villages, where superior advantages will result, from concentration as before assigned, the gross aggregate for the whole state will be 156,000 dollars—From which deducting the amount of previous appropriations and the revenues to be received from the investment of interest, lately awarded by an act of Congress, which was specifically appropriated for the support of schools, by a resolution of the last Legislature, there will remain to be provided about 133,000 dollars, to which an annual accessary fund of 10,000 will keep pace with the natural accretion of our population.

Hence it appears that the whole revenue to be provided, including the annual accessory fund, would amount to less than 55 cents *per capita*, for each inhabitant, and such is the effect of system, that besides the inestimable advantages of intellectual improvement, the people at large would be *great gainers in a pecuniary point of view, as but very few, even of the most wealthy, would pay as much to the common fund, as they now expend for the rudimental instruction of their children under the present imperfect and defective mode.*

In further support of this opinion the following facts are presented—

1. That all the official reports of New England, New York, and Pennsylvania, testify that the cost of education has been reduced, by the operation of modern improvements, to *one fifth of what it was under the old system of private schools.*

2. That these reports do further prove, that the high qualifications and industry of teachers, which are *secured in proportion to the certainty of well requited employment, and their responsibility to the public*, insure a faithful discharge of their duties and a corresponding improvement in their scholars.

3. That there has been a great and interesting improvement in the moral character of the people wherever the system of public schools has had a fair experiment.

It remains to consider the ways & means—with regard to this important particular, it is confidently believed that the existing revenues, if duly improved, will be sufficient to support the system without the voting of a new tax; but besides these there are ample sources, the lawful property of the state at large, which may be embraced, to supply deficiency, *without resort to the landed interest*—I assert this from long experience and a practical knowledge of our finances and resources—and we may further expect the efficient aid of the general government, if propositions are now pending to apply the avails of the public lands, & the large surplusses of the general treasury, to state purposes; so that no difficulty, on account of means, can, with reason be expected.

It has been stated that some objections have been whispered, and chiefly against the inequality of contributions—but can there be a man so mean, or so devoid of a proper sense of common justice and sound policy as to oppose the principle of such a system—There cannot be in these times, a man so hardy—for such a creature would well deserve our reprobation—He might be a proper subject for despotic power, but utterly unworthy of the style or suffrage of a free citizen.

I have before said that *very few*, even of the *most wealthy* would pay as much for the primary schools, as they now expend for the rudimental teaching of their children; and this is obvious to demonstration—It is admitted that certain gentlemen of overgrown estates, who can well afford to employ teachers in their own families, may not derive the immediate benefits of their contributions, but of those who use the public schools, not one in ten will pay as much as they now pay; and the exception of such gentlemen cannot be urged against the good of a general rule, and the more especially as the witholding of such children, will be the choice of their wealthy parents—But if destitute of liberality and the claim of justice towards the poor, it must be admitted that the design and value of good government is enhanced in proportion to the mass of wealth, and it hence results from the general diffusion of useful knowledge, that the rich man is abundantly rewarded, for his moderate modicum of contribution, in the increased protection of his vast estate, beyond the advantages, of the people at large, in these schools.

Some further views and illustrations will be presented in succession; and it is desired of those Editors, who published the law of Public Instruction, that this essay, and such others as shall appear, from time to time, upon the same subject, may have a place in their respective papers. *Littleton Dennis Teackle.*

Princess Anne, Somerset co.
June 4, 1826.

Professor Carter gives the following description of the manner in which the present King of England passes the Sabbath day.

After a delightful promenade upon the terrace, we went to the Chapel Royal, where the king attends to public worship. It is a beautiful Gothic edifice situated upon the declivity below the Castle.—The lofty pillars, arches and ceiling, as well as the decorations of the interior, are scarcely surpassed by any thing of the kind that has ever met our observation. It was brilliantly lighted up for evening prayers. The porter showed us into the seats of two of the noblemen, who were both absentees. There are no striking peculiarities in the service, except the same sing-song in reading and responding, as was remarked at Litchfield. At the conclusion of the exercises, the choir chaunted an anthem, extracted from Handel's Creation. A great number of voices, accompanied by a powerful organ, gave a fine effect to the music, the peals of which seemed almost sufficiently loud and animating to break the repose of the royal group, who sleep the sleep of death in the vault below.

It is a singular fact, that the sovereign and court of a nation, which professes to be ultra christian in its sentiments, and has been free in its censures upon other countries for an opposite tendency, should pay so little regard to the Sabbath. At Windsor, Sunday is the fashionable day both for business and amusement. The king sometimes attends church; but he generally selects the Sabbath for inspecting the public works which are going on for his accommodation, at an expense of several hundred thousand pounds—for reviewing military parades—for fishing in his favorite Virginia waters—and for giving splendid dinner parties. On this day, the gates of the Palace are flung open and crowds from London, as well as from the neighboring country, rush in, to devote a day of gaity & pleasure, imitating the example of the court. While these particular violations of a Christian ordinance are sanctioned by the British, they certainly do not furnish just ground for denouncing the religious creeds and mal-practices of other nations.

Deafness cured.—A boy, 10 years old, who had been completely deaf from infancy, has been cured by Dr. Deleau, of Paris, by simply injecting air through the Eustachian tube, which leads from the throat into the cavity of the tympanum or drum of the ear.

THE CHRONIC[LE]
AND EASTERN SHORE ADVERTISER.

Cambridge, SATURDAY, June 24

Printed and Published by
LUTHER MARTIN SCOT[T]
N. E. corner of High and Poplar street

☞ THE ORPHANS' COURT O[F] CHESTER COUNTY WILL SIT O[N] DAY THE 26TH OF JUNE.

A Blessing.—Since our last p[ub]tion, we have had several copious [show]ers of rain, which have, in a great [mea]ure, resuscitated vegetation—an[d] matter consequent, enlivened the [pla]tenances of our farmers and all [de]pendent on them—which inclu[de a]bout every body. The *wheat* a[nd] crops were generally cut during t[he] week, and rather exceed the exp[ecta]ons of the farmer. Such *corn* as [in]jured by the drought will recover well. Of *oats* there will be but [a] crop. The *pastures* and *garden* much better since the rain, havin[g] that brown and withered aspect they exhibited a short time since.

Letters from Missolonghi to the April confirm the accounts of the r[out] of the Turks on the 24th of Ma[rch]. The Turkish fleet had also been [em]sed in an attempt to take possessi[on of] small Island and fortress in the [neig]borhood of Missolonghi.

Revision of the laws of Maryla[nd.] will be seen that the executive ha[s ap]pointed two gentlemen of the ver[y] legal talents and experience, unde[r re]solution of the last legislature, to the laws of the state, and report al[l] modifications, repeals, or enactme[nts] may occur to them in the course o[f the] task, to be salutary. A duty, sa[cred to] Maryland Republican, which if on[e un]dertaken by those gentlemen, will [be ex]ecuted to the incalculable advanta[ge of] the people of this state. After c[onsent] from their hands, we may hope able to ascertain the laws that gov without being lost in the enquir vast Alexandrian library of law into which they are now distributed

Slave trade—This most atrocio[us and] disgraceful traffic is still prosecut would seem, with the greatest ac It is asserted that at least sixty tho Africans have been sold from the of Africa during the last year. It ded that the English squadron on t rican coast has captured and lib three thousand six hundred slaves, in the last twelve months.

Commodore Porter arrived at Cruz from New York on the 15th He writes to a friend that nothing be more delightful than his accom tions and his voyage altogether, provision having been made for the fort of himself and his party, by th ders of the Mexican government.

The Senate of Massachusetts be[gan its] session, proceeded, on the 9th inst election of a member to supply th cancy occasioned by the resignat Mr. Lloyd—when Nathaniel Silsbe ving 21 votes, a majority of the atte members, was duly elected on th of the Senate; Daniel Webster ha votes, the highest number opposed Silsbee.

From the Fayetteville Journal

The President.—We hear, from s al quarters, that the President of the has it in contemplation to visit N. lina in the course of the Summer. It difficult to conjecture the object o visit, but be it what it may, it is hoped that he will, every where, b ceived and treated with that marke pect and attention, which are due high official station.

On the 12th inst. the steam boat Brown, Scott, arrived at St. Louis, New Orleans, a distance of 1300 in seven days and seven hours, ru time. This it is stated, is perhap fastest running ever made on the issippi.

Mr. Gallatin, our new envoy to gland, is expected to sail for Live in a few days. He is at New Yor

©Maryland State Archives, msa_sc6044_1_61-0368.jpg