LAWS OF MARYLAND.

PASSED NOVEMBER SESSION, 1802.

A further supplement to the act, entitled An act to regulate elections

WHEREAS by an act passed at November session, eighteen hundred and one, entitled An act to alter such parts of the constitution and form of government as relate to voters, and the qualifications of voters, and confirmed at the present session of assembly, a change has been made in the manner of voting from *viva voce* to that of voting by ballot, and it is necessary to make provisions by law to carry into effect such change; therefore,

Be it enacted by the general assembly of Maryland, That it shall be the duty of the respective sheriffs of the several counties of this state, under the penalty of five hundred dollars, to provide for, and cause to be delivered to, the judge or judges of the election in each district, previous to or at the commencement of each election, a box for receiving the ballots, and two separate books for the purpose of entering the voters' names.

And be it enacted, That the next election of representatives of this state in the congress of the United States shall be held on the first Monday of October next, and that the next election thereof shall be held on the first Monday of October, eighteen hundred and four, and on the same day biennially for ever thereafter, any law to the contrary notwithstanding.

And be it enacted, That the elections for delegates to the general assembly, for electors of the senate, for sheriffs, for representatives of this state in the congress of the United States, and for electors on the part of this state to elect the president and vice-president of the United States, and each and every of them, shall commence at nine o'clock in the morning of the respective days of election, and shall continue without adjournment, and be closed at seven o'clock in the evening of the same day, and no ballot shall be taken at any such election before the said hour of 9 o'clock in the morning, nor after the said hour of seven o'clock in the evening; and every voter qualified by law shall deliver to the judge or judges of the election in the district in which he offers to vote, a ballot, on which shall be written or printed the name or names of the person voted for, and the purpose for which the vote is given, and plainly designated, and the ballot so delivered in, and received by the judge or judges of the election, shall be deposited in the ballot box provided as aforesaid for that purpose, till the poll be closed; and if any judge of an election or other person, after any ballot shall be delivered in as aforesaid, and before the poll is closed, shall unfold or open any such ballot, with design to discover the name or names therein contained, every person so offending shall forfeit and pay the sum of fifty dollars; and if any voter shall offer any more than one bellot, with a fraudulent design, every such person shall forfeit and pay the sum of twenty dollars for every such offence.

And be it enacted, That the name of each person offering to vote shall be entered upon the books provided as aforesaid for that purpose by the two clerks, separately and plainly.

And be it enacted, That when the poll shall be closed, the box wherein the ballots are deposited shall be immediately thereafter opened by the judge or judges of the election, and the said judge or judges shall publicly, in the presence of such persons as may choose to attend, carefully take out the said ballots, and read distinctly and aloud the name or names written or printed thereon respectively; and the clerks of such election shall carefully enter and keep account of the same on paper prepared for that purpose, so that the number of votes for each candidate tallied thereon may be readily cast up and known; and if, upon opening any of the said ballots, there be found any more names written or printed on any of them than there ought to be, or if any two or more of such ballots or papers be deceitfully folded together, such ballots shall be rejected and not counted.

And be it enacted, That as soon as all the ballots shall be read off and counted, and the number for each candidate reckoned up and ascertained, the judge or judges of the election shall make out, under his or their hands, and attested by the clerks of the election, four plain, fair and distinct statements and certificates of the number of votes which shall have been then and there given for each candidate, distinguishing the station or office he has been voted for, which numbers shall be expressed in words at length, and not in figures only, two of which statements or certificates shall be entered, and subscribed and attested as aforesaid, on the books on which the names of the voters shall have been written, and the two other statements or certificates shall be given to each of the said clerks; and it shall be the duty of the judge who shall preside at the close of the election to make public declaration of such number of votes for each candidate at the place of holding said election, which said books, with the statements or certificates aforesaid therein entered as aforesaid, shall be kept in the charge of the said presiding judge, and on the day and place prescribed by the fifteenth section of the original act for the meeting and attendance of the judges of the election first named in the appointment, or who shall have acted as judge at the close of the election, the said judge having charge of said books, with the certificates therein written, subscribed and attested as aforesaid, shall then and there, under the penalty in the said original act mentioned, attend, and produce the said books and certificates, and in case of accident, so that the books with the certificates aforesaid cannot be produced, then and in such case the certificates lodged with the clerks shall be produced by them, and the said judges of the several districts of the county, so assembled, shall add together the whole number of votes of all the districts of the county which shall appear to be given for each candidate, and determine who has the greatest number of votes, and who thereupon is or are elected delegates, sheriffs, electors of the senate, representative or representatives to congress, or elector or electors of the president and vice-president of the United States, as the case may be, and shall declare accordingly, and make return in the respective cases in the manner and form prescribed and now practised under the said fifteenth and sixteenth sections of the said original act; and the said books on which the names of the voters and certificates aforesaid shall be written, shall be deposited with the clerk of the county for safe keeping; and if, at the time appointed by the said original act for the assembling of the said judges, any of them should be prevented from attending, in every such case the judge or judges who shall assemble, may adjourn from day to day until the judge or judges required to attend shall assemble, and in case of the sickness, death or inability, of any judge of a district required by this act to attend at the time and place aforesaid, any other judge present at the election at the close thereof in said district may and is hereby required to attend, and the said judges, when so assembled, shall immediately thereafter proceed to perform the duties required as aforesaid.

And be it enacted, That all fines, penalties and forfeitures, herein imposed, shall be recovered and appropriated as other fines, penalties and forfeitures, are recovered and appropriated under the original act.

And be it enacted, That all and singular the sections, clauses and provisions, of the original act aforesaid, which are inconsistent with, and repugnant to, the provisions of this act, be and the same are hereby severally repealed.

An ACT to provide for the elections of representatives of this state in the congress of the United States, and of electors on the part of this state for choosing a president and vice president of the United States.

BE *it enacted by the general assembly of Maryland*, That for the purpose of electing nine representatives of this state in the congress of the United States, this state shall be and the same is hereby divided into eight districts, which shall be numbered from one to eight, to wit: Saint-Mary's, Charles and Calvert counties, shall be the first; Prince-George's and Anne-Arundel counties, including the city of Annapolis, the second; Montgomery county, and that part of Frederick county adjacent, as far as Monocacy, from the mouth thereof to the Pennsylvania line, the third; the remainder of Frederick county, Washington and Allegany counties, the fourth; Baltimore-town and Baltimore county shall be the fifth; Harford, Cæcil and Kent counties, the sixth; Queen-Anne's, Caroline and Talbot, the seventh; and Dorchester, Somerset and Worcester counties, shall be the eighth district; and that each of the said districts shall be entitled to one representative to congress, except the fifth district, which district shall be entitled to two representatives, one of which shall be a resident of Baltimore county, and the other a resident of Baltimore city.

And be it enacted, That for the purpose of choosing eleven electors of the president and vice-president of the United States, this state shall be and the same is hereby divided into nine districts, which shall be numbered from one to nine in manner following, to wit: Saint-Mary's county, Charles county, and the fifth election district of Prince-George's county, or the Pitscataway district, shall compose the first district; the residue of Prince-George's county, Calvert county, and the second and fifth election districts in Montgomery county, called the Montgomery court-house election district, and Thomas's election district, shall compose the second district; the remainder of Montgomery county, Anne-Arundel county, and the city of Annapolis and the city of Baltimore, shall compose the third district; Frederick county, Washington county and Allegany county, shall compose the fourth district; Baltimore county shall compose the fifth district; Harford county and Cæcil county, shall compose the sixth district; Kent county and Queen-Anne's county shall compose the seventh district; Talbot county, Caroline county, and the first election district of Dorchester county, shall compose the eighth district; and the remainder of Dorchester county, Somerset county and Worcester county, shall compose the ninth district; and each of the said districts shall elect and appoint one person, being a resident of the said district, except the third and fourth districts, which shall each be entitled to two electors, residents of the respective districts, as an elector or electors, as the case may be, for choosing a president and vice-president of the United States

And be it enacted, That the elections for said representatives of this state in congress, and for said electors of the president and vice-president of the United States, shall be held in the several counties of this state, and in the cities of Baltimore and Annapolis, which compose the said districts respectively, at the times and in the manner, and according to the form, prescribed by the constitution and form of government, and the provisions of the act, entitled, An act to regulate elections, passed at November session, seventeen hundred and ninety-nine, and the several supplements thereto.

And be it enacted, That all laws, clauses and sections of laws, contrary and repugnant to this act, be and the same are hereby severally repealed, abrogated and annulled.

A Supplement to the act, entitled, "An act to provide for the election of representatives of this state in the congress of the United States, and of electors on the part of this state for choosing a president and vice-president of the United States.

BE *it enacted, by the general assembly of Maryland*, That Prince George's county, except Piscataway district, Calvert county, and the third and fourth election districts in Montgomery county, commonly called and known by the names of the Montgomery court-house district, & Thomas's district, shall compose the second election district, for the purpose of choosing an elector of the president and vice-president of the United States, any thing in the said original act to the contrary notwithstanding.

An ACT to alter, change and abolish, such parts of the constitution and form of government as relate to the establishing a general court and court of appeals.

BE *it enacted by the General assembly of Maryland*, That from and after the first day of March, eighteen hundred and four, there shall be a court of appeals, composed of three persons of integrity, and sound judgment in the law, who shall be styled in their commissions judge of the court of appeals, whose judgment shall be final and conclusive in all cases of appeal from the court of chancery, county court or orphans court; and that the court of appeals shall hold two sessions on the western shore and two on the eastern shore in each year, at such times and places as the future legislature of this state shall direct and appoint.

And be it enacted, That from and after the said first day of March, eighteen hundred and four, this state shall be divided into five judicial districts, viz. Saint-Mary's, Calvert, Prince-George's and Charles counties, shall be the first district; Cæcil, Kent, Queen Anne's and Talbot counties, shall be the second district; Anne-Arundel, Baltimore and Harford counties, shall be the third district; Caroline, Dorchester, Somerset and Worcester counties, shall be the fourth district; and Washington, Frederick, Montgomery and Allegany counties, shall be the fifth district; and that there shall be appointed for each of the said districts two persons of integrity, and sound judgment in the law, who shall reside in the district for which they shall be appointed, who shall be styled in their commissions district judges of the county courts in such district; and there shall be appointed for each of the counties of this state one person of integrity, experience and knowledge, resident of the county for which he shall be appointed, who shall be styled in the commission associate judge of the county court of the county for which he shall be appointed; and the said district judges in their respective districts, together with the said associate judge in the respective counties, shall compose the county court; and the county courts so established shall have, hold and exercise, all the powers, authorities and jurisdictions, that the general court and county courts of this state have heretofore held, used and exercised, except the appellate jurisdiction of the general court; and that the county courts shall hold their sessions in the respective counties at such times and places as the future legislature of this state shall direct and appoint.

And be it enacted, That if this act shall be confirmed by the general assembly, after the next election of 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 amendment of the constitution and form of government therein 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 the said constitution and form of government contained to the contrary notwithstanding.

And be it enacted, That all and every part of the constitution and form of government that relates to the court of appeals, or the general court, as now established, or to the judges thereof, or that is in any manner contrary to, or inconsistent with, the provisions of this act, be and are hereby declared to be repealed and abolished, on the confirmation hereof.

Sale by Auction.

On the first day of March next, at 11 o'clock in the forenoon, will be sold at the auction room of Mr. Thomas Yates, in Baltimore,

101½ acres of LAND, being a part of the land heretofore purchased by Joshua Stevenson, for himself and the other heirs of Edward Stevenson, deceased, from Charles Carroll, of Carrollton; and now offered for sale on their account, by virtue of a special agreement betwixt the said Joshua Stevenson and the subscriber.

The terms are, one-third the purchase money to be paid on the day of sale; one-third in one year, with interest; and the remaining third, with interest, in two years.

CHRISTOPHER JOHNSTON.

January 17. m6t

Just received

By MARTIN and JAUFFRET,

30 quarter and half quarter chests first quality gunpowder TEA

2 bales first quality French Sedan CLOTH

Which they offer for sale at their store No. 42, north Gay-street.

January 28. eo15t

COFFEE,

In hhds. tierces, barrels and bags, for sale by ROGERS & OWINGS.

January 28. eo6t

From the NEW-YORK EVENING POST.

Interesting account of the project of France respecting Louisiana.

In speaking on the momentous subject of New-Orleans and Louisiana, in the former numbers of this paper, we have endeavored to awaken the public attention to the necessity of *immediate* and *active* measures to secure to us the important right of freely navigating the river Mississippi. We have shewn that the right is *ours*; that it has been wrested from us by force; and that we shall be justified by the soundest principles of moral justice, by the laws of nature and nations, and by the genuine maxims of wise policy in taking possession of New-Orleans and the east bank of the river, in such manner as to maintain our rights to its navigation inviolate.

A pamphlet, which we have just received by a friend, from Philadelphia, has given new edge to that keen and anxious solicitude that we feel on what so deeply concerns the honor and prosperity of the United States. We hasten to lay before our readers some account of this interesting production, believing that if any thing can arouse the government and people of this country to a proper sense of the dangers which menace their peace, from the magnificent and alarming projects of a towering, ambitious foreigne, it will be the perusal of this pamphlet. We earnestly recommend it to the attentive reflection of every American who cherishes a spark of *patriotism* or regard for the safety, honor, and dearest interests of his country.

We hope it is not yet too late for our government to avoid the snares which are laid for its weakness and credulity. But we will not detain our readers from this publication, which has caused and will completely justify all the remarks we have made on this subject. It is entitled "An address to the government of the United States, on the cession of Louisiana to the France, and on the late breach of treaty by the Spaniards, including the *translation of a Memorial on the war of St. Domingo and cession of the Mississippi to France, drawn up by a French counsellor of state*"---printed for Conrad and Co. of Philadelphia, and contains —— pages. The translation of the memorial fills the greater part of the pamphlet; the rest consists of the introductory and concluding observations by the translator. These are written with that candor, correctness and elegance which will recommend them even to those who are less regardful of the matter than the style of a performance. As a translation it possesses great force and spirit; and though occasional *gallicisms* occur yet the translator has generally had more than usual regard to the different idioms of the two languages.

We are told that the original memorial came into the translator's hands "by the friendship of a traveller at Paris;" that a small number of copies were published, without a name, while the negociations were pending at Amiens, and circulated through a few hands; that, by some it was well known to be the production of a counsellor of state, who thought, perhaps, that the goodness of his counsel would atone for his plain dealing, and that the suppression of his name would secure him from any personal inconvenience.

The French counsellor addresses himself to the chief consul, at a moment when his warlike labors were closed, and peace given to the world. He considers how much the population, strength and resources of France, enlarged by her new conquests on the Rhine and Meuse, will be augmented by a few years of tranquility. What direction he asks, shall be given to these forces, that they may produce the most beneficial effects? Europe is at peace; but there are distant enemies to subdue, and new territories to acquire. His attention is then directed to St. Domingo, its immense importance to France is described, and its present ruinous and rebellious condition marked in impressive terms. But the dangers which environ the armies which may be sent to St. Domingo, are, in the opinion of this counsellor, too inevitable, too formidable to justify any attempt to reconquer that island, however valuable its possession might be. He describes them in the following glowing, and, when we regard what has since actually happened, we may say *phrophetic* language:

"Courage, the French courage, can do all things! and if courage be inadequate, can it fail when reinforced by numbers? And are not the numbers of our troops when compared with the nature of this warfare, inexhaustible?

"Alas! there is something in the nature of *this* warfare, which makes courage and numbers avail nothing. It is not men with whom alone our troops must contend. These, though numerous, ferocious and zealous, are insignificant, in this comparison. Our troops are destined to fight against nature; to contend with the elements. The atmosphere of this island, salutary to a native of the soil, and to men imported from congenial climates, breathes pestilence and death upon the stranger from Europe. Inactivity and the repose of the sword will afford to our unfortunate troops no security from pain and death. Destructive as the field, contending with such enemies will certainly be, the carnage will be infinitely greater and more deplorable in camps and garrisons. Courage will avail nothing in contention with the malignant operation of the air and with the pangs of disease. *That* is an indiscriminating evil; falls equally on the head and members, the officers and soldiers, the cowardly and brave, the ignorant and skilful.

"When I think upon the graves, the ignominious graves, that are now gaping, in the plains of St. Domingo, for the conquerors of Egypt and Italy; the inevitable fate, from the sword of banditti and slaves, or from the hovering pestilence, which awaits those veterans who have vied, in the usefulness and grandeur of their past exploits, with all that history or poetry has embalmed, I tremble with compassion—and with fear—(why should I not rather say with hope?) that when apprized of these impending evils, they will refuse to go."

Again he observes, "The heart of humanity must bleed at the prospect of this war. The havock among the most valuable children of France, in the soldiers to be sent thither, is the chief, but not the only evil, to be deprecated. With their death, will be completed the destruction of the country. Fire will devour all the vestiges of cultivation. The sword will sweep away the remaining proprietors of town and country, and the list of exiles will be swelled by those whom timely foresight of the danger, shall enable to escape to a land of strangers and poverty. It will soon be found, that to conquer, it will be necessary to exterminate. Having done this, if it can be done, which I think impossible, let us look around us and meditate the spectacle. The best blood of the nation has flowed. The flower of its military force has perished. We have completed the doom of death and of exile, on the last of our countrymen on that shore. The fields, which we have acquired, are reduced to a desert, and therefore of no more use to the end for which we coveted possession, than the wilds of New Holland, which we have without fighting for.

"What can equal our folly! we fight for fields which we value only as we till them. We cannot till them without cattle, and yet, in our rage to get them, we *kill* the cattle. We covet not the hills and valleys, but the coffee and sugar which they are able to afford us. Any other hills and valleys in the same climate, have the same natural capacities; but the house, the mill, the laboring hands, and the various utensils constitute the difference in the value; but these, half destroyed already, a tedious and exterminating war will annihilate. The golden prize for which we face such perils, and inflict such miseries, will vanish in our grasp.

"In forbearing to molest this island, we gain every thing. The praise of clemency will be ours. We shall escape the infamy of resuming the gift of liberty, which we bestowed; of endeavoring to degrade men and citizens, to the servitude from which we have just raised them. We shall gain their gratitude, their friendship, and every benefit which one nation can confer upon another. The products of the island, the fruits of commerce, the luxury of millions, and the industry and subsistence of thousands of our countrymen, we shall gain. In the folly of conquest, and the cruelty of war, all these will be devoted. Those who will be most useful to us as allies, as friendly consumers of the products of our ingenuity and labor, will be no more; and their isle, when conquered, will be just as beneficial to France, as any other desert and unpeopled land

"Cannot experience make us wise? Have we heard, without benefit, the lesson which the English in their treatment of their colonies, have taught us? Is it worthy of us to afford a new, and even a more flagrant example of the desperate and execrable folly of that nation; who drained the vitals of the people to support ridiculous claims of supremacy over a distant empire; who laboured to establish their own ruin; and who were finally compelled to accept as a voluntary gift from friends, those benefits, which they had in vain endeavored to exact, as tribute from slaves!

"O! that a vain chimera, a sanguinary dream had less power over nations than the plainest dictates of wisdom and policy: that the man whom I now address would rise as far above the rest of his race, in this, as he already done, in other respects. I am jealous *for* him, and would fain see the glory of my hero as bright as heaven, and as lasting as the universe. I would fain see him imitate the divine benificence, and do good without hoping or expecting a requital. Yet I counsel nothing which involves the sacrifice of personal glory, or national advantage. I do not persuade him to injure himself for the salvation of others. Pacific measures are equally conducive to his own, and the nation's glory and prosperity. Hostilities will be equally destructive to both, and if all considerations must yield to the honor of vanquishing rebellion, let us yet lay down our arms, since arms will never vanquish it. What triumph can we hope for but in exterminating, and he that dies in opposition is not subdued.

"Forbearance, however, is a hard task. No eloquence that I can use, may shield from odious imputations the counsels I have now given. It remains for me, however, to shew that while I recommend peace and concession to revolted subjects, I am not the advocate of ignoble ease. To give up what has once belonged to us, the rabble will denominate mean, but I abhor the meanness as much as the rabble who condemns it. To contract our empire is not the end of my councils. On the contrary, my heart beats high with the hope of adding to it, not an island, indeed, but a *world*."

[*To be continued.*]

Notice is hereby given,

THAT the subscriber has obtained letters of administration from the orphans' court of Baltimore county, on the estate of William Champlin, late deceased. All persons having demands against the said deceased, are requested to exhibit the same, duly authenticated, to the subscriber; and all those indebted to the said deceased, are requested to make immedite payment to

W. S. DAVIS.

No. 7, George-street, Fell's-Point.

January 24. raw3