

MARYLAND GAZETTE.

THURSDAY, JANUARY 7, 1796.

BRUSSELS, October 27.

HE army of the Sambre and the Meuse, under general Jourdan, continues its retreat. One part has already crossed the Rhine, near Coblenz, Bonn and Andernach, while the other moves towards Dusseldorf, where it is supposed it will attempt to maintain its station. That village is in the best state of defence. The Austrian army occupies now the town of Dentz, whose inhabitants were disarmed on the passage of the French, because they appeared disposed to second the enemy.

At the date of our last advices, Jourdan was at Mulheim, opposite Cologne with his état-major; but it is thought, this post, which is not tenable, will be evacuated. The head quarters of the army of the Sambre and Meuse are already removed across the Rhine, and are now at Bonn. All the communications of the Rhine are cut off, except in the part of the Lower Rhine, near Dusseldorf. The artillery and baggage are recrossing the Rhine. The French have taken care to secure all the boats from falling into the hands of the enemy.

The Austrians have also left their old position in the environs of Neuwied, Villander and Ehrenbreitstein. The works thrown up by the republicans for reducing that fortress are already demolished: The peasants in the environs furnished pioneers, to hasten the destruction.

According to the movements of the Austrian army, it appeared to be their design to cross the Rhine and carry the theatre of war to the left bank of that river, but every defensive measure is taken to repel that project. There is reason to hope they will not venture an enterprise that must be attended with the most fatal consequences to their army. The intrenchments and batteries on the left banks were hastily supplied with artillery and troops.

It appears that the troops of the garrisons in this place will march to the Rhine, where they will be more wanted in the present state of things. Yesterday a battalion of grenadiers moved for this new destination.

On 29. The Austrians are at Dentz and Mulheim, and advancing to attack Jourdan. The peasants on the right banks of the Rhine are armed against the French, and a body of 12 or 14,000 of this irregular militia is employed by the Austrians.—There seems to be forming about that city a little Vendee, which has taken possession of the forest of Soignes. Six thousand men have marched against the place.

MARSEILLES, October 22.

All is quiet here. The calumnies against this place are answered by tranquillity and submission to the constituted authorities. Most of the troops have left this city for the army in Italy.

PARIS, November 5.

This day the death of Gillet, representative of the people, was announced to the council of five hundred. His disease was the consequence of the fatigues he suffered when with the army of the Sambre and Meuse.

A member of the council, departed from La Vendee department, proposed a commission to inquire into the means of terminating the civil war that laid waste that part of the republic. "Philippeaux, said he, told the truth, and he was assassinated. We have a constitution—let us maintain it and Charette is lost. He is not a Proteus, but could he be sometimes feeble and at other times powerful, but for the charges in the government, which is now an exterminator, how feeble: One month warlike, the next pacific." He proposed vigorous measures to be steadily pursued and the establishment of a commission.

It was, however, remarked that the installation of the directory rendered this measure unnecessary.

The council of ancients received letters from Merlin, Lacroix and Carnot, announcing the acceptance of their appointment.

Carnot expressed himself thus: "I accept my nomination to the executive directory, with a fear inspired by my feeble talents, but with a confidence derived from my zeal and habits of labour. I swear my love to the constitution, and my unlimited devotion to the prosperity of my country and the maintenance of the republic."

Merlin announced his nomination as minister of justice. "Were I to consult, said he, my own inclination, I should prefer the duty of a member of the legislative body, to which I have been called by the confidence of my fellow-citizens; but I perceive that by accepting the office to which the directory has just appointed me, I may be able to serve the republic in a laborious station; therefore I do not hesitate to accept it, and to this consideration only I sacrifice the honour of a seat in the council of ancients."

Charles Lacroix informed the council, that although he deemed the burden of the office of minister for foreign

affairs, above his ability, he then thought it his duty to accept it.

On counting votes for a person to fill the place of Lanoix as secretary, Franchet and Vernier had each fifty-five votes—Franchet, being the eldest, was appointed.

LONDON, October 16.

A French nobleman, who formerly enjoyed a landed estate of £30,000 sterling per annum, now keeps a turner's shop in the vicinity of Golden Square; where his present conduct proves him to have been truly worthy of his past affluence.

The Columbia, Maly, of Philadelphia, from the Cape of Good Hope to Amsterdam, out three months, passed Dover on the 12th instant. On September 27, in lat. 37 N. long. 15½ W. spoke the Union of Liverpool, to Madeira and the West-Indies, all well.

The above ship left the Cape of Good Hope on the 8th of July, which is a week later than any other vessel that has hitherto reached England, and brings letters from Symond's Bay, dated the 7th. She sailed from Amsterdam the latter end of April, with dispatches from Holland to the Cape, and other Dutch settlements; of which circumstance admiral Elphinstone being previously apprised, ordered her to be searched, when dispatches were of course discovered, and he took a copy, and sent the original to the Dutch governor at the Cape.

By the letters she brings we learn, that the Dutch had deserted Symond's Bay; and that the English sailors had plundered the houses and gardens of the settlers, for which offence the admiral had called the ringleaders to account, and had punished them accordingly. One of the letters which we have seen states, that the fleet was destined for the East-Indies; that it was well watered for two or three months; and that they were waiting in Symond's Bay, for reinforcements from St. Helen's and Europe.

JAMAICA, November 21.

A detachment consisting of 70 infantry and 40 cavalry, marched on Wednesday last night from the parish of Vere, to join the forces acting against the Trelawny maroons.

By the Louisa, Goineaman, we learn, that, immediately upon the arrival of our troops at the windward islands, part of them were sent for the relief of St. Vincent's, in which they succeeded, having retaken the whole of the island from the French. A flag of truce which had been sent to Guadaloupe, returned to Dominica a day or two previous to the Louisa leaving that island, and brought information of the arrival of a French frigate at Point a Petre, with 300 artillery on board from France.

KINGSTON, November 24.

The Arethusa on her passage fell in with the Vanguard of 74 guns, which vessel, with two others were cruising to windward of Barbadoes in quest of three French frigates who had got out of Guadaloupe in spite of the state of blockade in which that island is.—We have 14 vessels of war now cruising around it, but all their watchfulness could not prevent these frigates from getting out, and committing depredations on the trade of our islands to windward. One privateer that has done a good deal of damage in that quarter, is taken.

A very remarkable circumstance happened about two weeks ago to a seaman belonging to his majesty's ship Intrepid. The poor fellow who was a Portuguese, and could scarcely speak English, having been much teased by the seamen, conceived the idea of escaping, as he was a very expert swimmer, although the ship was about a mile from the shore. At midnight he let himself down at the head of the ship and narrowly escaped being shot, for the centinel hearing a noise in the water fired; he proceeded, however, unhurt till he had just reached the shore, when a large shark seized him by the side, tore a large piece of his flesh, and broke two of his ribs. In this distressed situation he with the greatest difficulty got ashore at Port Royal; when medical assistance was immediately afforded him and he is now in a fair way of recovery.

Extract of a letter from an officer of the Kingston detachment, dated Chatham, 10th inst.

"I have this instant received the following note from Joseph Hardy, commissary at Boring Vale: 'Mr. Hunter is this moment from Dromilly. He says one of the maroons was taken yesterday, by a watchman, belonging to Mr. Sharp, digging yams. The fellow took him by surprise and brought him tied to the governor. After his examination he promised he would shew a party of fifteen, besides several women and children. A party of your grenadiers entered the woods with the maroon tied. They (meaning the maroons) are surrounded by this.'"

"The party of grenadiers must be the first and a part of the second from Dromilly, where the governor is."

Another letter received from a gentleman of respectability, corroborates the above circumstance, and likewise mentions, that some time previous to his writing, the body of colonel Fitch had been found, with his bowels cut out and his head placed in the cavity. In the defile where colonel Fitch unfortunately fell, the maroons had nailed two heads on trees opposite each other, with their mouths kept open by pieces of wood placed in them.

NEWPORT, (R. I.) December 1.

The late accounts of increasing population in the state of Kentucky, does not exceed that of the district of Maine. A few years ago this province was an uncultivated wilderness—but now thickly settled in every part next the sea, and many miles up the interior parts.

A coach road is now completed from Raymondtown, through Otisfield, Waterford and Oxford, to Sudbury canal. The elegant seat of general Knox, stands foremost among the ornamental buildings, and the residence of that distinguished character greatly contributed to the sudden rise of lands in the Waldo Patten, and on George's river.

NEW-YORK, December 26.

DECEPTION!

Extract of a letter from Newbern (N. C.) dated December 8, received by a respectable merchant in this city.

"A false shipment appears to have lately been made in Philadelphia.—A vessel arrived here a few days ago; the cargo consigned to Mr. Joseph Taggart.—The invoice amounted to a considerable sum; but upon examination, the whole appeared to be a fraud. The hogheads were filled with water, which should have contained something more valuable; the boxes, supposed to contain linen, were filled with sticks; and the bales, which was thought to contain cloth and blankets, proved to be shavings. The pilot's coming on board, before the captain expected, prevented any mischief."

The above was insured in New-York, as being on board the brig Betsey, captain Doggate, who appears to be much deranged."

December 29.

Attack on the Cape of Good Hope.

OFFICIAL.

London, November 2. A letter from vice-admiral Elphinstone, dated on board the Monarch, Symond's Bay, Cape of Good Hope, August 12, informs, that on the 7th August, he attacked the strong Dutch post at Muysenburgh, with 1000 seamen, under the command of captains Hardy and Spranger, and carried it after a few minutes smart firing, the Dutch abandoning their camp, taking with them only two field pieces. The following ships were captured in Symond's Bay, Boetzlaar, 978 tons, Bonifacius, 448, Certruyday, 666, Vertrouwen, 890, Louisa, 540 tons.

PHILADELPHIA, December 28.

It is with sincere satisfaction that we congratulate our fellow-citizens on the prospect, which our advices from France (to the 5th of November inclusive) afford of the speedy restoration of peace to that country, and to the rest of Europe.

The new government of France has gone into operation, and there is every reason to suppose that the happiest effects will result from its measures not only to that nation, but to all the world. The solemnities which have been observed in the instalment of the executive directory, demonstrate the respect which a wise and well disposed community will ever entertain for those whom they intrust with the public authority, and is a happy augury, that liberty and law will reward the patriotism, and protect the property of regenerated France.

The five persons chosen to the executive directory, are,

REVEILLERE—LEPAUX.

LE TOURNEUR De la Manche.

BARRAS.

REUBELL.

CARNOT.—Who was chosen in the room of Sieyes, who declined.

Citizen Sieyes, as a reason for resigning the appointment, as member of the executive directory, says, that station requires a man in whom confidence is reposed by all; so it ought not to be vested in him, who, ever since the commencement of the revolution, has been the object of attack of all parties—all, he continues, without distinction.

Barriere, prisoner of state, we learn by the last French papers, has made his escape.

Dec. 30. A French paper printed on Monday morning in New-York has the following paragraph:

"The French army has left Germany in great precipitation; and at the date of the last accounts, one part had recrossed the Rhine."

By the HOUSE of DELEGATES, December 24, 1795.

On motion, ORDERED, That the register of the land-office for the western shore cause so much of the bill, entitled, An act relative to the proceedings in the court of chancery and in the land-office, as relates to the land-office, to be published for six weeks successively, before the first day of April next, in the Annapolis, Easton, and George-town news-papers, and in one of the Baltimore, Frederick-town, and Elizabeth-town news-papers.

By order,

W. HARWOOD, Clk.

Part of the act relative to the proceedings in the court of chancery and in the land-office.

AND be it enacted, That in case any warrant for surveying or resurveying land hath issued or shall issue, and the same hath been or shall be, executed by a deputy of the surveyor, authorized to execute the same, and before a certificate of the survey or resurvey shall be made out and signed by the said surveyor, he shall die, the said deputy shall have power, within six months after such death, to make out and sign a plot and special certificate, stating the circumstances of the case, with an affidavit of the truth thereof annexed or endorsed, and the said certificate shall be as good and effectual as if made out and signed by the said surveyor, and if any amendment or correction of the said plot or certificate shall be necessary, the amendment or correction shall be made by the said deputy, or such other person as the chancellor, or the judge of the land-office on the eastern shore, as the case may be, shall think proper.

And be it enacted, That in case any certificate hath been or shall be made out by any county surveyor, authorized to make the same, under a warrant of survey or resurvey, and the same hath been or shall be duly returned, and an order of the chancellor, or judge of the land-office of the eastern shore, hath been or shall be made for correcting the same, and the surveyor hath resigned or shall resign his office without making out a correct certificate, or correcting the original, the chancellor, or judge of the land-office of the eastern shore respectively, on application of the party, and at his own discretion, may order the correction to be made by the said surveyor, and the corrected certificate made out by the said surveyor shall be as good and effectual as if he had not resigned, and he shall be entitled to such fees as to the chancellor, or judge of the land-office for the eastern shore, shall, under all circumstances, appear reasonable, not exceeding the fees established by law.

And be it enacted, That hereafter, no original certificate of survey or resurvey under a warrant shall be received in the land-office, unless the same be passed by the examiner-general, and returned to the said office before the first day of July next, or within eighteen months from the date of the warrant, and in case any order hath been made for the correction of any certificate of survey or resurvey under a warrant, the corrected certificate shall not be received into the land-office, unless passed by the examiner (if necessary) and returned before the first day of January, seventeen hundred and ninety-seven, and in case any order shall hereafter be made for the correction of any certificate as aforesaid, the corrected certificate shall not be received, unless passed by the examiner (if necessary) and returned within nine months from the date of the order, but nothing in this act contained shall be so construed as to extend the time within which a survey or resurvey under a warrant may be made.

And be it enacted, That where any certificate of survey or resurvey shall by the examiner-general be found erroneous, or where, on application of the party, the chancellor, or judge of the land-office on the eastern shore, may think proper to direct the correction of any certificate, and there is not sufficient time for such correction to enable the party to pay the money within the time required by law, on a tender being made of the money due to the treasurer, three months shall be allowed for the correction of such certificate, and being passed by the examiner-general, and payment made within the said three months, the same shall be valid.

And be it enacted, That no certificate of survey or resurvey shall be liable to a warrant of proclamation before the first day of June next.

And be it enacted, That in case any certificate of survey or resurvey already made, or hereafter to be made, hath been or may be returned, by which vacant land may be included, and not compounded for agreeably to law, such survey or resurvey shall be liable to be affected by a proclamation warrant, by any person who shall apply for the same, but no proclamation warrant shall thereafter issue on any survey made, or hereafter to be made in this state, unless one tenth part of the land contained in the said survey or resurvey is compounded upon and paid to the treasurer of the western or eastern shore, as the case may be, before such warrant shall issue; provided, that the person claiming the said survey or resurvey shall have one day after the said first day of June, or after the expiration of the warrant of such surveys or resurveys made, or hereafter to be made, as aforesaid, for a proclamation, to pay and compound on the same, and no application shall be received by the register of the land-office for the western or eastern shore respectively, until after such day of pre-emption shall have expired; provided, that nothing herein contained shall be taken or deemed to affect the right of any person who hath already applied for any proclamation warrant, if such person shall take out the said warrant on or before the first day of April next.

And be it enacted, That it shall be the duty of surveyors in returning certificates hereafter to express the quantity and quality of the improvements contained on

the land included in the survey or resurvey, and subject to the operation of the warrant, with his opinion of the value of the same, and no exception shall hereafter be taken to any certificate of survey or resurvey made, or which hereafter may be made, by way of caveat in the land-office, on account of improvements not being returned, provided that nothing in this act shall be taken or construed to affect any case now existing on caveat before the chancellor.

NOTICE.

THE subscriber intends to apply to the next Anne-Arundel county court, for a commission to mark and bound a tract of land, called LEONARD'S NECK, lying in Anne-Arundel county, as also to mark and bound that part of said tract of land which belongs to him.

RICHARD GARDINER.

December 16, 1795.

To be SOLD,

A COMMODIOUS DWELLING-HOUSE, in a pleasant part of this city.—Apply to the PRINTERS.

ALL persons indebted to the estate of WILLIAM THOMAS, late of St. Mary's county, deceased, are requested to make immediate payment, and those having claims are desired to bring them in, legally attested, that they may be settled.

ELIZABETH THOMAS, Executrix.

December 16, 1795.

JAMES WILLIAMS

Have received, by the brig TWO SISTERS, from MADEIRA,

A QUANTITY of old London particular MADEIRA WINE, of the first quality, for particular use, from three to seven years old when shipped, some of which has been a voyage to the Brazil. He has likewise a few pipes of the same quality wine, received about one year since, now in prime order for use, which will be sold by the pipe, half pipe, quarter cask, or gallon.

He has a quantity of fine SALT, superfine and fine FLOUR for sale, and purposes keeping a supply of flour.

He has a handsome COACHEE for sale, with or without a pair of horses.

December 16, 1795.

NOTICE.

ALL persons indebted to the estate of Mr. WILLIAM HANSON, late of the city of Annapolis, deceased, are requested to make immediate payment, and those having claims against the said estate are desired to bring them in, legally attested, that they may be settled.

BURTON WHETCROFT, Administrator.

Annapolis, Nov. 17, 1795.

RAN AWAY from the subscriber, in the month of May last, a mulatto woman named MARY, about twenty-one years of age, she took her only child with her, a handsome mulatto boy, about three years old, it is supposed she is in the city of Annapolis, or the neighbourhood thereof, as she has been seen about three weeks ago in company with a certain CHARLES CLEVIS, a free black, who it is probable will claim her as his wife and pass her for a free woman. A reward of THREE POUNDS will be given for securing the said woman and child, and if brought home reasonable charges, paid by

WILLIAM HARWOOD.

July 6, 1795.

WANTED,

Without Delay,

A STRONG, stout, substantial, and faithfully built BOAT, of either mulberry, cedar, or well seasoned white oak for the frame.—The length of keel between 28 and 32 feet, the beam 12 or 13 feet, in the hold about three feet nine inches to four feet, and of a very handsome model.—If the craft or boat be well appraised it would be the more agreeable, but by no means an inadmissible objection. Inquire of the printers.

March 23, 1795.

FOREWARN all persons against hunting with dog or gun on my plantation after this date, as they may expect to be dealt by agreeably to law.

ABSALOM RIDGELY.

November 25, 1795.

By the HOUSE of DELEGATES, December 14, 1795.

ORDERED, That the bill, entitled, An act to erect a company, as a body corporate, for the purpose of cutting and making a canal between the bay of Chesapeake and the river Delaware, be published in the Maryland Gazette, Easton, George-town, Frederick-town and two Baltimore-town news-papers, the Washington Spy, and Dunlap and Claypoole and Bache's Philadelphia news-papers, for three weeks successively, with the year and session on the question for referring said bill to the next session of assembly.

On motion, the question was put, That the further consideration of the bill to erect a company, as a body corporate, for the purpose of cutting and making a canal between the bay of Chesapeake and the river Delaware, be referred to the next session of assembly? The yeas and nays being required, appeared as follows:

AFFIRMATIVE.

Messieurs Hopewell, Neale, Pinkney, J. Worthington, Ridout, T. Worthington, Ridgely, Ridgely, of Wm. Merryman, Hollingsworth, Gilpin, R. Bond, W. Bowie, T. Bowie, Quynn, Key, Dennis, Whittington, Corbin, Baer, Brother, Beatty, Shriver, J. Bond, Jarrett, Montgomery, M'Comas, Winchester, M'Mechen, Ringgold, Barnes, Brooke, Burgess, Oneale, J. Johnson, Lynn, Cresap, Beall.

NEGATIVE.

Messieurs W. Thomas, Spencer, Lloyd, Barroll, Hall, Mackall, Brome, Horrell, Chesley, Parnham, Digges, Roberts, Martin, Sherwood, Carroll, Nutter, Hyland, Steele, Robertson, Ward, O'Bryon, Brown, C. Frazier, Robins, Driver, Mitchell, Clarke, Reintzel.

So it was resolved in the affirmative.

True extract from the minutes of the House of Delegates.

By order,

W. HARWOOD, Clk.

An ACT to erect a company, as a body corporate, for the purpose of cutting and making a canal between the bay of Chesapeake and the river Delaware.

WHEREAS the opening of the communication between the bay of Chesapeake and the river Delaware, by means of a canal, will be attended with very beneficial effects to those parts of the state of Maryland that lie on the bay of Chesapeake, and on the waters that empty themselves into the said bay, and many persons are willing to subscribe large sums of money to effect so useful a work; and it being just and proper that they, their heirs and assigns, should be empowered to receive reasonable tolls for ever as a compensation for the money advanced by them in carrying the work into execution, and the risk they incur,

II. Be it enacted, by the general assembly of Maryland, That it shall be lawful to open books for receiving and entering subscriptions to the amount of ——— dollars, in shares of ——— dollars each share, for the cutting said canal, and perfecting the navigation thereof, under the management of ——— at Elkton, ——— at Chester town, ——— at Easton, ——— at Vienna, and under the management of such persons, and at such places, in Delaware and Pennsylvania, as shall be appointed by acts of the legislatures of those states; that the said books shall be opened on the ——— day of ——— and shall continue open for this purpose until the ——— day of ———; and on the ——— day of ——— there shall be a general meeting of the subscribers at the town of ———, of which meeting notice shall be given by the said managers, or any four of them, in the Maryland, Delaware and Pennsylvania news-papers, at least one month before the said meeting; provided, that if the same time of receiving subscriptions, and of meeting, should not be appointed by all the said states, then there shall be a meeting of the subscribers at the time by them appointed, at the place aforesaid, notice whereof to be given as aforesaid, and the subscriptions made at the times and places appointed by Delaware and Pennsylvania shall then be received, and such meeting may and shall be continued from day to day till the business is finished; and the acting managers, at the time and place aforesaid, shall lay before such of the subscribers as shall meet according to the said notice, the books by them respectively kept, containing the state of the said subscriptions, and if one half of the capital sum aforesaid should, upon examination, appear not to have been subscribed, then the said managers, at the said meeting, are empowered to take and receive subscriptions to make up the deficiency; and a just and true list of all the subscribers, with the sums subscribed by each, shall be made out and returned by the said managers, or any four or more of them, under their hands, to the general court for the eastern shore of Maryland, and the supreme courts of Delaware and Pennsylvania, to be there kept and recorded; and in case more than ——— dollars shall be subscribed, then the same shall be reduced to that sum by the said managers, or a majority of them, by beginning at, and striking off a share from, the largest subscription or subscriptions, and continuing to strike off a share from all subscriptions under the largest and above one share, until the sum is reduced to the capital of ——— dollars, or until a share is taken from all subscriptions above one share, and lots shall be drawn between subscribers of equal sums, to determine the numbers in which such subscribers shall stand on a list to be made for striking off as aforesaid; and if the sum subscribed still exceeds the capital aforesaid, then to strike off by the same rule, until the sum subscribed is reduced to the capital aforesaid, or all the subscriptions are reduced to one share, and if there still be an excess, then lots to be drawn to determine the subscribers who are to be excluded to reduce the subscriptions to the capital aforesaid; which striking off shall be certified in the list aforesaid, and no person shall subscribe less than one whole share; provided, that unless ——— of said capital shall be subscribed as aforesaid, all subscriptions made in consequence of this act shall be void; and in case ———, and less than the whole of said capital shall be subscribed as aforesaid, then the president and directors, appointed as herein after mentioned, are hereby empowered and directed to take and receive the subscriptions which shall be first offered, in whole shares as aforesaid, until the deficiency shall be made up, a certificate of which additional subscriptions shall be made, under the hands of the president and directors for the time being, or of a majority of them, and returned to, and recorded in, the courts herein before mentioned.

III. And be it enacted, That in case one half of the said capital, or a greater sum, shall be subscribed as aforesaid, the said subscribers, and their heirs and assigns, from the time of their said first meeting, shall be, and are hereby declared to be, incorporated, by the name of The Chesapeake and Delaware Canal

Company, and may have perpetual succession, and sue and be sued as such; and such of the said subscribers as shall be present at the said meeting, or a majority of them, are hereby empowered and required to elect a president and directors for conducting the said undertaking, and managing the business of the said company for and during such time, not exceeding years, as the said subscribers, or a majority of them, shall think proper; and every subscriber shall be allowed one vote for every share not exceeding shares, and one vote for every shares above ten, held by him or her in the said company, any stockholder, by writing under his or her hand and seal, executed in the presence of two witnesses, may depute any other member or stockholder to vote and act as his or her proxy, at any general meeting.

IV. *And be it enacted*, That the said president and directors so elected, and their successors, or a majority of them assembled, shall have full power and authority to agree with any person or persons, on behalf of the said company, to cut such canals, and erect such locks, and perform such other works, as they shall judge necessary for opening, improving and extending, the navigation between the bay of Chesapeake and the river Delaware, and carrying on the same from place to place, and from time to time, and upon such terms, and in such manner, as they shall think fit, and out of the money arising from the subscriptions and the tolls, and other aids herein after given, to pay for the same, and to repair and keep in order the said canals, locks and other works necessary thereto, and to defray all incidental charges, and also to appoint a treasurer, clerk, and such other officers, toll-gatherers, managers and servants, as they shall judge requisite, and to agree for and settle their respective wages or allowances, and settle, pass and sign, their accounts, and also to make and establish rules of proceeding, and to transact all the other business and concerns of the said company, in and during the intervals between the general meetings of the same, and they shall be allowed, as a satisfaction for their trouble therein, such sum of money as shall, by a general meeting of the subscribers, be determined; provided always, that the treasurer shall give bond, in such penalty, and with such security, as the said president and directors, or a majority of them, shall direct, for the true and faithful discharge of the trust reposed in him, and that the allowance to be made to him for his services shall not exceed pounds in the hundred for the disbursements by him made; and that no officer in the said company shall have any vote in the settlement or passing his own account.

V. *And be it enacted*, That the said president and directors, and their successors, or a majority of them, shall have full power and authority, from time to time, as money shall be wanted, to make and sign orders for that purpose, and direct at what time, and in what proportion, the proprietors shall advance and pay the sums subscribed, which orders shall be advertised at least months in the Maryland, Delaware and Pennsylvania newspapers; and they are hereby authorized and empowered to demand and receive of the several proprietors, from time to time, the sums of money so ordered to be advanced for carrying on and executing, or repairing and keeping in order the said works, until the sums subscribed shall be fully paid, and to order the said sums to be deposited in the hands of the treasurer, to be by him disbursed and paid out as the said president and directors, or a majority of them, shall order and direct; and if any of the said proprietors shall refuse or neglect to pay their said proportions within one month after the time of payment so ordered and advertised as aforesaid, the said president and directors, or a majority of them, may sell at auction, and convey to the purchaser, the share or shares of such proprietor so refusing or neglecting payment, giving at least months notice of the sale in the Maryland, Delaware and Pennsylvania newspapers, and after retaining the sum due, and charges of sale, out of the money produced thereby, they shall refund and pay the overplus, if any, to the former owner, and if such sale shall not produce the full sum ordered and directed to be advanced as aforesaid, with the incidental charges, the said president and directors, or a majority of them, may, in the name of the company, sue for and recover the balance, by action of debt or on the case, and the said purchaser or purchasers shall be subject to the same rules and regulations as if the said sale and conveyance had been made by the original proprietor; provided, that in case of the death of any stockholder, the neglect or refusal of his executor, administrator or legatee, to make the payment that may be required as aforesaid, shall not have the effect to forfeit immediately the said share or shares held by the said stockholder in his lifetime, but the said executor, administrator or legatee, shall have one whole year next after the day of the said death to make the payments required.

VI. *And, to continue the succession of the said president and directors, and to keep up the same number*, *Be it enacted*, That from time to time, upon the expiration of the said term for which the said president and directors were appointed, the proprietors of the said company, at the next general meeting, shall either continue the said president and directors, or any of them, or choose others in their stead; and in case of the death, removal, resignation or incapacity, of the president, or any of the said directors, may and shall, in manner aforesaid, elect any other person or persons to be president and directors, in the room of him or them so dying, removing or resigning, and may, at any of their general meetings, remove the president, or any of the directors, and appoint others for and during the remainder of the term for which such person or persons were at first to have acted.

VII. *And be it enacted*, That every president and director, before he acts as such, shall take an oath or affirmation for the due execution of his office.

VIII. *And be it enacted*, That the presence of proprietors having shares at the least shall be necessary to constitute a general meeting, and that there be a general meeting of proprietors on the Monday of in every year, at such convenient town as shall be from time to time appointed by the said general meeting, but if a sufficient number should not attend on that day, the proprietors who do attend may adjourn such meeting, from time to time, till a general meeting of proprietors shall be had, which may be continued from day to day until the business of the company is finished, to which meeting the president and directors shall make report, and render distinct and just accounts of all their proceedings, and on finding them fairly and justly stated, the proprietors then present, or a majority of them, shall give a certificate thereof, a duplicate of which shall be entered on the said company's books; and at such yearly general meetings, after leaving in the hands of the treasurer such sum as the proprietors, or a majority of them, shall judge necessary for repairs and contingent charges, an equal dividend of all the net profits arising from the tolls hereby granted shall be ordered and made to and among all the proprietors of the said company, in proportion to their several shares; and upon any emergency, in the interval between the said yearly meetings, the said president, or a majority of the said directors, may appoint a general meeting of the proprietors of the said company, at any convenient town, giving at least one month's previous notice in the Maryland, Delaware and Pennsylvania newspapers, which meeting may be adjourned and continued as aforesaid.

IX. *And be it enacted*, That for and in consideration of the expenses the said stockholders will be at, not only in cutting the said canal, and other works for opening the said navigation, but in maintaining and keeping the same in repair, the said canal and works, with all their profits, shall be and the same are hereby vested in the said corporation for ever; and that it shall and may be lawful for the said president and directors, at all times for ever after the said canal shall be made navigable, to demand and receive

X. *And be it enacted*, That in case of refusal or neglect to pay the toll at the time of offering to pass through the and previous to the vessel's passing through the same, the collectors of the said tolls may lawfully refuse passage to such vessel; and if any vessel shall pass without paying the said toll, then the said collectors may seize such vessel wherever found, and sell the same at auction for ready money, which, so far as is necessary, shall be applied towards paying said toll, and all expenses of seizure and sale, and the balance, if any, shall be paid to the owner, and the person having the direction of such vessel shall be liable for such toll, if the same is not paid by the sale of such vessel as aforesaid; provided, that the said proprietors, or a majority of them, holding at least shares, shall have full power and authority, at any general meeting, to lessen the said tolls, or any of them, or to determine that any article may pass free of toll.

XI. *And be it enacted*, That the said canal, and works to be erected thereon in virtue of this act, when completed, shall for ever thereafter be esteemed and taken to be navigable as a public highway, free for the transportation of all goods, commodities or produce whatsoever, on payment of the tolls imposed by this act; and no other toll or tax whatever for the use of the water of the said canal, and the works thereon erected, shall at any time hereafter be imposed by all or either of the said states.

XII. *And, whereas it is necessary for the making the said canal, locks and other works, that provision should be made for condemning a quantity of land for that purpose*, *Be it enacted*, That it shall and may be lawful for the said president and directors, or a majority of them, to agree with the owners of any land through which the said canal is intended to pass, for the purchase thereof, and in case of disagreement, or in case the owner thereof shall be a feme covert, under age, non compos, or out of the state, on application to any two justices of the county in which such land shall lie, the said justices shall issue their warrant, under their hands, to the sheriff of their county, to summon a jury of inhabitants of his county, of property and reputation, not related to the parties, nor in any manner interested, to meet on the land to be valued, at a day to be expressed in the warrant, not less than ten nor more than twenty days thereafter; and the sheriff, upon receiving the said warrant, shall forthwith summon the said jury, and when met, shall administer an oath, or affirmation, as the case may require, to every jurymen that shall appear, that he will faithfully, justly and impartially, value the land, (not exceeding in any case the width of feet,) and all damages the owner thereof shall sustain by the cutting the canal through the said land, according to the best of his skill and judgment, and that in such valuation he will not spare any person for favour or affection, nor any person grieve for hatred, malice or ill will; and the inquisition thereupon taken shall be signed by the sheriff, and some twelve or more of the jury, and returned by the sheriff to the clerk of his county, to be by him recorded; and upon every such valuation the jury are hereby directed to describe and ascertain the bounds of the land by them valued, and their valuation shall be conclusive on all persons, and shall be paid by the said president and directors to the owner of the land, or his legal representative, before they shall take possession of said land; and on the payment thereof the said company shall be seized in fee, of said land, as if conveyed by the owner to them, and their successors, in fee, by legal conveyance; provided nevertheless, that if any further damage shall arise to any proprietor of land, in consequence of opening such canal, or in erecting such works, than had been before considered and valued, it shall and may be lawful for such proprietor, as often as any such new damage shall

happen, by application to, and warrant from, any two justices of the county where the lands lie, to have such further damage valued by a jury in like manner, and to receive and recover the same of the said president and directors; but nothing herein shall be construed or taken to entitle the proprietor of any such land to recover compensation for any damages which may happen to any mills, forges, or other works or improvements, which shall be begun or erected by such proprietor after such valuation, unless the same damage is wilfully or maliciously done by the said president and directors, or by some person by their authority.

XIII. *And be it enacted*, That the said president and directors, or a majority of them, are hereby authorized to agree with the proprietors for the purchase of a quantity of land, not exceeding one acre, at or near each of the said places of receipt of tolls aforesaid, for the purpose of erecting necessary buildings, and in case of disagreement, or any of the disabilities aforesaid, or the proprietor being out of the state, then such land may be valued, condemned and paid for as aforesaid, for the purpose aforesaid, and the said company shall, upon payment of the valuation of the said land, be seized thereof in fee-simple as aforesaid.

XIV. *And, whereas some of the places through which it may be necessary to conduct the said canal may be convenient for erecting mills, forges, or other waterworks, and the persons, possessors of such situations, may design to improve the same, and it is the intention of this act not to interfere with private property but for the purpose of improving and perfecting the said navigation*, *Be it enacted*, That the water, or any part thereof, conveyed through any canal or cut made by the said company, shall not be used for any purpose but navigation, unless the consent of the proprietors of the land through which the same shall be led, be first had; and the said president and directors, or a majority of them, are hereby empowered and directed, if it can be conveniently done to answer both the purposes of navigation and waterworks aforesaid, to enter into reasonable agreements with the proprietors of such situation, concerning the just proportion of the expenses of making large canals or cuts, capable of carrying such quantities of water as may be sufficient for the purposes of navigation, and also for any such waterworks as aforesaid.

XV. *And be it enacted*, That it shall and may be lawful for every of the said proprietors to transfer his share or shares by deed executed before two witnesses, and registered, after proof of the execution thereof, in the said company's books, and not otherwise, except by devise, which devise shall also be exhibited to the president and directors, and registered in the company's books, before the devisee or devisees shall be entitled to draw any part of the profits from the said tolls; provided, that no transfer whatsoever shall be made, except for one or more whole share or shares, and not for part of such shares, and that no share shall at any time be sold, conveyed, transferred, or held in trust for the use and benefit or in the name of another, whereby the said president and directors, or proprietors, of the said company, or any of them, shall or may be challenged or made to answer concerning any such trust, but that every person appearing as aforesaid to be a proprietor shall, as to the others of the said company, be to every intent taken absolutely as such, but as between any trustee and the person for whose benefit any trust shall be created, the common remedy may be pursued.

XVI. *And be it enacted*, That if the said capital, and the other aids already granted by this act, shall prove insufficient, it shall and may be lawful for the said company, from time to time, to increase the said capital, by the addition of so many more whole shares as shall be judged necessary by the said proprietors, or a majority of them, holding at least three hundred shares, present at any general meeting of the said company; and the said president and directors, or a majority of them, are hereby empowered and required, after giving at least one month's previous notice thereof in the Maryland, Delaware and Pennsylvania newspapers, to open books, in the before-mentioned places, for receiving and entering such additional subscriptions, in which the proprietors of the said company for the time being shall and are hereby declared to have the preference of all others for the first thirty days after the said books shall be opened as aforesaid, of taking and subscribing for so many whole shares as any of them shall choose; and the said president and directors are hereby required to observe, in all other respects, the same rules therein as are by this act prescribed for receiving and adjusting the first subscriptions, and in like manner to return, under the hands of any four or more of them, an exact list of such additional subscribers, with the sums by them respectively subscribed, into the general courts as aforesaid, to be there recorded; and all proprietors of such additional shares shall be, and they are hereby declared to be, from thenceforward incorporated into the said company.

XVII. *And be it enacted*, That if the stockholders, or the president and directors aforesaid, should neglect or omit, or be by any accident prevented from performing any act or thing on the particular day on which it shall be directed by this act to be done and performed, such neglect or omission shall not be construed or taken in any manner to destroy or invalidate this charter, but the said act may be done at the next convenient day.

XVIII. This act, and every part thereof, to be void and of none effect, unless an act shall be passed by the legislature of Delaware upon similar principles.

ANNAPOLIS:
Printed by FREDERICK and SAMUEL
GREEN.

(LIR YEAR.)

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By the SENATE.
On motion, ORDERED
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By order,

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MARYLAND GAZETTE.

T H U R S D A Y, JANUARY 14, 1796.

By the SENATE, December 21, 1795.

On motion, ORDERED, That the bill, entitled, An act declaring jurisdiction in civil cases, with the respective endorsements thereon, be published four weeks successively in the Annapolis, Baltimore Federal Intelligencer, and Eastern news-papers, before the first day of June next.

By order,

H. WARFIELD, clk.

An ACT declaring jurisdiction in civil cases.

Be it enacted, by the general assembly of Maryland, That the general court shall have original jurisdiction and cognizance of all real actions, actions of ejectment, and of all actions of waste, and of all actions of replevin, where the property replevied shall be appraised to above the sum of thirty pounds current money, and of all personal and mixed actions, except of trespass on real property as herein after provided, where the real debt, or thing in demand, or damages assessed, shall amount to the sum or value of one hundred pounds current money; but if any such action shall be brought in the general court, except as aforesaid, and the real debt, or thing in demand, or damages assessed, shall not amount to the sum or value aforesaid, the court shall, ex officio, order the plaintiff to be nonsuited.

II. *And be it enacted,* That the general court shall have original jurisdiction and cognizance of all actions of trespass on real property where the title to the land is in question, and also where the damages assessed shall amount to the sum of twenty pounds current money, but if any such action shall be brought in the general court, and the title to the land shall not be in question, and the damages assessed shall not amount to the sum aforesaid, the court shall, ex officio, give judgment for the damages only, and may, in their discretion, adjudge that the plaintiff shall pay the defendant his costs.

III. *And be it enacted,* That the several county courts shall have original jurisdiction in all cases whatever, not now within the jurisdiction of a single magistrate.

IV. *And be it enacted,* That if any person shall commit any trespass on real property, or shall assault and beat the person of another, and shall remove from the county where such property lies, or where such assault and battery was committed, the person injured may, at his option, sue such trespasser in any county of the shore where he or she may be found, or issue a writ from the county court of the county, or from the general court of the shore, where such trespass was committed, directed to the sheriff of the county where the defendant resides, and returnable to the general or county court from whence it issued, any thing herein before to the contrary thereof notwithstanding.

V. *And be it enacted,* That no action commenced in any county court shall be removed by the plaintiff by certiorari, unless with the consent of the defendant, entered on the record, on producing the certiorari, and where the real debt, or thing in demand, or actual damages claimed, shall amount to the sum or value of one hundred pounds current money; and if any action shall be removed to the general court by the plaintiff in which the real debt, or thing in demand, or damages assessed, shall not amount to the sum or value aforesaid, the said court shall, ex officio, adjudge that such plaintiff be nonsuited.

VI. *And be it enacted,* That no action commenced in any county court, except of dower, ejectment, replevin, or for trespass on real property, shall be removed by the defendant, by certiorari, or habeas corpus, unless before issue joined, and where the real debt, or thing in demand, or actual damages claimed, shall amount to the sum or value of one hundred pounds current money; but any defendant in an action of dower, ejectment or replevin, where the property replevied shall be appraised to above the sum of thirty pounds current money, or for trespass on real property, may remove any such action to the general court, at any time before issue joined, on paying the costs assessed in the county court before such removal; and any plaintiff in any action of dower, ejectment or replevin, where the property replevied shall be appraised to above the sum of thirty pounds current money, or for trespass on real property, may, without the consent of the defendant, remove any such action to the general court, at any time before issue joined, on paying the defendant all the costs assessed in the county court before such removal, any thing herein before to the contrary thereof notwithstanding.

VII. *And be it enacted,* That no appeal or writ of error shall lie from any judgment of any county court, in any personal action, to the general court, unless on the oath, or affirmation, of the party, if defendant, or his attorney, that the appeal, or writ of error, is not brought for delay, and if on any such appeal, or writ of error, judgment shall be affirmed, the appellee shall recover double costs.

VIII. *And be it enacted,* That the sheriffs of the several counties of the western shore for the time being,

shall summon as grand jurors, to attend the general court for the said shore at the spring session, at least fifteen days before the day appointed by law for the holding of the said courts, as follows, to wit: One from Allegany, Washington, Frederick, Harford and Saint-Mary's counties; three from Montgomery, Charles and Calvert counties; and four from Baltimore, Anne-Arundel and Prince-George's counties; and the said several sheriffs are hereby required to summon and return to the said court, for such grand jurors, free white male citizens of this state, and inhabitants of their respective counties, and such only as are from their education, knowledge, information and experience, most capable and best qualified to discharge the important trust and duty of grand jurors; and the said sheriffs shall summon no person unless above twenty-five and under fifty-five years of age, and who has not a freehold of above one hundred acres of land in his county, or property in the county assessed to above the value of five hundred pounds current money.

IX. *And be it enacted,* That the sheriffs of the several counties of the eastern shore for the time being, shall summon, as grand jurors, to attend the general court at the spring session for the said shore, at least ten days before the day appointed by law for the holding of the said court, as follows, to wit: Two from Cecil, Kent, Worcester and Somerset counties; three from Dorchester and Caroline counties; and five from Queen-Anne's and Talbot counties; and the said several sheriffs are also required to summon, for such grand jurors, persons above described, and having the same qualifications as above mentioned and prescribed.

X. *And be it enacted,* That the sheriffs of the several counties of the western shore for the time being, shall summon, as petit jurors, to attend the general court for the said shore, at least fifteen days before the day appointed by law for the holding of the said court, as follows, to wit: Two from Allegany, Washington, Frederick, Harford and Saint-Mary's counties; four from Montgomery, Charles and Calvert counties; and six from Baltimore, Anne-Arundel and Prince-George's counties; and the said several sheriffs are hereby required to summon for such petit jurors persons above described, and having the same qualifications as above mentioned and prescribed for grand jurors, and most capable and best qualified to discharge the important trust and duty of petit jurors.

XI. *And be it enacted,* That the sheriffs of the several counties of the eastern shore for the time being, shall summon, as petit jurors, to attend the general court for the said shore, at least ten days before the day appointed by law for the holding of the said court, as follows, to wit: Two from Cecil, Kent, Worcester and Somerset counties; five from Dorchester and Caroline counties; and seven from Queen-Anne's and Talbot counties; and the said several sheriffs are hereby required to summon for such petit jurors persons above described, and having the same qualifications as above mentioned and prescribed for grand jurors and petit jurors for the western shore, and no challenge shall be allowed to any juror, summoned in virtue of this act, for want of freehold.

XII. *And be it enacted,* If any sheriff shall neglect to summon and make return of the best and most capable men in his county to be grand and petit jurors, according to the directions of this act, he shall, for every such neglect of duty, be fined by the general court, not exceeding one hundred pounds current money; and if any person so summoned as a grand or petit juror shall not appear, or appearing shall depart the court without the leave thereof, such person so offending may be fined by the court, in their discretion, not exceeding the sum of thirty pounds current money.

XIII. *And be it enacted,* That no person qualified to be a grand or petit juror, according to this act, shall be exempted from such necessary and important duty, except only the governor and the members of the general assembly and the council, and any principal, vice-principal, professors, tutors and assistants, in any college or seminary of learning, and any school-master or practicing attorney, physician or surgeon, and any judicial or civil officer of this state, or of the United States, during their continuance in their respective stations or business, and except also as is hereafter provided.

XIV. *And be it enacted,* That the general court, with the consent of parties, or without their consent, (if the case is not of great importance and difficulty,) may in their discretion, order any action, personal or mixed, that is ready for trial, and in which issues in fact only are joined, to be tried in the county where the plaintiff or defendant resides, (or if justice requires, in any other county,) and such order shall be entered on record, and thereupon, and in virtue thereof, the clerk of the said court shall make out a transcript of the proceeding, under his hand and the seal of the said court, together with a copy of all depositions, (if any,) taken in such cause, and shall deliver the same to the plaintiff, or his attorney, when required, and the plaintiff, or his attorney, shall produce the said transcript, and copies of depositions, (if

any,) to the clerk of the county court of the county to which such cause shall be ordered for trial, at the county court to be held next after such order, and on or before the first day of the sitting of the said court, and when produced, the clerk of the said county court shall file them, and enter such action on his docket, and the said court shall proceed to the hearing, trial and determination thereof, and give such judgment, and award execution thereon, returnable to the said court, or to any other county court, in the same manner as if the said action had been originally commenced and carried on to issue in such county court, and the defendant had resided therein or removed thereout after such judgment; and if any plaintiff, or his attorney, shall not produce such transcript as above directed, upon motion in the general court, and due notice thereof given, the said court shall give judgment for the defendant, as in cases of nonsuit, unless the said court shall, upon just and reasonable terms, allow any further time or times for the trial of such action, and if the plaintiff shall again neglect to try his action, the court shall proceed to give such judgment as aforesaid, and all such judgments shall be of the like force and effect as judgments upon nonsuit, and of no other force or effect; and the plaintiff or defendant in such action may issue subpoenas for witnesses, either from the general court or from such county court, and on non-attendance the said county court may issue attachment, either to their county or to any other county, to compel the attendance of such witnesses; and if such action cannot be tried with justice to the parties from want of testimony, or from some defect in plots or the pleadings, the said court may continue such action in the same manner as they can continue any other action in their court, and may grant amendments for the trial of the merits in all proceedings whatsoever before verdict, and if any amendment is made after a jury is sworn, a juror shall be withdrawn, and the said court may take such further order, in their discretion, as justice requires; and on the trial of such action either party shall be entitled to a bill of exceptions, and on appeal, or writ of error, the clerk of the said court shall return the transcript, together with all depositions, (if any,) annexed thereto, to the clerk of the general court, with a transcript of all the proceedings in the said county court in the said cause, under his hand and the seal of the said county court; and upon such transcript the said general court shall proceed to give judgment as is by law directed in appeals or writs of error from the county courts; and the clerk of the county courts, receiving any transcript from the general court, shall enter the same on his records, together with all further proceedings in such actions; and any action ordered to any county court for trial, shall be continued in the general court until the transcript shall be received and filed in the county court; and all costs incurred in the general court shall be taxed, included and recovered, with the costs incurred in the county court.

XV. *And be it enacted,* That it shall be lawful for the general court, on application of either plaintiff or defendant, at any time, and upon satisfaction being given to the court, by affidavit, affirmation, or otherwise, that a witness, (who shall be named,) is a material and competent witness in such cause, residing within the state, and not able to attend the court from age, sickness, bodily infirmity or accident, or without great danger of health, to order the deposition of such witness to be taken, on interrogatories, in writing, before some justice of the peace where such witness resides, on such notice to the adverse party as the court may think reasonable; and every deposition taken according to the order of the court, shall be good and legal evidence on the trial, in the same manner as if the witness was produced and examined in open court.

XVI. *And be it enacted,* That either plaintiff or defendant may require that a special jury be selected or struck in the following manner, to wit: The clerk of the general court shall make out and deliver to the parties, or their attorneys, a list of all the petit jurors attending the court, and they may agree on any twelve in the said list for the trial of the cause, and if they appear they shall be empanelled and sworn as the jury, but if any of them do not appear, then the said parties, or their attorneys, may agree on any other in the said list in the place of such as do not appear, and the juror or jurors so chosen shall be added to the panel, and sworn in the cause; and if a jury cannot thus be selected by choice, then one shall be struck in the following manner, to wit: The clerk shall furnish a list of all the jurors attending the court to the parties, or their attorneys, and they may, in the presence of the clerk, alternately (the plaintiff, or his attorney, beginning first,) strike out from the list the names of all the jurors except twelve, who shall, if they appear, be empanelled and sworn on the jury, but if any of them do not appear, or if any of them are set aside on challenge, the said parties, or their attorneys, may again strike out of the list, in the same manner, until there shall be no more left than will make up the

deficiency, and if any of them do not appear, or are set aside on challenge, the parties, or their attorneys, may again strike out, as before, and so, toties quoties, in like manner, until a jury be obtained; and the jurors so struck shall be empanelled, and sworn as the jury to try the cause.

XVII. *And be it enacted*, That on the application of either plaintiff or defendant the general court may, in their discretion, in any action between merchant and merchant, or between any merchant and his factor or agent, respecting mercantile dealings and transactions between them that are of great importance, and intricate from the length or multiplicity of items or particulars, or that will probably involve some new and difficult question of law, and also in other special and similar case of difficulty and intricacy, (although not between merchants, or a merchant and his factor or agent,) issue a special venire facias, directed to the sheriff of any county, or, if necessary, to sheriffs of different counties of the shire where such action is to be tried, to summon and return a jury of merchants to attend the said court on a day to be appointed and mentioned in such writ, for the trial of such cause, and such sheriff shall, in virtue of such precept, summon and return twenty-four, or such number as the court shall direct, of the most respectable and experienced merchants of his county, citizens of this state, above the age of twenty-five, and under fifty-five years, and having a freehold of above one hundred acres of land in his county, or property in the county assessed to above five hundred pounds current money, and out of the said jurors, or such of them as shall appear, a jury may be agreed on or struck in the manner herein before directed, and the jury so agreed on or struck shall be empanelled and sworn as the jury to try such cause; and all the expence of such jury shall be paid by the parties equally, or in such proportion as they shall agree, but if they do not agree, then the whole expence shall be paid by the party applying for such jury; and if any person returned shall not appear, or after appearance shall wilfully withdraw from the presence of the court, such person so offending may be fined by the court, in their discretion, not exceeding the sum of fifty pounds current money.

XVIII. *And be it enacted*, That the sheriffs of the several counties for the time being shall annually, and upon the first day of the sitting of their respective county courts in the spring of the year, return an alphabetical and true list, in writing, of the christian and surnames of all persons in their respective counties, qualified, according to this act, as grand and petit jurors in the general court, to their respective county courts, and the said courts are hereby required carefully to examine the said list, and diligently to inquire if any persons qualified to be jurors are omitted, and whether any persons not qualified to be jurors have been inserted, and if they find that any have been omitted, they shall order the sheriff to add them to the list, and if they find that any have been inserted by mistake, who ought to be omitted, they shall order the sheriff to strike out such person from the said list; and to obtain full information on this subject, the said courts may examine the said sheriff, and his deputies, or any other persons, (on oath or affirmation,) and if it shall appear to the said courts, that the said sheriff wilfully omitted out of any such list any person or persons whose name or names ought to be inserted, or that the said sheriff wilfully inserted any person or persons who ought to be omitted, the said courts shall fine the said sheriff for every person so omitted or inserted in such list contrary to the meaning of this act, not exceeding five pounds current money; and if any sheriff shall take any money, or other reward, for omitting or inserting any person in his said list, such sheriff shall forfeit not exceeding fifty pounds current money for every such offence; and the said county courts shall direct the clerk of their county immediately to enter such list (with the corrections, if any,) among the proceedings of the said court; and the said clerk shall forthwith thereafter deliver the original list (with the corrections, if any,) to the sheriff of his county, for his government in returning of grand and petit jurors to the general court; and such sheriff, immediately on receiving the said list, shall cause the same to be entered faithfully, fairly and alphabetically, in a book to be kept by him for that purpose, and such sheriff shall deliver the said original list to the clerk of the general court; and if any clerk of any county, or any sheriff, shall neglect any duty above required, such clerk or sheriff shall forfeit not exceeding fifty pounds current money for every neglect; and if any sheriff shall summon and return any person to serve as a grand or petit juror to the said court, whose name is not inserted in such list, such sheriff shall forfeit not exceeding fifty pounds current money for every offence; and every sheriff shall enter or register in a book to be kept by him for that purpose, in alphabetical order, the names of such persons as shall be summoned, and shall serve as jurors; and the said sheriffs shall so conduct themselves in summoning the respective jurors from those whose names are entered in the said list, as to prevent, as far as possible, a burthen or hardship from falling on individuals, as far as is consistent with his chief duty of returning the most capable and best qualified as he is herein before required; and if any sheriff, or his deputy, shall, directly and indirectly, take or receive any money, or other reward, to excuse any person from serving, or being summoned to serve, as a grand or petit juror to the general court, or under that colour or pretence, such sheriff, or deputy sheriff, so offending, shall forfeit fifty pounds current money for every offence; and every sheriff, on going out of office, shall deliver to his successor (when required) the book containing the said list, and the register of the service of the said jurors during his being in office, under the penalty of fifty pounds current money, and on the death of any sheriff, his executor or administra-

tor shall also (on demand) deliver to the successor the said list and register, under the penalty of fifty pounds current money; and any of the said fines may be imposed by the general court on any clerk, sheriff or his deputy, or on the executor or administrator of any sheriff, on examination and proof of such offence in a summary way; and the levy courts of the said counties may make such allowance to the said sheriffs and clerks, for the execution of the aforesaid duties, as they may think reasonable.

XIX. *And be it enacted*, If any person not qualified to serve on juries according to this act, or exempted from such duty, shall find his name mentioned in such list, or being qualified, shall be so circumstanced in other respects as to make it improper to summon him as a jurymen, such person may apply to the county court to which such list was returned, and the said court, upon satisfaction, by the oath of the party complaining, or other proof, that he is not qualified to serve, or that he is exempted, or ought to be exempted from serving as a jurymen, shall order his name to be struck out or omitted in such list, and on producing a certificate of such order to the sheriff, he shall immediately strike such person out of his list.

XX. *And be it enacted*, If by any means of challenges, or default of jurors, a sufficient number of jurors shall not appear, in any criminal or civil case, the general court may award a talees, directed to the sheriff of Anne-Arundel county, or to the sheriff of Talbot county, as the case may be, to summon and return so many of his county as will make up a full jury, and the said talees shall be liable to the same challenges as the principal jurors; and if any person returned shall not appear, or after appearance shall wilfully withdraw from the presence of the court, such person so offending may be fined by the court, in their discretion, not exceeding the sum of twenty pounds current money.

XXI. *And be it enacted*, That the sheriffs of the respective counties in this state shall summon and return, as grand and petit jurors to their respective county courts, the best and most capable persons mentioned in the list above directed to be taken, subject to the same provisions and penalties respecting the same, prescribed in their duty in summoning the jurors to attend the general court; and a special jury may be selected or struck in any county court, at the request of the plaintiff or defendant, in the same manner as above provided in the general court.

XXII. This act to continue for seven years, and until the end of the next session of assembly thereafter.

By the senate, December 2, 1795: Read the first time and ordered to lie on the table.

By order,

H. WARFIELD, clk.

By the senate, December 16, 1795: Read the second time and will pass.

By order,

H. WARFIELD, clk.

By the house of delegates, December 18, 1795: Read the first time and ordered to lie on the table.

By order,

W. HARWOOD, clk.

By the house of delegates, December 21, 1795: Read the second time and will not pass.

By order,

W. HARWOOD, clk.

MANHEIM, October 19.

AT three o'clock yesterday morning, one of the French camps on the river Necker, was surprised by the Austrians, who took advantage of a thick fog, and had beside a large body of horse. The French fell back within the guns of the town; they fought obstinately from five until eleven o'clock in the morning, and the loss of both sides has been very great on both sides. The Austrians attacked at once, towards the gate of the Necker, and that of Heidelberg. The fog was so opaque, that in spite of a constant fire from the fortifications, they drew near enough to pour into the town two or three bomb shells. By twelve o'clock the fog dissolved, and the Austrians retired. The French had been relieved by the regiment of carabiniers, and some battalions of infantry. General Dillix commanded in the engagement. The French have forced them to retreat, though much more numerous, superior to them particularly in cavalry. Some prisoners arrived at Mannheim in the afternoon. It is reported that the Austrians fortify their position on the heights of the Gibbet, in order to keep the French back nearer the fortifications. The cannonade began again by four o'clock in the afternoon, and the Austrians advanced a little, but were forced to fall back, and about six o'clock retired to the neighbouring villages. General Pichegru continues here, though his general quarters have been removed to Nunsfadi.

To day all is quiet.

OS 20. The armies were yesterday in battle array, the light horse only engaged in skirmishes. The Austrians at last fell back as far as one league, and left the fortifications they were erecting on the heights of the Gibbet at a quarter of a league distant from Mannheim. It is reported, that on the evening their cavalry, as they were disposing themselves to rush on the carabiniers, have been much injured by unexpected volleys of musket shot.

AMSTERDAM, October 22.

We have official intelligence from the Cape of Good Hope, received by the committee for the marine department. The governor who is not an Orangist, informs, that the inhabitants are well affected towards the new order of things: There had indeed been some

diffentions among them, but they happily subsided on the appearance of an enemy, and were determined to make an obstinate resistance.

Letters from Surinam inform, that the inhabitants of that colony are well disposed, and their courage revived by the arrival at Cayenne of three French brigades and twelve hundred troops. Collet and Billand, are arrived at the place of destination.

COLOGNE, October 21.

Last night was a general illumination. The Austrian army under general Clairfayt has crossed the Rhine and arrived here. The French have withdrawn their troops from the left of the Rhine, above Andernach, as intelligence had been received from Marbeim; that general Wurmler had defeated general Pichegru; the particulars of which are not yet known here, which would make their positions in those environs very dangerous.

Last night general Clairfayt received intelligence that the French had taken post and encamped on the other side the-Rohr, beyond Juliers, the same position which general Miranda took three years ago, under general Dumourier. This morning the Austrians marched out of this city, joined by 8000 citizens, who are put in different battalions to fill up the losses. It is supposed they are gone in pursuit of the French.

October 28.

This moment the bells are ringing here, as the news is arrived that the French were attacked on the 26th instant, on the Rohr, by the Austrians, and after two hours disputing the ground, have made a precipitate retreat towards Aix-la Chapelle.

October 30.

The loss of the French, in the battle of the 26th instant, was 1370 killed, 1680 wounded, and 700 taken prisoners, with 28 pieces of cannon; the Austrians have pursued them, and entered the 28th in the evening, Aix-la-Chapelle, which is evacuated by the French, who are still retreating.

Very extraordinary accounts are arrived at Aix-la-Chapelle from Maastricht; that the inhabitants having received the news of the Austrians crossing the Rhine, and being joined by 2400 Dutch soldiers there in garrison, had in the night surrounded the 3500 French national soldiers in that garrison, made them prisoners, and offered the surrender of Maastricht to general Clairfayt. We doubt, however, the truth of this news, but it is an undoubted fact that the Austrians are received at every place with open arms.

PARIS, October 27.

The king of England has thought proper to have three different opinions—one peaceful, as it respects Hanover—another for negotiation, as it respects Bremen—and a third warlike, as it respects Great-Britain. How he can reconcile these such discordant opinions, cannot be easily accounted for, unless it be granted that his brain is turned, and that he is likely to be again seized with the royal mania.

The queen of Portugal continues in the same state of indisposition, under which she has laboured for some time past. The direction of all the affairs of that government is confided to the prince of Brazil, and a council.

LONDON, November 5.

On Tuesday evening a vessel arrived from Dover. The passengers on board this ship bring the news of a report having prevailed at Ostend, accompanied by circumstances that procured it general belief, of several attacks having been made by the Austrians on the French, which ended in the total rout of the latter. Thirty-five thousand men, or, according to some accounts, forty thousand, are said to have been lost, in killed, wounded, and prisoners, on the part of the vanquished, who have lost all their magazines, ammunition, &c. It is added, that the panic was so great among the French that they fled in all directions, and that numbers of them had crossed the Rhine, without arms or provisions.—When we consider that the French were in a manner destitute of cavalry, and that the Austrians had taken care to collect a most formidable body of horse, the advantage to be derived from this circumstance over a retreating army, renders the account of the numbers stated to be lost by the former, extremely probable.

We find upon further inquiry into the circumstance of the above information, that Clairfayt had first attacked the French, and driven them with great loss to Mannheim, where Wurmler had attacked them again, and in both attacks the French had met with the most signal defeats.

The report at Ostend was, that the Louis was 4300 livres in assignats.

The paper of the 28th mentions, that the constitution had been put in force on the 27th ult.

We understand, that by the same vessel which brought this account, French papers of the 28th and 29th ult. were received, by which it appears, that a general wish for peace prevailed at Paris, and that the Parisians were, almost universally clamorous for the establishment of the new constitution. Hence it would seem as if the constitution, which was to have been put in force on the 27th, had by the intrigues of those who were anxious to retain the power which they had been so long accustomed to exercise, been deferred.

General Menou, who had been arrested on a charge of having favoured the sects, which the convention had employed him to reduce, has been tried and acquitted, to the great satisfaction of the people of Paris. The circumstance of this acquittal, by a military commission, and that of the satisfaction evinced by the Parisians on the occasion, afford some satisfaction to the supposition, that both the troops and the inhabitants of

the metropolis are well disposed, though on the other hand, establishment of the new constitution that the terrorists have

Nov 6. We are still without news from the continent; but the paper of yesterday, of the French armies on the Rhine, and scarce a doubt remains, are told that so closely were they told by the victorious Austrians down their arms to facilitate

A circumstance which tends to confirm this news is, that the convention that the French have met with a severe check, hopes that the disaster might

TOTAL DEFEAT

On the authority of an eye witness we present the following articles of the war between the French and the Austrians, which had to have been taken from over by a private vessel from far mails are still due:

“ Since the defeat of Sambre and Meuse, on the 26th, and took an advantage of their artillery, ammunition, and their horses, who, by force of the French army, of the middle of the night. The general Clairfayt made a general retreat, while the Huningarian army, by surprise, and in their sabres, which obliged great part threw their arms. “ This morning the retreat. The Austrians have lost 11000 men, 7900 killed, and 7300 taken prisoners on the pursuit. Seventy-three all the provisions and arms.”

Deulitz. We have had here, since the French army has taken their soldiers run in every direction from Oberhakenfeld, led the Rhine towards Cologne. The 19th at two o'clock the French arrived in pursuit of the remnants of their pursuit. 21,000 men, who made a retreat at six o'clock on the morning of general Clairfayt command my fought desperately with the French when they were ob-

stinately superior force of 7000 and took prisoners, wounded—40 pieces of equipment of immense value, ammunition and magazine arms. This morning, the 21st, the intelligence that the order of general Jourdan drawn all his troops from the island near Neuwied, Bergen.

12. This moment arrived magistrates of Cologne, to take possession of the city that 9000 men, citizens join general Clairfayt.

BOSTON

Copy of a letter received from Adams, on

Esteemed Sir, “ It is with pleasure I inform, that the agents of the United States, at Algiers. The officers of the United States to the regency and forrow. It will be observed, States, are not free in are at peace with Tunis. They are often as far as Morocco and Tunis, be on their guard, and until we are at peace when this is effected, field of commerce opened of the United States. Health, peace, and prosperity, esteemed Sir.”

PHILADELPHIA

Extra of a letter, dated 1795, to 6. “ In addition to what is in this conveyance, I inform, that Ant French privateer Guillemevery, of the ship Ja-

the metropolis are well disposed to the moderate party: though on the other hand, the delay attending the establishment of the new constitution, seems to indicate that the terrorists have triumphed.

Nov. 6. We are still without any further advices from the continent; but the news mentioned in our paper of yesterday, of the complete defeat of the French armies on the Rhine is universally credited, and scarce a doubt remains of the truth of it. We are told that so closely were the French armies pursued by the victorious Austrians, that they threw down their arms to facilitate their retreat.

A circumstance which tends very considerably to confirm this news is, that it has been announced in the convention that the French armies on the Rhine have met with a severe check, but that there were hopes that the disaster might be repaired.

November 7.

TOTAL DEFEAT OF THE FRENCH.

On the authority of an evening paper of yesterday, we present the following articles, respecting the operations of the war between the French and Austrians, said to have been taken from German papers, brought over by a private vessel from Hamburg—for the regular mails are still due:

Marpurgh, on the Lahn, Oct. 16.

"Since the defeat of the French army of the Sambre and Meuse, on the Mayn, they recrossed the Lahn, and took an advantageous disposition to secure their artillery, ammunition, and provisions; but general Clairfayt sent 27,000 horse over the mountains and forests, who, by forced marches, arrived in the rear of the French army, on the 15th instant, in the middle of the night. The 16th, in the morning, general Clairfayt made a general attack on their army in front, while the Huningarian cavalry fell on them in the rear, by surprise, and made a dreadful havoc with their sabres, which obliged them to fly in confusion; a great part threw their arms away.

"This morning the returns were made of the loss. The Austrians have lost 1100 killed and 900 wounded. The French, 9700 killed, an immense number wounded, and 7300 taken prisoners. The Austrians are still on the pursuit. Seventy-three heavy cannon are taken, and all the provisions and ammunition."

Deulz, on the Rhine, Oct. 21.

We have had here, since the 17th, dreadful fights. The French army has taken flight from the Lahn, and their foldiers run in every direction; those who could get boats from Oberhakenstein down to this place, crossed the Rhine towards Bonn and Cologne, and immense numbers of wounded were brought here and sent over the Rhine to Cologne.

The 19th at two o'clock, in the afternoon, the Austrian army arrived in pursuit of the French and cut off the remnant of their passage over the Rhine, of about 21,000 men, who made a stand and formed a square. At six o'clock on the morning of the 20th, the attack of general Clairfayt commenced, the little French army fought desperately with the greatest bravery till ten o'clock when they were obliged to surrender to the infinitely superior force of the Austrians, who killed 7000 and took prisoners 12,000, of whom 9000 are wounded—40 pieces of heavy artillery, all the camp equipage of immense value drawn from Holland, ammunition and magazine are left.

This morning, the 21st, at five o'clock, we received the intelligence that the French had left Cologne, by order of general Jourdan, last night, who has withdrawn all his troops from Bonn up to Andernach, and the 22nd near Neuwied, and has retreated towards Bergen.

12 o'clock.

This moment arrived here a deputation from the magistrates of Cologne, who invited general Clairfayt to take possession of the city of Cologne, and offered that 9000 men, citizens, able to bear arms, should join general Clairfayt.

BOSTON, December 29.

Copy of a letter received by his excellency governor Adams, on Saturday last.

Lisbon, October 12,

Esteemed Sir,

It is with pleasure I inform you that Joseph Darnaud, Esq; the agent of the United States, on the 5th ultimo, concluded a peace with the regency and army of Algiers. The Algerine batteries saluted the banners of the United States, which announced peace to the regency and sorrow to our political enemies.

It will be observed, that the colours of the United States, are not free in the Mediterranean, until we are at peace with Tunis, Tripoli, and the Ottoman empire. The Tunisians have twelve sail of corsairs. They are often as far down as Barcelona, Alicante, Mahone and Tonia, therefore, American vessels should be on their guard, and not go farther up than Malaga, until we are at peace with all the Barbary States—when this is effected, there will be very extensive field of commerce opened to the enterprise of citizens of the United States.

Health, peace, and prosperity to the United States, ever prays, esteemed Sir, your most obedient servant,

RICHARD O'BRIEN,

Who was a captive in Algiers ten years and forty days.

PHILADELPHIA, January 2.

Extra of a letter, dated Port de Paix, 18th December, 1795, to a merchant in this city.

"In addition to what I have already written you by this conveyance, I have to inform you for public information, that Antoine Chaplin, captain of the French privateer Guillotine, that treated captain Mackee, of the ship James, so badly, and of which I

have already informed you, has for that action, as well as for his treatment of the ship Malleville, of St. Thomas, been condemned to fifteen months of imprisonment in chains, confiscation of his privateer, a fine of two hundred dollars, and all damages which accrued for the illegal capture of the above vessels. I this day saw him chained with a negro working in the street—in the same kind of dress in which he forced captain Mackee to leave the privateer, and go on board an American vessel. So much for our Laveaux's justice."

Jan. 8. The eastern mail was yesterday much delayed by the storm of the night before. It was dark before the papers were ready for delivery from the post-office. They do not contain any additional light respecting the late wonderful news from London.

A recurrence to dates and distances, proves inconceivably, that it must have been fabricated in London, probably either to aid in discouraging some threatening tumult, or enable ministry to effect a loan.

Extra of a letter from captain William Penrose, to his friend in Philadelphia, dated Algiers, September 9.

"Dear Sir,

"I take the earliest opportunity of informing you, that on the 3d instant Mr. Donaldson, the American ambassador, arrived here from Alicante, in a Ragusan brig, and on the 5th we had the unspeakable satisfaction of seeing the ensign of the United States displayed, accompanied with a royal salute from the castle, and this day a small vessel is dispatched express to colonel Humphreys at Lisbon, which vessel must return before the iron is to be taken from our legs. God send her a quick voyage."

By virtue of a writ of fieri facias, from the general court, to me directed, will be SOLD, at the house of EDWARD SPURRIER, at Elk-Ridge Landing, on Saturday the 13th day of February,

A TRACT of land called HERBERT'S CARE, containing about 200 acres, taken as the property of WILLIAM PITT GRIFFITH, and sold to satisfy a debt due to ARCHIBALD MONCRIEFF and ROBERT DORSEY. The sale to begin at 12 o'clock. RICHARD HARWOOD, Sheriff of Anne Arundel county.

January 12, 1796.

In the LAND-OFFICE, January 1, 1796.

Samuel Swearingen } THE said EDWARD DAY
against } having entered a caveat
Edward Day, } against the said SAMUEL SWEARINGEN's certificate of a tract of land called SMITH'S FORTUNE, and the said Day having returned a certificate of a survey of a tract called HILTON, including the whole of Smith's Fortune, and the said Swearingen being therefore considered to have a caveat against the said Hilton, and the said caveat never having been prosecuted, and the said Swearingen, as it is said, having left the state, it is adjudged and ordered, that unless the said Samuel Swearingen, or his legal representative, shall appear here on the twenty-second day of July next, agreeably to a subpoena this day issued, and then and there support his caveat against the said certificate of Hilton, the same shall be then dismissed; provided the said subpoena be regularly returned by the sheriff of Anne Arundel county, and provided a copy of this order be inserted in the Maryland Gazette at any time before the twenty-second day of the present month, and continued therein at least three weeks successively. *W. B. D.*
By order of the Chancellor,
JOHN CALLAHAN, Reg. L. O. W. S.

ALL persons indebted to the estate of JOHN A. NORRIS, late of Anne Arundel county, deceased, are requested to make immediate payments, and those having claims to make them known, to *10/2/96* MARTIN NORRIS, Administrator. Anne Arundel county, West river, Jan. 8, 1796.

ALL persons indebted to the subscribers for dealings with JOHN READ MAGRUDER and Sons, are desired to make payment, their partnership being dissolved this day, those having claims are requested to bring them in for settlement.

JOHN READ MAGRUDER, Sen.
JOHN READ MAGRUDER, Jun.
JAMES ALEXANDER MAGRUDER.

Upper Marlborough, January 1, 1796.

A LIST of LETTERS remaining in the Post-Office, Piscataway, which, if not taken up before the first day of April, will be sent to the General Post-Office as dead letters.

JOHN ADDISON.

Thos. Brown.

Mrs. Susanah Brewer.

Henry Clarvoe.

Benjamin Cawood.

Samuel Crawford, 3 letters.

Nicholas Cracoft.

Edward Edelen, Esq;

Thos. Mudd, near Piscatay.

Joan Murphey, merchant, Piscatay.

Benjamin Oden.

Leonard Robey, 2 letters.

ISIDORE HARDEY.

NOTICE is hereby given, that I intend to apply to the justices of Anne Arundel county court, at the next term, for a commission to mark and bound a tract of land in said county, called THE ADVENTURE ENLARGED, agreeably to an act of assembly for marking and bounding lands.

10/2/96 BENJAMIN RISTON. Anne Arundel county, January 12, 1796.

BY HIS EXCELLENCY JOHN HOSKINS STONE, GOVERNOR OF MARYLAND, A PROCLAMATION.

WHEREAS it has been represented to the executive that Cokesbury college, in the town of Abington, in Harford county, was, on the fourth day of December, in the year of our Lord one thousand seven hundred and ninety-five, consumed by fire, and that some malicious persons are supposed to have wilfully set fire to the same, and whereas it is of the greatest importance to society, that the perpetrators of such a crime should be discovered and brought to justice, I have therefore thought proper, by and with the advice and consent of the council, to issue this my proclamation, thereby offering a reward of TWO HUNDRED DOLLARS for the discovery of the person or persons by whom the said offence may have been committed, provided, that the said person or persons be brought to justice therefor.

Given in council, at the city of Annapolis, under the seal of the State of Maryland, this eleventh day of December, in the year of our Lord one thousand seven hundred and ninety-five.

J. H. STONE.

By his excellency's command,

NINIAN PINNEY, Secretary.

GOD SAVE THE STATE. *5X*

WHEREAS his excellency JOHN H. STONE, governor of Maryland, has been pleased to nominate and appoint us, referees, to settle and adjust the proportions of stock of the United States to be transferred to the Patuxent Associates, or their legal representatives, by the trustee of this state, in virtue of a resolution of the last general assembly, Notice is hereby given, that we shall meet at this place on the first Wednesday in February next, for the purposes of adjusting the proportions agreeable to said resolution, and all persons having claims are desired to exhibit them, on or before that day, to us.

J. THOMAS,
R. YOUNG,
G. BISCOE.

Nottingham, December 28, 1795.

Patowmack Company.

THE stockholders on the new subscription to the Patowmack Company, are required to pay to William Hartborne, treasurer, on or before the first day of March next, ten pounds per cent. on the amount of each share by them held.

JOHN FITZGERALD, President,
GEORGE GILPIN,
JAMES KEITH,
JOHN TEMPLEMAN,
TOBIAS LEAR, } Directors.

Alexandria, Dec. 22, 1795.

RAN away from the subscriber, living near the middle ferry on Monocacy, Frederick county, about two weeks ago, a negro fellow named JERRY, about 25 years of age, a very stout well made negro, about 5 feet 7 inches high. He was bought of Doctor Davidge last spring, who formerly lived in Annapolis, where this negro was raised, who, in his masters absence to Britain, was hired out to work at brick-making both at Annapolis and Baltimore-town; at one or other of those places it is supposed he may be found. It is supposed that he carried off with him a bay horse and bridle; the horse is about fourteen hands high, and branded on the left buttock something like J. Whoever takes up the said negro and puts him into gaol in Baltimore or Anne Arundel county, shall receive SIX DOLLARS REWARD, and if brought home and delivered to me TWELVE DOLLARS.

4X J. DELAVENCENDIERE. Frederick county, December 1, 1795.

RAN AWAY from the subscriber, in the month of May last, a mulatto woman named MARY, about twenty-one years of age, she took her only child with her, a handsome mulatto boy, about three years old, it is supposed she is in the city of Annapolis, or the neighbourhood thereof, as she has been seen about three weeks ago in company with a certain CHARLES CLEVIS, a free black, who it is probable will claim her as his wife and pass her for a free woman. A reward of THREE POUNDS will be given for securing the said woman and child, and if brought home reasonable charges, paid by

WILLIAM HARWOOD.

July 6, 1795. *21*

TO BE SOLD,

A LARGE and commodious three story brick DWELLING-HOUSE in this city, an excellent stand for the mercantile business, and well calculated for a family.—Inquire of the PRINTERS.

N. B. A pleasing credit will be given to the purchaser.

Annapolis.

HAVING suffered much loss by trespasses on my plantation near this city, I now give notice, that I will prosecute all those who commit the like in future.

BENJAMIN OGLE.

August 22, 1795.

By virtue of the powers vested in us by an act of the General Assembly of the State of Maryland, entitled, An act for erecting a bridge over the eastern branch of Patowmack river, we do hereby give notice, that books will be opened by us in the city of Washington, on the fourth Monday in February next, for receiving and entering subscriptions for the said undertaking.

NOTLEY YOUNG,
DANIEL CARROLL, of Dn.
WILLIAM M. DUNCANSON,
THOMAS LAW,
GEORGE WALKER.

N. B. The act is published in the Federal Intelligencer and Baltimore Daily Gazette.

To the PUBLIC.

THE subscriber proposes teaching young ladies the GUITAR, both piano and common, also gentlemen the VIOLIN; from his perfect knowledge of both instruments he flatters himself to merit the approbation of the public and give general satisfaction. Those who have a turn for music may be taught to play twelve tunes the first quarter, also to tune their own instruments. The subscriber composes for his pupils little songs and tunes suited to their capacities. Terms are, six dollars entrance, and four dollars a month. Instruments and strings may be had of Mr. CARR, in Baltimore, correspondent of the subscriber's.

JOHN J. ABERCROMBY.

N. B. Mould and dipped tallow CANDLES, of the best quality, equal in looks to white wax, manufactured by A. TRENET, at the house of the subscriber, opposite the Printing-Office, mould at 1/10¢ per pound, dipped 20¢. ditto.

Annapolis, January 4, 1796.

WHEREAS CHARLES COWLEY, late of this county, did, on or about the 30th day of January last, obtain from us two bonds for payment of £.300 and £.350 current money, being for the consideration of part of two tracts or parcels of land, BIRKHEAD'S ADVENTURE and HARRISON'S ENLARGEMENT, to which a title cannot be had, therefore we hereby caution all persons from taking an assignment of said bonds, or either of them, as they will not be paid.

CHARLES DRURY,
WILLIAM DRURY.

Anne-Arundel county, January 1, 1796.

THE creditors of STEPHEN STEWARD, junior, prior to his obtaining an act of insolvency, are desired to take notice, that the subscriber, on the third Monday in February next, at the house of Mr. WHARFE, in the city of Annapolis, will proceed to pay on the claims exhibited in the chancery-office, in proportion to their respective amounts, all monies which he hath received as trustee of said STEWARD.

BENJAMIN HARRISON, Trustee of
S. STEWARD, jun. an insolvent
debtor.

Annapolis, January 4, 1796.

NOTICE.

ALL persons having claims against the estate of STEPHEN STEWARD, senior, late of Anne-Arundel county, deceased, whether on judgment, bond, bill, note, or open account, are requested to produce them, legally authenticated, to the subscriber, or to PHILIP B. KEY, of Annapolis, on or before the first day of June next, in order for payment, so far as affects have come to the subscriber's hands; those who neglect to bring in their claims will be excluded from any share of the distribution then to be made.

BENJAMIN HARRISON, Administrator
de bonis non of S. STEWARD, sen.

Annapolis, January 3, 1796.

ALL persons indebted to the estate of HENRY BALDWIN, late of Anne-Arundel county, deceased, either by bond, note, or open account, are requested to make payments by the twentieth day of February next, or suits will be brought against them without respect, and those having claims are requested to make them known by that day.

MARIA GAMBRILL, Administratrix.

TAKEN up by the subscriber, near Pig Point, in Anne-Arundel county, as a stray, a dark bay MARE, about twelve and an half hands high, is branded on the near side thus O, the trots and gallops. The owner may have her by proving property and paying charges.

CHARLES DRURY.

December 30, 1795.

TAKEN up as a stray, by JOHN DAVIDSON, living at BELL's plantation, on the Head of South river, in Anne-Arundel county, a small black STEER, with some white upon his back, marked with a swallow fork in each ear, and supposed to be about four years old. The owner may have him again on proving property and paying charges.

WHEREAS it has been the common practice of boatmen, who put into Poplar Island harbour, to go ashore a gunning, and cutting timber off Cobler's Neck, without leave or licence, this is therefore to forewarn any boatman whatsoever from trespassing upon said Island or Neck, either by hunting, fowling, or cutting timber, or in any other manner whatsoever, otherwise the transgressors shall be dealt with according to law.

WILLIAM SEARS.

Poplar Island, December 23, 1795.

By the HOUSE of DELEGATES, December 24, 1795.

On motion, ORDERED, That the register of the land-office for the western shore cause so much of the bill, entitled, An act relative to the proceedings in the court of chancery and in the land-office, as relates to the land-office, to be published for six weeks successively, before the first day of April next, in the Annapolis, Easton, and George-town news-papers, and in one of the Baltimore, Frederick-town, and Elizabeth-town news-papers.

By order,
W. HARWOOD, Clk.

Part of the act relative to the proceedings in the court of chancery and in the land-office.

AND be it enacted, That in case any warrant for surveying or resurveying land hath issued or shall issue, and the same hath been or shall be executed by a deputy of the surveyor, authorized to execute the same, and before a certificate of the survey or resurvey shall be made out and signed by the said surveyor he shall die, the said deputy shall have power, within six months after such death, to make out and sign a plot and special certificate, stating the circumstances of the case, with an affidavit of the truth thereof annexed or endorsed, and the said certificate shall be as good and effectual as if made out and signed by the said surveyor, and if any amendment or correction of the said plot or certificate shall be necessary, the amendment or correction shall be made by the said deputy, or such other person as the chancellor, or the judge of the land-office on the eastern shore, as the case may be, shall think proper.

And be it enacted, That in case any certificate hath been or shall be made out by any county surveyor, authorized to make the same, under a warrant of survey or resurvey, and the same hath been or shall be duly returned, and an order of the chancellor, or judge of the land-office of the eastern shore, hath been or shall be made for correcting the same, and the surveyor hath resigned or shall resign his office without making out a correct certificate, or correcting the original, the chancellor, or judge of the land-office of the eastern shore respectively, on application of the party, and at his own discretion, may order the correction to be made by the said surveyor, and the corrected certificate made out by the said surveyor shall be as good and effectual as if he had not resigned, and he shall be entitled to such fees as to the chancellor, or judge of the land-office for the eastern shore, shall, under all circumstances, appear reasonable, not exceeding the fees established by law.

And be it enacted, That hereafter no original certificate of survey or resurvey under a warrant shall be received in the land-office, unless the same be passed by the examiner-general, and returned to the said office before the first day of July next, or within eighteen months from the date of the warrant, and in case any order hath been made for the correction of any certificate of survey or resurvey under a warrant, the corrected certificate shall not be received into the land-office, unless passed by the examiner (if necessary) and returned before the first day of January, seventeen hundred and ninety-seven, and in case any order shall hereafter be made for the correction of any certificate as aforesaid, the corrected certificate shall not be received, unless passed by the examiner (if necessary) and returned within nine months from the date of the order, but nothing in this act contained shall be so construed as to extend the time within which a survey or resurvey under a warrant may be made.

And be it enacted, That where any certificate of survey or resurvey shall by the examiner-general be found erroneous, or where, on application of the party, the chancellor, or judge of the land-office on the eastern shore, may think proper to direct the correction of any certificate, and there is not sufficient time for such correction to enable the party to pay the money within the time required by law, on a tender being made of the money due to the treasurer, three months shall be allowed for the correction of such certificate, and being passed by the examiner-general, and payment made within the said three months, the same shall be valid.

And be it enacted, That no certificate of survey or resurvey shall be liable to a warrant of proclamation before the first day of June next.

And be it enacted, That in case any certificate of survey or resurvey already made, or hereafter to be made, hath been or may be returned, by which vacant land may be included, and not compounded for agreeably to law, such survey or resurvey shall be liable to be affected by a proclamation warrant, by any person who shall apply for the same, but no proclamation warrant shall thereafter issue on any survey made or hereafter to be made in this state, unless one tenth part of the land contained in the said survey or resurvey is compounded upon and paid to the treasurer of the western or eastern shore, as the case may be, before such warrant shall issue; provided, that the person claiming the said survey or resurvey shall have one day after the said first day of June, or after the expiration of the warrant of such surveys or resurveys made, or hereafter to be made, as aforesaid, for a proclamation, to pay and compound on the same, and no application shall be received by the register of the land-office for the western or eastern shore respectively, until after such day of pre-emption shall have expired; provided, that nothing herein contained shall be taken or deemed to affect the right of any person who hath already applied for any proclamation warrant, if such person shall take out the said warrant on or before the first day of April next.

And be it enacted, That it shall be the duty of surveyors in returning certificates hereafter to express the quantity and quality of the improvements contained on

the land included in the survey or resurvey, and subject to the operation of the warrant, with his opinion of the value of the same, and no exception shall hereafter be taken to any certificate of survey, or resurvey made, or which hereafter may be made, by way of caveat in the land-office, on account of improvements not being returned, provided that nothing in this act shall be taken or construed to affect any case now existing on caveat before the chancellor.

Pursuant to an order of the orphans court of Anne-Arundel county, will be SOLD, at PUBLIC SALE, for READY MONEY, on Saturday the 16th of January next, at the subscriber's dwelling, in this city,

SUNDRY articles of HOUSEHOLD GOODS, consisting of beds, chairs, kitchen furniture, &c. belonging to the estate of EDWARD HOLLAND, deceased.

All persons indebted to the said estate are required to make immediate payments, and those having claims to make them known, that they may receive their equal dividend of the said estate.

ISAAC HOLLAND, Administrator.
Annapolis, December 30, 1795.

To be SOLD, under a decree of the High Court of Chancery, at PUBLIC SALE, at George-town, on the 15th day of February next,

FIVE country born negro SLAVES, consisting of three men and two women. Six months credit will be given.

JOHN M. GANTT, Trustee.

FIFTY DOLLARS REWARD.

RAN AWAY from the subscriber's plantation, at Nanjemoy, in Charles county, on the 20th inst. a dark coloured mulatto lad, about twenty years old, slender made, and very likely, named BILL, or WILL, and commonly passes amongst those who know him by the nickname of M'DANIEL, has a small scar on the upper part of his forehead, which may be discovered on close examination, dresses himself remarkably neat, has a variety of good cloathing. This lad is well known to gentlemen of the turf, having rode for several purses in Virginia and Maryland. He stole and carried off with him a sorrel horse, about fourteen hands high, with a star in his forehead, and branded on the near shoulder with the letter B. There is some reason to believe he will attempt to get into Kent county, in the Delaware state, and pass himself as a free man; FORTY DOLLARS shall be paid for the boy, and TEN for the horse, if secured so that I get them again.

JOHN THOMAS.

Maryland Dec. 24, 1795.

NOTICE is hereby given, that I intend to apply to the next Saint-Mary's county court for a commission to prove the bounds and lines of three tracts of land, lying in Saint-Mary's county, called CHANCE, LINSTAD and DISCOVERY, agreeable to the act of assembly in such cases made and provided.

ZACHARIAH MATTINGLY.

NOTICE.

THE subscriber intends to apply to the court of Charles county, at their March term next, for a commission to mark and bound his land called LYSAK'S SURVEY, lying in Charles county, agreeable to the act for marking and bounding land.

JOHN BRENT.
Charles county, December 22, 1795.

THE subscriber, being authorized by Mr. KILTY late clerk of the Council, to receive, for his own use, all fees due for the issuing of militia commissions prior to the twenty-second of June last, begs leave respectfully to remind those officers who have not paid the same, that small as the fee is, the aggregate is an object with him, and that he will be very thankful to those who shall be considerate enough to take some convenient method of forwarding to him, at Annapolis, the sums due from them respectively.

JOSIAS W. KING.

ALL persons indebted to the estate of WILLIAM THOMAS, late of St. Mary's county, deceased, are requested to make immediate payment, and those having claims are desired to bring them in, legally attested, that they may be settled.

ELIZABETH THOMAS, Executrix.
December 16, 1795.

JAMES WILLIAMS

Have received, by the brig Two SISTERS, from MADEIRA,

A QUANTITY of old London particular MADEIRA WINE, of the first quality, for particular use, from three to seven years old when shipped, some of which has been a voyage to the Brazil. He has likewise a few pipes of the same quality wine, received about one year since, now in prime order for use, which will be sold by the pipe, half pipe, quarter cask, or gallon.

He has a quantity of fine SALT, Superfine and fine FLOUR for sale, and purposes keeping a supply of flour.

He has a handsome COACHER for sale, with or without a pair of horses.

December 1, 1795.

ANNAPOLIS:

Printed by FREDERICK and SAMUEL GREEN.

(LIT YEAR.)

MAR

By the SENATE,
On motion, ORDERED,
An act declaring jurisdiction
respective endorsements
weeks successively in the A
Intelligencer, and Easton
day of June next.

By order

An ACT declaring jurisdiction
E it enacted, Maryland,
have original jurisdiction
of all the property replevied
sum of thirty pounds cur
foal and mixed actions, e
erty as herein after provi
thing in demand, or dama
the sum or value of one l
ney; but if any such a
general court, except as
or thing in demand, or
amount to the sum or val
ex officio, order the plaint

II. And be it enacted, T
have original jurisdiction
of trespass on real property
is in question, and also
shall amount to the sum of
ney, but if any such action
nral court, and the title
question, and the damages
the sum aforesaid, the c
judgment for the damages
cretion, adjudge that the
dant his costs.

III. And be it enacted, T
shall have original jurisd
not now within the jurisd

IV. And be it enacted, T
mit any trespass on real p
beat the person of another
county where such proper
and battery was committe
at his option, sue such tre
shore where he or she m
from the county court of
nral court of the shore, v
mitted, directed to the
the defendant resides, and
county court from whence
before to the contrary the

V. And be it enacted, T
any county court shall be
certiorari, unless with the
entered on the record, on
where the real debt, or th
mages claimed, shall am
one hundred pounds cur
shall be removed to the
in which the real debt,
mages assessed, shall not
aforesaid, the said court
such plaintiff be nonsuite

VI. And be it enacted,
in any county court, exc
plevin, or for trespass on
moved by the defendant,
pas, unless before issue
debt, or thing in demand
shall amount to the su
pounds current money; b
of dower, ejectment or
replevied shall be apprais
pounds current money, o
may remove any such act
any time before issue jo
creed in the county cou
any plaintiff in any act
replevin, where the pro
praised to above the sum
ney, or for trespass on
the consent of the defen
to the general court, at
on paying the defendant
county court before such
before to the contrary th

VII. And be it enacted,
error shall lie from any j
in any personal action, t
the oath, or affirmation
or his attorney, that th
not brought for delay, a
wit of error, judgment
shall recover double cost
VIII. And be it enacte
real counties of the we

MARYLAND GAZETTE.

T H U R S D A Y, J A N U A R Y 21, 1796.

By the SENATE, December 21, 1795.

On motion, ORDERED, That the bill, entitled, An act declaring jurisdiction in civil cases, with the respective endorsements thereon, be published four weeks successively in the Annapolis, Baltimore Federal Intelligencer, and Balton news-papers, before the first day of June next.

By order,

H. WARFIELD, clk.

An ACT declaring jurisdiction in civil cases.

It is enacted, by the general assembly of Maryland, That the general court shall have original jurisdiction and cognizance of all real actions, actions of ejectment, and of all actions of waste, and of all actions of replevin, where the property replevied shall be appraised to above the sum of thirty pounds current money, and of all personal and mixed actions, except of trespass on real property as herein after provided, where the real debt, or thing in demand, or damages assessed, shall amount to the sum or value of one hundred pounds current money; but if any such action shall be brought in the general court, except as aforesaid, and the real debt, or thing in demand, or damages assessed, shall not amount to the sum or value aforesaid, the court shall, ex officio, order the plaintiff to be nonsuited.

II. And be it enacted, That the general court shall have original jurisdiction and cognizance of all actions of trespass on real property where the title to the land is in question, and also where the damages assessed shall amount to the sum of twenty pounds current money, but if any such action shall be brought in the general court, and the title to the land shall not be in question, and the damages assessed shall not amount to the sum aforesaid, the court shall, ex officio, give judgment for the damages only, and may, in their discretion, adjudge that the plaintiff shall pay the defendant his costs.

III. And be it enacted, That the several county courts shall have original jurisdiction in all cases whatever, not now within the jurisdiction of a single magistrate.

IV. And be it enacted, That if any person shall commit any trespass on real property, or shall assault and beat the person of another, and shall remove from the county where such property lies, or where such assault and battery was committed, the person injured may, at his option, sue such trespasser in any county of the shore where he or she may be found, or issue a writ from the county court of the county, or from the general court of the shore, where such trespass was committed, directed to the sheriff of the county where the defendant resides, and returnable to the general or county court from whence it issued, any thing herein before to the contrary thereof notwithstanding.

V. And be it enacted, That no action commenced in any county court shall be removed by the plaintiff by certiorari, unless with the consent of the defendant, entered on the record, on producing the certiorari, and where the real debt, or thing in demand, or actual damages claimed, shall amount to the sum or value of one hundred pounds current money; and if any action shall be removed to the general court by the plaintiff in which the real debt, or thing in demand, or damages assessed, shall not amount to the sum or value aforesaid, the said court shall, ex officio, adjudge that such plaintiff be nonsuited.

VI. And be it enacted, That no action commenced in any county court, except of dower, ejectment, replevin, or for trespass on real property, shall be removed by the defendant, by certiorari, or habeas corpus, unless before issue joined, and where the real debt, or thing in demand, or actual damages claimed, shall amount to the sum or value of one hundred pounds current money; but any defendant in an action of dower, ejectment or replevin, where the property replevied shall be appraised to above the sum of thirty pounds current money, or for trespass on real property, may remove any such action to the general court, at any time before issue joined, on paying the costs accrued in the county court before such removal; and any plaintiff in any action of dower, ejectment or replevin, where the property replevied shall be appraised to above the sum of thirty pounds current money, or for trespass on real property, may, without the consent of the defendant, remove any such action to the general court, at any time before issue joined, on paying the defendant all the costs accrued in the county court before such removal, any thing herein before to the contrary thereof notwithstanding.

VII. And be it enacted, That no appeal or writ of error shall lie from any judgment of any county court, in any personal action, to the general court, unless on the oath, or affirmation, of the party, if defendant, or his attorney, that the appeal, or writ of error, is not brought for delay, and if on any such appeal, or writ of error, judgment shall be affirmed, the appellee shall recover double costs.

VIII. And be it enacted, That the sheriffs of the several counties of the western shore for the time being,

shall summon as grand jurors, to attend the general court for the said shore at the spring session, at least fifteen days before the day appointed by law for the holding of the said courts, as follows, to wit: One from Allegany, Washington, Frederick, Harford and Saint-Mary's counties; three from Montgomery, Charles and Calvert counties; and four from Baltimore, Anne-Arundel and Prince-George's counties; and the said several sheriffs are hereby required to summon and return to the said court, for such grand jurors, free white male citizens of this state, and inhabitants of their respective counties, and such only as are from their education, knowledge, information and experience, most capable and best qualified to discharge the important trust and duty of grand jurors; and the said sheriffs shall summon no person unless above twenty-five and under fifty-five years of age, and who has not a freehold of above one hundred acres of land in his county, or property in the county assessed to above the value of five hundred pounds current money.

IX. And be it enacted, That the sheriffs of the several counties of the eastern shore for the time being, shall summon, as grand jurors, to attend the general court at the spring session for the said shore, at least ten days before the day appointed by law for the holding of the said court, as follows, to wit: Two from Cecil, Kent, Worcester and Somerset counties; three from Dorchester and Caroline counties; and five from Queen-Anne's and Talbot counties; and the said several sheriffs are also required to summon, for such grand jurors, persons above described, and having the same qualifications as above mentioned and prescribed.

X. And be it enacted, That the sheriffs of the several counties of the western shore for the time being, shall summon, as petit jurors, to attend the general court for the said shore, at least fifteen days before the day appointed by law for the holding of the said court, as follows, to wit: Two from Allegany, Washington, Frederick, Harford and Saint-Mary's counties; four from Montgomery, Charles and Calvert counties; and six from Baltimore, Anne-Arundel and Prince-George's counties; and the said several sheriffs are hereby required to summon for such petit jurors persons above described, and having the same qualifications as above mentioned and prescribed for grand jurors, and most capable and best qualified to discharge the important trust and duty of petit jurors.

XI. And be it enacted, That the sheriffs of the several counties of the eastern shore for the time being, shall summon, as petit jurors, to attend the general court for the said shore, at least ten days before the day appointed by law for the holding of the said court, as follows, to wit: Two from Cecil, Kent, Worcester and Somerset counties; five from Dorchester and Caroline counties; and seven from Queen-Anne's and Talbot counties; and the said several sheriffs are hereby required to summon for such petit jurors persons above described, and having the same qualifications as above mentioned and prescribed for grand jurors and petit jurors for the western shore, and no challenge shall be allowed to any juror, summoned in virtue of this act, for want of freehold.

XII. And be it enacted, If any sheriff shall neglect to summon and make return of the best and most capable men in his county to be grand and petit jurors, according to the directions of this act, he shall, for every such neglect of duty, be fined by the general court, not exceeding one hundred pounds current money; and if any person so summoned as a grand or petit juror shall not appear, or appearing shall depart the court without the leave thereof, such person so offending may be fined by the court, in their discretion, not exceeding the sum of thirty pounds current money.

XIII. And be it enacted, That no person qualified to be a grand or petit juror, according to this act, shall be exempted from such necessary and important duty, except only the governor and the members of the general assembly and the council, and any principal, vice-principal, professors, tutors and assistants, in any college or seminary of learning, and any school-master or practising attorney, physician or surgeon, and any judicial or civil officer of this state, or of the United States, during their continuance in their respective stations or business, and except also as is hereafter provided.

XIV. And be it enacted, That the general court, with the consent of parties, or without their consent, (if the case is not of great importance and difficulty,) may in their discretion, order any action, personal or mixed, that is ready for trial, and in which issues in fact only are joined, to be tried in the county where the plaintiff or defendant resides, (or if justice requires, in any other county,) and such order shall be entered on record, and thereupon, and in virtue thereof, the clerk of the said court shall make out a transcript of the proceeding, under his hand and the seal of the said court, together with a copy of all depositions, (if any,) taken in such cause, and shall deliver the same to the plaintiff, or his attorney, when required, and the plaintiff, or his attorney, shall produce the said transcript, and copies of depositions, (if

any,) to the clerk of the county court of the county to which such cause shall be ordered for trial, at the county court to be held next after such order, and on or before the first day of the sitting of the said court, and when produced, the clerk of the said county court shall file them, and enter such action on his docket, and the said court shall proceed to the hearing, trial and determination thereof, and give such judgment, and award execution thereon, returnable to the said court, or to any other county court, in the same manner as if the said action had been originally commenced and carried on to issue in such county court, and the defendant had resided therein or removed thereout after such judgment; and if any plaintiff, or his attorney, shall not produce such transcript as above directed, upon motion in the general court, and due notice thereof given, the said court shall give judgment for the defendant, as in cases of nonsuit, unless the said court shall, upon just and reasonable terms, allow any further time or times for the trial of such action, and if the plaintiff shall again neglect to try his action, the court shall proceed to give such judgment as aforesaid, and all such judgments shall be of the like force and effect as judgments upon nonsuit, and of no other force or effect; and the plaintiff or defendant in such action may issue subpoenas for witnesses, either from the general court or from such county court, and on non-attendance the said county court may issue attachment, either to their county or to any other county, to compel the attendance of such witnesses; and if such action cannot be tried with justice to the parties from want of testimony, or from some defect in plots or the pleadings, the said court may continue such action in the same manner as they can continue any other action in their court, and may grant amendments for the trial of the merits in all proceedings whatsoever before verdict, and if any amendment is made after a jury is sworn, a juror shall be withdrawn, and the said court may take such further order, in their discretion, as justice requires; and on the trial of such action either party shall be entitled to a bill of exceptions, and on appeal, or writ of error, the clerk of the said court shall return the transcript, together with all depositions, (if any,) annexed thereto, to the clerk of the general court, with a transcript of all the proceedings in the said county court in the said cause, under his hand and the seal of the said county court; and upon such transcript the said general court shall proceed to give judgment as is by law directed in appeals or writs of error from the county courts; and the clerk of the county courts, receiving any transcript from the general court, shall enter the same on his records, together with all further proceedings in such actions; and any action ordered to any county court for trial, shall be continued in the general court until the transcript shall be received and filed in the county court; and all costs incurred in the general court shall be taxed, included and recovered, with the costs incurred in the county court.

XV. And be it enacted, That it shall be lawful for the general court, on application of either plaintiff or defendant, at any time, and upon satisfaction being given to the court, by affidavit, affirmation, or otherwise, that a witness, (who shall be named,) is a material and competent witness in such cause, residing within the state, and not able to attend the court from age, sickness, bodily infirmity or accident, or without great danger of health, to order the deposition of such witness to be taken, on interrogatories, in writing, before some justice of the peace where such witness resides, on such notice to the adverse party as the court may think reasonable; and every deposition taken according to the order of the court, shall be good and legal evidence on the trial, in the same manner as if the witness was produced and examined in open court.

XVI. And be it enacted, That either plaintiff or defendant may require that a special jury be selected or struck in the following manner, to wit: The clerk of the general court shall make out and deliver to the parties, or their attorneys, a list of all the petit jurors attending the court, and they may agree on any twelve in the said list for the trial of the cause, and if they appear they shall be empanelled and sworn as the jury, but if any of them do not appear, then the said parties, or their attorneys, may agree on any other in the said list in the place of such as do not appear, and the juror or jurors so chosen shall be added to the panel, and sworn in the cause; and if a jury cannot thus be selected by choice, then one shall be struck in the following manner, to wit: The clerk shall furnish a list of all the jurors attending the court to the parties, or their attorneys, and they may, in the presence of the clerk, alternately (the plaintiff, or his attorney, beginning first,) strike out from the list the names of all the jurors except twelve, who shall, if they appear, be empanelled and sworn on the jury, but if any of them do not appear, or if any of them are set aside on challenge, the said parties, or their attorneys, may again strike out of the list, in the same manner, until there shall be no more left than will make up the

deficiency, and if any of them do not appear, or are set aside on challenge, the parties, or their attorneys, may again strike out, as before, and so, toties quoties, in like manner, until a jury be obtained; and the jurors so struck shall be empanelled, and sworn as the jury to try the cause.

XVII. *And be it enacted*, That on the application of either plaintiff or defendant the general court may, in their discretion, in any action between merchant and merchant, or between any merchant and his factor or agent, respecting mercantile dealings and transactions between them that are of great importance, and intricate from the length or multiplicity of items or particulars, or that will probably involve some new and difficult question of law, and also in other special and similar case of difficulty and intricacy, (although not between merchants, or a merchant and his factor or agent,) issue a special venire facias, directed to the sheriff of any county, or, if necessary, to sheriffs of different counties of the shire where such action is to be tried, to summon and return a jury of merchants to attend the said court on a day to be appointed and mentioned in such writ, for the trial of such cause, and such sheriff shall, in virtue of such precept, summon and return twenty-four, or such number as the court shall direct, of the most respectable and experienced merchants of his county, citizens of this state, above the age of twenty-five, and under fifty-five years, and having a freehold of above one hundred acres of land in his county, or property in the county assessed to above five hundred pounds current money, and out of the said jurors, or such of them as shall appear, a jury may be agreed on or struck in the manner herein before directed, and the jury so agreed on or struck shall be empanelled and sworn as the jury to try such cause; and all the expence of such jury shall be paid by the parties equally, or in such proportion as they shall agree, but if they do not agree, then the whole expence shall be paid by the party applying for such jury; and if any person returned shall not appear, or after appearance shall wilfully withdraw from the presence of the court, such person so offending may be fined by the court, in their discretion, not exceeding the sum of fifty pounds current money.

XVIII. *And be it enacted*, That the sheriffs of the several counties for the time being shall annually, and upon the first day of the sitting of their respective county courts in the spring of the year, return an alphabetical and true list, in writing, of the christian and surnames of all persons in their respective counties, qualified, according to this act, as grand and petit jurors in the general court, to their respective county courts, and the said courts are hereby required carefully to examine the said list, and diligently to inquire if any persons qualified to be jurors are omitted, and whether any persons not qualified to be jurors have been inserted, and if they find that any have been omitted, they shall order the sheriff to add them to the list, and if they find that any have been inserted by mistake, who ought to be omitted, they shall order the sheriff to strike out such person from the said list; and to obtain full information on this subject, the said courts may examine the said sheriff, and his deputies, or any other persons, (on oath or affirmation,) and if it shall appear to the said courts, that the said sheriff wilfully omitted out of any such list any person or persons whose name or names ought to be inserted, or that the said sheriff wilfully inserted any person or persons who ought to be omitted, the said courts shall fine the said sheriff for every person so omitted or inserted in such list contrary to the meaning of this act, not exceeding five pounds current money; and if any sheriff shall take any money, or other reward, for omitting or inserting any person in his said list, such sheriff shall forfeit not exceeding fifty pounds current money for every such offence; and the said county courts shall direct the clerk of their county immediately to enter such list (with the corrections, if any,) among the proceedings of the said court; and the said clerk shall forthwith thereafter deliver the original list (with the corrections, if any,) to the sheriff of his county, for his government in returning of grand and petit jurors to the general court; and such sheriff, immediately on receiving the said list, shall cause the same to be entered faithfully, fairly and alphabetically, in a book to be kept by him for that purpose, and such sheriff shall deliver the said original list to the clerk of the general court; and if any clerk of any county, or any sheriff, shall neglect any duty above required, such clerk or sheriff shall forfeit not exceeding fifty pounds current money for every neglect; and if any sheriff shall summon and return any person to serve as a grand or petit juror to the said court, whose name is not inserted in such list, such sheriff shall forfeit not exceeding fifty pounds current money for every offence; and every sheriff shall enter or register in a book to be kept by him for that purpose, in alphabetical order, the names of such persons as shall be summoned, and shall serve as jurors; and the said sheriffs shall so conduct themselves in summoning the respective jurors from those whose names are entered in the said list, as to prevent, as far as possible, a burthen or hardship from falling on individuals, as far as is consistent with his chief duty of returning the most capable and best qualified as he is herein before required; and if any sheriff, or his deputy, shall, directly or indirectly, take or receive any money, or other reward, to excuse any person from serving, or being summoned to serve, as a grand or petit juror to the general court, or under that colour or pretence, such sheriff, or deputy sheriff, so offending, shall forfeit fifty pounds current money for every offence; and every sheriff, on going out of office, shall deliver to his successor (when required,) the book containing the said list, and the register of the service of the said jurors during his being in office, under the penalty of fifty pounds current money, and on the death of any sheriff, his executor or administra-

tor shall also (on demand) deliver to the successor the said list and register, under the penalty of fifty pounds current money; and any of the said fines may be imposed by the general court on any clerk, sheriff or his deputy, or on the executor or administrator of any sheriff, on examination and proof of such offence in a summary way; and the levy courts of the said counties may make such allowance to the said sheriffs and clerks, for the execution of the aforesaid duties, as they may think reasonable.

XIX. *And be it enacted*, If any person not qualified to serve on juries according to this act, or exempted from such duty, shall find his name mentioned in such list, or being qualified, shall be so circumstanced in other respects as to make it improper to summon him as a jurymen, such person may apply to the county court to which such list was returned, and the said court, upon satisfaction, by the oath of the party complaining, or other proof, that he is not qualified to serve, or that he is exempted, or ought to be exempted from serving as a jurymen, shall order his name to be struck out or omitted in such list, and on producing a certificate of such order to the sheriff, he shall immediately strike such person out of his list.

XX. *And be it enacted*, If by any means of challenges, or default of jurors, a sufficient number of jurors shall not appear, in any criminal or civil case, the general court may award a tales, directed to the sheriff of Anne-Arundel county, or to the sheriff of Talbot county, as the case may be, to summon and return to many of his county as will make up a full jury, and the said tales shall be liable to the same challenges as the principal jurors; and if any person returned shall not appear, or after appearance shall wilfully withdraw from the presence of the court, such person so offending may be fined by the court, in their discretion, not exceeding the sum of twenty pounds current money.

XXI. *And be it enacted*, That the sheriffs of the respective counties in this state shall summon and return, as grand and petit jurors to their respective county courts, the best and most capable persons mentioned in the list above directed to be taken, subject to the same provisions and penalties respecting the same, prescribed in their duty in summoning the jurors to attend the general court; and a special jury may be selected or struck in any county court, at the request of the plaintiff or defendant, in the same manner as above provided in the general court.

XXII. This act to continue for seven years, and until the end of the next session of assembly thereafter.

By the senate, December 2, 1795: Read the first time and ordered to lie on the table.

By order,

H. WARFIELD, clk.

By the senate, December 16, 1795: Read the second time and will pass.

By order,

H. WARFIELD, clk.

By the house of delegates, December 18, 1795: Read the first time and ordered to lie on the table.

By order,

W. HARWOOD, clk.

By the house of delegates, December 21, 1795: Read the second time and will not pass.

By order,

W. HARWOOD, clk.

LIMBURG, October 10.

THE arrival of a courier this moment informs, that the Austrians have been driven beyond the river Mayn, the loss on both sides was very considerable, a great number of Austrians threw themselves into the river, the loss at the departure of the courier, was computed at 5000 men.

ROCHEFORT, October 16.

There must have something happened to the English fleet on our coast during the late storm, as we have remarked broken spars, rigging, &c. evidently belonging to men of war, as well as a great many drowned horses.

BRUSSELS, October 27.

A letter from Dusseldorf gives the following news. —Our army of 30,000 men is encamped some distance in advance of this city. —The Austrians have abandoned the ground which they had gained.

We are informed that general Pichegru has attacked the army of Wurmsier, which was considerably weakened by the succours given to Clairfayt, and that his army was entirely defeated.

Oct. 31. The Austrian troops commanded by general Clairfayt are only at the distance of 4 leagues from Dusseldorf, where 50,000 republicans are determined to dispute the ground with the enemy. A great quantity of artillery and ammunition of all kinds has been sent from the left bank of the Rhine, in order to replace the artillery lost in the precipitate retreat.

NANTES, October 22.

We cannot hear what has become of Charotte. About three days ago, 800 men of his guard were in the forest of d'Azemy, without a chief, without bread or ammunition. The greatest part of his army have hidden their arms, and returned to their homes; others are wandering about pillaging the country people who refuse to give them bread, they are, however, closely pursued.

LONDON, November 10.

We have ample accounts of the operations in Germany, and some of them in papers not friendly to the

ruling powers (particularly the Courier Françoise). It appears by them that the French armies, both that of Pichegru and Jourdan, have been defeated and obliged to retreat, but not to the extent reported. They lay nothing of the Austrians having passed the Rhine. A part of general Jourdan's army crossed the Rhine, near Coblenz, while the rest took post at Dusseldorf, with the intention to maintain itself there.

Disturbances have broke out both in Holland and Hainault. The latter are so serious as to be termed in the French papers another Vendee.

The reports of the passage of the Rhine by the Austrians, of their having taken Cologne, and defeated the French on the banks of the Rohr, are all evidently unfounded.

The French general Marceau, occupied a post at Neuwied, beyond the Rhine, but this it was thought he could not long preserve. An engagement was hourly expected, but the French generals, it is added, had taken every precaution to secure their retreat, if necessary.

It was reported at Paris, on the 3d, that general Hoche, had fallen on the army of Charotte, at the moment when he was endeavouring to form a junction with some troops disembarked from the English fleet; that Charotte had been defeated, and himself killed.

One of the Paris papers states, that the port of Lisbon is blocked up by some French ships of war. They add, that a peace is near being concluded between France and Portugal.

Forty-nine sail of vessels of the captured Mediterranean fleet, including the man of war, is the number which the Courier Françoise, an aristocratical paper, reports to have entered Cadiz.

Barrere has escaped! Pache, Bouchotte, and others, are set at liberty. Thuriot and Cambon, walk about peaceably in Paris. The report of the death of Merlin of Thionville, is contradicted. It is said that Charotte has been defeated, and killed by Hoche. The Imperial chancery has ordered Semonville, Bourdonville, Marat, and the deputies, to be set at liberty.

Nov. 11. This morning arrived Mr. Major from Basle, and Mr. Basset from the British army on the continent. Two mails also arrived, but the letters were not delivered out when this paper went to press. —Two more mails are on the road. We can, however, state the following authentic particulars:

The origin of all the disasters experienced by the French, arose from general Clairfayt having broken the line of neutrality, by marching over the mountains near Oppenheim, and by that means gaining the plains before Francfort. By so doing, he flanked the French army before Mentz, and threw it into the utmost disorder.

From the 12th to the 24th of October, the date of the accounts from Francfort, there were daily engagements, in every one of which the Austrians were victorious. —We cannot enter in the details.

Evening Mail Office.

P. S. Half past 3 o'clock. We stop the press to say that about half an hour since a messenger arrived from Mentz, with dispatches from general Clairfayt, dated the 31st ult. containing the news of his having gained the most glorious victory obtained during the war, by driving the French armies which were before Mayence, on the left bank of the Rhine, with the loss of all their artillery and baggage. On the same day general Wurmsier attacked the French before Mannheim with equal success.

The privy council has issued an order for prohibiting in future the exportation of cheese, butter, hay, straw, and forage of any kind whatever.

Price of stocks this day at one o'clock. Consols 68 5-8ths 35ths.

NEW-YORK, January 8.

The following important article, which may serve as a key to the English account published on Tuesday, is translated for the Argus, from "The Journal of the Patriots of '89," printed at Paris November 6, 1795; handed by a friend, received by the Ariel: [Argus.]

MANHEIM, October 28.

"Every thing here remains as before; we yet hold our posts; yet there remains but little hope of effecting the junction of our army with that of the Sambre and Meuse, which, by reason of the circumstance of Prussians having trespassed upon the line of demarcation, file off towards Dusseldorf and Cologne. On our side, we are daily attacked by the Austrians, but they have as often been repulsed with loss.

"The last action cost them dear; they attacked us with immense force; it was owing to our small numbers that they had not lost every man; it was said that their loss was five thousand men, but I, who believe only what I see, calculate it at three thousand.

"Every thing seems to have been disposed in such a manner as to prevent our annoying the enemy. We are small in number; the battalions are disorganised; a great number of the new officers and commissaries, sent by Aubry, are either nobles or emigrants, or relations of emigrants; they swear against passing the Rhine, creating discontentment among the soldiers. The commissaries rob the peasants, and create the discontentment on all sides. What have we to do on the other side of the Rhine? Instruct these friends to our enemies. Our troops are employed in a thousand different ways. The convention are in the fault. Why, by its silence, does it suffer disorganising insinuations to gain such ground? Why does it not pronounce upon the limits on the Rhine?

N. B. The citizen who forwarded this letter, adds the following observations:

"The lying system, which two months since so forcibly seconded the efforts of the conspirators, revivifies, and it is again the editor of des Nouvelles Poli-

tiques" which trumpet two days he has given us nettes, and this day he p from Heidelberg, and to affirms it to be an official "The letter is of the nonense, ignorance and an emigrant could have of Manheim being broken by which they would de communication with the cent time it is the Austrians launching into the stream a few leagues higher up, "The silly elf seems n world Manheim is situated the situation and length of they would withdraw, n the Austrians."

PITTSBU

A party who had been, Sciota, have returned: o that during the time he intercourse with hunting treated him with great i their camp could afford. been upwards of 200 war

We learn by a gentle general Wayne had retu Lakes; and that he ha vance of the former out that the army will winter

AUGUS

A gentleman just arrived with the following: the 21st of October last, three armed vessels, under Howard of the Spanish ty with intention to invade from his camp in East-Fl with a detachment of h was marching up said r prevent the refugees from on the territory of the arrival at and opposite T general Clark's men had di self given over the enter sequence of the peace b Colonel Howard and cap tercourse during their Temple, and the Spanis with the measures adopte

We hear from good a two Indians; one named the Hallowing king, an robe, averse treacherou ton, Franklin county, by enlisted for the defence o

CHARLES

Two ladies the daug Grasse, came passengers Salem.

By a gentleman who Havana, we are inform ship, and a frigate, wi some other French offi name of the king of Fr the disturbances broke o in that harbour and are the republic; the offic were in pursuance of a France and Spain, alth

ALEXAN

Yesterday presented a nation hardly has its part in the morning the fam miller was alarmed with per story of their dwell up in the house had m the apartment from wh met by a negro wom make them understand her life, and pointing then a razor sticking, fo plete the dreadful cat directly on the woman's himself head-foremost, three story house to the a life, the termination nt to be accounted for description. The part age.

BALTIM

On Sunday arrived nation, from Jeremie December, at which t arms, expecting that brigands. None of could hear of, had ar dies, but from the acc were daily looked for. Mr. Farran, who ar day, from Berbice, inf by the British to act as had been disbanded, nated a report that t given up; that he was nite, when four was se u but 12 dollars per b

triques" which trumpets these lies abroad. Within two days he has given us extracts from German Gazettes, and this day he presents an anonymous letter from Heidelberg, and to give it the more credit, he assures it to be an official bulletin from Clairfont.

"The letter is of the 19th and 20th, but so full of nonsense, ignorance and contradiction, that none but an emigrant could have dictated it.

"At one time the foolish fellow speaks of the bridge of Manheim being broken by the French themselves, by which they would destroy the only means of communication with the centre of the army; at another time it is the Austrians who destroyed the bridge by launching into the stream some timber which the French, a few leagues higher up, had thrown into the Rhine.

"The silly elf seems not to know what part of the world Manheim is situated in, and much less, that by the situation and length of that town, the French, if they would withdraw, might be out of the reach of the Austrians."

PITTSBURG, January 2.

A party who had been out surveying lands near the Scioto, have returned: one of the gentlemen reports, that during the time he was there, he had frequent intercourse with hunting parties of Indians, who treated him with great friendship, and with the best that a camp could afford. He supposes there must have been upwards of 200 warriors in that quarter.

We learn by a gentleman from Greenville, that general Wayne had returned to that place from the Lakes; and that he had built three garrisons in advance of the former out posts. It is still rumoured that the army will winter on the banks of the Ohio.

AUGUSTA, December 5.

A gentleman just arrived from St. Mary's has favoured us with the following intelligence: That on the 21st of October last, 300 men of land forces, and three armed vessels, under the command of colonel Howard of the Spanish forces, moved up the St. Mary with intention to invest or dislodge general Clark from his camp in East-Florida; whilst captain Fauche, with a detachment of his troop of militia dragoons, was marching up said river, on the Georgia side, to prevent the refugees from rallying or forming a camp on the territory of the United States:—But on their arrival at and opposite Temple, they learned that general Clark's men had dispersed, and the general himself given over the enterprise. It is supposed in consequence of the peace between France and Spain.—Colonel Howard and captain Fauche had a friendly intercourse during their continuance at and opposite Temple, and the Spanish officers seemed well pleased with the measures adopted by the governor of Georgia.

We hear from good authority, that on the 6th ult. two Indians, one named George, a Creek, and son of the Hallowing king, and the other his uncle, a Cherokee, were treacherously murdered at Fort Washington, Franklin county, by two of the soldiers who were enlisted for the defence of this state.

CHARLESTON, December 3.

Two ladies the daughters of the late compe de Grasse, came passengers in the barque William, from Salem.

By a gentleman who arrived on Sunday from the Havana, we are informed, that the Fierme, a 74 gun ship, and a frigate, which the chevalier Mavo and some other French officers kept possession of in the name of the king of France in the year 1793, when the disturbances broke out in the West-Indies, are now in that harbour and are repairing to be delivered up to the republic; the officers and crews, he understood were in pursuance of an article of the treaty between France and Spain, also to be delivered up.

ALEXANDRIA, January 9.

Yesterday presented a scene which for savage desperation hardly has its parallel. Between 5 and 6 o'clock in the morning the family of Messrs. Korn and Wilmüller was alarmed with the cries of murder in the upper story of their dwelling, but before those who were up in the house had more than half way ascended to the apartment from whence the cries issued, they were met by a negro woman who had but just breath to make them understand that her husband had attempted her life, and pointing to her throat, where there was then a razor sticking, fell dead at their feet—to complete the dreadful catastrophe, the perpetrator, immediately on the woman's getting out of the room, threw himself head-foremost, from the garret window of a three story house to the pavement, putting a period to a life, the termination of which exhibited a phrenzy not to be accounted for, and a spectacle too horrid for description. The parties were upwards of 60 years of age.

BALTIMORE, January 10.

On Sunday arrived the brig Dispatch, captain Donaldson, from Jeremie, which he left on the 25th of December, at which time the inhabitants were under arms, expecting that evening to be attacked by the brigands. None of the British armament, that he could hear of, had arrived in any part of the West-Indies, but from the accounts which had been received, were daily looked for.

Mr. Farran, who arrived in the brig John, on Sunday, from Barbice, informs that the negroes employed by the British to act as pioneers to the expected forces, had been disbanded, a circumstance which had originated a report that the West-India expedition was given up; that he was at St. Bartholomew's on the 23d ult. when flour was selling there and at St. Thomas's at 12 dollars per barrel; coffee 16d. per lb.—and

that he was in sight of St. Vincent's two days, and could easily see the Caribbean and French camp, at the distance of about two cannon shot from the British, the latter of which, as he was informed by the lieutenant of a British ship of war who boarded him, consisted of about 3000; skirmishes took place frequently; but both parties were afraid to attempt any thing decisive.

NOTICE.

THE creditors of BETTY H. FRAIZER, late of Calvert county, deceased, are requested to send in their claims, legally authenticated, by the first day of April, and all those indebted to her estate are desired to make immediate payment, to
JOHN BROME, Administrator,
Calvert county, January 13, 1796.

RAN away, on the 11th of September last, a small negro man named JERRY, about five feet five or six inches high, appears to be religious and about thirty years of age, of a yellowish complexion, has lost some of his foreteeth, and has some wheels on his belly, a round face, a tolerable flat nose, a broad mouth, short neck, small legs, and sometimes a sloopage in his speech, he understands plantation business, is a shoemaker, and knows something of carpenters work; it is uncertain what cloaths he has with him; it is likely he has changed his name; and may pass for a free man, or has a forged pass and will attempt to go to Baltimore or George-town, or escape to Pennsylvania. Whoever takes up the said negro, and secures him so that I may get him again, shall receive TEN DOLLARS REWARD; paid by
SAMUEL DARE.
Calvert county, January 16, 1796.

A LIST of LETTERS remaining in the Post-Office, Port-Tobacco, which, if not taken up before the first day of April, will be sent to the General Post-Office as dead letters.

ANN JACKSON, Nanjemoy.
Geo. Lee, Poplar hill.
Mrs. Elizabeth M'Kibley, Poarmonky.
Maur. M'Donough, near Port-Tobacco.
John B. Hanson, near Port-Tobacco, 2 letters.
Francis Sewall, near Port-Tobacco.
John Nowlan, Cob Neck, Charles county.
Richard Macall, Calvert county.
Daniel Sharp, Somerset county.
Jn. Booth, merchant, Nanjemoy.
Saml. C. Cox, Port-Tobacco, Maryland.
Mrs. Eleanor Boorman, Picawaxen, C. county, 2.
Mr. Ben. Countee, Blenheim, Charles county.
William Hill, bricklayer, Port-Tobacco.
Garrard B. Causine, near Port-Tobacco, 2.
John Fenwick, Cornwalles Neck.
James Freeman, Port-Tobacco.
Wm. D. Harrison, Nanjemoy, Charles county.
Miss Dickenson, St. Thomas's Manor, C. county.
James Simms, Cob Neck.
William Hanson, Charles county.
Mrs. Mary Clements, Charles county.
Geo. P. Greenfield, Benedict.
Walter Stone, Port-Tobacco, 2.
William Elgin, Cob Neck, Charles county.
SARAH DAVIS, P. M.
Port-Tobacco, January 5, 1796.

A LIST of LETTERS remaining in the Post-Office, Annapolis, which, if not taken up before the first day of April next, will be sent to the General Post Office as dead letters.

ANNE ASHMEAD, rev. John Ashton, Annapolis; Thos. Ayres, West river.
William Brogden, James Bond, Richard Burke, James Bruce, Luis Bailly, Annapolis.
Jeremiah Chase, Nicholas Carroll (2), John Callahan, Henry James Carroll, capt. William Coward (2), Anne Clewis, John Conly, care of Wallis and Muir, William Coe (2), Abraham Clod, Annapolis; Richard Chew, jun. (2), Herring bay; capt. Leonard Covington, Patuxent; Thomas Carter, Kent-Island.
Gabriel Duval (3), col. William Deakins, William M. Duncanson, Annapolis; capt. James Disney, near Annapolis.
Dr. Thomas Edgar, Annapolis.
Richard Fraser, Benjamin Fairbairn, Annapolis.
John Gwinn, John M. Gantt, Archibald Golder, Annapolis.
Jere. Harwood, Annapolis; Edward Hall, West river.
John Johnston, Annapolis; John Johnston, Lower Marlboro'.
Thomas Lansdale, Queen-Anne.
Luther Martin, Gilbert Murdoch, Elizabeth Mordock, Annapolis; Samuel M'Cubbin, near Annapolis; Charles M'Pheron, Hunting-town.
Mrs. A. Ogle, Annapolis.
Geo. Peachy and Gilmore, Edward James Pryfe, Annapolis.
Allen Quynn, Annapolis.
Henry Ridgely (2), Samuel Ringgold, Mrs. S. Ringgold (2), Eliza Rodgers, Annapolis.
Mrs. Stevens (2), Gustavus Scott, John Sands, Wm. Sandison, Philip Schwarzer, Annapolis; rev Mr. Scott, Herring bay.
Samuel Tyler, Governor's Bridge; Thomas Tildard (2), Herring bay; Miss Tayloe, Wye river.
William Winder, John C. Weems (2), James West, Thomas Walley, William Wells (2), Turner Wotton, Annapolis; Thomas Warfield, near Annapolis; John Weems (2), to be left at John Thomas's West river.
S. GREEN, D. P. M.
January 11, 1796.

By virtue of a writ of fieri facias, from the general court, to me directed, will be SOLD, at the house of EDWARD SPURRIER, at Elk-Ridge Landing, on Saturday the 13th day of February,

A TRACT of land called HERBERT'S CARE, containing about 200 acres, taken as the property of WILLIAM PITT GRIFFITH, and sold to satisfy a debt due to ARCHIBALD MONCRIEFF and ROBERT DORSEY. The sale to begin at 12 o'clock.
RICHARD HARWOOD, Sheriff
of Anne-Arundel county.
January 12, 1796.

In the LAND-OFFICE, January 1, 1796.
Samuel Swearingen } THE said EDWARD DAY
against } having entered a caveat
Edward Day, } against the said SAMUEL SWEARINGEN's certificate of a tract of land called SMITH'S FORTUNE, and the said Day having returned a certificate of a resurvey of a tract called HILTON, including the whole of Smith's Fortune, and the said Swearingen being therefore considered to have a caveat against the said Hilton, and the said caveat never having been prosecuted, and the said Swearingen, as it is said, having left the state, it is adjudged and ordered, that unless the said Samuel Swearingen, or his legal representative, shall appear here on the twenty-second day of July next, agreeably to a subpoena this day issued, and then and there support his caveat against the said certificate of Hilton, the same shall be then dismissed; provided the said subpoena be regularly returned by the sheriff of Anne-Arundel county, and provided a copy of this order be inserted in the Maryland Gazette at any time before the twenty-second day of the present month, and continued therein at least three weeks successively.
By order of the Chancellor,
JOHN CALLAHAN, Reg. L. O. W. S.

ALL persons indebted to the estate of JOHN NORRIS, late of Anne-Arundel county, deceased, are requested to make immediate payments, and those having claims to make them known; to
MARTIN NORRIS, Administrator.
Anne-Arundel county, West river, Jan. 8, 1796.

ALL persons indebted to the subscribers for dealings with JOHN READ MAGRUDER and SONS, are desired to make payment, their partnership being dissolved this day, those having claims are requested to bring them in for settlement.
JOHN READ MAGRUDER, Sen.
JOHN READ MAGRUDER, Jun.
JAMES ALEXANDER MAGRUDER.
Upper Marlborough, January 1, 1796.

A LIST of LETTERS remaining in the Post-Office, Piscataway, which, if not taken up before the first day of April, will be sent to the General Post Office as dead letters.

JOHN ADDISON.
Thos. Brown.
Mrs. Susanah Brewer.
Henry Clarvoe.
Benjamin Cawood.
Samuel Crawford, 3 letters.
Nicholas Craeft.
Edward Edelen, Esq.
Thos. Mudd, near Piscatay.
John Murphey, merchant, Piscatay.
Benjamin Oden.
Leonard Robey, 2 letters.

ISIDORE HARDEY.

NOTICE is hereby given, that I intend to apply to the justices of Anne-Arundel county court, at the next term, for a commission to mark and bound a tract of land in said county, called The VENTURE ENLARGED, agreeably to an act of assembly for marking and bounding lands.

BENJAMIN RISTON.

Anne-Arundel county, January 12, 1796.

WANTED,

Without Delay,

A STRONG, stout, substantial, and faithfully built BOAT, of either mulberry, cedar, or well seasoned white oak for the frame.—The length of keel between 28 and 32 feet, the beam 12 or 13 feet, in the hold about three feet nine inches to four feet, and of a very handsome model.—If the craft or boat be well appraised it would be the more agreeable; but by no means an inadmissible objection. Inquire of the printers. 28 X 2. March 23, 1795.

To be SOLD,

A COMMODIOUS DWELLING-HOUSE, in a pleasant part of this city.—Apply to the PRINTERS. 11 Annapolis.

An APPRENTICE

Wanted at this Office.

NOTICE.

THE subscriber intends to apply to the court of Charles county, at their March term next, for a commission to mark and bound his land called LYN-SAY'S SURVEY, lying in Charles county, agreeably to the act for marking and bounding land.
JOHN BRENT,
Charles county, December 22, 1795.

BY virtue of the powers vested in us by an act of the General Assembly of the State of Maryland, entitled, An act for erecting a bridge over the eastern branch of Patowmack river, we do hereby give notice, that books will be opened by us in the city of Washington, on the fourth Monday in February next, for receiving and entering subscriptions for the said undertaking.

NOTLEY YOUNG,
DANIEL CARROLL, of Dn.
WILLIAM M. DUNCANSON,
THOMAS LAW,
GEORGE WALKER.

N. B. The act is published in the Federal Intelligencer and Baltimore Daily Gazette.

To the PUBLIC.

THE subscriber proposes teaching young ladies the GUITAR, both piano and common, also gentlemen the VIOLIN; from his perfect knowledge of both instruments he flatters himself to merit the approbation of the public and give general satisfaction. Those who have a turn for music may be taught to play twelve tunes the first quarter, also to tune their own instruments. The subscriber composes for his pupils little songs and tunes suited to their capacities. Terms are, six dollars entrance, and four dollars a month. Instruments and strings may be had of Mr. CARR, in Baltimore, correspondent of the subscriber's.

JOHN J. ABERCROMBY.

N. B. Mould and dipped tallow CANDLES, of the best quality, equal in look to white wax, manufactured by A. TRENET, at the house of the subscriber, opposite the Printing-Office, mould at 1/10¢ per pound, dipped 20d. ditto.

Annapolis, January 4, 1796.

WHEREAS CHARLES COWLEY, late of this county, did, on or about the 30th day of January last, obtain from us two bonds for payment of £. 300 and £. 350 current money, being for the consideration of part of two tracts or parcels of land, BIRKHEAD'S ADVENTURE and HARRISON'S ENLARGEMENT, to which a title cannot be had, therefore we hereby caution all persons from taking an assignment of said bonds, or either of them, as they will not be paid.

CHARLES DRURY,
WILLIAM DRURY.

Anne-Arundel county, January 1, 1796.

THE creditors of STEPHEN STEWARD, junior, prior to his obtaining an act of insolvency, are desired to take notice, that the subscriber, on the third Monday in February next, at the house of Mr. WHARFE, in the city of Annapolis, will proceed to pay on the claims exhibited in the chancery-office, in proportion to their respective amounts, all monies which he hath received as trustee of said STEWARD.

BENJAMIN HARRISON, Trustee of
S. STEWARD, jun. an insolvent
debtor.

Annapolis, January 4, 1796.

NOTICE.

ALL persons having claims against the estate of STEPHEN STEWARD, senior, late of Anne-Arundel county, deceased, whether on judgment, bond, bill, note, or open account, are requested to produce them, legally authenticated, to the subscriber, or to PHILIP B. KEY, of Annapolis, on or before the first day of June next, in order for payment, so far as assets have come to the subscriber's hands; those who neglect to bring in their claims will be excluded from any share of the distribution then to be made.

BENJAMIN HARRISON, Administrator
de bonis non of S. STEWARD, sen.

Annapolis, January 3, 1796.

ALL persons indebted to the estate of HENRY BALDWIN, late of Anne-Arundel county, deceased, either by bond, note, or open account, are requested to make payments by the twentieth day of February next, or suits will be brought against them without respect, and those having claims are requested to make them known by that day.

MARIA GAMBRILL, Administratrix.

TAKEN up by the subscriber, near Pig Point, in Anne-Arundel county, as a stray, a dark bay MARE, about twelve and an half hands high, is branded on the near side thus O, she trots and gallops. The owner may have her by proving property and paying charges.

CHARLES DRURY.

December 30, 1795.

TAKEN up as a stray, by JOHN DAVIDSON, living at Bell's plantation, on the Head of South river, in Anne-Arundel county, a small black STEER, with some white upon his back, marked with a swallow fork in each ear, and supposed to be about four years old. The owner may have him again on proving property and paying charges.

CASH given for Clean

Linen and Cotton

RAGS, &c

At the Printing-Office.

By the HOUSE of DELEGATES, December 24, 1795.

On motion, ORDERED, That the register of the land-office for the western shore cause so much of the bill, entitled, An act relative to the proceedings in the court of chancery and in the land-office, as relates to the land-office, to be published for six weeks successively, before the first day of April next, in the Annapolis, Easton, and George-town news-papers, and in one of the Baltimore, Frederick-town, and Elizabeth-town news-papers.

By order,

W. HARWOOD, Clk.

Part of the act relative to the proceedings in the court of chancery and in the land-office.

AND be it enacted, That in case any warrant for surveying or resurveying land hath issued or shall issue, and the same hath been or shall be executed by a deputy of the surveyor, authorized to execute the same, and before a certificate of the survey or resurvey shall be made out and signed by the said surveyor he shall die, the said deputy shall have power, within six months after such death, to make out and sign a plot and special certificate, stating the circumstances of the case, with an affidavit of the truth thereof annexed or endorsed, and the said certificate shall be as good and effectual as if made out and signed by the said surveyor, and if any amendment or correction of the said plot or certificate shall be necessary, the amendment or correction shall be made by the said deputy, or such other person as the chancellor, or the judge of the land-office on the eastern shore, as the case may be, shall think proper.

And be it enacted, That in case any certificate hath been or shall be made out by any county surveyor, authorized to make the same, under a warrant of survey or resurvey, and the same hath been or shall be duly returned, and an order of the chancellor, or judge of the land-office of the eastern shore, hath been or shall be made for correcting the same, and the surveyor hath resigned or shall resign his office without making out a correct certificate, or correcting the original, the chancellor, or judge of the land-office of the eastern shore respectively, on application of the party, and at his own discretion, may order the correction to be made by the said surveyor, and the corrected certificate made out by the said surveyor shall be as good and effectual as if he had not resigned, and he shall be entitled to such fees as to the chancellor, or judge of the land-office of the eastern shore, shall, under all circumstances, appear reasonable, not exceeding the fees established by law.

And be it enacted, That hereafter no original certificate of survey or resurvey under a warrant shall be received in the land-office, unless the same be passed by the examiner-general, and returned to the said office before the first day of July next, or within eighteen months from the date of the warrant, and in case any order hath been made for the correction of any certificate of survey or resurvey under a warrant, the corrected certificate shall not be received into the land-office, unless passed by the examiner (if necessary) and returned before the first day of January, seventeen hundred and ninety-seven, and in case any order shall hereafter be made for the correction of any certificate as aforesaid, the corrected certificate shall not be received, unless passed by the examiner (if necessary) and returned within nine months from the date of the order, but nothing in this act contained shall be so construed as to extend the time within which a survey or resurvey under a warrant may be made.

And be it enacted, That where any certificate of survey or resurvey shall by the examiner-general be found erroneous, or where, on application of the party, the chancellor, or judge of the land-office on the eastern shore, may think proper to direct the correction of any certificate, and there is not sufficient time for such correction to enable the party to pay the money within the time required by law, on a tender being made of the money due to the treasurer, three months shall be allowed for the correction of such certificate, and being passed by the examiner-general, and payment made within the said three months, the same shall be valid.

And be it enacted, That no certificate of survey or resurvey shall be liable to a warrant of proclamation before the first day of June next.

And be it enacted, That in case any certificate of survey or resurvey already made, or hereafter to be made, hath been or may be returned, by which vacant land may be included, and not compounded for agreeably to law, such survey or resurvey shall be liable to be affected by a proclamation warrant, by any person who shall apply for the same, but no proclamation warrant shall thereafter issue on any survey made or hereafter to be made in this state, unless one tenth part of the land contained in the said survey or resurvey is compounded upon and paid to the treasurer of the western or eastern shore, as the case may be, before such warrant shall issue; provided, that the person claiming the said survey or resurvey shall have one day after the said first day of June, or after the expiration of the warrant of such surveys or resurveys made, or hereafter to be made, as aforesaid, for a proclamation, to pay and compound on the same, and no application shall be received by the register of the land-office for the western or eastern shore respectively, until after such day of pre-emption shall have expired; provided, that nothing herein contained shall be taken or deemed to affect the right of any person who hath already applied for any proclamation warrant, if such person shall take out the said warrant on or before the first day of April next.

And be it enacted, That it shall be the duty of surveyors in returning certificates hereafter to express the quantity and quality of the improvements contained on

the land included in the survey or resurvey, and subject to the operation of the warrant, with his opinion of the value of the same, and no exception shall hereafter be taken to any certificate of survey, or resurvey made, or which hereafter may be made, by way of caveat in the land-office, on account of improvements not being returned, provided that nothing in this act shall be taken or construed to affect any case now existing on caveat before the chancellor.

To be SOLD, under a decree of the High Court of Chancery, at PUBLIC SALE, at George-town, on the 15th day of February next,

FIVE country born negro SLAVES, consisting of three men and two women. Six months credit will be given.

JOHN M. GANTT, Trustee.

FIFTY DOLLARS REWARD.

RAN AWAY from the subscriber's plantation, at Nanjemoy, in Charles county, on the 20th inst. a dark coloured mulatto lad, about twenty years old, slender made, and very likely, named BILL, or WILL, and commonly passes amongst those who know him by the nickname of M'DANIEL, has a small scar on the upper part of his forehead, which may be discovered on close examination, dresses himself remarkably neat, has a variety of good clothing. This lad is well known to gentlemen of the turf, having rode for several purses in Virginia and Maryland. He stole and carried off with him a sorrel horse, about fourteen hands high, with a star in his forehead, and branded on the near shoulder with the letter B. There is some reason to believe he will attempt to get into Kent county, in the Delaware state, and pass himself as a free man; FORTY DOLLARS shall be paid for the boy, and TEN for the horse, if secured to that I get them again.

JOHN THOMAS.

Maryland Dec. 24, 1795.

ALL persons indebted to the estate of WILLIAM THOMAS, late of St. Mary's county, deceased, are requested to make immediate payment, and those having claims are desired to bring them in, legally attested, that they may be settled.

ELIZABETH THOMAS, Executrix.

December 16, 1795.

WHEREAS his excellency JOHN H. STONE, governor of Maryland, has been pleased to nominate and appoint us, referees, to settle and adjust the proportions of stock of the United States to be transferred to the Patuxent Associates, or their legal representatives, by the trustee of this state, in virtue of a resolution of the last general assembly, Notice is hereby given, that we shall meet at this place on the first Wednesday in February next, for the purpose of adjusting the proportions agreeable to said resolution, and all persons having claims are desired to exhibit them, on or before that day, to us.

J. THOMAS,
R. YOUNG,
G. BISCOE.

Nottingham, December 28, 1795.

Patowmack Company.

THE stockholders on the new subscription to the Patowmack Company, are required to pay to William Harfstone, treasurer, on or before the first day of March next, ten pounds per cent. on the amount of each share by them held.

JOHN FITZGERALD, President,
GEORGE GILPIN,
JAMES KEITH,
JOHN TEMPLEMAN,
TOBIAS LEAR, } Directors.

Alexandria, Dec. 22, 1795.

RAN AWAY from the subscriber, in the month of May last, a mulatto woman named MARY, about twenty one years of age, she took her only child with her, a handsome mulatto boy, about three years old, it is supposed she is in the city of Annapolis, or the neighbourhood thereof, as she has been seen about three weeks ago in company with a certain CHARLES CLEVIS, a free black, who it is probable will claim her as his wife and pass her for a free woman. A reward of THREE POUNDS will be given for securing the said woman and child, and if brought home reasonable charges, paid by

WILLIAM HARWOOD.

July 6, 1795.

TO BE SOLD,

A LARGE and commodious three story brick DWELLING HOUSE in this city, an excellent stand for the mercantile business, and well calculated for a family.—Inquire of the PRINTERS.

N. B. A pleasing credit will be given to the purchaser.

Annapolis.

HAVING suffered much loss by trespasses on my plantation near this city, I now give notice, that I will prosecute all those who commit the like in future.

BENJAMIN OGLE.

August 22, 1795.

ANNAPOLIS:

Printed by FREDERICK and SAMUEL GREEN.

(LIT YEAR.)

MA

By the SENATE.
On motion, ORDERED,
An act declaring jurisdiction
respective endorsements
weeks successively in the A
Intelligencer, and Easton
day of June next.

By order

An ACT declaring jurisdiction
of the court of chancery
Maryland, have original
jurisdiction of all
ejectment, and of all
the property replevied
sum of thirty pounds current
monies and mixed actions, e
perty as herein after provid
thing in demand, or dama
the sum or value of one h
ney; but if any such ac
general court, except as a
or thing in demand, or
amount to the sum or val
ex officio, order the plain
II. And be it enacted, T
have original jurisdiction a
of trespass on real property
is in question, and also v
shall amount to the sum of
ney, but if any such action
neral court, and the title
question, and the damages
the sum aforesaid, the co
judgment for the damages
cretion, adjudge that the p
ant his costs.

III. And be it enacted, T
shall have original jurisd
now within the jurisd
IV. And be it enacted, T
mit any trespass on real p
the person of another
county where such propert
and battery was committe
at his option, sue such tre
shore where he or she ma
from the county court of
neral court of the shore, v
mitted, directed to the t
the defendant resides, and
county court from whence
before to the contrary ther
V. And be it enacted, T
any county court shall be
certiorari, unless with th
entered on the record, on
where the real debt, or th
mages claimed, shall amo
one hundred pounds curre
shall be removed to the p
in which the real debt,
mages assessed, shall not
aforesaid, the said court
such plaintiff be nonsuited

VI. And be it enacted,
in any county court, exce
plevin, or for trespass on
moved by the defendant,
jur, unless before issue
debt, or thing in demand,
shall amount to the sum
pounds current money; b
of dower, ejectment or r
replevied shall be apprais
pounds current money, or
may remove any such acti
any time before issue join
crued in the county cour
any plaintiff in any acti
replevin, where the pro
praised to above the sum
ney, or for trespass on r
the content of the defend
to the general court, at
on paying the defendant
county court before such
before to the contrary the
VII. And be it enacted,
error shall lie from any ju
in any personal action, to
the oath, or affirmation,
or his attorney, that the
not brought for delay, an
writ of error, judgment
shall recover double costs

VIII. And be it enacted,
real counties of the wel

MARYLAND GAZETTE.

T H U R S D A Y, JANUARY 28, 1796.

By the SENATE, December 21, 1795.

On motion, ORDERED, That the bill, entitled, An act declaring jurisdiction in civil cases, with the respective endorsements thereon, be published four weeks successively in the Annapolis, Baltimore Federal Intelligencer, and Eastern news papers, before the first day of June next.

By order,

H. WARFIELD, clk.

An ACT declaring jurisdiction in civil cases.

It is enacted, by the general assembly of Maryland, That the general court shall have original jurisdiction and cognizance of all real actions, actions of ejectment, and of all actions of waste, and of all actions of replevin, where the property replevied shall be appraised to above the sum of thirty pounds current money, and of all personal and mixed actions, except of trespass on real property as herein after provided, where the real debt, or thing in demand, or damages assessed, shall amount to the sum or value of one hundred pounds current money; but if any such action shall be brought in the general court, except as aforesaid, and the real debt, or thing in demand, or damages assessed, shall not amount to the sum or value aforesaid, the court shall, ex officio, order the plaintiff to be nonsuited.

II. And be it enacted, That the general court shall have original jurisdiction and cognizance of all actions of trespass on real property where the title to the land is in question, and also where the damages assessed shall amount to the sum of twenty pounds current money, but if any such action shall be brought in the general court, and the title to the land shall not be in question, and the damages assessed shall not amount to the sum aforesaid, the court shall, ex officio, give judgment for the damages only, and may, in their discretion, adjudge that the plaintiff shall pay the defendant his costs.

III. And be it enacted, That the several county courts shall have original jurisdiction in all cases whatever, not now within the jurisdiction of a single magistrate.

IV. And be it enacted, That if any person shall commit any trespass on real property, or shall assault and beat the person of another, and shall remove from the county where such property lies, or where such assault and battery was committed, the person injured may, at his option, sue such trespasser in any county of the shore where he or she may be found, or issue a writ from the county court of the county, or from the general court of the shore, where such trespass was committed, directed to the sheriff of the county where the defendant resides, and returnable to the general or county court from whence it issued, any thing herein before to the contrary thereof notwithstanding.

V. And be it enacted, That no action commenced in any county court shall be removed by the plaintiff by certiorari, unless with the consent of the defendant, entered on the record, on producing the certiorari, and where the real debt, or thing in demand, or actual damages claimed, shall amount to the sum or value of one hundred pounds current money; and if any action shall be removed to the general court by the plaintiff in which the real debt, or thing in demand, or damages assessed, shall not amount to the sum or value aforesaid, the said court shall, ex officio, adjudge that such plaintiff be nonsuited.

VI. And be it enacted, That no action commenced in any county court, except of dower, ejectment, replevin, or for trespass on real property, shall be removed by the defendant, by certiorari, or habeas corpus, unless before issue joined, and where the real debt, or thing in demand, or actual damages claimed, shall amount to the sum or value of one hundred pounds current money; but any defendant in an action of dower, ejectment or replevin, where the property replevied shall be appraised to above the sum of thirty pounds current money, or for trespass on real property, may remove any such action to the general court, at any time before issue joined, on paying the costs incurred in the county court before such removal; and any plaintiff in any action of dower, ejectment or replevin, where the property replevied shall be appraised to above the sum of thirty pounds current money, or for trespass on real property, may, without the consent of the defendant, remove any such action to the general court, at any time before issue joined, on paying the defendant all the costs accrued in the county court before such removal, any thing herein before to the contrary thereof notwithstanding.

VII. And be it enacted, That no appeal or writ of error shall lie from any judgment of any county court, in any personal action, to the general court, unless on the oath, or affirmation, of the party, if defendant, or his attorney, that the appeal, or writ of error, is not brought for delay, and if on any such appeal, or writ of error, judgment shall be affirmed, the appellee shall recover double costs.

VIII. And be it enacted, That the sheriffs of the several counties of the western shore for the time being,

shall summon as grand jurors, to attend the general court for the said shore at the spring session, at least fifteen days before the day appointed by law for the holding of the said courts, as follows, to wit: One from Allegany, Washington, Frederick, Harford and Saint-Mary's counties; three from Montgomery, Charles and Calvert counties; and four from Baltimore, Anne-Arundel and Prince-George's counties; and the said several sheriffs are hereby required to summon and return to the said court, for such grand jurors, free white male citizens of this state, and inhabitants of their respective counties; and such only as are from their education, knowledge, information and experience, most capable and best qualified to discharge the important trust and duty of grand jurors; and the said sheriffs shall summon no person unless above twenty-five and under fifty-five years of age, and who has not a freehold of above one hundred acres of land in his county, or property in the county assessed to above the value of five hundred pounds current money.

IX. And be it enacted, That the sheriffs of the several counties of the eastern shore for the time being, shall summon, as grand jurors, to attend the general court at the spring session for the said shore, at least ten days before the day appointed by law for the holding of the said court, as follows, to wit: Two from Cecil, Kent, Worcester and Somerset counties; three from Dorchester and Caroline counties; and five from Queen-Anne's and Talbot counties; and the said several sheriffs are also required to summon, for such grand jurors, persons above described, and having the same qualifications as above mentioned and prescribed.

X. And be it enacted, That the sheriffs of the several counties of the western shore for the time being, shall summon, as petit jurors, to attend the general court for the said shore, at least fifteen days before the day appointed by law for the holding of the said court, as follows, to wit: Two from Allegany, Washington, Frederick, Harford and Saint-Mary's counties; four from Montgomery, Charles and Calvert counties; and six from Baltimore, Anne-Arundel and Prince-George's counties; and the said several sheriffs are hereby required to summon for such petit jurors persons above described, and having the same qualifications as above mentioned and prescribed for grand jurors, and most capable and best qualified to discharge the important trust and duty of petit jurors.

XI. And be it enacted, That the sheriffs of the several counties of the eastern shore for the time being, shall summon, as petit jurors, to attend the general court for the said shore, at least ten days before the day appointed by law for the holding of the said court, as follows, to wit: Two from Cecil, Kent, Worcester and Somerset counties; five from Dorchester and Caroline counties; and seven from Queen-Anne's and Talbot counties; and the said several sheriffs are hereby required to summon for such petit jurors persons above described, and having the same qualifications as above mentioned and prescribed for grand jurors and petit jurors for the western shore, and no challenge shall be allowed to any juror, summoned in virtue of this act, for want of freehold.

XII. And be it enacted, If any sheriff shall neglect to summon and make return of the best and most capable men in his county to be grand and petit jurors, according to the directions of this act, he shall, for every such neglect of duty, be fined by the general court, not exceeding one hundred pounds current money; and if any person so summoned as a grand or petit juror shall not appear, or appearing shall depart the court without the leave thereof, such person so offending may be fined by the court, in their discretion, not exceeding the sum of thirty pounds current money.

XIII. And be it enacted, That no person qualified to be a grand or petit juror, according to this act, shall be exempted from such necessary and important duty, except only the governor and the members of the general assembly and the council, and any principal, vice-principal, professors, tutors and assistants, in any college or seminary of learning, and any school-master or practicing attorney, physician or surgeon, and any judicial or civil officer of this state, or of the United States, during their continuance in their respective stations or business, and except also as is hereafter provided.

XIV. And be it enacted, That the general court, with the consent of parties, or without their consent, (if the case is not of great importance and difficulty,) may in their discretion, order any action, personal or mixed, that is ready for trial, and in which issues in fact only are joined, to be tried in the county where the plaintiff or defendant resides, (or if justice requires, in any other county,) and such order shall be entered on record, and thereupon, and in virtue thereof, the clerk of the said court shall make out a transcript of the proceeding, under his hand and the seal of the said court, together with a copy of all depositions, (if any,) taken in such cause, and shall deliver the same to the plaintiff, or his attorney, when required, and the plaintiff, or his attorney, shall produce the said transcript, and copies of depositions, (if

any,) to the clerk of the county court of the county to which such cause shall be ordered for trial, at the county court to be held next after such order, and on or before the first day of the sitting of the said court, and when produced, the clerk of the said county court shall file them, and enter such action on his docket, and the said court shall proceed to the hearing, trial and determination thereof, and give such judgment, and award execution thereon, returnable to the said court, or to any other county court, in the same manner as if the said action had been originally commenced and carried on to issue in such county court, and the defendant had resided therein or removed thereout after such judgment; and if any plaintiff, or his attorney, shall not produce such transcript as above directed, upon motion in the general court, and due notice thereof given, the said court shall give judgment for the defendant, as in cases of nonsuit, unless the said court shall, upon just and reasonable terms, allow any further time or times for the trial of such action, and if the plaintiff shall again neglect to try his action, the court shall proceed to give such judgment as aforesaid, and all such judgments shall be of the like force and effect as judgments upon nonsuit, and of no other force or effect; and the plaintiff or defendant in such action may issue subpoenas for witnesses, either from the general court or from such county court, and on non-attendance the said county court may issue attachment, either to their county or to any other county, to compel the attendance of such witnesses; and if such action cannot be tried with justice to the parties from want of testimony, or from some defect in plots or the pleadings, the said court may continue such action in the same manner as they can continue any other action in their court, and may grant amendments for the trial of the merits in all proceedings whatsoever before verdict, and if any amendment is made after a jury is sworn, a juror shall be withdrawn, and the said court may take such further order, in their discretion, as justice requires; and on the trial of such action either party shall be entitled to a bill of exceptions, and on appeal, or writ of error, the clerk of the said court shall return the transcript, together with all depositions, (if any,) annexed thereto, to the clerk of the general court, with a transcript of all the proceedings in the said county court in the said cause, under his hand and the seal of the said county court; and upon such transcript the said general court shall proceed to give judgment as is by law directed in appeals or writs of error from the county courts; and the clerk of the county courts, receiving any transcript from the general court, shall enter the same on his records, together with all further proceedings in such actions; and any action ordered to any county court for trial, shall be continued in the general court until the transcript shall be received and filed in the county court; and all costs incurred in the general court shall be taxed, included and recovered, with the costs incurred in the county court.

XV. And be it enacted, That it shall be lawful for the general court, on application of either plaintiff or defendant, at any time, and upon satisfaction being given to the court, by affidavit, affirmation, or otherwise, that a witness, (who shall be named,) is a material and competent witness in such cause, residing within the state, and not able to attend the court from age, sickness, bodily infirmity or accident, or without great danger of health, to order the deposition of such witness to be taken, on interrogatories, in writing, before some justice of the peace where such witness resides, on such notice to the adverse party as the court may think reasonable; and every deposition taken according to the order of the court, shall be good and legal evidence on the trial, in the same manner as if the witness was produced and examined in open court.

XVI. And be it enacted, That either plaintiff or defendant may require that a special jury be selected or struck in the following manner, to wit: The clerk of the general court shall make out and deliver to the parties, or their attorneys, a list of all the petit jurors attending the court, and they may agree on any twelve in the said list for the trial of the cause, and if they appear they shall be empanelled and sworn as the jury, but if any of them do not appear, then the said parties, or their attorneys, may agree on any other in the said list in the place of such as do not appear, and the juror or jurors so chosen shall be added to the panel, and sworn in the cause; and if a jury cannot thus be selected by choice, then one shall be struck in the following manner, to wit: The clerk shall furnish a list of all the jurors attending the court to the parties, or their attorneys, and they may, in the presence of the clerk, alternately (the plaintiff, or his attorney, beginning first,) strike out from the list the names of all the jurors except twelve, who shall, if they appear, be empanelled and sworn on the jury, but if any of them do not appear, or if any of them are set aside on challenge, the said parties, or their attorneys, may again strike out of the list, in the same manner, until there shall be no more left than will make up the

deficiency, and if any of them do not appear, or are set aside on challenge, the parties, or their attorneys, may again strike out, as before, and so, toties quoties, in like manner, until a jury be obtained; and the jurors so struck shall be empanelled, and sworn as the jury to try the cause.

XVII. And be it enacted, That on the application of either plaintiff or defendant the general court may, in their discretion, in any action between merchant and merchant, or between any merchant and his factor or agent, respecting mercantile dealings and transactions between them that are of great importance, and intricate from the length or multiplicity of items or particulars, or that will probably involve some new and difficult question of law, and also in other special and similar case of difficulty and intricacy, (although not between merchants, or a merchant and his factor or agent,) issue a special venire facias, directed to the sheriff of any county, or, if necessary, to sheriffs of different counties of the shire where such action is to be tried, to summon and return a jury of merchants to attend the said court on a day to be appointed and mentioned in such writ, for the trial of such cause, and such sheriff shall, in virtue of such precept, summon and return twenty-four, or such number as the court shall direct, of the most respectable and experienced merchants of his county, citizens of this state, above the age of twenty-five, and under fifty-five years, and having a freehold of above one hundred acres of land in his county, or property in the county assessed to above five hundred pounds current money, and out of the said jurors, or such of them as shall appear, a jury may be agreed on or struck in the manner herein before directed, and the jury so agreed on or struck shall be empanelled and sworn as the jury to try such cause; and all the expence of such jury shall be paid by the parties equally, or in such proportion as they shall agree, but if they do not agree, then the whole expence shall be paid by the party applying for such jury; and if any person returned shall not appear, or after appearance shall wilfully withdraw from the presence of the court, such person so offending may be fined by the court, in their discretion, not exceeding the sum of fifty pounds current money.

XVIII. And be it enacted, That the sheriffs of the several counties for the time being shall annually, and upon the first day of the sitting of their respective county courts in the spring of the year, return an alphabetical and true list, in writing, of the christian names and surnames of all persons in their respective counties, qualified, according to this act, as grand and petit jurors in the general court, to their respective county courts, and the said courts are hereby required carefully to examine the said list, and diligently to inquire if any persons qualified to be jurors are omitted, and whether any persons not qualified to be jurors have been inserted, and if they find that any have been omitted, they shall order the sheriff to add them to the list, and if they find that any have been inserted by mistake, who ought to be omitted, they shall order the sheriff to strike out such person from the said list; and to obtain full information on this subject, the said courts may examine the said sheriff, and his deputies, or any other persons, (on oath or affirmation,) and if it shall appear to the said courts, that the said sheriff wilfully omitted out of any such list any person or persons whose name or names ought to be inserted, or that the said sheriff wilfully inserted any person or persons who ought to be omitted, the said courts shall fine the said sheriff for every person so omitted or inserted in such list contrary to the meaning of this act, not exceeding five pounds current money; and if any sheriff shall take any money, or other reward, for omitting or inserting any person in his said list, such sheriff shall forfeit not exceeding fifty pounds current money for every such offence; and the said county courts shall direct the clerk of their county immediately to enter such list (with the corrections, if any,) among the proceedings of the said court; and the said clerk shall forthwith thereafter deliver the original list (with the corrections, if any,) to the sheriff of his county, for his government in returning of grand and petit jurors to the general court; and such sheriff, immediately on receiving the said list, shall cause the same to be entered faithfully, fairly and alphabetically, in a book to be kept by him for that purpose, and such sheriff shall deliver the said original list to the clerk of the general court; and if any clerk of any county, or any sheriff, shall neglect any duty above required, such clerk or sheriff shall forfeit not exceeding fifty pounds current money for every neglect; and if any sheriff shall summon and return any person to serve as a grand or petit juror to the said court, whose name is not inserted in such list, such sheriff shall forfeit not exceeding fifty pounds current money for every offence; and every sheriff shall enter or register in a book to be kept by him for that purpose, in alphabetical order, the names of such persons as shall be summoned, and shall serve as jurors; and the said sheriffs shall so conduct themselves in summoning the respective jurors from those whose names are entered in the said list, as to prevent, as far as possible, a burthen or hardship from falling on individuals, as far as is consistent with his chief duty of returning the most capable and best qualified as he is herein before required; and if any sheriff, or his deputy, shall, directly or indirectly, take or receive any money, or other reward, to excuse any person from serving, or being summoned to serve, as a grand or petit juror to the general court, or under that colour or pretence, such sheriff, or deputy sheriff, so offending, shall forfeit fifty pounds current money for every offence; and every sheriff, on going out of office, shall deliver to his successor (when required,) the book containing the said list, and the register of the service of the said jurors during his being in office, under the penalty of fifty pounds current money, and on the death of any sheriff, his executor or administrator

shall also (on demand) deliver to the successor the said list and register, under the penalty of fifty pounds current money; and any of the said fines may be imposed by the general court on any clerk, sheriff or his deputy, or on the executor or administrator of any sheriff, on examination and proof of such offence in a summary way; and the levy courts of the said counties may make such allowance to the said sheriffs and clerks, for the execution of the aforesaid duties, as they may think reasonable.

XIX. And be it enacted, If any person not qualified to serve on juries according to this act, or exempted from such duty, shall find his name mentioned in such list, or being qualified, shall be so circumstanced in other respects as to make it improper to summon him as a jurymen, such person may apply to the county court to which such list was returned, and the said court, upon satisfaction, by the oath of the party complaining, or other proof, that he is not qualified to serve, or that he is exempted, or ought to be exempted from serving as a jurymen, shall order his name to be struck out or omitted in such list, and on producing a certificate of such order to the sheriff, he shall immediately strike such person out of his list.

XX. And be it enacted, If by any means of challenges, or default of jurors, a sufficient number of jurors shall not appear, in any criminal or civil case, the general court may award a tales, directed to the sheriff of Anne-Arundel county, or to the sheriff of Talbot county, as the case may be, to summon and return so many of his county as will make up a full jury, and the said tales shall be liable to the same challenges as the principal jurors; and if any person returned shall not appear, or after appearance shall wilfully withdraw from the presence of the court, such person so offending may be fined by the court, in their discretion, not exceeding the sum of twenty pounds current money.

XXI. And be it enacted, That the sheriffs of the respective counties in this state shall summon and return, as grand and petit jurors to their respective county courts, the best and most capable persons mentioned in the list above directed to be taken, subject to the same provisions and penalties respecting the same, prescribed in their duty in summoning the jurors to attend the general court; and a special jury may be selected or struck in any county court, at the request of the plaintiff or defendant, in the same manner as above provided in the general court.

XXII. This act to continue for seven years, and until the end of the next session of assembly thereafter.

By the senate, December 2, 1795: Read the first time and ordered to lie on the table.

By order, H. WARFIELD, clk.

By the senate, December 16, 1795: Read the second time and will pass.

By order, H. WARFIELD, clk.

By the house of delegates, December 18, 1795: Read the first time and ordered to lie on the table.

By order, W. HARWOOD, clk.

By the house of delegates, December 21, 1795: Read the second time and will not pass.

By order, W. HARWOOD, clk.

SOUTHAMPTON, November 1.

THE weather has been so unusually severe for some days past that the farther embarkation of the troops and stores, destined for the West-Indies, has been almost entirely suspended; this delay must, of course, be attended with serious consequences, should the wind come round to the eastward, as the sailing of the transports cannot possibly take place for some time at any rate, were the weather immediately to prove ever so fine, of which, however, God knows! there is no very encouraging prospect, as it blows as hard a gale as ever.

The inconvenience which this expedition has thus sustained might have been prevented, had proper vessels been engaged for the service; but while all the men and stores had no other means of being conveyed on board but in small open boats, it was evident, that should foul weather occur, no officer, who knew his duty, could permit them to run the risk of being swamped along side of the West-Indiamen, and other large ships.

LONDON, November 10.

Yesterday was observed as lord mayors day, the annual city festival.

At noon the lord mayor went off from Guildhall to the court of Exchequer, at Westminster-hall, where he was sworn into office, before the barons, with the usual forms; after which the old and new lord mayor returned together, by water, to Blackfriars bridge, where they landed and went in their respective carriages to Guildhall, where there was an entertainment and ball in the evening as usual.

As the procession passed up Cheapside, the carriage of Mr. Pitt (N. B. It was not his own carriage) was accompanied by an immense concourse, with hissing, groning, hooting and execrations, and though he was attended by a guard of soldiers, in our opinion not less than 200, it was with the utmost difficulty the populace could be prevented from breaking in upon the carriage, so great was the public resentment.

The poor lord mayor followed soon after with little attention from the people, guarded by an extraordinary number of constables, seventy additional ones having been sworn in for the purpose yesterday.

The late worthy chief magistrate, Mr. Skinner, succeeded, drawn by his fellow-citizens! His carriage could not afford room for a thousandth part of those to

lay a hand, who seemed anxious to shew him this mark of affection and respect.—The applause of the multitude was unbounded, and the contrast between him and the unfortunate minister was such, as to exceed the powers of description. The first guard by a chosen band of soldiers, (soldiers in the city!!!) executed by every voice, and thinned even by his parasites and road-eaters. The second, Mr. Skinner, attended by the exultation and applause of the multitude! The windows waving with handkerchiefs! Not even a constable to guard him! but the united voice of his fellow-citizens, seeming to exclaim, "Thou art not a burthen to the starving poor! thou hast not art three sinecure places! and thy good wishes for thy fellow-citizens are worthy of the lord chancellor." The judges, and the other officers of the crown, passed with little notice.

The humdrum aldermen excited no more attention than the horses that drew them. It was not so in the days of Barnard nor Beckford, and those are the magistrates of the best, indeed of any mark and likelihood, since the time of queen Anne.

"Rather known
"By other follies than his own."

The milliner and the poor duke of Portland, (it did them great credit) left their own carriages, and were carried incog. by other people!!! This would have been admirable, if it had been from humiliation and contrition.—But how much more admirable is it as a voluntary renunciation of popularity and their due reward!

Very great pains have been taken to impress upon the public mind, that a mine of gold has been discovered in the county of Wicklow. The daily papers have been filled with stories evidently framed to encourage such belief. It is, however, from beginning to end no more than a fraud and an imposition, calculated to give an imaginary value to the unproductive mountains in that quarter, and it is to be hoped that the proprietors of them have had no concern in so deep an artifice.

New 12 Madame de la Fayette has reached Vienna with her two daughters. She has obtained the emperor's permission to reside with her husband; and did not lose a moment in setting out for the forests in which he was confined.

PHILADELPHIA, January 9.

On the 10th of December a brig arrived at Martinique, which had been dispatched from the British fleet for the West-Indies on the 13th of November, then three days at sea: The fleet was stated to consist of nine ships of the line and eighteen frigates, with transports having on board a very large body of troops.

The French landed 330 soldiers at Martinique from St. Lucia, the 9th ult. who burnt a small town and two sugar estates; and the negroes were constantly joining them.

Jan 21. In yesterday's paper was inserted the extract of a letter from Gibraltar, announcing that a treaty between Spain and the United States, was signed at Madrid, on the 27th of October last.

The principal object of the treaty was, as we learn, to obtain the free navigation of the Mississippi, and as the treaty is made there is the strongest reason to believe that America has obtained that consummation so devoutly to be wished.

In a late paper it was stated, on good grounds, that the emigrations to Kentucky, during the last year, amounted to not less than about 40 thousand people. If this navigation is laid open, the numbers will increase rapidly.

As settlements increase on the western waters, the Creeks and other Indian tribes who have done so much mischief on the south-western frontiers, will be gradually surrounded and shut up, as in a bag; and in a few years will probably become as insignificant as the Six Nations.

The multiplied benefits arising from laying open the Mississippi, are already understood and anticipated by every man in America. One of the most desirable consequences will be that of demonstrating to the western people the propriety of America being united within itself. This attainment will tend to confirm that general good humour and confidence so requisite for our existence as a political body, so extremely requisite that we may with singular justice adopt the national motto of the republic of Holland: FRANKMOED, SI COLLIDIMUR.—We shall go to pieces if we do not agree each other.

On Monday last arrived in town, major Lewis, aide-de-camp to major-general Wayne; and captain Britton, from the legion of the United States. The major left head quarters the 11th December, came by the way of Ohio, informs that the troops were remarkably healthy, and that a constant intercourse is kept up with the Indians, who conduct themselves in a peaceable and friendly manner. One of them accompanied major Lewis to the city, for the purpose of seeing the president of the United States.

Captain Taylor, of the dragoons, and several other officers, are also in town, and we learn that the commander in chief himself is daily expected, having left the army about the 10th ult. The gentlemen of the three Philadelphia-troops of horse will hold themselves in readiness to meet the general a few miles from hence, to pay their respects to him, and to escort him to town.

BALTIMORE, January 25.

Extract of a letter from James Simpson, consul of the United States, at Gibraltar, dated at that place, November 14, 1795, and received by a vessel lately arrived at New-York, to the secretary of state.

"If this vessel has a speedy passage to New-York, she may carry the first news of the treaty between the

United States and Spain by place at Madrid 27th last Mr. Pinckney and Mr. Skinner for France."

Annapolis, PROCEEDINGS

Of the HOUSE of REPRESENTATIVES, UNITED STATES, RANDALL and CHARLES

INFORMATION being following members in the of South-Carolina, Mr. Mr. Giles, of Virginia, the Robert Randall, had made, respectively, certain overtures in this house, to a support in the said Robert R. and others, for the grant of eighteen or twenty millions of the United States; members, respectively, were Robert Randall and his or emolument in lands or regarding the said information, contempt to, and breach of in an unwarrantable attempt its members.

RESOLVED, That Mr. directed to the sergeant a commanding him to take in found, the body of the same in his custody to keep and direction of the house

A warrant pursuant to cordingly prepare, signed seal, attested by the clerk, with order forthwith to execute thereon to the house

Information being also Back, one of the members cation to him by a person ney, by which there is goe said Whitney is a partner named Randall, and equal and overtures of the said was ordered, signed, and forfeited, for taking into said Charles Whitney, further order and direction

Tuesday, 19th The sergeant at arms rants issued to him yesterday on the bodies of Robert ney, the persons therein them in his custody, for direction of the house

RESOLVED, That a committee of seven members, be committee be instructed in the case of Robert R. who were taken into custody house, and that the said immediately.

ORDERED, That Mr. Mr. Giles, Mr. Murray and Mr. Goodhue, be sent to the said resolution

Mr. Baldwin, from whom it was referred to in the case of Robert made a report, which was to by the house, as follows

RESOLVED, That the Whitney, be brought to interrogated by the speaker given against them, on with the answers there nutes of the house.

By a member, be reduced made, that the same may after such interrogatory deem it ne cessary to subject, the same be appointed for that purpose

The said Robert Randall the bar of the house, the charge against him, today, being read, he "whether he did admit charges?" to which int was not prepared to answer that time might offer a vindication after to-morrow: What

It was ordered, that withdraw in custody, side on his request.

The said Robert R. custody, and after debate, it was resolved by him, until to-morrow in conformity to his request

RESOLVED ALSO, charge against the said formed a member of members of this house aged, or were engaged application, or words

The said Robert R. bat, in custody, and indulgence, and further respecting him; after

It was ordered, that placed in custody of the to the bar of the house

Charles Whitney, rant of Mr. Speaker custody of the sergeant stated in the journal ing read, the following ed to him, by Mr. S. pective answers ther Resolved. What is Answer. Charles

United States and Spain being signed, which took place at Madrid 27th last month, and the 3d instant, Mr. Pinckney and Mr. Short, I understand, set out for France."

Annapolis, January 28. PROCEEDINGS

Of the HOUSE of REPRESENTATIVES of the UNITED STATES, in the case of ROBERT RANDALL and CHARLES WHITNEY.

INFORMATION being given to the house, by the following members in their places, to wit: Mr. Smith, of South-Carolina, Mr. Murray, of Maryland, and Mr. Giles, of Virginia, that a person of the name of Robert Randall, had made, or communicated to them, respectively, certain overtures to obtain their several support in this house, to a memorial intended to be presented by the said Robert Randall, on behalf of himself and others, for the grant of a tract of land, containing eighteen or twenty millions of acres, bordering on lakes Erie, Michigan and Huron, and lying within the limits of the United States; for which support the said members, respectively, were promised to receive of the said Robert Randall and his associates, a consideration or emolument in lands or money: And this house regarding the said information as sufficient evidence of a contempt to, and breach of the privileges of this house, in an unwarrantable attempt to corrupt the integrity of its members.

RESOLVED, That Mr. Speaker do issue his warrant directed to the serjeant at arms attending this house, commanding him to take into custody, wherever to be found, the body of the said Robert Randall, and the same in his custody to keep, subject to the farther order and direction of the house.

A warrant pursuant to the said resolution, was accordingly prepared, signed by Mr. Speaker, under his seal, attested by the clerk, and delivered to the serjeant, with order forthwith to execute the same, and make due return thereof to the house.

Information being also given to the house, by Mr. Buck, one of the members from Vermont, of an application to him by a person of the name of Charles Whitney, by which there is good reason to believe, that the said Whitney is a partner and associate of the before named Randall, and equally concerned in the business and overtures of the said Randall; a similar warrant was ordered, signed, and delivered to the serjeant as aforesaid, for taking into his custody, the body of the said Charles Whitney, subject in like manner to the farther order and direction of the house.

Tuesday, 29th December, 1795.

The serjeant at arms having returned, on the warrants issued to him yesterday, that he had executed the same on the bodies of Robert Randall and Charles Whitney, the persons therein named; and that he now held them in his custody, subject to the farther order and direction of the house: It was, on motion,

RESOLVED, That a committee of privileges, to consist of seven members, be appointed; and that the said committee be instructed to report a mode of proceeding in the case of Robert Randall and Charles Whitney, who were taken into custody yesterday, by order of the house, and that the said committee have leave to sit immediately.

ORDERED, That Mr. Baldwin, Mr. William Smith, Mr. Giles, Mr. Murray, Mr. Livingston, Mr. Coit and Mr. Goodhue, be appointed a committee, pursuant to the said resolution.

Mr. Baldwin, from the committee of privileges, to whom it was referred to report a mode of proceeding in the case of Robert Randall and Charles Whitney, made a report, which was read, considered, and agreed to by the house, as follows:

RESOLVED, That the said Robert Randall and Charles Whitney, be brought to the bar of the house, and interrogated by the speaker, touching the information given against them, on written interrogatories, which, with the answers thereto, shall be entered on the minutes of the house. And that every question proposed by a member, be reduced to writing, and a motion made, that the same may be put by the speaker. That after such interrogatories are answered, if the house deem it necessary to make any further inquiry on the subject, the same be conducted by a committee to be appointed for that purpose.

The said Robert Randall was accordingly brought to the bar of the house, in custody of the serjeant; and the charge against him, as stated in the journal of yesterday, being read, he was interrogated by Mr. Speaker, "whether he did admit, or deny the truth of the said charge?" to which interrogatory he answered, that he was not prepared to admit or deny the same; but requested that time might be allowed him to make answer, and offer a vindication of his conduct, until the day after to-morrow: Whereupon,

It was ordered, that the said Robert Randall, do now withdraw in custody, until the house shall presently decide on his request.

The said Robert Randall accordingly withdrew, in custody, and after debate,

It was resolved by the house, that time be allowed him, until to-morrow, twelve o'clock, to make answer, in conformity to his request.

RESOLVED ALSO, That it be an addition to the charge against the said Robert Randall, "that he informed a member of this house, that a number of the members of this house, not less than thirty, had engaged, or were engaged to support his memorial and application; or words to that effect."

The said Robert Randall was then returned to the bar, in custody, and notified by Mr. Speaker, of the indulgence, and further proceeding of the house, respecting him: after which,

It was ordered, that the said Robert Randall be detained in custody of the serjeant, and brought up again to the bar of the house, to-morrow at twelve o'clock.

Charles Whitney, the other person named in the warrant of Mr. Speaker, was then brought to the bar, in custody of the serjeant, and the charge against him, as stated in the journal of the proceeding of yesterday, being read, the following interrogatories were propounded to him, by Mr. Speaker: to which he gave the respective answers thereto subjoined.

Question. What is your name?

Answer. Charles Whitney.

Question. Where do you reside?

Answer. In the state of Vermont.

Question. What is your occupation?

Answer. I am a farmer.

Question. When did you come to this city?

Answer. About the first of this month.

Question. Where is your usual abode whilst in this city?

Answer. At the Green-tree tavern, in Fourth-street.

Question. Are you, or are you not guilty of the charge which has been read to you, of being a partner and associate of Robert Randall, and equally concerned in the business and overtures of the said Randall?

Answer. I am not guilty: I am equally concerned with Mr. Randall in the present land business, but am ignorant of any improper motives, or improper conduct of the said Randall therein; and can only answer for myself.

Question. Are any other persons associated with Mr. Randall and yourself, in this business, and what appropriations or disposition of the said lands did you design to make?

Answer. Colonel Pepune, and Mr. Jones of Massachusetts, and col. Ebenezer Allen, of Vermont, agreed to associate with us in this business; and it was our intention to divide it into forty-one shares, and associate with us such other influential characters as we could engage, in order to divide with us the great expense, and trouble of the undertaking.

Question. Are any persons within the British lines associated with you in this business?

Answer. Yes.—Mr. Atkins, senior, Mr. Atkins, junior, Mr. Robinson, Mr. Innis, a Mr. Patterson, merchants and traders residing at Detroit, and its vicinity, are concerned with us.

Question. Are any of the persons you have named at Detroit, as concerned with you, in civil or military commission under the British government?

Answer. Yes.—Mr. Atkins, the elder, is said to be in civil commission, as a judge.

Question. Have you any instrument of association between your self and partners?

Answer. I have; it is signed by the persons last named, and is, I believe, now at my lodgings.

Question. Have you any objections to produce the said instrument?

Answer. I don't know that I have; but being without counsel I wish for time to reflect upon it.

Question. Are you acquainted with a person of the name of John Gove, and did you make application to him to become an associate with you?

Answer. I am acquainted with Mr. Gove, and did apply to him, to become an associate; to which I understood him to have agreed.

Question. Where does Mr. Gove lodge?

Answer. At the Green tree tavern, in Fourth street.

Question. Was Mr. Gove authorized by you, to apply to any members of congress in favour of your proposal?

Answer. I did mention to Mr. Gove, that he might apply to the members in favour of our proposal.

Question. Were there any shares of the said land to be left open or unappropriated, between you and your associates?

Answer. There were shares left open to be filled at my pleasure.

Question. Did you make any, and what application to Mr. Buck, one of the members of this house, from the state of Vermont, to support your application?

Answer. I did apply to Mr. Buck, at his house in Vermont, and represented to him, generally, the nature and advantages of our plan; but I made no proposal to him of benefit or advantage to himself or of other improper inducement.

Mr. Buck then informed the house, that the said Charles Whitney had made overtures to him in Vermont, offering a share in land, or an equivalent in money; or words to that effect: Whereupon,

It was moved and seconded, that the said Charles Whitney do now withdraw in custody, and that all further proceedings respecting him be adjourned until to-morrow, twelve o'clock.

And, on a question taken, the same was ordered accordingly; with an instruction to the serjeant, to keep him separate and apart from Robert Randall.

Wednesday, 30th December, 1795.

A petition of Robert Randall, in custody of the serjeant at arms, was presented to the house and read, praying that he may be indulged with the assistance of counsel, and a reasonable time to prepare for his defence, on the charges now depending against him before the house: Whereupon,

It was resolved, that the prayer of the said petition be granted.

The said Robert Randall was then brought to the bar, in custody of the serjeant, and it being demanded of him by Mr. Speaker, "what further time he required to prepare for his defence?" he answered until Friday next.

RESOLVED, That further time be allowed the said Robert Randall, until Friday next, to prepare for his defence; and that in the mean time, he be remanded in custody of the serjeant, until further order.

The speaker laid before the house, an instrument of writing, purporting to be, "articles of agreement entered into and concluded at Detroit, the twenty-sixth day of September, in the year of our lord, one thousand seven hundred and ninety-five, for the purpose of obtaining the pre-emption right from the United States of America, and extinguishing the right of the native Indians to a certain territory therein defined, containing by computation, eighteen or twenty millions of acres, and lying on lakes Erie, Huron and Michigan, between Ebenezer Allen and Charles Whitney, of the state of Vermont, and Robert Randall of the city of Philadelphia, on the one part; and John Atkin, Jonathan Scheffelin, William Robertson, John Atkin, junior, David Robertson, Robert Innis and Richard Patterson, all of Detroit, of the other part;" which instrument of writing had been given up by Charles Whitney to the serjeant at arms, and by the serjeant delivered to the speaker.

The said instrument of writing was read, and ordered to lie on the table.

Charles Whitney was then brought to the bar, in custody of the serjeant, and the further information against him, by Mr. Buck, one of the members from Vermont, as stated in the journal of the proceedings of yesterday, being read to him, he was interrogated by

Mr. Speaker, "whether he did admit or deny the same?" To which he answered, that he did "boldly deny the same: Whereupon,

It was ordered, that he be remanded to the custody of the serjeant, until further order of the house: and On motion,

It was resolved, that the committee of privileges be instructed to consider and report to this house, the proper mode of conducting the further inquiry, and the trial in the case of Robert Randall and Charles Whitney.

Thursday, 31st December, 1795.

The speaker laid before the house, a letter from Robert Randall, in custody of the serjeant, "stating that the engagements of the gentlemen of the bar of this city, will prevent them from assisting him as counsel, until Saturday evening; and praying a farther postponement of the proceedings respecting him, until the earliest part of next week," which was read: Whereupon,

ORDERED, That further time be allowed the said Robert Randall, until Monday next, in conformity to his request.

Mr. Baldwin, from the committee of privileges, to whom it was referred to consider and report on the proper mode of conducting the further inquiry, and the trial in the case of Robert Randall and Charles Whitney, made a report, which was read, and debate arising thereon.

An adjournment was called for.

[To be continued.]

For SALE,

AN elegant PHAETON, built on the most fashionable construction, with a set of the best London plated HARNESS. The carriage is in no manner injured. Apply to the printers hereof.

NOTICE.

THE subscriber intends to petition the next Charles county court for a commission to mark and bound the a tract of land called BOARMAN'S MANOR, lying in Charles county, under an act of assembly, entitled, An act for marking and bounding lands.

1894 JAMES BOARMAN.
Bryan-town, January 27, 1796.

Five Pounds Reward.

RAN away from the subscriber a negro man named HARRY, about five feet six inches high, twenty-four years old, knock kneed, large wide mouth, which, when he laughs, he spreads very much, and half-shuts his eyes, he lips and speaks thick, especially when surprised or frightened; he had on a new white cotton jacket and trousers of the same cloth, rather short and pieced at bottom, an old wool hat, brown linen shirt, white yarn stockings, and strong shoes with hob nails in the soles and large broad headed nails in the heels. Whoever takes up the said negro, and secures him so as his master gets him again, shall receive the above reward, and if brought home, reasonable charges, paid by

JAMES CHESTON.

Well-river, January 7, 1796.

Thirty Dollars Reward.

RAN away in May last a negro man named JOHN, a carpenter, a black luttly fellow, with a scar under one of his eyes, and on the 6th instant, eloped negro BEN, a small black fellow, with one of his fingers hurt by some accident. Whoever will deliver me the above negroes, or secures them in the Annapolis goal, shall be paid the reward above, or FIFTEEN DOLLARS for either of them.

BENNETT DARNALL, near Pig Point.

January 21, 1796.

By virtue of a writ of fieri facias, from the general court, to me directed, will be SOLD, at the house of EDWARD SPURRIER, at Elk-Ridge Landing, on Saturday the 13th day of February,

A TRACT of land called HERBERT'S CARE, containing about 200 acres, taken as the property of WILLIAM PITT GRIFFITH, and sold to satisfy a debt due to ARCHIBALD MONCRIEFF and ROBERT DORSEY. The sale to begin at 12 o'clock.

RICHARD HARWOOD, Sheriff

of Anne-Arundel county.

January 12, 1796.

A LIST of LETTERS remaining in the Post-Office, Pilecatway, which, if not taken up before the first day of April, will be sent to the General Post-Office as dead letters.

JOHN ADDISON.

Thos. Brown.

Mrs. Susanah Brewer.

Henry Clarvoe.

Benjamin Cawood.

Samuel Crawford, 3 letters.

Nicholas Cracost.

Edward Edoelen, Esq.

Thos. Mudd, near Piscaty.

John Murphey, merchant, Piscatay.

Benjamin Oden.

Leonard Robey, 2 letters.

3X ISIDORE HARDEY.

ALL persons indebted to the estate of JOHN A NORRIS, late of Anne-Arundel county, deceased, are requested to make immediate payments, and those having claims to make them known, to

3X MARTIN NORRIS, Administrator.

Anne-Arundel county, Well-river, Jan. 8, 1795.

A LIST of LETTERS remaining in the Post-Office, Port-Tobacco, which, if not taken up before the first day of April, will be sent to the General Post-Office as dead letters.

ANN JACKSON, Nanjemoy.
Geo. Lee, Poplar hill.
Mrs. Elizabeth M. Kibley, Pearmonky.
Maur. M'Donough, near Port-Tobacco.
John B. Hanlon, near Port-Tobacco, 2 letters.
Francis Scwall, near Port-Tobacco.
John Nowlan, Cob Neck, Charles county.
Richard Macall, Calvert county.
Daniel Sharp, Somerset county.
Jn. Booth, mercht. Nanjemoy.
Saml. C. Cox, Port-Tobacco, Maryland.
Mrs. Eleanor Boardman, Picawaxen, C. county, 2.
Mr. Ben. Countee, Blenheim, Charles county.
William Hill, bricklayer, Port-Tobacco.
Garrard B. Cause, near Port-Tobacco, 2.
John Fenwick, Cornwallices Neck.
James Freeman, Port-Tobacco.
Wm. D. Harrison, Nanjemoy, Charles county.
Miss Dickenson, St. Thomas's Manor, C. county.
James Simms, Cob Neck.
William Hanlon, Charles county.
Mrs. Mary Clements, Charles county.
Geo. P. Greenfield, Benedict.
Walter Stone, Port-Tobacco, 2.
William Elgin, Cob Neck, Charles county.

SARAH DAVIS, P. M.

Port-Tobacco, January 5, 1796.

A LIST of LETTERS remaining in the Post-Office, Annapolis, which, if not taken up before the first day of April next, will be sent to the General Post Office as dead letters.

ANNE ASHMEAD, rev. John Ashton, Annapolis; Thos. Ayres, West river.
William Brogden, James Bond, Richard Burke, James Bruce, Luis Baily, Annapolis.
Jeremiah Chafe, Nicholas Carroll (2), John Callahan, Henry James Carroll, capt. William Coward (2), Anne Clewis, John Conly, care of Wallis and Muir, William Coe (2), Abraham Clod, Annapolis; Richard Chew, jun. (2), Herring bay; capt. Leonard Covington, Patuxent; Thomas Carter, Kent-Island.
Gabriel Duval (3), col. William Deakins, William M. Duncan, Annapolis; capt. James Disney, near Annapolis.

Dr. Thomas Edgar, Annapolis.
Richard Frazer, Benjamin Fairbairn, Annapolis.
John Gwinn, John M. Gantt, Archibald Golder, Annapolis.

Jerse. Harwood, Annapolis; Edward Hall, West river.
John Johnston, Annapolis; John Johnston, Lower Marlboro'.

Thomas Lansdale, Queen-Anne.
Luther Martin, Gilbert Murdoch, Elizabeth Mordock, Annapolis; Samuel M'Cubbin, near Annapolis; Charles M'Pherson, Hunting-town.

Mrs. A. Ogle, Annapolis.
Geo. Peachy and Gilmore, Edward James Pryse, Annapolis.

Allen Quinn, Annapolis.
Hens. Ridgely (2), Samuel Ringgold, Mrs. S. Ringgold (2), Eliza Rodgers, Annapolis.

Mrs. Stevens (2), Gustavus Scott, John Sands, Wm. Sandison, Philip Schwarzer, Annapolis; rev Mr. Scott, Herring bay.

Samuel Tyler, Governor's Bridge; Thomas Tildard (2), Herring bay; Miss Tayloe, Wye river.
William Winder, John C. Weems (2), James West, Thomas Walley, William Wells (2), Turner Wotton, Annapolis; Thomas Warfield, near Annapolis; John Weems (2), to be left at John Thomas's West river.

January 1, 1796.

BY virtue of the powers vested in us by an act of the General Assembly of the State of Maryland, entitled, An act for erecting a bridge over the eastern branch of Patowmack river, we do hereby give notice, that books will be opened by us in the city of Washington, on the fourth Monday in February next, for receiving and entering subscriptions for the said undertaking.

NOTLEY YOUNG,
DANIEL CARROLL, of Dn.
WILLIAM M. DUNCANSON,
THOMAS LAW,
GEORGE WALKER.

N. B. The act is published in the Federal Intelligencer and Baltimore Daily Gazette.

NOTICE.

ALL persons having claims against the estate of **STEPHEN STEWARD**, senior, late of Anne-Arundel county, deceased, whether on judgment, bond, bill, note, or open account, are requested to produce them, legally authenticated, to the subscriber, or to **PHILIP B. KEY**, of Annapolis, on or before the first day of June next, in order for payment, so far as assets have come to the subscriber's hands; those who neglect to bring in their claims will be excluded from any share of the distribution then to be made.

BENJAMIN HARRISON, Administrator de bonis non of S. STEWARD, sen.
Annapolis, January 3, 1796.

To be SOLD,

A COMMODIOUS DWELLING-HOUSE, in a pleasant part of this city.—Apply to the PRINTERS.

By the HOUSE of DELEGATES, December 24, 1795.

On motion, ORDERED, That the register of the land-office for the western shore cause so much of the bill, entitled, An act relative to the proceedings in the court of chancery and in the land-office, as relates to the land-office, to be published for six weeks successively, before the first day of April next, in the Annapolis, Easton, and George-town news-papers, and in one of the Baltimore, Frederick-town, and Elizabeth-town news-papers.

By order,
W. HARWOOD, Clk.

Part of the act relative to the proceedings in the court of chancery and in the land-office.

AND be it enacted, That in case any warrant for surveying or resurveying land hath issued or shall issue, and the same hath been or shall be executed by a deputy of the surveyor, authorized to execute the same, and before a certificate of the survey or resurvey shall be made out and signed by the said surveyor he shall die, the said deputy shall have power, within six months after such death, to make out and sign a plot and special certificate, stating the circumstances of the case, with an affidavit of the truth thereof annexed or endorsed, and the said certificate shall be as good and effectual as if made out and signed by the said surveyor, and if any amendment or correction of the said plot or certificate shall be necessary, the amendment or correction shall be made by the said deputy, or such other person as the chancellor, or the judge of the land-office on the eastern shore, as the case may be, shall think proper.

And be it enacted, That in case any certificate hath been or shall be made out by any county surveyor, authorized to make the same, under a warrant of survey or resurvey, and the same hath been or shall be duly returned, and an order of the chancellor, or judge of the land-office of the eastern shore, hath been or shall be made for correcting the same, and the surveyor hath resigned or shall resign his office without making out a correct certificate, or correcting the original, the chancellor, or judge of the land-office of the eastern shore respectively, on application of the party, and at his own discretion, may order the correction to be made by the said surveyor, and the corrected certificate made out by the said surveyor shall be as good and effectual as if he had not resigned, and he shall be entitled to such fees as to the chancellor, or judge of the land-office for the eastern shore, shall, under all circumstances, appear reasonable, not exceeding the fees established by law.

And be it enacted, That hereafter no original certificate of survey or resurvey under a warrant shall be received in the land-office, unless the same be passed by the examiner-general, and returned to the said office before the first day of July next, or within eighteen months from the date of the warrant, and in case any order hath been made for the correction of any certificate of survey or resurvey under a warrant, the corrected certificate shall not be received into the land-office, unless passed by the examiner (if necessary) and returned before the first day of January, seventeen hundred and ninety-seven, and in case any order shall hereafter be made for the correction of any certificate as aforesaid, the corrected certificate shall not be received, unless passed by the examiner (if necessary) and returned within nine months from the date of the order, but nothing in this act contained shall be so construed as to extend the time within which a survey or resurvey under a warrant may be made.

And be it enacted, That where any certificate of survey or resurvey shall by the examiner-general be found erroneous, or where, on application of the party, the chancellor, or judge of the land-office on the eastern shore, may think proper to direct the correction of any certificate, and there is not sufficient time for such correction to enable the party to pay the money within the time required by law, on a tender being made of the money due to the treasurer, three months shall be allowed for the correction of such certificate, and being passed by the examiner-general, and payment made within the said three months, the same shall be valid.

And be it enacted, That no certificate of survey or resurvey shall be liable to a warrant of proclamation before the first day of June next.

And be it enacted, That in case any certificate of survey or resurvey already made, or hereafter to be made, hath been or may be returned, by which vacant land may be included, and not compounded for agreeably to law, such survey or resurvey shall be liable to be affected by a proclamation warrant, by any person who shall apply for the same, but no proclamation warrant shall thereafter issue on any survey made or hereafter to be made in this state, unless one tenth part of the land contained in the said survey or resurvey is compounded upon and paid to the treasurer of the western or eastern shore, as the case may be, before such warrant shall issue; provided, that the person claiming the said survey or resurvey shall have one day after the said first day of June, or after the expiration of the warrant of such surveys or resurveys made, or hereafter to be made, as aforesaid, for a proclamation, to pay and compound on the same, and no application shall be received by the register of the land-office for the western or eastern shore respectively, until after such day of pre-emption shall have expired; provided, that nothing herein contained shall be taken or deemed to affect the right of any person who hath already applied for any proclamation warrant, if such person shall take out the said warrant on or before the first day of April next.

And be it enacted, That it shall be the duty of surveyors in returning certificates hereafter to express the quantity and quality of the improvements contained on

the land included in the survey or resurvey, and subject to the operation of the warrant, with his opinion of the value of the same, and no exception shall hereafter be taken to any certificate of survey, or resurvey made, or which hereafter may be made, by way of caveat in the land-office, on account of improvements not being returned, provided that nothing in this act shall be taken or construed to affect any case now existing on caveat before the chancellor.

To be SOLD, under a decree of the High Court of Chancery, at PUBLIC SALE, at George-town, on the 15th day of February next,

FIVE country born negro SLAVES, consisting of three men and two women. Six months credit will be given.

JOHN M. GANTT, Trustee.

In the LAND-OFFICE, January 1, 1796.
Samuel Swearingen } THE said EDWARD DAY
Edward Day, } having entered a caveat
against the said SAMUEL SWEARINGEN's certificate of a tract of land called SMITH'S FORTUNE, and the said DAY having returned a certificate of a resurvey of a tract called HILTON, including the whole of Smith's Fortune, and the said Swearingen being therefore considered to have a caveat against the said Hilton, and the said caveat never having been prosecuted, and the said Swearingen, as it is said, having left the state, it is adjudged and ordered, that unless the said Samuel Swearingen, or his legal representative, shall appear here on the twenty-second day of July next, agreeably to a subpoena this day issued, and then and there support his caveat against the said certificate of Hilton, the same shall be then dismissed; provided the said subpoena be regularly returned by the sheriff of Anne-Arundel county, and provided a copy of this order be inserted in the Maryland Gazette at any time before the twenty-second day of the present month, and continued therein at least three weeks successively.

By order of the Chancellor, J. THOMAS, R. YOUNG, G. BISCOE.

WHEREAS his excellency JOHN H. STONE, governor of Maryland, has been pleased to nominate and appoint us, referees, to settle and adjust the proportions of stock of the United States to be transferred to the Patuxent Associates, or their legal representatives, by the trustee of this state, in virtue of a resolution of the last general assembly, Notice is hereby given, that we shall meet at this place on the first Wednesday in February next, for the purposes of adjusting the proportions agreeable to said resolution, and all persons having claims are desired to exhibit them, on or before that day, to us.

Nottingham, December 28, 1795.

Patowmack Company.

THE stockholders on the new subscription to the Patowmack Company, are required to pay to William Harwood, treasurer, on or before the first day of March next, ten pounds per cent. on the amount of each share by them held.

JOHN FITZGERALD, President,
GEORGE GILPIN,
JAMES KEITH,
JOHN TEMPLEMAN,
TOBIAS LEAR,
Alexandria, Dec. 22, 1795.

RAN AWAY from the subscriber, in the month of May last, a mulatto woman named MARY, about twenty-one years of age, she took her only child with her, a handsome mulatto boy, about three years old, it is supposed she is in the city of Annapolis, or the neighbourhood thereof, as she has been seen about three weeks ago in company with a certain CHARLES CLEVIS, a free black, who it is probable will claim her as his wife and pass her for a free woman. A reward of THREE POUNDS will be given for securing the said woman and child, and if brought home reasonable charges, paid by

WILLIAM HARWOOD.
July 6, 1795.

TO BE SOLD,

A LARGE and commodious three story brick DWELLING HOUSE in this city, an excellent stand for the mercantile business, and well calculated for a family.—Inquire of the PRINTERS.

N. B. A pleasing credit will be given to the purchaser.

HAVING suffered much loss by trespasses on my plantation near this city, I now give notice, that I will prosecute all those who commit the like in future.

August 22, 1795.

NOTICE is hereby given, that I intend to apply to the justices of Anne-Arundel county court, at the next term, for a commission to mark and bound a tract of land in said county, called The VENTURE ENLARGED, agreeably to an act of assembly for marking and bounding lands.

BENJAMIN RISTON.
Anne-Arundel county, January 12, 1796.

ANNAPOLIS:
Printed by FREDERICK and SAMUEL GREEN.

(LIST YEAR.)

MAR

By the SENATE,
On motion, ORDERED
An act declaring jurisdiction
respective endorsements the
weeks successively in the An
Intelligencer, and Ballon ne
day of June next.

By order,

An ACT declaring jur

It is enacted,

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III. And be it enacted, Th

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IV. And be it enacted, Th

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shore where he, or she may

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VI. And be it enacted,

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VII. And be it enacted

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writ of error, judgment

shall recover double costs

VIII. And be it enacte

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