

mount of the bill to the rightful owner (Jefferson) say, however, whether he will pay interest from the time he received the money from the Treasury, completely settles the whole question at issue; for it incontrovertibly shows that he did, in some way or another, receive value for the bill.

And here I might safely let this matter rest; but I have determined (as so much has been said and written about this affair) to bring into view every important fact, which may have a bearing upon this illicit transaction—so that the parties concerned may not have a hole or a crevice left to creep out at.

I will now prove, from the correspondence which has been published, that Mr. Harrison, the auditor of the treasury, deemed Mr. Jefferson's right to draw this money from the treasury, to rest, exclusively, on the fact, that the bankers of the U. States at Amsterdam had not paid the bill in question, nor charged it in their account with the United States. I say, he founded his opinion of Mr. Jefferson's right exclusively on that fact, and not upon the ground that Mr. Jefferson had not received value for that bill. I prove this thus:—In Mr. Jefferson's first letter on this subject, dated 13th May, he says, "It was not until the 24th of June, 1801, that I received a letter from Mr. Richard Harrison, the auditor, informing me, that my accounts as minister to France had been adjusted and closed"—adding, the bill drawn and credited by you, under date of 21st October, 1789, for banco florins 2800, having never yet appeared in any account of the Dutch bankers, stands at your debit only as a provisional charge. If it should hereafter turn out, as I incline to think it will, that this bill has never been used or negotiated by Mr. Grand you will have a just claim on the public for its value." "This adds Mr. J." was the first intimation to me, that I had too hastily charged myself with that draught. And this was nearly thirteen years after the bill had been drawn. This, then, being the first intimation Mr. J. had of this matter, Mr. Harrison of course, could not have learned from Mr. Jefferson, that he had parted from that bill without consideration. It consequently follows, that Mr. Harrison's opinion of Mr. Jefferson's right to receive the money from the treasury was, as I have before stated, founded exclusively on the fact of the Dutch bankers not having charged the bill in any of their accounts with the United States. This assuredly was the ground of Mr. Jefferson's opinion at that time also—for he himself tells us, that he declined accepting of the kind offer of the auditor at that time, and was willing to let the matter remain awhile, as there was a possibility (I use his own words) that the draught might still be presented by the holder to the bankers. And what if it had been presented to the bankers? Why, they would either have paid it, or referred the owner to the American government for payment, where it would, as matter of course, have been paid, and there would have been an end of the matter. But where, it may be asked, would Mr. Jefferson then have looked for reimbursement? Just where he will look after he shall have paid to the rightful holder of the bill the amount of it. He can rightfully look to no one for reimbursement, and he knows it.

Having followed Mr. Jefferson through the mazes of his subtle course, having thus followed him step by step, let us now see how this coy and cautious gentleman acts in the closing scene, when he comes to the treasury to finger the cash.

In my first communication to you, fellow citizens, on this subject, I stated that the manner in which Mr. Jefferson had presented his account to the treasury, in 1809, when he drew the money, was "calculated to deceive." It does, we all know, very often happen, that when a man is about to commit an illegal or improper act, his "abundant caution" leads to detection. This was precisely the case with respect to Mr. Jefferson, when in March, 1809, he appeared at the United States treasury, and presented for payment the following account:

The United States,
To Thomas Jefferson, Dr.
For this sum, being the value of 2,870 guilders, brought to his debit in the settlement of his account at the treasury, per report No. 15,571, beyond the amount which appears to have been actually paid to him by the bankers of the department of state at Amsterdam, at 40 cents per guilder \$1148.

Now, I appeal to every plain, honest man in the world—one who has never been accustomed to the wiles and tricks of demagogues and statesmen—whether he would ever suspect there was lurking in this account, a claim on the public for the value of a bill of exchange, alleged to have been lost by the claimant, when he was an accredited agent of the United States in Europe? I am sure every man will answer—NO!—and for the best reason in the world; because the account does not say one syllable about a bill of exchange, in any shape or form. Nothing is said about the draught on Wilink, Van Stapforten and Van Hubbard, in favour of Grand & Co.—or that such a draught had been lost by the French or English mails, or had ever existed. In short, the account just referred to, has no manner of direct reference to this "lost bill of exchange," or to any of the facts and circumstances connected with it. And wherefore this superabundant caution?—Plainly this: to keep the true state of the case entirely out of view of those who were not in the secret. When I say this I speak advisedly. What other motive, I ask, could have induced any one to draw out such an account for such a purpose? If the claim had been just and upright, why abstain from stating fairly and above board the true grounds on which it rested? Let the master actors in this extraordinary proceeding answer this question.

But this is not all. If this claim had really and truly rested upon the ground stated in the account—simply and exclusively for a sum of money erroneously bro't to Mr. J's debit, beyond the amount actually paid to him by the bankers of the department of state—why did the auditor suggest, in writing, the expediency of taking bond and security from Mr. Jefferson to indemnify the United States against any other claim for this money? The Richmond "Enquirer" tells us it was his "abundant caution," made him do this. And to that very cause may be ascribed the development of this whole affair. If, after this Mr. Jefferson shall be pronounced by impartial posterity, innocent of the charge preferred against him—be it so. In bringing this matter, with other things, to public view, my conscience tells me, I have done nothing more than to discharge a solemn duty which one member of the community justly owes to the rest. Whether this is a proper time to make the disclosures is another question.

My own judgment tells me it is. I have lived long enough, and seen enough, to be convinced, in my own mind, that the liberty of the people hangs by a thread. A blind and overweening confidence by the people in men regardless of principle, will, sooner or later, destroy any free government. On this occasion, I again repeat, I am no party man; and those who suppose that my object is to pull down one set of men, merely for the sake of putting in their places another set, were never more mistaken. Whatever aid I can give, consistent with my other and imperative duties, in correcting public abuses, (and we all agree that there are such) shall be given freely. I have nothing to ask, to hope, or to expect from any set of men (politicians I mean) in power or out of power. Nor am I in the least actuated in my conduct by either personal or political resentment towards any men or set of men. My course has been marked out after the most mature deliberation; and I shall, with the help of God, pursue it to the end, unless I shall be arrested in it by the destruction of our present constitution.

A Native of Virginia.

Washington, June 27.

From the National Intelligencer.

THE FRENCH TREATY.
We had in our last the satisfaction to lay before our readers the Treaty lately concluded, in this city between the Secretary of State and the Minister of France; and we now propose briefly to examine its contents.

The first and second articles limit the amount of the discriminating duty which shall hereafter be imposed, by the government of either country, on merchandise imported into the countries respectively in the vessels of the other country, viz. twenty francs per ton of merchandise, on American goods imported into France by our vessels, and three dollars twenty-five cents per ton on French goods imported into this country by French vessels. The measure of limitation, which neither party is to exceed, being the same, the duty may be considered equal, and is at least founded on a principle of reciprocity. As the produce of the United States is more bulky than that which is received from France in return for it, this duty, though of equal amount, may operate in favour of France. If any thing be yielded in this respect, it has been in a spirit of accommodation, and from a sincere desire to get rid of the difficulties which have lately embarrassed the intercourse between the two countries.

The 3d article provides that no discriminating duty shall be imposed, in either country, on goods imported in vessels of the other for transit or re-exportation. This provision appears to be perfectly fair and reciprocal, and at least unexceptionable.

Article 4 defines what shall constitute in each country the ton of merchandise, establishing in that respect, likewise, a perfect equality. This article is of some importance, because it defines what was before uncertain and unequal, and obviates any difficulties which might arise, in regard to duties, from a variance in the mode of computing the ton of merchandise.

Article 5 limits the tonnage duty to an equal amount in each country, viz. 5 francs per ton of the register of our vessels, and ninety-four cents on the ton of the passport of French vessels. This article stands on precisely the same footing as article one and two.

The 6th article provides the manner in which sailors of each nation shall be reclaimed when deserting their vessels in the ports of the other. This is to be done by an appeal to the civil power, through the Consuls or Vice Consuls; by which course the usages and laws of the government will be observed. At one period, by our treaty with France, the Consuls had themselves the judicial authority; more recently there have been no regulations on the subject. It is in itself right that a provision like this should exist for the reclamation of seamen. It preserves the commerce between the two countries, because, when the sailors are allowed to abscond from their vessels in a foreign port without remedy, the vessels are detained at great loss, &c. and some times are not able, on that account, to prosecute their voyage. At present, in some of the states, the state laws authorize the reclamation of seamen; in others they do not. This provision places the matter, as to France, on a national footing, establishing the same rule in one port as in another, which is in every respect desirable.

The 7th article limits the duration of the treaty to two years, or until another treaty is made, reserving the right of either party to renounce it, by an express declaration. This reservation, we presume, may be considered merely nominal, as well as the contingent provision of a definitive treaty. We presume that this treaty will be ratified by both parties, and may be considered permanent. In which case the remainder of this article will go into effect, namely, that after the expiration of two years from October next, the extra duties described in the first and second articles shall be reduced on both sides one fourth each year. Thus we shall happily get rid of this bone of contention. It would seem to have been easier to have reciprocally abolished them at once; but something must be allowed to national interests, and something too to national pride. The discriminating duties have been established and strongly insisted upon: it is accomplishing much to have them reduced at once three fourths of their amount, with a provision for their gradual but total extinction.

The eighth article allows one year for the exchange of ratifications. This is to allow time for the president to submit the treaty to the senate at their ordinary session for ratification.

The first separate article will embrace but a small class of cases. The amount to be refunded is unimportant, and the principle of this article, as of all the others, is reciprocity.

The second separate article materially changes the face of the treaty, limiting the discriminating duty to the excess of importation into each country. Thus modified, the discriminating duty itself would be inoperative, or so much so as not to be seriously felt by either party. This article does not take effect until two months after the ratification—while the body of the treaty is to take effect from the first day of October next.

We have gone through the provisions of the treaty, and find reason, on the whole, to congratulate our readers that the commercial differences with France have been brought to this favourable termination, after laborious and tedious discussions, both in this country and in France. For some

time past, the direct commerce between the countries has, in consequence of the high discriminating duties, been entirely at an end. All our trade with France has been carried on circuitously, thro' the ports of other powers, whose navigation consequently, and not ours, has derived benefit from it. This treaty restores the direct trade, & thus given employment to our own navigation, which has suffered from being deprived of it by the high discriminating duties which made it impossible for them to carry it on.

There is another light in which we regard this treaty with great pleasure. It re-establishes relations of perfect amity with France, our old friend and ally, which have been somewhat disturbed by the recent collisions of the commercial regulations of the two countries. It leaves us free of difference with any power on earth, saving the amicable controversy with Great Britain respecting the trade with her colonies; and, if we are to judge from recent indications, this controversy, too, is about to have a speedy end.

FROM CUBA.

The schooner *Mechanic*, arrived at Charleston on the 22d inst. in 6 days from Havana, makes the following report:—Accounts received at Havana, state that the crew of an U. S. vessel, (30 men) landed on the shores of Cape Antonio, with the view of intercepting the crew of a piratical vessel, which they had pursued, and were attacked by a party of the mountaineers, on horseback, and literally cut to pieces. This account was received by the mail which arrived at Havana over land, two days previous to the departure of the *Mechanic*, and was generally believed. It is further stated, that Piracy continued to be carried on more fearfully than ever—not a vessel arriving but exhibited proofs of the violence of these marauders. At Sugar Key, a French brig, with a valuable cargo of European goods, valued at \$150,000, was captured by the Pirates, and the cargo taken out by lighters; and also an English brig with a valuable cargo, the mate of which was hung, and the cargo landed in same way. At Orizaba and Principe, (on the south of Cuba) British and French goods, taken by the Pirates, are continually sacrificed at one fourth the value, and in great quantities.

MARYLAND GAZETTE.

Annapolis, Thursday, July 4.

JULY THE FOURTH, 1822.

This day makes up the period of 46 years since the declaration of American Independence. From that time to the present, the United States have been growing in number, strength and science, and consequently in the respect of the other nations of the earth. Their citizens, free themselves, and aware that liberty is the birthright of all men, have with open arms generously welcomed the honest stranger to their shores, whether he fled from the oppression and persecution of the old world, or fascinated with our institutions, sought a participation in their blessings. Like Eden of old, our country stands distinguished for happiness from the rest of the world. A lurid cloud has at times passed by, but never continued long over her. The brightness of her prospects has never been dimmed; her steady and rapid advance to greatness never impeded. Our gratitude be equal to our privileges, and while with exulting pride we repeat the names of WASHINGTON, HANCOCK and ADAMS, and their patriotic contemporaries, let us not forget to give glory to the omniscient Providence, whose wisdom guided them, whose omnipotent arm sustained and shielded them, and whose instruments they were in performing the blessed deed which we this day commemorate.

For the Md. Gazette.

The Fourth of July.

Full often had freedom essayed to contend
With tyranny's slaves, but they conquered
And bound her,
Her proud front was forced in deep thrall
And vainly exulted vile minions around her,
Then sent her to roam,
Seeking shelter and home
In deserts where storms dwell and cataracts
foam;
But the sons of the bleak wild exulting
drew nigh
And hallow'd the day—Their own FOURTH
OF JULY.

Her fetters were severed—The sword in her
right
And high in her left her own standard up-
rearing,
The bands of the west she collects for the
fight,
And swift as the storm o'er the wide main,
career-
She bursts on the foe,
His pride is laid low,
And high o'er his towers her blithe banners
flow,
That strangers approaching, afar shall de-
cry
The signal there raised on the FOURTH
OF JULY.

The bright course of glory her champions
pursued,
To victory she led them through toil and
through danger,
With looks of defiance the death-game they
viewed
And conquered in battle the merciless stran-
ger.

The arm of her might
Put the foe men to flight,
An Angel of death away'd her sword in the
fight,
And the triumph of victory rose up to the
sky:
"The pledge is redeem'd of the FOURTH
OF JULY."

Through joy and through danger, in peace
and in war,
Columbia has grasped at the laurel of glory;
But freedom's fair smile, oh! 'tis dearer by
far
Than haloes of light in the wide field of story!
"Tis she that inspires
The voices of choirs,
And glows in the sons as she glowed in their
sires
When firmly they vowed, the bold contest
to try
For freedom their all on the FOURTH
OF JULY.

HERMES.

COURT OF APPEALS.

Wednesday, June 26.

The argument in *Shirley vs. Jones*, was concluded by *Winder*, for the Appellants, and by *Wirt* (Attorney General of the United States), for the Appellee.

Thursday, June 27.

The argument in the case of the *Rev. George Dashiell, and others, against The Vestry of St. Peter's Church*, and others; was commenced by *Murray*, on the part of the Appellants. This was an appeal from a decree of Baltimore county court sitting as a court of Equity, directing the application of a fund which was bequeathed by James Corrie to the *Rev. George Dashiell and Henry Downes*, in trust for "feeding, clothing and educating the poor children, belonging to the congregation of St. Peter's Protestant Episcopal church, in the city of Baltimore." The claim of the Vestry and children, in whose behalf the bill had been filed, was resisted by the surviving trustees, and the representatives of Corrie, on the ground that the bequest was void in law. The argument of this cause occupied the whole of Friday, Saturday and Monday, and the greater part of Tuesday. *Murray, Winder and Toney* counsel for the Appellants; *Harper and Johnson* for the Appellees. On the conclusion of this argument, on Tuesday, *Murray* opened on the part of the Appellants the case of the *Rev. George Dashiell, and others, against the Trustees of Hillsborough School, in Caroline county*. This case also arises under the same will of James Corrie, a clause of which bequeaths a certain fund to the *Rev. George Dashiell and Henry Downes* for "feeding, clothing and educating the poor children of Caroline county, in the state of Maryland, who attend the poor or charity school established at Hillsborough, in said county," the trustees of which school, were to receive from Dashiell and Downes the annual proceeds of the fund bequeathed, and appropriate them to the purpose directed by the will. It is contended by the Appellants that this bequest also is void.

THE OPINION OF THE COURT OF APPEALS.

Upon the question, whether a conspiracy to cheat and defraud a bank, by the officers thereof, is an offence at common law, and punishable in Maryland?

Court of Appeals, Dec. Term, 1821.
THE STATE vs. BUCHANAN, et al.

ERROR to Harford County Court.

The indictment contains two counts: The first charges the defendants with an executed conspiracy, falsely, fraudulently and unlawfully, by wrongful and indirect means, to cheat, defraud, and impoverish *The President, Directors and Company, of the Bank of the United States*; and the second charges them with a conspiracy only, falsely, fraudulently and unlawfully, by wrongful and indirect means, to cheat, defraud and impoverish, *The President, Directors and Company, of the Bank of the United States*. The defendants demurred to the indictment; first, on the ground that a state court has no jurisdiction, but that the matters alleged in the indictment are cognizable, (if at all), in the courts of the United States; and secondly, that the facts charged do not amount to an indictable offence. The County Court, (*Hanson and Ward, A. J.*) ruled the demurrer good, and discharged the defendants. The present writ of error was brought on the part of the state.

The case was argued at the present term, before CHASE Ch. J. BUCHANAN, EARLE, and MARTIN, J. by

Murray, (District Attorney for the sixth judicial district, by substitution of the Assistant Attorney-General, with the approbation of the court,) assisted by *Wirt* (Attorney General of the United States,) *Harper and Mitchell*, on the part of the state; and by

Pinkney, Winder and Raymond, for the defendants in error.

The opinion of the Court of Appeals was delivered by BUCHANAN, J. This case was brought up by a writ of error directed to the judges of Harford County Court; and it has been strongly urged, that a writ of error will not lie at the instance of the state, in a criminal prosecution, and therefore that the writ in this case was improvidently sued out, and ought to be quashed. But it is said in *2 Hale's P. C. 247*, the authority of which it is difficult to question, and indeed we require none higher, "that if A be indicted of murder, or other felony, and plead *non cul*, and a special verdict found, and the court do erroneously adjudge it to be no felony; yet so long as that judgment stands unreversed by writ of error, if the prisoner be indicted *de novo*, he may plead *autofaits acquit*, and shall be discharged; but if the judgment be reversed, the party may be indicted *de novo*." And this is not a loose dictum, but it is laid down and repeated as text law; for in page 248 it is stated, that "in the case of the special verdict above, where an erroneous judgment of acquittal is given, yet it is conclusive to the King till it be reversed by error." So in page 394, speaking of the ancient form of a judgment of acquittal, he says "and if the entry were such, I do not think the prisoner could ever be arraigned again, notwithstanding

the judgment of acquittal." And again in page 395 of the same book, and in the case the judgment had been so entered (that is, *quod non culpatus*), he could never again have been indicted for the same offence, notwithstanding the defect of the indictment, till that judgment was reversed by writ of error." Hence it is manifest, in the opinion of Lord Hale, a King might have a writ of error in a criminal case, since it would be absurd to say that a man who obtained a judgment of acquittal, a defect in the indictment, or a special verdict, could never again be indicted for the same offence, until that judgment was reversed by writ of error, if a writ of error would not lie. Fortified by such authority alone, in the absence of any legislative provision in this state on the subject, we think we might safely say, without further inquiry, that the writ of error in this case was properly sued out. But instances are not wanting of writs of error being prosecuted by this state, in criminal cases; as in *The State vs. Messersmith & Askew, The State vs. Forney, The State vs. Brown, The State vs. Durham*, in the county of oyer and terminer &c. for Harmore county. In each of those cases there was a demurrer to the indictment, and judgment on the demurrer for the defendant, in the case below. They were all taken to the late general court on writs of error by the state, *Luther Martin*, attorney general; and in each case the judgment was reversed. And there is no sufficient reason why the state should not be entitled to a writ of error in a criminal case. It is perhaps a right that should be seldom exercised, and never for the purpose of oppression, or without necessity; which rarely, and it is supposed would not happen, and would not be tolerated by public feeling. But as the state has no interest in the punishment of an offender, except for the purpose of general justice connected with the public welfare, no such abuse is to be apprehended; and as the power of revision is calculated to produce a uniformity of decision, it is right and proper that the writ should lie for the state, in the same proportion as it is essential to the administration of justice, that the criminal law of the land should be certain and known; as well for the government of courts and information to the people, as for a guide to juries, who, tho' (by the laws and practice of the state) they have a right to judge both of the law and of the fact, in criminal prosecutions, should, and usually do, respect the opinions and advice of judges, on questions of law, and would seldom be found to put themselves in opposition, to the decisions of the supreme judicial tribunal of the state.

It has also been contended that the return of the writ of error in this case, supposing the writ to have been properly sued out, is defective in this, that it is not under the hand and seal of the chief judge, but that there is only a transcript of the record sent up, under the hand of the clerk and the seal of the court, with the writ of error annexed. But there is nothing in the objection. By the fifth section of the act of 1713, ch. 4, "for regulating writs of error, and granting appeals from and to the courts of common law within this province," it is enacted, "that the method and rule of the prosecution of appeals and writs of error, shall for the future be in manner and form as is herein after mentioned and expressed; that is to say, the party appealing or suing out such writ of error as aforesaid, shall procure a transcript of the full proceedings of the said court, from whence such appeals shall be made, or against whose judgment the writ of error shall be brought as aforesaid, under the hand of the clerk of the said court, and seal thereof, and shall cause the same to be transmitted to the court before whom such appeal or writ of error is or ought to be heard, tried and determined," &c. The preamble sets out that "forasmuch as the liberty of appeals and writs of error, from the judgment of the provincial and county courts of this province, is found to be of great use and benefit to the good of the people thereof," and the second section provides under what circumstances alone, an appeal or writ of error shall operate as a supersedeas. The act is silent on the subject of the return of the writ of error, and only directs that the transcript of the proceedings shall be under the hand of the clerk and seal of the court, without disposing with the signature of the judge to the return of the

writ, yet from act has been, up the trans under his hand the court, tog error, as is, companied by judge to the if it should, ginated in er shake a pract may perhaps that act of t ought not to b applicable to causes only that no prac relation to a in aid of a nal case. B been the con en to it in it was held to final as to civ returning of same manner cases, had t stance, that being the sa gon could be p ner of the re or from what have arisen, t examination of That was the cases of, smith & Askew, The S The State vs. Forney alluded t pose. The s in *Burk's cas* Rape, which Washington c 1809, and was error to this attorney gen who defended and ability in it is presumed subject. An case removed is to be found the late ge there are mar fore in this c the same out lar return. The authori for more th with which seeking to su nor it is pre would be inq and there is n tween a crim that respect, why the retu same in one there is no u turn of writs fect of the w and perfect ceedings shal stantially g courts do or of error be b a judgment Bench, the cl on to the H record itself, is examined the record is to the King's ties, 1802. pleases the pra on a writ of King's Ben chief justice (note.) By necessary, f Bench will n for want of the writ of e to be sent su practised. 2 the seal can may not the omission of, pature from wit, and bo in the case of ble from the House of L land, a writ ed to him, w the record is given; and a writ of err in the court stance, is al justice of t custody of t state, tho' t in England, a very cer ed, yet the cl judgment greater cant England, the practice, called here 1719, for th transcript of his hand-on court, with which, which object of the

writ, yet from that time in the Court of King's Bench on a writ of error brought in parliament, and affords as much certainty of a full and perfect transcript of the proceedings, as a return of the writ under the signature of the chief justice—the course usually pursued in the Court of Common Pleas, in relation to writs of error returnable in the King's Bench.

These preliminary questions being thus disposed of, the next presented for consideration, is whether the facts stated in the indictment, amount to an offence punishable by the laws of Maryland. This is denied on the part of the defendants in error; and much reliance is placed on the statute 33 Edward I. de conspiratoribus, on the supposition that the offence of conspiracy was originally created by that statute; or if it was a common law offence, that the statute either contained a definition of all the conspiracies that were before indictable at common law, or annulled the common law, and rendered punishable all conspiracies but such as it defines. And if either position be correct there is an end to this prosecution, since the matter charged in the indictment is clearly not embraced by the statute; and if it was, the statute being considered as not in force here, the case would not be helped; and there would be no law in this state, for the punishment of conspiracies of any description, there being no legislative provision on the subject. But neither branch of the proposition, will on examination be found to be true. The statute is in these words: "Conspirators be they that do confeder or bind themselves by oath, covenant, or other alliance, that every of them shall aid and bear the other falsely and maliciously to indite or cause to indite, or falsely to move or maintain pleas; and also such as cause children within age to appeal men of felony, whereby they are imprisoned and sore grieved; and such as retain men in the country with liversies or fees to maintain their malicious enterprises; and this extendeth as well to the takers, as to the givers. And stewards and bailiffs of great lords, who by their seignory, office, or power undertake to bear or maintain quarrels, pleas, or debates, that concern other parties than such as touch the estate of their lords or themselves." Without looking beyond the statute itself, there may be found sufficient evidence on the face of it, to show that conspiracies were known to the law before. "Conspirators be they," &c. Now why should they have been declared to be conspirators, who should confederate for any of the purposes mentioned in the statute, if they were not liable to punishment for such combinations? And if they were, it was for the conspiracy that they were so liable to be punished; as without the offence of conspiracy, there could have been no punishable conspirators. The statute does not prohibit conspiracies or combinations of any kind, it does not declare combinations or conspiracies of any description to be unlawful, nor does it impose a penalty, or inflict any punishment upon conspirators. And if combinations for any of the purposes mentioned in the statute, were punishable at all, it could only have been on the ground, that both the offence of conspiracy (eo nomine), and the punishment, were known to the law anterior to the enactment of the statute; and that the declaring those to be conspirators, who should be engaged in certain combinations, subjected them to the law of conspiracies as it then existed. And it has never been pretended, that the combinations enumerated in the statute were not indictable conspiracies. The statute therefore, which had for its object the prevention of the combinations it enumerates, carries with it internal evidence, that conspiracy was an indictable offence before. But the question, whether conspiracies were indictable or not at common law, anterior to the statute 33 Edward I. does not depend alone upon the construction of that statute. In *Onke's Institutes* 143, and 1 *Hawk.* c. 195, ch. 72, sec. 9, it is said, that the villainous judgment is given by the common law, and not by any statute, against those convicted of a conspiracy. Now this judgment, called the villainous judgment, which was known only to the common law, could never have been given, unless conspiracy was an offence punishable at common law. In the 20th year of the reign of Edward the 1st, a civil remedy was provided against conspirators, &c. by the writ of conspiracy; and the statute 28th Edward I. ch. 10, entitled, "The remedy against conspirators, false informers and em-

bracers of justice," makes this further provision: "In right of conspirators, false informers, and em-bracers of justice, doctours, justices, and justices, the king hath provided remedy for the plaintiffs by writ out of the chancery; notwithstanding, he willeth that his justices of the one bench and of the other, and justices assigned to take assizes, when they come into the country to do their office, shall upon every plaint made unto them, award inquests thereupon without writ, and shall do right unto the plaintiffs without delay." It must be the provision in the 20th of Edward I. for the writ of conspiracy, to which the first clause of this statute has reference, as there does not appear to be any other, and which according to 2d *Institutes* 52, was but in affirmance of the common law; and these provisions for private remedies against conspirators, clearly demonstrate the existence of the offence of conspiracy. It is equally clear, that the statute does not embrace all the ground covered by the common law. Who doubts, or was it ever questioned, that a conspiracy to commit any felony is an indictable offence; as to rob or murder, to commit a rape, burglary or arson, &c. &c. a misdemeanor, as to cheat by false public tokens, &c. Indeed this has been conceded throughout the whole of the argument in this case, and the ground mainly relied upon, on the part of the defendants in error is, that the object of the conspiracy charged in the indictment, is not of itself an indictable offence. Yet such cases of conspiracy are not made punishable by any statute, and are only indictable at common law; which could not be, if the statute 33d Edward I. either furnished a definition of all the conspiracies indictable at common law, or restricted and abridged the latter, by rendering punishable all such as it does not define. This statute is not prohibitory, nor is the existence of other punishable conspiracies, than those which it enumerates, at all repugnant to, or inconsistent with any of its provisions; and according to any known rule of construction, the common law of conspiracy such as it was before, may well stand together with the statute; for surely the merely declaring one act to be an offence, which act as well as others, was so before in contemplation of law, cannot render those others punishable; nor will one act, which in law amounts to a particular offence, cease to be so, because another act, is merely declared by statute (without any negative words) to amount to the same offence. The statute therefore, must be considered either as declaratory of the common law only, so far as it goes, for the purpose of removing doubts and difficulties which may have existed in relation to the conspiracies it enumerates, by giving to them a particular and definite description; or as superadding them to other classes of conspiracy already known to the law, leaving the common law, in possession of all the ground it occupied beyond the provisions of the statute. And so it has been uniformly understood in England, from the earliest date to the latest decision that is to be found on the subject; otherwise the judges could not have sustained a great proportion of the prosecutions for conspiracy, with which the books are crowded; in some of which, the objection, that the matter charged was not within the statute 33d Edward I. was made and overruled, as will be hereafter shown. In the *Book of Assizes*, 27th Edward II. ch. 44, it is said, that "Inquiry shall be made concerning conspirators and confederates, who bind themselves by oath, covenant or other agreement, that each will support the enterprises of the other, whether true or false;" and in the same book we find this notice of a criminal prosecution: "and note that two were indicted for a confederacy, each of them to maintain the other, whether the matter was true or false; and notwithstanding, that nothing was alleged to have been actually done, the parties were put to answer, because it was a thing forbidden by law." If this falls within either of the provisions of the statute 33 Edward I. it can only be that, which relates to the moving and maintaining pleas, and that does not embrace it; for if the indictment had been under the statute for a confederacy "falsely to move & maintain pleas," which can only have reference to proceedings in courts of justice, it is very clear that the parties must have been acquitted, as the conspiracy was not to do that specific act; otherwise they might have been punished for what they did not contemplate,

since nothing being alleged to have been done, nor contended, that they had any intention, to move and maintain pleas within the purview of the statute, and the intention enters into the essence of every offence. The indictment however, was not under the statute, for either of the specific acts mentioned in it, but at common law for the conspiracy, which was considered as a substantive offence, no act in furtherance of it being alleged, and this after, and notwithstanding the statute.

(To be Continued.)

Accounts received at Havana, Mexico, state that that country was still in a very disordered state. Gen. Toral had been crowned Emperor, and a Bishop of high standing in the Empire, had been made Pope. The people were divided in their sentiments on these political steps—but it was thought, from the power conferred on Gen. Toral, that he would soon extinguish all opposition to his government.

Notice is hereby given.

That the subscriber has obtained from the original court of Anne Arundel county, a copy of administration on the personal estate of James Barr, late quartermaster in the service of the United States. All persons having claims against said estate, are requested to present them, properly authenticated, and those indebted are requested to make immediate payment.

COB BARRY, Adm'r.
July 4.

Notice to Medical Graduates.

At the Annual Convention of the Medical and Chirurgical Faculty of Maryland, held in the City of Baltimore on the first Monday of June, 1822, the undersigned were appointed, a Committee to aid in the Association of all Graduates, who practicing Medicine in this State, have not obtained a License in the manner directed by the act incorporating the Medical and Chirurgical Faculty of Maryland, and the Supplement thereto; and the said Committee were directed to hold a correspondence with the Censors throughout the state for the completion of this object.

By the IVth Art. of the act of incorporation, examiners are appointed "whose duty it shall be to grant licenses to such medical and chirurgical gentlemen, as they either upon a full examination, or upon the production of diplomas from some respectable college, may judge adequate to commence the practice of the Medical and Chirurgical Arts, each person so obtaining a certificate to pay a sum not exceeding ten dollars."

By a supplement passed in the year 1801, it is enacted "that no person, who is not already a practitioner of medicine and surgery within this state, shall be allowed to practice in either of the said branches, and receive payment for the same, without having first obtained a license agreeably to the original act to which this is a supplement, under the penalty of fifty dollars for each offence, to be recovered in the county court where the offence is committed by presentment and bill of indictment, one half for the use of the faculty, the other for the informer."

Notice is therefore given to all graduates who have commenced the practice of Medicine and Surgery in the State of Maryland without a License, to make application for the same forthwith, to the Medical Board of Examiners either at Easton or Baltimore.

It will be the imperative duty of the Committee, in conjunction with the Censors of the Faculty throughout the state, to prosecute all such graduates, as fail to comply with the regulations contained in the act incorporating the Medical and Chirurgical Faculty of the State of Maryland.

JOHN D. READEL, M. D.
P. MACAULAY, M. D.
JOHN BUCKLER, M. D.
Committee.
Baltimore, 29th June, 1822.

Constable's Sale.

By virtue of three writs of fieri facias issued by Nicholas Worthington (of Thos.) Esq. and to me directed, I will offer at Public Sale, at Messrs. Polton and Litchfield's Mills on Elkridge, on Thursday the 14th day of July next, one negro woman named Kate, about 40 years of age, (a slave for life,) late the property of Mrs. Anna Polton; taken at the suits of Doct. Charles G. Worthington, and Messrs. Polton and Litchfield. The aforesaid negro woman will be sold subject to serve Mr. Philip Rivers, of Elk Ridge. (in whose employ she now is,) one year from about the first of May last Sale to commence at 11 o'clock Terms of sale cash.

Thomas Scott, Constable.
Elk Ridge, 29th June 1822.

Notice.

I do hereby forewarn all persons from taking assignment or a note payable to George Wilkinson, and Co. dated 6th August, 1821, as I have a claim against the same, and am determined not to pay it to any person.

JAMES HARRISON.
Lower Marlboro, June 20th, 1822.

IN COUNCIL.

April 23, 1822.
Ordered, That the act to alter and change such parts of the constitution and form of government, as relates to the division of Anne Arundel county into election districts, and to change the place of holding elections in the second election district of said county, be published once a week for six weeks in the Maryland Republican, and Maryland Gazette.

By order,
NINIAN PINNEY,
Clerk of the Council.

AN ACT

To alter and change such parts of the constitution and form of government, as relates to the division of Anne Arundel county into election districts, and to change the place of holding elections in the second election district of said county.

(Passed Feb. 4, 1822.)

Sec. 1. Be it enacted by the General Assembly of Maryland, That all that part of the constitution and form of government which relates to fixing the place of holding the elections in the second election district of Anne Arundel county, be and the same is hereby repealed.

2. And be it enacted, That the election shall be held in the said election district, at such places as shall hereafter from time to time be provided by law, for the holding thereof.

3. And be it enacted, That the words "and the electors of the senate of this state" in the third section of the act confirmed at December session, eighteen hundred and seventeen, entitled, "An act to alter and change such parts of the constitution and form of government as relates to the division of Anne Arundel county into election districts, and to change the place of holding elections in the second district of said county," be and the same are hereby rendered null, void, and of no effect.

4. And be it enacted, That if this act shall be confirmed by the General Assembly, after the next election of Delegates, in the first session after such new election, as the constitution and form of government direct, that in such case, this act, and the alterations and amendments of the constitution and form of government therein contained, shall be taken and considered, and shall constitute and be valid, as a part of the said constitution and form of government, any thing in the said constitution and form of government to the contrary notwithstanding.

July 4.

Family Flour

The subscribers keep, and intend keeping a regular supply of the

Best Family Flour,
which they will sell at a very small advance on the Baltimore price, for Cash
Adams & Co. Miller.

Notice.

All persons indebted to the late firm of George and John Barber, & Co. are requested to call and settle their accounts, before the 15th Sept. next, otherwise suits will be instituted against them without respect to persons, as it is very necessary that the concern should be settled in as speedy a way as possible, in consequence of my having to settle with the representatives of the late John T. Barber.

John Miller Jr.

NOTICE.

The subscriber will expose to public sale, at 6 o'clock P. M. on the 13th day of this month.

Several Lots of Ground,
situate and fronting on Prince George's street, and running to an alley twenty feet wide, to be laid off at the lower end of said lots.

The Terms of Sale, one fifth of the purchase money to be paid down, the remaining four fifths to be paid in four equal annual payments, the first payment to be made on 15th July, 1822. Bonds, with good security, to be given for the purchase money. Deeds with special warranty, to be given on the payment of all the purchase money, with legal interest from the day of sale. Possession will be given on the 20th December next.

Jeremiah T. Chase.

July 4.

For Sale,

The valuable Establishment in the City of Annapolis, late the property of Dr. Upton Scott, and now occupied by Samuel Chase, Esq. consisting of a large &c. convenient Dwelling House with Stable, Carriage House, suitable out buildings, an extensive garden, containing a great variety of fruit of the best kinds, a Green House, all enclosed with a substantial brick wall. Also a lot containing two acres of ground, situated on the Spa Creek, and convenient to the above Establishment, enclosed with a post and rail fence. The situation is pleasant and healthy, and well calculated to afford an agreeable residence to a large family.

For terms apply to col. Henry May, Auditor, Annapolis.

C. BIRNEY.

FOR SALE.

Four Hundred Acres of Land.
Lying in the lower part of Calvert county, about 2 miles from the mouth of Patuxent. The greater part of this land is covered with wood of a very superior quality and of every description, viz. hickory, white oak, chestnut, pine, &c. The cleared land, though at this time much reduced, might be easily, and at a trifling expense, made productive, by the use of plaster and clover. The improvements are few, and with the exception of a tobacco house, very indifferent. Fifteen or twenty acres of meadow land might be made at a trifling expense. To any person wishing to embark in the wood and timber business, it offers advantages equalled by few tracts of the same size in the county, being but a short distance from the head water of a creek navigable for boats carrying thirty cords of wood. A more particular description is deemed unnecessary, supposing persons wishing to purchase would view the premises. Mr. Wm. E. Hungerford living near the premises will show it when called on. The terms will be accommodating—but a small part will be required in hand, the balance to suit the purchaser. Sale to commence on the twentieth of July next, at 10 o'clock, A.M.
THOS. B. HUNGERFORD.
June 6.

A Farm for Sale.

The subscriber offers for sale a tract of land lying in South River Neck containing upwards of 300 acres. This land, (from the subscriber's own experience) is susceptible of being brought to a high state of improvement, by the application of clover and plaster; a considerable part of this land is adapted to the growth of wheat, and other grain, and other parts to the cultivation of tobacco. There is a small dwelling house upon the premises, (which will receive an addition sufficient to accommodate a large family by the expiration of the present year, at which time possession will be given;) also other out houses suitable for the purposes of farming and planting. It is deemed unnecessary to give a further description of this land, as it is presumed that persons wishing to purchase will survey the premises before they determine to buy. This land will be sold on very accommodating terms; the purchaser, by paying a part in cash, can have their own time to pay the balance of the purchase money. Persons wishing to purchase will please to make application to the subscriber at Williamson's Hotel, Annapolis. Mr. R. Thorn, the present tenant, will show the land to those wishing to purchase. Should the above land not be sold at private sale before Wednesday the 4th day of September next, it will on that day be offered at public auction on the premises, and will positively be sold to the highest bidder.
JOS. MAYO.
June 17.

NOTICE.

The subscriber being anxious to settle up her business, requests those who are indebted to her, immediately to pay, or close their accounts by note. Those persons in particular whose accounts have stood for twelve months and upwards, must settle shortly, or they may expect that measures will be taken to compel them.
The subscriber has on hand a good stock of ready made

SHOES,

comprising almost every description, which are offered for sale at a moderate advance for cash, or on a short credit to such of her customers as are known to be punctual. Persons who have permitted their accounts to remain a long time unpaid, are informed that no more additions will be made to them from this date. She is determined in future to credit no one, who will not pay once a year, or oftener if called upon.
MUNROE.
June 13, 1822.

Notice is hereby given,

That the subscribers have obtained from the orphans court of Anne Arundel county, letters testamentary on the personal estate of Larkin Shipley, late of said county, deceased, and request all those indebted to make immediate payment, and those who have claims against the deceased, to produce the same properly authenticated.
**Richard G. Stockell, } Ex'rs.
Henry Wayman }**
June 6.

JUST PUBLISHED

And For Sale at Geo. Shaw's Store, THE FIRST VOLUME OF HARRIS & JOHNSON'S REPORTS OF Cases Argued and Determined in the GENERAL COURT AND COURT OF APPEALS OF THE STATE OF MARYLAND From the year 1800 to 1805, inclusive.
PRICE—\$5 50.
Sept. 27.

FOR SALE, OR RENT,

MY HOUSE NEAR ANNAPOLIS.
Lately in the occupation of John Gaynes. Possession will be given immediately.
John Gaynes, jun.
June 27.

ATTENTION

My Catharine Chapman, Thomas Hawkins, or Ralph Jempton Jr. & Son.
are living, if they would write and inform Joseph F. Caldwell now living at Fincastle, Botetown county, Va. where they reside, they may have in return some important information. The persons above alluded to used to reside near Port Tobacco, in Charles county, Maryland, and it may be they are still there.
The editor of the Herald of the Valley would consider its favour, which if ever requested he would return, if the editors of papers in Maryland would give this a few insertions in their respective papers.
June 20, 1822.

At a Meeting

Of the Visitors and Governors of St. John's College, held June 4th, 1822, the following resolution was unanimously passed:

Resolved, That the proposition for a meeting of the Alumni of the University of Maryland, on the 1st Monday in August next, at St. John's College, meets the cordial approbation of this Board, and that the College Hall be prepared for the reception of the meeting.
Test,
W. E. PINKNEY,
June 6. Secretary to the Board.

For Sale,

THE HOUSE AND LOT.
Now occupied by Richard J. Crabb, esq. near the Bath Spring. Possession will be given on the 1st of November next. For further particulars and terms, apply to the subscriber, living on the head of Severn, or Robert Welch, of Ben. esq. Annapolis.
James Mcburn.
Jan. 17.

NOTICE.

ADAM & JOHN MILLER.
Having purchased of George & John Barber, & Co. their well selected
STOCK OF GOODS,
offer them for sale (at their old stand) on the most reasonable and accommodating terms for cash, or to punctual dealers at short dates.
Oct. 11, 1821.

State of Maryland, Sc.

Anne Arundel county, Orphans Court, June 1st, 1822.

On application by petition of William M. Waters, administrator of John T. Davidson, late of Anne Arundel county, deceased, it is ordered that he give the notice required by law for creditors to exhibit their claims against the said deceased, and that the same be published once in each week, for the space of six successive weeks in the Maryland Gazette and Political Intelligence.
Thomas H. Hall, Reg. of Wills
A. A. County.

Notice is hereby Given,

That the subscriber of Anne Arundel county, hath obtained from the Orphans Court of Anne Arundel county in Maryland, letters of administration on the personal estate of John T. Davidson, late of Anne Arundel county deceased. All persons having claims against the said deceased, are hereby warned to exhibit the same with the vouchers thereof, to the subscriber, at or before the 1st day of December next, they may otherwise by law be excluded from all benefit of the said estate. Given under my hand this 1st day of June, 1822.
WM. M. WATERS, Adm'r.
June 6.

NOTICE.

The Commissioners of the Tax for Anne Arundel County, will meet on the second Monday of August next, for the purpose of hearing appeals & making transfers.
By order,
WM. S. GREEN, Clk.
May 23.

Andrew Nicholls,

Respectfully informs the voters of Anne Arundel county, and the city of Annapolis, that he is a candidate for the Sheriffalty of said county at the election of October 1822.

PRINTING

Of every description, neatly executed at this Office.

TAYLORING.

LEWIS TYDINGS, & CO.

Respectfully inform the public and their friends, that they have commenced the above business in the Shop formerly occupied by the late Mr. John Thompson, and can assure those who may be disposed to patronize them, that no exertions shall be wanting to render satisfaction. They intend constantly keeping Cloths, Cassimeres, Waistcoats, &c. &c. suitable for the several seasons of the year, which they will be happy to make up, in the most fashionable style, and on the shortest notice.

They respectfully solicit a share of public favour.
AN APPRENTICE
Will be received and taught the above business. He must be 14 or 15 years of age.
June 6.

To the Benevolent and Humane.

It has become the painful duty of a parent to make the public acquainted with the unfortunate condition of his son who has been for some months deprived of his reason, and is at this time wandering through the country, unconscious of his own affliction, & that which is felt by his parents. A long and fatiguing journey was undergone by his father in order to restore him to his home, and to the reason he had lost, but he fled from him through the mountain's rugged cliffs & disappeared. Trackless, however, as was his path, he was closely pursued, and heard of from the banks of the Ohio until he reached Rockville, in Montgomery county, Md. Any information that can be given of this unfortunate youth would be thankfully received; and he who would have the humanity and the benevolence to accompany him home, and thus restore him to his afflicted parents, shall meet with some other reward beside that of an approving conscience.
B. T. DULANEY.
Charles county, Md. May 22.

Charles county, Md. May 22.
The Union will serve the cause of humanity by publishing the above a few weeks.

State of Maryland, sc.

Anne Arundel County Orphans Court, July 11th, 1822.

On application by petition of John Beard, executor of the last will & testament of Susannah Beard, late of Anne Arundel county, deceased, it is ordered that he give the notice required by law for creditors to exhibit their claims against the said deceased, and that the same be published once in each week, for the space of six successive weeks in the Maryland Gazette.
THOMAS H. HALL,
Reg. Wills. A. A. County

Notice is hereby Given,

That the subscriber of Anne Arundel county, hath obtained from the orphans court of A. A. county, in Md. letters testamentary on the personal estate of Susannah Beard, late of Anne Arundel county deceased. All persons having claims against the said deceased, are hereby warned to exhibit the same, with the vouchers thereof, to the subscriber, at or before the 11th day of December next, they may otherwise by law be excluded from all benefit of said estate. Given under my hand this 11th day of June, 1822.
John Beard, Ex'r.
June 13.

Shaw & Gambrill,

Have on hand and intend keeping,

A SUPPLY OF THE BEST DRUGS

AND

MEDICINES

which they will sell at the retail prices in Baltimore, and assure their friends and the public, that every attention will be given to weighing out and putting up any article in the above line.
Orders from the country, (inclosing the cash,) will be thankfully received, and punctually attended to.
May 30th, 1822.

CABINET MAKING.

The Subscriber, at his Shop, in Church-street, opposite the Post-Office, having provided himself with Mahogany, and other materials, for carrying on the

Cabinet Making Business, &c.

Solicits the public for a portion of their custom, which will be thankfully received.

He will likewise furnish and attend

On the shortest notice, and most reasonable terms.

He will also attend to the business of

Upholstering and Paper Hanging

JONATHAN WEEDON.
Annapolis, Jan. 3, 1822.

The University of Maryland

ST. JOHN'S

AND

WASHINGTON COLLEGES.

The reputation and welfare of Maryland have been deeply afflicted by the fall of this University; and although it is the common duty of every man in the state to endeavour to re-construct it, there seems to be something more than an ordinary obligation upon those, who claim to be the Alumni of the Institution, to co-operate, and to make one vigorous, united effort, to resuscitate and to restore it to its ancient usefulness and fame, that they may be the special means of transmitting to their descendants, and to posterity generally, the benefits of an Institution which the wisdom of their forefathers had created for them.

It is therefore respectfully suggested to the Alumni of this University, wherever residing, to hold a meeting on the first Monday in August next, at St. John's College in Annapolis, (by permission of the Visitors and Governors,) to take into consideration the practicability of reviving this University, the plan, and the ways and means necessary to effect it.

As the Chancellor of the state is upon the spot, and is always one of the Visitors & Governors of the University, it is also suggested that he be invited to attend as President of the Convention.

Should this proposition meet with the approbation of those to whom it is directed, it may be useful to insert short paragraphs in the several newspapers of the state, and of the District of Columbia, favourable to the plan, and urging a general attendance at the Convention—as it is not only desirable that our once distinguished and venerable "Alma Mater," should be re-animated and restored by her Sons, but particularly so that they should form a Brotherhood of every surviving member of the family to undertake the noble work, to which gratitude and duty equally invite.

ALUMNUS.

P. S. The Editors of newspapers throughout the state, and in the District of Columbia, are requested to give this publication a few insertions in their respective Journals.
May 16.

Notice is hereby given,

That the subscriber hath obtained from the orphans court of Anne Arundel county, letters of administration on the estate of Samuel Welch, sen. late of said county, deceased. This is to request all persons having claims against the said deceased to bring them in, legally authenticated, and those indebted to make immediate payment to
WARNER WELSH, Adm'r.
June 27.



THE STEAM BOAT MARYLAND,

Will commence her regular route on Wednesday the 6th of March, at 8 o'clock from Commerce street wharf, Baltimore, for Annapolis and Easton. Leaving Annapolis at half past 12 for Easton, and on Thursday the 11th will leave Easton, by way of Todd's Point, the same hour, for Annapolis and Baltimore, leaving Annapolis at half past 2 o'clock; and continue to leave the above places as follows: Commerce street wharf, Baltimore, on Wednesdays & Saturdays, and Easton on Sundays & Thursdays, at 8 o'clock, till the first of November, and then leave the above places one hour sooner, so as to arrive before dark. Persons wishing to go from Easton to Oxford can be landed for 50 cents each, the same from Oxford to Easton.

Passengers wishing to proceed to Philadelphia will be put on board the Union Line of Steam Boats, in the Patuxent river, and arrive there by 9 o'clock next morning.
The Maryland will commence her route from Baltimore for Queen's-town & Chester town, on Monday the 1st day of April, leaving Commerce street wharf at 9 o'clock every Monday, and Chester town every Tuesday at same hour, for Queen's-town and Baltimore, during the season.
Horses and Carriages will be taken on board from either of the above places. All baggage at the risk of the owners.
All persons expecting small packages, or other freight, will send for them when the boat arrives, pay freight, and take them away.
Feb. 28.

Take Notice.

All persons indebted to the firm of **GEORGE & JOHN BARBER,** are requested to call and settle their accounts. Those which are of long standing, they expect to have settled by the first of March, or the debtors may expect suits to be instituted.
They have on hand, and intend keeping, an assortment of
Shirts, Bran, and Horse Feed,
At their New Warehouse on the wharf, where persons may be supplied on the most moderate terms.
G. & J. BARBER.
January 17.

Dollars Reward.

Calvert county, Maryland, on the 28th April, three negro men, viz.

JIM,

Aged about 25 years, 5 feet 7 or 8 inches high, black complexion, round face, was set, and had on when he went away a blue cloth coat, black against pants and a new far hat. As he can write it is probable he has forged a pass for himself and the others.

TOM,

Aged about 27 years, 5 feet 6 or 7 inches high, slender made, black complexion and down look when spoken to, he had on a suit of white home made jersey and a wool hat.

WAPPIN,

Aged about 45 years, 5 feet 6 or 7 inches high, a thick square built fellow of a brown complexion, had on a suit of white home made jersey with yellow stripes.
I will give one hundred dollars for the apprehension of each of the above described negroes, if taken out of the state, or fifty dollars for each if taken in the state so that I get them again.
J. SEPH W. REYNOLDS.
April 18, 1822.

Private Sale.

The subscriber will sell the two story FRAME BUILDING in Green street, now occupied by him. The situation is pleasant and the house convenient.
He will likewise dispose of the LOT OF GROUND fronting 25 feet on Church and Francis streets, and lying between his shop and the store of D. Ridgely & Co.
The terms, which will be accommodating, can be known on application to

WILLIAM COE, Sen.
PS To rent the BRICK BUILDING opposite Williamson's Hotel, and formerly occupied by Mr. N. J. Watkins as a Shop. For the terms apply as above.
Annapolis, June 6.

FOUND

Some months since, in Prince George's street, in this city an old fashioned GOLD SETT FINGER RING, a Mocha stone set round with Garnets on the top. The owner may have the same, on application at this office, by proving property, and paying the expense of advertising.
June 13.

Notice is hereby Given,

That the subscriber of the city of Annapolis hath obtained from the Orphans Court of Anne Arundel county, in the state of Maryland, letters of administration on the personal estate of John T. Barber, deceased. All persons having claims against the said deceased, are hereby requested to exhibit the same, with the vouchers thereof, unto Joseph Sands, who is authorised to settle the above estate. All those indebted are requested to make payment as above directed.
Susannah Barber, Adm'r.
of John T. Barber.
May 23.

Farmers Bank of Maryland,

Annapolis, June 19th, 1822.

In compliance with the charter of the Farmers Bank of Maryland, and with a supplement thereto establishing a branch thereof at Frederick town, Notice is hereby given to the stockholders on the western shore, that an election will be held at the banking house in the city of Annapolis on the first Monday in August next, between the hours of 10 o'clock A.M. and 3 o'clock P.M. for the purpose of choosing sixteen directors for the bank at Annapolis, and nine directors for the branch bank at Frederick town.
By order,
J. A. PINKNEY, Cash.

The Editors of the Maryland Republican Annapolis and the Federal Gazette, and American of Baltimore, are requested to publish the above once a week for six weeks.

FOR SALE,

The property in Annapolis formerly occupied by the late Dr. James Murray. This property consists of a large and convenient

Brick Dwelling House,

With a good Garden, Pump of Water, a Brick Building suitable for an office, Carriage-house, Stable, Smoke-house, and other useful improvements, all in good order, and well calculated to accommodate a large family. One fourth of the purchase money will be required in hand; bonds on interest, for the balance, with good security; an extensive credit will be given if required. Possession can be given in a short time. For Terms apply to Mr. Henry Mayrader, or Mr. Daniel Murray, on Elk Ridge.
SARAH E. MURRAY.
May 30.

Just Published

And for sale at this Office and at Mr. George Shaw's Store—price 25 cts.
The Constitution of Maryland.
To which is prefixed,
The Declaration of Rights—
With the amendments suggested thereon.
Oct. 27.

MARY

[VOL. LX

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MARYLAND GAZETTE AND POLITICAL INTELLIGENCER.

[VOL. LXXVII]

ANNAPOLIS, THURSDAY, JULY 11, 1822.

No. 28.]

PRINTED AND PUBLISHED
BY
JONAS GREEN,
CHURCH-STREET, ANNAPOLIS.

Price—Three Dollars per Annum.

THE OPINION OF THE COURT OF
APPEALS

Upon the question, whether a conspiracy to cheat and defraud a bank, by the officers thereof, is an offence at common law, and punishable in Maryland?

Court of Appeals, Dec. Term, 1821.
THE STATE vs. BUCHANAN, et al.

(Continued.)

The position, that "a confederacy to maintain the other, whether the matter be true or false," is a common law offence, is distinctly adopted in 1 *Hawk. P. C.* 190, ch. 72, and 2 *Coke's Rep. (The Poulterer's case)* 56, and the principle of the case noted in the *Book of Assizes*, to wit, that conspiracies are punishable at common law, though nothing be put in execution, is fully recognized in the *Poulterer's case*, in which that book is referred to; and this further principle also laid down, that the law punishes the conspiracy, "to the end to prevent the unlawful act;" and in the same case, speaking of another article 19, also in the *Book of Assizes*, 138, relative to combinations among merchants to regulate the price of wool, it is said, "and in these cases, the conspiracy or confederacy (not the false conspiracy or confederacy) is punishable, although the conspiracy or confederacy be not executed." Hence it is manifest, that the "mala" at the end of the case, which seems to be relied on to show, that both malice and falsehood are indispensable ingredients of a punishable conspiracy, and must be united in the same case, was not intended by Lord Coke as applicable to all confederacies, but to such false conspiracies only, as are of the character of those, of which he had treated immediately preceding the note; for he does not speak of the case of a conspiracy between merchants to fix the price of wool, as a false conspiracy, nor does either falsehood or malice, necessarily enter into such a combination. And these combinations among merchants, (which are not within the statute 33d Edward the 1st.) were, and remained punishable at common law, and were not first made so by the statute 27th Edward the 1st, ch. 9, as has been supposed in argument. That statute does indeed prohibit the exportation of wool under a very severe penalty, but neither creates, nor provides a punishment for, the offence by merchants, of combining to fix a price beyond which they would not go. All that is said in relation to the purchasing of that article is, that "all merchants, as well subjects as foreigners, may purchase woolfolk, &c. throughout the whole of our kingdom and territories, without coin or collusion to lower the price of the said merchandizes, so nevertheless as they bring them to the staple;" from which it would seem that all coin and collusion to lower the price of merchandize was before unlawful, and that the statute meant to leave the law as it was. In the *Poulterer's case*, it was clearly considered as an offence at common law; and in 4 *Blk. Com.* 154, the exportation of wool, which, as has been before observed, was prohibited by the statute staple, under a very heavy penalty, is said to have been forbidden at common law, but more particularly by that statute; and if that, which it was the principal object of the statute to prevent and to punish, was before, an offence at common law, it may readily be supposed, that no new offence was intended to be created; but that a conspiracy to fix the price of wool, was an offence at common law. Moreover, the words of the statute are "without coin or collusion to lower the price," &c. and a combination to "fix a price, beyond which they would not go," might not necessarily be to "lower" the price. On an information against *Beerton, Townsend & others*, *Noy's Rep.* 103, for the suppression of a will, to the prejudice of *Egerton*, the relator, whose wife was thereby disinherited, all the defendants but one were convicted and fined. This was a case of fraud effected by a confederacy, and the injury was to an individual; the suppression of a will by one was not an indictable offence, though a fraud highly injurious to the party affected by it. It was the confederacy alone which rendered it criminal, and therefore, the information was against the offenders conjointly. In *Timberly and Child, Siderfin* 68, the indictment was for a conspiracy to charge one with being the father of a bastard child, with intent to extort money from him; and on motion to quash the indictment, it was held by the court to be good. In *Child vs. North and Timberly*, 1 *Kebble* 203, the indictment was for a conspiracy to deprive the prosecutor of his fame, and to extort money from him, by falsely charging him with being the father of a bastard child. There was a motion to quash the indictment, because the conspiracy as laid, was to charge the prosecutor with matter that the court had no cognizance of; which was overruled, on the ground that it might be a loss to the prosecutor; and it was held that the conspiracy was punishable, though the court had no cognizance of the matter of it. And in the same case in 1 *Kebble* 254, it was moved after verdict in arrest of judgment, that the indictment only charged the parties with a conspiracy to deprive the prosecutor of his fame, and to extort money from him, and not with a conspiracy to charge him before any tribunal having cognizance of the matter of bastardy. But the motion was overruled, and judgment rendered for the king, on the two grounds distinctly taken, that it was a conspiracy for lucre and gain, to charge and disgrace a man with having a bastard, and that the crime was the conspiracy, which whether it was to defame or disgrace a man, or to charge him with heresy, was punishable at common law. In *The Queen vs. Armstrong, Harrison and others*, 1 *Ventris* 304, the defendants were indicted for conspiracy to charge (or burden) one with the keeping of a bastard child, and thereby to bring him to disgrace. After verdict there was a motion in arrest of judgment, on the ground that it did not appear, that the party was actually burdened with the keeping of a child; but on the contrary that it was alleged to be only a pretended child; and also, that the party was not stated to have been brought before a justice of the peace on that account; but only that the defendants went and affirmed it to himself, intending to obtain money from him, that it might be no further disclosed; and that a bare unexecuted conspiracy was not a subject of indictment. The objection was overruled and the parties were punished by fine. The principle of this case cannot well be misunderstood. It was a conspiracy to extort money from an individual, by going to him, and affirming that he was the father of a bastard child, with a view of inducing him to pay them to say no more about it. And it was decided on the ground (expressly taken by the court) that it was a contrivance by conspiracy, to defame the person, and cheat him of his money, which was an indictable crime of a very heinous nature. In *The Queen vs. Best and others*, 2 *Ld. Raym.* 1167, the indictment was for a conspiracy, falsely to charge the prosecutor with being the father of a bastard child, with which one *Elizabeth Carter* was pretended to be pregnant, in order to defraud him of his money, and destroy his reputation. On demurrer it was among other things objected to the indictment, that it was not alleged, that the child was likely to become chargeable to the parish, and that it did not appear, that the prosecutor was by the accusation put in danger of being subjected to any penalty; but that it amounted only to a charge, that the defendants conspired to tell the prosecutor that he was the father of the child the woman was big with, and that a bare conspiracy, to do an ill act, was not indictable. But the demurrer was overruled, on the principle broadly laid down by the court, that the defendants being charged at least with a conspiracy, to charge the prosecutor with fornication, though that was only a spiritual delation, yet the conspiracy was the gist of the indictment, and was a temporal offence and punishable as such. *The King vs. Kinnersly and Moore*, 1 *Strange* 193,

was a case of conspiracy to extort money from Lord *Sunderland*, by charging him with an attempt to commit sodomy with one of the defendants. It was not charged as a conspiracy to accuse him in a course of justice, but only in *pais*. The object was to extort money, by means of a verbal slander, for which the party injured had his civil remedy, and the mere verbal slander by one only, would not have been indictable. And in *The King vs. Martham Bryan, 2 Strange*, 866, the court in speaking with reference to *The King vs. Armstrong and Harrison*, say, "there the conspiracy was the crime; and an indictment will lie for that, though it be to do a lawful act." In this class of conspiracies, the meditated end, was not accomplished in either of the cases. The object in each, was to defame and extort money from an individual; and the indirect or wrongful means, by which that object was intended to be effected was verbal slander—a combination to do that, which if actually done by one alone, would not be the subject of an indictment; for if one verbally defames another, or extorts money from him, not under colour of office, it is not an indictable offence. The conspiracy therefore for a corrupt purpose, was the offence for which they were punished; and there is no pretence for supposing, as has been urged in argument, that the prosecutions were sustained on the ground, that the conspirators contemplated an abuse of judicial authority, by falsely accusing or causing the parties to be accused, of having bastard children, before justices of the peace having cognizance of such matters. A conspiracy of that character, would there is no doubt have been an indictable offence, having for its object, the subjecting the party accused, to the provisions of the statutes in relation to bastardy. But that is not the nature of the conspiracy charged in either of the cases referred to. In every case the defendants were indicted for a conspiracy to defame and extort money from the prosecutor, by charging him with being the father of a bastard child, not before justices of the peace, but the charge is laid as having been made in *pais*; and in *The King vs. Timberly and North*, one of the objections to the indictment was, that it did not lay the conspiracy to be, to charge the prosecutor before any that had jurisdiction of the matter; and in *The Queen vs. Armstrong, Harrison, and others*, the same objection was raised, and also, that the defendants only went and affirmed it to the prosecutor himself; and so in *The Queen vs. Best*, and others, which with the exception also taken in *The King vs. Timberly and North*, that it was not within the statute 33 *Edward I.* was disregarded by the judges. "Every indictment must contain a certain description of the crime of which the defendant is accused, and a statement of the facts by which it is constituted, so as to identify the accusation, lest the grand jury should find a bill for one offence, and the party be put upon his trial for another, without any authority." 1 *Chitty's Criminal Law* 169. And "the charge must be sufficiently explicit to explain itself, for no latitude of intention can be allowed, to include any thing more than is expressed."—*Ibid* 172, 2 *Burr.* 1127. And the accused is put upon his trial only for that, with which he is charged, and against which alone, he is called on to defend himself. The prosecutions therefore in the cases referred to, could not have been supported on the ground, that the defendants contemplated an abuse of judicial power, by falsely accusing the prosecutors before justices of the peace; for no matter what they contemplated, that was not what they were charged with, and if they were only punishable on that ground, as the judges could not by intention, have supplied what was not expressed, the indictments must have been quashed, or the judgments arrested for want of sufficient matter in law, (which was brought fully under the consideration of the courts,) otherwise it would have been, to punish the defendants for what they were not convicted of, for they could only have been convicted of what was alleged against them in the indictments. And thus the singular picture would have been exhibited

in criminal jurisprudence, of men convicted of what was no offence in law, and punished for what they were neither convicted nor accused of, and for any thing appearing might never have contemplated; but such a stain is not to be found on any page of juridical history. It is not possible to suppose that in either of the cases, the judges went on the ground, that the defendants had accused, or meditated the accusation of the prosecutor before those who had jurisdiction of the matter; on the contrary the idea is expressly negated by the proceedings themselves. The absence of the allegation was urged in each case, as an objection to the indictment, and the court decided, not that it might be inferred from what was alleged, but that it was not necessary, and that the conspiracy alone to defame and extort money from an individual, without any abuse, or meditated abuse of judicial power, was *per se* an indictable offence at common law. If they had not stated the grounds on which they acted, then indeed any legal principle that could be extracted from the cases, might, in support of the decisions, properly be assumed as the ground on which they were given. But the ground that is here attempted to be assumed, as that on which the conspirators were punishable, is not only different from that, on which the judges expressly place their decisions, but is an illegal ground, and one on which the indictments could not have been supported. Illegal, not because a conspiracy to accuse a man of being the father of a bastard child before those who had cognizance of such matters, was not an indictable offence, but because it was, what was not charged in the indictments, and could not legally be inferred from what was expressed. To say therefore, that those conspiracies were indictable, or that the prosecutions were sustained only on the ground, that the conspirators meditated the abuse of judicial power, by falsely accusing the prosecutors before a tribunal having cognizance of such offence, would be to overturn altogether the authority of the cases, which has not been attempted; on the contrary their authority seems to be admitted, and their application only to the cases under consideration is resisted, on the hypothesis, that they were decided on grounds not appearing in the indictments, and entirely different from those on which the judges professed to act. But the fallacy of the argument becomes obvious, when it is seen, that without a violation of the principle, that "every indictment must contain a certain description of the crime of which the defendant is accused, and a statement of the facts, by which it is constituted," the indictments in those cases, could not have been sustained upon the grounds on which the decisions are attempted to be placed. Those cases therefore must stand or fall on the grounds upon which they are placed by the judges who decided them, not the reasoning of the judges, but the principles on which their decisions are made to rest. *The King vs. Parsons and others*, 1 *Blk. Rep.* 392, was a conspiracy to take away the character of an individual, and accuse him of murder, by means of a mere phantom, which could have no reality—pretended communications with a ghost; and the actual fact of conspiring, was left to the jury to be collected from all the circumstances. The only object of the conspiracy in that case, was to injure the man's reputation. And in *The King vs. Rispol, 1 Blk. Rep.* 563, 3 *Burr.* 1350, which was a prosecution for a conspiracy to extort money from an individual, by charging him generally with having taken a quantity of human hair out of a bag; on the objection being raised to the indictment, that the defendants were not charged with having conspired to fix any crime on the party, but only generally with taking the hair, which might be lawful, it was said by Lord *Mansfield*, the other judges concurring, "the crime laid, is an unlawful conspiracy; this, whether it be to charge a man with criminal acts, or such only as may affect his reputation, is fully sufficient." That case if received as authority, settles this principle, that a conspiracy to defraud another by verbal scandal is equally indictable,

whether it be to charge the party with a crime, or only to injure his standing in society, and is a full answer to the argument that the principle of the cases last referred to, is not applicable to this, because they are of conspiracies to fix punishable offences upon the parties. In *The King vs. Skirret, and others*, 1 *Siderfin* 312, the defendants were prosecuted for reading a release to an illiterate man, in other words than those in which it was written, by which he was induced to sign it. It does not appear by the short report of the case, what the form of the indictment was, but as it was against them conjointly, they must have been charged either with conspiracy or combination. The fraud was practised upon an individual, and if it had been perpetrated by one only, would not have been an indictable cheat. It was the combination therefore alone which made it criminal, and that too is a case not within the statute 33 *Edward I.* In *The Queen vs. Mackarty and Fordenborough*, 2 *Ld. Raym.* 1179 2 *East's C. L.* 823, the defendants were conjointly indicted, for falsely and deceitfully bargaining and exchanging with another, a quantity of pretended wine, alleging it to be good new *Lisbon* wine, for a certain quantity of hats, which were exchanged and delivered by the party practised upon, on the faith of their false representations, when in fact the pretended *Lisbon* wine, was not *Lisbon* wine. The indictment in this case was not under the statute 33 *Henry VIII.* ch. 1, which prohibits cheating by "means of false privy tokens, and counterfeit letters in other men's names;" nor the statute 30 *Geo. II.* ch. 24, which provides, under heavy penalties, against cheating by "false pretences," (and which was passed long afterwards,) but was for a cheat at common law, and though it did not charge the defendants with a conspiracy *de nomine*, yet it charged that they together, did the act imputed to them; and as there were no false public tokens, which were necessary at common law, to constitute a cheat effected by one an indictable offence, it was the combination alone on which the prosecution could have been sustained. A cheat perpetrated by the use of false public tokens, such as false weights and measures, is an indictable crime at common law, only because they are means calculated to deceive, and are such, as common care and prudence are not sufficient to guard against; and so, as ordinary care and prudence are no safeguard against the machinations of conspirators, cheats effected by conspiracy are punishable at common law, for "*pari ratione, eadem est lex.*" And in *The King vs. Wheately*, 2 *Burr.* 1127, cheats effected by conspiracy, are expressly placed on the same footing with cheats effected by false weights and measures. In *The Queen vs. Orbell*, 6 *Mod.* 42, the indictment was for a combination to cheat one *J. S.* of his money, by getting him to bet a certain sum on a foot race, and prevailing on the party to run booty; and the court sustained the indictment on the ground as they said, that "being a cheat, though it was private in the particular, yet it was public in its consequence." That was a case emphatically of individual injury, and as little connected with any public concernment, as any private transaction could well be, and it was the combination alone on which the prosecution rested; for such a cheat practised by one, was clearly not an indictable offence. In *The King vs. Edwards and others*, 8 *Mod.* 320, the parties were indicted for giving money to a man, to marry a poor helpless woman who was an inhabitant of the parish of *B.* and incapable of marriage, on purpose to gain a settlement for her in the parish of *A.* where the man was settled. In that case there was a motion to quash the indictment, on the ground that it was not unlawful to marry a woman and give her a portion. But the object of the conspiracy, being to impose a pauper on a parish to which she did not belong, it was held by the court to be an indictable offence at common law; for that a bare conspiracy to do a lawful act to an unlawful end, was a crime, though no act should be done in consequence thereof. The conspirators certainly meditated a fraud on the

inhabitants of a particular parish, by burdening them with the support of a pauper belonging to a different parish and so far perhaps it may be viewed as a case of contemplated private fraud, as the inhabitants of a parish are not the community at large. But whether the principle laid down by the court, was on the point of meditated individual injury or violation of public police, does not appear from the report of the case. In *3 Chitty on Criminal Law*, it is treated as a conspiracy to violate public police, but the principle equally applies to both. In *The King vs. Cope* and others, 1 *Strange*, 144, the prosecution was for a conspiracy to ruin the trade of the prosecutor, who was a cardmaker to the king, by bribing his apprentices to put grease into the paste, by which the cards were spoiled. The putting grease into the paste, and thereby spoiling the cards, if done by one, would have been no crime in law, but a private injury, for which the party would have been left to his civil remedy; and it was the conspiracy alone which constituted the offence. And in *The King vs. Eccles*, 1 *Leach's Crown Cases*, 274, the indictment was for a conspiracy, by wrongful and indirect means to impoverish one Booth, a tailor, and to deprive and hinder him from following and exercising his trade. In the first count in the indictment, the object of the conspirators was alleged to have been accomplished, and in the second count the conspiracy only, was charged. It was not denied that the conspiracy was an indictable offence, and the only objection on the part of the defendant was, that the acts done to impoverish Booth, ought to have been set out in the indictment. But it was decided by the whole court, that it was sufficient to allege the conspiracy and the object of it, the illegal combination being the gist of the offence; and that it was not necessary to state the means, by which the intended mischief was effected; for that the offence did not consist in doing the acts by which the end was accomplished, (for they might be perfectly indifferent,) but in the conspiring with a view to effect the intended mischief by any means; and by *Buller*, justice, that "the means were only matters of evidence to prove the charge, and not the crime itself." It has been contended that these last cases were conspiracies to injure public trade; the distinguished judges before whom they were tried have not said so, nor could they have so laid in the indictments, but were distinctly cases, in which the meditated injuries were levelled against particular individuals, unconnected with any matter of public concernment, and do not fall within the principles of any of the enumerated offences against public trade, which are offences committed by traders or dealers themselves, such as cheating, forestalling, regrating, &c. So in *The King vs. Leigh* and others, (*Macklin's case*), 2 *Macklin's Life* 217, in which it was held, that an indictment would lie for a conspiracy to impoverish an actor, by driving or hissing him off the stage; and in *Clifford vs. Brandon*, 2 *Campb.* 358, it was said by Sir James Mansfield, that "though the audience had a right to express by applause or hisses their sensations at the moment, yet if a body of men were to go to the theatre, with a settled intention of hissing an actor, or even of daunting a piece, there could be no doubt that such a deliberate preconcerted scheme would amount to a conspiracy, and that the persons concerned in it might be brought to punishment." There the preconcerted scheme alone, the unrecited conspiracy, was held to be indictable; but if put into execution, according to circumstances, it would be a riot. In *The King vs. Robinson and Taylor*, 1 *Leach's Crown Cases*, 37, the defendants were indicted for a conspiracy to raise a specious title in *Mary Robinson* to the estate of *Richard Holland*, by marrying *Taylor*, under the assumed name of *Richard Holland*. The only evidence in the case was of the marriage, and that she lived with *Holland* as a kind of servant. It was distinctly admitted, that a conspiracy to do an injury to the person or estate of another was an indictable offence, and so held by the court, *Willes*, *Foster* and *Reynolds*, presiding; and it was also ruled, there being no positive proof of an intention to injure *Holland*, that it was not necessary to prove any direct or immediate injury, or even to show any specific overt act of conspiracy, but that it was the

province of the jury to collect from all the circumstances of the case, whether there was not an intention or design in the parties to do a future injury to *Holland*. And that case would seem to cover all the ground necessary to support this prosecution. The conspiracy was levelled at the property or estate of another, and the object was to defraud an individual, but the act by which the fraud was intended to be accomplished, (a marriage under an assumed name) was not in itself unlawful. It has been ingeniously argued here, but not ventured on by those who conducted the defence of *Robinson* and *Taylor*, that they meditated a perversion of the course of justice, as her right could only have been established by judicial proceedings. It was not so charged in the indictment, and without it, the prosecution must have failed, if it had been deemed at all necessary to constitute the offence; for "no latitude of intention can be allowed to include any thing more than is expressed in an indictment," as has been before observed on the authority of Lord Mansfield, in the case of *The King vs. Wheatly*, 2 *Burr*, 1127, and 1 *Chitty's Criminal Law*, 127. In *The King vs. Lara*, 6 *T. R.* 565, it was admitted by counsel in argument, that a fraud upon an individual by conspiracy was indictable, and the doctrine laid down by the judges in *The King vs. Wheatly*, was fully recognized and adopted by Lord Kenyon; that is, that a cheat effected by conspiracy, was an indictable offence. The case of *The King vs. Berenger*, 3 *Macle & Selwyn*, 68, as it is understood by the court, is a very strong one. The indictment was for a conspiracy by false rumours to raise the price of the public government funds, with intent to injure such of the King's subjects as should purchase on a particular day. It was broadly admitted in argument, that if the indictment had stated, that the defendants conspired to raise the price of the funds in order to cheat or prejudice particular individuals by name, or to benefit themselves at their expense, or that the public were concerned in the purchases of that day, and the defendants conspired, &c. to the prejudice of the public, it would have exhibited a complete offence." But it was contended, that the allegation, that it was with intent to injure "such of the King's subjects as should purchase on that day," was too general, and for that reason, the indictment was objected to. But the objection was overruled by the court, not on the ground, that to constitute an indictable conspiracy, it should be levelled either at the public in its aggregate capacity, or at a class or portion of the subjects, as distinguished from an individual; for it was treated throughout as perfectly clear, that if it had been laid with intent to prejudice or defraud either the public, or an individual or individuals by name, it would have been good; and the only difficulty on that part of the case was, whether, being laid with intent to injure those who might become purchasers, and not either an individual by name, or the public in its aggregate capacity, the generality of the charge did not vitiate the indictment. But they sustained the indictment *ex necessitate rei*, on the ground, that as it was impossible the defendants could have known, who would be the purchasers on that day, the charge could not have been more specific. And though it was conceded, that to raise or lower the price of the public funds, was not *per se* a crime, yet it was held to be an offence, for a number of persons to conspire to raise them by false rumours; and that the crime was not in raising the funds, but in the act of conspiracy and combination to do so, and would be complete, though it should not be pursued to its consequences. It was clearly therefore on the point of individual injury that the court went. And so in *The King vs. Gill & Henry*, 2 *Barnwell & Alderson*, 204, the defendants were indicted and convicted of a conspiracy by divers false pretences, and subtle means and devices, to cheat several individuals by name. The prosecution in that case, could not have been sustained, on the ground, as has been supposed, that it was for a conspiracy to commit an offence, indictable of itself under the statute 30 *George II.* against cheating by false pretences; for it is well settled that in an indictment framed upon that statute, it is not enough to allege generally, that the cheat was effected by divers false pretences, &c. but the particular false

pretences, must be stated, that the party may know against what he is to defend himself, and that the court may see that there is an indictable offence charged, as there are some pretences which are not within the statute. 2 *T. R.* 586. *East's Crown Law*, 837. So in an indictment at common law for cheating by false tokens, and so also in an indictment in the statute 33 *Henry VIII.* against cheating by false privy tokens, &c. 3 *Chitty's Criminal Law*, 999. 2 *Strange* 1127. If then the conspiracy in that case was only indictable, because it was to commit the statutory offence of cheating by false pretences, as they would form the principal ingredient of the offence, it would have been necessary to set out the particular false pretences, by which the cheat was intended to be effected, in order to show that it was the statutory offence, which the conspirators intended to commit—on the acknowledged principle, that every indictment must contain a certain description of the crime of which the defendant is accused, and a statement of the facts by which it is constituted. But it was there ruled by the court, that when several persons have once agreed to cheat a particular individual of his money, although they may not at the time, have fixed on any particular means for that purpose, the offence of conspiracy is complete, and that it was sufficient to state the conspiracy and the object of it in the indictment, without setting out the means by which it was intended to be accomplished, and per Lord Mansfield, in the case of *The King vs. Eccles*, "they may be perfectly indifferent." It is evident therefore that the indictment was not supported on the ground, that it was a conspiracy to commit an indictable offence, for if it had not been for a conspiracy to cheat, but against an individual, for the actual commission of the offence, it would have been bad for the generality of the allegation; and the principles of that case embrace every thing that is necessary to the support of the indictment against these defendants. The case of *The King vs. Mawbay* and others, 6 *T. R.* 619, was a conspiracy to pervert the course of justice, which is of itself an indictable offence.

(To be Continued.)

ARKANSAS.

Little Rock, May 14.

Colonel D. Brearly, U. S. Agent of Indian Affairs, passed this place on Saturday last, on his return to his station in the Cherokee nation, on the Arkansas. We are assured, that notwithstanding the unfortunate war which still exists between the Cherokees and Osages, the white settlements in this territory are not in the least danger of being molested by either party.

A letter to the editor, from the Cherokee nation, dated 5th inst. says that the Osages have lately made proposals to the Cherokees for peace—but it was not known whether they would be accepted by the latter.

P. S. Since the above was in type, we have the satisfaction to state, on the authority of a person arrived last evening from Fort Smith, which place he left on Wednesday last, that the proposals for peace made by the Osages, have been accepted by the Cherokees; and that among other things, the latter have agreed to give up all the Osage prisoners in their possession. Mr. Philbrook, U. S. Sub-Agent for the Osage nation, left Fort Smith for that nation on Wednesday last, for the purpose of putting a final stop to this destructive war.

Havana, June 23.

Arrived the U. S. schooner *Grampus*, Lt. Comdr. Gregory, from a cruise. The *Grampus* left the fleet under Capt. Perry in the old straits, they had captured two piratical schooners, one under Key Comdr. (on Spanish charts) with part of the cargo of an English brig lately robbed and arrived at this port. The other by the boats, seven prisoners are captured, and were recognized by a seaman taken from a vessel robbed. The last prize was endeavouring to join the *Commodore*, and defended themselves. Only one prisoner arrived in the *G* at Havana. Most of the men from on board the *G* are left with Capt. Perry to man the prizes and boats, he is in great hopes of exterminating them in that neighbourhood. The last prize was named the *Felicia*, No 23, from Havana, she may have been a prize to the Pirates, as they have taken several of the coasters.

BANK OF THE UNITED STATES.

Mr. CHEVES has determined to retire from the Presidency of the Bank, at the expiration of the present year. We presume he returns to his profession, which will afford him a more grateful and adequate recompense for his indefatigable attention to business, than the employment he now holds. Mr. C. is one of the first men in this country, and we have always believed that none but high public considerations could have induced him to immerse himself in the cells of a banking-house. We trust, for the sake of the country in general, and the stockholders in particular, that a successor to Mr. C. may be obtained of equal probity and talent with himself. It is already a matter of speculation who is to be his successor. Mr. Gallatin has been named and would doubtless receive the appointment if he would accept it. [Nat. Intel.]

DIVIDEND.

The Bank of the United States has declared a dividend of two and one quarter per cent. for the last six months.

From the Aurora.

AUGUSTIN YTURBIDE.

As the appointment of Augustin Yturbide to the supreme executive authority in Mexico, places him in a station towards which all eyes will be directed, curiosity may be perhaps gratified even with some imperfect sketches of his biography; and it may probably afford some pleasure in its sequel.

Augustin Yturbide was born at Valladolid, in Mexico, about the year 1790, for we find him in 1810 a lieutenant in the army. His father, who still lives in his 84th at Valladolid, was Joseph Joachim Yturbide, a native of Biscay, in Spain, who passed from Europe in 1763, at the age of twenty three years, to Mexico, and married a Creole lady of considerable fortune in that city, of whom Augustin is the offspring; and who was educated at the collegiate seminary of his native city. He attended with his father to the employments of an agricultural life, by which his constitution was framed to hardiness, and his habits were formed to military exercises in the militia of his province, composed principally of cavalry, from a pen with which the American people are familiar, we have obtained some of the chief traits of this character of the generalissimo of Mexico.

Young Yturbide was distinguished among his contemporaries of the same age, as the leader in all youthful enterprises, excelling in athletic exercises; and equally distinguished in taming the wild horse, as in extending his mind to the promotion and improvement of agriculture, which formed the occupation of his father.

He was a lieutenant in 1810, but there was so much disorder and such want of system in the revolutionary corps, that he deemed it useless to commit himself under such a state of disorganization. He left his native province for the capital of Mexico; but his history in the interval between this period and when we find him at the head of a division, and attacked by Morelos, at the village of Marabano, we have not means to ascertain. The defence which he made on that occasion with a handful of troops, very much distinguished him, made him known to the government, led him to the rank of colonel, and he was thenceforward usually in the command of a brigade, from the opinion that had been conceived of his intrepidity and enterprise.

The talents which he had displayed, and the confidence he had obtained, excited jealousies, and subjected him to the influence of base intrigues, of inferior qualifications, such as are found in all armies in all countries, for every where the man who possesses more than ordinary faculties or virtues, must always calculate upon being feared & hated; he was deprived of the command of Bahia; the injustice was endured without complaint; he repaired to the neighbourhood of the capital and occupied himself on a handsome plantation; where his character was too much distinguished to be long obscure. From his farm he was invited to take command of an army destined for the south, by which we understand that force which he marched to Acapulco in 1819-20. The minute circumstances of his understanding with the then Viceroy Apodaca, are not so well ascertained, as to authorise any specification; but on this march it appears that he matured those plans, which he had long conceived, for the total emancipation and independence of Mexico—which produced the memorable plan of Iguala, of which equality of rights for all persons, Indians, mulattoes and negroes, as well as whites, is the main characteristic feature; and upon this comprehensive plan which united all interests, and promised protection to all, to the soldiery promotion, to the priests their authority over souls, to the titled, their titles, to the merchant hounties, to the planters commerce, and to the various classes of labourers, liberty, all were consulted, named and respected, and all interests were reconciled.

Augustin Yturbide is full 5 feet 10 inches high, erect, well proportioned & full formed, rather athletic than light, combining the muscular force of Hercules with the elegant contour of Apollo, his motion is manly & graceful—easy and unaffected, his complexion a light brunette, and his visage a fine turned oval, animated by a playful, speaking, hazel eye, indicative of quickness and a warm heart; in his manner more persuasive than imperative—neither presuming nor assuming too much, he insensibly brings those up to his level with whom he converses, and never fails to excite great attachment. His military operations are characterised by vigilance, patience, and perseverance, and when he strikes, it is with the decision of thunder, in the most critical and hazardous situations he is composed, collected and smiling at danger; the tears and jealousies natural to a people, emerging from despotism to independence, have ascribed to him a sinister ambition, incompatible with free government. Yet he has very recently publicly repeated his determination, to terminate his political career by following the example of our great ex-Emperor Washington. There are the principal features of character, which we have been able to collect—they are no doubt imperfect, but they are beyond doubt correct.

PAINFUL INTELLIGENCE.

By the ship *Carolina Ann*, arrived at New-York from Valparaiso, letters are received from officers on board the United States ship *Franklin* 74, confirming the report and detailing the particulars of the loss of a boat's company belonging to that ship. The following is an extract from one of the letters:

"On Tuesday the 19th instant, a most melancholy and deplorable event occurred in this bay. On the morning of that day, a party consisting of seven officers, viz. Lieut. James N. Perry, Dr. Cornelius C. De Puy, Midshipmen Robert Marshall, John Cremer, Edward Preble, Robert E. Coffin, and Reuben R. Pinkham, and three seamen, named John Smith, lat, Melane on C. Read, and William M. Daniels, all belonging to the *Franklin*, left the ship in one of her boats, with the design of visiting Quintera, a small town sixteen miles to the northward of this place, formerly the residence of Lord Cochrane. On nearing the shore, they unexpectedly found a high surf rolling in, and attempting to pass through it, in order to gain the usual landing place, the boat was overwhelmed by a tremendous surge, which capsize her and threw the whole party into the sea. Mid'n Pinkham and the lad M. Daniels were the only persons who escaped to relate the dreadful tidings! Messrs Marshall and Cremer, although excellent swimmers, disappeared very soon, and it is supposed were carried down by one of the seamen who was unable to swim, as he was seen holding Marshall by the coat.

De Puy and Mr. Preble, neither of whom were swimmers, were supported and thrown on the shore, and the bodies of the other five officers were never recovered. When every effort had been made, and the two former had disappeared, Lieut. Perry and young Coffin were seen buffeting the waves, and cheerfully encouraging each other in their endeavours to reach the shore. Another and another surge engulfed them, and their fate was irrevocably sealed. It is believed that Perry, being an excellent swimmer, might have gained the shore, but his strength was completely exhausted in nobly exerting himself to save his unfortunate companions.

"On this painful occasion, I feel unequal to the task of delineating the characters touching upon the individual worth of the deceased. The tear which glitters in the eye of every one on board, from the *Commodore* to the youngest lad in the ship, and the sympathetic sorrow depicted in the countenances even of strangers on shore, declare in mute eloquence that we have suffered a heavy and irreparable loss!

"On the 21st, the flag of the *Franklin* was displayed at half mast, which token of respect was followed by *Commodore Blyden's* ship, the *Chilian* squadron, and the ships of all nations in port—and on Sunday last, the Rev. Mr. Andrews (Chaplain of the *Franklin*) delivered an impressive and appropriate discourse on board, which was listened to with deep interest by the ship's company and a large number of our countrymen from shore.

"The body of one of the seamen was found several days since, and decently buried at Quintera. Four more bodies were found yesterday, and the party which was detached this morning to pay the last sad tribute to their remains, has not yet returned. We can procure their names in time, they shall be inserted in this letter."

Another letter observes, "It may be truly said the service has experienced a severe loss in these young men; they were universally esteemed; and the effect it has produced throughout the ship is astonishingly great. Our worthy *Commodore* could not have been more seriously afflicted if he had lost one of his own family." The same letter states that several parties had previously landed at these places without meeting any difficulty, which probably induced them to venture further than they would otherwise have done.

UPPER NILE, &c.

Extract of a letter from an American gentleman to his father in Boston, dated Malta, April 16, 1822.

"By my last, [June 20, 1820,] you knew that I was upon the point of accompanying Ismael Pachá to the conquest of the countries on the upper Nile. The expedition was crowned with the most complete success, and has laid open to the knowledge of the world a superb country, and will occasion no small acquisition to the Geography of Africa. I cannot, in the compass of a letter, which I am obliged to make a short one, inform you of my adventures in this romantic and fortunate expedition. My journal of it has been sent to England for publication, and copies of it may possibly reach America in two months. I have had the honour of having contributed to the success of a most extraordinary expedition which has been singularly successful, and of being the first civilized man that was ever on the Banks of the Great Bahriel Abiad which we have ascertained to be the main branch of the Nile, and probably the Niger. The singularity of this having fallen to the lot of a native of the new world, attached in the opinion of Europeans, no little honour to myself, and I hope will bring some to my country."

From the Federal Gazette.

Extract of a letter from General James Wilkinson, to a gentleman of this city dated

Mexico, May 11th, 1822.

The transition of these kingdoms from the yoke of despotism to independent some people think has been achieved at little expense of blood—and therefore would infer the necessity of civil war to consummate the important acquisition. do not esteem such politicians the true philanthropists, nor the warmest friends of humanity—and my deductions are very opposite to theirs, because the passions and prejudices, the heat and ardour, which accompany the onset of civil contest, form the season of that intemperate conduct which seldom recurs after the revolutionary storm has blown over, and reason has rescued the helm of the state from the hands of violence.

This country cannot, with its diversified population, be exempt from subjects of collision—but I do believe, and I trust the *Benign Ruler* of human affairs for the result that there exists too much natural subordination, too much good temper, too much good sense, too much virtue, and too much patriotism among this people, to permit the occurrence of civil contests of counter revolutions, in such extent as to affect the stability of the national councils, or the general happiness and prosperity of the Mexican empire.

JAMES WILKINSON.

Extract of a letter to a gentleman in this city, dated

City of Mexico, May 11, 1822.

I take the liberty, well knowing you pre-occupied for the cause of the *Citizens of Spanish America*, to introduce to you *Colon Bradburn* and his companion *Maj. Thompson*, gallant and suffering followers of the great and good *Mina*, and now officers in the service of this empire; the first is an entire confidence not only of this government, but of the sovereign people, and is the great favourite of this serene highness. The prince regent and generalissimo! Augustin Yturbide, who "take him for all he is," at 38, one of the first men I ever beheld, not for his height or muscular force, though not deficient in either, but for his ease, simplicity and innocence of his unaffected manners; all his movements are graceful, and in every turn more popular than our own *Thomas Jefferson*, yet he is a lion in combat, and matchless in enterprise and hardihood. He is charged with ambitious views, yet I heard him declare three evenings since, that in closing his public career he should follow the example of our immortalised Washington, but the country must have a government before he can execute this purpose.

MARYLAND.

Annapolis.

UNIVERSITY.

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"As for the grounds for party rancour, it is a trick of the simple and the phrase of federal in every other twenty years to despair of all other means, and conquer."

"We advocate the above Maryland Rep seems then, they have with test, are not to peace and quietness; necessary to proaches, and unworthy motives, and keep alive spirit, without signing demagogues, succeeding in suit will the endeavour to attract the offices of federal now rend the itself is an art now glaring to that the division democratic party in which the portion of the party obtained state, seeing the other portion benefit of their own people very much to oppose the vision in the the democrats on; but will do for villify to repel the luminaries, hold, upright, hitherto, and (although I have years,) suggest of the government, integrity which needed. That in those my was at the union, the destinies of federal administration, secured all ravages of the people's reins of gold, and continuing during the years after excited, which quire of the did yet it is the most fed-

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UNIVERSITY OF MARYLAND.

The time of meeting of the Alumni of the University of Maryland, advertised to take place on the first Monday in August, has been changed to the first Friday in December next. Editors who have been so obliging as to publish the former notice will confer an additional obligation, by giving the present a few insertions.

For the Md. Gazette.

"As for the assertion that there is no ground for political contention, and that party rancour has ceased, it is nonsensical. It is a trick of designing knaves to gull the simple and the unsuspecting; it is the cant phrase of federalism, a party that has failed in every other practised artifice for the last twenty years to obtain power. When they despair of accomplishing their ends by other means, the motto becomes 'divide and conquer'."

"We advocate measures, and not men." The above extracts are taken from the Maryland Republican of the 2d instant. It seems then, that the federalists, although they have withdrawn from the political contest, are not to be permitted to repose in peace and quietness. It is still deemed necessary to cast upon them the foulest reproaches, and to attribute to them the most unworthy motives, in order to resuscitate and keep alive the dying embers of party-spirit, without the existence of which, designing demagogues can have no hope of succeeding in their sinister views. It may suit well the purposes of such men to endeavour to attribute to the 'practical artifice of federalism,' the divisions which now rend the democratic party—but this itself is an artifice too palpable to deceive, too glaring to mislead. It is well known that the divisions which now rend the democratic party, have proceeded from causes in which the federalists had no agency. A portion of the democratic party, since this party obtained the supreme power in the state, seeing that the views and designs of the other portion were not directed to the benefit of the state, but to the attainment of their own personal aggrandisement, have, very much to their credit, come forward to oppose these designs, and hence the division in the party. With the quarrels of the democrats, the federalists have nothing to do; but when these are made an occasion for vilifying the latter, it becomes them to repel the calumny, and to spurn the calumniators. The federal party, by their bold, upright, and patriotic measures, have hitherto, and that within the last four years, (although the writer above quoted, says they have been in power for the last 20 years,) succeeded in obtaining the confidence of the people, and administered the Government with a degree of purity and integrity which have never since been witnessed. Can this writer have forgotten, that in those perilous times when the enemy was at their doors, when the capital of the union was burnt and pillaged, that the destinies of Maryland were wielded by a federal administration, and that by their prudence, energy and wisdom, we were secured almost entirely from the desolating ravages of war? If at a period like this, the people deemed it most wise to trust the reins of government to the federal party, and continued their confidence in them, during the whole of the war, and for many years after it, when many difficulties still existed, what better reason could we require of the purity and virtue of this party? and yet it is still to be made the theme of the most contemptuous reproaches.

The federalists are also the 'advocates of measures, and not men'—but they know how to discriminate between men—and if the contest be confined to the democratic party, it becomes their duty to lend their aid to the election of the best man, and knowing their duty, they will not fail to perform it.

COURT OF APPEALS.

Wednesday, July 3.

The argument in the case of *Dashiell*, and others, vs. *The Attorney General at the relation of The Trustees of Hillsborough School*, in Caroline county, was continued by *Murray*, for the appellant, and *Johnson* and *Harper*, for the appellee.

Thursday, July 4.

The court affirmed the decree of the Chancellor in the case of *A. & C. Jones vs. Blackinton*, and others, argued at June term last, by *Pinkney* and *Stephens*, for the appellants, and *Winder* and *Chambers*, for the appellees.

Also the decree in the case of *Swindle vs. Van Lear* and others, argued at June term last, by *Pinkney* and *Stephens*, for the appellants, and *Magruder*, for the appellee.

Also the decree in the case of *H. Stamp's Adm'r. D. B. N. vs. J. Stamp's Ex'r* argued at June term last, by *Pinkney*, *Harper* and *Magruder*, for the appellants, and *Taney* and *Winder*, for the appellees.

The argument in the case of *Dashiell* and others, vs. *The Attorney General at the relation of The Trustees of Hillsborough School* in Caroline county, was continued by *Winder*, for the appellants, in reply.

Friday, July 5.

The argument in the last above mentioned case, was concluded by *Taney*, for the appellants.

The case of *W. & C. Merryman vs. The State*, at the instance of *Harris* and for the use of *Murray*, was argued by *Williams*, for the appellants, and *Johnson*, for the appellee.

The case of *Patterson vs. The Marine Insurance Company*, was opened by *Taney*, for the appellant.

Saturday, July 6.

Buchanan, J. delivered the opinion of the court affirming the decree of the Chancellor in the case of *Jones and others vs. Shub*, argued by *Wirt* (Attorney-General U. S.) and *Moale*, for the appellants, and *Winder* and *Magruder*, for the appellee.

The court affirmed the judgment in the case of *Barnes vs. Gray*, argued by *Stone*, for the appellant, and *Brauner*, for the appellee.

Monday, July 8.

The case of *Patterson vs. The Baltimore Insurance Company*, was opened by *Taney*, for the appellant, and owing to the indisposition of the counsel, for the appellee, was postponed until to-morrow.

The case of *Carroll vs. Hanna*, was argued by *Raymond*, for the appellant, and *Johnson*, for the appellee.

Tuesday, July 9.

The argument in the case of *Patterson vs. The Baltimore Insurance Company*, was proceeded in by *Wirt* (Attorney-General U. S.) for the appellants, and by *Harper*, for the appellant, in reply.

MAJOR BAILEY.

Most of our readers must have heard of the noted gambler, Major Bailey. He has lately published the "Memoirs of his Life" from which the following extract is taken. The avowal of his fears in fighting a duel (says a New York editor) is credible to his candour, as the general conclusions he forms from his own case of the courage evinced by other duelists are to his judgment. We believe with him that the mere act of fighting a duel is no indication of courage, and that among professed duelists (a class of men, to our credit, not known here) there is not one who did not, in his first trial, tremble at least as much as Robert Bailey.

[Balt. Chron.]

EXTRACT.

I visited the Springs in my coach and four, a Mr. Elijah Wigg was there with his coach and four grays, mine were bays; I arrived there first and obtained the best stables for my horses. Mr. Wigg being a very consequential young man and a great shot, could hit a dollar nine times out of ten, he was much of a gallant, and I add very impudent; he had the impudence to turn out of the stable my four horses and put his in, my servant John, who was a very faithful one, went and turned out Mr. Wigg's horses, there had fallen a rain, and the horses rolled in the mud. Wigg came and asked who turned out his horses, the hostler told him Major Bailey's John, he asked for the boy, the boy came, he beat him with a club until he almost killed him; I was engaged in playing whist with Major Willis, Mr. Samuel Overton, and Peter Tinsley, the boy came to me shockingly beaten, his head cut to pieces. I asked him what was the matter? he said Mr. Wigg did it; for what John? for turning his horses out of your stable; he had turned out your horses and put his in, I did not wish to vex you by telling you of it, knowing I had a right to turn his out and put in yours as they were our stalls, and because his horses rolled in the mud he beat me as he did; I rose from the table and went to see Mr. Wigg, I suppose one hundred spectators were looking at us, I addressed him by saying Mr. Wigg, by what authority did you undertake to whip my servant as you have; he replied, because he is a damned impudent scoundrel, and if you take his part you are no better than himself; I up with my fist and knocked him down, kicked and buffed him, and no one offered to take me away from him, every one despised his impudent behaviour; he hallowed enough, but I had given him too much, for he kept his bed two weeks before he showed himself; and about twenty days after I had flogged him, a colonel Barnhart, a brother-in-law to this Mr. Wigg, delivered me a challenge as I was walking by the Spring, I looked at it and said, I know nothing about fighting that way; he observed my outrage upon his brother in law demanded satisfaction, and he must have a decisive answer. I told him I must see a friend and he should hear from me, well, sir, said he, see you do it immediately, and walked off; I have been sorry since that I did not treat him as I did Wigg.

I went and showed the challenge to Major Thomas Lewis, a great duelist, he said Bailey you must fight—your standing here is that of a gentleman, and if you do not, you will be hissed out of this place; if you say you are not afraid I will be your second, I replied sir, I cannot say so with truth—I never had shot a pistol in all my life, and this gentleman could strike the size of a dollar, nine times out of ten, shooting at a mark and what will be my chance, well, come, says the Major, let me see how you can shoot, and I could not hit a tree the size of a man, at a shot; well, says Lewis, this will not do, you must take him at hand-kerchief's length, to which I objected; well then said the Major, you must take him at three or six feet distance, no said I, then both will certainly fall; well said the Major, I will put you upon a plan to kill him, I will place you twenty yards apart—advance and fire when you please, well then said I, since I must fight, I suppose this to be the safest way; the Major then drilled me, and said, after you are placed at your stations, twenty yards apart, and the pistol put into your hands cocked, and the word will be given advance one, two or three steps slow, make a feint to fire, but be sure to reserve your fire, and you can advance as close as you please; I agreed to the Major's plan of fighting. The preliminaries were arranged by the Major, with my adversary's friend, and five o'clock the next morning was the hour appointed for meeting, and God knows I suffered enough that night; I got the favour of Mr. Samuel Kean to write my will, had it witnessed and locked up in my trunk, with a letter to my wife, the key I gave to my servant John—I then repaired to the ground, we were placed, and the pistols put into our hands—our seconds threw up for the word. Col. Barnhart, Wigg's second, won it—it was given by him, advance; I did as I had been directed by Major Lewis: I advanced three steps, made a feint, and he fired—he missed; my fear was over, I stood my ground instead of advancing, and took deliberate aim at him, fired and broke his arm; he fell—I was sure I had killed him—both seconds ran to him, my second halloed to me—I advanced with a faint heart, apprehending he might not be dead, and would require another shot, but to my great relief, he handed me his hand and fainted from loss of blood. Doctor Manley dressed the wound, and he was taken to the house; on the second day his arm was amputated—Much credit was bestowed on me for my supposed bravery. If I may be permitted to take myself as a criterion to judge by, I do most candidly say, that there is not one particle of bravery evinced by fighting a duel—it is the offering of a false sense of honour; the most timid man placed in a situation which commands the admiration & flattery of others, surround him by complimentary signals of his superior grade; vanity and pride will supplant reason and reflection, and he instantly becomes a dupe to himself and domineering to others—hence trifles are magnified by him into enormities, and a want of nerve is supplied by a love of domination.

We understand that, by reason of a mandate from the Governor, and Visitors of Saint John's College, under their privy seal, dated the 29th April, the Faculty of that ancient and respectable institution admitted the Rev. John Emory, late Minister of the Methodist Episcopal Society in Annapolis, to the honorary degree of A. M. Also, the Rev. William Raftery, Vice Principal of Saint John's College, and Rector of All Hallow's Parish, in Anne Arundel county, to the degree of D. D.

[Nat. Int.]

NAVAL.

A new and extensive ship house has been erected at the Navy Yard, for the purpose of containing within its spacious area, a new line of battle ship, the ribs of which are now preparing. This house is to have large and commodious workshops on both wings, for the accommodation of the carpenters and all descriptions of mechanics. The building is about 80 feet high, and covers 7-8th of an acre of ground. The frame contains more than 4500 different pieces of timber and joists, and it has probably the most capacious interior of any edifice in the union. It is calculated that the roof will require more than a million of shingles to cover.

[Boston Ev. Gaz.]

Utica, N.Y. June 25.

TREASON OF GHENT.

General Peter B. Porter, the hon. Anthony Barclay, commissioners under the 6th article of the Treaty of Ghent, together with the agents and secretaries, met in this village on Tuesday last, and after a session of four days concluded amicably the decision of the article submitted to their arbitration. We understand that nearly 3000 lands have been surveyed and adjudicated upon, many of which are of great value and national importance. We may therefore soon expect to see the fertile islands of the north and west cleared of the bands of smugglers and renegades who have infested and squatted on them, and their place supplied by the enterprising and industrious farmers of this and the eastern states.

THE ALBION.

A letter from Kinsale, of the 12th of May states, that six doubloons and two guineas, a trunk with 1701, and a bag of 160 dollars had been found on the spot where the Albion was lost.

A vessel which had been sent from Liverpool, had saved the anchors, some large pieces of iron, a purse containing 80l. &c. The box which was found the day after the disaster, addressed to Thomas Wilson & Co. of London, was found in two feet water upon the iron ballast.

[N. Y. Gaz.]

Lieutenant Stockton, has lately presented to the Museum of the College at Princeton, a Whale, which measures about 15 feet in length. Also, a Boa Constrictor of a large size. This last is a native of Africa.

CUCUMBERS.

One hundred and fifty barrels of Cucumbers, were started for New York market, a few days since, from the neighbourhood of Camden, N. J. They were raised by Mr. Bates, an enterprising horticulturalist.

PETER FAULKNER.

In an Albany paper of June 21, is published the following Notice: If Peter Faulkner, an officer in the revolutionary war, (and lately in the service of the United States) will call at the land office in the city of Albany, he will hear something to his advantage.

The Democratic Press says—It is suggested that Mr. Cheves resign as President of the United States' Bank, to take a seat in the next Congress. Mr. Clay is also a candidate, and General Jackson it is said will be elected. We should not be surprised if an effort were made, in some of the districts of New-York, to elect Mr. Clinton. Our readers are aware that it is the next congress that is to Caucus and nominate candidates for the Presidency and Vice Presidency.

MAPLE SUGAR.

Made in St. Louis county, Pa. B. R. H. Rose, Esq. has been exhibited before the Philadelphia Agricultural Society, and obtained a premium for brightness, grain and colour. It has the rich appearance of the Louisiana sugar.

OBITUARY.

COMMUNICATED.
DIED—On the 1st instant, in Leonard Town, Md. at the residence of his uncle E. J. Millard, Esq. WILLIAM J. BROOKS, in the twenty second year of his age. He was truly an affectionate friend, and uncommonly charitable. His death is universally regretted.

Sheriff's Sale.

By virtue of a writ of fieri facias issued out of Anne Arundel county court, and to me directed, I will expose to public sale, on Saturday the 20th inst. at James Hunter's Tavern, One Negro Girl named Susan. Taken as the property of Joseph N. Stockett, adm'r. D.B.N. of John Stockett, at the suit of John Beard and Stephen Beard jun. ex'rs. of Stephen Beard, sen. for the use of Nicholas Watkins, of Thos. Sale to commence at 11 o'clock.—Terms cash.

WILLIAM O'HARA, Shff.

A. A. C.

Notice is hereby Given,

That the subscriber hath obtained from the orphans court of Anne Arundel county, letters of administration on the estate of Samuel Ward, late of said county, deceased. This is to request all persons having claims against the said deceased, to bring them in, legally authenticated, and those indebted to make immediate payment to Joseph McCrney, Adm'r.

July 11. 7w.

Public Sale.

Will be sold at public sale on the 1st day of August next, (if the weather permits, it is not the next fair day.) Two Tracts or Parcels of Land called "Stevens's Mount," containing 410 acres of land, and "Stevens's Connexion," containing 440 acres, lying in Anne Arundel county, at the head of the river Magdohy, and near Mr. C. Waters's mill. The sale will commence at 11 o'clock, A.M.

N.B. The land is heavily timbered with oak, pine and hickory, lying contiguous to a good landing.

July 11. 3w.

Six Dollars Reward.

Unlawfully absented himself, or ran away from the subscriber, of Calvert county, Maryland. William Kershaw, an apprentice regularly bound by the orphans court of the county and state aforesaid, about 19 years of age, of a swarthy complexion, spare and genteel, and with black hair. The above reward will be given for the apprehension, so that I get him, of the said William Kershaw, and all reasonable charges if delivered to

GAMALIEL BOWEN.

Huntingtown, July 11. 6w.

N.B. All persons, especially masters and owners of vessels, are forewarned from harbouring said Wm Kershaw, under all the pains and penalties of the law in such case made and provided.

GAMALIEL BOWEN.

List of Letters

Remaining in the Post-Office, Annapolis, July 1, 1822.

A	M
Mrs Rebecca Ashton	Capt Marshall
Rev. Benj. F. Aylcott	B. J. Mead
B	George Manfull
Robert Brown	Cornelius H. Mills, &
Deanna Boyd	Frederick Mills
John H. Brown	Wm. Myers
Wm. Buck	Mrs. E. Murdoch
Thomas Buff	Edw. Morris
Francis Bankell	Mrs. A. Murren
C	Hugh H. McPherson
William Caton	George Morgan
Mrs. Henrietta Chaney	N
John C. Conway	John B. Nichols
David Caldwell	O
Walter Cross	Wm. O'Brien, 2
John C. Coker	Saml. O'Neale
Farkel F. Chambers	Mrs. Letitia R. Orme
John Chaney	P
Wm. Cor, 2	Elijah Pennington
A. Canfield	James Parrott
R. L. Crab	Ed. Parker
D	George Plains
James I. Dorsey	John Phelps
Ed. Dorsey, 2	Joseph Palmer
Thos. B. Dorsey, 2	R
James Dunn	Thos. Ridge
Henry Durrill	Thos. Robertson
E	S
Richard Elliott	Joseph St. John
F	Levi Smith
Thos. Fisher	James Smith
Wm. Fowler	Mrs. Eliza Smith
G	Mrs. Eliza Smith
Wm. Gever	James Smith
Mrs. A. Giamelli, 2	Mrs. Sophia Sumner
Benj. Gaither	Levi A. Schley
H	Levi A. Schley
Wm. Hall	Levi A. Schley
Henry H. Hall	Levi A. Schley
Christopher Hohne	Levi A. Schley
H. W. W. Hall	Levi A. Schley
Ed. Hall, 3	Levi A. Schley
Saml. S. Horsey	Levi A. Schley
Saml. S. Hopkins	Levi A. Schley
James H. Horsey	Levi A. Schley
Mrs. Mary Horsey	Levi A. Schley
W. M. Horsey	Levi A. Schley
Mr. Hutton	Levi A. Schley
John Horsey	Levi A. Schley
Hunter, Esq.	Levi A. Schley
J	Levi A. Schley
Daniel Jacob	Levi A. Schley
Wm. Jefferson	Levi A. Schley
Jacob Janney	Levi A. Schley
Wm. Jones	Levi A. Schley
Anthony Jones	Levi A. Schley
K	Levi A. Schley
John P. Kennedy	Levi A. Schley
Henry Keimard	Levi A. Schley
L	Levi A. Schley
Jonathan Larkmer	Levi A. Schley
M	Levi A. Schley
Mrs. Henrietta Young	Levi A. Schley
James Munroe, P. M.	Levi A. Schley

Private Sale.

The subscriber will sell the two story FRAME BUILDING in Green street, now occupied by him. The situation is pleasant and the house convenient.

He will likewise dispose of the LOT OF GROUND fronting 25 feet on Church and Francis streets, and lying between his shop and the store of D. Ridgely & Co.

The terms, which will be accommodated, can be known on application to

WILLIAM COE, Sen

Time of Public Sale.

P. S. If the above property is not disposed of at private sale before Wednesday the 17th July, it will, at three o'clock P. M. on that day, be offered at public sale. The terms will be made known at that time. Sale to take place on the premises.

Annapolis, June 6.

ATTENTION!

If Catharine Chapman, Thomas Hawkins, or Ralph Jempston or Jemmeson,

are living, if they would write and inform Joseph F. Caldwell now living at Fincastle, Botetourt county, Va. where they reside, they may have in return some important information. The persons above alluded to used to reside near Port-Tobacco, in Charles county, Maryland; and it may be they are still there.

The Editor of the Herald of the Valley would consider it a favour, which if ever requested he would return, if the editors of papers in Maryland would give this a few insertions in their respective papers.

June 20, 1822.

Notice to Medical Graduates.

At the Annual Convention of the Medical and Chirurgical Faculty of Maryland, held in the City of Baltimore on the first Monday of June, 1822, the undersigned were appointed, a Committee to aid in the prosecution of all Graduates, who practising Medicine in this State, have not obtained a License in the manner directed by the act incorporating the Medical and Chirurgical Faculty of Maryland, and the Supplement thereto; and the said Committee were directed to hold a correspondence with the Censors throughout the state for the completion of this object.

By the IVth Art. of the act of incorporation, examiners were appointed "whose duty it shall be to grant licences to such medical and chirurgical gentlemen, as they either upon a full examination, or upon the production of diplomas from some respectable college, may judge adequate to commence the practice of the Medical and Chirurgical Arts, each person so obtaining a certificate to pay a sum not exceeding ten dollars."

By a supplement passed in the year 1801, it is enacted "that no person, who is not already a practitioner of medicine and surgery within this state, shall be allowed to practice in either of the said branches, and receive payment for the same, without having first obtained a license agreeably to the original act to which this is a supplement, under the penalty of fifty dollars for each offence, to be recovered in the county court where the offence is committed by presentment and bill of indictment, one half for the use of the faculty, the other for the informer."

Notice is therefore given to all graduates who have commenced the practice of Medicine and Surgery in the State of Maryland without a License, to make application for the same forthwith, to the Medical Board of Examiners either at Easton or Baltimore.

It will be the imperative duty of the Committee, in conjunction with the Censors of the Faculty throughout the state, to prosecute all such graduates, as fail to comply with the requisitions contained in the act incorporating the Medical and Chirurgical Faculty of the State of Maryland.

JOHN P. READEL, M. D.

P. M. A. M. D.

JOHN BUCKLER, M. D.

Committee.

Baltimore, 29th June, 1822.

IN COUNCIL,

April 23, 1822.

Ordered, That the act to alter and change such parts of the constitution and form of government, as relate to the division of Anne Arundel county into election districts, and to change the place of holding elections in the second election district of said county, be published once a week for six weeks in the Maryland Republican, and Maryland Gazette.

By order,

NINIAN PINKNEY,

Clerk of the Council.

AN ACT

To alter and change such parts of the constitution and form of government, as relate to the division of Anne Arundel county into election districts, and to change the place of holding elections in the second election district of said county.

[Passed Feb. 4, 1822.]

Sec. 1. Be it enacted, by the General Assembly of Maryland, That all that part of the constitution and form of government which relates to fixing the place of holding the elections in the second election district of Anne Arundel county, be and the same is hereby repealed.

2. And be it enacted, That the election shall be held in the said election district, at such places as shall hereafter from time to time be provided by law, for the holding thereof.

3. And be it enacted, That the words "and the electors of the senate of this state" in the third section of the act confirmed at December session eighteen hundred and seventeen, entitled, "An act to alter and change such parts of the constitution and form of government as relate to the division of Anne Arundel county into election districts, and to change the place of holding elections in the second election district of said county," be and the same are hereby rendered null, void, and of no effect.

4. And be it enacted, That if this act shall be confirmed by the General Assembly, after the next election of Delegates, in the first session after such new election, as the constitution and form of government direct, that in such case, this act, and the alterations and amendments of the constitution and form of government therein contained, shall be taken and considered, and shall constitute and be valid, as a part of the said constitution and form of government, any thing in the said constitution and form of government to the contrary notwithstanding.

July 6.

FOR SALE,

Four Hundred Acres of Land.

Lying in the lower part of Calvert county, about 2 miles from the mouth of Patuxent. The greater part of this land is covered with wood of a very superior quality and of every description, viz. hickory, white oak, chestnut, pine, &c. The cleared land, though at this time much reduced, might be easily, and at a trifling expense, made productive, by the use of plaster and clover. The improvements are few, and with the exceptions of a tobacco house, very indifferent. Fifteen or twenty acres of meadow land might be made at a trifling expense. To any person wishing to embark in the wood and timber business, it offers advantages equalled by few tracts of the same size in the county, being but a short distance from the head water of a creek navigable for boats carrying thirty cords of wood. A more particular description is deemed unnecessary, supposing persons wishing to purchase would view the premises. Mr Wm. E. Hungerford living near the premises will shew it when called on. The terms will be accommodating—but a small part will be required in hand, the balance to suit the purchaser. Sale to commence on the twentieth of July next, at 11 o'clock, A.M.

THOS. B. HUNGERFORD.

June 6

ts.

A Farm for Sale.

The subscriber offers for sale a tract of land lying in South River Neck containing upwards of 500 acres. This land, (from the subscriber's own experience) is susceptible of being brought to a high state of improvement, by the application of clover and plaster; a considerable part of this land is adapted to the growth of wheat, and other grain, and other parts to the cultivation of tobacco. There is a small dwelling house upon the premises, (which will receive an addition sufficient to accommodate a large family by the expiration of the present year, at which time possession will be given,) also other out houses suitable for the purposes of farming and planting. It is deemed unnecessary to give a further description of this land, as it is presumed that persons wishing to purchase will survey the premises before they determine to buy. This land will be sold on very accommodating terms; the purchaser, by paying a part in cash, can have their own time to pay the balance of the purchase money. Persons wishing to purchase will please to make application to the subscriber at Williamson's Hotel, Annapolis. Mr. R. Thorn, the present tenant, will show the land to those wishing to purchase. Should the above land not be sold at private sale before Wednesday the 4th day of September next, it will on that day be offered at public auction on the premises, and will positively be sold to the highest bidder.

June 17

JOS. MAYO.

NOTICE.

The subscriber being anxious to settle up her business, requests those who are indebted to her, immediately to pay, or close their accounts by note. Those persons in particular whose accounts have stood for twelve months and upwards, must settle shortly, or they may expect that measures will be taken to compel them.

The subscriber has on hand a good stock of ready made

SHOES,

comprising almost every description, which are offered for sale at a moderate advance for cash, or on a short credit to such of her customers as are known to be punctual. Persons who have permitted their accounts to remain a long time unpaid, are informed that no more additions will be made to them from this date. She is determined in future to credit no one, who will not pay once a year or oftener if called upon.

A. MUNROE.

June 13, 1822.

6w.

Notice is hereby given,

That the subscribers have obtained from the orphans court of Anne Arundel county, letters testamentary on the personal estate of Larkin Shipley, late of said county, deceased, and request all those indebted to make immediate payment, and those who have claims against the deceased, to produce the same properly authenticated.

Richard G. Stockell, Ex'rs.

Henry Wayman, Ex'rs.

June 6, 1822.

6w.

JUST PUBLISHED

And For Sale at Geo. Shaw's Store, THE FIRST VOLUME OF HARRIS & JOHNSON'S REPORTS OF Cases Argued and Determined in the GENERAL COURT AND COURT OF APPEALS OF THE STATE OF MARYLAND From the year 1800 to 1805, Inclusive, Price—\$6 50.

Sept. 27.

FOR SALE,

OR RENT,

MY HOUSE NEAR ANNAPOLIS,

Lately in the occupation of John Quynn. Possession will be given immediately.

Nicholas Brewer, jun.

June 27.

3w.

Constable's Sale.

By virtue of three writs of fieri facias issued by Nicholas, Worthington (of Thbs.) Esq. and to me directed, I will offer at Public Sale, at Messrs. Polton and Litchfield's Mills on Elkridge, on Thursday the 15th day of July next, one negro woman named Kate, about 40 years of age, (a slave for life,) late the property of Mrs. Arra Polton; taken at the suits of Doct. Charles G. Worthington, and Messrs. Polton and Litchfield. The aforesaid negro woman will be sold subject to serve Mr. Philip Rivers, of Elk Ridge, (in whose employ she now is,) one year from about the first of May last Sale to commence at 11 o'clock. Terms of sale cash.

Thomas Scott, Constable.

Elk Ridge, 29th June 1822.

At a Meeting

Of the Visitors and Governors of St John's College held June 4th 1822. the following resolution was unanimously passed:

Resolved, That the proposition for a meeting of the Alumni of the University of Maryland, on the 1st Monday in August next, at St John's College, meets the cordial approbation of this Board, and that the College Hall be prepared for the reception of the meeting.

Test, W. E. PINKNEY, Secretary to the Board.

June 6

For Sale,

THE HOUSE AND LOT,

Now occupied by Richard J. Crabb, Esq. near the Bath Spring. Possession will be given on the 1st of November next. For further particulars and terms, apply to the subscriber, living on the head of Severn, or Robert Welch, of Ben Esq. Annapolis.

James Newburn.

Jan. 17

NOTICE.

ADAM & JOHN MILLER, Having purchased of George & John Barber, & Co. their well selected

STOCK OF GOODS, offer them for sale (at their old stand) on the most reasonable and accommodating terms for cash, or to punctual dealers at short dates.

Oct. 11, 1821.

State of Maryland, sc.

Anne Arundel county, Orphans Court,

June 1st, 1822.

On application by petition of William M. Waters, administrator of John T. Davidson, late of Anne Arundel county, deceased, it is ordered that he give the notice required by law for creditors to exhibit their claims against the said deceased, and that the same be published once in each week, for the space of six successive weeks in the Maryland Gazette and Political Intelligence.

Thomas H. Hall, Reg. of Wills

A. A. County.

Notice is hereby Given,

That the subscriber of Anne Arundel county, hath obtained from the Orphans Court of Anne Arundel county in Maryland, letters of administration on the personal estate of John T. Davidson, late of Anne Arundel county deceased. All persons having claims against the said deceased, are hereby warned to exhibit the same with the vouchers thereon, to the subscriber, at or before the 1st day of December next, they may otherwise by law be excluded from all benefit of the said estate. Given under my hand this 1st day of June, 1822.

WM. M. WATERS, Adm'r.

June 6, 1822.

NOTICE.

The Commissioners of the Tax for Anne Arundel County, will meet on the second Monday of August next, for the purpose of hearing appeals & making transfers.

By order,

WM. S. GREEN, Clk.

May 23.

Andrew Nicholls,

Respectfully informs the voters of Anne Arundel county, and the city of Annapolis, that he is a candidate for the Sheriffalty of said county at the election of October 1822.

PRINTING

Of every description, neatly executed at this Office.

For Sale,

The valuable Establishment in the City of Annapolis, late the property of Dr. Upton Scott, and now occupied by Samuel Chase, Esq. consisting of a large & convenient Dwelling House with Stable, Carriage House, suitable out buildings, an extensive garden, containing a great variety of fruit of the best kinds, a Green House, all enclosed with a substantial brick wall. Also a lot containing two acres of ground, situated on the Spa Creek, and convenient to the above Establishment, enclosed with a post and rail fence. The situation is pleasant and healthy, and well calculated to afford an agreeable residence to a large family.

For terms apply to Henry Maynadier, Annapolis.

NOTICE.

The subscriber will expose to public sale, at 6 o'clock P. M. on the 13th day of this month,

Several Lots of Ground,

situate and fronting on Prince George's street, and running to an alley twenty feet wide, to be laid off at the lower end of said lots.

The Terms of Sale, one fifth of the purchase money to be paid down the remaining four fifths to be paid in four equal annual payments, the first payment to be made on 13th July, 1823. Bonds, with good security, to be given for the purchase money. Deeds with special warranty, to be given on the payment of all the purchase money, with legal interest from the day of sale. Possession will be given on the 20th December next.

Jeremiah T. Chase.

Notice.

All persons indebted to the late firm of George and John Barber, & Co. are requested to call and settle their accounts, before the 15th Sept. next, otherwise suits will be instituted against them without respect to persons, as it is very necessary that the concern should be settled in as speedy a way as possible, in consequence of my having to settle with the representatives of the late John T. Barber, John Miller Jr.

State of Maryland, sc.

Anne Arundel County Orphans Court,

July 11th, 1822.

On application by petition of John Beard, executor of the last will & testament of Susannah Beard, late of Anne Arundel county, deceased, it is ordered that he give the notice required by law for creditors to exhibit their claims against the said deceased, and that the same be published once in each week, for the space of six successive weeks in the Maryland Gazette.

THOMAS H. HALL,

Reg. Wills. A. A. County

Notice is hereby Given,

That the subscriber of Anne Arundel county, hath obtained from the orphans court of A. A. county, in Md. letters testamentary on the personal estate of Susannah Beard, late of Anne Arundel county deceased. All persons having claims against the said deceased, are hereby warned to exhibit the same, with the vouchers thereof, to the subscriber, at or before the 11th day of December next, they may otherwise by law be excluded from all benefit of said estate. Given under my hand this 11th day of June, 1822.

John Beard, Ex'r.

June 13.

6w.

Shaw & Gambrill,

Have on hand and intend keeping,

A SUPPLY OF THE BEST

DRUGS

AND

MEDICINES

which they will sell at the retail prices in Baltimore, and assure their friends and the public, that every attention will be given to weighing out and putting up any article in the above line. Orders from the country, (inclosing the cash,) will be thankfully received, and punctually attended to.

May 30th, 1822.

CABINET MAKING.

The Subscriber, at his Shop, in Church-street, opposite the Post-Office, having provided himself with Mahogany, and other materials, for carrying on the

Cabinet Making Business, &c.

Solicits the public for a portion of their custom, which will be thankfully received.

He will likewise furnish and superintend

FUNERALS

On the shortest notice, and most reasonable terms.

He will also attend to the business of

Upholstering and Paper Hanging.

JONATHAN WEEDON.

Annapolis, Jan. 3, 1822.

The University of Maryland.

ST. JOHN'S

AND

WASHINGTON

COLLEGES.

The reputation and welfare of Maryland have been deeply afflicted by the fall of this University; and although it is the common duty of every man in the state to endeavour to re-construct it, there seems to be something more than an ordinary obligation upon those, who claim to be the Alumni of the Institution, to co-operate, and to make one vigorous, united effort, to resuscitate and to restore it to its ancient usefulness and fame, that they may be the special means of transmitting to their descendants, and to posterity generally, the benefits of an Institution which the wisdom of their forefathers had created for them.

It is therefore respectfully suggested to the Alumni of this University, wherever residing, to hold a meeting on the first Monday in December next, at St. John's College in Annapolis, (by permission of the Visitors and Governors,) to take into consideration the practicability of reviving this University, the plan, and the ways and means necessary to effect it.

As the Chancellor of the state is upon the spot, and is always one of the Visitors & Governors of the University, it is also suggested that he be invited to attend as President of the Convention.

Should this proposition meet with the approbation of those to whom it is directed, it may be useful to insert short paragraphs in the several newspapers of the state, and of the District of Columbia, favourable to the plan, and urging a general attendance at the Convention—as it is not only desirable that our once distinguished and venerable "Alma Mater," should be re-animated and restored by her Sons, but particularly so that they should form a Brotherhood of every surviving member of the family to undertake the noble work, to which gratitude and duty equally invite.

ALUMNI.

P. S. The Editors of newspapers throughout the state, and in the District of Columbia, are requested to give this publication a few insertions in their respective Journals.

May 16

11D

Notice is hereby given,

That the subscriber hath obtained from the orphans court of Anne Arundel county, letters of administration on the estate of Samuel Welch, sen. late of said county, deceased. This is to request all persons having claims against the said deceased to bring them in, legally authenticated, and those indebted to make immediate payment to

WARNER WELCH, Adm'r.

June 27

3

THE ST. MARY'S

MARYLAND,

Will commence her regular route on Wednesday the 6th of March, at 8 o'clock from Commerce street wharf Baltimore, for Annapolis and Easton. Leaving Annapolis at half past 12 for Easton, and on Thursday the 7th will leave Easton, by way of Todd's Point, the same hour, for Annapolis and Baltimore, leaving Annapolis at half past 2 o'clock; and continue to leave the above places as follows: Commerce street wharf, Baltimore, on Wednesdays and Saturdays, and Easton on Sundays & Thursdays, at 8 o'clock, till the first of November, and then leave the above places one hour sooner, so as to arrive before dark.

Persons wishing to go from Easton to Oxford can be landed for 50 cents each, the same from Oxford to Easton.

Passengers wishing to proceed to Philadelphia will be put on board the Union Line of Steam Boats, in the Patuxent river, and arrive there by 9 o'clock next morning.

The Maryland will commence her route from Baltimore for Queen's-town & Chester town, on Monday the 1st day of April, leaving Commerce street wharf at 9 o'clock every Monday, and Chester town every Tuesday at same hour, for Queen's-town and Baltimore, during the season.

Horses and Carriages will be taken on board from either of the above places. All baggage at the risk of the owners.

All persons expecting small packages, or other freight, will send for them when the boat arrives, pay freight and take them away.

Feb. 28.

Take Notice.

All persons indebted to the firm of GEORGE & JOHN BARBER,

are requested to call and settle their accounts. Those which are of long standing, they expect to have settled by the first of March, or the debtors may expect suits to be instituted.

They have on hand, and intend keeping, an assortment of

Shorts, Bran, and Horse Feed,

At their New Warehouse on the wharf, where persons may be supplied on the most moderate terms.

G. & J. BARBER.

January

\$500 Dollars Reward.

Ranaway from the subscriber living in Calvert county, Maryland, on the 8th April, three negro men, viz.

JIM,

Aged about 25 years, 5 feet 7 or 8 inches high, black complexion, round face, well set, and had on when he went away a blue cloth coat, black cassimere pantaloons and a new for hat. As he can write it is probable he has forged a pass for himself and the others.

TOM,

Aged about 27 years, 5 feet 8 or 9 inches high, slender made, black complexion and down look when spoken to, he had on a suit of white home made jersey and a wool hat.

WAPPIN,

Aged about 45 years, 5 feet 6 or 7 inches high, a thick square built fellow of a brown complexion, had on a suit of white home made jersey with yellow stripes.

I will give one hundred dollars for the apprehension of each of the above described negroes, if taken out of the state, or fifty dollars for each if taken in the state so that I get them again.

JOSEPH V. RYLANDS.

April 18, 1822

Family Flour

The subscribers keep, and intend keeping a regular supply of the

Best Family Flour,

which they will sell at a very small advance on the Baltimore price, for

Cash

Adm and Jno. Miller.

July 4.

2

Notice.

I do hereby forewarn all persons from taking an assignment of a note payable to George Wilkinson, and Co. dated 6th August, 1821, as I have a claim against the same, and am determined not to pay it to any person.

JAMES HARRISON.

Lower Marlboro, June 20th, 1822.

FOUND

Some months since, in Prince George's street, in this city an old fashioned GOLD SET FINGER RING, a Mocha stone set round with Garnets on the top. The owner may have the same, on application at this office, by proving property, and paying the expense of advertising.

June 13

3w.

Notice is hereby given,

That the subscriber has obtained from the orphans court of Anne Arundel county, letters of administration on the personal estate of James Barry, late quarter gunner in the service of the United States. All persons having claims against said estate, are requested to present them, properly authenticated, and those indebted are requested to make immediate payment, to

JACOB BARRY, Adm'r.

July 4.

3w.

Farmers Bank of Maryland,

Annapolis, June 19th, 1822.

In compliance with the charter of the Farmers Bank of Maryland, and with a supplement thereto establishing a branch thereof at Frederick town, Notice is hereby given to the stockholders on the western shore, that an election will be held at the banking house in the city of Annapolis on the first Monday in August next, between the hours of 10 o'clock A.M. and 3 o'clock P.M. for the purpose of choosing from amongst the stockholders sixteen directors for the bank at Annapolis, and nine directors for the branch bank at Frederick town.

By order,

JONA. PINKNEY, Cash.

The Editors of the Maryland Republican Annapolis and the Federal Gazette, and American of Baltimore, are requested to publish the above once a week for six weeks.

FOR SALE,

The property in Annapolis formerly occupied by the late Dr. James Murray. This property consists of a large and convenient

Brick Dwelling House,

With a good Garden, Pump of Water, a Brick Building suitable for an office, Carriage-house, Stable, Smoke-house, and other useful improvements, all in good order, and well calculated to accommodate a large family. One fourth of the purchase money will be required in hand; bonds on interest, for the balance, with good security; an extensive credit will be given if required. Possession can be given in a short time.

For Terms apply to Mr. Henry Maynadier, or Mr. Daniel Murray, on Elk Ridge.

SARAH E. MURRAY.

May 30.

6w.

Just Published

And for sale at this Office and at Mr. George Shaw's Store—price 25cts

The Constitution of Maryland,

To which is prefixed,

The Declaration of Rights—

With the amendments thereto

Oct. 25.

PRINTED AND PUBLISHED

BY

JONAS GREEN,

CHURCH-STREET, ANNAPOLIS.

Price—Three Dollars per Annum.

THE OPINION OF THE COURT OF APPEALS

Upon the question, whether a conspiracy to cheat and defraud a bank, by the officers thereof, is an offence at common law, and punishable in Maryland?

Court of Appeals, Dec. Term, 1821.

THE STATE OF MARYLAND, et al.

(Concluded.)

That case has no other bearing on the present, than as it shows that all indictable conspiracies, are not embraced by the statute 33 Edward I., but that at common law a conspiracy to do any thing which the law forbids is indictable. In *The King vs. The Journeymen Tailors of Cambridge*, 8 Mod. 10. recognized in 6 T. R. 636, the defendants were indicted at common law, and not on the statute of George, for a conspiracy to raise their wages; and it was held, that the conspiracy was indictable, at common law, though it would have been lawful for either of them to raise his wages if he could. So in *The King vs. Delaval*, 3 Burr. 1434, which was a conspiracy to place a girl by her own consent in the hands of Delaval for the purpose of prostitution. The act of seduction was not of itself an indictable offence, but it was the end, the immoral object of the conspiracy, which gave it its criminal character. And the case of *The King vs. Lord Grey* is of a similar description. In 1 Hawk. P. C. 190, ch. 72, it is said, "where can be no doubt, that all combinations whatsoever, wrongfully to prejudice a third person, are highly criminal at common law." This is literally adopted and transcribed into 1 Burn's Justice 378, and 3 Will. 4th's Works 118. Chitty in his 3 Vol. on Criminal Law, 1139, says, "in a word all confederacies wrongfully to prejudice another, are misdemeanors at common law, whether the intention is to injure his property, his person or his character." and in 4 Blk. Com. 137. (Christian's note 4.) "every confederacy to injure individuals, or to do acts which are unlawful, or prejudicial to the community, is a conspiracy." The concurring testimony of these writers, that all conspiracies wrongfully to injure a third person are indictable offences, is not lightly to be received, though the positions laid down, are not assumed as full and definite descriptions of the crime of conspiracy; yet they go quite far enough for all the purposes of this prosecution. Indeed the four first were only treating of conspiracies levelled against individuals. And such is the character of conspiracy, so ramified is it in its nature, the object and tendency of it being that, from which it derives its criminality, that it would be exceedingly difficult to give a single specific definition of the offence. But by a course of decisions running through a space of more than four hundred years, from the reign of Edward the III to the 59th of George the III, without a single conflicting adjudication, these points are clearly settled:—

1st. That the offence of conspiracy is of common law origin, and not restricted or abridged by the statute 33 Edward I.

2d. That a conspiracy to do any act that is criminal per se, is an indictable offence at common law, for which it can scarcely be necessary to offer any authority.

3d. That an indictment will lie at common law—1st. For a conspiracy to do an act not illegal, nor punishable if done by an individual, but immoral only—as in *The King vs. Lord Grey* and others, and the case of *Sir Francis Blake Delaval*.

2d. For a conspiracy to do an act neither illegal nor immoral in an individual, but to effect a purpose, which has a tendency to prejudice the public—as in *The King vs. The Journeymen Tailors of Cambridge*, for a conspiracy to raise their wages, either of whom might legally have done so, and *The King vs. Edwards* and others.

3d. For a conspiracy to extort money from another, or to injure his reputation by means not indictable if practised by an individual, as by verbal defamation, and that, whether it be to charge him

with an indictable offence or not—as in *Timberly and Child vs. North & Timberly*; *The Queen vs. Armstrong, Harrison and others*; *The Queen vs. Best and others*; *The King vs. Kinnerly & Moore*; *The Queen vs. Martham Brian*; *The King vs. Parsons and others*, and *The King vs. Risal*. 4th. For a conspiracy to cheat and defraud a third person, accomplished by means of an act which would not in law amount to an indictable cheat, if effected by an individual—as in *Breerton & Townsend*; *The King vs. Skirrell and others*; *The Queen vs. Macarthy & Fordenborough*; *The Queen vs. Orbell*; *The King vs. Wheally*, and *The King vs. Lara*. 5th. For a malicious conspiracy, to impoverish or ruin a third person in his trade or profession—as in *The King vs. Cope and others*; *The King vs. Eccles*; *The King vs. Leigh and others*. (Macklin's case.) and the case of *Clifford vs. Brandon*. 6th. For a conspiracy to defraud a third person by means of an act not per se unlawful, and though no person be thereby injured—as in *The King vs. Robinson & Taylor*; *The King vs. Berenger and others*, and *The King vs. Edwards and others*. 7th. For a bare conspiracy to cheat or defraud a third person, though the means of effecting it should not be determined on at the time—as in *The King vs. Gill & Henry*. 8th. That a conspiracy is a substantive offence and punishable at common law, though nothing be done in execution of it—as in the *Book of Assizes*, ch. 44; *The Poulterer's case*; *The King vs. Edwards and others*; *The King vs. Eccles*; *The King vs. Berenger and others*, and *The King vs. Gill & Henry*; and all the authorities that the conspiracy is the gist of the offence. And 9th. That in a prosecution for a conspiracy, it is sufficient to state in the indictment, the conspiracy and the object of it; and that the means by which it was intended to be accomplished need not be set out, being only matters of evidence to prove the charge, and not the crime itself, and may be perfectly indifferent—as in *The King vs. Eccles*, & *The King vs. Gill & Henry*.

From all which it results, that every conspiracy to do an unlawful act, or to do a lawful act for an illegal, fraudulent, malicious or corrupt purpose, or for a purpose which has a tendency to prejudice the public in general, is at common law an indictable offence, though nothing be done in execution of it, and no matter by what means the conspiracy was intended to be effected; which may be perfectly indifferent, and makes no ingredient of the crime, and therefore need not be stated in the indictment. In 1 Tremaine's P. C. 82, 83, there is an information against Turner and others, for a conspiracy to destroy the reputation of one George Green, and falsely to charge him with adultery with the wife of one of the conspirators, for the purpose of extorting money from him. In 86, against Record and others, for a cheat practised on Lady Dorothea Seymour, in prevailing on her by means of a falsehood to advance large sums of money to them. In 91, against Wilcox and others, for cheating by conspiracy one John Dutton of a quantity of cloth under pretence of buying them. In 94, against Taylder and others, for a cheat by conspiracy, in drawing an absolute conveyance to themselves of the estates of two women, and persuading them to execute it, pretending it was only in trust for the women, &c. And in 97, against Allbone and others, for cheating by conspiracy one Hiliard, in obtaining divers bonds from him for the payment of money to themselves and others, as a consideration for procuring a marriage between him and an indigent woman whom they represented as being rich. In neither of those cases, could an indictment have been sustained for the same injury practised by an individual, without the aid of conspiracy or combination; and as Tremaine gives the terms, the reigns, and the names of the respective parties, there can be little doubt, that they are precedents of informations in adjudicated cases, and that they were held to be good; and they go far to show how the common law was understood in England in the reigns of Charles and James the III. And the law of conspiracy, as settled by the uniform tenor of the decisions of the courts

in England, has been recognized and adopted as the common law, by the courts of several of the sister states; as in *The Commonwealth vs. Ward and others*, 1 Mass. Rep. 473. *The Commonwealth vs. Judd and others*, 2 Mass. Rep. 329; and *The Commonwealth vs. Tibbitts & Tibbitts*, ibid 536; and the cases of *The Journeymen Cordwainers in New-York and Pennsylvania*; and also in a similar case in this state, by the court of oyer and terminer, &c. for Baltimore county, which has it is believed been entirely acquiesced in. In 2 East's C. L. title Cheat—cheats by conspiracy are treated of, as being on the same footing with cheats effected by the use of public false tokens, as false weights and measures. Chitty in his 3 Vol. title Conspiracy, after speaking of indictable conspiracies levelled at individuals, says, "but the object of conspiracy, is not confined to an immediate wrong to particular individuals, it may be to injure public trade, to affect public health, to violate public police, to insult public justice, or to do any act in itself illegal." Thus taking a clear distinction between indictable combinations to injure individuals, and such as have for their object an injury to the public at large, or the commission of acts which are in themselves illegal. And in page 1140 he says, "that to constitute a conspiracy, it is not necessary that the act intended should be in itself illegal, or even immoral; that it should affect the public at large; or that it should be accomplished by false pretences." Conspiracies are odious in law, and are always taken mala parte, and properly. In *The King vs. Risal*, it was said by Lord Mansfield in delivering the opinion of the court, that "they tended to a breach of the peace, as much as cheats or libels." That is the only reason assigned in the books why libels are punishable by indictment; and whether they have in fact a more direct tendency to a breach of the peace, than verbal slanders, which are not per se punishable, it is now too late to inquire—the law is settled, whether the reason be good or bad. There is however a greater malignity of spirit displayed, and a deeper and more lasting mischief contemplated by a deliberately written libel, than by a mere verbal slander, which is often repented of almost as soon as it is uttered. Libels therefore furnish evidence of a disposition, more dangerous to the social order, than verbal slanders, against the effect of which, the law has interposed itself, as a necessary safeguard. So at common law, a cheat effected by public false tokens, as "false weights and measures," is punished criminaliter, not because the party cheated, is more injured in that way, than by a mere private cheat accomplished by an individual in any other manner, which is not indictable; but because it is that, against which ordinary care and prudence are not sufficient to guard, and the use of which, evinces a disposition to practise upon the whole community. And for the same reason fraudulent, false or malicious conspiracies to cheat or otherwise injure a third person, are indictable offences; for that ordinary care and prudence, which would be a sufficient guard against the evil designs of an individual, furnish no protection against the machinations of a band of conspirators. *The King vs. Turner* and others, 13 East, 228, has been much relied upon by the counsel for the defendants in error, but the case itself is not at all in hostility with this principle, or with any of the adjudications to which we have had occasion to advert. It was an agreement only, (in the words of Lord Ellenborough by whom it was decided) "to go and sport upon another's ground;" not tainted either with malice, falsehood or fraud. And an agreement to commit a civil trespass, (for every unauthorised entry upon the possessions of another, though it only be for the purpose of innocent amusement, is in law a trespass) may not, according to circumstances, amount to an indictable offence. But fraud, falsehood and malice, strike at the very root of the social order, as the well being of a community greatly depends on the honesty, truth, and properly regulated passions of those who compose it; and therefore it is necessary, that the law should punish them whenever they assume a shape, against the effect of which ordinary care and prudence are not sufficient to guard.

There is nothing in the objection, that to punish a conspiracy where the end is not accomplished, would be to punish a mere unexecuted intention. It is not the bare intention, that the law punishes, but the act of conspiring, which is made a substantive offence, by the nature of the object intended to be effected. And in that respect, conspiracies are analogous to unlawful assemblies. An unlawful assembly, is the assembling of three or more together to do an unlawful act, as to pull down enclosures, and departing without doing it, or making any motion towards it. In that case it is not the bare unexecuted intention which the law punishes, but it is the act of meeting, connected with the object of that meeting, which constitutes the offence; and for that act of meeting alone, though it should be to do, what if actually done by one, as the pulling down of another's enclosures, (which would be but a civil trespass,) the parties are liable to be punished by fine and imprisonment. And why should the law favour the act of conspiring together, falsely to injure the reputation of another, maliciously to ruin him in his occupation, or fraudulently to cheat him of his property, (no matter by what means,) and yet punish the act of meeting together to pull down another's fence, without making any motion towards it?

But it is contended, that if our ancestors brought with them the common law of the mother country, or any part of it, it was the common law so far only as it had been established by judicial precedents, at the time of their emigration, and not as it has since been expanded in England by judicial decisions. That our ancestors did bring with them the laws of the mother country, so far at least as they were applicable to their situation, and the condition of an infant colony, cannot be seriously questioned. The rule that "in conquered or ceded countries that have laws of their own, those laws continue in force, until actually altered," &c. is for the benefit and convenience of the conquered, who submit to the government of the conquerors, or in the case of cession, of the people, who by treaty submit to the government of those to whom their country is ceded, and was not applicable to the condition of our ancestors, as the Indians did not submit to their government, but withdrew themselves from the territory they acquired. They were therefore in the predicament of a people discovering and planting an uninhabited country; and as they brought with them all the rights and privileges of native Englishmen, they consequently brought with them also, as their birthright, all the laws of England, which were necessary to the preservation and protection of those rights and privileges. And it would be difficult to show, that the law of conspiracy was not, at the time of their emigration, quite as necessary to them here in their new and colonial condition as it was in England, unless it can also be shown, that there was less necessity here, than there, for the preservation of life, liberty, reputation and property, or protection against falsehood, malice and fraud. If then they did bring with them the common law of conspiracy, which is assumed as undeniable, (though it may have existed potentially only,) they brought it as it is now settled and known in England; for what it is now, it was then, it any reliance can be had on ancient authorities; and it is to judicial decisions, that we are to look, not for the common law itself, which is no where to be found, but for the evidences of it. It appears, as has been seen by a note of a case in the *Book of Assizes*, 27th Edward III, that an indictment was sustained at common law for a conspiracy, though nothing was done in execution of it. The same principle is recognized and adopted in 9 Coke's Rep. 56, (*The Poulterer's case*), in its fullest extent; and that is the great principle running through the cases so much objected to in argument, that conspiracies are substantive punishable offences, though they be not executed; and the rest, that it

is sufficient to state in the indictment the conspiracy and the object of it, that the means by which it was intended to be effected, are but matters of evidence to prove the charge, and no part of the crime itself, and may be perfectly indifferent, and need not therefore be set out, and but consequences. And in the case of *Breerton & Townsend, Noy's Rep.* 103, (12 James I.) an indictment was held to lie, as has been seen, for a conspiracy to defraud another by means of an act, which if it had been effected by an individual, would not have been indictable. The case in Noy, in which the parties were punished by fine, also shows, that the villainous judgment was not given in all cases of conspiracy, but that there were at common law, different degrees of punishment, and consequently of crime; and in 1 Hawk. P. C. 193, ch. 72, s. 9, it is said, that it has never been settled to be the proper judgment upon any conviction of conspiracy, except such as threatened the life of the party, which obviates any argument drawn from the villainous judgment, against there being any other conspiracies at common law than those enumerated in the statute 33 Edward I. These cases were before the colonization, the charter being in the eighth year of the reign of Charles the Ist. and they furnish the leading principles of the doctrine of conspiracy, of which the subsequent decisions are but practical applications, and must be received as explications of the law as it before existed, and not as creating a new law, or altering the old one, which could only be done by legislative enactment; and cannot be assimilated to occasional alterations, or changes in the practice of courts, in relation to the forms of proceeding, which are only creatures of courts, and often go on mere fiction. And it is a mistake to suppose, that they are expansions of the common law, which is a system of principles not capable of expansion; but always existing, and attaching to whatever particular matter or circumstances may arise and come within the one or the other of them; not that this or that combination, is by the common law in terms declared to be an indictable conspiracy, but that it falls within those principles of the common law, which have for their object the preservation of the social order, in the punishing such combinations, as are calculated to threaten its well being. Precedents therefore do not constitute the common law, but serve only to illustrate principles. And if there were no other adjudications on the subject to be found, the judicial decisions since the colonization, furnish conclusive evidence, not only of what is now understood to be the law of conspiracy in England, so far as those decisions go, but of what were always the principles on which that law rests. And if the political connection between this and the mother country had never been dissolved, the expression of a doubt would not now be hazarded on the question, whether the same law was in force here. And unlike a positive or statute law, the occasion or necessity for which, may long since have passed away, if there has been no necessity before, for instituting a prosecution for conspiracy, no argument can be drawn from the non user; for resting on principles, which cannot become obsolete, it has always potentially existed, to be applied as occasion should arise. If there had never been in Maryland, since the original settlement of the colony by our ancestors, a prosecution for murder, arson, assault and battery, libel, with many other common law offences, and consequently no judicial adoption of either of those branches of the common law, could it therefore be contended, that there was now no law in the state for the punishment of such offences? The third section of the *Bill of Rights*, which declares "that the inhabitants of Maryland are entitled to the common law of England, and the trial by jury according to the course of that law, and to the benefit of such of the English statutes, as existed at the time of their first emigration, and which by experience, have been found applicable to their local and other circumstances, and of such others as have been since made in England or Great-Britain, and have been introduced, used and practised by the

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FOR SALE,

Four Hundred Acres of Land,

Lying in the lower part of Calvert county, about 2 miles from the mouth of Patuxent. The greater part of this land is covered with wood of a very superior quality and of every description, viz. hickory, white oak, mesquit, pine, &c. The cleared land, though at this time much reduced, might be easily, and at a trifling expense, made productive, by the use of plaster and clover. The improvements are few, and with the exception of a tobacco house, very indifferent. Fifteen or twenty acres of meadow land might be made at a trifling expense. To any person wishing to embark in the wood and timber business, it offers advantages equalled by few tracts of the same size in the county, being but a short distance from the head water of a creek navigable for boats carrying thirty cords of wood. A more particular description is deemed unnecessary, supposing persons wishing to purchase would view the premises. Mr. Wm. E. Hungerford living near the premises will show it when called on. The terms will be accommodating—but a small part will be required in hand, the balance to be purchased by sale to commence on the twentieth of July next, at 1 o'clock, A.M.

THOS. B. HUNGERFORD.

June 6. 1822.

A Farm for Sale.

The subscriber offers for sale a tract of land lying in South River Neck, containing upwards of 300 acres. This land, (from the subscriber's own experience) is susceptible of being brought to a high state of improvement, by the application of clover and plaster; a considerable part of this land is adapted to the growth of wheat, and other grain, and other parts to the cultivation of tobacco. There is a small dwelling house upon the premises, (which will receive an addition sufficient to accommodate a large family by the expiration of the present year, at which time possession will be given,) also other out houses suitable for the purposes of farming and planting.

It is deemed unnecessary to give a further description of this land, as it is presumed that persons wishing to purchase will survey the premises before they determine to buy. This land will be sold on very accommodating terms; the purchaser, by paying a part in cash, can have their own time to pay the balance of the purchase money. Persons wishing to purchase will please to make application to the subscriber at Williamson's Hotel, Annapolis. Mr. R. Thorn, the present tenant, will show the land to those wishing to purchase. Should the above land not be sold at private sale before Wednesday the 4th day of September next, it will on that day be offered at public auction on the premises, and will positively be sold to the highest bidder.

JOS. MAYO.

June 17. 1822.

NOTICE.

The subscriber being anxious to settle up her business, requests those who are indebted to her, immediately to pay, or close their accounts by note. Those persons in particular whose accounts have stood for twelve months and upwards, must settle shortly, or they may expect that measures will be taken to compel them.

The subscriber has on hand a good stock of ready made

SHOES,

comprising almost every description, which are offered for sale at a moderate advance for cash, or on a short credit to such of her customers as are known to be punctual. Persons who have permitted their accounts to remain a long time unpaid, are informed that no more additions will be made to them from this date. She is determined in future to credit no one, who will not pay once a year, or oftener if called upon.

A. MUNROE.

June 13, 1822. 6w.

Notice is hereby given,

That the subscribers have obtained from the orphans court of Anne Arundel county, letters testamentary on the personal estate of Larkin Shipley, late of said county, deceased, and request all those indebted to make immediate payment, and those who have claims against the deceased, to produce the same properly authenticated.

Richard G. Sackett, } E.c'rs.

Henry Wayman, } 6w.

JUST PUBLISHED

And For Sale at Geo. Shaw's Store.

THE FIRST VOLUME OF HARRIS & JOHNSON'S REPORTS

Of Cases Argued and Determined in the

GENERAL COURT AND COURT OF APPEALS OF THE STATE OF MARYLAND

From the year 1800 to 1805, Inclusive.

Price—\$6 50.

Sept. 27.

IN COUNCIL,

April 23, 1822.

Ordered, That the act to alter and change such parts of the constitution and form of government, as relate to the division of Anne Arundel county into election districts, and to change the place of holding elections in the second election district of said county, be published once a week for six weeks in the Maryland Republican, and Maryland Gazette.

By order,

NINIAN PINKNEY,

Clerk of the Council.

AN ACT

To alter and change such parts of the constitution and form of government, as relate to the division of Anne Arundel county into election districts, and to change the place of holding elections in the second election district of said county.

[Passed Feb. 4, 1822]

Sec. 1. Be it enacted by the General Assembly of Maryland, That all that part of the constitution and form of government which relates to fixing the place of holding the elections in the second election district of Anne Arundel county, be and the same is hereby repealed.

2. And be it enacted, That the election shall be held in the said election district, at such places as shall hereafter from time to time be provided by law, for the holding thereof.

3. And be it enacted, That the words "and the electors of the senate of this state" in the third section of the act confirmed at December session eighteen hundred and seventeen, entitled, "An act to alter and change such parts of the constitution and form of government as relate to the division of Anne Arundel county into election districts, and to change the place of holding elections in the second district of said county," be and the same are hereby rendered null, void, and of no effect.

4. And be it enacted, That if this act shall be confirmed by the General Assembly, after the next election of Delegates, in the first session after such new election, as the constitution and form of government direct, that in such case, this act, and the alterations and amendments to the constitution and form of government therein contained, shall be taken and considered, and shall constitute and be valid, as a part of the said constitution and form of government, any thing in the said constitution and form of government to the contrary notwithstanding.

July 4.

List of Letters

Remaining in the Post-Office, Annapolis, July 1, 1822.

A	Miss Rebecca Ashton	M	Capl. Marriot
B	Rev. Benj. P. Aycock	N	George Manfull
C	Robert Brown	O	Cornelius H. Mulla, 4
D	Deimos Boyd	P	Frederick Mills
E	John H. Brown	Q	Wm. Myers
F	Wm. Bush	R	Wm. E. Murdoch
G	Thomas Bruff	S	Richd. Merriken
H	Francis Blandford	T	Mr. A. Merriken
I	William Caton	U	Hugh H. McPherson
J	Miss Henrietta Chaney	V	George Morgan
K	Michael Conaway	W	John B. Nichols
L	David Caldwell	X	Wm. O'Hara, 2
M	Walter Cross	Y	Sam'l O'Neale
N	John C. Carke	Z	Miss Letitia R. Orme
O	Ezekiel F. Chambers		
P	John Chaney		
Q	Wm. Cor. 3		
R	A. Canfield		
S	R. I. Crabb		
T	James I. Dorsey		
U	Ed. Denver, 2		
V	Mrs. Elizabeth Dancy		
W	Thos. B. Dorsey, 2		
X	James Dunn		
Y	Henry Duval		
Z	Richard Elliott		
	Thos. Fisher		
	George Fisher		
	Wm. Fisher		
	Wm. Gover		
	Mrs. A. Gambrell, 2		
	Bey Gauthier		
	Wm. Hall		
	Henry H. Hall		
	Christopher Hohne		
	H. W. & W. Hall		
	Ed. Hall, 3		
	Sam'l S. Horsey		
	Sam'l S. Hopkins		
	Joshua Hall		
	Mrs. Margaret Hinkle		
	W. M. Hobson		
	Mr. Hutton		
	John Horgan, 2		
	Hunter, Esq.		
	Daniel Jacob		
	Wm. Jefferson		
	Jacob Jacoby		
	Walter Jones		
	Anthony Jones		
	John P. Kennedy		
	Henry Kennard		
	Jonathan Laramore		
	Miss Henrietta Loring		
	James Munroe, P.M.		

Notice is hereby Given,

That the subscriber hath obtained from the orphans court of Anne Arundel county, letters of administration on the estate of Samuel Ward, late of said county, deceased. This is to request all persons having claims against the said deceased, to bring them in, legally authenticated, and those indebted to make immediate payment to

Joseph M. Coney, Adm'r.

July 11.

7w.

PRINTING

Of every description, neatly executed at this Office.

Constable's Sale.

By virtue of three writs of fieri facias issued by Nicholas Worthington (of Thos.) Esq. and to me directed, I will offer at Public Sale, Messrs. Polton and Litchfield's Mills on Elkridge, on Thursday the 18th day of July next, one negro woman named Kate, about 40 years of age, (a slave for life,) late the property of Mrs. Arra Polton; taken at the suits of Doct. Charles G. Worthington, and Messrs. Polton and Litchfield. The aforesaid negro woman will be sold subject to serve Mr. Philip Rivers, of Elk Ridge, (in whose employ she now is,) one year from about the first of May last Sale to commence at 1 o'clock Terms of sale cash.

Thomas Scott Constable.
Elk Ridge, 29th June 1822.

Take Notice.

All persons indebted to the firm of GEORGE & JOHN BARBER,

are requested to call and settle their accounts. Those which are of long standing, they expect to have settled by the first of March, or the debtors may expect suits to be instituted.

They have on hand, and intend keeping, an assortment of

Shorts, Bran, and Horse Feed,

At their New Warehouse on the wharf, where persons may be supplied on the most moderate terms

January 12. 1822. BARBER & CO.

State of Maryland, sc.

Anne Arundel County Orphans Court,

July 11th, 1822.

On application by petition of John Beard, executor of the last will & testament of Susannah Beard, late of Anne Arundel county, deceased, it is ordered that he give the notice required by law for creditors to exhibit their claims against the said deceased, and that the same be published once in each week, for the space of six successive weeks in the Maryland Gazette.

THOMAS H. HALL,

Reg. Wills. A. A. County

Notice is hereby Given,

That the subscriber of Anne Arundel county, hath obtained from the orphans court of A. A. county, in Md. letters testamentary on the personal estate of Susannah Beard, late of Anne Arundel county deceased. All persons having claims against the said deceased, are hereby warned to exhibit the same, with the vouchers thereof, to the subscriber, at or before the 11th day of December next, they may otherwise by law be excluded from all benefit of said estate. Given under my hand this 11th day of June, 1822.

John Beard, Ex'r.

June 13. 6w.

Shaw & Gambrill,

Have on hand and intend keeping,

A SUPPLY OF THE BEST

DRUGS

AND

MEDICINES

which they will sell at the retail prices in Baltimore, and assure their friends and the public, that every attention will be given to weighing out and putting up any article in the above line.

Orders from the country, (inclosing the cash,) will be thankfully received, and punctually attended to.

May 30th, 1822.

CABINET MAKING.

The Subscriber, at his Shop, in Church-street, opposite the Post-Office, having provided himself with Mahogany, and other materials, for carrying on the

Cabinet Making Business, &c.

Solicits the public for a portion of their custom, which will be thankfully received.

He will likewise furnish and superintend

FUNERALS,

On the shortest notice, and most reasonable terms.

He will also attend to the business of

Upholstering and Paper Hanging.

JONATHAN WEDDON.

Annapolis, Jan. 5, 1822.

NOTICE.

The Commissioners of the Tax for Anne Arundel County, will meet on the second Monday of August next, for the purpose of hearing appeals & making transfers.

By order,

WM. S. GREEN, Clk.

May 23.

Andrew Nicholls,

Respectfully informs the voters of Anne Arundel county, that he is a candidate for the Sheriffship of said county at the election of October 1822.

The University of Maryland

ST. JOHN'S

AND

WASHINGTON COLLEGES.

The reputation and welfare of Maryland have been deeply afflicted by the fall of this University; and although it is the common duty of every man in the state to endeavour to re-construct it, there seems to be something more than an ordinary obligation upon those, who claim to be the Alumni of the Institution, to co-operate, and to make one vigorous, united effort, to resuscitate and to restore it to its ancient usefulness and fame, that they may be the special means of transmitting to their descendants, and to posterity generally, the benefits of an Institution which the wisdom of their forefathers had created for them.

It is therefore respectfully suggested to the Alumni of this University, wherever residing, to hold a meeting on the first Friday in December next, at St. John's College in Annapolis, (by permission of the Visitors and Governors,) to take into consideration the practicability of reviving this University, the plan, and the ways and means necessary to effect it.

As the Chancellor of the state is upon the spot, and is always one of the Visitors & Governors of the University, it is also suggested that he be invited to attend as President of the Convention.

Should this proposition meet with the approbation of those to whom it is directed, it may be useful to insert short paragraphs in the several newspapers of the state, and of the District of Columbia, favourable to the plan, and urging a general attendance at the Convention—as it is not only desirable that our once distinguished and venerable "Alma Mater," should be re-animated and restored by her Sons, but particularly so that they should form a Brotherhood of every surviving member of the family to undertake the noble work, to which gratitude and duty equally invite.

P. S. The Editors of newspapers throughout the state, and in the District of Columbia, are requested to give this publication a few insertions in their respective Journals.

May 16. 11D.



THE STEAM-BOAT

MARYLAND,

Will commence her regular route on Wednesday the 6th of March, at 8 o'clock from Commerce street wharf Baltimore, for Annapolis and Easton. Leaving Annapolis at half past 12 for Easton, and on Thursday the 7th will leave Easton, by way of Todd's Point, the same hour, for Annapolis and Baltimore, leaving Annapolis at half past 2 o'clock; and continue to leave the above places as follows: Commerce street wharf, Baltimore, on Wednesdays & Saturdays, and Easton on Sundays & Thursdays, at 8 o'clock, till the first of November, and then leave the above places one hour sooner, so as to arrive before dark. Persons wishing to go from Easton to Oxford can be landed for 50 cents each, the same from Oxford to Easton.

Passengers wishing to proceed to Philadelphia will be put on board the Union Line of Steam Boats, in the Patuxent river, and arrive there by 9 o'clock next morning.

The Maryland will commence her route from Baltimore for Queen's-town & Chester town, on Monday the 1st day of April, leaving Commerce street wharf at 9 o'clock every Monday, and Chester town every Tuesday at same hour, for Queen's-town and Baltimore, during the season.

Horses and Carriages will be taken on board from either of the above places. All baggage at the risk of the owners.

All persons expecting small packages, or other freights, will find for them when the boat arrives, pay freight and take them away.

Feb. 25.

For Sale,

THE HOUSE AND LOT,

Now occupied by Richard J. Crabb, Esq. near the Bath Spring. Possession will be given on the 1st of November next. For further particulars and terms, apply to the subscriber, living on the head of Severn, or Robert Welch, of Ben. Esq. Annapolis.

Jan. 17. 1822.

At a Meeting

Of the Visitors and Governors of St. John's College held June 4th, 1822, the following resolution was unanimously passed:

Resolved, That the proposition for a meeting of the Alumni of the University of Maryland, on the 1st Friday in December next, at St. John's College, meets the cordial approbation of this Board, and that the College Hall be prepared for the reception of the meeting.

Test,

W. PINKNEY,

Secretary to the Board.

June 6. 11D.

300 Dollars Reward

Run away from the subscriber James Calvert county, Maryland, on the 15th April, three negro men, viz.

JIM,

Aged about 25 years, 5 feet 7 or 8 inches high, black complexion, round face, well set, and had on when he went away a blue cloth coat, black cassimere pantaloons and a new fur hat. As he runs with it is probable he has formed a pass for himself and the others.

TOM,

Aged about 27 years, 5 feet 8 or 9 inches high, slender made, black complexion and down look when spoken to, he had on a suit of white home made kersey and a wool hat.

WAPPIN,

Aged about 45 years, 5 feet 6 or 7 inches high, a thick square built fellow, black complexion, and on a suit of white home made kersey with yellow stripes.

I will give one hundred dollars, for the apprehension of each of the above described negroes, taken out of the county, or fifty dollars for each if taken in the States that I get them again.

JOSEPH H. KYNOLDS.

April 18, 1822. 14

Family Flour

The subscribers keep, and intend keeping a regular supply of the

Best Family Flour,

which they will sell at a very small advance on the Baltimore price, for Cash. Adam and Jno. Miller.

July 4.

Notice.

I do hereby forewarn all persons from taking an assignment of a note payable to George Wilkinson, and Co. dated 6th August, 1821, as I have a claim against the same, and am determined not to pay it to any person.

JAMES HARRISON.

Lower Marlboro, June 26th, 1822.

FOUND

Some months since, in Prince George's street, in this city, an old fashioned GOLD SETT FINGER RING, a Mocha stone sett round with Garnets on the top. The owner may have the same, on application at this office, by proving property, and paying the expense of advertisement.

June 13. 3w.

Notice is hereby given,

That the subscriber has obtained from the orphans court of Anne Arundel county, letters of administration on the personal estate of James Barry, late quarter gunner in the service of the United States. All persons having claims against said estate, are requested to present them, properly authenticated, and those indebted are requested to make immediate payment.

JACOB BARRY, Adm'r.

July 4. 3w.

For Sale,

The valuable Establishment in the City of Annapolis, late the property of Dr. Upton Scott, and now occupied by Samuel Chase, Esq. consisting of a large & convenient Dwelling House with Stable, Carriage House, suitable out buildings, an extensive garden, containing a great variety of fruit of the best kinds, a Green House, all enclosed with a substantial brick wall.

Also a lot containing two acres of ground, situated on the Spa Creek, and convenient to the above Establishment, enclosed with a post and rail fence. The situation is pleasant and healthy, and well calculated to afford an agreeable residence to a large family.

For terms apply to Col. Henry Maynard, Annapolis.

C. BIRNIE.

Notice.

All persons indebted to the late firm of George and John Barber, & Co. are requested to call and settle their accounts, before the 15th Sept. next, otherwise suits will be instituted against them without respect to persons, as it is very necessary that the concern should be settled in as speedy a way as possible, in consequence of my having to do with the representatives of the late John T. Barber.

John Miller Jr.

NOTICE.

ADAM & JOHN MILLER,

Having purchased of George & John Barber, & Co. their well selected

STOCK OF GOODS,

offer them for sale (at their old stand) on the most reasonable and accommodating terms for cash, to the usual dealers at short dates.

Oct. 11, 1821.

Just Published

And for sale at this Office and at Mr. George Shaw's Store—price 25cts

The Constitution of Maryland,

To which is prefixed,

PRINTED AND PUBLISHED

BY

JONAS GREEN,
CHURCH-STREET, ANNAPOLIS.

Price—Three Dollars per Annum.

MISCELLANEOUS.

From the New-England Mercury.

To youthful breasts where soft emotions rove,
How animating is the theme of love!

Crab there was a dashing young blade,
And he was in love with a Lobster maid,
The Lobster maid was a terrible brute,
And she told her mamma that the Crab was rude.

Her dear mamma, "pray what did he do,
To give you a kiss, or a billet doux?"
Oh, no," said she, "with a toss of her head;
But he begged me so—'tis shocking ill bred!"

I'll box the ears of the impudent brute!"
Till now the Oyster saw the maid,
Oh, split me," said he, "if I am afraid!"
He braced his cornet shell,

And strutted away with a Bond street swell,
And he told the maid, as he twirled his seal,
I'd die at her feet if a dandy could kneel."
Oh, Sir," said she, "since that can't be,
You know you can hang yourself on a tree."

And the Oyster said—but no said she,
You never shall die of a scorn from me."
She gave him her ruby red hand to kiss,
And he felt like a fish in a sea of bliss;

But the Crab he cock'd his hat in their faces,
And challeng'd the Oyster to fight at two paces.
The ground was mark'd and they took their stand,
And a Barnacle gave the word of command.

They took their aim—and the Oyster fell;
Alas! the worst of the tale is to tell;
For while he was wailing in his shell,
A giddy young Muskrat passed that way

And saw the end of the fatal affray.
He said that the Lobster's love was a sham,
For he'd seen her married that morn to a clam.

EPICURISM.

What's FASHIONABLE, I'll maintain,
Always Right," quoth sprightly Jane,
Indeed I wish," said graver Sue,
What's Right were FASHIONABLE too."

FIND NO FAULT IN THIS MAN."

Gospel.
Behold! the doubtful judge appears
Lost in a mystic maze, and stands
Like the poor culprit in his fears.

That waits his fate from injur'd hands!
Trembling Pontius, rash and rude,
Of justice, in her wrath, beware!
He lets not stained hands intrude.

The balance of her rights to bear!
Say what is Truth? he strangely cried;
To Him that only Truth could say;
That which your council have denied,

And cast, in sinful scorn away!
That which Eternal Mercy spoke,
When Jesus from the Father flies;
That which from sin and darkness, woke
A rescued world to glad surprise!

Oh! Pilate's heart an impulse ran,
While with a fearful anxious breath,
He cried, "No fault in this man,
That merits an untimely death."

Bliss! Jesus! how could fault be found
In one Eternal as Divine!
When goodness and her train surround
That pure and holy chariot of thine!

Behold! on my spirit shower
Part of thy peerless purity,
But when thou com'st with conq'ring
power,
Thy grace may find no fault in me!

RELIGION

Is not confined to any particular times
or places, but is of constant obligation, and
should show itself on all occasions—not in
the sanctimonious visage, or in the
trappings of bigotry, but in the temper and
spirit with which all the common duties of life
are performed. It should add new lustre to
all the kind and amiable feelings of our nature,
and repress all those evil passions,
which extensive intercourse with mankind,
and conflicting interests is apt to call forth.

It should show itself in meekness under in-
juries, patience under injuries—should re-
press the hasty word and the look of anger.
It should bring down the lofty look, and
check the miserable aspirations of vanity—
should make one a better neighbour and a
better patriot.

Religion, by being thus treated—not as
an acquaintance that is to be seen and ad-
mired, on visits of ceremony, but as a fa-
miliar friend that is admitted to our retire-
ments, that shares the secrets of our bosom,
and finds a ready welcome at our board, in
our walks, in the domestic circle, or in
miscellaneous company—would elevate and
improve our own character, and by our
influence would be recommended to the
notice and regard of others. [Chris Spec.]

GRAVE YARDS.

Thou shalt a grave yard—the thought-
ful melancholy which it inspires, is grateful
rather than disagreeable to me. It gives
me no pain to tread on the green roof of
that dark mansion, whose chambers I must
occupy soon—and I often wander from
choosing a place where there is neither soli-
tude nor society—something human is
there—but the folly, the bustle, the vanities,
the pretensions, the pride of humanity, are
gone—Men are there, but their passions
are hushed, and their spirits are still—ma-
lignant disease has lost its power of harming—
any has done raising—all disputes have en-
dred, all rivalry is over; the filial piety
is deeply buried, and the darkest sins are
only confined by the thickly piled clouds of
the valley—vice is dumb and powerless, and
virtue is waiting in silence for the voice of the
angel, and the trump of God.

Extract of a letter from Stephen Prase,
Esq., to the editor of the Seaman's Maga-
zine, dated

Bristol, (Eng.) May 1, 1832.

My Dear Sir,
Yesterday the Bethel Flag waved all
day at the mast head of the fine American
ship Seine, captain Erasmus Williams, who
obligingly spread her awning for the accom-
modation of a numerous assemblage of
Christians of various denominations, her
crew and passengers. Several sailors, mi-
nisters, and perhaps for the first time, a cap-
tain in the Royal Navy, Capt. John Banks,
invoked the Divine blessings, safety and pro-
tection for the captain, officers, crew and
passengers, on the deck of an American
ship, in the most solemn, impressive and
affectionate manner—delighting every
Christian heart by its appropriate fervour.

May this commencement be reciprocated
by American Naval Officers on the decks
of British ships till the only strife shall be
—who can show the greatest love for souls,
and bring the greatest tribute of glory to
our adorable Immanuel.

CONFIDENCE OF A BELIEVER

A military officer being at sea, in a dread
ful storm, his lady, who was sitting in the
cabin near him, and filled with alarm for the
safety of the vessel, was so surprised at his
composure and serenity, that she cried out,
"My dear, are you not afraid? How is it
possible you can be so calm in such a storm?"

He arose from a chair lashed to the deck,
and supporting himself by the pillar of a
bed place, he drew his sword, and pointing
it to the breast of his wife, he exclaimed,
"Are you not afraid?" She instantly replied,
"No, certainly not." "Why?" said the
officer. "Because," rejoined his lady, "I
know the sword is in the hand of my hus-
band, and he loves me too well to hurt me."

"Then," said he, "remember I know in
whom I have believed, and that he holds the
winds in his fist, and the water in the hol-
low of his hand."

For the Ohio Galaxy.

Mr. Denny,

In your last number of the Galaxy, you
put this

SCRIPTURAL QUESTION.

"How is it that Methuselah is said to
be the oldest man that ever lived, yet died
before his father?"

The Scriptural Question Answered.

Enoch, the 7th from Adam, begat Me-
thuselah in the 65th year of his age, and
after Methuselah's birth, Enoch lived 300
years, and died not, but was translated,
body and soul, into Heaven. As the prophet
Elijah, some hundred years afterwards was
translated, or carried up to Heaven in a
fiery chariot; that is, his mortal put on
immortality—his natural body became a
spiritual body, and left this habitable globe,
to join the society of the first born, whose
names are written in Heaven, which will
be the case with all the righteous found up-
on the earth at the general judgment: 1
Cor. 15th chap. 51st verse. But Methuse-
lah lived 600 and 69 years after the transla-
tion of his father Enoch, and died, which
will be the common end of the human race,
and went to rejoin his translated father in
the world of spirits. Query. Is not this an
unanswerable proof which goes to es-
tablish the doctrine of the resurrection of
the body, among many others that might be
selected.

LABOUR.

Among the vain sons and daughters of
men, there are those who despise labour,
even though their circumstances sorely need
it, as if the point of honour lay in being
useless, improvident and helpless. This is
Folly's pride. Whoso despiseth labour,
despiseeth an ordinance of Heaven. Not
only is labour made necessary by the law
of our general nature, but it is a positive
law from above. "Six days shalt thou
labour and do all thy work." So far from
being despised, it will always be held in
honour by the wise and good. To honour
useful labour—to encourage the industrious
—to bring up children to early habits of
industry and frugality—and, on the other
hand, to discountenance and hold in re-
proach a life of sloth, improvidence or dis-
ipation, are indispensable, that ought to
be engraven on the public mind. They are
truly republican sentiments and habits;
and as far as they prevail and become fas-
hionable, so far will there be order and thrift
in any free republic, especially in this free
country, where there is such an unbounded
scope for industry. Duchess Obs.

OFFICIOUSNESS.

An English modern traveller thus de-
scribes a "ludicrous morning scene," at
Madras.

"Here a barber, uncalled for, was shav-
ing a man as he still lay dozing; there ano-
ther was cracking the joints of a man half
dressed; here were two servants, one pour-
ing water on the other washing, a Sahib's
hands. In spite of my efforts to prevent
them, two well dressed men were washing
my feet; and near me was a lady dexterously
pulling on the clothes of a sleepy brother
officer, as if he had been an infant under
her care."

REFRESHMENT.

We expect the joint cracking mentioned
above, is the same as that mentioned by
Munro, in the Narrative of the Military
Operations on the Coromandel Coast, where
he speaks of Gentoo and Malabar barbers
cracking his joints very dexterously, and
displaying much art. "The operator," he
says, "first seizes a person by the ears, and
giving a sudden twist to the neck, makes it
crack in a manner sufficient to frighten a
stranger; he thence descends in regular or-
der to every joint in the body and limbs,
making each of them crack as he goes a-
long, finishing at the great toe. This great-
ly refreshes a person after walking, or any
exercise of fatigue."

Among the regular Toasts drank on the
4th of July, by the Milton Guards, com-
manded by Captain Henry Frick, was the
following:

"McDuffie and Cumming—"Gratifying
Intelligence." M'Duffie "feels perfectly
comfortable." Now let us sing, long live Cumming.
M'Duffie long live he;
And when they next a duel fight,
May we be there to see, Three Cheers.
[Demo. Press.]

MASONIC.

A Charge delivered to the Brethren of
Mount Moriah Lodge, No. 178, Borough of
Huntingdon, Pennsylvania, on St. John's
Day, June 24, 1832, by William R. Smith,
W. Master of the Lodge. Published by
order of the Lodge.

To you my worthy brethren, who have
long and steadfastly gazed on the great lights
of Masonry, whose minds have been illu-
minated by their never fading irradiations,
and whose foilsome paths throughout this
dark sojourn have been rendered easier
and the safer to tread, in proportion as by
them ye have been guided; to you whose
good works have been always commended,
and frequently honoured by the craft, in
this terrestrial lodge, and whose well direct-
ed labours for the advancement of science
are unremittently continued; it is unques-
tionably true, that I should particularly address
my observations. But from you, my young
brethren, who have so lately emerged from
the darkness of ignorance into the light of
Masonic truth, and whose enquiring eyes
are yet directed towards the East in search
of that knowledge which is thence always
imparted with as heart felt pleasure, as by
you it is received, I hope to obtain the undi-
vided attention which I claim.

The ancient and honourable order into
which you have voluntarily entered, and
have been cordially received; and in which
you have most solemnly enrolled yourselves
as faithful and strict supporters of its pure
and moral precepts, and also of its most an-
cient and highly impressive ceremonies,
needs not my feeble voice to add to its praise.

The principles of Masonry existed coeval
with creation, and the weight of time has
not yet bowed down the pillars of our tem-
ple. Over the face of this extensive globe,
great empires have been founded; they a-
rose; flourished; faded, sunk & are forgotten!
Cities whose splendid monuments of archi-
tecture were the pride and glory of their
age, and whose magnificent ruins are still
the wonder of the admiring world, have
crumbled into atoms; and the wild beast
now prowls amidst the sands of the desert,
which cover the palaces of beauty, valour,
and wisdom, where a Zenobia reigned and
fought; where a Longinus wrote and ad-
vised; Kings and conquerors, heroes and
statesmen have lived their transient hour,
and played their ephemeral parts on the
great theatre of the world: But the grave
has equally closed over their names and
their actions; and the honours which they
received or conferred have alike perished
with the possessors. But Masonry! Pure
and glorious Masonry, has, ever uninjured,
existed amidst the convulsions of the earth,
the struggles of power, and the desolation
of the barbarian. The distinguished name
of Free Mason has survived the conquerors
and the conquered; and the dignities, and
the mysteries of the royal art have unim-
paired descended through the lapse of ages,
with wisdom as their unerring guide, strength
as their sword and buckler, and beauty ever
accompanying their illimitable march!

How peculiarly gratifying to the finest
feelings of the human heart; how highly
satisfactory to the most ardent conceptions
of the human mind, are the principles of
Masonry, are the rewards which flow from
their correct cultivation. The demon of
discord may hold extended sway through-
out the habitable world; but harmony ever
presides within the precincts of our lodge.
The iron hand of oppression is in vain ele-
vated to crush and to destroy; for heaven
blessed charity immediately issues from our
gates, and casts her protecting mantle over
the widow, the orphan, and the friendless
stranger. The gloomy brow of despair is
enlightened by the beaming smile of hope,
and increase of strength is given to the
languid. A universal language is heard
and understood throughout the whole
family of Masons, from pole to pole, and
from the rising sun to the waves of the
west. Is the attainment of the knowledge
of the arts and sciences the object of our
ambition? their arcana are developed to the
studious of the lodge. Do we covet titles,
and honours, & are we pleased with world-
ly distinction? What can be more noble
and dignified than the badge of a Mason?
The high and mighty rulers of the world,
have in all ages descended from their thrones
and contending their crowns have sought
for greater honours, in assuming the livery
of a Mason; and as humility ever marks
our entrance into the lodge, the worthy pe-
asant could then approach his sovereign as
a friend, and as a brother, in all things his
equal, save where virtue could draw a dis-
tinction.

In the high minded and praise worthy
pride, which always accompanies a correct
knowledge of the first principles of our an-
cient order, we are irresistibly impelled to
ascribe to our first parent, the germs of Ma-
sonry. Placed by the benevolent fiat of the
omnipotent Grand Master, in his paradisi-
cal lodge, our great progenitor forfeited his
blissful station, and sinking under the
weight of temptation, was expelled the
bowers of Eden. Forgetful of all the good
like benefits conferred; regardless of all the
sacred duties which he owed; heedless of
all exemplary punishment which might be
inflicted, through disobedience the first Ma-
son fell! In vain repentance, who whilst
crimes are to be committed, at distance lin-
gers, unseen, unheard, but who swift as
thought is present, when her presence is a
reproach, and her voice is agony, came to
his troubled soul! In vain he

"Cast one longing, ling'ring look behind!"
The gate to him was forever closed! and
let Masons ever mark the emblem! A
mighty Angel with a sword of fire guard-
ed the entrance from unhallowed foot-
steps!

My brethren, let the impression of this
instructive lesson sink deep into your hearts.
Obedience to the will of God, unconditional
submission to his immutable decrees,
hereafter, to us, to be made manifest, altho'
now inscrutable; a cheerful compliance
with all his behests, and above all, patience
even in suffering, are leading characteris-
tics of the sincere Christian. Upon us, as
Masons, the acknowledged friends of order
and of government, the precept of the Apo-
stle is strongly enjoined: "Submit your-
selves to every ordinance of man for the
Lord's sake, whether it be to the king as
supreme, or unto governors as sent by him,
for the punishment of evil doers, and the

praise of such as do well." Within the
walls of our lodge, a strict obedience to,
and a cheerful compliance with the lawful
commands of our superiors, are the distin-
guishing marks of a worthy brother. In
our daily intercourse with the world, let
these principles be brought into action, and
we shall then exhibit ourselves as we pro-
fess to be, firm lovers of our country, and
faithful friends and supporters of her civil
institutions.

The fear of God, and the honour due to
our superiors are not the only maxims of
conduct inculcated within our gates; the
third injunction of the Apostle, "Love the
brotherhood," has fallen upon good ground.
Harmony, and the delightful cultivation of
all the social virtues, even to the cordial
love of all mankind, have been the blessed
fruits of our veneration for the fraternal
bond. And, as brotherly love is equally
commanded by our Heavenly Father and
by the Redeemer of the sinful world, let us
hope and trust that by cherishing this vir-
tue in our hearts, and by diffusing, each
within his own circle, the good effects which
must eventually spring from such an in-
imate, we may render ourselves more wor-
thy the love of Him, who of all love is the
fountain, and the head.

With a full conviction that these senti-
ments are enforced both by precept and ex-
ample in every lodge of worthy brethren,
what has the institution to fear from out-
ward enemies? The shafts of malice fall
powerless at our feet: The tongue of slan-
der for us possesses no venom; and even
the bitter persecutions of bigotry, and the
strenuous efforts of misguided zeal, against
us, are raised and exerted in vain. To all
assaults we are unperceptive, and ever will
be so, whilst our simple mean of defence is
a proud and silent reference to our own
conduct, and if such conduct be perfectly
consistent with the genuine spirit of Ma-
sonry, the blush of shame will ever be fixed
on the ignorant and illiberal accuser. In
the true feelings of the craft, the master po-
et has given a rule of deportment, to which
we cannot too strictly adhere:

"Give thy thoughts no tongue,
Nor any unproportioned thought his act.
Be thou familiar, but by no means vul-
gar."

"The friends thou hast, and their adoption
try'd,
Grapple them to thy soul, with hooks of
steel,
But do not dull thy palm with entertain-
ment,
Of each new-hatch'd, unfeild'd com-
rade.

"Give every man thine ear, but few, thy
voice;
Take each man's censure, but reserve thy
judgment.
This above all, to thine own self be true;
And it must follow as the night the day,
Thou canst not then be false to any
man."

Be ye then in all things worthy the name
which ye bear; be ye, in the language of
the Apostle, "A peculiar people"—laying
aside all malice, and all guile, and hypocri-
sies, and envies, and all evil speaking."
Be ye as "living stones, built up a spiritual
house—as free, and not using your liberty
as a cloak of maliciousness, but as the ser-
vants of God—honour all men, love the
brotherhood, fear God"—so that each of
you may be designated by the emphatical
language of our great master Solomon,
"There is a man, whose labour is in wis-
dom, and in knowledge, and in equity."

Finally, my brethren, let us ever bear in
remembrance, that to us have the rites and
ceremonies of masonry been regularly trans-
mitted by an extended line of illustrious
men, whom the world has been delighted to
honour. In us then resides that knowledge
which the great, the wise, and the virtuous
of all ages and of all climes, have sought,
asked for, and received. By us then let it
be exhibited to the world, that the sacred
mysteries of our order are no less venerated
now, than they were by the ancient found-
ers of the craft; let us strenuously endeavor
to preserve the immemorial landmarks of
Masonry as the palladium of our safety, ever
having in recollection, that the wisdom
of Solomon has dictated the advice "Re-
move not the ancient landmark, which thy
fathers have set." Let our conduct as
men, be the best comment on our professi-
on as Christians; let our faith be
fixed in the secure rock of ages; let our
hope be joyous in the revealed doctrines of
the holy book, the sign of the evidence of
our profession; let charity wide spreading
extend her influence far beyond the portals
of our lodge, and if unity, peace and con-
cord be the guiding stars of our demeanor,
then surely virtue pure and holy, will deign
to inhabit our tabernacle.

* 1 Peter, chap. 11. † Ecclesiastes 11, 21.
‡ Proverbs 22, 28.

EXTRACT.

To render good for evil is Godlike; to
render good for good is manlike; to render
evil for evil is beastlike; to render evil for
good is devil like.—Mason.

Advice of a lunatic to one of the keepers of
an asylum, near Dumfries.

"But tak' care o' yourself, Mr.
—, tak' care that some o' them donna
come Yorkshire ower you. They'll be in-
veeting you to tak' a dram, nae doubt, and
then, after making a pur mouth about the
badness of the times, trying to borrow a lit-
tle siller frae you. But if I war you, I'll tell
you what I wad do—I wad get twa purses
made, and ca' one o' them Somebody, and
theither A' the world; and next I wad put
a' my siller in the first, and no a baybee in
the second; and then, when any o' them
spak' o' borrowing, I wad whup out the
toom purse and shaking't before the chiel's
face, swear that I had na a ha'penny in A' the
World until I got it frae Somebody!"

PUN PUGILISTIC.

When Jack Martin, the pugilist, mar-
ried Elizabeth Marten, of St. Giles, that in-
corrigible punster remarked, that it was too
bad to knock his wife's out on the very
day of her marriage.

From Grimm's Deutsche Sagen.

THE LADY'S SAND.

Towards the western part of the South
Sea in the middle of the sea, the grass
springs up in the spot where the churches
and proud houses of the ancient city of
Stavoren lie buried in the deep flood.

Riches had made the inhabitants grow im-
pious and when the measure of their crimes
was full, it sunk. Fishermen and sailors
from the borders of the Pacific, relate this
story of its ruin.

The most opulent of all the inhabitants of
the city of Stavoren, was a certain virgin,
whose name is no longer known. Proud
of her gold and her lands, repulsive to the
other sex, she only strove to increase her
immense wealth. Even curses and blas-
phemies were often heard from her mouth.

The remaining inhabitants of this city, so
immoderately rich, at the time when Am-
sterdam was not known, and Rotterdam
was but a little village, had left the path of
virtue.

One day this lady called for her ship mas-
ter and ordered him to sail, and return with
a cargo composed of what was most noble
and valuable in the whole world. In vain
did the captain, accustomed to exactness,
and particular orders, beg her to give him
more precise directions. She would say
nothing more, and ordered him to set sail
immediately. He left her irresolute and un-
certain; he knew not how he should meet
the commands of his lady, whose wicked,
violent temper he well knew, and he hesi-
tated for some time what he should do. At
last he thought, "I will bring back a cargo
of the finest corn: what is more beautiful
and excellent to be found in the earth than
this noble grain which no man can do with-
out?" With this design he sailed for Dan-
zig, freighted his vessel with choice grain,
and returned, though still fearful and un-
easy at what would be the result. "How,"
captain," said the lady to him, "are you al-
ready here? I supposed you on the coast of
Africa trading in gold and ivory; let us see
what you have brought." Trembling, for
he saw by her manner that his bargain was
not likely to please her, he answered, "I
have brought you some of the choicest corn
which is to be found upon the face of the
earth." "Corn," said she, "dost thou
bring me so vile a present?" "I thought
that could not be despicable, which gives us
a daily and healthy bread." "I will show
you how much I despise your cargo. On
which side is your ship loaded?" "The
right side," said the Captain. "Then I
command you, this hour throw the whole
of your cargo over the left side into the
sea. I will come myself and see my orders
obeyed."

The captain dreaded to obey a command
which showed such contempt to the gifts of
God, and he called in haste all the poor and
needy people of the city to the place where
the ship lay, hoping that he might move his
lady by the sight of them. She came and
asked, "Is my order obeyed?" Then a crowd
of the poor fell on their knees before her
beseeching that the corn might be divided
among them rather than thrown into the
sea. But the heart of the lady was hard as
stone and she repeated her orders that the
whole cargo should be thrown overboard.

The captain could contain himself no longer,
and cried aloud, "No, this wickedness
will not go unrewarded by God if it is true
that heaven rewards the good and punishes
the wicked; a day will come when you
would gladly pick up this noble grain that
you now despise so much, kernel by kernel,
to satisfy your own hunger." "How," cried
she, with a wicked laugh, "I shall come
to want, I shall see poverty and feel the want
of bread? As truly as this happens, I shall
see again this ring which I here throw into
the deep sea." Saying these words, she
took from her finger a costly ring and threw
it into the waves. The whole cargo of the
ship, and all the corn, was also thrown into
the waves.

What happened? Some days after, this la-
dy's maid went to market and bought a
fish, which she was preparing to cook in
the kitchen. Upon cutting it open she
discovered a costly ring and carried it to
her lady. When the mistress looked at
it she immediately recognized it as her
own which she lately threw into the sea,
turned pale and felt in her conscience the
messenger of punishment. But what was
her terror when in the same moment the
news arrived that her homeward bound es-
tate fleet was all stranded. Some days af-
ter the tidings of ships sunk in which she
had most valuable cargoes, other ships were
robbed by the Moors and Turks; the failure
of some mercantile houses in which she was
concerned, soon completed her misfortunes,
and a year had scarcely passed away, before
the dreadful threat of the captain was en-
tirely fulfilled. Poor, and trusted by no one,
scorned by many, she sunk deeper and deeper
into want and misery, in hunger she beg-
ged her bread from door to door, and often
was denied, at last she died in despair.

But the corn, which was thrown into the
sea, sprouted and grew the following
year, but it bore false ears. No man regard-
ed the warning, but the wickedness of Sta-
voren grew every year more alarming, till
God withdrew from this city his protecting
hand. Upon a time, fishes were drawn out
of the wells and in the night the sea opened
and swallowed up three fourths of the city.
The next year several houses sunk, and it
is some time that there has been no man of
wealth living in Stavoren. But there grows
every year a grass out of the water that is
known to no botanist, and resembles no spe-
cies that is found upon the earth. The stalk
grows long and high the ears resemble
the ears of corn, but are false and with-
out grain. The sand bank which is made
green by it lies the length of the city of Sta-
voren, and bears no other name than the
Lady's Sands.

RUM

Has conquered more than ever Alexan-
der or Buonaparte subdued, and will con-
tinue to carry on his conquests as long as
vice and folly exist in the world. The di-
vines may preach, moralists reason, the
physicians warn, the wife and children plead
with tears in their eyes, the parent remon-
strate, and the grave yawn; but all will not
do; the fool will still be a drunkard, and the
drunkard still be a fool.

N. Y. Journal.

Extract of a letter from a gentleman travelling to the North to his friends in Virginia, dated 1821.

I have thought of you oftener and more tenderly this summer than I have for some time gone by—and I set down to tell you how this has happened: In the first place, I have had more leisure to think of you, for I have been travelling—and, in the next place, I have been travelling in a direction full of associations of thought and feeling derived from you, for I have been quite as far to the North, I suspect, as your hero C. C. ever was—though I must confess the north stars never appeared to the south. As we passed through Trenton, I thought of "Christmas day in '76," and that brought you with a group of hearty fellows from Richmond, before my mind's eye, and I thought of "departed joys." After that your image was by my side whenever I approached an interesting scene of revolution or war. Princeton, where Gen. Mercer fell—the tree was pointed out to me, and it still preserved, and I saw the tears in your eyes—then Kingston, New-Brunswick and New York. In going up the North River you were with me continually, and I saw your eyes alternately, sparkling with triumph at some recollected achievements, as in gazing on Stony Point, as we passed, or flaming with indignation at the remembrance of Arnold's treason, when the spot was pointed out to us at which the Vulture swoop of war was moored, or bedewed with sympathy, as when the grave of the generous, and accomplished Andre was indicated. Then came West Point, the subject of so much solicitude and bloody strife in the revolutionary war with the ruins of its old forts, Clinton and Putnam, which stand like two old chroniclers of awful days, long since gone by. So far, however, you were only one of a party, associated and grouped together in my recollection; but when returning from lake George, we fell into the route of Burgoyne's invading army, you were, if not all alone, at least the lord of the ascendant, and all that could recollect of "Jack the King's commander," I chaunted aloud and merrily.—Oh! thought I, if my dear P—— were but here to give it all to us, how much should we enjoy it, and how much would be enjoyed these scenes—

Then—"First he came to Canada, next to Ticonderoga, And leaving those away he goes straitway to Saratoga."

To Ticonderoga, we should have gone from the head of Lake George, if we could have got a safe boat, but leaving those away we went (Oh! what a falling off) straightway to Saratoga. We fell in at Burgoyne's track at Sandy Hill, a beautiful little village on a high and most commanding site, at the point at which you observe on your map, ascending from Albany, the North River bend at right angles to the west. Thence, going down the river on the eastern bank, two miles and a half, and within half a mile of Old Fort Edward, we were shown the spring at which the Indians who had charge of Miss McRea, stopped to drink, when they were discovered and fired on by the whites, and the tree on the root of which she was found sitting. "She was found after the action was over," says the historian, "tomahawked and scalped and tied to the tree," there being a house near, I borrowed an axe and cut a chip out of that identical root for you, which, with some other holy relics, I shall send you by the first opportunity. The tree is a flourishing pine stump, 50 feet high—full of balls, the top twisted off by a storm, indicating, thereby, the disapprobation of heaven at such cruel barbarity inflicted on innocence itself—on the bark of the pine tree is engraved, "Janney McRea, 1777," at the foot of the tree a fine spring breaks out, and the water flowing from it "forever silent and forever sad." At Fort Edward there is a little village—and while our horses were watering, I procured a revolutionary bullet or two, which had been dug out of the wall of the fort. We got to the village of Saratoga to dinner, the field on which Burgoyne laid down his arms, being immediately in front of the tavern, and distant about half a mile—this field is now a beautiful piece of meadow land at the junction of Fish Creek with the North River, which you can also see on the map. I have some relics, also, from this field for you. You remember that Burgoyne was on his retreat endeavoring to get back to Fort Edward and thence retreat cut off, he surrendered on this plain; so in following his track down, we came to the field "surrendered, before we came to the battle ground where he had for the first time become convinced of the erroneous estimate he had made of the American character. Having walked over the field of surrender, and pulled some boughs from a tree, near the spot at which Burgoyne's marquee was pitched, we moved down the river in the evening, and about an hour by sun, came to the house in which the celebrated British general Frazier, breathed his last—This house was the quarters of the German general, the Baron Reidesel—and, on the day on which Frazier was killed, the Baroness Reidesel (who, with two or three small children had followed her husband, into the war) was engaged in preparing dinner for Burgoyne, Phillips, Frazier, and Ackland, who were to dine, on that day, by invitation, with her husband. The table had been already set out for dinner, when the action began, and after some time, poor Frazier was brought in wounded, not to dine, but to die. The Baroness's letters have been published, in which she gives a most interesting account of all these particulars, which you will find in Wilkinson's memoirs if you have or can procure them; if not, you will read all that is affecting and touching in regard to these incidents collected by Mr. Silliman in his tour to Canada, which I will send to you as soon as I can procure the book. The generous sensibility evinced by Frazier, after he knew his wound was mortal, has given me much tenderness for his memory. The Baroness says, he was continually apologizing to her for the trouble he was giving her—and that while sitting in the other room (there were but two, and they were very small) she could hear his groans and exclamations—"Oh! fatal ambition!" "Poor General Burgoyne!" "My poor wife!"—He was killed it seems by one of Morgan's riflemen. Silliman says he had the anecdote from our Richard Brent, formerly of congress, and Brent from Morgan himself. In the action of the 7th Oct. 1777, Frazier was the soul of the British army, and was just changing the disposition of a part of the troops, to repel a strong impression which the Americans had made, and were still making on the British right, when Morgan calling together two or three of his best marksmen and pointing to Frazier, said, "do you see that gallant officer—that is General Frazier

I respect and honour him—but it is necessary that he should die." This was enough—Frazier was immediately killed from the field, mortally wounded. But you will read it all in Wilkinson or Silliman—Well, sir, as I was saying, we arrived at this same house at about an hour by sun, and as good fortune would have it, before we alighted, another traveller rode up, having just returned from viewing the battle fields, accompanied by old Ezra Buel, who had been a guide to the American army in both the battles of the 19th Sept. and 7th Oct. and was with our troops till the surrender. He is now 77, and his usual gait in riding is 12 miles per hour, on a very hard trotting horse; you will see honorable mention made of him by Silliman. Not at all fatigued with the excursion from which he had just returned, he wheeled a bout again, and accompanied us with the utmost alacrity. Then you should have been with me dear P—— to walk over the fields, those very fields which, four and forty years before, had been the theatre of such desperate strife—where the great cause of American liberty too was staked on the issue of that strife, in some degree, and where those great exertions were made for us by the heroes of the revolution, which we have, at least, the grace to remember once a year in our flowing cups; and so the lot!—this is the field on which the famous battles of Still Water and Bemus Heights were fought four and forty years ago!—These fields, I take it, were not quite so still and quiet then as they are now. How did these grounds swarm with armed men?—Here Morgan was posted," said the old man, interrupting my meditations, "here was Arnold, then a patriot, and an excellent soldier," &c. &c. and so the old gentleman arranged the field, and conjured up before my eyes the whole host—then he painted the battles with great spirit; shewed by what accidents they had commenced on both occasions, and how they became general; depicted the struggles in particular parts of the field—and enabled me to imagine at times, that I saw and heard all the tumult, agitation, shouting, thunder and fury of a long and well contested field—Good Heavens! what a warring illusion; Morgan's eye of fire and baring voice! Arnold's irresistible impetuosity! The rattling of musketry, the sharp cracking of rifles, the deafening roar of artillery, the animating shout of the soldiery, the war whoop of the Indians, the encouraging and applauding cries of the officers, the charge, the retreat, the rapid and regular evolution at one point, the disorderly movements at another, the headlong confusion, the groans of the dying, the cry for quarter, quarter, ghastly and bleeding wounds, severed limbs, men and horses mingled on the plain in one wide scene of indiscriminate blood and carnage—Oh! what an uproar then! How still and quiet now! Where are they all? What is that yonder plough is turning up?—Only a skeleton! What, yet, to this day. Even yet—our ploughs are constantly striking a gainst cannon balls, or dead men's bones, or turning up grape shot or bullets." Then I guess the people were not idle on that day. "You may depend upon it friend they were busy." I believe it, but I have a friend in Virginia who would be glad to have some of the bullets that were fired in those great battles; battles that gave the first great and decided turn to the American revolution.

"To be sure, there is a ball which has been rolling about the yard for some time, you shall have the bullets too, and you John, go up in the loft and bring down that skull." I trust you will excuse me from the skull, it will not be convenient to carry it, but the ball and bullets I will gladly take," and so I did. We went to several other houses, which have all been built since, for it was then entirely wood, except Freeman's farm which you will see mentioned in the books—and at all those houses, bullets & bones were offered; even the little children handling and offering the human bones with as total an absence from all emotion as if they were chicken's bones or dry sticks. Having examined the battle grounds of both days, and walked, listening to my guide, I returned to my quarters and slept, very little to my honour, without dreaming; for I was too much fatigued to sleep, fancifully. The next morning I took another ride with old Ezra, to see the American encampment, and above all, Gates' head quarters. The house is still standing; it is a small, red hip roofed, one story old house, that has quite a revolutionary look—and here, the old man said, the general remained during both the battles; which were fought at least a mile from this house, and certainly out of sight; this the old guide said he was told to be right—as it was the general's business to be at one place, always, to receive information and give orders.

But what do you think of these armies resting here in their opposite encampments, their sentinels within hail of each other, for seven days without striking a blow, and at last, the first action, that of the 19th September, 1777, being brought on by an accident? Gates had a good motive for the delay, for his army was continually gathering strength—but that Burgoyne, in the spirit of proud and contemptuous invasion, with such an army, and so appointed, should have set down so quietly and so foolishly, while his enemies were hourly increasing in strength, satisfies me that he was not Buonaparte. He ought to have pushed undauntedly forward—or to have retired wisely, he could—his remaining on the ground was the very worst thing he could have done. But there is a fashion in war, as in every thing else. The Buonaparte style of daring was not the order of that day. But enough of this way of judging men a posteriori—at their time of day and in their place even you and I, great generals as we are, might have done the same or worse.—Poor Gates!—This was his first and last field of glory!—What a triumphant opening of his military career in America!—What a reverse was he doomed to experience in one short year—and for poor Burgoyne, it was his last and dying speech, as a soldier—so that, both to victor and to vanquished it was the prelude only to misfortune. Such is the passing glory of this world!—Now as to Burgoyne—pray my dear P——did you ever read the sentimental comedy of Heir—Anna's Urn—or "For tenderness reform?" These were written by Burgoyne; and although our printers, our revolutionary officers in their letters, and our song inditers of that day used to charge him with bombast, I do think that he was one of the most classical and elegant writers that the English nation has ever produced.—If Burgoyne had been born to the wealth of Byron, he would, in my opinion, have pitched the poetic bar beyond him by many a league—war was not his proper element—and while

upon the fields of his battles, and dead surrender, and remembering the beautiful and pathetic effusions of genius to which I have alluded, I could not help pitying such a man, whose mistake of his own character had put him at the head of a band of mercenary, to-mahawking, scalping savages, and damned Hessians, Hanoverians, Anspackers, Waldeckers, and Wolfenbutlers—if I have mistaken your arrangement of these harmonious names, pray put me right.—From these fields my mind followed the British prisoners to the barracks, near Charlottesville, and then came the recollections of your's and Mr. B——'s anecdotes of that place.—The temporary theatre—the acting of plays by the British officers.

What would I give, my dear P——, to go again, over those grounds with you—to catch your feelings by rebound—is it impossible?

By the bye, this is a pretty long letter—it is time to stop and I am rather tired of writing—I began it about an hour before the close of the mail of this day, in the hope of having it ready; but interruption has now loomed me the mail.—However, you shall have the epistle "unhunted, unannounced, unneeded; with all its sins and blotches on its head," but remember that in this case, you are the father confessor.

The relics will be addressed to the care of Col. G——. They have no value except from the associated sentiment you will give them, and perhaps the associated image of your friend. I have foreborne to touch the picturesque scenery through which I have travelled—because I hope you will see it—and I wish you to enjoy it to the full, its novelty and all—which description would spoil.

PS. The labels on the holy relics as mentioned above are:

Bullets of September 19th, 1777, Freeman's farm battle field.

Bullets of the 7th of October, 1777, near Freeman's farm battle ground.

Bullets, &c. at Saratoga field of surrender, 1777.

Blossoms and twigs from the oldest tree on the field of surrender at Saratoga. Chips from the root of the tree on which Miss M-Rea rested, while the Indians drank at the spring beneath it—and which have been presented to Mr. Warrell at the Museum.

THE DECISION.—From the B. Chron.

A question was sometime since submitted to the decision of the Emperor of the Russians, how far the English were bound to make compensations for slaves taken in the prosecution of the late war. The following is the clause in the treaty of Ghent, under which the controversy arose:

"All territory, places and possessions, whatsoever, taken by either party from the other, during the war, or which might be taken after the signing of the said treaty, excepting only the islands therein mentioned, should be restored without delay, and without causing any destruction, or carrying away any of the artillery, or other public property originally captured in said forts or places, which should remain there in upon the exchange of the ratifications of the said treaty, or any slaves or other private property."

The following is the decision of his Imperial Majesty:

TRANSLATION. The Emperor is of opinion, "that the United States of America are entitled to a just indemnification from Great Britain for all private property carried away by the British forces, and as the question regards slaves more especially, for all such slaves as were carried away by the British forces from the places and territories of which the restitution was stipulated by the treaty in quitting the said places and territories."

"That the United States are entitled to consider, as having been so carried away, all such slaves as may have been transported, from the above mentioned territories on board of the British vessels within the waters of the said territories, and who for this reason have not been restored."

"But if there should be any American slaves who were carried away from territories of which the 1st article of the treaty of Ghent has not stipulated the restitution to the United States, the States are not to claim an indemnification for the said slaves."

"This decision narrows down the point in controversy to the dimensions of a nutshell.—The great class of cases on which the imperial judgment was demanded, is left by this decision totally unprovided for."

EDUCATION IN SPAIN.

The Cortes of Spain, it appears, have given an extensive sanction to the Lancasterian system of education. It was decreed in their sitting of the 30th of April, that a school should be established in every chief town of the military divisions, that they should be under the inspection of proper officers; and that they shall be all opened on or before the 1st August next. Reading, writing and arithmetic, are to be taught in them; and from the 1st of January, 1823, a school is to be established in every regiment in the service.

THE KING OF ENGLAND'S MARRIAGE.

The belief that it is the intention of his majesty to marry the daughter of the king of Denmark, gains ground in almost all circles in the metropolis, and is hailed with peculiar satisfaction by many who think that the British Court is robbed of half its splendour in the absence of a queen. How far these remarks are founded in probability we have been unable to discover. The Morning Chronicle, however, speaks so confidently on the subject as to state, that during the last week, the king inspected the palace at Kew, preparatory to its becoming the occasional residence of our future queen. There is no doubt that such an alliance with the court of Denmark, at the present crisis of affairs in Europe, would be of great political importance to this country.

DIRECTIONS FOR THE PROPER CULTIVATION OF TURNIPS.

Let your land be made perfectly clean by good ploughing and harrowing, and let it be well manured, and on the first appearance of rain, about the last week in July, or the first week in August, plough your land, and sow your seed on the fresh mould, at the rate of about two pounds to the acre. After your turnips are up, and have leaves as big as half a dollar, if they appear too thick, let them be harrowed once over, and if they still appear too thick, harrow them again; taking care to cross at right angles. When they have got leaves the bigness of a dollar, let them be hoed if possible, twice over, leaving the plant at least twelve inches apart.

INTERESTING.

The following extract of a letter from a gentleman in Charleston, to his friend in this city, gives us information, a faithful account of the rise and progress of the late contemplated rising of the blacks in that city—and as the alarm has in a great measure subsided, its publicity can have no evil tendency.

"As you will have heard, ere this reaches you, of a conspiracy in this place of the blacks against the whites, I think proper, as it is now no longer a secret, to state to you the facts as far as they have come to my knowledge.

"It is now four or five weeks since I first heard a whisper that an insurrection of the blacks was to be apprehended. At first but little attention was paid by the citizens generally to this rumour, but it kept gaining ground by whispers and hints from one to another, till it was known that our city council had the information from some faithful blacks, which placed it beyond a doubt, that a secret conspiracy was going on, which would very soon, if the conspirators were not apprehended, break out in an insurrection.

"The city council kept it pretty much to themselves, till they apprehended a number of suspicious slaves, as well as many whose guilt was beyond suspicion. No one, I believe, of the citizens, ever thought that the blacks could possibly succeed, were they really to begin to put their nefarious designs into execution, but that they would take some lives—and this would be but a signal for a general massacre of the poor devils.

"The militia were all armed, and out every night—this is still kept up.

"A Court, consisting of five freeholders, was organized, being men of talents, and the strictest integrity, to try such as were and might be apprehended. Recently, the ring-leader, a free black fellow, has been caught, and the court, after having acquitted several, passed sentence of death on him and five slaves, who are to be executed next Tuesday, their guilt having been proved beyond the shadow of a doubt. They were all of them leading characters or principals. It is said that they have, or some of them have acknowledged their object to have been the murder of the white males, the taking of the ladies for their wives, and the plunder of the city; and instead of appearing to feel any contrition, they expressed their regret that they could not have executed their designs. They will not give the names of any of their accomplices. These are the generally credited reports which are said to come from head quarters, and I have not a doubt are pretty nearly true.

"It is also generally believed that they intended first to set fire to the city in different places. They were to have commenced carrying their infernal plot into execution last Sunday evening two weeks ago, but the City Council having been timely apprised of it, had nearly all the militia of the city out under arms that very night, and even the night before, for some said it was to have been on Saturday night, so that they were deterred even from making the attempt. Every day seems to discover more and more the extent of the plot, or rather of the number of those who were to have been actors in the tragedy.

Two or three nights since, a white man, said to have been an old pirate, was apprehended by the Intendant of the city. Information that such a man was inciting some blacks to an insurrection, had been given him by a black fellow, who proposed conducting him into an apartment in the house where this man was in the habit of meeting those blacks as their counsellor. It was in this manner that he was taken after having been overheard in hellish counsel, by the Intendant and another gentleman. It seems doubtful whether the law will allow this monster to be punished as he deserves.—Yesterday a gentleman had his coachman apprehended, as one of the conspirators, and it is said that this monster has since acknowledged it to his master.

"There are many reports going the rounds, which are not to be relied on; but what I have here stated I believe to be true."

DARING ATTEMPT TO ESCAPE.

On Saturday the 13th inst. the convicts in the State prison, at Windsor, (Verm.) made a most desperate attempt to escape by scaling the walls of the prison. As soon as they were liberated from their cells, in the morning, they first ran a hand cart to the wall, and proceeded with such other materials as came to hand, to erect a pile, by which to ascend. After repeated calls to them, from the guard on the wall, to desist and prevent the consequences that must inevitably ensue if they persisted in their rash attempt, which they answered only by threats and a volley of stones and brick bats, he was compelled to oppose force to force, and shot the ring-leader, an Irishman, by the name of Patrick Fane, aged about 25 years, directly through the head, who fell and instantly expired, still grasping in death a knife and short chain, with which he probably intended to assail the guard when arrived on the wall. One of them exclaiming, "he has killed one of us," a momentary pause ensued; but with the threat, "now, damn him, we'll kill him," they again commenced their assault on the guard, and their preparations to ascend, when, having levelled his second piece, the guard sternly commanded them to stand, saying that another step would require another victim, they yielded, and an end was put to the contest. A jury of inquest was holden on the body of Fane, whose verdict was—that he was killed by the guard from necessity and in the discharge of duty. [Ev. Post.]

POTATOE BRANDY.

It is rumoured that the principal of a famous distillery in Paris, is about to establish himself in London to distil brandy from potatoes, by a process which he was there obliged to relinquish, on account of the high duties laid on to protect the vine growers. The brandy made was accounted as finely flavored as any other, and in every respect thought to be as good.

PRESERVATION OF HAY.

An English paper says, in a former year, in which it rained violently during the hay harvest, and much hay was spoiled, a gentleman in a midland county preserved his whole stock, solely by persevering in keeping his hay constantly moved and turned, as it lay upon the ground, during the continuance of the rain. The result was, that while his neighbours' hay was valued only as spoiled hay, his crop was sound and good, retained its fragrance, and bore the price of fine hay.

CITY OF WASHINGTON.

Washington City, in the District of Columbia, the metropolis of the United States, is situated on the left bank of the Potomac, and the right bank of the Annapolis, at latitude 38 degrees and 53 minutes, longitude 77 degrees and 00 minutes, being intended for a first magnitude city, and may be conveyed to the ground on which the Capitol stands, the water of the Potomac, and the Branch may be conveyed to the Capitol the President's House, the avenue, and such streets as lead immediately to the places, are from 130 to 160 feet wide, and into footways, walks of trees, and carriage ways; the others are of various widths from 70 to 110 feet; the avenues and streets of 100 feet and upwards, have footways of 20 feet wide; those under 100 and over 70 feet, have footways 17 feet wide; and under 70 feet, 12 feet footways. The grounds within the city stands was ceded by the state of Maryland to the United States, in full sovereignty, and the proprietors of the soil rendered their lands to be laid out and gave up one half to the United States, and subjected other parts to be sold to raise money as a donation to be employed, and constitute a fund for the public buildings.

The buildings belonging to the United States, are,

1. The Capitol, a large and massy building of the Corinthian order, of free stone, composed of a central edifice and 2 wings, the whole front of the building is about 350 feet, the wings were nearly completed when the British army, under Gen. Ross, (who was afterwards slain in battle near Baltimore,) in August 1814, made a sudden incursion, gained possession of the city, setting fire to the Capitol, President's House, Public Offices, &c. not connected with the operations of war, reducing the whole to ashes, together with a valuable and extensive library belonging to Congress; the wings are rebuilt and the centre nearly completed. The foundation of the north wing was laid in the presence of President Washington, on the 16th of September, 1793, and that of the centre on the 24th of August, 1818, being the anniversary of its destruction by the British.

2. The President's House, built of free stone, two stories high, of the Ionic order, and covered with copper, and distant from the Capitol about one and a half mile.

3. Four buildings, erected in a line east and west of the President's House, for the accommodation of the principal departments of government and subordinate offices; the whole are of brick, two stories high, with free stone basements and covered with slate; the two new ones are handsome edifices, with freestone porticos on the north front, in the Ionic order.

4. The General Post Office, where the Patent Office is also kept, is a large and handsome building, three stories high, and 120 feet in length, is situated on high ground, about equidistant from the Capitol and the President's House.

5. A very extensive Navy Yard, completely enclosed with a lofty brick wall with a handsome gate way with guard rooms; a neat dwelling for the commandant and others, for different officers of the yard, extensive warehouse, shops for blacksmiths, coopers, turners, plumbers, painters, &c. &c. sail lofts, model rooms, timber sheds, a steam engine which works two saws, drives a tilt hammer and the turners lathes. The Columbus 73 and Potomac 44 were built in this yard, and there is a large frigate now on the stocks. The Potomac has been hauled up on Commodore Rodgers' inclined plane, erected as a substitute for a dry dock. Within the enclosure is a neat marble monument, erected by the American officers to the memory of their brethren who fell before Tripoli, in the year 1804; this monument was mutilated by the British on the 25th of August, 1814. In this yard are deposited vast quantities of naval stores and cannon of every size, and is superior to any thing of the kind in the United States.

6. A comfortable Marine Barrack, sufficient for 1500 men, well enclosed, having a handsome parade, and a neat and commodious residence for the commandant of the corps, and good houses for the subaltern officers, an armoury, and shop for the repair of arms, &c.

7. A substantial Navy Magazine, with a house for the keeper.

8. A Fort at the extreme southern point of land in the city, commands the channel of the Potomac and the Eastern Branch, the improvements at this place are extensive and substantial; with store houses, an armoury, shops, in which are made gun carriages, fixed ammunition, &c. with an extensive open space belonging to the garrison.

The Capitol square is enclosed by a strong and handsome iron railing, and is planted with trees and shrubbery, and in a short time afford a delightful promenade. Similar improvements are making at the President's house and public offices.

There is a pile bridge, about one mile long, over the Potomac, built in 1809, leading to Alexandria, and two over the Eastern Branch. Of turnpikes, there is one to Alexandria, one to intersect the Little river turnpike in Virginia, another to Baltimore, completed, and one now opening to Montgomery court house. A canal passes through the city, connecting the waters of the Eastern Branch with the Potomac. The Eastern Branch has a sufficient depth of water for frigates to ascend to the navy yard without lightning, and vessels drawing 14 feet water come up to the Potomac Bridge, near to which are three good wharves, and from thence to the mouth of the River there is 10 feet at high tide. There are four market houses, in each of which markets are held twice weekly. The city contains a large infirmary, a female orphan asylum, a goal, a neat and commodious new theatre, a circus, and two masonic halls, a city hall, commenced in August 1820, the south half of which is built and enclosed; it presents a front of 251 feet, erected from the proceeds of a lottery, authorised by Congress; three buildings for public schools, two of which are on the Lancasterian plan, supported by the corporation and open for all poor children; thirteen places of public worship, viz. two for Episcopallians, three Presbyterians, two Catholics, two Methodists, two Baptists, one Unitarian, and a Friends Meeting, which are generally well attended.

There are also a City Library, Medical, Botanical, Clerk's, Benevolent, Masonic, Orphan, Bible, Deacons, Missionary, and Tract Societies, Columbian Institute, and other Institutions. Education is not overrated, as is evinced by the numerous academies and schools which are established. The Columbian there is a large primary in the city is a school for youth. An extensive which supplies a considerable number of a similar one Branch of the Insurance Company, a paper weekly. A steamer, Aquia Creek, a other from Norfolk depart daily to other places. The seat of here in the year of John Adams. The city was Congress, passed by which act, was vested in the two branches of people, in a management elementary as a corporation was a Board of Aldermen Council; consist of eight years, to be re-elected each ward; the city to consist of ward; and the the two boards a new charter, the 15th May Mayor shall be serve two years in June; the E of two members for two years, the peace for t of Common members from year; and ever the United St resided in the election, being assessed on the the year ending ber, preceding paid all taxes personal prop quired to pay vote at any of the tw The city is vided into six inhabitants w followers, ascen rations, viz: In 1800, 1803, 1807, 1810, 1817, 1820, The number he buildings a Jan. 1822—22 and 1884 were real and per January, 1822 revenue of \$: as a revenue of of taverns is appropriate of public sch the officers of

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the Columbia College, adjoining the city, there is a large Catholic school, which is a school for the general education of youth.

An extensive window glass manufactory, which supplies the market, and exports to a considerable amount, five very extensive taverns, with accommodations equal to any of a similar nature, three Banks, and a Branch of the United States Bank; a Fire Insurance Company, nine Printing Offices, two daily papers, two tri-weekly and two weekly. A steam boat runs regularly to Annapolis, one to Alexandria, and another from Norfolk to the city. Five stages depart daily to Baltimore, and several others to other places.

The seat of government was removed here in the year 1800, during the presidency of John Adams.

The city was incorporated by an act of Congress, passed on the third of May, 1802, by which act, the appointment of the Mayor, was vested in the President yearly; and the two branches of the Council elected by the people, in a general ticket. By a supplementary act, passed May 4, 1812, the corporation was made to consist of a Mayor, a Board of Aldermen, and a Board of Common Council; the Board of Aldermen to consist of eight members, elected for two years, to be residents of, and chosen from, each ward; the Board of Common Council to consist of twelve, three from each ward; and the Mayor, by the joint ballot of the two boards, to serve for one year. By a new charter, granted by Congress on the 15th May, 1820, it is provided that the Mayor shall be elected by the people, to serve two years, from the second Monday in June; the Board of Aldermen to consist of two members from each ward, elected for two years, and are ex-officio justices of the peace for the whole county; the Board of Common Council to consist of three members from each ward, to serve one year, and every free white male citizen of the United States, of legal age, having resided in the city one year previous to the election, being a resident in the ward in which he offers to vote, and shall have been assessed on the books of the corporation for the year ending on the 31st day of December, preceding the election, and shall have paid all taxes legally assessed and due on personal property, and when legally required to pay the same, shall be entitled to vote at any election for a Mayor, or Members of the two Boards.

The city is by an act of the Council divided into six wards. The number of the inhabitants were, at different periods, as follows, ascertained by the official enumerations, viz:

In 1800,	3,210
1803,	4,352
1817,	5,652
1810,	8,208
1817,	11,299
1820,	13,474

The number of dwellings, exclusive of public buildings and shops, was, on the 1st of Jan. 1822—2229; of which 1035 were brick, and 1184 wood, and the assessed valuation of real and personal property, on the first of January, 1821, was \$6,568,726, affording a revenue of \$325,433 63; in addition to which a revenue of \$100,000, arising from licenses of taverns, hackney coaches, &c. which is appropriated to the support of the poor, of public schools and markets, and to pay the officers of the corporation.

THUNDER STORM.

One of the most tremendous exhibitions of electrical phenomena, was witnessed in Portsmouth, New Hampshire, on the evening of July 12th. The fluid was discharged in eight different places in the town at the same moment. Mr. Jones' large brick house was struck; the chimney above the roof demolished; the bricks scattered in every direction; fragments of wood and lathing thrown with such violence as to break the panels of the doors; and Mrs. Jones found senseless, covered with fragments. A school house, shop, and other buildings were considerably injured. On the South Meeting House, the fluid was attracted by the rod, bent it, loosened the clamps, went off on the hinges of the door; shivered the wood work of the interior of the building; and carried one piece of board six feet long, over the pews thirty five feet to the broad aisle.

CAPE OF GOOD HOPE.

Painful accounts have lately been received of the great distresses of the agricultural emigrants, in consequence of the failure of the crops for two seasons. Many of them were absolutely starving. Some relief has been administered from Cape Town but not sufficient to check the alarming distress. It is said the emigrants are indignant at their treatment, but dare not give vent to their complaints, lest the slender supply from Cape town be cut off by the governor; who as he has ten thousand pounds a year for his own provision, may not be easily persuaded of the real extent of the calamity.

Capt. Saunders, from Neuvas, informs that news had been received, via Porto Rico, that Gen. Quiroga, was expected at Havana, with 3000 men, to take command as Captain General of the Island.

N. Y. Gaz.

It is a remarkable fact, noticed in the Aurora, that Mr. Torres, (from the Republic of Colombia,) was the first ambassador of South America, and the first foreign diplomatic character, who has been to the United States, since the establishment of our government.

CATERPILLARS.

From the American Daily Advertiser.

Mr. Poulson,

As this is the season for caterpillars, and of all kinds, I have been very diligent in searching out the most receipts for getting rid of them: amongst others was the following—Scotch snuff, mixed with some glutinous substance. I mixed it with some molasses, and found it to succeed very well, completely destroying the vermin. The experiment was tried on some rose bushes, which were infested with a double white caterpillar, very valuable—I anointed the stems of the bushes.

Last summer, I made a tea of elder berries, which answered the purpose also, and which I put on with a watering pot; but as they are not yet in flower, I tried the following. I thought it would be of some service to my fellow gardeners to mention this, as nothing is so provoking as to have a garden, even which you preside, completely infested by such busy creatures.

AGRICOLA.

MARYLAND GAZETTE.

Annapolis, Thursday, July 25.

HYMENÆAL.

MARRIED.

On the 23rd instant, in this City by the Rev. Mr. RYLAND, RANNEY WATERS, Esq. Register in Chancery, to Miss ANNE MARSH.

On the same evening, by the same, Mr. RICHARD WELLS to Miss CATHERINE HUNNE.

On Tuesday last, on South River, by the Rev. Dr. DAVIS, THOMAS H. HALL, Esq. Register of Wills, to Miss MARY WATKINS.

On the same evening, near the Head of South River, by the Rev. Mr. WATKINS, Mr. THEODORE WILLIAMS to Miss CAROLINE GOVE.

LIGHTNING.

On Monday evening last a negro boy was killed by lightning on the farm of Major Dorsey, about 4 miles from this city. A cow and calf were near the boy at the time; the cow was struck dead. The calf, which it is said was sucking at the moment, escaped uninjured.

"The purest treasure, mortal times afford, is spotless reputation."

"Who steals my purse, steals trash; 'Twas mine, 'tis his, and has been slave to thousands;

But he who filches from me my good name, Takes from me that which nought enriches him, But makes me poor indeed."

In the Maryland Republican of last Saturday, my character was assailed by a very abusive piece; not wonderful for in that paper,

Where "nothing but the blackest demons dwell,"

"The refuse of the damn'd, the dregs of hell."

If the youth will let me know his name, and prove that he is a gentleman, I shall then know how to treat him.

THOMAS GRASON.

For the Md. Gazette.

Mr. Green,

Conscious that I have no right to make the request, I feel some delicacy in asking you to insert in your paper the following remarks, by an

OLD REPUBLICAN.

CAUCUS NOMINATIONS.

There are some persons so violent in favour of Caucus Nominations, that they labour to convince others of the custom of men as naming themselves as candidates for the suffrages of the people, is aristocratical.

Whether it is aristocratical for a man to do so, as it is anti-republican for a few leading men of a party to agree among themselves upon a ticket to represent a certain county or city, and then for the purpose of giving a character of fairness to their proceeding, get up a caucus which they have already drilled to their views, the discriminating mind can, without the aid of foreign reasoning, decide. That such has been the practice, every man acquainted with the manner in which our county and city candidates have been brought forward for some two or three years past, cannot deny. Previously to the assembling of a caucus, it is well known no pains have been spared by the few whose personal interests and consequence are closely connected with their political power, to prejudice the mind of every man, ignorant enough to be misled by them, in favour of the men they intended to nominate. Even hints of petty offices being conferred upon them, have been thrown out to catch men who they suspected of being selfish and unprincipled, and threats of dismissal from office uttered against those who discovered a disposition to act as their own consciences and judgment dictated. Is not this conduct worse than the vilest aristocratical procedure can be? I can find no name bad enough to distinguish it. To call it despotical or tyrannical, will be marking it, so that when it is spoken of hereafter, we may know what is meant; but these terms are scarcely significant enough to convey a full and correct idea of the depravity and demoralizing spirit which must necessarily govern its authors.

Notwithstanding all this, certain folk would persuade us that the only fair way for a candidate to get before the people is by a caucus nomination. Away with such deceitful arguments. It will suit those who dictate to caucuses, and who are benefited by them; but it never can accord with the feelings and principles of an honest Republican. To be brief, that man is not a genuine Republican, who will not maintain the principle, that the poorest man in the community has as undoubted a right to announce himself a candidate for any office of which he feels qualified to discharge the duties, as that man has, who procures his nomination by a caucus collected at the instance of a few others, whose daring egotism, cunning, and despotic temper, have acquired for them an influence over it. If caucus nominations alone are to prevail, the worthy man who is above fawning, and the plain man who knows not how to do so, will be forever kept in obscurity; for without cringing at the feet of the rulers of the caucus, and plying them with adulation, they are not to be won, and unless their interest is secured, one stands about as much chance, of being nominated, as Sancho Panza did of being carried up to the Pleiades by his wooden horse.

HONEST PRAISE.

In a late debate in the British House of Commons, on Irish distresses, Mr. Rice, one of the Irish members, in pronouncing an eulogium on the late Mr. Grattan, declared him to have been the first and most illustrious patriot of any age or country, George Washington only excepted.

LONGEVITY.

Mr. Eber Lewis, of the town of Penfield, in this county, aged 101 years, is this year taxed for highway work two days, and contemplates working the same himself.

He enjoys good health and works daily in his garden—was born in Lyme, Connecticut. Sixteen years since he had an engagement with a bear, in which encounter, the flesh part of one of his legs was literally torn in pieces, but he finally succeeded in getting master of him.

Monroe (N. Y.) Republican.

THE PLAINS OF SARATOGA.

The late anniversary of our independence was celebrated by the citizens of Saratoga county, and the adjacent towns, in the field on which the formidable army of Burgoyne surrendered, October 17, 1777. It is said that there were at least 5000 people assembled on the occasion, among whom, notwithstanding the lapse of nearly half a century, were 52 soldiers of the revolution, some of whom shared in the glory of conquering Burgoyne. An oration adapted to the occasion, was delivered by the Hon. Dr. Cumming, and is spoken of in terms of high admiration. It will probably be printed.

BERMUDA.

A circumstance which has just come to our knowledge, shows the dreadful extremities to which the famishing people of some parts of Ireland are reduced. A vessel, laden with oatmeal, was last week boarded and plundered of her whole cargo, consisting of about sixty tons. She was at the time distant about six miles from the Bay of Killala, and the predatory party consisted almost entirely of wretched and desperate females, who came out in boats in such numbers as to render any resistance in vain. No violence was offered to the crew.

ANTIDOTE FOR LAUDANUM.

A correspondent communicates to us the following method of counteracting the effects of laudanum: lemon juice, taken immediately, acts as an emetic, and prevents the lethargic appearance of death, and consequently preserves life.

BERMUDA.

The English papers state, that, with a view to a diminution of the great public expense attending the making the island of Bermuda a safe and convenient port, it is intended to employ about 300 convicts in carrying on the labourers' work. The Commodore and Tortoise (store ships) are to be fitted at Plymouth for their conveyance thither; the former to remain and the latter to act as a depot for them, during the execution of the works. It is added, that Bermuda is considered as an essential station for our ships of war on the coast of North America and the West India stations, during any war with America.

M'DUFFIE AND CUMMINGS.

Are to have another combat, the preliminaries of which have been settled by their friends.

CAPTAIN HULL.

We perceive, by the Boston papers, that Commodore Hull has directed a prosecution to be commenced against the author of a publication in the Boston Patriot, impeaching his integrity. In another paper it is stated that Commodore Hull has again demanded a Court Martial—Court of Inquiry, we should suppose, is meant, into his conduct, which, it is presumed, will be granted to him on his renewed application for it.

We are glad that the matter has taken the turn, for two reasons. 1. Because it is the proper course in itself, though it serves only to make assurance doubly sure; and 2. Because it takes the affair from the newspapers altogether, places it before the tribunals where it belongs, and thus absolves us from the necessity of ever saying more upon the subject, unless so far as it may be hereafter necessary to defend ourselves from the Boston printers. We should have remained passive spectators of this controversy, from the beginning, if it were not evident that the press of Boston, where it was, not silent on neutral, was in possession of a party whose object was to prostrate an honourable man, who has illustrated the fame of his country.

We have the satisfaction to reflect, on dismissing this subject, that we have not permitted ourselves, in defending one naval officer, to derogate from the character of others who have become his opponents. We have known Captain Shaw, and we respect him; we have felt nothing but regret at the situation in which he is placed. The other gentlemen we have no acquaintance with, but we have too high a value for that reputation which is often the sole property of an officer to impeach it even by insinuation.

METHODIST SEAMEN.

The following anecdote was related at a meeting of the New-York Marine Bible Society.

On board the flag ship of a celebrated commander, a complaint was made by the captain against a number of the crew, if I recollect right, nearly two hundred, for disturbing the ship's company by frequent noises. The admiral ordered an enquiry to be made, and appointed a day for a hearing. The accusation was, these men were Methodists, and that when their watch was below they were in the constant habit of reading the Bible to each other aloud; of frequently joining in social prayer and singing of psalms and hymns. After a statement had been made and proved, the admiral asked, "What is the general conduct of these men on deck: orderly or disobedient, cleanly, or the contrary?" "They are orderly, obedient, cleanly," was the reply. "When the watch is called, do they linger or are they ready?" "Always ready at the first call." "You have seen these men in battle, sir; do they stand to their guns, or shrink?" "They are the most intrepid men on the ship, my lord, and will die at their post." "Let them alone then," was the decisive answer of this magnanimous commander; "If Methodists are such men, I wish all my crew were Methodists."

THE CHEROKEES AND OSAGES.

We lately mentioned, that these two nations had agreed to a cessation of hostilities. It now appears, that a Council of the chiefs of each nation was to assemble about the middle of June, at Fort Smith, Arkansas, to effect a treaty of amity, at which, the Governor was to be present.

AGE OF DISCOVERY.

A late English publication states, that the spirit extracted from ants causes magnanimity or greatness of mind, revives the spirits, cheers the heart, strengthens nature, and cures consumptions.

Laborers Wanted.—The Lockport papers contain advertisements for 1900 laborers, to work on the canal at that place, to whom \$12 a month will be paid.

REMARKABLE PRESERVATION.

On Sunday night last, about 10 o'clock, a coloured woman, about 17 years of age, fell out of a garret window in a very high house in Holiday street, on a brick pavement—and although her fall was at least 40 feet, yet she broke no bones, and will probably be able to attend to her work in a short time.

FLORIDA.

By one of the acts of congress, \$6000 was appropriated for a survey of the coast of Florida, under the direction of the president. An accurate chart of the coast, as well as a knowledge of the capabilities of the numerous little islands that are located on it, are things of great importance. We are told that many of these islands are heavily timbered, and several of them abound with deer; evidences that the soil is good and that they are supplied with fresh water. We can see no possible reason why these islands should not produce the coffee tree, and most other West Indian plants.

DUTCH CLEANLINESS.

Sir Wm. Temple, observing upon the extravagant neatness of the people of Holland, mentions the circumstances of a magistrate going to visit the mistress of a house of Amsterdam, when knocking at the door, a tight, strapping North Holland lass came and opened it. He asked whether her mistress was at home? She replied, 'yes,' and with that he offered to go in; but the girl remarking his shoes were not very clean, took him by both arms, threw him upon her back, carried him across two rooms, put him down at the bottom of the stairs, pulled off his shoes, put on a pair of slippers, and all without saying a word; but when she was done, she told him he might go to her mistress who was in a room above.

We are very much pleased at observing at the Coffee House, a design of a stove said to be the invention of Com. Barron. Besides its great usefulness, and economy in the consumption of fuel, it may be rendered highly ornamental, according to the taste of the owner. We understand that with one peck of Lehigh or Schuylkill coal per day, it will impart a genial temperature throughout a room of twenty feet square. One of them has been successfully tried at Miss McElroy's boarding house.

EMIGRATION.

Seven thousand and eighty settlers have already arrived at the port of Quebec this season, from England, Ireland and Scotland.

Extract of a letter to the editors of the New York Gazette, dated

Port au Prince, July 3, 1822.

The U. S. frigate Macedonian, Capt Biddle, sailed this morning, escorting a schooner belonging to Mr. Robinson, to Carthage. She lost one of her lieutenants, J. H. Rand, of Massachusetts, and had more than half her crew sick of yellow fever on board.

From particular personal enquiry, we are happy to be able to state that the surrounding country, as well as the city itself, enjoys a peculiar degree of good health.—Phil. Gaz.

DIED.

In this city, on Monday last, Mr. HENRY DUVALL, in the 43d year of his age, one of the Judges of the Orphans Court of Anne Arundel county.

The many estimable qualities which adorned the character of the deceased, will cause his death to be deeply lamented, and will insure to his memory the tribute of the sincerest respect. He has passed through life in the faithful discharge of every moral duty, and laying long learned to rely upon the merits of his Saviour, has gone, we humbly trust, to receive the reward promised to the righteous.

By Authority.

A BY LAW.

To repeal the By-Laws therein mentioned, and for other purposes.

1. Be it established and ordained by the mayor, recorder, aldermen, and common council, of the city of Annapolis, and by the authority of the same, That the by laws passed 9th October, 1820, and the by law passed 9th July, 1821, regulating sales at auction, be and the same are hereby repealed.

2. Be it established and ordained, by the authority aforesaid, That it shall not be lawful for any auctioneer to demand or receive for his services, in selling at auction, any real property, more than one half per centum in addition to the tax to be paid to the corporation, on the purchase money arising from such sale.

LEWIS DUVALL, Mayor.

WANTED.

The subscriber will give the highest prices for Negroes between 12 and 25 years of age, of both sexes. He can be seen at Mr. Williams' Hotel, Annapolis. In case of his absence apply to Mr. Wm. Caton.

July 25.

SHERIFFALTY.

John Knighton,

Respectfully informs the voters of Anne Arundel county, and the city of Annapolis, that he is a candidate for the sheriffalty of said county, at the election of October, 1824, and will be thankful for their support.

July 25, 1822.

FOR SALE,

Two Likely Black Boys,

One aged eight years, the other seven. For terms apply to Jacob Wheeler, Prince-George's county, or to BARUCH D. WHEELER.

July 23.

This is to give Notice,

That the subscriber intends to apply, by petition in writing, to the Honourable the judges of the county court for Anne Arundel county, to be held at the City of Annapolis on the third Monday in October next, for a commission to mark and bound all the following tracts or parcels of land, of which the subscriber is seized, lying and being in Anne Arundel County, and State of Maryland, known by the name of "Bear Hills," "Benson's Request," "Boyce Beginning" and "Robert's Lot;" whereof all persons in any wise concerned or interested, are hereby desired to take notice.

THOMAS WORTHINGTON, (of Nicholas.)

July 25th 1822

Six Dollars Reward.

Unlawfully absented himself, or ran away from the subscriber, of Calvert county, Maryland, William Kershaw, an apprentice regularly bound by the orphans court of the county and state aforesaid, about 19 years of age, of a swarthy complexion, spare and gentle, and with black hair. The above reward will be given for the apprehension, so that I get him, of the said William Kershaw, and all reasonable charges if delivered to

GAMALIEL BOWEN,

Huntingtown, July 11. 6w.

NB. All persons, especially masters and owners of vessels, are forewarned from harbouring said Wm Kershaw, under all the pains and penalties of the law in such case made and provided.

GAMALIEL BOWEN.

Notice to Medical Graduates.

At the Annual Convention of the Medical and Chirurgical Faculty of Maryland, held in the City of Baltimore on the first Monday of June, 1822, the undersigned were appointed, a Committee to aid in the prosecution of all Graduates, who practising Medicine in this State, have not obtained a License in the manner directed by the act incorporating the Medical and Chirurgical Faculty of Maryland, and the Supplement thereto; and the said Committee were directed to hold a correspondence with the Censors throughout the state for the completion of this object.

By the 14th Art. of the act of incorporation, examiners were appointed "whose duty it shall be to grant licences to such medical and chirurgical gentlemen, as they either upon a full examination, or upon the production of diplomas from some respectable college, may judge adequate to commence the practice of the Medical and Chirurgical Arts, each person so obtaining a certificate to pay a sum not exceeding ten dollars."

By a supplement passed in the year 1801, it is enacted "that no person, who is not already a practitioner of medicine and surgery within this state, shall be allowed to practice in either of the said branches, and receive payment for the same, without having first obtained a license agreeably to the original act to which this is a supplement, under the penalty of fifty dollars for each offence, to be recovered in the county court where the offence is committed by presentment and bill of indictment, one half for the use of the faculty, the other for the informer."

Notice is therefore given to all graduates who have commenced the practice of Medicine and Surgery in the State of Maryland without a License, to make application for the same forthwith, to the Medical Board of Examiners either at Easton or Baltimore.

It will be the imperative duty of the Committee, in conjunction with the Censors of the Faculty throughout the state, to prosecute all such graduates, as fail to comply with the requisitions contained in the act incorporating the Medical and Chirurgical Faculty of the State of Maryland.

JOHN D. READEL, M. D.

P. MACAULY, M. D.

JOHN BUCKLEY, M. D.

Committee.

Baltimore, 29th June, 1822.

Farmers Bank of Maryland,

Annapolis, June 19th, 1822.

In compliance with the charter of the Farmers Bank of Maryland, and with a supplement thereto establishing a branch thereof at Frederick town. Notice is hereby given to the stockholders on the western shore, that an election will be held at the banking house in the city of Annapolis on the first Monday in August next, between the hours of 10 o'clock A. M. and 3 o'clock P. M. for the purpose of choosing from amongst the stockholders sixteen directors for the bank at Annapolis, and nine directors for the branch bank at Frederick town.

By order,

JONA. BENEY, Cash.

The Editors of the Maryland Republican Annapolis, and the Federal Gazette, and American of Baltimore, are requested to publish the above once a week for six weeks.

