

MARYLAND GAZETTE.

T H U R S D A Y, M A R C H 28, 1805.

DISTRICT OF MARYLAND, to wit:
BE it remembered, That on the eleventh day of February, in the 29th year of the independence of the United States of America, John B. Colvin, of the said district, hath deposited in this office the title of a book, the right whereof he claims as author, in the following words, to wit: "A MAGISTRATE'S GUIDE, AND CITIZEN'S COUNSELLOR; being a digested abstract of those laws of the state of Maryland most necessary to be known, and most useful in common transactions of life; interspersed with a variety of practical forms and precedents; for the use of justices of the peace and others. By JOHN B. COLVIN." In conformity to the act of the congress of the United States, entitled, "An act for the encouragement of learning, by securing the copies of maps, charts, and books, to the authors or proprietors of such copies, during the times therein mentioned."

PHILIP MOORE, CH. D. C.

TO THE CITIZENS OF MARYLAND.

THE above work has been for some time past in the press, is in considerable forwardness, and will be published with all possible expedition.

It is a maxim which has been long established, that "ignorance of the law excuseth no man;" and the reason of it is obvious: For if ignorance of the law were admitted as a plea, laws would be without force, and consequently ineffectual. As it is out of the power of our government to promulgate its laws in such a way as to communicate them to every individual of the community, it is necessary for every man to furnish himself with the means of information to a degree sufficient to enable him to discharge the duties of his station as a citizen of a free state. This is what he owes to his country. To himself he owes more. It is every man's interest to be acquainted with the laws of his own government sufficiently to enable him to avoid the shoals and quicksands of legal controversy, on which ignorance of the law might throw him, and occasion the wreck of his fortune, and, perhaps, of his happiness likewise. It is not only every man's interest, but it is every man's duty to his family to endeavour to understand enough of the acts of assembly and of the forms and proceedings in the administration of justice, to enable him to preserve his estate in a legal way, transact in a proper manner the business of life according to rule, to be able to recover his debts; and he ought to know the relative duties of one citizen to another.

The above work is an attempt to convey to the people of Maryland in as concise a manner as possible, correct knowledge of the provisions of those acts of assembly which are most necessary to be known and understood by the citizens of the state at large, together with some common law principles which are in force in Maryland. Matters that relate to accounts, and the evidence of debts, to administration on the estates of deceased persons, apprentices, articles of agreement, assignments, attachments, arrests, bonds, bills, ballards, conveyancing, constables, contracts, dowers, deeds, distress, execution, escape, evidence, felony, forgery, gaming, gaol, gaoler, guardians, homicide, indictment, infants, information, judgment, jurors, (and their duties,) justices of the peace, larceny, lewdness, libel, misdemeanor, nuisance, oaths, pardon, perjury, polygamy, the poor, presentment, prison-breaking, rape, recognizance, rescue, riot, robbery, search-warrants, sheriff, (his duties) slander, surety for the peace, slaves, treason, vagrants, warrants, wills, and a variety of other things, which it would be extremely tedious to describe at large, will be contained in this work. Besides laying down the law under each head, forms and precedents will be introduced for the information of magistrates and others. These will consist of precepts used by justices of the peace in the discharge of the duties of their station, and copies of all manner of instruments of writing used in bargaining, selling, and conveying every species of property, agreeably to the laws of Maryland. Under the head of accounts particular care has been taken to arrange all the evidence of debts, the manner and form of proof; and under the head of administration, the compiler has been careful to insert every thing that can be serviceable to executors and administrators. A very correct copy of a will is laid down, and the number of witnesses and manner of proving it explained, with respect to real and personal property. Marking and bounding land has occupied much attention, and the law and method of proceeding, together with the returns of commissioners are correctly stated. In short, whatever can be of service to the magistrate or to the citizen, has been carefully considered, and inserted in the book. To justices of the peace the work will be extremely valuable, and to the people at large of great benefit.

It has often been contended that in a free government every citizen has a right to participate equally in the offices of the state. To this proposition I have always assented; but at the same time I have uni-

formly thought there was another right not altogether unimportant; which is, that the community have a right to expect that every citizen should be qualified for the office which he fills. These two rights should go hand in hand. There is no office in the gift of our state executive of more importance or which may be more easily abused than that of a justice of the peace; and it not only requires a man of strong and good senses to fill it properly, but one somewhat acquainted with the fundamental principles of law in general, and with our local laws in particular: A knowledge of the latter in some degree, is, in fact, indispensably requisite: But as justices of the peace are generally and very properly appointed from among the honest and independent part of the citizens of the several counties, whose thoughts have been turned to other pursuits in common, but who nevertheless, have found understandings, it is not to be expected that they can at once dive into the huge quarto volumes of Kilty's compilation and drag thence the pith and marrow of the acts of assembly, and at the same time learn the form and manner of issuing innumerable precepts required by their official duty. Hence the great necessity for a work embracing all these particulars in a small compass, so as to form a complete guide and counsellor.

The duties of jurors have been stated with precision; and as every man is liable to serve the public in that capacity, that topic alone will render the book of general utility.

Although I have thus copiously dwelt upon the advantages and merits of this work, I by no means conceive that it will be free from some few imperfections; nor do I arrogate to myself the sole merit of collecting the forms and precedents together. I am by no means desirous to sacrifice truth in this particular to my vanity. I have had very able assistance from a few well informed friends, whose disinterested services have been of incalculable use to me; and without which, indeed, I should have found myself at a great loss for those numerous practical forms which the work will contain, amounting in the whole to more than two hundred. It would take an individual years, perhaps, to gather so large a collection, and they might at last be incorrect; whereas the above book will furnish the whole at once, and in a proper form.

The following letter from judge Duvall, (to whom the first eighty pages of the work had been submitted after coming from the press) will convey some idea of the merits of the book—

Washington, December 27, 1804.

Sir,
 I have received your letter inclosing eighty pages of a work prepared by you, in which you have begun a digest of those parts of the laws of Maryland which more frequently occur in the common transactions of life, and which are therefore deemed the most useful. I have perused it, and have no hesitation in pronouncing the utility of such a work. The law appears to be carefully abstracted, and the forms well chosen. It will be found useful to magistrates and to the people in general, and merits their patronage. It is adapted more particularly to the information of those who have not the means of purchasing, and the leisure to examine our laws at large. In a free government, the laws cannot be too extensively circulated; and he who adds to the diffusion of a knowledge of them, contributes to increase the comforts and happiness of society, and deserves their encouragement and support.
 I am, with respect and esteem,
 Your obedient servant,
 G. DUVALL.

Mr. John B. Colvin.
 Wishing to make the book cheap, the terms will be as follow, to wit:
 I. It will be printed with a good type on good paper, and contain above 300 pages—perhaps 400.
 II. It will be neatly bound and lettered.
 III. The price will be 2 dollars to subscribers, and 2 dollars 50 cents to non-subscribers. No money required till the work is delivered.
 IV. Persons procuring 11 subscribers, and becoming answerable for the money, shall receive a 12th copy gratis.
 The acts of assembly, up to the close of the last session, will be attended to.

JOHN B. COLVIN.

FREDERICK-TOWN, March 11, 1805.
 Subscriptions received at the office of the Maryland Gazette.

NOTICE.

I MEAN to petition the next general assembly of Maryland for an act of insolvency, to release me from debts which, from misfortunes, I am unable to pay.
 HEZEKIAH LINTHICUM,
 Anne-Arundel county, March 18, 1805.

Miscellany.

FROM LATE ENGLISH PAPERS.

COVENT GARDEN, January 29.

LAST night the Young Roscius again appeared before the public. This joyful event occasioned the more pleasure from the reports which have been lately in circulation, that he was not only very ill, but that he would never more be able to tread the boards. There is now every reason to hope that he will continue to give increased delight for a long series of years. Notwithstanding the shortness of the notice, and the bad state of the weather, the avenue to this theatre were almost as much crowded as when he was to make his debut. When the doors were opened, the rush into all parts of the house was prodigious, and many narrowly escaped having broken limbs. The pressure in the pit was so great as to produce several fainting fits. However, from the regulations adopted, excellent order was preserved, and after the commencement of the performance the audience had nothing to divert their attention from the business of the scene. The first act, very dull in itself, seemed doubly so from the general impatience for its termination. Master Beatty at last stepped forward, in the garb of a Scottish warrior, with his spear in his hand, and his sword in his side. We were happy to state that he looked extremely well. He is a good deal thinner than before his indisposition, but his colour is fresh, and his eyes sparkle.—He appeared taller, which could only arise from his being slenderer. He was greeted with every mark of admiration and attachment. In making his acknowledgements he displayed not a little sensibility. It would be superfluous in us to say more of his performance, than that he went through the part of Douglas with as much ability and effect as on any former occasion. Never did he recount his own history with more modesty; taunt Glenalvon, with more tartness, return the caresses of his mother with more tenderness; hear of his noble birth with more ardent desire to emulate the deeds of his ancestors, or fall with a more deep-felt regret that he was cut off in the career of glory. His dying scene was indeed affecting beyond all powers of description. He was admirably well supported by the other performers.—Mrs. Litchfield, as Lady Randolph, was never more forcible and impressive. Cooke played Glenalvon in his best style, and Murray was not unsuccessful in Lord Randolph.

Mr. Fox, Mr. Grey and General Fitzpatrick, were in the Dutchess of Devonshire's box.—Mr. Grey, we understand, when the house of commons broke up, informed Mr. Pitt that he was going with Mr. Fox to see the Young Roscius.—Mr. Pitt replied, that they could not spend their time better, for that he was a prodigy.

EXTRACT FROM THE WILL OF AN OLD BACHELOR, WHO DIED AT THE AGE OF 87.

Translated from the German, by Madame de Montolieu.

LOVE, hope, and even fear, ought by turns to agitate the human breast, to prevent our days from passing over in an insipid uniformity. It is to escape this insipidity, so insupportable to man, that he employs himself in a thousand trifles; a thousand follies; one plays at chess, another builds houses— one learns to warble like the birds, another to decypher music—this man learns to cultivate flowers, the other to write books, &c.

These various means of escaping ennui had nothing in them to captivate my fancy. In examining the different interests which arose in my view, I found that which alone had power to attach me to life, and make it valuable, were the extatic ties of husband and father; celibacy never made a part of my schemes of happiness; I loved in good earnest; my vows were always sincere and honourable, as I only aspired to become a good husband and a good father of a family. I have been in love seven times—is not that enough? and is it not unfortunate that I have not found a wife? Ah! my friend—my first affections alone have power to make my tears flow! A gentle innocent girl, who was to me most only a first love, and who returned my passion as tenderly—death snatched her from me, and I was near following her to the grave. Never shall I forget that amiable creature!

After some years of grief and indifference, a very pretty fair one animated my heart; I exerted all my assiduities with kindness—she blushed and cast down her eyes with a thoughtful air. This is she who is to be the companion of my life, thought I, with transport, and I disclosed to her my passion; she interrupted my first words, by assuring me of her tender friendship, of which she was about to give me a proof. She then told me, in confidence, that she had a long time been strongly attached to a young man, and never would marry any other than him. In thus renouncing my tender and pretty fair one, I did not renounce