

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, *Clk. D. C.*

TO THE CITIZENS OF MARYLAND.

THE above work has been for some time past in the press, 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 just plea, laws would be without force, and consequently useless. 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, baits, bills, bastardy, conveyancing, constables, contracts, dowers, deeds, distresses, 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 uniformly 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 year, 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.

A S A L E.

The subscribers, agreeably to an order of the orphans court of Anne-Arundel county, will EXPOSE to SALE, on Saturday the twentieth day of April next, at the late dwelling of CEPHAS CHILDS, deceased,

A NEGRO WOMAN, about thirty-five years of age, with two children, also some stock of horses and cattle, together with a number of articles too tedious to enumerate. The above property will be sold on a credit of three months for all sums above twenty dollars, with interest from the day of sale. The sale to commence at 11 o'clock.

MARTHA P. CHILDS, } Administrators.
CHARLES DRURY, }

March 26, 1805.

By virtue of a deed of trust from THOMAS M. SIMPSON to the subscriber, will be EXPOSED to PUBLIC SALE, on Friday the 10th day of May next, on the premises,

PART of a tract of LAND, lying and being in Charles county, near Newport; this land is remarkably level, and the soil equal to any in that neighbourhood. The terms will be made known on the day of sale, and a title given, when the purchase money is paid, by JOSEPH GREEN.

March 26, 1805.

TAKE NOTICE.

NOTICE is hereby given, that the subscriber hath obtained from the orphans court of Saint-Mary's county, letters of administration de bonis non on the personal estate of Doctor JAMES JORDAN, late of said county, deceased. All persons having claims against said deceased are warned to exhibit the same, with the vouchers thereof, to the subscriber, on or before the first day of May next, they may otherwise by law be excluded from all benefit of said estate.

JAMES COOKE.

LANDS FOR SALE.

THE subscriber will sell that valuable plantation SUMMER-HILL, on which Mr. Robert Jacob now lives, containing about 330 acres, about seven miles from the city of Annapolis, and possesses all the advantage of water, with respect to navigation, fish, oysters, and wild fowl, being within one mile of navigable water; the greater part of it lies sufficiently level; the soil is fine, and easy of cultivation, and contains a sufficiency of meadow ground of a superior quality; about one third of this land is covered with timber, consisting of oak, poplar, walnut, and an immense quantity of chestnut and cedar, and is extremely well watered.

The improvements are new, and consist of a comfortable dwelling-house, with two rooms below stairs and two above, a kitchen, smoke house, &c. and also a tobacco house.

The house is situated on an eminence, which commands a view of the surrounding neighbourhood, also of Annapolis, London-town, and Chesapeake bay, which makes it a situation in point of beauty equalled by few, and in point of healthiness exceeded by none, and has several springs of as fine water as any in the state, within a few yards of the house.

This place is well situated to admit of its being divided, and should it be found necessary to accommodate purchasers the subscriber will do it.

As the subscriber is not induced from necessity to dispose of this place, any reasonable credit that may be required will be given, upon the purchaser's giving bond, with approved securities, and upon the payment of the whole, an indisputable title will be given.

JOHN GASSAWAY, of Rhode River.

Any person in want of cedar, locust, and walnut posts, for building or fencing, may be supplied by applying to the subscriber.

JOHN GASSAWAY, of Rhode River.

March 3, 1805, }
Rhode River. }

In CHANCERY, April 6, 1805.

Nehemiah Miller Rowles, and Candy his wife, William Brookes, and Elizabeth his wife,

vs.
Edmund Jenings, Thomas and Daniel Jenings, Jonathan Sappington, Edmund Sappington, Jesse Wheat, and Harriet his wife, John Fairbank, and Charity his wife.

THE object of the petition in this case filed is to obtain a decree for the partition or sale of the real estate of Edmund Jenings, deceased, according to his last will and testament, for the benefit of the devisees and their heirs, which said real estate lies in Montgomery county, and consists of the following tracts and parcels of land, John, Chance, Drury Plains, Wolf's Cow, or Addition to Wolf's Cow, Henry and Macy, Rich Meadows, also part of a tract of land, containing eighty acres, taken up by Jacob Howard, as also to compel the defendant, Edmund Jenings, to account for the rents and profits of said real estate; the petition also states, that sundry of the defendants are minors, and that the said Edmund Jenings hath removed from the state of Maryland and resides in the commonwealth of Virginia; it is thereupon, on motion of the petitioners, adjudged and ordered, that the foregoing notice be published in the Maryland Gazette three times before the 3d day of May next, to the end that the said Edmund Jenings may have notice and be warned to appear in this court, on or before the third day of September next, to shew cause why the prayer of said petition should not be granted.

True copy,

Test. SAMUEL HARVEY HOWARD,
Reg. Cur. Can.

In CHANCERY, April 8, 1805.

ORDERED, That the sale made by WILLIAM MUIR, trustee for the sale of the real estate of Townsend Eden, deceased, shall be ratified and confirmed, unless cause to the contrary be shewn on or before the first day of June next, provided a copy of this order be inserted in the Maryland Gazette before the tenth day of May next. The report states, that part of a tract of land called BUSHFORD MANOR, containing three hundred and twenty-nine and an half acres, lying in Saint-Mary's county, was sold at £.3 8 3 per acre.

True copy,

Test. SAMUEL HARVEY HOWARD,
Reg. Cur. Can.

This is to give notice,

THAT the subscriber, of Anne-Arundel county, in the State of Maryland, hath obtained from the orphans court of Anne-Arundel county, in Maryland, letters of administration, de bonis non, on the personal estate of RICHARD RAWLINGS, of JONATHAN, late of said county, deceased. All persons having claims against the deceased are hereby warned to exhibit the same, with the vouchers thereof, to the subscriber, at or before the eleventh day of October next, they may otherwise by law be excluded from all benefit of the said estate. Given under my hand, this 11th day of April, 1805.

JOSEPH N. STOCKETT, Administrator de bonis non.

ANNA POLIS:
Printed by FREDERICK and SAMUEL GREEN.