

In Council.

ANNAPOLIS, MAY 16, 1805.

ORDERED, That the act to provide for the trial of facts in the several counties of this state, and to alter, change and abolish, all such parts of the constitution and form of government as relate to the general court and court of appeals, be published twice in each week, for the space of three months, in the Maryland Gazette, at Annapolis; the American Telegraph, and the Federal Gazette, at Baltimore; the National Intelligencer; the Republican Advocate and Bartgis's paper, at Frederick-town; Grieve's paper, at Hagar's-town; and in Smith's and Cowan's papers, at Balton.

By order,

NINIAN PINKNEY, Clerk.

An ACT to provide for the trial of facts in the several counties of this state, and to alter, change and abolish, all such parts of the constitution and form of government as relate to the general court and court of appeals.

BE it enacted, by the General Assembly of Maryland, That this state shall be divided into six judicial districts, in manner and form following, to wit: Saint-Mary's, Charles and Prince-George's counties, shall be the first district; Cecil, Kent, Queen-Anne's and Talbot counties, shall be the second district; Calvert, Anne-Arundel and Montgomery counties, shall be the third district; Caroline, Dorchester, Somerset and Worcester counties, shall be the fourth district; Frederick, Washington and Allegany counties, shall be the fifth district; Baltimore and Harford counties, shall be sixth district; and there shall be appointed, for each of the said judicial districts, three persons of integrity and sound legal knowledge, residents of the state of Maryland, who shall, previous to and during their sitting as judges, reside in the district for which they shall respectively be appointed, one of whom shall be styled in the commission Chief Judge, and the other two Associate Judges, of the district for which they shall be appointed; and the chief judge, together with the two associate judges, shall compose the county courts in each respective district; and each judge shall hold his commission during good behaviour, removable for misbehaviour on conviction in a court of law, or shall be removed by the governor, upon the address of the general assembly, provided that two thirds of all the members of each house concur in such address; and the county courts, so as aforesaid established, shall have, hold and exercise, in the several counties of this state, all and every the powers, authorities and jurisdictions, which the county courts of this state now have, use and exercise, and which shall be hereafter prescribed by law; and the said county courts established by this act shall respectively hold their sessions in the several counties at such times and places as the legislature shall direct and appoint, and the salaries of the said judges shall not be diminished during the period of their continuance in office.

II. And be it enacted, That in any suit or action at law hereafter to be commenced or instituted in any county court of this state, the judges thereof, upon suggestion, in writing, by either of the parties thereto, supported by affidavit, or other proper evidence, that a fair and impartial trial cannot be had in the county court of the county where such suit or action is depending, shall and may order and direct the record of their proceedings in such suit or action to be transmitted to the judges of any county court within the district for trial, and the judges of such county court, to whom the said record shall be transmitted, shall hear and determine the same in like manner as if such suit or action had been originally instituted therein; provided nevertheless, that such suggestion shall be made as aforesaid before or during the term in which the issue or issues may be joined in said suit or action; and provided also, that such further remedy may be provided by law in the premises as the legislature shall from time to time direct and enact.

III. And be it enacted, That if any party presented or indicted in any of the county courts of this state, shall suggest, in writing, to the court in which such prosecution is depending, that a fair and impartial trial cannot be had in such court, it shall and may be lawful for the said court to order and direct the record of their proceedings in the said prosecution to be transmitted to the judges of any adjoining county court for trial, and the judges of such adjoining county court shall hear and determine the same in the same manner as if such prosecution had been originally instituted therein; provided, that such further and other remedy may be provided by law in the premises as the legislature may direct and enact.

IV. And be it enacted, That if the attorney-general, or the prosecutor for the state, shall suggest, in writing, to any county court before whom an indictment is or may be depending, that the state cannot have a fair and impartial trial in such court, it shall and may be lawful for the said court, in their discretion, to order and direct the record of their proceedings in the said prosecution to be transmitted to the judges of any adjoining county court for trial, and the judges of such county court shall hear and determine the same as if such prosecution had been originally instituted therein.

V. And be it enacted, That there shall be a court of appeals, and the same shall be composed of the chief judges of the several judicial districts of the state, which said court of appeals shall hold, use and exercise, all and singular the powers, authorities and jurisdictions, heretofore held, used and exercised, by the court of appeals of this state, and also the appellate jurisdiction heretofore used and exercised by the general court; and the said court of appeals here-

by established shall sit on the western and eastern shores for transacting and determining the business of the respective shores, at such times and places as the future legislature of this state shall direct and appoint, and any three of the said judges of the court of appeals shall form a quorum to hear and decide in all cases pending in said court; and the judge who has given a decision in any case in the county court, shall withdraw from the bench upon the deciding of the same case before the court of appeals; and the judges of the court of appeals may appoint the clerks of said court for the western and eastern shores respectively, who shall hold their appointments during good behaviour, removable only for misbehaviour on conviction in a court of law; and in case of death, resignation, disqualification, or removal out of the state, or from their respective shores, of either of the said clerks in the vacation of the said court, the governor, with the advice of the council, may appoint and commission a fit and proper person to such vacant office, to hold the same until the next meeting of the said court; and all laws passed after this act shall take effect, shall be recorded in the office of the court of appeals of the western shore.

VI. And be it enacted, That all and every part of the constitution and form of government which relates to the court of appeals and the general court, or the judges thereof, or that is in any manner repugnant to, or inconsistent with, the provisions of this act, be and the same is hereby repealed, abrogated and annulled, upon the confirmation hereof; provided, that nothing herein contained shall be construed so as to authorise the removal of the clerks of the respective county courts, being in commission at the time of the passing of this act, in any other mode or manner than that prescribed by the constitution and form of government.

VII. And be it enacted, That if this act shall be confirmed by the general assembly after the next election of delegates, in the first session after such new election, as the constitution and form of government directs, that in such case this act, and the alterations and 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, to all intents and purposes, any thing in the said constitution and form of government to the contrary notwithstanding.

Anne-Arundel County Court,

APRIL TERM, 1805.

SINGLETON WARFIELD, an insolvent debtor of Anne-Arundel county, having applied, by petition, in writing, to Anne-Arundel county court, praying the benefit of an act for the benefit of insolvent debtors, passed at November session, eighteen hundred and four, and a schedule of his property, and a list of creditors, on oath, as by the said act is required, being annexed to his said petition; and the said Singleton Warfield being under an arrest upon mesne process for debts due before the passage of the said act, and having proved to the satisfaction of the said court that he had resided in the state of Maryland the two last years preceding the passage of the said act.—It is thereupon adjudged and ordered, that the said Singleton Warfield appear before the said court, at the court-house, in the city of Annapolis, on the twenty-fourth day of September next, then and there to produce to said court, the assent, in writing, of creditors holding two thirds of the amount of his debts, and to answer such interrogatories as may be proposed to him by his creditors, and that the said day be and it is hereby appointed the time for said creditors to appear and recommend a trustee for their benefit, and that the said Singleton Warfield give them notice of the passage of this order, by causing a copy of it to be inserted in the Maryland Gazette once in each of the next twelve successive weeks.

Signed by order,

NICH: HARWOOD, Clk.
May 31, 1805. A. A. County Court.

Sixteen Dollars Reward.

RAN away from the subscriber, in Anne-Arundel county, five miles from South river ferry, on Monday the tenth instant, a black negro man named CHARLES, with short wool on his head, about five feet nine or ten inches high, twenty-two years of age, he stutters very much when talked to, and is stout and well made for strength; had on and took with him, two new ticklenburg shirts, a white country cloth jacket and trousers, much worn, a pair of coarse shoes, an old felt hat, with the crown sewed in with yarn. It is supposed he will change his name and dress, and endeavour to pass for a free man, by getting a forged pass, perhaps he will make for Baltimore-town, the city of Washington, or Frederick-town, as he has some relations in that part of the country. Whoever takes up and delivers the said negro man to the subscriber, or secures him in any gaol, so that I get him again, shall be entitled to receive the above reward.

GASSAWAY RAWLINGS.

June 17, 1805.

All masters of vessels are forewarned from carrying the said negro man off at their peril. G. R.

TO BE SOLD,

For a term of seven years,

A STRONG, active, young negro man. Inquire at the office of this paper.
July 24, 1805.

By Anne-Arundel County Court,

APRIL TERM, 1805.

JOSHUA MARRIOTT, junior, an insolvent debtor of Anne-Arundel county, having applied by petition, in writing, to Anne-Arundel county court, praying the benefit of an act of assembly for the benefit of insolvent debtors, passed at November session, eighteen hundred and four, and a schedule of his property, and a list of creditors, on oath, as by the said act is required, being annexed to his said petition, and the said Joshua Marriott, junior, being under an arrest upon mesne process and a capias at satisfaciendum for debts due before the passage of the said act, and having proved to the satisfaction of the said court, that he had resided in the state of Maryland the two last years preceding the passage of said act.—It is thereupon adjudged and ordered, that the said Joshua Marriott, junior, appear before the said court, at the court-house in the city of Annapolis, on the twenty-fourth day of September next, then and there to produce to said court the assent, in writing, of creditors holding two thirds of the amount of his debts, and to answer such interrogatories as may be proposed to him by his creditors, and that the said day be and it is hereby appointed the time for said creditors to appear and recommend a trustee for their benefit, and that the said Joshua Marriott, junior, give them notice of the passage of this order, by causing a copy of it to be inserted in the Maryland Gazette once in each of the next twelve successive weeks.

Signed by order,

NICH: HARWOOD, Clk.
May 31, 1805. A. A. County Court.

Prince-George's County Court,

APRIL TERM, April 13, 1805.

RICHARD G. HARDESTY, an insolvent debtor of Prince-George's county, having applied by petition, in writing, to this court, praying the benefit of an act of assembly passed at the last session of the general assembly of Maryland, entitled, "An Act for the relief of sundry insolvent debtors," and a schedule of his property, and a list of his creditors, on oath, as by the said act is required, being annexed to his petition, and the said Richard G. Hardesty, having proved to the satisfaction of the court, that he resided within the state of Maryland the two preceding years prior to the passage of the said act, and being committed by the court into the custody of the sheriff of Prince-George's county for a debt due and owing before the passage of the said act, and having, upon giving bond and security agreeably to said act, to appear before this court, on the first Tuesday in September next, been discharged from custody. It is thereupon adjudged and ordered by the court here, that the said Richard G. Hardesty, appear before this court, at the court-house in Upper-Marlborough town, on the first Tuesday in September next, then and there to produce to the court, the assent in writing of creditors holding two thirds of the amount of his debts, and to answer such interrogatories as may be proposed to him, and that the said day be, and it is hereby appointed the time for said creditors to appear and recommend a trustee for their benefit. And the said Richard G. Hardesty is hereby directed to give notice to his creditors, of his application, by causing a copy of this order to be inserted eight weeks successively in the Maryland Gazette, previous to the next term.

True copy,

JOHN READ MAGRUDER, jr. clk.

This is to give notice,

THAT the subscriber hath obtained letters of administration on the estate of WILLIAM HARWOOD, late of Anne-Arundel county, deceased. All persons having claims against the said deceased are hereby required to exhibit their accounts, accompanied with the necessary vouchers thereof, to the subscriber, on or before the 25th day of January next, those who are indebted to the estate of the said deceased are requested to make immediate payment.

RICHARD H. HARWOOD, Administrator.
July 23, 1805.

Notice is hereby given,

THAT I intend to apply to the court of Kent county, at their next October term, for a commission, under the act of assembly of November session, 1786, ch. 33, to mark and bound the following tracts of land, viz. Mitchell's Risk and Mitchell's Park, and the resurvey thereon, called by the same name, likewise my part of the said lands; also to mark and bound the Remains of his Lordship's Gracious Grant, and the several tracts of which it consists, viz. the Remains of his Lordship's Grant, and Mitchell's Park, including a tract of land originally taken up by a captain Richard Smith, and a tract called the Beaver Dam, originally taken up by a certain John Parsons; and also, to mark and bound my land called the Remains of my Lord's Gracious Grant, and the resurvey made thereon, and part of Mitchell's Park aforesaid, called by the name of the Remains of his Lordship's Gracious Grant—these lands lie in Kent county, Maryland, and in New-Castle and Kent counties, in the state of Delaware.

WALTER DULANY.
Duck Creek Cross Roads, July 24, 1805.

ANNAPOLIS:

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