

section to take the several parts into which each estate may have been divided, shall be according to the rules of the act of assembly, entitled, An act to regulate descents, and the several supplements thereto.

6. *And be it enacted,* That the person taking an election to take any part of the late at the valuation of the commissioners, at the time of making the election shall generally give bond, with two or more sufficient securities, to be approved by the court in which the proceedings shall be had, to the other person or persons entitled to the said estate, for their several proportions of the sum of money at which said part is valued, which bonds shall bear interest from the date of the said election, and shall be made payable in such instalments as the court shall direct, and which bonds shall be and remain a lien on the lands for the purchase of which they were given, until the said bonds shall be wholly paid.

7. *And be it enacted,* That if all the parties of age, and entitled to elect to take any part into which the estate may have been divided by the commissioners, at the valuation thereof, shall refuse to take the same at such valuation, the estate shall be sold by the commissioners, according to the provisions of the said act of assembly, entitled, An act to regulate descents, and the several supplements thereto.

An Act respecting writs of Habeas Corpus.

BE it enacted, by the General Assembly of Maryland, That whenever a writ of habeas corpus shall be served, by delivering it to the officer or other person to whom it is directed, or by leaving it at the gaol, prison or place, in which the party suing it out is detained, unless the warrant of commitment plainly and fully expresses the cause to have been the treason or felony, then either or other person shall, within three days after such service, make return of the writ, and cause the prisoner or person detained, restrained or confined, to be brought before the proper court, judge or judges, according to the command thereof, and shall likewise certify the true causes of his or her detainer or imprisonment, if any, or under what colour or pretence such person is confined or restrained of his or her liberty, but if the prisoner is to be brought more than twenty miles, the sheriff or other person shall be allowed many days more to bring him or her in as will be equal to one day for every twenty miles of such further distance; and every such writ shall be signed by him who awarded it.

2. *And be it enacted,* That if any person in the vacation time shall be or stand committed or detained as aforesaid for any crime, or under any colour or pretence whatsoever, unless it be for treason or felony, plainly expressed in the warrant of commitment, the prisoner or person detained, not being convicted, or in execution by legal process, or any one on his behalf, may complain to the chancellor, or any judge of the court of appeals or of the county courts of this state, or to the chief justice of the court of oyer and terminer and gaol delivery for Baltimore county, who, at the request of such prisoner or person detained, or other person on his behalf, or upon a view of a copy of the warrant of commitment or detainer, or cause of commitment or detainer, or otherwise, upon affidavit made that a copy thereof was demanded of him in whole custody the prisoner was detained, and the same neglected or refused to be given, to award and grant a habeas corpus, to be directed to the officer or other person in whole custody the party committed or detained shall be returnable immediately before the said chancellor, judge or chief justice, and upon service thereof as aforesaid, the officer or person in whole custody the party is so committed or detained, shall, within the time before respectably limited, bring the prisoner or person detained before the said chancellor, judge or chief justice, before whom the writ is made returnable, or in case of his absence, before any other of them, with the return of the writ, and the true causes, if any, of the commitment or detainer, and thereupon the chancellor, judge or justice, before whom the prisoner shall be brought, shall, within two days thereafter, discharge him or her from imprisonment, taking his or her recognizance, with security in any sum, according to the direction of the chancellor, judge or justice, having regard to the circumstances of the prisoner and the nature of the offence, for his or her appearance in the county court the term following, or in some other court where the offence is properly cognizable, as the cause may require, and then also certify the same writ, with the return thereof, and the said recognizance, into the said court where such appearance is to be made, unless it appear to the chancellor, judge or justice, that the party so committed is detained upon a legal process, under a warrant out of some court that hath jurisdiction of criminal matters, or by some warrant, signed with the hand of any of the said judges or justice, or some justice of the peace, for such matter or offence for which by law the prisoner is not liable, or if it shall appear that such person is detained without any legal warrant or authority, such chancellor, judge or justice, shall immediately release and discharge such person from such illegal detention or restraint.

3. *And be it enacted,* That any officer, or other person, neglecting or refusing to make the return as aforesaid, or to bring the body of the prisoner or person detained, according to the command of the writ, within the time aforesaid, or not delivering a true copy of the warrant of commitment or detainer, if any there be, within six hours after demand thereof made, to the prisoner, or person demanding it on his or her behalf, which copy the officer or other person is hereby required to deliver, shall forfeit to the prisoner five hundred dollars, to recover which the right of action shall not cease by the death of either or both of the parties.

4. *And be it enacted,* That no person who shall have been committed upon a habeas corpus shall afterwards be imprisoned or committed for the same offence, unless he or she be ordered or directed by the court, or by the order or process of the court, to appear, or to some other court having jurisdiction of the cause, or upon the order of his or her bail.

5. *And be it enacted,* That a person of this state, committed to prison in custody of an officer for any criminal matter, shall not be removed from thence into the custody of another officer, unless it be by habeas corpus, or by other legal writ, or where the prisoner shall be delivered to the constable or other officer, to be carried to some other gaol, or shall be removed from one prison to another within the said county, or any adjoining county, in order to his discharge, or in due course of law, or in case of sickness or infirmity, or other necessity, in which the prisoner shall be changed, by the order of the court, or by some other court having jurisdiction of the cause, or upon the order of his or her bail, or by the order of the United States of America, in the territories thereof, in which case the prisoner shall, on the demand of the party, be immediately delivered up in pursuance of such demand.

6. *And be it enacted,* That if the chancellor, or any judge or chief justice of the said court in the vacation time, upon view of the copy of the warrant of commitment or detainer, or cause of commitment, or upon affidavit made that such copy was demanded as aforesaid, shall refuse any writ of habeas corpus by this act required to be granted, being moved as aforesaid, such chancellor, judge or justice, shall be liable to the action of the party grieved.

7. *And be it enacted,* That if any person who shall be committed for treason or felony, plainly expressed in the warrant of commitment, upon his or her prayer or petition in open court, the first days of the term or session, to be brought to trial, shall not be indicted sometime in the next term or session after such commitment, the judges or justices of the said court shall, upon motion in open court, the last day of the term or session, set at liberty the prisoner upon bail, unless it shall sufficiently appear to the said court, that the witnesses of the state could not be produced the same term or session; and if such prisoner, upon his or her prayer or petition as aforesaid, shall not be indicted and tried the second term or session, he or she may, in the discretion of the court, be discharged from his or her imprisonment; provided, that nothing herein shall extend to discharge out of prison any person charged with any other process, but that after he or she shall be discharged from his or her imprisonment for such criminal offence, he or she shall be kept in custody according to law for such other suit or cause.

A further additional supplement to an act, entitled, An act to regulate and discipline the militia of this state.

BE it enacted, by the General Assembly of Maryland, That the term of twelve months, mentioned in the fourth section of the act to which this is a further additional supplement, within which each dragoon and each artillery were to arm and equip themselves in the manner therein prescribed, be and the same is hereby extended to the first day of December, eighteen hundred and twelve.

An Act to prevent insurance on lottery tickets.

BE it enacted, by the General Assembly of Maryland, That if any person shall insure, or cause to be insured, any ticket, number or chance, in any lottery, for any purpose, or against any event whatever, or shall sell any ticket, part of a ticket, number or chance, in any lottery, for a day or other limited time, reserving any right, interest or claim, in or to any such ticket, part of a ticket, number or chance, or shall make, or cause to be made, any contract or agreement for or respecting any ticket, number or chance, or part or share of any ticket, number or chance, in any lottery whatever, other than a complete and bona fide sale of a ticket or tickets, or parts of shares of tickets, in lotteries authorized by the laws of this state, every person so offending shall forfeit and pay the sum of thirty dollars for each and every offence, one half to the use of the informer, and the other half to the use of the county in which the offence shall be committed, to be recovered by warrant before a justice of the peace, in the same manner as small debts are or shall be recoverable.

American Intelligence.

BOSTON, JAN. 23.

The following is extracted from the meteorological observations of Mr. C. Pierce, of Portsmouth, N. H.

THE very sudden and extraordinary change of weather from Thursday evening to Friday morning, surpasses perhaps the recollection of the oldest of our citizens. On Thursday at 12 o'clock M. the Thermometer stood at 12 degrees above Zero or 0, which is 10 degrees above a freezing point, and on Friday precisely at 12 M. it stood at 12 degrees below 0, making the difference of 24 degrees. The writer of these remarks has made observations on the weather for almost 15 years, twice a day, constantly at sun-rise and at 2 o'clock, and occasionally at other hours during the day and evening; and he does not recollect a greater contrast in the weather from night to morning during the above period, than 36 degrees, until the Thursday and Friday above mentioned.

The weather during the whole of the present month has been remarkably mild. In no instance by night have we seen the Mercury lower than 14 degrees above 0, and by day it has been from 26 to 44 degrees above 0.

At 3 o'clock on Friday last, it fell to 13 degrees below 0; we never before knew it to sink lower than 11 below 0.

JANUARY 26.

ALARMING MORTALITY.

Died, in Dana, Worcester county, Mr. Thos. Feaplan, aged 37. He was well on the 21st inst. and a corpse on the succeeding day. By his decease his wife is deprived of the best of husbands, six children of a kind and affectionate parent, and the town of one of its most valuable inhabitants. Five other grown persons, and several children, have, within a week, died in the same disorder, viz.—Mr. Simeon Cleason, aged 43; Mr. Jonas Hill, aged 23; Mr. Jonathan Whitmore, aged 27; Mr. John Johnson; Miss Sally Talman, aged 17. Mr. Whitmore was well and at work one day, and dead the next. Miss Talman was at the funeral of Mr. Whitmore and died herself the following day.

The town is filled with terror. Several were seized with this mortal distemper the day the bearer of this article left that town. The physicians do not know what to denominated it. It appears like the spotted fever. Some are taken with a sudden stoppage of the circulation of the blood—some become immediately speechless—yellow and purple spots appear in a few hours.

From the Salem Gazette.

MR. CUSHING,

IN your paper of the 5th inst. it was stated that there were living within the limits of the first and fourth parishes of Ipswich, upwards of 100 persons who are over 70 years of age. What is the given population of these parishes?—When the census was taken in the year 1800, there were living within the limits of the town of Salem, 121 females and 53 males upwards of 70 years of age, 57 of which number were over 80 years of age, 5 over 90, and 1 over 100 years. Of these there are now living, 60 females and 9 males over 80 years of age. The oldest female is in her 94th year and in good health.—The oldest male is in his 89th year, and enjoys good health. The population of Salem in the year 1780, was 7921; in the year 1800, 9760, and it is probable the ensuing census, which is to be taken this year, will give about 12 thousand inhabitants.—The whole number of deaths for 1809 was 212, and about 1 in 60.

* Enos Pope, born Nov 18, 1721.

NEW-YORK, JAN. 27.

A gentleman who returned lately from the Spanish Main, where he visited the unfortunate American prisoners taken in Miranda's expedition, informs us, that 15 persons only remained in custody, & that these (having been furnished with the means) would, he believed, shortly be permitted to effect their escape. Their names are—Robert Saunders and Peter Nauty, at Onoa; Phineas Raymond, at Porto-Rico; Samuel Tozier, Daniel Newbury, Elley King, Robert Stevenfon, James Hyatt, Abraham Head, Pompey Grant, George Ferguson, Robert Reins, William Rine, Wm. Long, and Benj. Davis, at Boca Chica.

PHILADELPHIA, JAN. 30.

It is with great sympathy that we relate a dreadful catastrophe that happened at the Powder Mills of Messrs. Schott and Mandeville near Frankfort, on the 11th inst. Mr. Mandeville and the brother to his partner, Mr. Charles Schott, rode out to the mill in the afternoon and entered the room where the foreman and a labourer were busily employed preparing salt petre; a short time after their arrival, a boy entered the apartment and shut the door hastily, which together with a defect in the boiler, caused the salt petre to take

fire, and the room was instantaneously involved in flames; Mr. Mandeville during the conflagration made a grasp for the door, and accidentally hit the latch, and opened the door, which was the means of saving himself and four others from instant death; but, alas! only to give them time to prepare for another world. The boy died 12 hours after, the foreman lingered a few days, the labourer about a fortnight and Mr. Charles Schott died on the evening of the 26th inst. Mr. Mandeville now lays very ill, but great hopes are entertained of his recovery.

Mr. Charles Schott was in the bloom of life, loved and esteemed by all who knew him. His memory and good qualities will never be forgotten by those who were intimately acquainted with him.

"In the midst of life we are in death."

FREDRICKSBURG, JAN. 27.

We learn that Mr. John Roane, of Newington, King and Queen county, on Thursday evening the 18th inst. without the least known provocation, cut the throat of his wife from ear to ear. Such a murder has but few parallel instances. They had been married but about two months, and his wife was a most amiable woman. He has been committed to prison.

BALTIMORE, FEB. 1.

By the Patty and Lydia arrived on the 16th ult. at Charleston in 7 days from Amelia, we learn the commandant at Amelia, informed the captains of the English vessels there, that he had just received a letter (which might be depended on, but would give no information as to the author of it,) stating that the French who had been driven out of Cuba, had gone to Guadalupe to collect forces sufficient to make a formidable attack on Amelia; in consequence of which information, the British captains appointed as commodore, capt. Foster, of the ship, Mary Ann, (formerly an American East India man) mounting 22 guns; and signed an agreement to abide strictly by his orders. Capt. Foster was not at St. Mary's but was momentarily expected. There were in all about 150 sail of vessels at Amelia; among which were the ship Hibernia, of 18 guns, and some other armed vessels. The people at Amelia were under considerable alarm in consequence of the above report. Two or three of the American captains lately arrived from Liverpool, signed the agreement to act under captain Foster in case of an attack. The cotton along the beach for a mile and a half, was piled up five tier high. Freight for rice in American vessels 87. 10s; British vessels 97. Cotton in American ships 3d.; cotton in British ships 4 1/2d.

FEBRUARY 2. COUNTERFEITERS.

A young man was yesterday committed to the Baltimore gaol for passing counterfeit notes; some on the Boston branch of the U. States Bank; others on the "Baltimore Bank" [There is no such bank.] He is young, and we are told genteel in appearance. As he was in company with another person, who passed spurious notes at the Point, it is presumed there is a gang of knaves concerned. When the young man purchased a watch chain at Mr. Poncette's where he was apprehended, he had a parcel of notes. While examining at the Office of Discount, a note is said to have dropped out of his stocking! He affected indifference, inquired the price of cider, &c. He is supposed to be from New-England. [Whig.]

Total sales of public lands, by the returns to the treasury of the U. States.

Years.	Acres of land.	Total amt in dollars.
1803	919,725	2,243,009
1804	1,293,854	3,020,500
1805	1,912,602	4,253,553
1806	2,385,813	4,957,225
1807	2,669,994	5,547,863
1808	2,865,573	5,981,510
1809	3,008,982	6,437,095
		32,447,005

It appears that masquerade balls have been lately introduced into Norfolk, and we learn that this species of amusement is considered as "highly necessary and commendable" by its advocates. We regret it is said that persons of the most refined morality make no scruple of patronizing "this species of amusement."—Their introduction into Norfolk is discountenanced, and very properly by the Norfolk Herald. One of the earliest means of demoralizing accomplished society will be found in a masquerade ball which exposes all the innocence of chivalry caught in its web, to the encroachments of vice, like the innocent warbler allured to the Fowler's net, by the deceptive stool bird. We hope that the magistrates of Norfolk will manifest a Spartan virtue by forbidding under very heavy penalties, those specious and fascinating alluements which have hitherto debauched the manners of the great circles of fashion in the European world. [American.]