

MARYLAND GAZETTE AND POLITICAL INTELLIGENCER.

[VOL. LXXVI.]

ANNAPOLIS, THURSDAY, MARCH 10, 1818.

No. 12.]

LOTTERY

PHILADELPHIA, AND WILL DRAWINGS

the following

TOTALS:

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Orphans Court,

Feb. 21, 1818.

application by petition of George

administrator of Richard Kirby,

Anne-Arundel county, de-

it is ordered that he give the

required by law for creditors to

their claims against the said

and that the same be publish-

in each week, for the space of

essive weeks in the Maryland

and Political Intelligencer.

John Gassaway, Reg. Wills,

A. A. County.

ice is hereby given,

the subscriber of Anne-Arundel

hath obtained from the orphans

Anne-Arundel county, in Ma-

letters of administration on the

estate of Richard Kirby,

Anne-Arundel county, deceased.

persons having claims against the

deceased, are hereby warned to ex-

hibit the same, with the

thereof, to the subscriber, on

the first day of September

they may otherwise by law be

from all benefit of said

Given under my hand this 19th

February, 1818.

Nicholas Stonestreet, Reg.

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PRINTED AND PUBLISHED
BY
JONAS GREEN,
CORNER OF CHURCH STREET, ANNAPOLIS.
Price—Three Dollars per Annum.

LAWS OF MARYLAND, Passed December session, 1817.

AN ACT to provide for building Bridges over Patuxent River.

Whereas it is represented to this general assembly, by the petitions of a number of inhabitants of Prince-George's and Anne-Arundel counties, that it would tend greatly to their accommodation and convenience, and to that of the public generally, if bridges were erected over the Patuxent river at Queen-Anne, and at the two fording places called the Governor's Bridge, and the Priest's Ford, therefore

1. Be it enacted by the general assembly of Maryland, That the justices of the levy courts of Prince-George's county, and Anne-Arundel county, are hereby authorized and empowered, to assess and levy a sum not exceeding fourteen hundred dollars, on the assessable property in their respective counties, at the time of laying their next county rates, together with the commission for collecting the same, which said assessment shall be made, levied, collected and paid, to the commissioners appointed by this act, or to their order, as soon as the same shall become payable, by law, as follows, to wit: To the commissioners for building the bridge at Queen-Anne, a sum not exceeding twelve hundred dollars; to the commissioners for building the bridge at the fording place called the Governor's Bridge, a sum not exceeding eight hundred dollars; to the commissioners for building the bridge at the Priest's Ford, a sum not exceeding eight hundred dollars; and in case the collector shall refuse or neglect to serve and return such process; and it appears to be necessary, for the speedy and due administration of justice, that an effective remedy should be provided in that behalf; therefore,

1. Be it enacted by the general assembly of Maryland, That from and after the passage of this act, the clerk or register of any court within this state, who shall be required to issue any original or judicial writ, subpoena, summons, or other process, to be served in any other county than that in which such court shall usually hold its session, shall issue such process accordingly, directed to the sheriff, coroner or other proper officer, of such other county to whom the same ought to be directed, and shall immediately enclose such process in a letter or cover, sealed up and addressed to the clerk of such other county, and on the back thereof shall endorse his name as clerk of the county, and shall forthwith deposit the same in the nearest post office, to be conveyed by the ensuing mail to the post office at the place in which, or nearest to which, the clerk of such other county shall reside; and in such letter or cover shall be written the usual docket entry of such process, so as to show the parties concerned and the nature and purpose thereof.

2. And be it enacted, That it shall be the duty of the several clerks of the respective counties of this state, to attend at or send to the post offices nearest to their residence, at least once a week, and inquire for letters and covers addressed to them; and if such letters or covers shall contain any writ or process directed to the sheriff, coroner, or other officer, of their respective counties, they shall immediately endorse the time when they received the same, and with all convenient speed deliver the same to the sheriff, or other officer, to whom the same may be directed; and shall also endorse thereon the time when the same shall be so delivered to such officer.

3. And be it enacted, That it shall be the duty of every such clerk, who shall receive and deliver any writ or process, in manner and form aforesaid, to transmit by the mail, and in due time before the session of the court to which such process shall be returnable, a certificate, under his hand and seal of office, setting forth the receipt of such process, (which he shall describe in the manner in which it is written in the letter or cover which contained the same) the time when he received the same, the delivery thereof to the officer to whom it was directed, and the time of such delivery; which certificate he shall seal up and address to the clerk or register of the court to which the process is made returnable; and deposit in the nearest post office, to be conveyed to such clerk accordingly, endorsing his name thereon as herein before directed; and such certificate, in all proceedings relating to the sheriff, or other officer, to whom any such writ or process was directed, shall be competent and sufficient evidence to prove the delivery of such process to such officer.

4. And be it enacted, That the expense of postage incurred by the said respective clerks and registers, and a reasonable compensation for their services in the performance of the duties required by this act, shall be allowed to them by the levy courts of their respective counties; and the letters and covers relating to such writs or other process, and to such certificates, shall be produced to the levy courts, and be considered by them as the evidence of such expense, and of the services necessary to have been rendered in receiving, delivering and certifying the process which may have been contained therein.

5. And be it enacted, That every clerk or register who shall neglect or delay to perform the several duties hereby required, shall forfeit and pay a sum not exceeding fifty dollars for every refusal or neglect, to be recovered by bill of indictment in the proper court of the county in which he shall officiate, and to be applied to the use of this state.

6. And be it enacted, That if any sheriff, coroner, or other officer, to whom any such writ or other process shall be directed and so delivered, shall neglect or delay to serve the same, and to make a due return thereof to the court to which the same shall be returnable, on or before the second day of the session of such court, such neglect or delay shall be considered and adjudged a contempt of the court, and such sheriff, coroner, or other officer, shall for such contempt forfeit and pay a fine not exceeding fifty dollars; and such court shall cause due entry to be made on the record of their proceedings of the issuing, transmitting and delivery, of any such writ or other process, and of the neglect or delay of such officer to make due return thereof, and of the adjudication of such neglect, as a contempt of the court, and of the fine imposed upon such officer in consequence thereof; and such court shall thereupon order a transcript of such entry to be transmitted to the justices of the county court of the county wherein such sheriff, coroner, or other officer, shall reside; and the justices of the same county court, to whom the said transcript shall be transmitted, or any one or more of them, shall forthwith cause such sheriff, coroner, or other officer, to appear before them, or otherwise to be brought before them by process of attachment, and require him to pay the said fine, or commit him to the prison of their county until the payment thereof, and of the fees lawfully accruing by such proceeding; and such fine shall be paid to the clerk of such court, and accounted for by him to the treasurer of his respective shore, in like manner as other sums of money received by him for the use of this state; and if the officer so offending be the sheriff, he shall be committed to the coroner of the county, in whose custody he shall remain, without bail or mainprize, until the payment of the fine and fees aforesaid.

7. And be it enacted, That it may be lawful for every such sheriff, coroner, or other officer, to return any writ or other process, so directed to him to be served, to the clerk of the court to which the same is made returnable, by the mail, in a letter or cover sealed up and duly addressed; but the non-return of such process, by the time herein before limited, shall not be excused by any evidence which such sheriff, coroner, or other officer,

labbers to complete the same, as they in their discretion may think best, and in either case the said bridge or bridges shall be built and completed under the immediate direction and superintendance of the said commissioners, or a majority of them.

3. And be it enacted, That if either of said commissioners shall die, or remove out of the county in which he is a commissioner, before the completion of the bridge for the purpose of building which he is appointed commissioner, or shall refuse to act, the commissioner who shall have been appointed to act with him may appoint some other person resident of the county in which he was a commissioner, to act in his place, and the person so appointed shall have the same powers and authorities as are vested in the said commissioners by this act.

4. And be it enacted, That the said commissioners appointed to each of said bridges, or one of them, shall render to the justices of the levy courts of the said counties respectively, at their levy courts next after the expenditure of said monies, a true, full and fair account of all the money by them laid out and expended by virtue of this act, in building and completing the said bridges, and that the said levy courts, in the respective counties, shall make such compensation to the said commissioners as they in their judgment shall think proper.

AN ACT
To provide for the conveyance and return of process issued from the courts of one county to the officers of another.

Whereas, the trial of causes, civil and criminal, is often delayed by the irregular manner in which process is conveyed from the courts of one county to the officers of another county, and by the want of convenient proof of the delivery of such process to the officers to whom the same is directed, as well as by the frequent neglect of such officers to serve and return such process; and it appears to be necessary, for the speedy and due administration of justice, that an effective remedy should be provided in that behalf; therefore,

1. Be it enacted by the general assembly of Maryland, That from and after the passage of this act, the clerk or register of any court within this state, who shall be required to issue any original or judicial writ, subpoena, summons, or other process, to be served in any other county than that in which such court shall usually hold its session, shall issue such process accordingly, directed to the sheriff, coroner or other proper officer, of such other county to whom the same ought to be directed, and shall immediately enclose such process in a letter or cover, sealed up and addressed to the clerk of such other county, and on the back thereof shall endorse his name as clerk of the county, and shall forthwith deposit the same in the nearest post office, to be conveyed by the ensuing mail to the post office at the place in which, or nearest to which, the clerk of such other county shall reside; and in such letter or cover shall be written the usual docket entry of such process, so as to show the parties concerned and the nature and purpose thereof.

2. And be it enacted, That it shall be the duty of the several clerks of the respective counties of this state, to attend at or send to the post offices nearest to their residence, at least once a week, and inquire for letters and covers addressed to them; and if such letters or covers shall contain any writ or process directed to the sheriff, coroner, or other officer, of their respective counties, they shall immediately endorse the time when they received the same, and with all convenient speed deliver the same to the sheriff, or other officer, to whom the same may be directed; and shall also endorse thereon the time when the same shall be so delivered to such officer.

3. And be it enacted, That it shall be the duty of every such clerk, who shall receive and deliver any writ or process, in manner and form aforesaid, to transmit by the mail, and in due time before the session of the court to which such process shall be returnable, a certificate, under his hand and seal of office, setting forth the receipt of such process, (which he shall describe in the manner in which it is written in the letter or cover which contained the same) the time when he received the same, the delivery thereof to the officer to whom it was directed, and the time of such delivery; which certificate he shall seal up and address to the clerk or register of the court to which the process is made returnable; and deposit in the nearest post office, to be conveyed to such clerk accordingly, endorsing his name thereon as herein before directed; and such certificate, in all proceedings relating to the sheriff, or other officer, to whom any such writ or process was directed, shall be competent and sufficient evidence to prove the delivery of such process to such officer.

4. And be it enacted, That the expense of postage incurred by the said respective clerks and registers, and a reasonable compensation for their services in the performance of the duties required by this act, shall be allowed to them by the levy courts of their respective counties; and the letters and covers relating to such writs or other process, and to such certificates, shall be produced to the levy courts, and be considered by them as the evidence of such expense, and of the services necessary to have been rendered in receiving, delivering and certifying the process which may have been contained therein.

5. And be it enacted, That every clerk or register who shall neglect or delay to perform the several duties hereby required, shall forfeit and pay a sum not exceeding fifty dollars for every refusal or neglect, to be recovered by bill of indictment in the proper court of the county in which he shall officiate, and to be applied to the use of this state.

6. And be it enacted, That if any sheriff, coroner, or other officer, to whom any such writ or other process shall be directed and so delivered, shall neglect or delay to serve the same, and to make a due return thereof to the court to which the same shall be returnable, on or before the second day of the session of such court, such neglect or delay shall be considered and adjudged a contempt of the court, and such sheriff, coroner, or other officer, shall for such contempt forfeit and pay a fine not exceeding fifty dollars; and such court shall cause due entry to be made on the record of their proceedings of the issuing, transmitting and delivery, of any such writ or other process, and of the neglect or delay of such officer to make due return thereof, and of the adjudication of such neglect, as a contempt of the court, and of the fine imposed upon such officer in consequence thereof; and such court shall thereupon order a transcript of such entry to be transmitted to the justices of the county court of the county wherein such sheriff, coroner, or other officer, shall reside; and the justices of the same county court, to whom the said transcript shall be transmitted, or any one or more of them, shall forthwith cause such sheriff, coroner, or other officer, to appear before them, or otherwise to be brought before them by process of attachment, and require him to pay the said fine, or commit him to the prison of their county until the payment thereof, and of the fees lawfully accruing by such proceeding; and such fine shall be paid to the clerk of such court, and accounted for by him to the treasurer of his respective shore, in like manner as other sums of money received by him for the use of this state; and if the officer so offending be the sheriff, he shall be committed to the coroner of the county, in whose custody he shall remain, without bail or mainprize, until the payment of the fine and fees aforesaid.

7. And be it enacted, That it may be lawful for every such sheriff, coroner, or other officer, to return any writ or other process, so directed to him to be served, to the clerk of the court to which the same is made returnable, by the mail, in a letter or cover sealed up and duly addressed; but the non-return of such process, by the time herein before limited, shall not be excused by any evidence which such sheriff, coroner, or other officer,

may offer to prove that such writ or process was deposited in the post office to be so transmitted, except the positive affidavit, in writing, of such officer himself, setting forth substantially the process so transmitted, the return endorsed thereon, the manner in which the same was covered and addressed, and the actual time when the same was deposited in the post office; and if the justices of the court, before whom such sheriff, coroner, or other officer, shall appear, or be brought by process of attachment as aforesaid, shall be satisfied of the facts contained in such affidavit, and that such process was deposited in the proper post office in due time, to be transmitted to the court, to which the same was made returnable, then and in such case the said justices may remit the fine aforesaid, and discharge such officer from the attachment on the payment of the costs arising from the proceedings had and made in consequence of the non-return of the writ or process herein before mentioned; and the said justices shall direct such affidavit to be filed, and their judgment in relation thereto to be entered on the record of their proceedings; provided nevertheless, that nothing herein contained shall in any manner affect the remedy given to the party grieved by the first section of the "Act relative to the administration of justice," passed at December session eighteen hundred and fifteen, for the neglect or delay of any such sheriff, coroner, or other officer, in not making a due return of process directed and delivered to him as aforesaid.

By His Excellency Charles Ridgely, of Hampton, Esquire, Governor of Maryland,

A PROCLAMATION.

Whereas it appears by the deposition of Joseph Stewart, Reger Woolford, James Marshall, & Wm. Jones, of Dorchester county, that about two o'clock on Friday the twenty-seventh of November last, a fire broke out in the store-house of the said Stewart, which entirely consumed it, and that they have strong reason to believe it had been set on fire by some evil disposed person or persons. And whereas it is of the greatest importance to society, that the perpetrator or perpetrators of such a crime should be brought to condign punishment, I have therefore thought proper to issue this my Proclamation, and do, by and with the advice and consent of the Council, offer a reward of One Hundred Dollars, to any person who shall discover and make known the author or perpetrators of the said offence provided he, she or they, or any of them, be brought to justice.

Given under my hand, and the seal of the State of Maryland, this second day of January, in the year of our Lord one thousand eight hundred and eighteen.

C. RIDGELY, of Hampt.
By His Excellency's command,
NINIAN PINKNEY,
Clerk of the Council.

Ordered, That the foregoing proclamation be published in the Maryland Gazette, Federal Gazette, Federal Republican, Fredericktown Herald, the Torch Light, Allegany Federalist, and Eastern Gazette, once a week for the space of ten weeks.

Jan. 15. 10w 10w

State of Maryland, sc.
Anne-Arundel county, Orphans Court,
February 28, 1818.

On application by petition of John Linstead, administrator of Sarah Maccubbin, late of A. A. 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 Intelligencer.

John Gassaway, 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 Maryland, letters of administration on the personal estate of Sarah Maccubbin, late of Anne-Arundel county, deceased. All persons having claims against said deceased, are hereby warned to exhibit the same with the vouchers thereof, to the subscriber, at or before the 1st day of May next, they may otherwise by law be excluded from all benefit of said estate. Given under my hand this 28th day of February, 1818.

John Linstead, adm'r.

CONDITIONS.
The Eastern Gazette and Eastern Shore Intelligencer will be handsomely printed, on a large sized paper, with a new type, at two dollars and fifty cents per annum; payable half yearly in advance. Arrangements will be made to receive the earliest information by the mail, and the utmost care taken to transmit the paper to subscribers.

ALEXANDER GRAHAM,
Edinb., December 1817.

Pursuant to an act of the general assembly and a decree of the high court of Chancery, the subscriber will offer at Public Sale, on Friday the 20th day of March, instant, if fair, if not, the first fair day thereafter, at the late dwelling of John Cross, deceased, formerly the property of Joseph Belby, all that tract of Land, lying on Deep creek, in Anne Arundel county, called Selby's Lot, containing 300 3/8 acres of land, more or less. The aforesaid land has on it a comfortable dwelling house, and other necessary out buildings; it has on it a choice collection of fruit trees; is well wooded and has an excellent landing—making it convenient to carry produce and marketing to the cities of Baltimore and Annapolis. The soil is well adapted to the growth of tobacco and all kinds of grain, and is particularly suited to the early growth of all kinds of market stuffs. The above land will be sold on a credit of twelve months, the purchaser giving bond with two approved securities, with interest thereon from the day of sale. Sale to commence at 11 o'clock.

Thomas Sellman, Trustee,
March 5.

PROSPECTUS,
OF THE
EASTON GAZETTE,
And Eastern Shore Intelligencer.

HAVING purchased the establishment of the People's Monitor, from Mr. Rowleson, the paper will be published every Saturday, as formerly, under the above title.

The Editor candidly acknowledges that his principles are purely Federal, and that his paper will be impressed with the same character. This character ought to be long, and does in fact belong to the state of Maryland; and he is encouraged to believe that the unexpected and unpleasant return of the elections in some of the districts on this Shore, have not proceeded from any change in the sentiments of the people, but from a degree of apathy and idle confidence in several of their leaders, from which, judicious observations on their danger happily might have roused them. It is, therefore, not improbable that better information upon the state, of their affairs, and more frequent admonitions concerning the arts and designs of their opponents, may have the useful effect of keeping alive the free spirit of federalism, and a due sense of the necessity of continual vigilance. No measure can promote these desirable objects with so much convenience and satisfaction, as a well conducted paper; and such a paper the Editor will employ all his industry and resources to establish; and to assist his own efforts, he will proudly rely upon the Talents and Counsels of his Patrons and Friends.

But such a paper need not be exclusively confined to political subjects. Instruction and amusement of another kind may be communicated; such as Foreign and Domestic Intelligence; Improvements in Agriculture, Manufactures and Trades, Treaties upon the Arts and Sciences, Sketches of History, Geographical and Biographical; Customs, Manners, and Religious and Moral Essays, furnish a rich variety of interesting matter, from which the Editor will always be careful to select the most engaging pieces, for the Entertainment and Information of his Readers.

With these assurances, he submits his Prospectus to a people, whom he understands to be no less liberal than enlightened; and hopes by his diligence and attention, to deserve the patronage and friendship which they may feel an inclination to bestow.

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