

Marland Gazette.

Annapolis, Thursday, Aug. 14, 1823

COURT OF APPEALS, JUNE TERM, 1823.

Watkins vs. Hodges & Lansdale. Argued by Magruder for the appellant, and Hogg for the appellees.

Appeal from Baltimore County Court. The opinion of the Court was delivered by MARTIN, J. This is an action on the case, instituted by the plaintiff to recover the price or value of twenty one hogheads of tobacco, sold and delivered to the defendant.

A general indictment against the defendants. The declaration contained the following allegations:—1st. An agreement was made between the plaintiff and the defendants, by which the plaintiff was to deliver to the defendants, some time in March 1813, twenty one hogheads of tobacco, to be delivered and inspected at the defendant's warehouse, between this and the 10th of May next.

It is an established rule of law, that where there is a subsisting special agreement, a party is not bound to perform on general contract. He must declare on the special agreement, and that being the gist of the action, it must be stated in the declaration.

UNITED STATES REVENUE. It appears from the books at the custom-house New-York, that during the half year from the 1st of January, 1823, to the 30th of June 1823, the amount of revenue has been as follows:

Table with 2 columns: Description and Amount. Total: \$5,230,000.

Frederick, Aug. 8. Extract of a letter, dated at the Camp of James Shiriver, Esq. in the Green Glades, 5 miles from the Little Back Bone mountain, July 23d, 1823.

THE PRESIDENCY. We have it from good authority, that in the lower electoral district on the Eastern Shore of this state, there will not only be no contest about the election for President, but there is almost a unanimous sentiment in favour of Mr. Secretary Crawford.

NORTH-CAROLINA GOLD. We have seen specimens of the ore taken from the gold mine lately discovered in North Carolina, and brought to this city by a gentleman from Cheraw, S. C.

Stevenson Archer, Esq. of Harford county, has been appointed Chief Judge of the 6th Judicial District, vice Walter Dorsey, Esq. deceased.

At a meeting at Merrill's Tavern on Saturday last, Richard G. Watkins, Christopher L. Gann, Richard G. Stockert, and William H. Marriot, Esquires, were nominated as candidates to represent Annapolis county in the next legislature.

For the Maryland Gazette. The next legislators of this state will have much to do of vital importance to the interests of Maryland at large.

At a private letter of the 27th of June, states that St. Anna had had an interview at Jaral with Armijo, (acting, we suppose, under the government), but they could not agree.

SECRETARY OF THE NAVY. The Trenton-Tribune American of August 1st says:—By a private letter from Washington dated on the 5th, we are gratified to learn the appointment of Judge Southard, of this city, to be Secretary of the Navy.

HUDSON & DELAWARE CANAL. Paterson, N. J. Aug. 5. The commissioners appointed by our state legislature, for ascertaining the route of the canal intended to join the waters of the Delaware and Hudson, arrived here on the 2d inst.

RADICALS. We cannot repress our disapprobation of a serious mockery, which is attempted, by branding a number of valuable individuals and public servants, with the name of radicals, odious only because it has been transferred in its application from an ignorant, unprincipled, and blood-thirsty clan of foreign reformers, who have been the horror of every honest and sensible man of every class.

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BOARDSHIP OF CADIZ. We learn from a gentleman passenger in the schooner Zion, which arrived here last evening in nine days from St. Barce, that the Patriot brig Dover, captain Almeida, had arrived at St. Barce two days before the Zion sailed, in seventeen days from a cruise off Cadiz.

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SAMUEL STEVENS, JUN. Governor of the State of Maryland. A PROCLAMATION. Whereas, it has been represented to the Executive, by the sheriff of Montgomery county, that Hezekiah Owings, who was indicted at Montgomery county court at March term last for an assault committed on the body of Middleton Davis, constable with a loaded gun, about the 1st day of January 1823, has fled from justice, and that every exertion to take him has proved abortive—the said Owings resisting by force the officers employed for that purpose; and it appearing to the Executive from the said statement that this is a proper case for its interposition, I have issued this my Proclamation, and do, by and with the advice and consent of the council, offer a reward of fifty dollars to any person who shall apprehend and deliver to the sheriff of Montgomery county, the said Hezekiah Owings. Given under my hand and the seal of the state of Maryland, this eighth day of August, in the year of our Lord one thousand eight hundred and twenty-three.

ATTENTION!! You are ordered to parade on the State House Hill on FRIDAY next, at 4 o'clock P. M. in full uniform, with arms and accoutrements in complete order.

In Council, Annapolis, August 8, 1823. The State of Maryland, To all whom it may concern: J. J. Hoogewerff, Esquire, having produced to the executive of this state, an exequator signed by the president of the United States, and sealed with the seal of the said states, recognizing him as Consul of His Majesty the King of the Netherlands for the port of Baltimore, and places thereunto belonging. Ordered, That the said recognition be published, for the information and government of the people of this state.

State of Maryland, sc. Anne Arundel County, Orphans Court, August 12th, 1823. On application by petition of Lewis Reynolds, administrator of Tobias Reynolds, late of Anne Arundel 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.

Notice is hereby Given, That the subscriber of Anne Arundel county, hath obtained from the orphans court of Anne Arundel county, in Maryland, letters of administration on the personal estate of Tobias Reynolds, late of Anne Arundel county, deceased. All persons having claims against the said deceased, are hereby warned to exhibit the same, with the vouchers thereof, to the subscriber, at or before the 12th day of February next, they may otherwise by law be excluded from all benefit of the said estate. Given under my hand this 12th day of August, 1823.

NOTICE. Fort Severn, July 21, 1823. Proposals will be received until the 20th of August for a contract for furnishing the post at Fort Severn, with 175 cords of good oak wood, to be delivered at the Post, by the last of November 1823. Up Severn wood will be preferred.

Public Sale. I will sell at public sale on Saturday the 23d inst. at 12 o'clock, at the landing place called Robin's Gut, at Hill's Delight farm on South River, the Schooner SUSAN; she is 22 feet keel, quite sound and has been used for a mill boat, for which she was found convenient. Persons wishing to view her can do so by visiting the place where she is lying. The terms of sale will be, one half of the purchase money to be paid on the day of sale; for the other half a credit of six months will be given, on the purchaser giving bond with approved security for the payment of the same.

Calvert County Court, May Term, 1823. On application of George Smith, of Calvert county, by the judges of Calvert county court, by petition in writing, praying the benefit of the act for the relief of sundry insolvent debtors, passed at November session eighteen hundred and five, on the terms mentioned in the said act, a schedule of his property, and a list of his creditors, on oath, as far as he can ascertain them, as directed by the said act, being annexed to his petition; and the said county court being satisfied by competent testimony that the said George Smith has resided the two preceding years within the State of Maryland. It is thereupon ordered and adjudged by the said court, that the said George Smith give notice to his creditors of his intention to apply to the next county court, to be held at Prince Frederick town in the said county, on the second Monday of October next, for a discharge from his debts, and to warn his said creditors to appear before the said judges on the day and at the place aforesaid, to show cause, if any they have, why the said George Smith should not be discharged agreeably to his said petition, by causing a copy of this order to be inserted in the Maryland Gazette four successive weeks, and also by causing copies of the said order to be set up at the court house and church doors of the said county two months previous to the sitting of the said next county court.

250 Dollars Reward. Ran away from the subscriber living in Anne Arundel county, about 12 miles from Baltimore, near Poulton's Tavern, on the main road from Baltimore to Annapolis, on the 10th of May, a mulatto named BILL, 33 years of age, about 5 feet 8 or 9 inches high, rather slender made, has a scar over one of his eyes, and one of his little fingers crooked. Had on and took with him one snuff coloured broad cloth coat, one dark home made kersey roundabout, one black bombazette waistcoat, one pair of dark corded pantalets, one pair of good shoes lined and bound, and a tolerable good fur hat. Any person apprehending the said fellow, so that I get him again, shall receive the above reward. EZEKIEL STEWART.