AVERAGE RATES OF PASSAGE, On the Ohio and Mississipple. From Cincinnell to New Orleans, 1480 ifet. 8 days, 825. From New Orleans to Cincinnati, do. do

From Cineranati to Louisville, 130 miles, Louisville to Cincinnett, do. do. 30 do. \$6. Prom Cincinnati to Pittsburg, 449 miles

five days, \$55. From Pittsburg to Cincinnati, do. do sixty hours, \$12. From Cincinnati to Wheeling, 358 miles

five days, \$14.
From Wheeling to Cincinnati, do. do. 2 days, #10.

Estimate of the amount of Products, Which descended the Falls of the Ohio

at Louisville, the growth of the year 1822—
the produce of the whole of the State of Ohio, (except that part bordering on the lake
two thirds of the state of Rientucky, one
half of the states of Indiana, and a small part
of the states of Pennsylvania and Virginia,

Fit tons Est cost Est tons Est. cost. 12,000 hhds. tobacco 7,500 \$500,000

10,000 do. hams and shoulders, green 12,000 do. and boxes ba-4,464 350,000 4,000 do corn meal, kiln 2,700 210,000 dried 24,000 50,000 bbls. pork 4.000 do beef 300,000 do. flour 900,000 75,000 dp. whiskey 5,000 do, beans 3,000 do. cider 6,000 do. apples 500,000 9,000 9.000 100.000 kegs lard 25,000 firkins butter 2,000 bales hay 2,000 2,000 casks flaxseed.

7 brishels to cask 3,000 bbls. linseed oil 4,000 400 5,000 box s window glass 25,000 do. soap 25,000 10,000 do. candles 3,000 bbls. porter 60,000 lbs. ginseng 50,000 do beeswax 400 10,000 kegs tobacco 0.00 65,000 lbs. feathers 29 Tons 68,932 \$3,590,000

There are many articles of export not in cluded in the above schedule, such as iron, iron castings, salt, gunpowder, white lead, and other manufactured articles of various not be correctly estimated, for want of ade

It is estimated that produce, and manu

factured articles, to the amount of upwards of one million of dollars, have been shipped from Cincinnati and its immediate vicinity, during the year ending in April 1823—principally the production of what is term ed the Miami Country Among the articles from Cincinnati are, etypes and printing materials. materials \$.0,000; paper 15,000; cabinet furniture 20,000, chairs 6,000, hats 6,500." **Within the last year every store and warehouse has become re-occupied by business men -generally by those who were unconnected with the late embarrassments

at no period within the last ten years have we witnessed so numerous and active a po pulation, or so great a number of new buildings in a state of progress."

METHODISTS.

By the returns made to the 18th annual conference of the Wesleyan Methodists, pears that the numbers of this body are as follow. recently held at Sheffield, England, it ap-In England and Scotland

In Ireland

Increased during the past year Do. in foreign stations

9,659 Two deputies, it is understood, the Rev. Mosses. Reece and Hanna, have been appointed by this conference to attend the conference of their American beethren in the spring of next year [American.

1,653

VICTIMS OF THE INQUISITION. This infamous tribunal is said to have caused, between the years 1481 and 1759, 34,655 persons to be burnt alive; and between 14/1 and 180%, to have sentenced 288,214 to the galleys or to be imprisoned.

BAD BUSINESS.

During the session of the Supreme Judi-cial Court of Rhode Island last month, fif tren petitions for divorce were preferred, eleven of which were granted, and four continued to the next term.

EXPORTATION OF LADIES.

A letter from a gentleman in Van Die-man's Land, to his friend in Edmburg, may formish a useful hint to the disciples of Mr. Maithus, as to the practicability of preventing any improper increase of population in this country it appears that the best article of traffic in that country would be recentable. best article of traffic in that country would be respectable temales! One speculator proposes to take from 100 to 200, as a first order; and so certain is he of disposing of them to advantrge, that he only stipulates they shall be under fifty. He offers to remit the cash advanced as freightage with the least passible along Besides the Co. the least possible delay. Besides, the Governor offers a bounty, on the importation of from fifty to 100 acres of land. We hope that some of our merchants will attend to this hint. [Bristol (English) Mercury.

The following description of a Water Spoot, one of the most awful appearance in nature, is given by a gentleman who sailed from New-York in February last: "On ed from New York in February last: "On the 19th of March, lat. 4. N. while seated at dinner, we were aroused by the cry of a water-spout. The captain, mate, and sailors, were much terrified—it was indeed a dreadful scene—we were lying motionless in a profound calm, not a breath of air circulated—the sails were all languid, and nothing was heard, ave the terrible roaring of this stupendous column of water, ascending to the dark cloud exactly over it base. It am the dark cloud exactly over it base. It approached us with great rapidity and threa thing our vessel with immediate destruction. fire arms were discharged in the air, the Little below in centre, one half tumbling down into the cavity from whence it was raued, the other half ascending to the clouds. It was supposed to be about one quarter of a mile distant, and 50 feet in diameter."

IMPORTAND DECISION:
In the General Serion, for the present
October term, it has been decided that
there is no existing lar in the state of New
York to prevent any armon selling goods
by anction: The new Constitution abrogated the act of the assembly which required the appointment of Actioneers by the
Governor and Council, and athough it pro
vided for their nomination and appointment Governor and Council, and atthough the vided for their nomination and appointment in future by the Governor and Senate, it is entirely silent as to any penalties for selling goods without such appointment. A statute must be passed by the legislature to regulate this.

Extract of a Letter, dated
Porto Rico, 5th Aug. 1823.
On the night of the 30th Aug. an attempt was made to assassinate Judah Lord, esq the American Consul at Porto Rico. He was attacked at 8 o'clock in the evening, as he was passing from his office to his lodgne was passing from his onice to his lodg-ings, by a man with adaggerors word cane. Mr. Lord in his effort to escape, fell to the ground, and fortunately the assassin stum-bled over and fell some distance from him. which enabled Mr. L. to gicape. On the night of the 2d hast, an attempt was also made to assassing to Mr. J. Green,

master of the American brig James Law-rence Mr. Green with great difficulty made his escape after receiving several as vere wounds.

Mr. Lord had been threatened with assassination, a few days before, by a noted character, an emigrant from Laguira, and said to be the owner of the Spanish reter "La Fortuna," because he (Mr was defending the cause of an American prize, (the Masquito, of New York) which the La Fortuna had recently sent in. No doubt can be entertained, that both these attempts were made at the instigation of this

MONTEVIDO. This place was surrounded on the 2d of August by 30,000 Brazilian troops, com-manded by Gen Lacore. Lord Cochrane was daily expected, and it was believed that on his arrival the city would surrender.

At present it was enabled to hold out as provisions could be introduced by sea, which would be prevented by his Lord ship's squadron. A letter in the London papers, dated Pernambuco, July 26th, states that Lord Cochrane had captured twenty-one ships out of the fleet which sailed on the 2d July with the Portuguese army from Bahia to Lisbon. [Balt. Patriot.

CARE MESURADO.

The fort at this place, recently built by order of Capt Spence, of the U.S. ship Cyane, while there, and called Castle Stockton, is 136 feet in ci cumference-the walls are 14 feet high, 8 feet thick at bottom and 6 at top-built of hard granite tom and 6 at top—built of hard granite stone, cemented with about 1000 bushels of lime by rnt from syster 'shells on the spot It is bound together with stout heavy tim ber, and stands on a solid rock. A gentle man who superintended its construction thinks tha the account recently published of its having been blown away by a tornado is not correct, the more so, as accounts from there ince the departure of the O wego, arrived at Boston, represent it as still firm upon its immovable basis. The rain and tempest had made an impression upon a part which was lett in an unfinished state on account of the sudden indisposition of the builders.

NEW YORK CANAL.

The Albany papers are consided with ac-counts of the intended celebration of the passage of the first boat from the Grand Ca-nal into the river Hudson, at the city of Albany, on Wednesday, October 8, 123."
And the following proceedings in New York show that the citizens of that place are a live to the subject

Pursuant to public notice, a large and respectable meeting of citizens was this day Oct. 6, held at the Tontine Coffee House, New York, at 12 o'clock.

On motion, his honour the Mayor was On motion, his honour the Mayor was called to the chair and Cadwallader D. Colden, esq. was appointed Secretary. The meeting having been opened and its object stated by Mr. Colden, the following resolutions were offered by General Bogardus, and unanimously adopted:-

1st. Resolved, That we consider the uni on of the western waters with the Hudson, by means of the GRAND CANAL, an event that imparts glory to the state and hon

2d. Resolved, That we consider that this event calls for expressions of public con

3d Resolved, That the city of New York has a deep and lively interest in the com-pletion of the Grand Western Canal.

4th Resolved that in consequence of the

foregoing con-iderations, this meeting deem it proper and expedient to send a delegation to the city of Albany, to communicate to the meeting to be held there on Wednesday nex', the congratulations of the city o New York, on the introduction of the canal wa-ters into the fluison.

5th Resulved, That such delegation con

wist of seventy two citizens of the city of New York, to be nominated by the chairman of this meeting, (Signed)
STEPHEN ALLEN, Chairman.

C. D. Colden, Secretary.

A FLOATING CHAPEL Has been opened in the port of Dublin for the use of scamen A vessel of 260 tons having been fitted up for that purpose.

DEATH OF TAM O'SHANTER.

At Lochwinnoch, on the 9th ult. died Thomas Reid labourer—The importance at-tached to this circumstance arises from his having been the celebrated equestrian hero of Burns' poem, Tam O'Shanter. He was born on the 21st of October, 1745, in the clachan of Ayrshire, and he has now at length surmounted the emosses, rivers, slaps, and styles of life?" For a considera-ble time past he had been in the service of Major Hervey of Castle Semple, and for nine months previous to his death had been incapable of labour; during which time, to the honour of Major Hervey, be it remambered, the many ills of old age and disease were soothed as far as possible by a fostering and laudable generosity. Reld, however retained to the last the desire of being "fu" London paper.

A letter from Natchez, speaking of the sickness at that place says - "One of our Physicians was taken in a singular manner mis spirits were unusually excited—he laughted, danced, song sind appeared perfect. ly happy other syndytoms soon followed—and he was numbered with the dead.

MR. PRINCE'S GARDEN. From the New York Commercial Adver-

Flushing, Aug. 28th, 1823.

u have doubtless been surprised at my long ellence. Indeed, I am astonished at it myself. I thought to have written you at least half a dozen times before this;—but while day stole on day, my purpose as you perceive, has remained unperformed; excuse me, by taking the will for the deed, and I will endeavour to be more attentive hereafter. You have heard ofthe celebrated Linna-

an Garden in this place. It was commenced about the middle of the last century, by William Prince, at a time when there for or no establishments of the kind in the country. Its situation is delightful. The Sound, about eight miles above the city of New York, throws an arm into Long Is. land, to the distance of six miles, and forms, what is usually denominated, Flushing Bay. At the head of this beautiful bay, lies a wide expanse of inxuriant, marine meadows, around which rises an amphitheatreof gens ly undulating hills. On one of these gentle declivities stands the village of Flushing, and here the Linnman Garden is situated, ten miles from the city of New York, between which, and the village two states. between which, and the village, two stages go and return daily, and the commodious go and return daily, and the commodious swift moving steam boat Fanny, passes twice daily from each place, affording con veyances the most convenient and pleasur ole to such citizens as delight in rural re treat during the verdant season. The vanerable founder, after having acquired for his garden an extensive lame, died in the year 1802, leaving his sons in the possessi on of his collection, one of whom, at a great expense, imported from almost every country in Europe, and also from Asia and A-trica, such trees and plants as were besteal. culated to improve and ornament the orchard, the garden and the green house.— With great exertions, attended with immense expense, the collection has been in creased to about 4000 species and varietie it, therefore, may confidently be hoped, that ere long our country will possess a be tanic collection, at least equal to many those which have received the patronage of the governments of Europe, and it is but reasonable that a country extending from the Atlantic to the Pacific Ocean, and embracing in its latitudinal dimensions every climate of the earth, and whose Flora, r doubt, co extensive with its varieties of climes and soils, must form a very large diwision of the vegetable kingdam, should possess should be those of the diminutive countries of Europe, and which should concentrate at least all the plants indigenous to our own cour try; and it is here perhaps to be regretted, that the munificence of our government has not been directed to the accomplishment of such an object, by the establish-ment of a National Botanic Institution, founded on this principle, at the city of Washington, both its climate and situation

being particularly favourable to such an

undertaking.

Such a garden is an honour and an acquisition to o r country, and the enterprising founder deserves immortal credit for his exertions, and the present proprietors and supporters, distinguished patronage, if the maxim be true, that "whoever makes two ears of corn, or two blades of grass gro upon a spot of ground, where only one grew before, deservee better of mankind, & does more essential service to his country, than the whole race of politicians put together." And in fact, the proprietors do receive great encouragement. In addition to their numerous patrons in the neighbouring ci-ties, particularly in New York, they are in the habit of receiving orders from every part of our wide spread country. All those who are desirous to a certain the most correct mode of managing fruit and ornamental trees, shrubs, plants, &c will do well to consult a short treatise on that subject, drawn up with ability, and very judicious ly annexed to the catalogue of the Linnæ an Garden, edition the twenty first. transplanting, grafting, and inoculating, how might a man of opulence, either in the city or the country, cause "to bloom round him, a shrubbery that Shenstone might have envied!" Nor can any patriot ic man be more usefully employed than in aiding to disseminate through the country the different productions of this celebrated garden. By so doing, he will improve the fruit trees of his country, aid in the distribution and increase of all those botanical productions, whether exotic, or indigenuous, which are inestimable for their medi something resembling "the Linngan Garden at Flushing" Meanwhile, it is gratifying to observe frequent illustrations of the partiality of human nature for rural scenes, mentioned, I think, by Addison, and which induces those whose fortune or minimized that it is to spend the control of the church, had, either by improduce or forgetfulness, left a little chaffing dish alight on the ceiling, which is, as you may remember, entireled. cinal qualities. The day, I trust as well as hope, is not distant, when we shall see in mi-fortune it is to spend their days pent up in a city, to obtain and preserve some spe. cimens of verdant, blooming nature in their respective habitations; and often in my pe rambulations in the Linnman Garden, I saw flittering across its area, a train of beausaw flittering across its area, a train of beautiful ones, at once, beholding nature's
choicest, and most variegated nursery, and
regaled by the outbicrous gephyrs which
breathe through its alcoves. I have been
pointed to the spot where the late celebra
tion of the birth day of the immortal Linnœus took place. You remember how the
account of that celebration agitated the
morbid sensibility of certain Editors 'Tis
pitful to see political acceptity pursuing its pitiful to see political accretity pursuing its toe beyond the legitimate precincts of poli-tical strife, boldly, sacrilegiously carrying its venomints the sanctuaries of religion and private life, of science and literature The man who does so, betrays both weak ness and malignity; he overshoots himself offends those who would otherwise be his

readers and supporters, and benefits rather than injures the object of his venom. Sup-

pose Mr. Clinton has, in a political sense

sinned past all recovery, which by the way, is in my opinion, toto smlo, aside from the truth, does it follow, that he may not be permitted to labour peaceably for the advancement of science and literature, for

vancement of science and likerature, for which he has already done so much, and for which he is equally capable and willing yet to do so much? By the way, and to conclude, have you read Mr. Clinton's Discourse before the Phi Beta Sappa? A splendid production—one that does honour to American genius and literature; and the persual of which cannot fail not only to in termet, but to improve for ladge you my

devout and rational christian. It ought to be placed in the hands of every Ameri-

Your's for ever, Q. R. S.

THE DELAWARE ELECTION.
Our election has closed, and the result of it is of the most gratifying kind. Gen. Same el Paynter, the Federal candidate for the of-fice of Governor, has been elected by a ma-

jority of 299 votes, and the whole Federal ticket for the Legislature, in Ken county, has succeeded. Consequently the next Legislature will consist of fourteeen Federalists and seven Democrats, in House of Representatives, and five Federal-ists, and four Democrats in the Senate.

The result of this election is the more gratifying as our opponents made use of every means in their power, and doubtless did draw out all their force against us, and the consequence is that the political charac ter of the State is established to be Federal

VIRGINIA TOBACCO CROPS The late severe frost has done considera-ble injury to the Tobacco crops in parts of Virginia. An intelligent planter of Albe-marle county states that the frost swept a way every thing before it, with the excep tion of a very small portion of the crop that grew at an elevation on the sides of the mountains. It is added that one half is a moderate estimate of the loss of the tobacco crop in that county. American.

COTTON CROPS.

The Savannah Georgian states that a general complaint prevails in the upper coun-ties of Georgia respecting the ravages of the rot among the cotton-at least in stance a wagon load is not expected to be obtained from thirty acres.

THE RICKAREE INDIANS AND COUNTRY.

The following extract of a letter from an officer, who was in the expedition against the Rickaree Indians as been published in Kentucky:--, (I think the Rickaree Indians superior to any other nation of Indians on the Missouri river; that is, they approach nearer to civilization. They had a field, of about four hundred acres of corn, a large quantity of squashes, pumpkins, and beans, and they had comfortable lodges to live in.... They have two villages, distant from each. other about two hundred yards, the half in a circular form, each village containing a-cout sixty-four lodges, which are also built in a circular form: that is ... they are round at the bottom, and come to a point at the covered with earth, and are large enough to contain about thirty persons, besides hav-ing room for several horses, which are kept in the lodges.

"The Rickaree Indians manufacture a wind of earthen pot, which serves them to cook in. They are a very ingenious tribe, and can live perfectly independent of every other nation.

other nation.

"I will not give you a short description of the country between this place and the Rickaree towns. For several hundred miles, there is considerable timber on the river, large and extensive bottoms; these are generally bordered by a long string of hills, which extend out from the river four or five miles; after that, you come to an almost boundless plain; after proceeding about 200 miles further, the country changes, and there is but little timber to be seen.

"On our way up, I visited a volcano or made in the mountain, and the earth and rock taken out was so hot that we could not hold it in our hands. It had a strong sulphurous smill. This mountain is on the left bank of the river, about 500 miles from the Council Blods."

ACCOUNT OF THE BURNING OF ST. PAUL'S TEMPLE,

The ancient celebrated temple of St Paul's, without the walls of Rome, has been lately destroyed by fire The following ac count of this disaster, is extracted from a London paper of August 5:-

"The august, the magnificent Temple of St. Paul is on more! The short space of one night sufficed to destroy that which cost so many years to erect. I will give you the account of how it took place. In the night of the 15th, to the 16th, some workmen er, the met net of this fire communicated a flame to the od, already too combustible from age. About four in the morning a traveller happened to pass by on horse back, saw the flames pouring out in volumes from this magnificent edifice.—He immediately by dint of shoots and knock. immediately, by dint of shouts and knock-ing at doors, awake the neighbours, and ran afterwards through the town, calling out for firemen, and the necessary assistance out for fremen, and to necessary assistance to extinguish the fire; but in spite of every exertion, nothing could save this noble building, the flames having been too long at work, and the distance being two great to allow of any aid arriving in time to save this monument, so interesting to our religion, and so valuable for its contents.

"The beautiful cedars of Lebanon are consumed; a vast quantity of pillars lie strewed about and some are even calcined by the heat of the flames; in short nothing re-mains but the ruins of this once superb edi-

"The firemen, it is said, performed prodi-gies of valour, and several threw themselves into the middle of the fismes, to cut off or pull down fragments of the burning pile; they did every thing in fact that men could do to save it, but in vain."

do to save it, but in vain."

This church was originally founded by Countantine and rebuilt is its present state by Honorius. The columns, which supported the nave, were, for the quality of the marble and their admirable proportions, some ofthe most celebrated pillars at Rome. It is supposed that they were taken from the tomb of Adrian.

The brazen portals of this church were cast in Constantinople in the twelfth century.

personal of which cannot fail not only to interest, but to improve; for I pledge you my
ry,
could, that it is impossible for any one to
read that discourse, and not in consequence;
become a more patriotic citizen; a more in
defatigable and successful student, a more
halves being at St. Peters
halves being at St. Peters

Margianu Gazette.

Annapolis, Thursday Oct. 16, 1823

The bill passed at the last ression of our legislature abolishing the religious feit preserved by the constitution, appears to have influence on the minds had extraordinary influence on the minds of the electors at the late election. When the question was taken in the house of dethe question was taken in the house of de-legates on the passage of this bill, there were forty members of that body in favour of it. Of this number we find, on examining the returns of delegates to the actif general as-sembly, there have been only 16 re-elect-ed. The only conclusion to be drawn from this issue of the election is, that the bill abo-lishing the test is extremely unmarked. lishing the test is extremely unpopular Considering this, it is quite probable that it will not be confirmed by the next le-

The second annual meeting of "The Female Bible Society of Antiapolis and its vicinity," was held in the Methodist Church in this city on the 7th inst. It appears fro the report read on this occasion, that the society has distributed since its organization, 166 Bibles, and 85 Testaments. Taking into consideration the narrow field in which the society has had to act, and the slender means which it has had to sustain its labours, it has accomplished all that could

COMMUNICATED

POTOMAC CANADa In this paper of the 2d inst. some remarks were made on the subject of the Po tomac Canal, and it was recommended that a public meeting of the citizens should he called to take the subject into considera. tion. It seems however, that the corpora-tion have thought proper to take this business into their own hands, as the Maryland Republican of Tuesday list informs us, that this body have appointed Mesars. Hughes and Carroll, delegates to attend a meeting: to be held for this purpose at the City of Washington on the 6th November next. This proceeding on the part of the corporation, we have good reason to believe will tion, we have good reason to believe will not most the approbation of the citizens of Annapolis. In the first place we are not informed in the resolution by which these gentlemen are appointed, whether they are canal. Indeed, we do not see how the corporation could undertake to give them ai natructions on this subject instructions on this subject insornal as been expressed upon it-their attention has never been particularly called to it. ascertain what are their views in relation to it. With what propriety, then, can the corporation undertake to appoint gentlemen

to attend a public meeting in the City of Washington, to advocate or oppose a mearyland, when they must be totally ignorant of the sertiments of their constituents in regard to it? In the next place we are not, told in the resolution, whether the gentlemen who have been appointed, are to defray their own expenses, or whether they are to be paid out of the public treasury. If the city is to be burthened with their expenses (as we presume will be the case) we are in-duced to believe that this will also prove a strong objection on the part of our citizens, to the intermeddling of the corporation in this business. Many who now pay taxes, and high ones too, for the improvement of our city, will be very unwilling that they should be appropriated to the payment of the expenses of any two gentlemen who may find it an agreeable passime to spend a week at Washington. Moreover wethink we may safely assert that two gentlemen at least may be found in our city, equally competent to those who have been selected, (and in assistance with the second in a second in the second in t in saying so, we mean not to question the ability of the latter) who if requested by their fellow citizens, would readily undertake to attend the meeting at Washington at their own expense. At all events we think that this is a subject in which the eithink that this is a subject in which the citizens should express their own voice. The committee at Leesburgh, who have called the meeting at Washington, were not appointed by the corporation, but by the citizens at a public meeting Let then a public meeting be called here, let the subject be fully and fairly discussed, and then let the people, if they think proper, appoint a delegation to attend the meeting at Washington. And let them too, if they think negation to attend the meeting at Washington. And let them too, if they think proper to do so, appoint a time for another meeting in Annapolis, to be composed of all those, if practicable, who attend the meeting at Washington. What is the object of having public meetings on this subject? Is it not to collect and to diffuse in regard to it. formation in regard to it? And where is information more wanted in relation to it, than in the State of Maryland? I snot Anne-Arundel county opposed to the ranal? And why is she so, but for a want of a knowledge of the hanests which would distill for a want of a knowledge of the hanests which would distill for any or the hanests which would distill for any of the hanests which would distill for any or the hanests which would distill for any or the hanests which would distill for any or the same of the hanests which would be supplied to the ranal? of the benefits which would fesult from it? In the District of Columbia there is not In the Discrict of Columbia there is not perhaps an individual who is opposed to the canal, and we know not any good result that can altend the meeting at Washington, except it be the adulting of some additional information of this subject. But let a subsequent the ting be held in Annapolis, and let delegates from all parts of thesetate, and the adjoining states, be invited to attend, and then the information which is some much wanted, can be diffused through Manual and the meeting of the state much wanted, can be diffused through Maryland. But let a public meeting be called, and let the voice of the people be heard on this subject.

ELECTION RETURNS. Western Shore

City of Annapolis—Jeremiah Hughes, and Thomas H Carroll. Anne-Arundel county - George Howard, of Brice, Abner Linthicum, Charles Stew-

of Brice, Abner Linthicum, Charles Stan-art, and Leonard Iglehart.

Baltimore city—William Stenart and Wil-liam G. D. Worthington.

Baltimore county—John T. H. Worthington, Tobias E. Stansbury, William F. Johnson and Hugh Ely. Harford county—William Whitelord, Alexander Norris, James Steel, & Charlet

Washington county—Andrew Kershner,
Joseph Gabby, James H. Bowles, and Joseph i Merrick.
Prederick County—Henry Kemp, John
Fisher, Nidholas Turbutt, and Joseph Merrick.

Washington Duvall, John A. T. Ellgoor, and Elisha Williams.

Prince George's county—Benedict L. Semmes, Edmond B. Duvall, William T. Westlon Semmes, Edmond B. Davall, William T. Weotton, and Abraham Clark.

St. Mery's county—George S. Leigh, a sufficient Stephen H. Gough, John L. Milard, and time the R. Athanasius Fenwick
Charles county—John Edelen, Thomas Rogerson, Robert Garner, & W. M. Millac, Alleghany county—George Bruss, Milachard C. Sprigg, John McMahou, and John more than McMery.

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McHenry.
Calvert county-James A. D Dalrym-ple, Sutton I. Weems, Alexander Skinner, and John Chesley.

and John Chesley.

Flatters Shore.

Talbot county.—Theodore R. Loockerman, Edward Lloyd, Jr. Nicholas Martin, and Richard Spencer.

Queen Anne's county.—Dame! C. Hopper, Charles R. Nicholog, William E Meconiken, and Richard Jamitt.

Sumersel county.—George Jones, Joshua Bratten, George A Dashiell, and Littledon I Deinis.

1 Dennis. Cecil county-Daniel Sheredine, Prisby Henderson, G. Bryan, and James Gerry. Dorchester county-Levin Lake, John B. W. Pitt, John Willis, and William Hut-

Kent county-Joseph Ireland, jun, James Hodges, William Coburn, and Rasin Gale. Caroline county—John Boon, Elijah Bar-wick, Joseph Douglass, Edward Barwick. Worcester county remains to be heard from.

COURT OF APPEALS, June Ferm, 1823. Andrew Hamilton vs. James Cragg.
Appeal from Prince George's County

Court, [Argued by Magruder for the appellant, J. Forrest and J. Johnson for the appellee]

The opinion of the Court was delivered by BUCHANAN, J. Rackel Turner madener will on the 22d of February in the vear 1801, in which there is this bequest: I fem I give and bequeath unto my loving sister Sarah Turner five negroes, by name Frank, Joe, Silla, Mill and Gin, to possess and en-joy during her natural life, them, and their increase, and my will is, that after my said sister's death, the above named negroes be free. Rach't Turner died soon alter the execution of her will, which was ad nitted to probat on the 5th of April 1808. Sarah Turner the legatee, died in the year 180., having previously, on the 24th of May 1804, executed her will, which was admit ted to probat on the 4th February 1808, and in which after a small bequest o Eliza beth Beck, she bequeathed call her proper ty" to Andrew Hamilton, the appellant, who under that will claims title to James Crane Cragg is the son of Mill, one o the negro women bequeathed by Rachel Turner to Sarah Turner, and that he was born in the year 1805 or 1808, after the death of Rachel Turner, and in the life Year 1805 of 1806, angre the death of nachet Turner, and in the life time of Narah Tur-ner, and we are called upon to determine, whether under the will of Rachel Turner be is entitled to his freedom?

The first question submitted, arises on the words of the latter part of the bequest to Sarah Turner, thus will is that after my said sister's death the above named legroes befree." If the pords "the above named hegroes" were used in reference to those only who were before called and described by name, the petitioner (James Cragg) no. being named nor in esse could derive no ti tle to his freedom by force of the terms used, but followed the condition of his mo ther at the time of his birth, who though to become free on the death of Sazah Turner, the legatee, was during her life time, not in the capacity of a servant, but in the state and condition of a slave; she had no civil rights, and could have pursued no le gal remedy against her mistress on any ac count; she could have lade no will, and was incapable of taking either by purchase or descent; the product of her labour be-longed to her migtress; she could neither plead nor be impleaded, and was subject to all the disabilities and incapacities incident to a state of slavery; she was a mere chat-tel, the property of her mistress, who could have sold or transferred her at pleasure Her becoming free depended on tingency of her surviving Narah lurner, and it she had died before Surah Turner she would have died a slave, and could have had no heirs, and no civil right, could have been claimed under her, founded on the relation of blood-when in that state of the relation of blood—when in that state of slavery the periuser was born, and the on the death of sman Turner, in 1.07, his mother became see, yet she may be said then first to have been "born into civil life," and her new born espachies incident to her new state of being, could not have a retrospect to the time of his bir h, to the effact of giving him civil rights with which he was not born, but he became the slave of Sarah Turner; under the authority, of the cases of Scott vs. Dobom and Samerville vs. Johnson, 1 Harris & M. Henry's Reports, and Standiford vs. Amos, 1 Harr. & Johns. and Standigurd vs Amos, I Harr. & Johns. Reports 520, by which it is settled, that where a negro woman, bequeathed to one for the life of the legatee, has issue during his life and ther the death of the testator, such issue shall belong to the legatee; on the gound that the issue is to be considered. ed notes an accessary but as a part of the use, and to go the person to whom the use is limited. But the will of Rachellarner is not to be so construed. There is no limitation over, of the issue of the women begucathed to Sarah Turner, to whom the textatric meant to give freedom size the bequartied to Garan surner, to whom the textatrix meant to give freedom after the death of the legates, as well as to their methers. And the words other bove named negroes? were intended to be used as words of description; not to be restricted to those who were before mentioned by name, but must be understood as applying to all who were the subject of the to all who were the subject of the bequest, the issue as well as their mothers. They were all placed in the same state and condition during the life of Sarah Turner, and no difference in their conditions after her death was intended, but all were equally the bisets of the benevolence of the testatrix, and the issue as well as their mothers were entitled to their freedom on the death of antifed to their freedom on the death of Sarah Turner, the legates for life, if they were in predicament to receive it. But by the 13th two of the act of 1796, ch. 67, it is enacted, othat all persons capable in law to make a valid will and testament may grant freedom to, and effect the manumission of any slave or slaves belonging to such person or persons, by his, perortheir last will and testament, and such manumission of any slave or slaves may be made to

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France will a measure t last will and testament, and such manumission of any slave or slaves may be made to take effect at the death of the testator, or testators, or at such other period as may be limited in such last will and tastament; provided always, that no manaminson herester to be made by last will, and testament, shall be effectual to give freedom to any slave or slaves, if the same shall be to the prejudice of creditors, nor unless the said alars or always shall be under the age of fore five years and asis to work and goin husbandm that he will deep stroke dopted by t -scarcely escaped tot

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